

Law of Evidence 2nd Semester

Chapter 1,2,3,4,5

- 1. Distinguish Between R/D Substantive Law (i.e. The Facta Probanda or the facts in issue) and the English influenced Rules of Evidence.**
- 2. Explains the difference between forms and categories of evidence.**
- 3. Discuss what is meant by the term evidentiary-probative material.**

Probative Material is forms of evidence that is irrelevant, exceptionally admissible evidence, relevant but inadmissible evidence and evidentiary material. Probative Material is the forms of evidence. The first form of evidence is exceptionally admissible: Similar fact evidence, prior consistent statements, character, opinion, res gestae. 2nd type of evidence is relevant but inadmissible evidence: State privilege, professional legal privilege, police privilege, unconstitutionally obtained evidence. The third type is evidentiary material: Voluntary evidence (admissions, confessions, pointing out). Evidence admitted without proof (Judicial notice – presumptions)

- 4. Define evidence and provide a functional definition of evidence.**

Evidence may be generally defined as any relevant information that has been formally admitted by a court in legal proceedings (Civil and Criminal proceedings).

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