

Course No:
Course Title: Law Of Evidence
Date: 25/10/2017
No. of Questions: (4)
Time: One hour
Using Calculator (No)

University of Palestine

1st Mid- term Exam
October 2017/2018
Total Grade:15

Instructor Name: Dr. Nafiz Almadhoun
Student No.: _____
Student Name: _____
College Name: _____
Dep. / Specialist: _____
Using Dictionary (No)

Question One: 5 Marks

Decide whether the statements are true or false: -

- 1 - Oral evidence is traditionally the court's preferred manner of receiving evidence. ()
- 2- Oral evidence must be evidence of what the witness perceived with their own five senses. ()
- 3-indirect or circumstantial evidence may assist the court to assess other evidence. ()
- 4-when the evidence is prescribed by statute , relevance is not consider.()
- 5-all relevant evidence is initially presumed to be admissible . ()
- 6- If a person was unable to understand the nature of their oath, and if they were unable to understand the duty to tell the truth, their evidence could be relied upon.()
- 7- The judge determines, as a question of fact, whether a witness is competent to give evidence in a trial. ()
- 8- A person is not competent to give unsworn evidence "if, in the court's opinion, the person is able to give an intelligible account of events which he or she has observed or experienced.()
- 9- The giving of evidence is not optional - giving evidence when called to do so is one of the fundamental duties of citizenship. ()
- 10- Evidence law, combined with civil and criminal procedure, provide the means for the legal process to determine a just outcome to the dispute. ()

Question Two: 5 Marks

For the purpose of the law of Evidence. Define the following legal terms :

- 1- **Admissibility:**
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- 2- **Fact in issue:**
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- 3- **Compellability:**
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4- Prejudice:

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5- Presumption:

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For the purpose of the law of Evidence. Match and fill in blank the correct legal terms :

.....: The principle that wherever possible, court processes should be open to the public, and that the media should be able to report court matters without restriction.

.....: refers to a witness giving evidence which tends to show that they are guilty of a criminal offence.

.....: Any physical item which is placed before the court so that the court can learn about the item's own physical properties.

.....: Testimony evidence which, instead of explaining what the witness themselves observed, explains what another person observed and then related.

.....: fall on one of the parties in the case; that party must prove that the proposition is true. .

Question Three: 2 Marks

1-Mention the three basic reasons for the evidence to be excluded by the court?

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