

Evidence

Wednesday 19 February 2025

08.30 – 11.30

Candidates are required to answer THREE out of five questions.

Candidates should note that in examination answers, they are expected to cite relevant authority.

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Question 1

Explain the differences between primary and secondary hearsay. Refer to authority.

Question 2

How do sections 274 and 275 of the Criminal Procedure (Scotland) Act 1995 act to give the complainers in sexual offence prosecutions increased protection from irrelevant questioning?

Question 3

Compare and contrast the Moorov doctrine [Moorov v HMA 1930 JC 68] with the Howden principle [Howden v HMA 1994 SCCR 19].

Question 4

What steps must a police officer take before seeking to interview an accused person? Refer to authority.

Question 5

Discuss the difference between fact and opinion evidence. In what circumstances might a witness be allowed to express their opinion in court? Refer to authority.

END OF PAPER