

Question 1

In terms of South African law, the law of evidence forms part of ...

- (1) substantive law.
- (2) procedural or adjective law. ✓
- (3) criminal procedural law.
- (4) common-law.

Identify the correct statement: Section 35(2) of the Constitution provides for the rights of a detained person, including ...

- (1) the right to choose, and to consult with a legal practitioner, and to be informed of this right promptly (s 35(2)(b)). ✓
- (2) the right to be informed of the charge with sufficient details to answer it (s 35(3)(a)).
- (3) the right to be presumed innocent, to remain silent during the plea proceedings as well as during the trial, and not to testify during the trial (s 35(3)(h)).
- (4) the right to adduce and challenge evidence and not to be a compellable witness against himself or herself (s 35(3)(i) and (j)).

Question 3

Consider the following statements, and choose the correct option:

- (1) The party who undertakes examination-in-chief can attack the credibility of an unfavourable witness.
 - (2) Examination-in-chief is undertaken by the presiding officer in his capacity as "chief" of the court.
 - (3) Refreshing of memory by a witness can only take place before such a witness starts giving evidence in court.
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Law School Evidence Multiple Choice Questions

Annelies Wilder-Smith



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