

PCLL CONVERSION EXAMINATION JUNE 2011

Title of Paper : Evidence
Date : 24 June 2011
Time : 2:30 p.m. – 5:30 p.m.

Instructions

1. Write your **candidate number** on the cover of each answer book. Do **NOT** write your name in the answer book.
2. Start each answer on a separate page of the answer book.
3. Write your answers only in the answer books provided.
4. This is a three-hour examination.
5. This is an open book examination.
6. **NO** reading time is designated for this paper.
7. This paper consists of 2 pages, including five compulsory questions. A total of 50 marks may be awarded. Candidates must answer **ALL** five questions. There is **NO** element of choice.
8. Each question is worth 10 marks.
9. The passing mark for this paper is 25 marks.

**DO NOT OPEN THIS QUESTION BOOK
UNTIL YOU ARE TOLD TO DO SO**

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Evidence

Question 1 (10 marks)

Dan is charged with the manslaughter of Doreen. One week prior to the offence Dan told Dixon that he was going to kill Doreen. Consider the admissibility into evidence of the statement that Dan made to Dixon.

Question 2 (10 marks)

Relevance and admissibility are important topics in the law of evidence. Discuss why a clear distinction should be made between the two topics.

Question 3 (10 marks)

Raymond is arrested at his flat for theft. He is taken to the Wanchai Police Station and interviewed by Detective Wong. After 12 hours of interviewing Raymond states: "alright, alright, do not pressure me, I took it". Discuss the main evidentiary issues arising.

Question 4 (10 marks)

Edgar and Frank are charged with conspiracy to traffic in dangerous drugs. Before the two men were arrested and charged though and when first approached by a police officer on the street Edgar said: "It was Frank's idea. Frank was the one selling drugs." Discuss the admissibility into evidence of this statement.

Question 5 (10 marks)

The privilege against self-incrimination is not absolute. Set out two exceptions to it and an argument in support of making it absolute.

~ End of Examination Paper ~