

**COUNCIL OF LEGAL EDUCATION
NORMAN MANLEY LAW SCHOOL**

**LEGAL EDUCATION CERTIFICATE
FIRST YEAR EXAMINATIONS 2026**

LAW OF EVIDENCE AND FORENSIC MEDICINE

(FRIDAY, MAY 8, 2026)

Instructions to Students

- (a) Time: **3 ½ hours**
- (b) Answer **ALL** questions from Part A and Part B.
- (c) **Answer Part A and Part B on separate answer booklets.**
- (d) In answering any question, a candidate may reply in accordance with the law of a Commonwealth Caribbean territory zoned for this school, **but must state at the beginning of the answer the name of the relevant territory.**
- (e) It is unnecessary to transcribe the questions you attempt.
- (f) Answers should be written in black or dark blue ink. Erasable pens are not allowed.

PLEASE REMAIN SEATED UNTIL YOUR SCRIPT HAS BEEN COLLECTED.

PART A
Forensic Medicine

QUESTION 1

(a) A group of law students checked into a hotel in your jurisdiction to be in the centre of the carnival action. There was an after-party in the hotel lobby that went late into the night.

They were awakened by a group of Americans boarding a bus in the car park for a 7:00 a.m. flight. The students decided to take an early morning dip in the pool, where they discovered the body of the Carnival Queen face down in the water.

(i) The body was clutching curly blonde hair tightly in its right hand.

Discuss the process involved and explain how recent developments in modern science, using the hair, can trace the possible suspect in the United States of America.

(ii) The body was face down, but there was a purplish discolouration all over the posterior surface of her body. Explain.

(iii) At the morgue, two wounds were noted, one to the anterior abdomen and the other to the posterior torso. Both were 0.5cm in diameter, and both had circumferential margins of abrasion. No bullets were found in the body.

Explain the term “abrasion” and account for the state of affairs regarding the gunshot wounds.

(b) Explain how someone can drown without any water being found in the lungs.

PART B
EVIDENCE

(This Part must be answered in a new answer booklet and titled Part B)

QUESTION 2

You are a prosecutor in the Office of the Director of Public Prosecutions in your jurisdiction. You have conduct of a file in relation to a joint charge against Andrew and Barry for the offence of arson to be tried by jury.

Andrew, a taxi-driver, and Barry, unemployed, both live in a volatile community known to be dominated by a gang led by a gangster, "One Don", who cannot be found. The gang is also known for extortion of businesses in the community and reprisals against business owners who do not pay "protection money".

The prosecution's case is that Andrew and Barry, acting together, are responsible for burning down a business place in their community. Their jury trial is pending before the High/Supreme Court in your jurisdiction. You note in the file that Andrew gave a caution statement to the police.

In his caution statement, Andrew alleged that One Don summoned him to his (One Don's) residence. There, One Don introduced Barry as a member of the gang. One Don then threatened to kill him (Andrew) unless Andrew transported Barry to the business place in question to burn it to the ground. Andrew asserted that this was the only reason he drove Barry to and from the business place, which had been burnt to the ground by Barry. He further said that he was not a member of the gang and this was his first encounter with One Don and Barry.

You note that Andrew has no previous convictions.

Advise as to:

- (i) the procedure to have Andrew's caution statement admitted into evidence on the prosecution's case, if Andrew challenges its voluntariness;
- (ii) any special directions the trial judge should give the jury in relation to the caution statement, if admitted into evidence;

- (iii) the admissibility of Andrew's evidence of the threatening words used by One Don, if Andrew chooses to give evidence as to this in his defence; and
 - (iv) any special directions the trial judge should give as to the absence of previous convictions on Andrew's part, if raised by Andrew.
-

QUESTION 3

Carl and David are a musical performing and recording duo managed by Earl. Earl was charged for causing grievous bodily harm with intent to Carl, arising from an incident at Earl's office.

The charge against Earl was tried by jury in the High/Supreme Court of your jurisdiction and Earl was convicted.

Both Carl and David gave evidence for the prosecution. Their evidence was that they visited Earl to demand long overdue payments in relation to royalties and concert fees, a source of dispute with Earl. They said that, when Carl protested that Earl was stealing from them, Earl lost his temper and threw a fierce punch to Carl's face, causing a fracture to Carl's jaw. Both gave evidence that there was no threat or prior attack by Carl. The investigating officer gave evidence that after Carl attended the police station and made a report, he telephoned Earl to request that he, Earl, attend the police station. Earl said he would attend and denied that there was any incident involving Carl and David at his office.

Later that day, Earl attended the police station, handed over a pair of scissors and then gave the investigating officer a different account in a detailed caution statement to the investigating officer. The pair of scissors and the caution statement were both tendered and admitted into evidence on the prosecution's case through the investigating officer, without objection from Earl's attorney-at-law.

Earl's caution statement was to the effect that Carl had taken a pair of scissors from his (Earl's) desk and advanced with it, menacingly, towards him. Earl said he was forced to defend himself by punching Carl in the jaw.

At the trial, Earl gave evidence in his defence. He asserted that he had acted in self-defence and

his evidence was to the same effect as what he had said in his caution statement.

In summing up the case to the jury, the trial judge gave no special directions as to David's evidence for the prosecution.

In relation to the contradiction in the accounts given to the investigating officer, the full extent of what the judge told the jury was, *"You can of course infer from the contradiction in the accounts given to the police that Earl lied and you may conclude that this has strengthened the prosecution's case against him."*

In relation to the caution statement by Earl, the trial judge told the jury, *"The caution statement by Earl is only admissible to show that he eventually co-operated with the police and, I suppose, gave an account, self-serving as it was, consistent with his evidence in court."*

In relation to Earl's evidence in court, the trial judge said, *"Earl has asserted the defence of self-defence, a complete defence to the charge against him. However, in law he who asserts must prove. Therefore, he must adduce evidence to raise his defence of self-defence but only to establish that it is more probably true than not that he acted in self defence."*

Earl, retains you, a defence attorney, to pursue an appeal against his conviction.

Advise:

- (a) whether the trial judge ought to have given any special directions in relation to David's evidence for the prosecution and, if so, indicate the contents; and
- (b) as to the propriety of the trial judge's directions on:
 - (i) the contradiction in the accounts Earl gave the police;
 - (ii) the evidential value of Earl's caution statement; and
 - (iii) Earl's evidence of self-defence.

END OF PAPER