

# **TRAINING COURSE FOR PROSECUTORS AND ENQUIRING OFFICERS**

## **IN THE PUBLIC SECTOR**

<p><b><u>PRE-TRIAL/ENQUIRY STAGE</u></b></p> <p>Recording of defence statement of an accused party, including a company. The Judges' Rules and its practical aspects, failure to sign statement, an exception to hearsay, the witnessing officer.</p>
<p><b><u>EXHIBITS</u></b></p> <p>Securing, handling, packing, labelling and production in court. Failure to produce exhibits-photographs and chain of continuity</p>
<p><b><u>WARRANT</u></b></p> <p>Procedure, execution and follow up, warrant of arrest and securing of exhibits</p>
<p><b><u>IDENTIFICATION ISSUES</u></b></p> <p>Identification parade, confrontation, dock identification and rights of the accused.</p>
<p><b><u>THE DRAFTING OF INFORMATION</u></b></p> <p>Charging the accused. The law, the misconception of particulars, the techniques of drafting, the penalty section, and the relevant sections coupled with other provisions of the law. Proceedings against companies and the relevant provision under the law. Double jeopardy rule under s 46 of IGCA Failure to sign information by DM and Prosecutors Number of count in an information</p>
<p><b><u>TRIAL</u></b></p>
<p><b><u>DISCRETION OF PROSECUTION TO CALL WITNESSES</u></b></p> <p>Power of the DPP, D.O.P and decision to prosecute Documents/Certificates that can be produced without their authors to be called to depone.</p>

**EXAMINATION IN CHIEF/CROSS EXAMINATION**

Refreshing memory  
Unfavourable/adverse witness and hostile witness

**COMPETENCY OF WITNESSES**

Witnesses in general  
Prosecutor as a witness  
Role of the enquiring officer

**CASE CLOSED FOR THE PROSECUTION AND RE-OPENING OF CASE**

**TECHNICAL TERMS EXPLAINED**

Prima facie, abuse of process, stay, striking out of provisional charge, double jeopardy, the concept of fair hearing within a reasonable time, dismissal for want of prosecution, visit of locus, limitation of action and authority to prosecute.

**ROLE OF PROSECUTOR**

**JURISDICTION OF THE COURT**

**LAW AND EVIDENCE**

Burden of proof, direct evidence, circumstantial evidence, confession/admission, inspection, judicial notice, hearsay, corroboration as a matter of law/practice, documentary evidence, privilege and confidentiality.

**APPEAL**