

Reflection on evidence

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Distinction between indirect and direct evidence. The divisions seen in direct and indirect evidence are primarily revealed in most criminal cases as opposed to civil cases (Indermaur, 2009). In real sense direct evidence involves the presentation of material aspects or facts that a crime actually occurred.

These facts need to be proved in order to render them as legal decisions favorable to the person producing the evidence (Kenny, 1929). Indirect evidence on the other hand is evidence which has been inferred from the defendant's point of view in that the events preceding the crime actually led to the actual crime occurrence or are circumstantial in real sense (Henry, 2005). Relevant rules of evidence Rules of evidence are used to prescribe the general procedures which provide descriptions regarding the admissibility of evidence in a court of law. In common nature there are several rules provided for the description of evidence as seen in most criminal cases. For instance, Federal Rules of Evidence are commonly applied in such kinds of cases.

A good example of FRE 201 which states that, " A judge may take judicial notice of an indisputable fact generally known in jurisdiction or if it's established from an accurate and reputable source whether a party requests it or not" (Ryan, 2005). This rule gives account on the admissibility of evidence after due confirmation of the real source. Moreover, FRE 603 requires that the admission of an oath is compulsory to all witnesses affirming the evidence (Ryan, 2005). In addition, FRE 104 provides that it is the judge who determines the preliminary questions of admissibility hence he or she is not bound by the rules of evidence except rules of privilege

(Ryan, 2005). Reflection on the importance of upholding the integrity of evidence how compromised evidence can affect the outcome of a case The need to uphold integrity of evidence is very critical especially in criminal settings in order to ensure that judgment is correctly and fairly administered. Upholding integrity serves to eliminate any instances of prejudice on the defendant and accuser, and it also serves to remove any sentiments that there is a probability of malice in the prosecution.

This especially applies in circumstantial evidence where there is need to ascertain that the facts inferred are indeed directly connected to the case at hand. Compromised evidence has the potential of leading to either the accuser winning unfairly or the defendant escaping conviction. The occurrence of compromised evidence therefore needs to be well examined, and if need forensic experts should be involved in circumstances where one cannot direct or indirect evidence to the crime scene (Henry, 2005).