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Subject:- English Jurisprudence

Probative Value of evidence

i) Introduction:-

The concept of probative value of evidence is central to the law of evidence. In every legal system including Pakistan under the Qanun-e- Shahadat, 1984, courts rely on evidence to determine the truth of facts in issue. However, not all evidence proves a

particular effect.

Defination

Probative value refers to the degree of evidence effectiveness or strength of evidence in proving a fact befor a court of law.

" It is the power of evidence to convince the court about the truth."

Importance of Probative Value:

- Helps the court evalute and compare evidence
- Assist in reaching a fair and just decision.
- Distinguishes between strong and weak evidence.
- Prevents reliance or irrelevant or unreliable material.

Elements of Probative Value

(a) **Relevence:**
Evidence must be logically connected to the fact in issue.

(b) **Reliability:-**
The evidence should be dependable and free from doubt.

(c) **Crediability:-**
The source (witness or document) must be trustworthy.

(d) **Weight:-**
The strength of evidence compared to other evidence presented.

Type of Evidence and their Probative Value.

- **Direct Evidence:-**
  Has high probative value as it directly proves a fact. (e.g Eye witness).

- **Circumstantial Evidence:-**
  It value depends on completeness of the chain of circumstances.

- **Hearsay Evidence**
  Generally has low probative value and is often inadmissible.

- **Documentry Evidence:-**
  Strong probative value if properly authenticated.

5) Factors Affecting Probative Value

- Authenticity of evidence
- Consistency in statements
- Corroboration with other evidence.
- Presence of bias or intrest
- Method of obtaining evidence
- Condition and clarity.

Probative Value (vs) Admissibility

Aspect	P.B Value	Admissibility
Meaning	Strength of evidence	whether it is allowed court
Nature	Factual Evaluation	Legal rule
Devided by	Judge	Law
Focus	Persuasiveness	Legality

evidence may be admissible but not persuasive and vice versa.

Practical Example:

- A clear CCTV recording of crime (High Probative value).
- A rumor or second hand statement (Low Probative Value).

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In conclusion, the probative value of evidence plays a crucial role in judicial decision-making. It ensures that court rely on relevent, reliable and credible evidence while delivering justice. A proper understanding of probative value helps in distinguishing truth from falsehood, thereby strengthing the legal system.