LAHORE LEADS UNIVERSITY

Assignment To : Miss Amina Anum

Assignment By : Imtiaz Ali

Roll No : F23-1037

Subject : English jurisprudence

Department : BA (LLB)

Section : (A)

Date : 13/04/2026

⚖️ Probative Value of Evidence in English Jurisprudence

🔹 Introduction

In English law, the concept of probative value of evidence plays a fundamental role in determining the admissibility and weight of evidence in judicial proceedings. Courts are not only concerned with whether evidence is relevant, but also with how strongly it contributes to proving a fact in issue. Thus, probative value ensures that only meaningful and reliable evidence is considered in the administration of justice.

🔹 Definition

Probative value refers to the degree to which a piece of evidence proves or tends to prove a fact in issue. It measures the strength, reliability, and persuasive effect of evidence in establishing the truth.

🔹 Nature and Scope

In English jurisprudence, probative value goes beyond mere relevance. While relevant evidence is admissible, its probative force determines how much weight the court will assign to it. Evidence with high probative value has a strong logical connection to the fact in issue and significantly assists the court in reaching a conclusion.

🔹 Factors Affecting Probative Value

1. **Relevance**

Evidence must be directly related to a fact in issue. Irrelevant evidence has no probative value.

2. **Reliability**

Evidence that is accurate and trustworthy carries greater probative weight.

3. **Credibility of Witness**

Testimony from a credible and unbiased witness has higher probative value.

4. **Directness of Evidence**

Direct evidence (e.g., eyewitness testimony) is generally more probative than circumstantial evidence, though strong circumstantial evidence can also be highly probative.

5. **Corroboration**

Evidence supported by other independent evidence is more persuasive.

🔹 Balancing Test (Probative Value vs Prejudicial Effect)

A key principle in English law is that evidence may be excluded if its probative value is outweighed by its prejudicial effect. This ensures fairness and prevents misuse of evidence that might mislead the jury.

This principle is illustrated in:

- **DPP v Boardman** – Similar fact evidence is admissible only when it has strong probative value.
- **R v Sang** – Courts have discretion to exclude evidence in the interest of fairness.

🔹 Statutory Recognition

Under the Police and Criminal Evidence Act 1984, particularly Section 78, courts may exclude prosecution evidence if its admission would have an adverse effect on the fairness of proceedings, even if it has some probative value.

🔹 Importance

★ Ensures fair trials

★ Prevents reliance on weak or misleading evidence

- ★ Helps courts reach accurate and just decisions
- ★ Maintains balance between truth-seeking and protection of the accused

🔹 Conclusion

In English jurisprudence, probative value is a crucial concept that determines the effectiveness and admissibility of evidence. By balancing probative worth against potential prejudice, courts ensure that justice is both done and seen to be done. It reflects the principle that not all relevant evidence should be admitted—only that which meaningfully contributes to establishing the truth.