



# KISII UNIVERSITY

## UNIVERSITY EXAMINATIONS

**THIRD YEAR EXAMINATION FOR THE AWARD OF THE  
DEGREE OF BACHELOR OF LAWS  
SECOND SEMESTER, 2021/2022  
(FEBRUARY - JUNE, 2022)**

**LLBK 327: CHILDREN AND THE LAW**

**STREAM: LLBK 3 S2**

**TIME: 2 HOURS**

**DAY: THURSDAY, 12:00 – 2:00 P.M.**

**DATE: 26/05/2022**

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### **INSTRUCTIONS**

- 1. Do not write anything on this question paper.***
- 2. Answer Question ONE [Compulsory] and any other TWO Questions.***
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.***

### **QUESTION ONE**

Adoption is one of the ways through which children get access to families from charitable children's institutions (CCIs). However, on November 26<sup>th</sup> 2014, the government of Kenya issued a moratorium on international adoptions in the country. This was based on the increase of child trafficking in Kenya. Your Canadian friend who is married to a Kenyan wants to adopt a child from Kenya.

- Explain to her the adoption laws and processes in Kenya (20 marks)
- Discuss her chances of succeeding to adopt a child in Kenya. (10 marks)

### **QUESTION TWO**

Critically discuss how the 1989 United Nations Convention on the Rights of the Child compares to the 1990 African Charter on the Rights and Welfare of the Child. (20 marks)

### **QUESTION THREE**

You are the chairperson of the Anti-FGM board in Kenya. You have been invited to the Child Summit 2022 to educate University students on the types, effects and illegality of FGM in Kenya and in East Africa. Write a report and make a presentation on the same. (20 marks)

### **QUESTION FOUR**

On 2<sup>nd</sup> of March 2022, Russia declared war against Ukraine. You are a UNICEF consultant and have been called upon by the Kenyan military to educate them on the 6 grave violations children risk facing during war and the child protection military roles and responsibilities during war. Prepare to give a detailed presentation on the same – just in case the Kenyan armies are recruited by the UN forces to serve in Ukraine. (20 marks)

### **QUESTION FIVE**

You are one of the children's officers in Kisii law courts. The magistrate of the court has tasked you to organize an open day for the community in which you can educate the public on juvenile delinquency. Draft a presentation on this issue. Discuss the age of criminal responsibility, the legal consequences of juvenile delinquency and the relevant correctional facilities in Kenya.

(20 marks)