



KISII UNIVERSITY
UNIVERSITY EXAMINATIONS

SECOND YEAR EXAMINATION FOR THE AWARD OF
THE DIPLOMA OF LAWS
SECOND SEMESTER, 2023/2024
(JANUARY-APRIL, 2024)

DLAW 0227: CRIMINOLOGY AND PENOLOGY

STREAM: Y2 S2

TIME: 2 HOURS

DAY: MONDAY, 12:00 – 2:00 P.M.

DATE: 15/04/2024

INSTRUCTIONS

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

QUESTION ONE

- a) i) Under Section 228 of the Penal Code Cap 63 Laws of Kenya provides that “any person who when a woman is delivered of a child, prevents the child from being born alive by an act or omission, is deemed to have unlawfully killed the child and is guilty of a felony and is liable to life imprisonment.” Discuss **(5 marks)**
- ii) Explain the Legal defenses available to a Health Service Provider charged under this provision of Act. **(5 marks)**
- b) Describe the individual theories used to explain male violence against women partners and ex-partners. **(5 marks)**
- c) Explain the people who are allowed to be present in a Juvenile court and several orders that may be made by such courts. **(5 marks)**
- d) Discuss some of the mostly abused prisoners’ rights in prisons today giving all possible solutions towards ensuring that these rights are observed. **(5 marks)**

- e) Juvenile courts are established for the protection and discipline of children and the young persons. Explain the grounds they can be disciplined. **(5 marks)**

QUESTION TWO

- a) Explain the concept of human rights. **(5 marks)**
- b) Describe the origins, history of women and human rights, development of human rights activism and discuss the features of human rights. **(15 marks)**

QUESTION THREE

- a. Kisii University has invited you to give a lecturer on the constitutional advice to the president on the implementation and enforcement of the two third gender rule by the (CJ). Discuss the main points that will constitute your lecturer. **(5 marks)**
- b. with relevant examples discuss the rights of arrested and accused persons under the constitution laws of Kenya 2010. **(6 marks)**
- c. Explain the meaning and concept of Gender. **(3 marks)**
- d. Discuss gender roles in the society. **(6 marks)**

QUESTION FOUR

- a. Evaluate the role of international human rights instruments in the promotion of gender equality. **(10 marks)**
- b. Discuss the extent to which Kenyan laws have promoted gender equity and equality. **(6 marks)**
- c. What are the common misconception about the human rights to health? **(4 marks)**

QUESTION FIVE

- a. Critically analyze the relationship between gender and the law. **(9 marks)**
- b. As a Public Health Officer in-charge of a county, you realize that your junior staffs are not taking Public Health Officers to a Court of Law for Prosecutions.

Describe at least five (5) reasons which would be the cause. **(5 marks)**

- c. Explain the meaning and concepts of child rights. **(6 marks)**