



**KISII UNIVERSITY**  
**UNIVERSITY EXAMINATIONS**

**SPECIAL EXAMINATIONS**  
**FIRST YEAR EXAMINATION FOR THE AWARD OF THE**  
**DIPLOMA IN LAWS**  
**FIRST SEMESTER, 2021/2022**  
**(FEBRUARY - JUNE, 2022)**

**DLAW 0115: INTRODUCTION TO CRIMINAL LAW**

**STREAM: Y1 S1**

**TIME: 2 HOURS**

**DAY: MONDAY, 3:00 – 5:00 P.M.**

**DATE: 25/07/2022**

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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**

- a) The nature of specific intent? Is a matter of great importance but a careful scrutiny of the authorities.....fails to reveal any consistency by which specific and basic are to be distinguished {Ormerod,2008}

Analyze the difference of voluntary intoxication and non-insane automatism in light of the above comment (15 marks)

- b) The judges seem unable to decide whether the defense of necessity does exist as a form of duress or does not exist at all. Consider the truth of the above statement. Discuss. (15 marks)

## **QUESTION TWO**

Explain the principles of sentencing (10 Marks)

Explain the various parties to offences. (10 Marks)

## **QUESTION THREE**

Using case laws and relevant examples, write explanatory notes on the following

a) Strict liability. (5 Marks)

b) Insanity. (5 Marks)

c) Claim of right. (5 Marks)

d) Ignorance of law (5 Marks)

## **QUESTION FOUR**

Sadam is in a pub when he has a violent sneezing fit. The glass he is holding flies out of his hand and hits Odhiambo, the barman, cutting his neck. Odhiambo is an epileptic who has forgotten to take his medication. Odhiambo has an epileptic seizure and lurches out at a customer, Scola, kicking her before collapsing on the floor. Scola has drunk several glasses of orange juice which, unknown to her, have been spiked with vodka and she kicks Odhiambo whilst on the floor, severely damaging his kidney. Scola then lurches towards Sadam with a broken bottle in her hand.

Sadam thinks she is about to attack him and he punches Scola so hard that he knocks her down and injures her jaws.

Discuss the offences committed and the defenses which may be available to Sadam, Scola and Odhiambo for the specific offences. (20 marks)

**QUESTION FIVE**

Explain the following main elements in criminal law.

- a) Mens rea (5 marks)
- b) Actus reus (5 marks)
- c) Briefly explain various types of sexual offences (10 marks)