

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DIPLOMA IN LAW
SUPPLEMENTARY EXAMINATION PAPER – JULY 2011

TITLE OF PAPER	:	CRIMINAL LAW
COURSE CODE	:	DL013
TIME	:	THREE (3) HOURS
INSTRUCTIONS	:	<u>ANSWER QUESTION 1</u> (QUESTION 1 CARRIES 40 MARKS) <u>AND</u> ANY OTHER TWO (2) QUESTIONS (QUESTIONS 2 - 5 CARRY 30 MARKS EACH)
TOTAL MARKS	:	100

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Question 1

The mere fact that a person has committed an unlawful act does not mean that he/she is criminally liable. It is also required that the person's conduct should be culpable.

Discuss this statement fully.

[40 Marks]

Question 2

The sole aim of Criminal Law is to define and deal with certain types of socially intolerable conduct as crimes.

Discuss this statement.

[30 Marks]

Question 3

Punishment is the authoritative infliction of suffering for an offence committed. It consists of official sanctions calculated to interfere with the life, liberty, or property of the individual.

Explain these statements.

[30 Marks]

Question 4

No one should be punished except for an offence specified by law and punishment must itself be in accordance with law.

Discuss.

[30 Marks]

Question 5

There are many similarities between a crime and a delict. A crime and a delict are both unlawful and blameworthy. Conduct which is criminal may also be delictual.

Discuss.

[30 Marks]