

**UNIVERSITY OF SWAZILAND**

**INSTITUTE OF DISTANCE EDUCATION**

**DEPARTMENT OF LAW**

**DIPLOMA IN LAW**

**MAIN EXAMINATION: DECEMBER 2011**

**TITLE PAPER : PRINCIPLES OF CRIMINOLOGY**

**COURSE CODE : DL 024**

**MARKS : 100**

**TIME ALLOWED : 3 HOURS**

**INSTRUCTIONS : (a) ANSWER ANY FOUR (4) QUESTIONS.**

**(b) ADDITIONAL MARKS WILL BE GIVEN FOR USE  
OF CASE LAW WHERE APPROPRIATE.**

**(c) ALL ANSWERS CARRY EQUAL MARKS  
(CONSISTENCY WITH SUPPLEMENTARY  
EXAMINATION INSTRUCTIONS)**

**THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN GIVEN  
BY THE INVIGILATOR.**

**QUESTION 1**

*“Of all the challenging and sometimes unpleasant tasks associated with the Judicial Office..., none is as ensnaring to the Judicial Officer as the passing of what is considered an appropriate sentence. This is owed to the multiplicity of competing interests that the Judicial Officer is expected by all the interested camps to attune to their satisfaction, and to bring an equilibrium, regardless of the divergent interests they hold and views they espouse. This calls on the mortal to perform the divine, but so are the dictates of this office. This difficulty was noted by Friedman, J. (as he then was) in the carefully analyzed and reasoned judgment of S v BANDA & OTHERS BLR 1989-90, at page 28...”*

**(Per MASUKU J, in REX v. NQABA THEMBA DLAMINI, CRIM. CASE 49/2000.).**

In the context of the above statement in relation to sentencing, critically discuss and analyze the considerations that a Judicial Officer (Magistrate or a Judge) must take into account in ensuring that he/she satisfies the competing interests and principles when sentencing an offender. Citation of legal authorities will give students additional marks. Your answer must not exceed four pages.

**[Total: 25 marks]**

**QUESTION 2**

2.1 Name and critically discuss the four purposes of punishment.

[20]

2.2 Give one juridical concept of crime.

[2½]

2.3 Give one non-juridical concept of crime.

[2½]

**[Total: 25 marks]**

**QUESTION 3**

3.1 Give the theories of crime which were espoused by;

3.1.1 STRAIN THEORISTS

[10]

3.1.2 CULTURAL CONFLICT THEORY

[5]

3.2 Name and briefly discuss three reasons for measuring crime.

[10]

**[Total: 25 marks]**

**QUESTION 4**

4.1 Briefly discuss;

4.1.1 Primary prevention of crime.

[5]

4.1.2 Secondary prevention of crime.

[5]

4.1.3 Tertiary prevention of crime.

[3]

4.1.4 In your opinion, is capital punishment effective in deterring would be offenders from committing crime?

[12]

[Total: 25 marks]

**QUESTION 5**

5.1 Name and critically discuss four types of punishment which are used to punish convicted criminals in Swaziland.

[20]

5.2 What is the explanation given by the conflict theorists on the origin of the criminal law? Briefly discuss.

[5]

[Total: 25 marks]

### **QUESTION 6**

You are a criminologist employed by the Centre for Criminal Conduct Studies (CCCS) in Mbabane and you are required to present a brief board paper on four methods you will use in collecting data to be used in analyzing the level of crime in Swaziland.

Briefly discuss the four methods of collecting data and explain their advantages and disadvantages.

[Total: 25 marks]