

UNIVERSITY OF SWAZILAND

INSTITUTE OF DISTANCE EDUCATION

DEPARTMENT OF LAW

MAIN EXAMINATION DECEMBER 2012

TITTLE OF THE 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

- (a) *"It is now necessary for me to pass sentence. In doing so it is proper to bear in mind the chief objectives of criminal punishment namely...It is also necessary to impose a sentence which has a dispassionate regard for the nature of the offence, the interest of the offender and the interests of the society..." (per Masuku J in Manyonyoba Joseph Gwebu v Rex - High Court Case 17/2002.)*

In the context of the above quoted principle, set out and discuss the four chief objectives and punishment in Swaziland.

[20 Marks]

- (b) In your view, which purpose of punishment is more effective in the fight against the prevalence of crime in our society. Briefly motivate your answer.

[5 Marks]

[25 Marks]

QUESTION 2

Discuss the exercise of discretion by the Royal Swaziland Police from the point where crime is reported to them up to the point where Police hand over their docket to the prosecution. Your answer must address the three deferent stages of arrest, bail and charge.

[25 Marks]

QUESTION 3

In considering an appropriate sentence after an accused has been found guilty of crime, the court is required to take into account what is generally referred to as the triad. Discuss and cite at least one decided case to support your answer.

[25 Marks]

QUESTION 4

(a) Scholars on the cause of crime in society have put forward various theories to explain crime causation. Discuss the following theories;

(i) Economic factors

(ii) Strain theory

[20 Marks]

(b) Discuss the concept of habitual criminal.

[5 Marks]

[25 Marks]

QUESTION 5

In the context of crime prevention discuss;

(i) Primary prevention

(ii) Secondary prevention

(iii) Tertiary prevention

[25 Marks]

QUESTION 6

(a) Set out and discuss four methods used by criminologists to measure crime in society.

[15 Marks]

(b) Set out and briefly discuss five reasons that make crime statistics to be unreliable.

[10 Marks]

[25 Marks]