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UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DEPARTMENT OF LAW
MAIN EXAMINATION PAPER- DECEMBER 2013

TITLE OF PAPER : **CRIMINAL LAW**
COURSE CODE : **DL013**
TIME : **THREE (3) HOURS**
INSTRUCTIONS : 1. **ANSWER QUESTION 1**
(QUESTION 1 CARRIES 40 MARKS)

AND

2. **ANY OTHER THREE QUESTIONS**
(QUESTIONS 2 TO 5 CARRY 20 MARKS EACH)

TOTAL MARKS : **100**

THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION TO DO SO HAVE BEEN GRANTED BY THE INVIGILATOR.

QUESTION 1

- (a) Outline and briefly discuss the different forms of intention/ *mens rea*? [5 Marks]
- (b) What are the defences negating unlawfulness in Swaziland? [5 Marks]
- (c) What is vicarious liability? [5 Marks]
- (d) What is criminal law and what is its purpose? [5 Marks]
- (e) Distinguish between crimes and delicts. [5 Marks]
- (f) Outline and briefly discuss the various types of punishment in Swaziland? [5 Marks]
- (g) What are the various classes of inchoate crimes? [5 Marks]
- (h) Briefly explain the “thin skull” principle. [5 Marks]

[40 Marks]

QUESTION 2

Explain the defence of “superior orders” in Swaziland. [20 Marks]

QUESTION 3

Discuss “youthfulness” as far as criminal capacity is concerned [20 Marks]

QUESTION 4

Discuss the defence of “provocation” in Swaziland? [20 Marks]

QUESTION 5

Describe the defence of “intoxication” in Swaziland. [20 Marks]