

UNIVERSITY OF SWAZILAND

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INSTITUTE OF DISTANCE EDUCATION

DEPARTMENT OF LAW

DIPLOMA IN LAW

MAIN EXAMINATION DECEMBER 2013

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

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BY THE INVIGILATOR

QUESTION 1

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In exercising its discretion to pass an appropriate sentence after finding a suspect guilty of crime, the Court is required, by legal principles governing sentencing of offenders, to balance three competing interests commonly known as the triad. Discuss the triad and state how the Court balances the three competing interests when sentencing offenders. Cite at least one decided Court case.

[Total: 25 marks]

QUESTION 2

What roles are played by the Family, the School and the Church in primary prevention of crime?

[25 marks]

[Total: 25 marks]

QUESTION 3

28

(a) You are employed as a Police Officer at Mankayane Police station. Thuli Brown comes in to report that her husband of 20 years, a professionally trained lawyer employed by Swaziland Government as a principal Magistrate in Nhlanguano Magistrates Court, who is also a born and raised Swazi, has threatened to assault her when she returns home from work that evening because he suspects that she committed adultery with her work colleague, Vusi Mamba. Exercising your discretion as a Police Officer, how can you handle this case on the aspects of:

- (i) Arrest
- (ii) Bail
- (iii) Charge

[15 marks]

(b) Discuss surveys and experiments as methods of collection of criminal data used in Swaziland.

[10 marks]

[Total: 25 marks]

QUESTION 4

(a) Criminologists have found out, in their studies, that sources of criminal data are not highly reliable. List five (5) reasons given by criminologists why sources of criminal data are not reliable.

[10 marks]

(b) Discuss the STRAIN THEORY as explained by Robert Merton and include, in your discussion, the options available to people who find themselves entangled in the strain problem.

[15 marks]

[Total: 25 marks]

QUESTION 5

(a) At which stage of the criminal justice system can a person be lawfully called "*a criminal*."

[3 marks]

(b) What are the aims and objectives of The Juvenile Justice System? Discuss.

[10 marks]

(c) List and discuss four types of punishment which are meted out in Swaziland against convicted criminals.

[12 marks]

[Total: 25 marks]

QUESTION 6

(a) Our study of Criminology recognizes four (4) main purposes of punishment. Discuss.

[20 marks]

(b) What is the distinction, if any, between juridical concept of crime and non-juridical concept of crime?

[5 marks]

[Total: 25 marks]