

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DIPLOMA IN LAW
SUPPLEMENTARY EXAMINATION PAPER - JULY 2016

TITLE OF PAPER	:	CRIMINAL LAW II
COURSE CODE	:	IDE-DL022
TIME ALLOWED	:	THREE (3) HOURS
INSTRUCTIONS	:	1. THIS PAPER CONSISTS OF <u>FIVE</u> QUESTIONS 2. QUESTION ONE IS COMPULSORY 3. ANSWER QUESTION ONE AND ANY <u>OTHER TWO</u> QUESTIONS
TOTAL MARKS	:	100

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BEEN GRANTED BY THE INVIGILATOR**

QUESTION ONE

Tonto entered Tutu's homestead one night. He hit Tutu several times on the head with a knobkerrie and then stuffed a scarf into his mouth. Tutu became unconscious. Thinking that he was dead, Tonto set fire to the homestead and left with a radio and a cellular phone belonging to Tutu. The blow to the head did not kill Tutu. He died as a result of smoke inhalation.

Discuss the liability of Tonto on a charge of murder.

[40 Marks]

QUESTION TWO

Discuss the essential elements of the crime of rape.

[30 Marks]

QUESTION THREE

Write brief notes on the essential elements of the following crimes:

a. Indecent assault

[15 Marks]

b. Assault with intent to do grievous bodily harm

[15 Marks]

[30 Marks]

QUESTION FOUR

Discuss the principle that theft is a continuing offence.

[30 Marks]

QUESTION FIVE

Discuss the essential elements of *crimen injuria* and defamation and briefly explain the differences if any, between the two crimes.

[30 Marks]

END OF PAPER