



# THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

## A. M. E. C. E. A MAIN EXAMINATION

JANUARY – APRIL 2019 TRIMESTER

FACULTY OF LAW

REGULAR PROGRAMME

SUPPLEMENTARY EXAMINATION

CLS 205: CRIMINAL LAW II

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Date: APRIL 2019

Duration: 2 Hours

**INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions**

- Q1. The offence of treason is becoming less effective with the advent of democracy. While defining the offence of treason under the Kenya Law, with the support of various authorities, analyze the elements of the said offence. Why is Democracy overshadowing this offence? **17.5 Marks.**
- Q2. Murder is the most serious crime among all homicide offences. As you explain the above statement, define murder and discuss with the support of authorities the main features of this offence including analyzing the various types of menrea which the prosecution must establish to prove the offence. **17.5 Marks**
- Q3. Manslaughter is the killing of a human being which otherwise could have been murder, but same is reduced to manslaughter due to extenuating circumstances. With the support of authorities, discuss the above statement as you define the offence. Further with the support of authorities, analyze the various forms of manslaughter. **17.5 marks**
- Q4. Property is defined as the aggregate of rights which are guaranteed and protected by government. Theft is a crime against people's property. As you define the offence of theft under Kenyan Law, with the support of authorities, discuss the main aspects of the offence. **17.5 Marks**
- Q5. Under S.3 of the sexual offences Act, the offence of rape is defined. As you define the said offence, with the support of authorities, discuss the elements of rape. Analyze the special types of rape as introduced by the said Act. **17.5 Marks**