

CENTRAL UNIVERSITY

KUMASI CAMPUS



RESIT EXAMINATION, 2019/2020

FACULTY OF LAW

BACHELOR OF LAW, LLB

First Semester Examination, 2019/2020(Supplementary), First Year

LAW 107: CRIMINAL LAW I

----January, 2020

Time: 3 hours

Candidates will have **FIVE (5) Minutes to read ONLY** the question paper.

During this time, candidates should **not write or make notes either** on the question paper or on the answer booklet(s) provided. **Five (5) marks** will be deducted if a candidate is found to have breached this rule. Candidates then have the remaining **THREE HOURS** in which to answer the questions.

INSTRUCTIONS

**ANSWER THREE QUESTIONS ONLY. ALL QUESTIONS CARRY
EQUAL MARKS**

QUESTION ONE

The Attorney General's office in Sunyani has asked you to draft a brief on the following facts in the case of The **Republic v Kofi Kalulu and two others**. "Kalulu and Kofi Guy have been arrested for attempt to commit robbery. The facts indicate that, prior to the incident, Kalulu was in Togo while the others were in Ghana but they communicated on facebook to each other about the incident they subsequently embarked upon. The accused persons used guns, pepper and knives in their operation. There is uncontroverted evidence that, the pepper was given to them by Ama Chavez of Atimpoku who sent the pepper through her eleven year old boy. During the operation, Kofi Guy shot one of the victims who screamed which made Kalulu and his accomplices to ran away. Draft an opinion on the case as to which court would have jurisdiction to try the case and the charges which can be preferred against them and or any other person to be arrested and charged as well.

QUESTION TWO

The Law Students' Union (LSU) Central University has a magazine called **THE LAW**". The editors have invited you to write articles for publication in the next edition. You are to write on the following topics

- (a) *"Causing an event in criminal law"* (b) *Preparation to commit a crime "*
- (c) **Consent in criminal law**

QUESTION 3

A Non-Governmental Organization (NGO) which has an office in Kumasi is organising a programme on criminal law in the Ashanti Region. You are to speak on the following topics (a)

Use of force for prevention of or defence against criminal offence

(b) Negligence as a crime

(c) Claim of right in criminal law

Draft what you will discuss at the programme.

QUESTION FOUR

(a) You have been employed to do an internship programme with a Law firm. You have been handed a submission in a case titled *Nkuku vrs Republic*. The facts in the case are as follows “In 2017, the accused was in the house of his employer when he saw two people climbing his fence wall around 11am. One of the people started throwing stones at the accused person. The accused person who had a gun in his hands ran after the deceased and shot him from a close range and he died two weeks later from the gun shot. Nkuku has been charged for murder. Discuss any possible defences which may be available to him.

(b) How true is this statement “*It is not against the laws of Ghana to exert force to correct misconduct of a child or servant under any circumstances.*”

QUESTION 5

Write short notes on the following

- a. Intoxication as a defence
- b. Duty to prevent felony
- c. Insanity as a defence in criminal law
- d. Ignorance as to mistake of fact and law

Examiner: Francis Obiri