

GREAT ZIMBABWE UNIVERSITY
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EXAMINATION



HERBERT CHITEPO LAW SCHOOL

BACHELOR OF LAWS HONOURS DEGREE

LEVEL 1 SEMESTER 2

EXAMINATION QUESTION PAPER

MODULE CODE	LLB123
MODULE NARRATION	CRIMINAL LAW
DATE	2024
DURATION	3 HOURS

INSTRUCTIONS TO CANDIDATES:

1. Clearly number all the questions you are answering
2. Section A is a compulsory question.
3. Choose any two questions to answer in section B
4. Mark all answer sheets with your student number
5. This Examination is out of 70 marks.
6. Candidates may bring unannotated copies of the Criminal law (Codification and Reform) Act into the examination room.

SECTION A

THIS QUESTION IS COMPULSORY

Question 1

Donny, who is eighteen, learned that his fifteen-year-old sister Heather was dating thirty-year-old Victor. He ordered his sister to stop seeing Victor, but she just laughed at him and said, "We love each other and nothing can come between us."

Donny decided to teach Victor a lesson. One afternoon, he obtained a realistic looking toy pistol and drove to Victor's house. He parked outside the house and waited for Victor to come home from work.

When Victor returned and was parking his car, Donny approached, holding the toy pistol behind his back. When Victor opened the car door, Don displayed the toy pistol and announced, "I am Heather's brother. I want you to stop seeing her."

Victor immediately reached under his car seat, pulled out a real handgun and pointed it at Donny. Don grabbed the gun in Victor's hand and the two struggled for possession of it. While they were struggling the gun discharged, killing Victor.

1. You are working for the prosecutor. She informs you that she is thinking of seeking a murder indictment against Donny. She asks your advice. Please advise using the Criminal Law (Codification and Reform) Act [C.A.P. 9:23] [15 Marks]
2. The prosecutor is worried that the defendant may raise a defence of self-defence and asks whether such a defence would be available. Please advise using the Criminal Law (Codification and Reform) Act [C.A.P. 9:23] [15 Marks]

SECTION B

ANSWER ANY TWO QUESTIONS FROM THIS SECTION

Question 2

To what extent has the law on intoxication as a general defence been developed to reflect policy concerns? Give reasons to support your answer. [20 Marks]

Question 3

Diana and Vivian are neighbours. Diana agreed to keep an eye on Vivian's house whilst Vivian was away, limited to collecting the mail and making sure the house was secure. Vivian gave Diana a set of house keys. On the day of Vivian's departure, Diana let herself into the house, borrowed Vivian's digital camera and used it for a couple of days before replacing it, having downloaded some photographs onto her own computer. On another occasion, she took a bottle

of wine and drank half of it. Just as she was replacing the bottle she heard Vivian return. The bottle slipped from her hand and smashed on the floor. In a fit of anger, Vivian chased Diana from the house, grabbing her bag as she did so. She took \$20 from Diane's purse and then threw both purse and bag over Diana's fence into her garden.

Discuss the crimes if any committed by the two women.

[20 Marks]

QUESTION 4

"There is one coherent thread underpinning the case law in the field of causation, which is that people should be accountable for the consequences of their own unlawful actions unless it would be clearly inappropriate for reasons of morality, common sense or otherwise."

Discuss

[20 Marks]

TOTAL MARKS: 70

END OF QUESTION PAPER