**UNIVERSITY EXAMINATIONS: 2023/2024**

# CAT 1-DUE DATE:30TH OCT 2024

**CRIMINAL LAW**

# INSTRUCTIONS: ANSWER ALL QUESTIONS

# QUESTION ONE

1. A court may convict a person for a different offence other than that charged for.

Explain the circumstances when this can happen **(3 Marks)**

1. Explain the key decision and rationale in Walter Mararo V R **(5 Marks)**
2. List and explain three circumstances that a court would allow that it goes in camera. **(3 Marks)**
3. Explain the implications of the decisions in [Patrick](http://kenyalaw.org/caselaw/cases/view/111625) [Kathurima](http://kenyalaw.org/caselaw/cases/view/111625) [v](http://kenyalaw.org/caselaw/cases/view/111625) [R](http://kenyalaw.org/caselaw/cases/view/111625) Court of

Appeal at Nyeri Criminal Appeal No. 131 of 2014; [Samuel](http://kenyalaw.org/caselaw/cases/view/118097/) [Warue](http://kenyalaw.org/caselaw/cases/view/118097/) [Karimi](http://kenyalaw.org/caselaw/cases/view/118097/) [v](http://kenyalaw.org/caselaw/cases/view/118097/) [R](http://kenyalaw.org/caselaw/cases/view/118097/)

Court of Appeal at Nyeri Criminal AppealNo.16of2014) **(5 Marks)**

1. List and explain briefly the conditions that have to be there for Electronic and digital evidence to be admissible in a court of law. **(5 Marks)**

# QUESTION TWO

1. When sentencing, courts are guided by the Sentencing Policy Guidelines. List and explain briefly these principles **(5 Marks)**
2. List and explain the general principles that guide the Bond and Bail policy guidelines in Kenya. **(6 Marks)**

# QUESTION THREE

1. Discuss these **general principles** relating to criminal responsibilities as outlined under the penal code:-