

OLABISI ONABANJO UNIVERSITY
FACULTY OF LAW

DIPLOMA IN LAW

COURSE: CRIMINAL LAW

COURSE CODE: DIL 10

HARMATTAN SEMESTER 2013/2014

INSTRUCTIONS: YOU ARE REMINDED THAT EXAMINATION MATERIAL PRACTICE IS A STRICT LIABILITY OFFENCE UNDER THE NIGERIAN LAW. PLEASE CONFORM TO THE EXAMINATIONS RULE AND REGULATIONS.

ATTEMPT ANY FOUR QUESTIONS

TIME ALLOWED: 2^{1/2} HOURS

1. Nigerian Criminal law developed in line with Constitutional development country.

2. Outline and briefly discuss the numerous penal alternatives provided for in Nigerian law.

3. a) Adigun joined in a riot involving students numbering about 400. The anger of the Oba's palace ablaze. Adigun was fingered and was arrested. He is charged with arson. Adigun claimed he was not the actual person that set the palace on fire.

(b) Muraina along with his friends heard the cries of anguish of Adijah in a house which was on fire. They did heed her pleas for assistance. They were charged and convicted of murder for failing to rescue Adijah. Muraina and his friends wish to appeal against the judgement.

4. Except in permissible situations, Mens rea and Actus reus must be established for conviction.

Discuss the statement using case law and statutory authorities.

5. Identify and resolve the legal problems arising from the following facts:

(a) Yaro, a child of 10 years old was given a letter later revealed to be a parcel bomb delivered to Madam Cash, a businesswoman. The letter was given to Yaro by the parcel bomb upon delivery to Madam Cash exploded and thus fatally injured her.

(b) Mr A intending to kill Miss X, fired a gun into the market stall where Miss X was. The process killed Mr B, a secret lover of Miss X.

6. Legalism and constitutionalism must permit for due process in the courts. The 1999 constitution has entrenched that rights of the Accused must be protected. Discuss this statement relying on the provisions of the 1999 constitution.