



**NATIONAL OPEN UNIVERSITY OF NIGERIA
14-16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS
SCHOOL OF MANAGEMENT SCIENCES
JANUARY/FEBRUARY 2013 EXAMINATION
LAW 341: CRIMINAL LAW I.**

Time allowed: 3 Hours

Attempt any five questions. All questions carry equal marks.

- 1. Criminal liability depends on the concurrence of the guilty mind and the forbidden act. Discuss**
- 2. John, Peter, Clinton, Ethel and Ben agreed among themselves to engage in ritual killing for purposes of making money. John suggested that his mother be used for the rituals and outlined the mothers movement to make it easy to apprehend her for the ritual purpose. Prior to the ritual killing, John travelled to New York. On the fateful day of the ritual killing, Peter kept watch outside so that he can alert others of the approach of people and to divert people's attention as to what is going on. Clinton and Ethel killed John's mother for ritual purposes. Ben rode the bike which Clinton and Ethel escaped from the scene of the crime. John, Peter, Clinton, Ethel and Ben were subsequently arrested after the crime. John insisted on his innocence because he traveled New York when the offence was committed. Peter also claimed innocence because he only kept watch while Ben said that he only rode the bike which Clinton and Ben escaped. Discuss the criminal liabilities of John, Peter, Clinton, Ethel and Ben respectively.**
- 3. Paul and Dorothy had a misunderstanding over dirty plates that were left in the kitchen sink. The misunderstanding degenerated into a shouting match between Paul and Dorothy. At a point during the exchange of words, Paul went to the kitchen and took a sharp kitchen knife and threw it at Dorothy. The sharp knife entered into Dorothy's chest and pierced her heart. Dorothy did not make it to the hospital because she died before she could reach there. Paul claimed that the death was accidental. Discuss.**

There was usually no legal faultwhere ever the accused was aware of the facts bringing him within the definition of an offence. Clearly the most effective way of proving this lack of awareness is for the accused to show that he thought otherwise because he had made a mistake" Okonkwo and Naish. Criminal law in Nigeria .Discuss.
- 4. Bethel lives in a block of flats with parking spaces. Whiteman who also lives in the same block of flats has on several occasions accused Bethel of parking his car where he, Whiteman, usually parks his car. On 31st of December, Bethel drove into the premises and parked his car. Whiteman drove in not long after and claimed that Bethel had parked in the space where he wanted to park his car. Whiteman shouted which attracted Bethel's attention. Bethel came out of his flat to find out what happened and upon his coming out, Whiteman pulled out a gun and shot him severally in the head. Bethel died instantly. Discuss the legal issues raised in the case**
- 5. Anthony drove his car at a great speed on a busy street in a residential neighbourhood. Anthony, who is a resident of the neighbourhood, knocked down**

little Emmanuela who is just five years old. She died before she could receive emergency treatment. Discuss.

6. In order for assault to constitute an offence it must be unlawful, not authorized or justified by law. Discuss.
7. a. It is a settled principle of our criminal jurisprudence that an attempt to commit any offence is a crime. Discuss.
b. Any one who conspires with another to effect an unlawful purpose by unlawful means renders himself liable to punishment. Discuss.
8. There are two essential ingredients necessary to be proved before a conviction for perjury can be sustained. Discuss.