INTERNATIONAL UNIVERSITY OF EAST AFRICA
'Learning to Succeed'

FACULTY OF LAW

END OF SEMESTER EXAMINATIONS - AUGUST 2025

PROGRAMME: LLB
YEAR/SEM: YEAR 1/SEMESTER 2
COURSE CODE: LLB 1206
NAME: CRIMINAL LIABILITY

DATE:
TIME:

INSTRUCTIONS TO CANDIDATES:

SECTION A

This question is compulsory

Question 1:

In June 2024, Ugandan intelligence services intercepted encrypted messages suggesting a plan to overthrow the government by violent means. The alleged mastermind, **Major K**, a retired military officer, had been secretly recruiting individuals and stockpiling weapons in the northern region.

Sarah, a close friend of Major K, became aware of the plot but did not report it to the authorities, fearing for her safety. However, she later told her pastor in confidence.

Meanwhile, **Paul**, another associate, was found training young men in handling firearms and spreading anti-government propaganda. When arrested, Paul claimed he believed he was only preparing for "self-defense in case of political instability," and denied any knowledge of a coup plot.

You are a legal officer at the Office of the Director of Public Prosecutions (DPP). Using relevant legal provisions and case law:

a) Explain whether Major K's actions amount to **treason** under Ugandan law. (**10 marks**)
b) Discuss the potential criminal liability of **Sarah** for **misprision of treason**. (**10 marks**)
d) Briefly explain the **punishment for treason and misprision of treason** under the Penal Code Act. (**5 marks)**

Question 2:

Sarah, a 22-year-old university student in Kampala, attends a party hosted by her course mate, **Michael**. During the party, Michael offers her several alcoholic drinks. Later that night, Sarah begins to feel dizzy and disoriented. Michael offers to let her rest in his bedroom. According to Sarah, while she was semi-conscious, Michael undressed her and had sexual intercourse with her without her consent. The next morning, Sarah confides in her friend and goes to the hospital for a medical check-up. A medical report indicates recent sexual activity and mild physical injuries. Michael claims the sexual act was consensual and that Sarah did not object at any time. Sarah insists she was too intoxicated to resist or give proper consent. Michael is later arrested and charged with **Rape** under the **Penal Code Act of Uganda**.

a) With the aid of relevant authorities, advise the prosecution on the ingredients and punishments for the offence(s) (25 marks)

SECTION B

Choose any 1 from 2

Question 1:

With the aid of relevant authorities where possible make a clear distinction on any 3 offences against the administration of Justice **(25 marks)**

Question 2:

With the aid of relevant authorities where possible make a clear distinction between the following offences highlighting the ingredients of each**.**

a. Indecent Assault(**5marks**)

b. Assault occasioning bodily harm. (**5marks**)

c. Theft(**5marks**)

d. Kidnapping **(10 marks**)

Question 3:

With the aid of relevant authorities write short notes on the following offences

a) Treason. (**10** marks)

b) Aggravated Robbery (**10** marks)

c) Trespass (**5** marks)

Question 4:

With the aid of relevant authorities where possible discuss the following offences highlighting the ingredients of each**.**

a) Obtaining by false pretences (**10** marks)

b) Malicious damage to property. (**10** marks)

c) Unlawful wounding. (**5** marks)

SECTION C

Choose any 2 from 4

Question 1:

"All offences against the state are capital and carry a maximum penalty of death". Citing the relevant provisions of the law and decided cases, clearly discuss the statement. (**25 Marks)**

Question 2:

With the aid of relevant authorities, compare and contrast the offences of rape and defilement in criminal law

Question 3:

"Kidnapping has become a growing threat to personal security and public safety in Uganda."

Discuss the legal definition of kidnapping under Ugandan law, the causes behind its rise, and evaluate the effectiveness of the legal and law enforcement responses to combat it. Support your answer with relevant statutes, case law, and examples. **(25 Marks)**

Question 4:

The Director of Public Prosecutions has invited you to prepare a detailed memorandum for an upcoming workshop. As her research assistant, identify and discuss **five criminal offences under Ugandan law** where a person can be held liable for causing the loss of life. In your memorandum, refer to relevant statutes and case law to explain the elements of each offence and the circumstances under which criminal liability arises. **(25 Marks)**

Question 5:

Discuss the various offences against property under Ugandan law. In your essay, define the key offences, explain their essential elements, and analyze the challenges faced by law enforcement agencies in preventing and prosecuting these crimes. Support your answer with relevant statutes and case law. (**25 marks**)