INTERNATIONAL UNIVERSITY OF EAST AFRICA
'Learning to Succeed'

FACULTY OF LAW

END OF SEMESTER EXAMINATIONS - DECEMBER 2025

PROGRAMME: LLB
YEAR/SEM: YEAR 1/SEMESTER 1
COURSE CODE: LLB 1106
NAME: FUNDAMENTALS OF CRIMINAL

DATE:
TIME:

INSTRUCTIONS TO CANDIDATES:

SECTION A

This question is compulsory

Question 1:

Identify the possible defences in the following circumstances and explain how courts of law have interpreted/applied the same:

a) Matayo was walking home at night when Peter suddenly attacked him with a knife intending to rob him. Matayo grabbed a heavy stick nearby and struck Peter, injuring him severely. Peter sues Matayo for grievous bodily harm. (**10 marks**)

b) Tina is trapped in a small boat during a storm with no food or water. To survive, she catches and eats a fish she was not permitted to take. She is charged with theft of the fish. (**5 marks**)

c) Kawooya is driving at night and sees a dog suddenly dart across the road. In trying to avoid hitting it, he swerves and accidentally hits a pedestrian. (**5 marks**)

d) Grace picks up someone else's umbrella from the restaurant thinking it is hers. She leaves the premises with it. She is charged with theft. (**5 marks**)

Question 2:

John and Peter planned to rob a mobile money shop in Kansanga. Peter was to enter the shop with a knife, while John was stationed outside as a lookout. Inside the shop, Peter threatened the cashier, who resisted. During the scuffle, Peter accidentally stabbed the cashier, causing serious injury. John, seeing the commotion, fled the scene without helping. Mary, knowing about the robbery plan, drove Peter and John to the shop and waited nearby. Alex, another

friend, had provided the knife to Peter, knowing it would be used in the robbery. Susan, a local vendor, had overheard the plan but neither warned the shop nor reported the plan to authorities. Finally, Tom helped Peter and John escape the city after the robbery by giving them his car and fuel. All six, Peter, John, Mary, Alex, Susan, and Tom are arrested and charged in connection with the robbery and the injury caused to the cashier.

Required;

a) Identify the parties to the offence under Section 19 of the Penal Code Act and explain the liability of each party. (**15 marks**)

b) Explain the distinction between principal offenders, accomplices, and accessories after the fact in this scenario. (**10 marks**)

SECTION B

Choose any 1 from 2

Question 1:

Critically Examine the Law Governing the Following Fundamental Principles of Criminal Law**.**

a) Burden and standard of proof in criminal law (**10 marks**)

b) Presumptions in criminal Law (**15 marks**)

Question 2:

Discuss with authorities the following defences apply in criminal law.

a) Accident **(5 marks**)

b) Immunity (**10 marks**)

c) Bona fide claim of right **(5 marks**)

d) Necessity **(5 marks**)

Question 3:

Discuss with examples the following terms in criminal law

a) Actus Reus (5 marks)

b) Mens Rea **(Criminal Intention)**. (5 marks)

c) Causation (5 marks)

d) Concurrence of Actus Reus and Mens Rea (5 marks)

e) Strict Liability (5 marks)

Question 4:

Discus the distinction between liability for criminal recklessness and

liability for criminal negligence. (**15 Marks**)

It is generally irrelevant to liability whether the defendant acted with a 'good' or 'bad' motive. Explain. (**10 Marks**)

SECTION C

Choose any 2 from 4

Question 1:

Whereas common law and Ugandan law does not require a person to act as a Good Samaritan, there certain situations where individuals will be held criminally responsible should they fail to act? **Citing relevant authorities, explain under what circumstances criminal responsibility** will arise from failure to act. (**25 Marks**)

Question 2:

Using relevant authorities and examples discuss the concept of "omission" relate to actus reus, and under what circumstances can it lead to criminal liability? (**25 marks)**

Question 3:

a) Explain the reasons for the development of criminal law. (**5 Marks**)

b) Describe how criminal law is different from civil law. (**5 Marks**)

c) Identify and explain with support of authorities the first three main sources of criminal law. (**10 Marks**)

Question 4:

Amina has been charged with theft of a mobile phone from her neighbour, Fatuma, in Kampala. At the trial, the prosecution presents circumstantial evidence that Amina was seen near Fatuma’s house around the time of the theft. Amina claims that she was at her workplace at the material time and provides a colleague as a witness.

Required:

1. Explain the concept of burden of proof in criminal law and identify who bears it in this case. (10 marks)
2. Define evidential burden of proof and explain how it differs from the legal burden of proof. (15 marks)

Question 5:

Kyeyo was charged with assault after hitting Mubiru during an altercation in a local market. Kyeyo claims that Mubiru attacked him first with a metal rod, and he only hit Mubiru to protect himself. In a separate case, Fatuma, aged 11, is charged with stealing fruit from a neighbour's farm. Fatuma argues that she did not understand that stealing was wrong. Meanwhile, Samuel, during a severe storm, broke into a store to take food to survive.

Required:

1. Identify and explain the **possible defences** Kyeyo, Fatuma, and Samuel could raise under Ugandan criminal law. (25 marks)