

COUNCIL OF LEGAL EDUCATION

KENYA SCHOOL OF LAW
CAMPUS LIBRARY



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

CRIMINAL PROCEDURE I

THURSDAY 1ST DECEMBER, 2011

DURATION: 2 HOURS

Instructions to Candidates

- (a) Answer Question ONE and ANY OTHER THREE Questions
- (b) Question ONE carries 25 marks
- (c) All other questions carry 15 marks each

PLEASE TURN OVER

QUESTION ONE

Andrew's house is broken into at night and her Samsung TV set is stolen. She reports to the police who, acting on a tip-off recovers the stolen TV set from Alusi's electrical shop the following day at 3 p.m. Alusu reported to the police that he had seen Alisi and some other person leaving Andrews's house that night carrying a heavy box. The Police have launched investigations with a view to bringing criminal proceedings against any culpable persons.

- a) Advise the police on any offences committed from the above set of facts and the roles of the parties.
- b) Draft an appropriate charge sheet. (25 marks)

QUESTION TWO

With the aid of relevant illustrations explain the following terms:

- a) Joinder of parties.
- b) Joinder of Counts. (15 marks)

QUESTION THREE

- a) Discuss the aims of sentencing in the criminal process.
- b) List any 5 (five) sentences which the courts may impose on a convicted person. (15 marks)

QUESTION FOUR

- a) What is mitigation in the criminal trial process?
- b) Discuss any five (5) issues which convicted person may raise in mitigation. (15 marks)

QUESTION FIVE

- a) Differentiate between the following; Bail and bond.
- b) What considerations do Courts take into account when deciding on applications for bail and bond? (15 marks)