

Time wrap-

KENYA SCHOOL OF LAW

DIPLOMA IN PARALEGAL STUDIES

COURSE: CRIMINAL LAW 1

COURSE OUTLINE

The object of the course is to introduce the student to the subject and/or concept of crime and the key principles that underpin the subject of crime. It is anticipated that at the end of the course, the student would be in a position to appreciate what crime is and what it takes to prove that an accused person has committed a crime in a criminal trial.

STRUCTURE OF THE COURSE

1. CRIME

The concept and its definition

The role of criminal law in society.

2. FUNDAMENTAL PRINCIPLES OF CRIMINAL LAW

Exposition of the key principles in criminal law.

3. THE ELEMENTS OF CRIME

What constitutes a crime/

Mens rea (the guilty mind)

Actus Reus (the prohibited act)

4. GENERAL PRINCIPLES OF CRIMINAL LIABILITY

Demystification of the principles that would render or excuse an accused person from criminal Responsibility.

5. SENTENCING

What is a sentence?

Forms of sentencing.

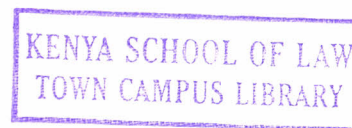
The course would be assessed through coursework, project work (30) and written examination (70).

The course would be delivered through a system of interactive lectures.

STATUTE: THE PENAL CODE

TEXT : ARCHBOLD , CRIMINAL LAW. EVIDENCE AND PLEADINGS

KENYA SCHOOL OF LAW PARALEGAL PROGRAM



CRIMINAL LAW II

COURSE OUTLINE

COURSE DESCRIPTION

The course will endeavour to facilitate a clear understanding of the specific torts as a build up to the Term 1 study of the Elements in Criminal Law. Accordingly the learners will be required to understand the basic ingredients of the different Crimes, the punishments and the elements of these crimes. At the end of the course the learner is expected to understand what distinguishes between offences against the person, offences against property, attempts, sexual offences and the general defences to these offences.

COURSE EVALUATION

The course will be evaluated as follows:

Continuous Assessment Tests 30%

Final Examination 70%

Total marks 100%

CONTACT HOURS

The subject lecturer will deliver two lecture hours a week and engage in a Q&A for one hour. Alternative arrangements upon making of the appropriate requisite arrangements and receipt of the necessary approval from the authorities will be organized to make up for any such contact hours lost for unavoidable reason.

STATUTES

The Constitution of Kenya

The Penal Code

The Sexual Offences Act, 2006

RECOMMENDED TEXTS

Molan, Mike T, Sourcebook on Criminal Law, 2nd ed, 2001, Cavendish Publishing Limited.

Bryant, M and Fionda, J. Briefcase on Criminal Law, 2nd ed, 2000, Cavendish Publishing Limited.



SPECIFIC CRIMES

Chapter 1: Unlawful homicide: murder and manslaughter

- 1.1 Homicide in context
- 1.2 The distinction between murder and manslaughter
- 1.3 The *actus reus* of murder and manslaughter
- 1.4 *Mens rea* of murder
- 1.5 Involuntary manslaughter

Chapter 2: Voluntary manslaughter – the defences of Provocation and Diminished Responsibility

- 2.1 Provocation
- 2.2 Diminished Responsibility

Chapter 3: Simple non-fatal offences against the person

- 3.1 Common assault
- 3.2 Assault
- 3.3 Battery
- 3.4 Consent as a defence to assault and battery

Chapter 4: Aggravated non-fatal offences against the person

- 4.1 Assault occasioning actual bodily harm
- 4.2 Malicious wounding or inflicting grievous bodily harm
- 4.3 Racial and religious aggravation
- 4.4 Wounding or causing grievous bodily harm with intent and malicious wounding with intent to resist or prevent arrest

Chapter 5: Sexual Offences

- 5.1 Rape
- 5.2 Assault by penetration
- 5.3 Meaning of 'sexual'
- 5.4 Consent

Chapter 6: Attempt

- 6.1 Attempt

Chapter 7: Offences against property I: Theft and Fraud

7.1 Theft

7.2 Fraud

Chapter 8: Offences against property II: Robbery and Burglary

8.1 Robbery

8.2 Burglary

Chapter 9: Criminal Damage

9.1 Simple criminal damage

9.2 *Mens rea*

9.3 Aggravated criminal damage

9.4 Arson

9.5 Defences



Chapter 10: Defences

10.1 'Failure of proof' defences

10.2 Justificatory defences

10.3 Excusatory defences

10.4 Mental disorder defences