



The University of the South Pacific  
Emalus Campus

Special Examination  
Semester 1 2007

---

**FACULTY OF ARTS AND LAW  
SCHOOL OF LAW**

**COURSE NAME:** CRIMINAL LIABILITY

**COURSE NO:** LAC08

**TIME ALLOWED:** Three [3] Hours

**READING TIME:** Ten [10] Minutes

**NUMBER OF PAGES:** Two [2] pages [including this page]

**NUMBER OF QUESTIONS ON PAPER:** Five [5]

**NUMBER OF QUESTIONS TO BE ANSWERED:** All questions are compulsory

**MARK ALLOCATED FOR EACH QUESTION:** 12 Marks

**TOTAL MARKS:** 60 [Sixty] Marks

---

**MATERIALS PERMITTED :** STUDENTS ARE ALLOWED TO BRING  
UNANNOTATED COPY OF THEIR COURSE READERS

*Approved J. Repaski (Hos) 23/05/07*

---

Please do not turn over any page until you are told to do so.

1. Describe three sources of criminal law and give examples of each.
  
2. Discuss the following :
  - i) The standard of proof required in criminal law cases compared to the standard required in civil law cases. Give examples of each.
  - ii) The relationship between actus reus and the concept of voluntariness.
  
3. Describe the following and give an example of each
  - i) Two legal defences which operate as partial defence and why?
  - ii) Two legal defences that can lead to an acquittal and why?
  
4. Paul stabbed Jerry in a fight. On the way to the hospital, Jerry was dropped twice by ambulance attendants. There was also considerable delay in Jerry receiving treatment and once given, the treatment was bad and might have affected Jerry's chance of recovery. Jerry died. With reference to the concept of causation, who would be criminally responsible?
  
5. Discuss the following and give examples:
  - i) Four categories of aggravated assault
  - ii) Under what circumstances would alleged "consent" to sexual intercourse not be regarded as freely given [and therefore not true consent]