



SCHOOL OF LAW

PBL1201: CRIMINAL LAW

END OF SECOND SEMESTER EXAMINATIONS

APRIL 2026

LECTURER: DR SIPHETHILE PHIRI

DURATION: 3 HRS

GENERAL INSTRUCTIONS TO CANDIDATES

- 1. Do NOT write your name on the answer sheet.**
2. Write legibly.
3. You are advised to read all questions carefully before attempting to answer any.
4. Refer to **RELEVANT** authorities to support your answer.
5. You may start with any question.

SECTION A: ANSWER ANY FOUR QUESTIONS

Question 1

Write brief notes on the following in relation to criminal liability:

- (a) Perpetrator. **[5 marks]**
- (c) Co-perpetrator. **[5 marks]**
- (d) Accomplice. **[5 marks]**
- (e) Accessory. **[5 marks]**
- (f) Principal. **[5 marks]**

Question 2

- a) Give a brief explanation of the meaning of burden of proof and standard of proof in Criminal law. **[10 marks]**
- b) Discuss any three (3) models of punishment in Criminal Law. **[15 marks]**

Question 3

D bought a brand new rubber bullet gun from a Chinese store. D's intention is to use the gun to hunt animals that have been eating maize from his farm. One day when D arrived at his farm he heard some movement in the crops, without checking D started shooting towards the direction where the noise was coming from. When he rushed to check he found C one of his farm workers whom he employed to guard the crops. C was lying down in pain and struggling to breath. C informed D that he had shot him right behind his left ear. C further informed D that he was having a serious heart problem and that the shooting noise might have caused his heart to collapse. D rushed C to the hospital. C on arrival at the hospital was pronounced dead and the cause of death was internal bleeding due to a broken vein behind the left ear. D believes that C died due to heart failure and cannot be criminally liable for C's death.

- a) Advise D on his criminal liability, if any. **[10 marks]**
- b) Discuss any 3 possible defences that can be raised by an accused in a criminal matter. **[15 marks]**

Question 4

Kudzai is a very wealthy businessman who lives in a luxurious four story house with his wife and his three-year-old son Teddy. On a sunny day Kudzai removed the pool cover to enjoy some swimming. After an hour of swimming, he went to the house to grab a cocktail and left the pool uncovered. Unnoticed, his three-year-old son Teddy crawled into the pool and died instantly as a result of drowning. Kudzai is charged and convicted of murder. However, he wants to appeal his conviction and he approaches you for legal advice on the appropriateness of the charge. Advise him. **[25 marks]**

Question 5

Thatho is a fresh High school graduate who has been dreaming of living abroad. To ensure that his dream comes true, he did a short course in Nursing Aid. He was lucky enough to get a position in the UK as an Aid worker in a very busy hospital. Thatho was assigned to look after Mr Smith a critically ill patient who was involved in a fatal car accident. After three months of caring for and aiding Mr Smith, Mr Smith started showing great signs of recovery. Thatho then became reluctant to care for Mr Smith. As a result of Thatho's conduct, Mr Smith developed serious bedsores which became infected leading to his death.

- a) Can Thatho be found liable for the death of Mr Smith? Give reasons for your answer.

[15 marks]

- b) D stabbed C in the chest while they are fighting. An ambulance was called to rush C to the hospital. As the ambulance was approaching Christmas Pass, it collided with a huge timber truck. C was squashed by timber and died on the spot. Discuss the criminal liability of D for C's death if any. **[10 marks]**

End of question paper