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NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW
DEPARTMENT OF PUBLIC LAW
2020_1 EXAMINATION

COURSE CODE: **PUL341**
COURSE TITLE: **CRIMINAL LAW I**
CREDIT UNITS: **4**
TIME ALLOWED: **3 HOURS**
INSTRUCTION: **ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS WHILE OTHERS ARE 15 MARKS EACH)**

1. Angela is taking her child, Sam, for a walk in the park and she lets him run around while she reads her novel. Absorbed, she does not notice when he begins to play by the lake. Brian watches with interest as Sam approaches a slippery area of the bank, and bets with his friend Chad, that the child will fall in the lake and drown. Sam does slip on the bank and falls in. Not being able to swim he has some difficulty, and is in clear distress. A large number of people, including Daniel, an experienced lifeguard and pediatrician, watch his struggle. After a few minutes, Daniel attempts to rescue Sam with a totally inadequate piece of string, which breaks. Daniel then decides to sit and watch the action. Discuss the liability of Angela, Brian and Daniel for Sam's death. **25 marks**

2. Jenny and Jareh decided to visit an art museum. While there, Jenny begins to taunt Jareh that she looked like one of the paintings in the museum. Jareh becomes incensed and pushes Jenny, who falls onto a priceless painting causing serious damage to it. Eddy a security guard, arrives at the scene and tells them that he is going to call the police. Jenny shouts at him 'Back off, we haven't done anything' and pushes him. Eddy loses his balance and falls over, hitting his head. His injuries are more severe than would normally be expected because he has an abnormally thin skull. Jareh and Jenny run out of the museum. When Eddy, who is unconscious, arrives at hospital, Dr. Mud prescribes medication which Eddy is allergic to and as a result, he dies. Discuss the possible criminal liability of Jenny. **15 marks**

3. Kojo, Monday and Clarus attended their friend's birthday party. While at the party, Kojo deliberately allows himself to be intoxicated with alcohol, as he intends to beat up Adaobi and her friends for booing them for poor performance in class. After the party, Kojo waited for Adaobi and her friends and beat them up. Adaobi suffered grievous bodily harm and died as a result of the wounds sustained during the beating. Kojo's counsel intends to plead intoxication. Advise the parties. Would your answer be different if Monday and Clarus drugged Kojo's drinks without his knowledge? **15 marks**

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4. Lere, Okaro, Ahmed all live in the same building but different rooms. Lere and Okaro have been having heated argument on their favourite football club for the season. In one of the arguments, when Ahmed tried to calm Lere and Okaro, Lere shouted at Ahmed, 'just keep quiet you son of a harlot, when real borns are talking you product of a one night stand is talking too.' Ahmed rushes inside his room, picks up his knife and stabs Lere on the back. Lere dies before they reached the hospital.

(i) Determine Ahmed's liability.
(ii) Would your answer be different if, when Ahmed Rushes to his room, Lere had run out of the house? Ahmed waited for Lere till evening, creeps into his room and stabbed him.

Discuss all the issues in the case. 15 marks

5. Tanya left office for home at about 10 pm. While waiting at the bus stop for a bus to his area, three men apprehended him asking him to bring out all that he had on him. Tanya quietly complied and started removing his wristwatch to give them. One of the boys kept hitting and kicking Tanya as he tried to remove his wristwatch. Another of the boys found a club and hit Tanya on the head while the third took his wallet where Tanya had his ATM cards and his salary for the month. Angry, Tanya hit the boys back, found an iron by the road side and hit it hard on one of the boys. Blood gushed out of his head as a result of the impact of the iron. The other two boys ran away and came back with armed policemen who have charged Tanya for assault and causing grievous bodily harm on the third boy. **Advise Tanya. 15 marks**

6. Steve is accused of stealing a goat. It was alleged that Jacob had lent him a rope which enabled him to carry away the goat. Paul stood a few yards away to watch if anyone was coming towards their direction. Simon was present, watching the scenario. Jacob, Paul and Simon have been arrested and charged as parties to the offence of theft of a goat. The counsel for Steve has made a no case submission and he has been discharged on the ground that the prosecution failed to establish a *prima facie* case against him. The prosecution wishes to proceed with the case.

(a) What are the charges of Jacob, Paul and Simon?
(b) Would it make any difference if Jacob, Paul and Simon were charged to the exclusion of Steve either because he is an innocent agent relieved of criminal responsibility or simply not charged? **15 marks**