

CHUKA**UNIVERSITY****UNIVERSITY EXAMINATIONS****EXAMINATION FOR THE AWARD OF DEGREE OF BACHELOR OF LAWS****BLAW 124: CRIMINOLOGY AND PENOLOGY****STREAMS:****TIME:2 HOURS****DAY/DATE: THURSDAY 13/04/2023****11.30 A.M. –1.30 P.M.****INSTRUCTIONS****Answer question one and any other two****QUESTION ONE**

(a) In the beautiful plains of NchiKavu next to my in-laws, poverty is rife. The main activity used to be fishing at Lake NchiKavu. However, the fish has become rare. The land adjacent to the lake, which was known for agricultural cultivation has been ravaged by flash floods and is no longer productive. Crops no longer yield a good harvest. Some years ago, tourism showed promise to be an alternative means of livelihood. However, the hippos and crocodiles, which were the main attractions for tourists are dying in large number. Thus, tourism has decreased in the region. Furthermore, the main road that leads to the area has increasingly been neglected. It is in pathetic condition and is not motorable. There have been cases of motorists being attacked by bandits and their belongings stolen. Others have reported to having been harassed and tortured. The whole situation is out of control and existing laws appear to be inadequate. Recently the government of NchiKavu was approached by an American company to build a large oil refinery next to NchiKavu airport. The factory was built without conducting an environmental impact assessment or involvement of members of the public. The factory has been built and is in production. However, there are a number of challenges facing the project. The major problem is that large quantities of oil waste and spillage is happening in the area and a huge black thick

smoke is evident. The nearby river that used to provide clean water to the residents is no longer safe. Infants have started to have throat irritations and chest complications. Further, majority of employees in this factory are from America. The residents are very desperate about the whole process. The residents have been advised by the local leaders to secretly storm the factory and put it on fire.

Critically discuss the criminal behaviour emanating from the above case noting to refer to relevant theories of crime. (20 marks)

(b) “Confinement of offenders in a facility does not serve any role in preventing crimes in the society.” As per Karen Beth LLB 2 student. Examine the veracity of this statement. (10 Marks)

QUESTION TWO

(a) Explain how strain theory explains criminal behaviour in a society. Support such arguments with applicable examples and state whether the same applies in Kenya. (10 Marks)

(b) Elaborate various non-custodial ways of dealing with wrongdoing in Kenya today, pointing out their challenges. (10 marks)

QUESTION THREE

(a) The social learning theory by Albert Bandura offers useful insights on criminal behaviour. Discuss the key arguments of this theory and show its applicability in explaining criminal behaviour. (10 marks)

(b) ‘Current rehabilitation programs in Kenya have little rehabilitative value on most offenders. Critique this notion, giving relevant justification. (10 marks)

QUESTION FOUR

(a) Examine the characteristics of restorative justice systems. (8 marks)

(b) You have been appointed in a task force that seeks to develop various ways of addressing crime in the society. Discuss six strategies that you can recommend to address criminality in the society. (12 marks)

QUESTION FIVE

As the head of criminal justice reform committee, you have been tasked to prepare some brief notes on addressing juvenile delinquency for presentation to the appointive authority. Explain six considerations with needed to address the same. (12

marks)

(b) Examine the four main theories that explain justification for punishing an offender. (8

marks)