



**UNIVERSITY OF NAIROBI
SCHOOL OF LAW**

Course Title: Criminal Law I

Course Code: GPR 3112

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How to Answer a Criminal Law I Question

Criminal law I is mainly concerned with key principles of criminal law. It aims at enabling the learners to acquaint themselves with legal principles and the social context in which it operates.

Therefore, to answer a question in Criminal Law I, a student must be able to identify and clearly discuss the legal principles being examined and also, using given facts, to apply them within the Kenyan context.

A general approach would be as follows:

1. Start by identifying the principles being examined

A good answer must begin by identifying the legal principles being tested. This can be highlighted in the introductory part of the answer

2. State the sources of these principles

Using your knowledge on sources of law, you must be able to state the sources of your principles in Kenya. For example, whether a certain principle has a common law origin or whether it originates from the constitution of Kenya or Statute. A well-grounded student can go further and explain the legal implications of a given source on the principles under discussion

3. Define the principles

Give a legal definition of the principle. Ensure to clearly bring out all the constituent parts of the principle as defined under the law and also how it has been nuanced practice.

4. Cite authorities for these principles

It is impossible to define the principle without citing authorities, especially when discussing how the legal principles have been defined in practice

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5. Test whether the facts in the question satisfy the constituent elements of the principles

Use your comprehensive definition of the principle to test whether it satisfies the facts in a given question.

6. Draw your opinion, explaining why



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