



# TECHNICAL UNIVERSITY OF MOMBASA

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School of business

Department of business administration

## UNIVERSITY EXAMINATION FOR:

BACHELOR OF TECHNOLOGY IN FORENSIC SCIENCE

AFR 4401: LEGAL AND ETHICAL ISSUES OF FORENSIC SCIENCE

## END OF SEMESTER EXAMINATION

SERIES: APRIL 2025

TIME: 2 HOURS

DATE: April 2025

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### **Instructions to Candidates**

You should have the following for this examination

*-Answer Booklet, examination pass and student ID*

This paper consists of **Choose No** questions. Attempt **Choose** instruction.

**Do not write on the question paper.**

### **Question ONE**

- (a) (i) Briefly explain the meaning of 'expert opinion'. (2 marks)
- (ii) Distinguish between ethics and morality. (2 marks)
- (iii) Explain three ways in which forensic evidence is controlled to ensure its objectivity. (6 marks)
- (b) (i) Briefly explain the principle of nulla poena sine lege. (4 marks)
- (ii) Explain four human rights which underlie criminal procedure. (8 marks)
- (c) The law restricts the application of Human Rights in some situations. Explain five grounds for arrest by a police officer without a warrant. (10 marks)

### **Question TWO**

- (a) Explain five general principles of criminal law. (10 marks)

- (b) (i) Outline five universal rights forming the basis of criminal offenses. (5marks)
- (ii) Explain the meaning of DNA provided for by the Penal Code. (5 marks)

### **Question THREE**

- (a) (i) Briefly explain the meaning of Universal Human Rights. (2 marks)
- (ii) Briefly explain why Human Rights are considered fundamental. (2 marks)
- (iii) Explain three grounds on which Human Rights may be limited. (6 marks)
- (b) The Penal Code provides persons who may be held responsible for the commission of a crime. Explain five categories of search persons. (10 marks)

### **Question FOUR**

- (a) (i) outline the general rule of admissibility of evidence. (2 marks)
- (ii) Explain four rules relating to motives for commission of an act. (8 marks)
- (b) (i) what is murder? (2 marks)
- (ii) Explain four conditions for declaring that a person committed a felony with malice after thought. (8 marks)

### **Question FIVE**

- (a) Explain the requirements for charging a person with the offense of causing death. (10 marks)
- (a) (i) Briefly outline how law and ethics restrict the use of forensic evidence. (2 marks)
- (ii) Briefly explain two reasons why the use of forensic evidence must comply with the Human Rights. (4 marks)
- (iii) Outline two grounds on which a police officer may search a premises without a warrant. (4 marks)