

THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES

DEPARTMENT OF LEGAL STUDIES

LL.M IN CRIMINAL JUSTICE ADMINISTRATION

FIRST YEAR – CONTINUOUS ASSESSMENT TEST I – 2014/2015

LWP2101 – PENAL THEORY

DURATION: 1 ½ HOURS



DATE: 31st May 2015

TIME: 10.00 a.m. – 11.30 a.m.

Answer One (01) question only.

Candidates will be penalized for illegible handwriting.

01. i. Does the following statement reflect the Concept of Punishment? Critically analyze with the Common and Civil Laws and the views of the Jurists.
- a) "Punishment is a measure of state compulsion assigned by a Court's judgment. Punishment shall be applied to a person who has been found guilty of the commission of a crime. It consists of the depreciation or restriction of the rights and freedoms of this person, as provided for by this Code".
- b) "Punishment shall be applied for the purpose of restoring social justice, and also for the purpose of reforming a convicted person and of preventing the commission of further crimes".
-Article 43 of the Criminal Code of the Russian Federation.
- ii. In your view, do Sri Lankan Courts and administrative authorities follow the above provisions?
Critically analyze with case laws and research reports.
02. i. Definition of Concept of Crime had undergone many evolutions from the categories to the concept.
Do you agree with this statement explain.
(Your answer should be supported with the views of jurists, authors and researchers)
- ii. What is the stance under Sri Lankan Laws and Judicial decisions regarding the Concept of Crime?

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