



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

Faculty of Shariah and Law
Semester I, 2016/2017 Academic Session

Examination Question Paper

Course Code : LB 4303
Course Name : Criminal Procedure I
**Course Level : Bachelor of Laws (LL.B) & Bachelor of
Shariah Law (BSL)**
Time : 3 hours

Reference allowed:

The Criminal Procedure Code (Cap. 7)

Notes:

1. Answer any **four** of the following questions.
2. All answers, wherever relevant, must be supported by statutory provisions and case law.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

QUESTION 1 (15 Marks)

- a) How many different types of bail are there in the criminal process in Brunei Darussalam? (7.5 marks)
- b) What are the factors that the authorities should take into account when assessing whether a person should be released on bail or otherwise? (7.5 marks)

QUESTION 2 (15 Marks)

- a) Why is it necessary for a "voir dire" to be conducted in a criminal trial? (7.5 marks)
- b) How would a "voir dire" normally be conducted? (7.5 marks)

QUESTION 3 (15 Marks)

Elaborate on the various powers of investigations that the police have under the Criminal Procedure Code (Cap.7) and the limitations to such powers, if any. (15 marks)

QUESTION 4 (15 Marks)

- a) Explain the jurisdictions of the criminal courts in Brunei Darussalam and the types of sentences the courts can pass on an accused. (7.5 marks)
- b) Are there any relevant factors that a court should take into account when deciding the appropriate sentence to be imposed upon conviction of an accused? Discuss. (7.5 marks)

QUESTION 5 (15 Marks)

Explain the trial process under the Criminal Procedure Code (Cap.7) in Brunei Darussalam when an accused elects to claim trial.

(15 marks)

QUESTION 6 (15 Marks)

Does the current legal framework under the Criminal Procedure Code (Cap.7) provide sufficient protection for witnesses, particularly vulnerable witnesses? Discuss.

(15 marks)

بالتوفيق والنجاح