higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)

CRIMINAL JUSTICE STRUCTURES AND MANDATES
NQF LEVEL 3

(8021013)

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DEPARTMENT OF HIGHER EDUCATION AND TRAINING
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)
CRIMINAL JUSTICE STRUCTURES AND MANDATES
NQF LEVEL 3
TIME: 3 HOURS
MARKS: 100

INSTRUCTIONS AND INFORMATION

1. Answer all the questions in SECTION A, B and C.
2. Answer only ONE question in SECTION D.
3. Number the answers according to the numbering system used in this question paper.
4. Start each section on a new page.
5. Use only a black or blue pen.
6. Write neatly and legibly.

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SECTION A

QUESTION 1

Indicate whether the following statements are TRUE or FALSE by writing only 'True' or 'False' next to the question number (1.1–1.10) in the ANSWER BOOK.

1.1 The South African Banking Risk Information Centre is a profitable company established to combat organised crime in the banking industry and its stakeholders are the major banks.

1.2 Victim support initiatives play an important role in counselling the victims of crime.

1.3 Guidance and criminal behaviour programmes teach offenders about interpersonal living, problem solving, decision making, functioning in groups and actively participating in society.

1.4 In a criminal court, the court must decide on the culpability of the accused and the sentencing of the accused to an appropriate punishment in cases where a conviction has been secured.

1.5 The responsibilities of the Investigating Directorate include performing investigating and initiating criminal proceedings.

1.6 Section 41 of the Constitution describes the principles of cooperative government and intergovernmental relations between all spheres of government and all organs of state.

1.7 The South African Police Service's efficient and effective service rests solely on operating in a small-scale area.

1.8 A Green Paper is the long-term strategy document of a department containing information and proposals on an issue with the aim of directing the management and service provision of the department.

1.9 When a complainant is not satisfied about the way in which a complainant in a superior court has been handled by the Chief Prosecutor, he/she should submit the complaint in writing to the Director of Public Prosecutions.

1.10 Municipal or metro police service have the power to conduct criminal investigations within the jurisdiction of the municipality.

(10 × 1) **[10]**

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QUESTION 2

Choose an item from COLUMN B that matches a description in COLUMN A. Write only the letter (A–M) next to the question number (2.1–2.10) in the ANSWER BOOK.

COLUMN A		COLUMN B	
2.1	The branch of government responsible for promulgating legislation	A	Corrections-focused correctional system
2.2	The branch of government responsible for implementing the laws	B	Investigating directorate
2.3	Business unit of the National Prosecuting Authority	C	Community policing forums
2.4	Collect, keep and consider information	D	Department of Correctional Services
2.5	Taking law into one's own hand without legal authority	E	Parliament or legislative branch
2.6	Responsibility lies with the public prosecutor to provide enough evidence to the court to prove that the accused is guilty of the crime	F	Vigilante
2.7	Promotion of Administrative Justice Act	G	Executive branch
2.8	Moving away from perceiving an offender as only a criminal who is serving a sentence to seeing him or her as an individual needing assistance as a result of the crime	H	Neighbourhood watch systems
2.9	Investigating suspicious vehicles or persons	I	Burden of proof
2.10	Promoting problem identification and problem solving	J	Witness protection
		K	Presumption of innocence
		L	Judicial branch
		M	Code of conduct

(10 × 1) **[10]**

QUESTION 3

Complete the following sentences by writing only the missing word or words next to the question number (3.1–3.7) in the ANSWER BOOK.

Chapter 2; sector policing; correctional system; values; strengthening; education; demilitarising; integrity; respect; Chapter 3; reintegration; relations; rehabilitation; militarising; understanding; criminal justice system

3.1 Community (3.1.1) … and (3.1.2) ... involve activities aimed at changing the way communities react to crime and facilitating community participation in crime prevention. (2)

3.2 … is defined as the process of helping someone who has been released from prison to fit into society. (1)

3.3 The six priorities to achieve a crime-free South Africa include (3.3.1) … the criminal justice system and (3.3.2) … the police. (2)

3.4 Ethical policing demands that South African Police Service employees act with (3.4.1) … and (3.4.2) … of people's diversity and the law. (2)

3.5 The aims and objectives of … are to prevent crime. (1)

3.6 The purpose of … is to contribute to maintaining and protecting a just, peaceful and safe society. (1)

3.7 … deals with search warrants, entering of premises, seizure, forfeiture and disposal of property connected with offences. (1)

[10]

TOTAL SECTION A: 30

SECTION B

QUESTION 4

4.1 The specialised courts hear specific types of cases and serve the South African population as a whole.

Explain the functions of the following specialised courts:

4.1.1 Child justice courts

4.1.2 Community courts

4.1.3 Income tax courts

(3 × 2) (6)

4.2 Explain the term *reservist.* (2)

4.3 State SIX requirements of becoming a police reservist. (6)

4.4 The White Paper on the Transformation of the Public Service 1995 is also called the Batho Pele White Paper. Batho Pele is Sotho and means 'People First'.

Identify and explain SIX Batho Pele principles. (12)

4.5 Describe the grounds or circumstances for the removal of National Director or Deputy National Director Public Prosecutions from office. (4)

[30]

TOTAL SECTION B: 30

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SECTION C

QUESTION 5

Read the article below and answer the questions:

Security officer caught on camera allegedly breaking into prosecutor's office

The Klerksdorp Magistrate's Court has postponed the case against Kgangetsile Motsumi to 12 September, for further investigations.

Motsumi, a 50-year-old security officer at the Klerksdorp Court building, was arrested by 'the Hawks' on Thursday, after allegedly breaking into the office of a senior prosecutor. He is facing charges of breaking and theft. He is out on a warning.

[Source: *www.news24.com*]

5.1 Explain the roles and functions of private security companies. (4)

5.2 Describe the role of prosecutor in the criminal process. (8)

5.3 The South African Police Service has various divisions that offer high-level technical support and information in the field of crime prevention and control. A distinction can be made between visible policing, operational response services, crime investigation services and resources and administrative services.

Identify any EIGHT components/sections/units of criminal investigation services. (Any 8 × 1) (8)

[20]

TOTAL SECTION C: 20

SECTION D

Answer only ONE question in SECTION D.

QUESTION 6

Name and explain different categories that the Department of Correctional Services has identified as special categories of persons in prisons. **[20]**

OR

QUESTION 7

Discuss the role and functions of various courts by referring to the following:

7.1 Territorial jurisdiction

7.2 Jurisdiction in respect of cases

7.3 Jurisdiction with regard to sentencing

[20]

TOTAL SECTION D: 20
GRAND TOTAL: 100

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