higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)

PRINCIPLES OF CRIMINAL JUSTICE
NQF LEVEL 2

(8021012)

20 November 2024 (Y-paper)
13:00–16:00

This question paper consists of 9 pages.

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DEPARTMENT OF HIGHER EDUCATION AND TRAINING
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)
PRINCIPLES OF CRIMINAL JUSTICE
NQF LEVEL 2
TIME: 3 HOURS
MARKS: 100

INSTRUCTIONS AND INFORMATION

1. Answer all the questions.
2. Read all the questions carefully.
3. Number the answers according to the numbering system used in this question paper.
4. Write neatly and legibly.

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SECTION A

QUESTION 1

Various options are given as possible answers to the following questions. Choose the answer and write only the letter (A–D) next to the question number (1.1–1.5) in the ANSWER BOOK.

1.1 A term used to describe the voluntary acceptance and implementation of an entire legal system is known as ...

A reception.
B imposition.
C transplantation.
D codification.

1.2 The components that makes up the criminal justice system are …

A law enforcement, witnesses, accused, victims.
B law enforcement, prosecution, courts, correctional services.
C law enforcement, correctional services, accused, victims.
D law enforcement, NGOs, prosecution, court.

1.3 Which of the following is NOT an aim of the National Prosecuting Authority?

A To reduce crime
B To contribute to freedom of crime
C To promote social development
D To promote and protect the best interest of children in civil disputes over parental rights and responsibilities

1.4 Audi alteram partem means …

A the accused is innocent until proven guilty.
B the other party has the right to state their case.
C the public is not allowed in court.
D on face value.

1.5 The court orderly …

A interprets from one language to another.
B executes documents.
C decides whether an accused is guilty or not guilty.
D calls witnesses to the stand.

1.6 Which of the following is not an example of contempt of court?

A Threatening the presiding officer
B Being properly dressed in court
C Being drunk in court
D Interfering with state witnesses

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1.7 Stare decisis is …

A a Latin term to stand by matters decided.
B right to appear before court.
C reason for the decision.
D on face value.

1.8 A written order for an accused to appear in court is a/an …

A interdict.
B summons.
C subpoena.
D affidavit.

1.9 Crime intelligence refers to …

A the collection and evaluation of information about crimes that may pose a danger to society.
B commands to perform certain functions.
C efforts of the police.
D intelligent police officials.

1.10 If you repeatedly ask questions in court, it amounts to …

A examination in chief.
B cross-examination.
C final argument.
D re-examination.

(10 × 1) **[10]**

QUESTION 2

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

COLUMN A		COLUMN B	
2.1	Assessors	A	community policing forum
2.2	Juveniles	B	the principle that no one is above the law
2.3	Rule of law	C	a visit to the scene of the crime
2.4	UN	D	take into possession by means of a warrant
2.5	Punitive	E	method used
2.6	CPF	F	United Nations
2.7	Seize	G	individuals who assist presiding officers in criminal proceedings
2.8	Restitution	H	concerned only with punishment
2.9	Modus operandi	I	children under the age of 18 years
2.10	Inspection in loco	J	giving back something that was lost or given away

(10 × 1) **[10]**

QUESTION 3

Indicate whether the following statements are TRUE or FALSE by writing only 'True' or 'False' next to the question number (3.1–3.5) in the ANSWER BOOK.

3.1 Customs are written rules or practices.

3.2 Homes for the elderly is a practical example of volunteerism.

3.3 The Master of the High Court only deals with deceased estates.

3.4 The aim of victim empowerment is to restore the loss or damage caused by criminal acts.

3.5 Childline is a free 24-hour counselling service for children and young people aged 19 years and younger.

(5 × 1) **[5]**

QUESTION 4

Give ONE term for each of the following descriptions by writing it next to the question number (4.1–4.5) in the ANSWER BOOK.

4.1 Organised criminal actions to make money from illegal activities.

4.2 The amount of money to be paid by the accused as a guarantee that he or she will appear in court.

4.3 Devastation or killing on a mass scale.

4.4 An organisation which helps terminally ill people.

4.5 A deeply distressing experience.

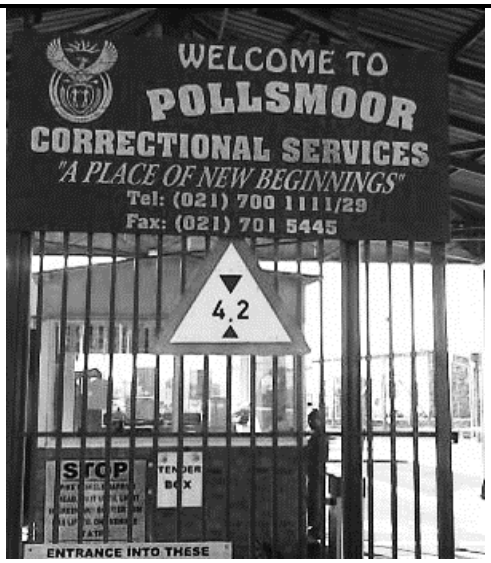
(5 × 1) **[5]**

TOTAL SECTION A: 30

SECTION B

QUESTION 5

Read the extract below and answer the questions.



Cape Town - Detainees kept in jail while they wait to go on trial or to be sentenced are a big contributing factor to overcrowding at Pollsmoor prison, which is nearly 300% above capacity, Justice and Correctional Services Minister Michael Masutha said on Friday.

"There isn't an appropriate legal status applicable to them; their sojourn [in prison] could be a day, month, a year, even five years as appeals go on. In the interim we have a situation of unpredictability that contributes to the difficulty of managing the situation effectively," he told News24.

Masutha pointed out that the finalisation of these cases was the court's responsibility and therefore something correctional services had no control over.

He spoke to News24 on Friday after the Western Cape High Court earlier this week ruled that the prison population at Pollsmoor Remand Detention Facility be reduced to 150% of its accommodation capacity within the next six months.

[Source: *News24,* 23 December 2016]

5.1 Name TWO responsibilities of Correctional Services. (2)

5.2 Name FOUR rights with regards to the treatment of offenders which the Department of correctional Service is obliged in terms of the Constitution to respect. (4)

5.3 What objectives does the Department of Correctional Services strive to achieve? (5)

5.4 Briefly discuss the process that needs to be followed once a prisoner has been admitted into prison. (4)

5.5 Explain what should be recorded in the prison register. (3)

5.6 In what ways does the Department of Correctional Service help an offender to reintegrate into society after release? (2)

[20]

TOTAL SECTION B: 20

SECTION C

QUESTION 6

6.1 Give TWO examples of reception. (4)

6.2 List SIX articles that can be recycled. (6)

6.3 Define the restorative justice principle. (4)

6.4 Once a prosecutor has decided to prosecute, what must be prepared? (1)

6.5 Briefly discuss what the Constitution states regarding the accusatorial legal system. (5)

6.6 Explain the advantages of volunteerism. (6)

6.7 What are the objectives of the SAPS in terms of the South African Constitution? (4)

[30]

TOTAL SECTION C: 30

SECTION D

QUESTION 7

Read the extract below and answer the questions.



ABUSE against women and children in South Africa is a stark reality. Victims must seek counselling to improve their recovery. Even though domestic abuse and violence against women and children are often underreported due to the victim's fear, statistics of abuse experienced and reported in South Africa remain extremely high, according to Courtney Greene, occupational therapist at Akeso Clinic

ABUSE DEFINED

Defined by the World Health Organisation (WHO) as "a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress", this broad definition of abuse includes five subtypes, namely physical abuse, sexual abuse, neglect and negligent treatment, emotional abuse and exploitation.

[Source: *News24,* 22 March 2018]

7.1	Define the term *victim*.	(2)
7.2	Explain the concept *victim empowerment*.	(3)
7.3	Explain the function of victim-offender dialogue.	(4)
7.4	List THREE outcomes that are associated with restorative justice.	(3)
7.5	What does CWP stand for?	(1)
7.6	Name the rights contained in the victim's charter.	(7)
		[20]

TOTAL SECTION D: 20
GRAND TOTAL: 100

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