higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

# MARKING GUIDELINE

## NATIONAL CERTIFICATE (VOCATIONAL)

## PRINCIPLE OF CRIMINAL JUSTICE
## NQF LEVEL 2

## 20 November 2024

**This marking guideline consists of 5 pages.**

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## SECTION A

### QUESTION 1

1.1 D
1.2 B
1.3 D
1.4 B
1.5 D
1.6 B
1.7 A
1.8 B
1.9 A
1.10 B

(10 × 1) **[10]**

### QUESTION 2

2.1 G
2.2 I
2.3 B
2.4 F
2.5 H
2.6 A
2.7 D
2.8 J
2.9 E
2.10 C

(10 × 1) **[10]**

### QUESTION 3

3.1 False
3.2 True
3.3 False
3.4 True
3.5 True

(5 × 1) **[5]**

### QUESTION 4

4.1 Racketeering
4.2 Bail
4.3 Holocaust
4.4 Hospice
4.5 Trauma

(5 × 1) **[5]**

**TOTAL SECTION A: 30**

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## SECTION B

## QUESTION 5

5.1
- Maintaining correctional institutions
- Protecting law-abiding members of society
- Reforming offenders
- Preventing crimes (Any 2 × 1) (2)

5.2
- The right to equality
- The right to human dignity
- The right to security of a person
- The right to health care services
- The right to education
- The right to freedom of religion
- The right to human treatment
- The right to communicate with, and be visited by, family and next of kin.

(Any 4 × 1) (4)

5.3
- The safe custody of prisoners.
- Supervision and control over people who are out on probation and parole in the community.
- The humane detention and treatment of prisoners.
- The provision of development services.
- The reintegration of offenders back into society. (5)

5.4
- Supply of accommodation for prisoners
- Assessment of offenders
- Providing offenders with rules governing the treatment of prisoners
- Ensuring that offenders follow hygiene regulations
- Provision of food to prisoners
- Supplying of clothing and bedding
- Allocation of work for sentenced prisoners. (Any 4 × 1) (4)

5.5
- Information about the identity of the prisoner.
- The reason for committal and authority for it
- The day and hour of admission and release. (3)

5.6
- The offender must be monitored.
- The institutional committee must involve the community in the programmes.
- The offender must attend a series of lecturers presented by the Department of correctional service.
- The offender must be assisted in securing a job before release. (Any 2 × 1) (2)

**[20]**

**TOTAL SECTION B: 20**

## SECTION C

## QUESTION 6

6.1
- The adoption of Roman law into the Germanic legal systems,✓ including that of the Netherlands and particularly the Province of Holland.✓
- Canon law into the Germanic and English law in Europe✓ and English law into Roman-Dutch Law in South Africa.✓ (4)

6.2
- Paper
- Glass
- Tins
- Plastics
- Metal
- Dirty walls (6)

6.3 Restorative justice rest on the principle that emphasises reconciliation✓and not punishment alone.✓ It is important that the interests of the victim,✓the offender and the community are considered.✓ (4)

6.4 Charge sheet (1)

6.5
- The inclusion of a Bill of Rights (Chapter 2) which protects the fundamental rights of all people, with the rights of detained,✓ arrested and accused persons listed in section 35 and the right to a fair trial detailed in subsection 35(3).✓
- The latter confirms that the legal system will be an accusatorial one.✓
- The limitations of rights under specific circumstances (section 36).✓
- The judicial authority of the Republic vests in the courts (section 165), with the courts listed in section 166.✓
- All laws that were in force when the new Constitution took effect, would remain in force until repealed or amended✓ or declared inconsistent with the Constitution (section 2 of Schedule 6), including the 1977 Criminal Procedure Act.✓
- The authority to institute criminal prosecutions on behalf of the state is entrusted to a single National Prosecuting Authority (section 179),✓ which must be structured in terms of an act of Parliament.✓ (Any 5 × 1) (5)

6.6
- Children who take part as volunteers will benefit in their outlook in life.✓
- They will become responsible citizens who know that volunteerism make one a better, less selfish person.✓
- Cooperation between people will remove barriers caused by race and gender.✓
- Cooperation will build the relations in the community.✓
- The environment will benefit if all the garbage is collected and either dumped in the correct place or recycled for reuse in society.✓
- The environment will be preserved.✓ The trees provide oxygen and take carbon dioxide out of the air.✓ Clean rivers will minimise the risk of cholera and other diseases.✓ (6)

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6.7
- Prevent, combat and investigate crime.
- Maintain public order.
- Protect public order.
- Protect and secure the inhabitants of the Republic and their property.
- Uphold and enforce the law. (4)

**[30]**

**TOTAL SECTION C: 30**

## SECTION D

## QUESTION 7

7.1 The person who was directly affected✓ by the crime.✓ (2)

7.2 An approach✓ facilitating access to a range of services for people✓ who have suffered harm or trauma.✓ (3)

7.3 Victim-offender dialogue provides an opportunity for offenders✓ to account for their crimes✓ by meeting with their victims,✓ thereby rebuilding society.✓ (4)

7.4
- Victim and offender conferencing
- Victim assistance
- Restitution
- Service by an offender to a victim
- Community service by an offender (Any 3 × 1) (3)

7.5 Child witness protection (1)

7.6
- The right to be treated with fairness and with respect for dignity and privacy
- The right to offer information
- The right to receive information
- The right to protection
- The right to assistance
- The right to compensation
- The right to restitution (7)

**[20]**

**TOTAL SECTION D: 20**
**GRAND TOTAL: 100**

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