higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE (VOCATIONAL)

PRINCIPLES OF CRIMINAL JUSTICE
NQF LEVEL 2

15 NOVEMBER 2022

This marking guideline consists of 7 pages.

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SECTION A

QUESTION 1

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

(10 × 1) **[10]**

QUESTION 2

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

(10 × 1) **[10]**

QUESTION 3

3.1 True
3.2 False
3.3 True
3.4 False
3.5 True

(5 × 1) **[5]**

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QUESTION 4

4.1 Restitution
4.2 Rape Crisis
4.3 Organised crime
4.4 Soup kitchen
4.5 Parameter

(5 × 1) **[5]**
[30]

TOTAL SECTION A: 30

SECTION B

QUESTION 5

5.1 A High Court has jurisdiction in its own area over persons living or present in that area.✓ These courts hear matters that are of such a serious nature that the lower courts would not be able to make an appropriate judgement.✓

Constitutional Court is the highest court for all constitutional matters.✓ It is the only court empowered to adjudicate disputes between national or provincial organs.✓ (4)

5.2 Note to marker: Any THREE of the following can be marked as correct.
- 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. (Any 3 × 1) (3)

5.3 Note to marker: Any THREE of the following can be marked as correct.
- Prevent anything that may threaten the safety and security of any community.
- Investigate any crimes that threaten the safety or security of any community.
- Ensure that criminals are brought to justice.
- Participate in efforts to address the causes of crime. (Any 3 × 1) (3)

5.4 Note to marker: Allow for student's own interpretation.
Illegal immigration unit – Dealing with the illegal influx of persons from neighbouring states.✓ ✓ (2)

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5.5 Note to marker: Any EIGHT of the following can be marked as correct.

- Criminal investigation involves the study of the facts related to a crime in order to identify or locate the criminal and prove his or her guilt or innocence.✓ A complete criminal investigation can include searches, interviews, interrogation as well as various methods of investigation.✓

The purpose of criminal investigation:

- Identify the crime committed.✓
- Establish that a crime was actually committed. ✓
- Gather evidence.✓
- Individualise the crime. Identify,✓ locate and apprehend the suspects in a crime.✓
- Present the best possible case to the prosecutor.✓
- Assist the prosecution of the person charged with the crime by complying with requests by the prosecutor to build a good case against the suspect. (8)

[20]

TOTAL SECTION B: 20

SECTION C

QUESTION 6

6.1 Note to marker: Accept any of the following answers as correct for a total of TEN marks.

- The Union was established in terms of the South Africa Act, 1909, which was approved by the British Parliament, and which became effective on 31 May 1910.✓✓
- The Union would remain under British administration, with the King as the executive authority, represented by a Governor-general.✓✓

Chapter VI of the Union Constitution made provisions for:

- The formation of a Supreme Court and provincial divisions of the Court.✓
- The empowerment of the chief justice and judges of the court to make rules for the conduct of proceedings.✓
- The legal rules that had been in force at the time of the establishment of the Union to continue to apply in the various divisions.✓
- The laws regulating the admissions of advocates and attorneys to practise in any superior court of the colonies, to apply in the corresponding divisions of the Supreme Court.✓
- The appointment of attorney-generals with the powers, authority, and functions to prosecute crimes and offences.✓
- No specific mention was made of the prosecuting procedure.✓ (10)

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6.2 Note to marker: Accept any of the following answers as correct for a total of EIGHT marks.

Crime intelligence helps to:
- Solve crimes
- Develop tactics to prevent future crimes
- Find and arrest offenders
- Prosecute offenders
- Improve safety and quality of life
- Prioritise patrols and investigations
- Detect and solve crime problems
- Distribute resources in the correct way
- Educate the public about crime (Any 8 × 1) (8)

6.3 Note to marker: Accept any of the following answers as correct for a total of EIGHT marks.
- Develops new skills
- Helps you stay active
- Provides content for your CV
- Can lead to employment
- Can be therapeutic
- Can teach you what truly matters
- Helps you expand your network
- Helps you grow
- Educates the public about crime (Any 8 × 1) (8)

6.4 Note to marker: Accept any TWO of the following answers as correct for a total of TWO marks.
- Maintaining correctional institutions
- Protecting law-abiding members of society
- Reforming offenders
- Preventing crimes (Any 2 × 1) (2)

6.5 Note to marker: Accept any applicable example.
- To give something without expecting something in return.
- Ubuntu – to reach out to others.
- To know that in order to receive, you must be able to give.
- To care for other people.
- To realise that the environment is a very important asset for the community.
- To value others and regard them as equals.
- Example: Assisting at an Aids Haven. (7)

[30]

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SECTION D

QUESTION 7

7.1 Note to marker: Accept any of the following answers as correct for a total of THREE marks.
The accused must do the following:
- Hand in their passports.
- Appear in court on a specific date.
- Not interfere with state witnesses.
- Forfeit the money if they do not appear in court, or flee. (Any 3 × 1) (3)

7.2 Note to marker: Accept any of the following answers as correct for a total of FIVE marks.
- The offence with which the accused is being charged
- Particulars about the time and the place of the offence
- Arrest of a suspect
- Decision on prosecution
- Charging of the suspect
- Formulation of the charge against the accused (Any 5 × 1) (5)

7.3 The location in a courtroom✓ where an accused is seated when he/she appears in court.✓ (2)

7.4 People in custody who have not been convicted✓ and who have not been released on bail.✓ (2)

7.5 7.5.1 Law enforcement/Police:✓ Concerns tracing and arresting suspected offenders.✓

7.5.2 Prosecution:✓ Charges and prosecutes alleged offenders.✓

7.5.3 Court:✓ Determines the guilt or innocence of the accused.✓

7.5.4 Correctional services:✓ Deals with the punishment imposed on the offender.✓

(4 × 2) (8)
[20]

TOTAL SECTION D: 20
GRAND TOTAL: 100

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