higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)

CRIMINAL JUSTICE STRUCTURES AND MANDATES
NQF LEVEL 3

(8021013)

14 November 2022 (X-paper)
09:00–12:00

This question paper consists of 9 pages.

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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. Read all the questions carefully.
4. Number the answers according to the numbering system used in this question paper.
5. Start each section on a new page.
6. Use only a black or blue pen.
7. 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 primary objective of Southern African Fraud Prevention Service is to provide fraud prevention data sharing services across all sectors of South African business.

1.2 The South African Constitution is the supreme law of the Republic. Law or conduct inconsistent with the Constitution is valid, and the obligations imposed by it must not be fulfilled.

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

1.4 When the Premier decides to remove a National Director or Deputy Director of Public Prosecutions, the reasons and arguments must be communicated to Parliament within 14 days.

1.5 The Priority Crimes Litigation Unit was created by presidential proclamation in 2003 to manage and direct investigation and prosecution in relation to only genocide and crimes against humanity.

1.6 When a complainant is not satisfied about the way in which a complaint 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.

1.7 The Department of Justice and Constitutional Development aims to provide accessible, fair, speedy, cost-effective and quality justice.

1.8 The South African Banking Risk Information Centre's objective is to eliminate the key weaknesses and blockages in the criminal justice structure through short and medium-term interventions.

1.9 Central to the concept of restorative justice is the recognition of crime as not only an offence against the state, but also as an injury or wrong done to another person.

1.10 The National Institute for Crime Rehabilitation was established to address social vulnerabilities and inequalities amongst prisoners.

(10 x 1) **[10]**

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QUESTION 2

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

COLUMN A		COLUMN B	
2.1	White paper on affirmative action in the Public Service	A	code of conduct
2.2	Innocent until he or she has been found guilty by a court of law	B	be loyal to the Constitution, Republic and its people
2.3	Responsibility lies with the public prosecutor to provide enough evidence to the court to prove that the accused is guilty of the crime	C	asset forfeiture unit
2.4	A set of rules outlining the social norms, rules, and responsibility and proper practices	D	specialised commercial crime unit
2.5	Principle of cooperative government and intergovernmental relations	E	maritime officials
2.6	Make an impact on selected categories of priority crimes	F	presumption of innocence
2.7	Investigate and prosecute complex crimes effectively, especially economic crimes	G	social services
2.8	Law enforcement officials appointed to enforce law and protect our seas	H	burden of proof
2.9	Officials responsible for air traffic	I	review of management practices
2.10	Assess offender and to provide needs-based programmes and services to enhance reintegration of offender back in community	J	civil aviation officials
		K	adjudication
		L	priority crimes litigation unit

(10 × 1) **[10]**

QUESTION 3

Complete the following sentences by choosing a word or words in the list below. Write only the answer next to the question number (3.1–3.10) in the ANSWER BOOK.

compulsory residence; empowering; high court; restorative justice; Sexual Offences and Community Affairs; diversion; National Prosecuting Authority; subordinate; investigating directorate; Office for Witness Protection; Department of Correctional Services; low court; office for witness protection

3.1 The laws enacted by Parliament that authorise a person or entity to exercise power by performing an action, making a decision or carrying out a policy, are called … legislation.

3.2 The laws enacted by the executive branch of government or other bodies to whom Parliament has delegated some of its law-making powers are called ... legislation.

3.3 The … Unit monitors and investigates human trafficking.

3.4 The responsibilities of … are to initiate criminal proceedings and carry out any necessary functions related to such special criminal proceedings.

3.5 The … has the power to carry out any necessary functions required when instituting and conducting such criminal proceedings, including investigations.

3.6 In the …, the presiding officer is a judge.

3.7 In the …, the presiding officer is a magistrate.

3.8 Family group conference is a face-to-face encounter between the victim, offender, the people who support them and others who have been affected by the incident. This approach is based on … values.

3.9 … is a move away from punitive and retributive justice towards rehabilitative, educational and developmental options aimed at promoting, reconciliation and healing.

3.10 The Child Justice Act has made provision for children convicted of offences to be sentenced to… in a child and youth care centre.

(10 × 1) **[10]**

TOTAL SECTION A: 30

SECTION B

Answer the following short questions in the ANSWER BOOK.

QUESTION 4

4.1 The White Paper on Corrections emphasises the active involvement of the Department of Correctional Services in community initiatives and projects to facilitate the achievement of the DCS objectives of crime prevention and the effective reintegration of offenders.

Describe the guidelines of the policy framework for community participation. (8 × 1) (8)

4.2 Gender-based violence (GBV) is a profound and widespread problem in South Africa, impacting on almost every aspect of life. GBV (which disproportionately affects women and girls) is systemic, and deeply entrenched in institutions, cultures and traditions.

4.2.1 Explain the aim of SOCA. (2)

4.2.2 List FOUR matters that SOCA monitor and investigate. (4)

4.2.3 Discuss the objectives of SOCA. (4)

4.3 Parliament delegates some of its law-making powers to the executive or the judiciary branch of government.

Give FOUR reasons why these powers are delegated by Parliament. (4)

4.4 Business Against Crime (BACSA) was established in 1996 in response to an invitation by then President Nelson Mandela to the business community to work with government in the fight against crime.

Explain the TWO roles of BACSA. (2)

4.5 Identify any TWO of the special categories of persons in prison. (2)

4.6 List any FOUR main role players in a criminal court. (4)

[30]

TOTAL SECTION B: 30

SECTION C

QUESTION 5

Read the article below and answer the questions in the ANSWER BOOK.

MILITARY TO BE DEPLOYED IN KWAZULU-NATAL AND GAUTENG TO QUELL PRO-ZUMA VIOLENCE

The South African National Defence Force has started with pre-deployment processes to have soldiers dispatched to KwaZulu-Natal and Gauteng, as violent rioting in protest of former president Jacob Zuma's imprisonment continues. Demonstrations had led to shopping malls and other properties set alight and in some instances destroyed. The unrest so far had claimed the lives of seven people. In a statement on Monday, SANDF spokesperson Brigadier-General Mafi Mgobozi said a request for assistance was received from the National Joint Operational and Intelligence Structure (NATJOINTS) to assist law enforcement agencies deployed in Gauteng and KwaZulu-Natal. 'The duration and number of deploying soldiers will be determined based on the assessment of the situation on the ground by the relevant law enforcement agencies. Furthermore, it must be emphasised that the SANDF's deployment objective is to provide safety and a safe working environment for members of the SAPS and other law enforcement agencies whilst they carry out their constitutionally mandated law and order duties. SANDF deployment-related information updates will follow in due course,' Mgobozi said.

On Monday, the violence and looting continued unabated in KwaZulu-Natal and Gauteng. The eThekwini Metro Police Department and rioters traded live gunfire on the N2 near the Westwood Mall in Durban. An officer was wounded in the exchange. In Mayville near the city, a mosque was set on fire while looting was reported in KwaMashu at the Bridge City Mall. Makro in the Cornubia business district had been barricaded and looted; so too shops in Glenwood at the Glenwood Village Mall. In Johannesburg, clashes between police and rioters continued well into Sunday evening. Some shop owners were seen trying to salvage what was left of their businesses after rioters went on a looting spree. More damage to property was reported in other areas around Durban. Chairperson of Parliament's defence committee, Cyril Xaba, said an urgent meeting had been called for Wednesday on the matter.

[Source: *www.news24.com]*

5.1 State the main function of the SANDF. (1)

5.2 Analyse the article and comprehensively discuss NINE roles and functions of the SANDF when deployed under extraordinary circumstances to assist SAPS. (9)

[10]

QUESTION 6

Read the article below and answer the questions in the ANSWER BOOK.

VIOLENCE IN SA: ALLEGED INSTIGATORS TO APPEAR IN COURT

JOHANNESBURG - Two suspects accused of instigating the recent violence and looting are set to appear in court on Monday.

One will be at the Randfontein magistrate's court and the other will appear at the Westonaria magistrate's court.

One of the suspects is said to be behind a voice note inciting violence on social media.

[Source: *www.enca.com*]

Differentiate between the roles and functions of the lower courts in South Africa by referring to the following aspects:

- TWO types of lower courts (2)
- Jurisdiction regarding crime (4)
- Types of cases (2)
- Different sentences (2)

[10]

TOTAL SECTION C: 20

SECTION D

Answer only ONE question from this section in the ANSWER BOOK.

QUESTION 7

Sector policing is an approach to policing where the service area of a police station is divided into smaller, more manageable areas known as sectors. If a police station has adopted a sector policing approach, it must establish a sector forum for each sector. It can also use existing community structures as an alternative to support community interaction and participation in crime prevention initiatives.

Comprehensively discuss the principles of sector policing by referring to the following:

- Principles (15)
- Advantages (5)

[20]

OR

QUESTION 8

Government regards the prevention of crime as a national priority, as crime poses a serious threat to our democracy. Crime leads to injury and loss of life, as well as the loss of possessions and people's jobs. The National Crime Prevention Strategy (NCPS) emphasises the prevention of crime rather than relying only on the criminal justice system to arrest and convict offenders.

Comprehensively discuss the NCPS by referring to the following:

- The FOUR pillars (4)
- Objectives of each pillar (16)

[20]

TOTAL SECTION D: 20
GRAND TOTAL: 100

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