higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)

PRINCIPLES OF CRIMINAL JUSTICE
NQF LEVEL 2

(8021012)

11 December 2020 (X-paper)
09:00–12:00

This question paper consists of 8 pages.

577Q1N2011

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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 provided as possible answers to the following questions. Choose the answer and write only the letter (A–D) next to the question number (1.1–1.10) in the ANSWER BOOK.

1.1 The unwritten law of South Africa:

A International law
B Judicial precedent
C Common law
D Writings of legal experts

1.2 Which of the following is NOT a principle of restorative justice?

A The healing of victims and offenders and the safety of the community.
B Disrespect for other people.
C The giving of hope to participants.
D The assistance given to offenders to be honest about their crimes and show remorse towards their victims.

1.3 The role of the Family Advocate is to:

A Deal with deceased estates.
B Defend accused persons.
C Liquidate insolvent estates.
D Promote and protect the best interest of children in civil disputes over parental rights and responsibilities.

1.4 Inspection in loco is conducted when:

A Children are witnesses in court
B A child is the accused in a matter
C The presiding officer, at the request of the state or defence, inspects the crime scene
D The presiding officer is in control of proceedings

1.5 The criminal justice system may be regarded as the social contract between …

A the state and other states.
B the police and prosecution.
C the citizens of the country.
D the people and the state.

1.6 The law that has been established by following decisions made by judges in earlier cases is known as:

A Customs
B Writings of legal experts.
C Common law
D Case law

1.7 Which of the following is not a responsibility of correctional services?

A Maintaining correctional institutions
B Reforming offenders
C Preventing crimes
D Overseeing the NPA

1.8 The military police enforces laws:

A On the roads of South Africa.
B In public areas within the country.
C On military property.
D On the beaches of South Africa.

1.9 The detention process includes …

A educational needs.
B religious needs.
C assessment of offenders.
D security classification.

1.10 The Trias Politica principle refers to …

A everyone being equal before the law.
B separation of powers.
C the innocence of an accused until he/she is proven guilty.
D the right to life.

(10 × 1) **[10]**

QUESTION 2

Choose a description from COLUMN B that matches a term 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	Natural law	A	law which has been made by a government
2.2	Adjudicate	B	area over which the legal authority of the court extends
2.3	Arbitrary	C	Treatment Action Campaign
2.4	TAC	D	provide services as a volunteer in support of the police
2.5	Statute	E	persecution of victims of crime
2.6	Jurisdiction	F	to make a formal judgement on a dispute
2.7	Victimisation	G	child witness protection
2.8	CWP	H	system of justice shared by all humans and entrenched by nature
2.9	In camera	I	without good reason
2.10	Reservist	J	public and press are excluded from the trial

(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 Volunteerism can help improve social skills.

3.2 The principle that the accused is considered guilty, is known as the due process model.

3.3 A plaintiff is the person who institutes a claim for damages.

3.4 Awaiting trial prisoners are people in custody who have been sentenced.

3.5 A search warrant must be issued by a judge or magistrate.

(5 × 1) **[5]**

QUESTION 4

Give ONE word/term for each of the following descriptions. Write only the word/term next to the question number (4.1–4.5) in the ANSWER BOOK.

4.1 A situation where there are opposing points of view

4.2 Supreme power or authority

4.3 Interpret and apply the laws of the country

4.4 Changing waste into usable products

4.5 To be found not guilty and released

(5 × 1) **[5]**

TOTAL SECTION A: 30

SECTION B

QUESTION 5

Read the extract below and answer the questions.



Johannesburg- A 33-year-old man was arrested for clocking 202 km/h on Sunday morning, police said.

Four others who broke the 120km/h speed limit were nabbed by police during the early hours of Sunday. They were caught in Germiston between 05:00 and 11:00 along the N3 south near the Rand Airport off-ramp.

Spokesperson for the Ekurhuleni Metropolitan Police Department, acting Lieutenant Colonel Kobeli Mokheseng, said the speedsters were caught by officers from the High-Speed Unit.

[Adapted from: *Duncan Alfreds, News24*, 22 January 2017]

5.1 Define *municipal police*. (2)

5.2 List the main functions of the municipal police service. (3)

5.3 Explain why by-laws are enforced by municipal police officials. (3)

5.4 A by-law is a regulation made by a local authority. Give an example of a by-law. (2)

5.5 List SIX duties of traffic police. (6)

5.6 How can the principle of volunteerism be applied in crime-related issues? (2 × 2) (4)

[20]

TOTAL SECTION B: 20

SECTION C

QUESTION 6

6.1 Indicate how the accusatorial criminal procedure differs from the inquisitorial version with regard to rights and personal circumstances of the accused. (8)

6.2 List and briefly discuss the different types of statistics used in crime analysis. (8)

6.3 Discuss the important role that volunteerism can play in society. (3)

6.4 'Business Against Crime South Africa (BACSA) was established to join government in fighting crime'.

What are the TWO distinct roles of BACSA? (5)

6.5 Explain the term *reception*. (2)

6.6 State FOUR principles of volunteerism. (4)

[30]

TOTAL SECTION C: 30

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SECTION D

QUESTION 7

Read the statement below and answer the following questions.

THE CRIMINAL JUSTICE SYSTEM



Most of us recognise the importance that laws play in our society.
As members of a community, country or society, we have a 'social contract' with the people around us to create laws which create a safe environment for everyone, make us feel secure walking the streets, and dealing fairly with one another.

However, though we abide by these laws and rules each day, we are not the ones responsible for their enforcement.

Whether we choose to break or follow the law is up to each person, and enforcement falls into the hands of the criminal justice system.

'2019 criminaljusticecareescenter.com' [Adapted from: *The SAPS Media*, 27 April 2018]

7.1 Discuss FOUR primary goals of the criminal justice system. (4)

7.2 List the THREE steps in which the criminal justice process is divided. (3)

7.3 Define the following concepts:

7.3.1 Plea bargaining (4)

7.3.2 Interrogation (3)

7.4 When does the criminal justice start and when does it end? (2)

7.5 Briefly explain the role and functions of the following components within the criminal justice system:

7.5.1 Law enforcement component

7.5.2 Prosecution component

7.5.3 Court component

7.5.4 Correctional component

(4 × 1) (4)
[20]

TOTAL SECTION D: 20
GRAND TOTAL: 100

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