higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)

PRINCIPLES OF CRIMINAL JUSTICE
NQF LEVEL 2

(8021012)

9 March 2020 (X-paper)
09:00–12:00

This question paper consists of 8 pages.

345Q1S2009

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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 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 hospice is an organisation that …

A houses the elderly.
B helps rape victims.
C provides a telephone service 24 hours a day.
D helps terminally ill people.

1.2 Which ONE of the following descriptions regarding correctional services is incorrect:

A Allows for the inhumane detention and treatment of prisoners
B Provides development services for prisoners
C Keeps prisoners in safe custody
D Assists with reintegration of offenders back into the community

1.3 The National Prosecuting Authority …

A protects the rights of accused persons.
B decides whether a person is guilty or not guilty.
C ensures public confidence in the criminal justice system.
D maintains law and order within the Department of Defence.

1.4 Application for discharge of an accused is made at the …

A close of the defence's case.
B beginning of the trial.
C close of the state's case.
D end of the trial.

1.5 The outcomes of restorative justice are victim assistance, restitution and …

A punitive measures.
B victim and offender conferencing.
C deterrence.
D community conferencing.

(5 × 1) **[5]**

QUESTION 2

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

COLUMN A		COLUMN B	
2.1	Custody	A	making a formal judgement on a dispute
2.2	Legitimacy	B	standing by things decided
2.3	Summons	C	concerned only with punishing
2.4	Infringe	D	actively breaking the terms of the law
2.5	Maxim	E	person deprived from freedom
2.6	Adjudicate	F	conforming to law and rules
2.7	CWP	G	Child Protection and Support Services Programme
2.8	CPSS	H	Child Witness Project
2.9	Punitive	I	expression of a general truth
2.10	Stare decisis	J	written order to appear in court
		K	Child Protection and Support System Programme
		L	Child Witness Programme
		M	plead guilty

(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 (3.1–3.10) in the ANSWER BOOK.

3.1 Foreign law is recognised in terms of section 39 of the Constitution.

3.2 The criminal justice system allows for vigilante groups.

3.3 The judiciary makes the laws of South Africa.

3.4 The members of the court of justice issued a code of criminal procedure in 1819 named the Crown Trial.

3.5 Volunteerism means you are receiving from others.

3.6 Criminal investigation is the function that involves a study of the facts related to a crime in order to identify and locate the criminal and prove his/her guilt.

3.7 Municipal police forces are responsible for the law and traffic offences.

3.8 The Constitutional Court is the highest court for all constitutional matters.

3.9 An itinerant court travels from place to place.

3.10 The Small Claims Court presides over claims not exceeding R20 000,00.

(10 × 1) **[10]**

QUESTION 4

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

4.1 Singling someone out for cruel or unjust treatment

4.2 Actions of the police when they take away objects from an arrested person

4.3 NGO where one reports cruelty to animals

4.4 Area over which the legal authority of a court or other institutions extends

4.5 Changing waste into another usable product

(5 × 1) **[5]**

TOTAL SECTION A: 30

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SECTION B

QUESTION 5

Read the extract below and answer the questions.

TWO WOMEN ARRESTED FOR ALLEGEDLY ABDUCTING TEEN, FORCING HER INTO PROSTITUTION



[Photo: *News24*, Kaveel Singh]

A 17-year-old North-West girl has been rescued from a suspected brothel after allegedly being kidnapped and forced into prostitution, the Hawks said on Thursday.

Her alleged abductors briefly appeared in the Lichtenburg magistrate's court on Wednesday on charges of abduction, rape, sexual exploitation and trafficking. They cannot be identified until they have pleaded to the charges.

Hawks spokesperson, captain Tlangelani Rikhotso, said the two women were arrested in an operation last week. The women, aged 20 and 22, allegedly abducted the teen at a hiking spot in Lichtenburg on 8 April.

'It is alleged the two suspects … forced [the teenager] into prostitution, drugs and alcohol consumption,' Rikhotso said in a statement.

The Hawks responded to a tip-off and, with the assistance of the tactical response unit, found the girl at the house. She has been taken to a place of safety.

The women will remain in custody until their next court appearance on 27 June.

[Adapted from: *News24*, 31 May 2018]

5.1 Name the section and act which mandates the existence of the Hawks. (2)

5.2 Define the term *victim*. (2)

5.3 Discuss the responsibility of the Sexual Offences and Community Affairs Unit (SOCA). (5)

5.4 Explain the responsibilities of the Hawks. (5)

5.5 List FOUR types of pleas. (4)

5.6 Define the term *in camera*. (2)
[20]

TOTAL SECTION B: 20

SECTION C

QUESTION 6

6.1 List the information that must appear on the charge sheet. (5)

6.2 Name any TWO organisations that assist the Department of Correctional Services. (2)

6.3 Name SIX sources of South African law. (6)

6.4 Provide SIX reasons why community members should volunteer. (6)

6.5 Briefly discuss the *rule of law*. (3)

6.6 List the THREE origins of the South African criminal justice system. (3)

6.7 Name FIVE advantages of volunteerism. (5)
[30]

TOTAL SECTION C: 30

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SECTION D

QUESTION 7

Read the extract below and answer the questions.

JUDICIARY OF SOUTH AFRICA



The judiciary of South Africa is the body of judges and magistrates who sit in the courts of South Africa. The judiciary is an independent branch of the government, subject only to the Constitution of South Africa and the laws of the country. The judiciary interprets the law of South Africa, using as the basis of its interpretation the laws enacted by the South African parliament as well as explanatory statements made in the legislature during the enactment.

[Source: *Wikipedia*, 4 July 2018]

7.1 Define the following terms:

7.1.1 Impartial (2)

7.1.2 Arraignment (3)

7.2 Discuss the core competencies of the judicial component. (10)

7.3 Explain the principle of *trias politica*. (5)

[20]

TOTAL SECTION D: 20
GRAND TOTAL: 100

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