higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)

PRINCIPLES OF CRIMINAL JUSTICE
NQF LEVEL 2

(8021012)

20 November 2019 (Y-Paper)
13:00–16:00

This question paper consists of 9 pages.

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TIME: 3 HOURS
MARKS: 100

INSTRUCTIONS AND INFORMATION

1. Answer ALL the questions.
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 (1.1–1.10) in the ANSWER BOOK.

1.1 Indigenous law refers to:

A The national parliament and provincial parliaments of South Africa.
B The rules developed by courts when decisions are taken.
C Rules and practices of a particular native community.
D The writings of people who are legal authorities.

1.2 Which of the following statements are incorrect?

A The court determines the guilt and innocence of the accused.
B The court hands down the verdict.
C The court component only listens to the state's case.
D A judge or magistrate presides over the courts.

1.3 The proper functioning of the Criminal Justice System depends on:

A Police officials who are unable to thoroughly investigate a case.
B Prosecutors who assist the courts in reaching a verdict.
C Secure prisons in which convicted persons sentenced to imprisonment are accommodated.
D Gives an improper sentence to those convicted of committing a crime.

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 Which of the following is NOT a unit of SOCA?

A The Sexual Offences Section.
B The Domestic Violence Section.
C The Indigenous Species Section.
D The Maintenance Section.

1.6 Victim empowerment refers to:

A Evidence given by an expert.
B Persecution or harassment of victims of crime.
C Singling someone out for unjust treatment.
D The process put in place in which victims overcome the trauma of crime.

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1.7 A system of justice shared by all humans and entrenched by nature is known as:

A Rule of law.
B Natural law.
C Positive law.
D Common law.

1.8 Halfway house refers to:

A Mediation model that outlines the process of identifying offenders.
B A house which is incomplete.
C Enable offenders who meet all necessary requirements to be released on parole.
D Provides an opportunity for offenders to account for their crimes.

1.9 Which of the following is NOT correct regarding a verdict?

A In an open court.
B As soon as possible after conviction.
C In the presence of the accused.
D Verdict is only given in English.

1.10 Outcomes associated with restorative justice includes:

A Restitution.
B Offender assistance.
C Punitive Punishment.
D Offenders Rights.

(10 × 1) **[10]**

QUESTION 2

Choose a description from COLUMN B that matches a/an word/item 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	Case Law	A	law made by parliament
2.2	Sovereignty	B	information about criminal activity
2.3	Intelligence	C	children under the age of 18 years old
2.4	Arbitrary	D	forms part of private law
2.5	Detain	E	supreme power or authority
2.6	Prima facie	F	mass murder of the Jews by the Germans
2.7	Holocaust	G	part of the common law of our country
2.8	Juveniles	H	to keep an offender in prison
2.9	Statute	I	without good reason
2.10	Civil Law	J	on face value
		K	principles of law
		L	to arrest a person
		M	children under the age of 14 years old

(10 × 1) **[10]**

QUESTION 3

Indicate whether the following statements are TRUE or FALSE. Choose the answer and write only 'True' or 'False' next to the question number (3.1–3.5) in the ANSWER BOOK.

3.1 English Law into Roman-Dutch Law in South Africa is an example of reception.

3.2 In a civil trial the plaintiff is the person who defends the matter.

3.3 Arbitration means talking with others to reach an agreement.

3.4 The pre-trial phase refers to the events after an offence has been committed.

3.5 The purpose of criminal investigation is to establish that a crime was in fact committed.

(5 × 1) **[5]**

QUESTION 4

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

4.1 The unwritten laws of South Africa.

4.2 Facts about a crime.

4.3 Instructions to perform certain functions.

4.4 The principle that a suspect is considered innocent until proven guilty.

4.5 The person who laid the charge.

(5 × 1) **[5]**

TOTAL SECTION A: 30

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SECTION B

QUESTION 5

Read the extract below and answer the questions.

CHURCH DEDICATES TIME TO CLEAN UP LANGA



[Cape Town - Volunteers from the World Mission Society Church of God clean up areas in Langa. Picture Jeffrey Abrahams]

WORLD Environmental Day was not spent in vain as 125 volunteers cleaned streets, parks and rivers in Langa yesterday. The World Mission Society Church of God, an international organisation, together with global charity organisation Clean World Movement, did the clean-up to raise awareness about climate change.

As the volunteers swooped on Langa, people in 12 other countries participated in similar events.

The Langa clean-up included street, parks and rivers. Church member and Rondebosch resident Alexander Rudniak said he was more than happy to be there.

'Actions speak louder than words,' said Rudniak. He explained that Sundays were devoted to giving back to communities because the church holds its services on a Saturday. 'When you firmly believe in something, it is executed in your actions, and it is important to set an example that others might follow.'

Langa resident, Sakhie Dlala, 25, works at Ikhaya le Langa (House of the Sun), an NGO which supplies a café and computer lab to students and the community of Langa. The organisation partners with the City to make Langa cleaner, greener and safer. 'We decided to give the clean world movement a meeting place for today's clean-up because they are meeting us halfway in terms of our vision.

'This initiative is good for Langa and it provides the people with hope of a healthier environment,' said Dlala. The City's solid waste management's area head, Xolisile Mama, said he was thrilled to be tackling the clean-up in Langa. 'One day is not enough to clean Langa, we will definitely come back.'

'World Environmental Day is one out of 365 days and it is up to the community to sustain this once we have left,' said Mama.

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Volunteers, Bongani Dubo, 16, from Parklands, and Mandi Nongwe, 20, from Summer Greens, both agreed it is a pleasure to help in such initiatives. 'It is a time to be united and help our community,' said Dubo.

Regarding people's comments about the initiative, Dubo said: 'We received so many thanks and a group of people said we should stay as united as we are.'

[News / 5 June 2016 Andrea Chothia: https://www.iol.co.za/capetimes/news]

5.1 'WORLD Environmental Day was not spent in vain as 125 volunteers' cleaned streets, parks and rivers in Langa yesterday.'

Explain what is meant by the definition *volunteer.* (2)

5.2 State any FOUR principles of volunteerism. (4)

5.3 'The World Mission Society Church of God, an international organisation, together with global charity organisation Clean World Movement, did the clean-up to raise awareness about climate change.'

List any THREE other practical examples of volunteerism. (3)

5.4 What are some of the advantages of volunteerism? (4)

5.5 'Langa resident, Sakhie Dlala, 25, works at Ikhaya le Langa (House of the Sun), an NGO which supplies a café and computer laboratory to students and the community of Langa.'

Define the abbreviation *NGO* and name TWO examples of other NGOs. (3 + 2) (5)

5.6 List any TWO ways in which volunteers can assist in education programmes. (2)

[20]

TOTAL SECTION B: 20

SECTION C

QUESTION 6

6.1 Differentiate between *accusatorial* and *inquisitorial procedures*. (8)

6.2 List any FOUR primary goals of our Criminal Justice System. (4)

6.3 Name any THREE role players in the Criminal Justice System. (3)

6.4 Give the types of statistics used in crime analysis. (4)

6.5 'The Department of Justice and Constitutional Development is responsible for the structuring and functioning of the Courts.'

Write down the hierarchy of the courts from the highest to the lowest court. (5)

6.6 Briefly discuss the responsibilities of the Master of the High Court. (4)

6.7 Name any TWO main functions of the municipal police service. (2)
[30]

TOTAL SECTION C: 30

SECTION D

QUESTION 7

Read the extract below and answer the questions.



UPDATE: Verulam child rape case postponed

VERALUM, KwaZulu-Natal – The rape case against a man accused of raping his 10 year old stepdaughter has been postponed.

The 43-year-old appeared in the Verulam Magistrate's Court on Monday to apply for bail.

The case has been postponed to 2 July.

[Source: Dasen Thathiah (@DasenThathiah) **June 25, 2018**

7.1 Explain the following terms:

7.1.1 Bail (2)

7.1.2 Accused (1)

7.1.3 Suspect (1)

7.2 Discuss bail. In your discussion include the conditions of release and the factors that may influence the decision on granting bail. (8)

7.3 Define the following concepts:

7.3.1 National Register for Sex Offenders (4)

7.3.2 Legal Aid South Africa (4)
[20]

TOTAL SECTION D: 20
GRAND TOTAL: 100

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