higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)

CRIMINAL JUSTICE STRUCTURE AND MANDATES
NQF LEVEL 3

(8021013)

6 March 2020 (X-paper)
09:00–12:00

This question paper consists of 7 pages.

271Q1S2006

Copyright reserved

TIME: 3 HOURS
MARKS: 100

INSTRUCTIONS AND INFORMATION

1. Answer all the questions in SECTION A, B and C.
2. Answer only ONE question from 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 blue or black pen.
7. Write neatly and legibly.

Copyright reserved

SECTION A

QUESTION 1

Indicate whether the following statements are TRUE or FALSE. Choose the answer and write only 'True' or 'False' next to the question number (1.1–1.10) in the ANSWER BOOK.

1.1 The Department of Correctional Services provides safe detention facilities to keep prisoners in custody and is responsible to supervise probationers and parolees in the community.

1.2 The principal purposes of the United Nations are to achieve international co-operation in solving international problems and in promoting and encouraging respect for human rights and freedom for all.

1.3 Subordinate legislation provides the police or other organisations with certain powers for them to perform certain duties.

1.4 Education and training of inmates concentrates extensively on the empowerment of inmates for a meaningful, economical and sustainable life after imprisonment.

1.5 Police reservists have the same powers and duties as municipal police officers including medical aid, pension fund and other benefits.

1.6 The white paper on affirmative action outlines additional corrective steps that must be taken in order to ensure that those who have been historically disadvantaged by unfair discrimination are able to obtain full benefits from an equitable employment environment.

1.7 One of the purposes of structuring and functioning of a CPF in practice is to ensure community accountability.

1.8 The responsibility of the National Prosecuting Authority is to protect the safety of persons and their property.

1.9 The structure of the SAPS consists of four levels, namely on national, provincial, station and municipal level.

1.10 Presumption of innocence means that a person is deemed to be innocent until such time as he or she has been duly found guilty by a court of law.

(10 × 1) **[10]**

QUESTION 2

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

COLUMN A		COLUMN B	
2.1	Relapsing into crime, the repeat offending and return to crime by prisoners released after completion of sentence	A	South African Police Service
2.2	Safeguarding the Republic of South Africa from external security threats	B	regulations
2.3	The Department of Education	C	South African Human Rights Commission
2.4	Safeguarding and protecting the inhabitants of the RSA and their property	D	Khulisa
2.5	Process where the offender is kept out of the formal criminal justice process by applying approved processes with alternative sentencing options	E	statal institution
2.6	The NGO involved in community development, diversion and rehabilitation programmes	F	parastatal institution
2.7	Telkom	G	national instruction
2.8	Rules formulated by the relevant minister of a department regarding the way in which that department should function	H	recidivism
2.9	Rules formulated by the relevant commissioner of a department regarding the way in which that department should function	I	South African National Defence Force
2.10	State institution supporting constitutional democracy	J	diversion
		K	independent prison visitor

(10 × 1) **[10]**

QUESTION 3

Complete the following sentences by filling in the missing word or words. Write only the word or words next to the question number (3.1–3.5) in the ANSWER BOOK.

vulnerable; judge; independent prison visitors; twenty-one; assessors; separately; magistrate; investigation; public; eighteen; equality court; prevention; community; detained; high court

3.1 Members of the (3.1.1) … can join as (3.1.2) … to ensure that all (3.1.3) … persons are treated according to the rules and regulations. (3)

3.2 In very serious criminal cases a (3.2.1) … is assisted by two (3.2.2) … to help him/her with the case. (2)

3.3 The DOC regards all persons under the age of (3.3.1) … as extremely (3.3.2) … prisoners who need to be incarcerated (3.3.3) … and follow a structured daily programme. (3)

3.4 Activating the criminal justice system in crime control will increase the successful …, prosecution and punishment of crimes. (1)

3.5 Persons who are victims of unfair discrimination, harassment or hate speech can take their cases to an … (1)

[10]

TOTAL SECTION A: 30

SECTION B

QUESTION 4

4.1 The Constitutional Court is highest court in South Africa.

Compile a list of THREE functions of the Constitutional Court and THREE duties of constitutional judges. (3 × 2) (6)

4.2 Tabulate FOUR differences between *strategic* and *tactical* planning. (4 × 2) (8)

4.3 Define the concept *activation*. (2)

4.4 Differentiate between *indirect* and *direct* control. (2)

4.5 Indicate whether the following statement is TRUE or FALSE. Choose the answer and write only 'True' or 'False' next to the question number (4.5) in the ANSWER BOOK. Substantiate your answer.

The SANDF supports the SAPS and other institutions in combatting crime. (5)

4.6 Define the term *reservist.* (2)

Copyright reserved

4.7 Planning is of extreme importance for criminal justice managers, but it often happens that certain issues impede the planning process.

Compile a list of the restrictions on planning. (5)
[30]

TOTAL SECTION B: 30

SECTION C

QUESTION 5

'Krugersdorp killers' Mom handed 11 life sentences

The Johannesburg High Court on Wednesday sentenced a man to 25 years behind bars for a four-year 'killing spree' he went on with his mother. Both the man and his mother were convicted of 11 murders, which include robbery and racketeering. The mother was sentenced to a total of 115 years behind bars.

Le Roux Steyn, 22, his mother, Marinda, 51, and his sister, Marcel, 20, began their killing spree in 2012 in Krugersdorp and it lasted until 2016. They also committed related crimes; fraud, theft and intimidation. In total the group murdered 11 people.

Steyn was sentenced to an effective 25 years behind bars after entering into a plea agreement with the state. During proceedings, state prosecutor, Gerrit Roberts, read out the plea agreement to the court before Judge Ratha Mokgoatlheng. The Judge confirmed with Steyn and he agreed and understood its contents.

Moments later Steyn's mother, Marinda, was also sentenced after entering a plea of agreement with the state. She was sentenced to 11 life sentences and 115 years improsenment, which will run concurretly, and told Judge Colin Lamont that she admitted guilt to all the crimes she has committed.

[Source: msn.com/news]

5.1 The presiding officer (referred to as the court) should create an atmosphere that offers the individuals the opportunity to perform at their best and, in so doing, contribute to law and justice.

Discuss the relationship between the presiding officer, law practitioners, public prosecutor and the accused in court. (6)

5.2 5.2.1 After reading the article, identify the department responsible for ensuring that Le Roux Steyn and his mother, who were sentenced, serve out their sentences to ensure that society is protected. (1)

5.2.2 Discuss the role and the functions of the department identified in QUESTION 5.2.1. (7)

Copyright reserved

5.3 5.3.1 Identify the department that was responsible for the investigation and arrest of Le Roux Steyn and his mother, Marinda, and bringing them to justice. (1)

5.3.2 Discuss the undertaking in the code of conduct to which each official from the department identified in QUESTION 5.3.1 is committed. (5)
[20]

TOTAL SECTION C: 20

SECTION D

Answer only ONE question from SECTION D.

QUESTION 6

The contribution by Business Against Crime (BAC) focuses on the National Crime Prevention Strategy at a provincial level. Business Against Crime supports local initiatives and ensures that partnerships are formed at the appropriate levels.

6.1 Argue this statement by referring to the objectives of BAC. (10)

6.2 Discuss the crime prevention pillars or models identified in the National Crime Prevention Strategy. (10)
[20]

OR

QUESTION 7

Motivation is the interaction between needs, attitudes and frustrations that activates, directs and channels human behaviour towards a goal.

7.1 Critically analyse this statement and state whether motivation can successfully be applied in criminal justice institutions. Refer to the principles of motivation in your discussion. (10)

7.2 Explain how the members of the SAPS apply the FIVE ethical principles when they perform their duties as police officials. (10)
[20]

TOTAL SECTION D: 20
GRAND TOTAL: 100

Copyright reserved