higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)

CRIMINAL JUSTICE STRUCTURES AND MANDATES
NQF LEVEL 3

(8021013)

19 November 2019 (X-Paper)
09:00–12:00

This question paper consists of 8 pages.

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TIME: 3 HOURS
MARKS: 100

INSTRUCTIONS AND INFORMATION

1. Answer ALL the questions.
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 BLUE or BLACK ink.
7. Write neatly and legibly.

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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 Maritime law enforcement officials are appointed to enforce legislation on our seas to protect our harbours, fishery, and abalone.

1.2 The Department of Justice is responsible for the maintenance and functioning of courts in cooperation with independent judges, magistrates and directors of prosecution.

1.3 Planning refers to the way in which an organisation is managed on the different levels of an institution or department.

1.4 Section 25 of the Constitution guarantees that no one may be deprived of property except in terms of law.

1.5 The White Paper on Affirmative Action outlines the 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 benefit from an equitable employment environment.

1.6 The primary function of the prosecuting authority is to institute prosecutions on behalf of the state and to institute or continue appeals in any court arising from criminal proceedings within the particular jurisdiction.

1.7 There are NINE provincial and THREE local divisions of the High Court, which deals with serious cases and appeals from lower courts.

1.8 A Universal Declaration forms part of international customary law with the aim of protecting rights of certain groups of people, such as women and labourers, but excluding children, and preventing racial discrimination.

1.9 The Constitutional Court stressed the principle of human dignity when the death penalty and corporal punishment were declared unconstitutional.

1.10 Courtesy is not one of the principles of the public service delivery according to the White Paper on the Transformation of the Public Service.

(10 × 1) **[10]**

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QUESTION 2

Choose an item from COLUMN A that matches a description in COLUMN B. 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	Religious workers who address the issues of crime with inmates	A	Department of Social Development
2.2	Enables a member of the community to ensure that the detainees are incarcerated according to the required standards	B	United Nations Organisation
		C	magistrate
		D	regulations
2.3	Formulation of rules by the minister of a department regarding the way in which the department has to function	E	independent prison visitors
		F	chaplains
2.4	Programmes aimed at empowering vulnerable groups in society	G	judge
2.5	Promotion of community values and education	H	South African police service
		I	crime prevention pillar
2.6	Presiding officer in high courts	J	public protector
2.7	Promotion of peace, security and international cooperation	K	chief justice
2.8	Presiding officer in lower courts		
2.9	State institution supporting constitutional democracy		
2.10	Strategic focus on maintaining security at major public events		

(10 × 1) **[10]**

QUESTION 3

Complete the following sentences by using the word(s) in the list below. Write only the word or words next to the question number (3.1:3.1.1–3.4:3.4.1) in the ANSWER BOOK.

local; empowering legislation; crime prevention; national; parliament; subordinate legislation; municipal councils; legislative; by-law enforcement; provincial; enforcing

3.1 In the Republic, the (3.1.1) … authority of the (3.1.2) … sphere of government is vested in (3.1.3) ... and the (3.1.4) … sphere of government is vested in the (3.1.5) … (5 × 1) (5)

3.2 (3.2.1)... is laws enacted by parliament that authorise a person or entity to exercise power by performing an action, a decision or carrying out a policy. (3.2.2) … is the laws enacted by the executive branch of government or other bodies to whom parliament has delegated some of its law-making powers. (2 × 1) (2)

3.3 Metro police are responsible for (3.3.1) ... and (3.3.2) … (2 × 1) (2)

3.4 The purpose of the correctional services is to continue to maintain and protect a just, peaceful and safe society by (3.4.1) ... sentences and detaining all prisoners in safe custody; promoting social and human development. (1)

[10]

TOTAL SECTION A: 30

SECTION B

Answer the following short questions in the ANSWER BOOK.

QUESTION 4

4.1 A White Paper is the main strategic document aimed at directing management and service provision of the department over a long period.

4.1.1 Compile a list of objectives of the White Paper on safety and security.

4.1.2 Compile a list of core values the White Paper on corrections is based on.

(2 × 3) (6)

4.2 Section 35 of the Constitution of South Africa states: 'Every accused person is presumed to be innocent until proven guilty'.

Argue the *presumption of innocence* in detail. (8)

4.3. On 26 March 2018, the Department of Community Safety, the Western Cape Government and the City of Cape Town, co-hosted a Neighbourhood Watch Awards Ceremony in Cape Town.

Tabulate the difference between a Community Policing Forum and a Neighbourhood Watch. (4)

4.4 Compile a list of the requirements that affirmative action programmes must fulfil. (6)

4.5. State the THREE different levels of control. (3)

4.6 Argue the importance of *Sector Policing* for the South African Police Service and the community. (3)

[30]

TOTAL SECTION B: 30

SECTION C

Read the article below and answer the questions.

QUESTION 5

'WELCOME BACK HONOURABLE MINISTER, MR BHEKI CELE'

On 9 March 2018, a special parade was held at the South African Police Service Tshwane Academy, where the National Commissioner, General Khela Sithole, officially welcomed Mr Cele in their midst. The two dignitaries arrived at the podium with a small cart pulled by a white horse from the mounted unit. The podium was surrounded by a display of vehicles from various units.

'As we welcome you back to the SAPS family, Minister Cele, we look forward to your devising and interjecting strategic leadership and policies which will enable us to move forward in an effective and efficient manner,' said General Khela Sithole.

Minister Bheki Cele spoke to the members on the parade and with the commanders on the pavilion. He urged police members to sharpen their skills to enhance their ability to fight crime. He reminded them that police members are deployed to make South Africa a safer place for all and told them that it would be expected of police members to always be out in the field fighing crime, rather than spending time in the offices.

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5.1 Assess the scenario and identify and explain the leadership role of Minister Bheki Cele in the Department for Safety and Security. (2)

5.2 Distinguish between the concepts *motivation* and *activation.* (2)

5.3 The scenario makes mention of the mounted unit and various other units within the SAPS.

Compile a list of SIX specialised units (excluding the mounted unit) in the SAPS. (6)

5.4 Abraham Maslow (1908 – 1970) identified FIVE hierarchical levels of human needs. Maslow first had to establish which factors play a role in individual motivation.

Identify and illustrate Maslow's hierarchy of needs by arranging the needs from the lowest to the highest and give a practical example of each identified need. (10)
[20]

TOTAL SECTION C: 20

SECTION D

Answer only ONE question from SECTION D.

QUESTION 6

Diversion has increased the court's options of dealing with first offenders and setting them straight before they get involved in more serious crime. Diversion is offered as an alternative way of dealing with young people's offending behaviour – the young offender is diverted away from the criminal justice system into a programme that makes him or her accountable for their action.

6.1 Compile a list of the objectives of diversion programmes. Identity and describe the FOUR different types of diversion programmes. (14)

6.2 Name the universal standards applicable to children that were approved at the international convention on children's rights by the United Nations. (6)
[20]

OR

QUESTION 7

Criminal courts of the Republic of South Africa are divided into two types, namely trial courts and appeal courts. In trial courts, evidence is presented to establish the facts of a case, and a decision (verdict) is reached by a judge applying the law to those facts. Criminal courts are further classified, according to their jurisdiction, into higher and lower courts.

7.1 Discuss the functions of the high courts in detail.

7.2 Discuss the role of the presiding officer in a court case.

(2 × 10) **[20]**

TOTAL SECTION D: 20
GRAND TOTAL 100

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