higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE (VOCATIONAL)

CRIMINAL JUSTICE PROCESS
NQF LEVEL 4

(8021014)

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

This question paper consists of 7 pages.

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TIME: 3 HOURS
MARKS: 100

INSTRUCTIONS AND INFORMATION

1. Answer ALL questions in SECTION A, B and C.
2. Answer only ONE question in 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 question on a NEW page.
6. Rule off across the page on completion of each question.
7. 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 Indicate which ONE of the following statements is correct:

The aim of primary prevention is to…

A motivate the community to strive towards maintaining order voluntarily.
B promote and strengthen disobedience to laws and internal social relationships.
C liaise closely with mental institutions involved in the rehabilitation of dysfunctional patients involved in criminal activities.
D A and C.

1.2 Choose the MOST correct statement.

Secondary crime prevention includes:

A Remedial treatment in the family context.
B Treatment by schools and clinics.
C Dealing with the cause of criminal behaviour and the treatment of offenders.
D A and B.

1.3 Indicate which ONE of the following statements is incorrect:

A Tertiary crime prevention may take the form of rehabilitative treatment.
B Rehabilitative treatment is designed to restore to abnormal.
C Tertiary crime prevention focuses more on people who have been found guilty of crimes.
D Tertiary approaches focus on dealing with the causes of criminal behaviour and the treatment of offenders.

1.4 Identify which ONE of the following statements is incorrect:

A In order for crime prevention to be effective and efficient, proper planning should be carried out.
B The formulation of a long-term strategy is called strategic planning.
C Primary crime prevention focuses on rehabilitative treatment outside the institutional context after a person has been found guilty of a crime.
D Tertiary approaches focus on the rehabilitation of offenders.

1.5 Identify the MOST correct statement:

A Crime prevention involves the anticipation, recognition and appraisal of crime risk.
B Crime prevention involves the anticipation, recognition and appraisal of the initiation of action to remove or reduce the risk.
C The community does not really have a role to play in crime prevention.
D A and B. (5 × 1) **[5]**

QUESTION 2

Choose a description in COLUMN B that matches an item 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	Tertiary crime prevention	A	needed when detaining a prisoner
2.2	A crime prevention philosophy	B	to enable sentenced persons subject to community corrections to lead a socially responsible and crime-free life during the period of their sentence and in future
2.3	Secondary crime prevention	C	a placement option that is used to ensure effective control over selected offenders who are not yet ready, in all respects, for placement on parole
2.4	Day parole	D	to implement preventative techniques, such as the education of the youth and of society
2.5	Community corrections	E	may take the form of short-term preventative techniques, such as street patrols
2.6	Primary crime prevention	F	another staff member must confirm its accuracy
2.7	Objective of community corrections	G	deals with crime prevention in the long term
2.8	Nutrition	H	where reasonably practicable, dietary regulations must take into account religious requirements and cultural preferences
2.9	Detention warrant	I	all non-custodial measures and forms of supervision applicable to persons who are subject to such measures under the supervision and control of the Department of Correctional Services in the community
2.10	Personal particulars of offender	J	crime prevention is more than security
		K	conditional pardon or pardon by the State President

(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 (3.1–3.10) in the ANSWER BOOK.

3.1 Crime prevention programmes are based on certain assumptions, theories or factors that could have played a role in the commission of a crime or someone becoming a victim.

3.2 Offenders who may be selected for day parole are those who are experiencing practical resettlement problems.

3.3 There must be a supervision committee at each community corrections office, composed of correctional officials involved in the supervision of persons, as well as, if practical, persons from the community who are experts in behavioural sciences.

3.4 During custody, the toilets and showers must be insufficient when the inmates need to comply with the needs of nature.

3.5 During custody, where sleeping accommodation is in individual cells or rooms, each inmate shall at night occupy a cell or room by him- or herself.

3.6 The third Victim-Offender Reconciliation Programme (VORP) began as an experiment in Kitchener, Ontario, in the early 1670s.

3.7 Victim support is a term used to refer to the pitiful person who wants to listen to the crying victim.

3.8 Victim rights refer to a variety of rights and needs of, as well as services to victims of crime.

3.9 Victim empowerment refers to the unfair treatment of or discrimination against criminals.

3.10 The main aim of the Department of Correctional Services is to improve the behaviour of the victims in such a way that he/she will be an improved person after leaving the correctional facility.

(10 × 1) **[10]**

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 Programmes based on interventions that provide prisoners with the necessary skills and knowledge to enable them to view the community in its normative sense

4.2 Some reintegration initiatives offered by Non-governmental Organisations (NGOs) and Community Based Organisations (CBOs).

4.3 The way in which the criminal justice system, the fringe professions like health and welfare, and the community at large may victimise the victim once more, for example blaming him/her

4.4 A basic case management process involving four phases, namely case referral and intake, preparation for mediation, the mediation itself and any follow-up necessary to make the mediation successful

4.5 The person suffering harm, including physical or mental injury, emotional suffering or economic loss

(5 × 1) **[5]**

TOTAL SECTION A: 30

SECTION B

QUESTION 5

Read the extract below and answer the questions.

> The police have an effective system in place to ensure that all crime reported is recorded properly. It is referred to the administrative processes in crime reporting, which include the opening of a case docket, the processing of the case docket, the registration of the docket on the Crime Administration System (CAS), and so forth.

Discuss the administrative and investigative processes in crime reporting by referring to the following:

5.1 The registration of the docket on the CAS (6)

5.2 Opening of a case docket (3)

5.3 Allocation of the case to an investigating officer (4)

[13]

QUESTION 6

Discuss the decision of the public prosecutor to prosecute after the case has been presented to him/her. **[7]**

TOTAL SECTION B: 20

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SECTION C

QUESTION 7

Read the extract below and answer the questions.

> Once a prosecutor has decided to prosecute the offender on a specific charge, the judicial process starts with the adjudication of the case. Bear in mind that an accused person has certain rights. Proceedings in a court room are recorded in writing, shorthand or by a mechanical device in an official language. There is a distinction between contempt *in facie curiae* and contempt *ex facie curiae*. When a person is found guilty in court, he/she may be sentenced to serve correctional service.

Tabulate the differences between contempt *in facie curiae* and contempt *ex facie curiae* by defining each concept and providing practical examples. **[10]**

QUESTION 8

8.1 Name the court proceeding aspects that are recorded by the presiding officer. (5)

8.2 Name the basic elements which form part of an effective prison system to ensure safe custody. (4)

8.3 Briefly discuss the separation of the different categories of inmates according to section 7 of the Correctional Services Act, 111 of 1998. (6)

8.4 Discuss any FIVE rights of an accused person until proven guilty by the state. (5)
[20]

TOTAL SECTION C: 30

SECTION D

Answer only ONE question from this section.

QUESTION 9

Name the SEVEN victim rights and discuss the implementation of these rights in practice. **[20]**

OR

QUESTION 10

There are three phases in the criminal justice process, namely the pre-judicial phase, judicial phase and the post-judicial phase.

Discuss the pre-judicial phase. **[20]**

TOTAL SECTION D: 20
GRAND TOTAL 100

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