NOVEMBER 2013 EXAMINATION

DATE: 11 NOVEMBER 2013
TIME: 09H00 – 11H00
DURATION: 2 HOURS
TOTAL: 100 MARKS
PASS MARK: 40%

CITGEN1

(AN-08)

METRO POLICING 2

THIS EXAMINATION PAPER CONSISTS OF 4 SECTIONS:

SECTION A: CONSISTS OF:
(i) 5 MULTIPLE-CHOICE QUESTIONS (10 MARKS)
(ii) 5 TRUE OR FALSE QUESTIONS (10 MARKS)
(iii) 10 MATCHING-STATEMENT QUESTIONS (10 MARKS)
   ANSWER ALL THE QUESTIONS

SECTION B: CONSISTS OF 3 SHORT QUESTIONS
   ANSWER ALL THE QUESTIONS (10 MARKS)

SECTION C: CONSISTS OF 3 LONG ANSWER QUESTIONS
   ANSWER ALL THE QUESTIONS (20 MARKS)

SECTION D: CONSISTS OF 3 INTERPRETATIVE QUESTIONS
   ANSWER ANY TWO OF THE QUESTIONS (40 MARKS)

INSTRUCTIONS:

1. Read the following instructions carefully before answering the paper, as failure to act upon them will result in a loss of marks.
2. Write your answers in your answer book, which is provided in the exam.
3. Ensure that your name and student number are clearly indicated on your answer book.
4. Write your answers in either blue or black ink in your answer book.
5. Read each question very carefully before you answer it and number your answers exactly as the questions are numbered.
6. Begin with the question for which you think you will get the best marks.
7. Note the mark allocations for each question – give enough facts to earn the marks allocated. Don't waste time by giving more information than required.
8. You are welcome to use diagrams to illustrate your answers.
9. Please write neatly – we cannot mark illegible handwriting.
10. Any student caught cheating will have his or her examination paper and notes confiscated. The College will take disciplinary measures to protect the integrity of these examinations.
11. If there is something wrong with or missing from your exam paper or your answer book, please inform your invigilator immediately. If you do not inform your invigilator about a problem, the College will not be able to rectify it afterwards, and your marks cannot be adjusted to allow for the problem.
12. This paper may be removed from the examination hall after the examination has taken place.
SECTION A

(30 MARKS)

ANSWER ALL THE QUESTIONS

(i) MULTIPLE-CHOICE QUESTIONS

Choose the correct option for each of the following. Write only the question number and your chosen answer. For instance, if you think that the correct answer for number 1 is (a), then write it as 1. (a).

1. Which one of the following is not a Class III complaint about a member of the SAPS to the ICD?
   (a) forgery and uttering
   (b) fraud
   (c) corruption or extortion
   (d) incitement or conspiracy

2. Which one of the following is not a by-law?
   (a) by-law relating to street-trading
   (b) by-law relating to parking meters
   (c) by-law relating to bicycles
   (d) by-law relating to dogs

3. The search register (SAPS _____ (c)) must be kept at the MPS office, and details of all searches conducted by MPS members must be registered in that register.
   (a) 12
   (b) 13
   (c) 11
   (d) 10

4. The Provincial or _____ Commissioner may, where it is reasonable in the circumstances in order to exercise a power or perform a function referred to in section 215 of the Constitution, in writing authorise a member under his or her command to set up a roadblock or roadblocks on any public road in a particular area, or to set up a checkpoint or checkpoints at any public place in a particular area.
   (a) Station
   (b) Regional
   (c) National
   (d) Local

5. Which one of the following is not a principle of reasonableness?
   (a) proportionality
   (b) immediacy
   (c) non-excessiveness
   (d) reliability
   [5 × 2 = 10]
(ii) **TRUE OR FALSE QUESTIONS**

Indicate whether the following statements are True or False. Motivate all your answers.

1. In terms of section 1 of the Criminal Procedure Act 51 of 1977, a peace officer includes the following:
   any magistrate, justice, police official, member of the SANDF and correctional official as defined in section 1 of the Correctional Services Act, 1959 (Act 8 of 1959), and, in relation to any area, offence, class of offence or power referred to in a notice issued under section 334(1), any person who is a peace officer under that section.

2. The Act defines people who commit active corruption as follows:
   Any person who receives or obtains any benefit whatsoever from another person with the intention that he should commit or omit, or that he has committed or omitted to do, any act or action in relation to a power or duty allocated to him by virtue of employment or office.

3. Any complainant may in the prescribed manner apply to the police for a protection order in a case of domestic violence.

4. Economic abuse includes the unreasonable disposal of household effects or other property in which the complainant has an interest.

5. A *municipal police service* is the service that is established by the Provincial Government under section 64A of the South African Police Service Act 68 of 1995 (the Act).

   

5 x 2 = 10

(iii) **MATCHING-STATEMENT QUESTIONS**

Match the statements in Column B to the numbers in Column A. Write down the answers only, for example 1. (a).

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 53</td>
<td>(a) false representations</td>
</tr>
<tr>
<td>2. 56</td>
<td>(b) interference with members</td>
</tr>
<tr>
<td>3. 44</td>
<td>(c) rewards and recognitions</td>
</tr>
<tr>
<td>4. 14</td>
<td>(d) wearing and use of uniforms, badges, and so on of service</td>
</tr>
<tr>
<td>5. 13</td>
<td>(e) limitation of liability of state and members</td>
</tr>
<tr>
<td>6. 66</td>
<td>(f) employment of service in preservation of life, health or property</td>
</tr>
<tr>
<td>7. 67</td>
<td>(g) search and seizure</td>
</tr>
<tr>
<td>8. 68</td>
<td>(h) functions of directorate (ICD)</td>
</tr>
<tr>
<td>9. 69</td>
<td>(i) unauthorised disclosure of information</td>
</tr>
<tr>
<td>10. 70</td>
<td>(j) prohibition on publication of photographs or sketches of certain persons in custody</td>
</tr>
</tbody>
</table>
SECTION B: SHORT QUESTIONS

(10 MARKS)

ANSWER ALL THE QUESTIONS

QUESTION 1

QUESTION 2
Give the information that the arrester should provide to the arrestee at the time of the arrest or immediately afterwards. [4]

QUESTION 3
Name two of the National Government structures and institutions that investigate corruption and allegations of corruption. [2]

[10]
QUESTION 1
If the MEC is satisfied that the MPS has failed to comply with the conditions of establishment or the National Standards, he or she must act upon the principles of Section 139 of the Constitution. The MEC may then take certain steps against the MPS.

Briefly explain these steps. [6]

QUESTION 2
After an internal case of corruption has been investigated, it must be classified into one of five categories.

Name and briefly explain these categories. [5 × 2 = 10]

QUESTION 3
Identify four of the principles of crime prevention through environmental design. [4]

[20]
SECTION D: INTERPRETATIVE QUESTIONS (40 MARKS)

ANSWER ANY TWO OF THE QUESTIONS

QUESTION 1
Describe the legislative requirements for appointment as a member of a Municipal Police Service. [20]

AND / OR

QUESTION 2
Describe the functions of the Executive Head of a Municipal Police Service in terms of Section 64 C (2). [20]

AND / OR

QUESTION 3
In the S vs Walters case, Justice Kriegler highlighted certain important points about section 49 of the Criminal Procedure Act 51 of 1977.
Briefly explain these points. [20]

[40]

Section A: 30 marks
Section B: 10 marks
Section C: 20 marks
Section D: 40 marks
TOTAL: 100 MARKS