



**THE UNIVERSITY OF THE SOUTH PACIFIC
STUDENT ACADEMIC SERVICES**

Semester 1/2004

LAC09: POLICING

Time allowed: 3 Hours

Total Marks: 60%

Notes to Candidates:

Answer ALL questions in PART A,

Answer any FIVE questions in PART B,

Answer any FOUR questions in PART C.

LACO9 EXAM – FIRST SEMESTER 2004

Part A (10 marks)

Answer all questions in this part.

Questions 1-10 are true/false questions. Write true or false in response to each of the following statements in the space provided.

1. Where other forms of law conflict with the constitution of a country, the constitution will be overruled.
 2. The presumption of unconcerned is a right that operates in favour of criminal suspects.
 3. A lawful arrest made by a police officer would be unconstitutional.
 4. “Voluntary attendance” at a police station is a recognized legal status in the criminal justice system.
 5. The Judges’ Rules have the same force of Law as statutory provision.
 6. The right of silence is not related to the presumption of innocence.
 7. A police officer must always have a warrant before a search is carried out.
 8. A person who has made a citizen’s arrest may search the arrested person.
 9. If persons are not granted bail, it means that they are guilty of the offence that they have been accused of.
 10. A police officer does not require a warrant in order to arrest someone who commits an offence in her presence.
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PART B (10 marks)

Answer any **five** questions in this part only.

Explain what is meant by the following terms:

1. Suspects
2. Accused
3. Constitution
4. Bail
5. Case Law
6. Doctrine of Precedent
7. Summary offences
8. Witness
9. Warrant
10. Felony offences

PART C (40 marks)

Answer any **four** questions in this part. Each questions is worth 10 marks.

- (1) The roles and functions of a police force or service are closely related to the type of society in which the force of service operates. List 2 important roles of the police force or service in a country?
- (2) Describe and discuss the problems that face police officers in the South Pacific region. How do you think these problems should be addressed?
- (3) What do you understand by the term “rule of law”. Give examples of situations in which the rule of law and the use of policing discretion right come into conflict.
- (4) Dua comes to you to tell you that Levu has been arrested for murder. He is going to the police station to speak to him and wants to know what he should tell him about his rights. How would you advise Dua?.
- (5) Briefly summarise the law’s position on whether an arrest should be made and by what process in the following circumstance :
 - (a) PC Waqavanua has collected evidence that indicates that Tina has committed a criminal offence. He wants to bring her to the police station in order to question her about the matter.
 - (b) Whilst on patrol, Sergeant Surman sees a man acting suspiciously near the rear entrance of a store. He approached him and asked him his name but he refuses to answer.
 - (c) Peniasi is working as a Security Guard for a department store in town. One morning whilst at work, he sees a young woman take something from a shelf and put it into her pocket. He follows her to the cash register and observes that she does not pay for the item in her pocket. She then leaves the store.
- (6) With reference to the Constitution and Legislation of a South Pacific jurisdiction of your choice:
 - (a) Describe powers available to police officers to detain suspects prior to charge.
 - (b) Describe the rights of suspects detained in police custody.
 - (c) Discuss how, if at all, the law in this area should be reformed.
- (7) Police Officer Joseva has received information that Henry has 15 cartons of coke in his house. Last night, the Coca Cola factory was broken into and 20 cartons of coke was stolen. Henry has two previous for theft.

Advise Officer Joseva about what powers he has to conduct a search in this circumstance and what he should do in order to exercise them.

END OF PAPER