



**THE UNIVERSITY OF THE SOUTH PACIFIC
UNIVERSITY EXTENSION**

**EXAMINATION PAPER
SEMESTER 1 2007**

COURSE TITLE: LAC09 - POLICING	
DURATION OF EXAM:	THREE HOURS (3 HRS)
TOTAL NUMBER OF PAGES:	SIX (6)
NUMBER OF SECTIONS:	THREE (3)
NUMBER OF QUESTIONS:	THIRTY FOUR (34)
NUMBER OF QUESTIONS TO BE ANSWERED	NINETEEN (19)
TOTAL MARKS	SIXTY (60)
<u>NOTES TO CANDIDATES</u>	
1. ANSWER ALL QUESTIONS FROM PART A	
2. ANSWER FIVE QUESTIONS ONLY FROM PART B	
3. ANSWER FOUR QUESTIONS ONLY FROM PART C	
4. CANDIDATES MAY TAKE INTO THE EXAMINATION ROOM COPIES OF CRIMINAL CODE ACT, CRIMINAL PROCEDURE CODE ACT AND CONSTITUTION ACT. CANDIDATES ARE <u>NOT</u> ALLOWED TO TAKE COPIES OF CASES, ARTICLES, AND COURSE BOOKS	

APPROVED

BRG/estk 24/05/07

PART A (10 marks)

Part A is divided into two parts, questions 1 to 5 are true/false questions, answer them by circling the correct answer. Questions 6 to 10 are multiple choice questions, answer them by circling the correct answer. You must **answer all** questions in part A. Each question is worth 1 mark. No marks will be given for answers that are unclear or ambiguous.

1. The only role of the Police in the Pacific Island Countries is to fight crime.
True/False.

2. Reactive policing seeks to manage rather than attempt to eradicate crime, while Proactive policing involves Police reacting in response to a reported incident.
True/False

3. On the job training is not important to Police in the Pacific Island Countries because Police function is said to be “multifunctional”. **True/False.**

4. Customary law is extensively applied in the Pacific Island Countries in relation to criminal law. **True/False.**

5. Police officers should only concern themselves with criminal justice rights and do not need to be aware of constitutional rights. **True/False.**

6. An arrest by a Police officer must
 - (a). always be made with an arrest warrant;
 - (b). always be made by Police officers of the rank of sergeant and above;
 - (c). always be made after criminal charges have been laid;
 - (d). none of the above

7. The presumption against detention:
 - (a). means that a person in Police custody must answer all questions asked by the Police;
 - (b). operates only in favour of those arrested by ordinary citizens;
 - (c). means that an arrested person should not be detained prior to being brought before a court;
 - (d). begins at the beginning of a trial.

8. When questioning a suspect
 - (a). Police must follow the judge rule;
 - (b). Police must caution the suspect at the end of the interview;
 - (c). Police must always detain a suspect before an interview;
 - (d). Police must caution a suspect prior to any questions being asked to the suspect.

9. Bail applications are made
 - (a). At any time during the hearing;
 - (b). At the end of the trial;
 - (c). At the end of the Prosecution case;
 - (d). At the beginning of the trial.

10. There are practical problems relating to Policing Domestic violence one of which is
 - (a). Domestic violence is infrequent;
 - (b). Domestic violence is endemic
 - (c). Domestic violence is outside the jurisdiction of the Police
 - (d). Institutional or systemic inertia where public authorities may not be flexible enough to change in response to addressing domestic violence.

PART B. (10 Marks)

Answer any **Five** questions in this part only. Each question is worth two marks.

Explain what is meant by the following terms.

11. Rule of Law.
12. Case Law.
13. Fundamental rights.
14. Summons.
15. Warrant.
16. Suspect.
17. Presumption of Innocence.
18. Police discretion
19. Caution
20. Citizen's arrest.
21. Indictable offence
22. Domestic violence.
23. Police ethics.
24. Preliminary Inquiry.

PART C. (40 Marks)

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

25. The media has an important role in as far as public perception of Police is concerned. Explain how the media may affect public perception of the Police organisation and how this may affect the role of the Police?
26. Explain the difference between “arraignment” and “conviction.” At which stage of a criminal trial does each of this take place?
27. There is a presumption in favour of granting bail, however, that is not the same as saying that people have a right to bail. Explain what this means.
28. In carrying out their functions, Police are expected to have regard to the fundamental rights of individuals. Is it possible for societies to function on the basis that every person’s rights are fully protected all the time? If yes, why and if no, why not?
29. Domestic violence is not restricted to physical abuse by the husband of the wife. Explain what this means and give examples of other forms of domestic violence.
30. Explain the process of appearing in Court, starting from the day of arraignment until judgment is handed down.
31. Explain what Police ethics is and why it is important to have Police Ethics.
32. In a Pacific Island country jurisdiction of your choice, explain when a search warrant can be issued?
33. In carrying out their function, Police may face “cultural resistance.” Explain what this means and how it can affect Police functions. Give examples of cultural resistance.

34. Prior to reaching the higher courts, indictable offences go through Preliminary Inquiry or committal proceedings in the magistrate court. Committal proceedings can be formal/long committal or they can be short committal. Explain the difference between a formal/long committal and short committal.