

CMY3704 essay questions for exams

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25 marks-

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- ❖ **The three elements of the traditional triad that are used in sentencing. And also the fourth element as mentioned in the cases of Kumalo and Sparks-pg 16**

One of the criteria that should be taken into account during sentencing is the traditional triad (triad of Zinn), namely the crime, the accused and the interests of society.

Three elements are clearly emphasised in the triad, they are that the punishment must be determined according to legality and fairness, the interests of the accused and the interests of society.

Berger, 1936: When applying punishment, public interests must be considered while not forgetting the improvement and interest of the offender. After the accused has been found guilty, the judge must make sure that the offender is treated with mercy and humanity and determine punishment according to fairness and justice.

The first part of the triad is the crime and how the court decides on an appropriate sentence. Factors that are taken into account include: The nature and seriousness of the crime (does it fill the law-abiding society with horror, repugnance and indignation, does it endanger the lives of a large group of people?), the motive of the crime (was the crime planned or was it a crime committed in the heat of the moment under

great emotional stress?), the local crime pattern in a particular area, the victim of the crime and the public opinion of the crime and the offender.

The second part of the triad is the offender. Terblanche mentions factors that we must keep in mind during sentencing: the age and personal details of the offender, the presence or absence of previous convictions and the effect long period of imprisonment would have of him. The following information on the offender must be taken into account: the remorse and willingness to make amends, the standing of the accused in the community, the additional disadvantages of the sentence/

The third element of the triad is society, and the feelings and interests of society. According to Zinn: society should be protected against someone with no conscience towards people to whom he owed money and an example should be made that would send out a warning. Terblanche discusses the feelings and interests of society in more detail: firstly the feelings of society refer to feelings of outrage about the unpleasant act that have to be expressed as a sentence, and secondly, society should get the impression that maintaining an orderly system and creating a living space in which law-abiding citizens are assured of their lives and possessions and have the freedom to strive for a happy life are a priority of the court.

Kumalo and Sparks said that sentencing should give evidence of a measure of mercy as the fourth element that should be taken into account during the sentencing. Rv Rabie summarised the idea of mercy or compassion as follows: it is a balanced and humane state of mind, it tempers one's approach to the factors to be considered in arriving at an appropriate sentence, there isn't anything in common with oversentimental sympathy for the accused, fair punishment sometimes has to be robust, it rejects insensitive disapproval in sentencing fellow human beings and so avoids excessive anger and the measure of mercy shown depends upon the circumstances of each case.

Hiemstra states that mercy isn't a fourth element or factor of the traditional triad of sentencing. Rather justice ensures that the court never punishes in a spirit of anger or revenge.

After applying the basic triad, the sentencing official may find that imprisonment is not an appropriate sentence and that conditions linked to restorative justice can be incorporated in the conditions of corrective supervision, a suspended sentence or a remand sentence.

❖ **Provide a detailed discussion on the presence of mitigating and aggravating factors-pg 26**

The presence of mitigating and aggravating factors will influence the recommendations that will be made on the type of punishment a court will impose on an offender.

The mitigating effects of a factor suggest that the moral accountability of the accused as offender is reduced and/ or blameworthiness of the accused's deed decreases and the judge or magistrate may impose a lighter sentence.

Mitigating factors can be objective in how they can be related to the crime and its commission or subjective on what the state of mind of the offender at the time of the offence was.

Examples of mitigating factors that may be present for the accused and that may play a role when an appropriate sentence is considered: the accused is a first offender, youth or advanced age, poor health, emotional factors, the use of euthanasia, subnormal intelligence and remorse and a plea of guilty.

Criminal Procedure Act 51 of 1977 states that places the mitigating factors before the court and provides the way it is placed before the court. The accused and his legal representative and the state can present factors in mitigation of sentence to the court. Mitigating factors are put before the court in the form of evidence or ex parte reports.

After evidence has been presented, the prosecutor will be given an opportunity to cross-examine the witness after which re-examination by the defence is allowed. The evidence should be specific to the accused and not general ungrounded evidence. According to Du Toit, in order to be of value, expert witness should be fully acquainted with the facts of the case and their evidence should be connected to the findings of the court, the evidence in mitigation should be presented in detail.

Aggravating factors are considered during sentencing and that aggravate the sentence. Aggravating factors generally give rise to a heavier sentence because: the moral culpability of the accused is increased or intensified, the moral culpability of the offender is increased in the eyes of society and the blameworthiness of the accused's act increases.

Subjectivity, aggravating factors are linked to the accused's state of mind but are also found in the objective facts of the crime itself. The evidence provided by the prosecutor will be relevant in deciding on a punishment for the offender.

According to Kriegler, the following factors would have an aggravating effect on sentencing: the nature and seriousness of the crime, previous convictions, a premeditated offence, endangering the lives of others, the danger of a repeat crime occurring, when a human life is endangered especially if doesn't is killed whether out

of negligence or not, motive of the crime, and whether or not the victim is defenceless or not.

Prosecutors may present evidence of aggravating factors during their arguments. Evidence in aggravation is meant to place facts or factors concerned with an appropriate sentence before the court. The state may call in expert witnesses to testify to the principle and objectives of punishment and it is essential that aggravating factors that could exist should be brought to the attention of the court.

Mitigating evidence presented to the court may be brought to the judge by the accused himself or by an expert, and will be cross-examined by the state-prosecutor. The state prosecutor can also bring facts to the court's attention that could be regarded as aggravating in terms of punishment.

❖ Give a detailed discussion of non-custodial forms of punishment-pg 155

As an alternative to prison, a judge may choose to give a non-custodial sentence. Some crimes are committed out of extreme violence while others out of the necessity to survive. Although all who commit crime deserve retribution, prison is not necessary the answer. Prison can have many negative consequences; therefore, non-custodial punishment is very important so must be an option.

A community-based sentence is when the court orders the offender to a service that benefits the community.

There is a wide range of non-custodial sentences which a court may give to adult offenders, and there are other forms of punishments directed at juvenile offenders.

A fine is the most common form of punishment that entails a monetary loss for the offender and a monetary gain for the authority or the community. Fines are easy to administer and does not entail the same negative consequences that imprisonment does. When Peter illegally parked his SUV in a disabled parking space, he returned to his car to find a fine of R300 on his windscreen that he is expected to pay within a few weeks. Fines are related to retribution in order that the offender is made to pay for his crime. Failure to pay a fine could result in a prison sentence.

The presiding officer must consider all relevant factors before imposing a fine on an offender. The ability of the offender to pay the fine must be determined before the sentence is imposed. The court must exercise discretion in each case. For first offenders, a fine is usually a better option than imprisonment.

The Viljoen Commission suggests that in the case of relatively small crimes, no alternative of imprisonment must accompany the fine, even if there is a small chance that the fine will not be paid. However, in rare instances both a fine and

imprisonment is imposed to punish an offender whose crime is so serious that a fine by itself would not be enough.

An offender who commits a minor offence may be discharged after just a simple warning. This is the lightest sentence allowed by the law. Although the offender is discharged, his offence is still recorded if future offences are committed. Even once an offender is released, he can still be ordered to appear before the court again.

A compensation order is the requirement of the court that an offender must pay compensation to the victim of the crime for injury, loss or damage that he caused (In Brief.co.uk, 2018). John got in a fight with Frieda and Frieda's eye was severely damaged causing her to be unable to work as a seamstress. John is required by the court to help Frieda financially.

Community service allows the offender to be kept out of prison, which enables him to continue with his daily life. He is not exposed to the negative consequences that may occur to those who are imprisoned. The offender can continue to live and support his family and his family will not need hand-outs from the community. The community will be satisfied as the offender is expected to render a service free of charge. The community benefits directly from the service which is provided by the offender.

The offender must be 15 years of age or older to do community service. The service must be beneficial to the community in general and not just beneficial to a specific group or individual. Community service is implemented when the offender is not financially capable of paying a fine or compensating the victim. A strict selection process must be employed to decide which offenders are suitable for community service.

The minimum period of community service is 50 hours per sentence. The period of service for each offender varies of the crime, the blameworthiness of the offender, the ability of the supervising institution to keep the offender busy and the work circumstances of the offender. According to the gravity. Community service sentences are imposed for both serious and less serious offences. The offender is required to work the hours instructed, if not they will be returned to court, where they could receive a fine or any other sentence .

Sixteen-year-old Tom and three of his classmates were guilty of damaging private property and were sentenced by the court to do community service of removing graffiti from billboards for 40 hours each over the course of a month.

Non-custodial sentences have great value, especially to help with the overpopulation in our prisons, as well as the negative effects of imprisonment. The community can benefit from non-custodial sentences, especially when community services are served.

The disadvantages of non-custodial sentences, is that there is no guarantee that the offender will pay the fine or attend any of the compulsory programs that were made to prevent reoffending. The programs are expensive and coming out of tax payers' money, and they might not be taken seriously enough and may cause further problems.

❖ Discuss the modern philosophy of rehabilitation –pg 127

The renewed status of rehabilitation and the development of the modern philosophy of rehabilitation during the late 1980s and 1990s originated from a reaction to Martinson's findings and the nothing-works concept. According to Reid, issues with overcrowding in prisons and a rising crime rate which originated in the conservative, get-tough sentencing policy coincided with Martinson's findings. Lesieur and Welch: modern rehabilitation philosophy protects offenders against the severity of the conservative punishment perspective by means of understanding, tolerance and concern for the offenders' personal problems in the criminal justice system.

The aim of the modern philosophy of rehabilitation is to change the attitude, character and observable behaviour of the offender, to reduce criminal tendencies and to support the offender so as to achieve the objective of a socially acceptable adjustment to society.

The foundation of the medical module has been expanded by the acceptance of aspects:

- The causes of criminal behaviour are not situated only in the person of the offender (internal factors) but are also linked to environmental factors or a combination of both.
- Participation in programmes must be voluntary
- Programme participants must be open to changes in their behaviour
- Risk and need form an integral part of institutional treatment. Offenders are involved in suitable programmes according to their unique needs
- Offenders who take part in programmes must have sufficient regular exposure to treatment
- Quality assurance is an essential element of institutional treatment.

(still needs work)

❖ Elaborate on correctional supervision as a form of punishment-pg 150

Correctional supervision is a collective name for a wide variety of measures that is implemented outside prison. It is a unique option that accomplishes punishment without imprisonment. It is a community-based punishment, performed in the midst of the community and with the cooperation of the community.

When the commissioner integrates a probationer with a programme established by any social welfare authority or other body, it shall place with the concurrence of that authority or body, as the case may be. The commissioner may integrate any probationer with an appropriate rehabilitation or other programme established by himself, a social welfare authority or other bodies to provide for:

- a) Observance of and supervision over probationers
- b) Performance of community or other service by probationers.

- c) Payment of compensation to victims which the court may have issued in that regard.
- d) Reintegration of probationers with the community
- e) Rehabilitation of probationers
- f) Collection of funds, including the collection of costs from probationers in the execution of the punishment.
- g) May be considered necessary or expedient

Terblanche distinguished between five different types of correctional supervision:

- a) The public prosecutor may suspend proceedings and have the offender diverted from the criminal justice process by putting him under correctional supervision. The prosecutor has to have probation or correctional officer's report, consult with the investigating officer and the correctional officer, use discretion to decide on the appropriate measure under the circumstances. The accused must admit his guilt and consent to the procedure and to the length of the period of supervision.
- b) The court may, after conviction impose a period of correctional supervision as a sentence. Terblanche feels that a period of less than 6 months is will not do much good, and the maximum is 3 years.
- c) The court may impose imprisonment which lends the Commissioner of Correctional Services discretion to place the offender under correctional supervision if necessary. This type of imprisonment may be imposed for any crime but may not exceed 5 years.
- d) The commissioner may refer prisoner back to the sentencing court for reconsideration of sentence, provided that the balance of imprisonment which remains to be served is less than 5 years.
- e) A suspended or postponed sentence may be conditional on the fact that the accused submit himself to correctional supervision.

Correctional supervision may be coupled with:

- a) Community service-performed in the interests of the community and without any remuneration. Normally 16 hours community service per month is demanded for the purpose of correctional supervision
- b) House arrest-also referred to home detention, offender is expected to remain at home.
- c) Rehabilitation programmes- people who commit alcohol or drug related crimes take part in a rehabilitation programme
- d) Victim compensation- offenders are ordered to compensate their victims in some way.

Categories of correctional services include:

- a) Intensive correctional supervision –house arrest, restriction of movement or of alcohol, participation in correctional programmes, prohibition of contact with unsuitable persons, reparation to the victim and community service.
- b) Medium correctional supervision – same as the above but more flexible monitoring and restrictions

- c) Minimum correctional supervisions-offenders will hopefully have completed their correctional programmes, have repaid the victim, displayed stable employment habits and give the impression that they will detest from committing further crimes in the future.

❖ Discuss the reintegration of offenders within the South African framework-pg 176

Mpuang (2005) is of the opinion that offender reintegration is not a matter of national priority. The Department of Correctional Services (DCS) has embarked on a process of transformation where human custody and rehabilitation are at the centre of the core business of DCS.

According to the South African Correctional Services Act 111 of 1998 , the purpose of the correctional system is to contribute to maintaining and protecting a just, peaceful and safe society by enforcing sentences of the courts in the manner prescribed in this Act ; detaining all prisoners in safe custody whilst ensuring their human dignity; and promoting the social responsibility and human development of all prisoners and persons subject to community corrections.

(need to work on it)

❖ Discuss the strategies for solving/alleviating the problem of overcrowding in SA correctional facilities –pg 163

❖ Discuss the purpose and functioning of a pre-sentencing report-p 35

❖ Critically discuss compulsory minimum sentences-pg 169

❖ Discuss retribution as an aim of punishment-pg 77

❖ Discuss correctional supervision as a form of punishment-pg 150

15 marks

Provide a brief Introduction and define the concepts if applicable. A very brief summary and conclusion can also be given. A maximum of 2 marks are awarded for structure.

❖ Describe the role of retribution in punishment on the basis of the principle of just deserts-pg 81

An offender should be punished in relation to his/her moral blame and the harm caused by the crime. This role of retribution in punishment is known as just deserts.

The principle of just deserts:

- Brown et al –offenders should be punished bc they deserve it as a consequence of their law violations.
- Siegel-because of their heinous acts, criminals deserve to be punished

- Schmalleger-criminal offenders deserve the punishment they receive at the hands of the law and that any punishment that is imposed should be appropriate to the type and severity of criminal committed.
- Adler et al-philosophy of justice that asserts that the punishment should fit the crime and the culpability of the offender

The following characteristic can be deduced:

- It is a deserved punishment bc the offender has committed a crime that is prohibited by legislation or the common law and is threatened with punishment
- There is a limit of the extent of punishment in the sense that a sentence should be related to the moral blame of the offender and the damage or harm caused by the crime –too much or too little punishment is not just deserts

Many criminologists emphasise the fact that punishment should be in relation to the nature and seriousness of the crime.

Conklin- offenders should be punished only in direct proportion to the harm they have caused

Brown et al-the punishment must also be proportionate to the harm caused or risked, although mercy can be extended once it is acknowledged that the punishment is deserved

President Chaskalson- the death penalty is stated in the principle of proportionality identified as a factor in the deliberation of a specific sentence is cruel and inhuman.

Van Zyl Smit-provisions of the Canadian Constitution and a remark by Hogg stating that it is clear that the phrase (cruel and unusual) included two classes of punishment:

- Those that are barbaric in themselves
- And those that are grossly disproportionate to the offence.

The principle of proportionality in sentencing as embodied in just deserts enjoys international support.

Application of this principle in the courts teaches the following:

- In some crimes, it is difficult to mete out punishment in relation to the harm caused by the crime. This can best be applied in crimes where damage and harm can be quantified in monetary terms
- Where a conflict arises between the principles of punishment in relation to moral blame and punishment in relation to harm caused, it would appear that the emphasis falls on social interests (harm done) rather than on the offender's interests (moral blame).

- ❖ Which aspect should be covered in a victim impact statement –pg 64?
- ❖ Discuss the role of restorative justice in the reintegration process-pg 197
- ❖ “According to the indeterministic paradigm, people are viewed as rational beings who direct their behaviour according to the principles of hedonism and utilitarianism/ explain these assumptions as a basis for deterrence /Discuss hedonism and utilitarianism as a basis for deterrence-pg 88
- ❖ Discuss the crime, the offender and society as elements of the traditional triad-pg 16

The first part of the triad is the crime and how the court decides on an appropriate sentence. Factors that are taken into account include: The nature and seriousness of the crime (does it fill the law-abiding society with horror, repugnance and indignation, does it endanger the lives of a large group of people?), the motive of the crime (was the crime planned or was it a crime committed in the heat of the moment under great emotional stress?), the local crime pattern in a particular area, the victim of the crime and the public opinion of the crime and the offender.

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- ❖ Provide a detailed discussion of factors contributing to prison overcrowding.-pg 161
 - A long-term increase in the overall scope of crime

- A wave of serious crime that resulted in sentencing patterns involving long terms of imprisonment.
- A greater focus on crime control and maintenance of law and order (more crimes are solved and more people are thus in prison)
- The growth in prison accommodation has not kept up with the increase in the number of prison sentences.
- Public opinion is strongly opposed to crime and criminals. There is a great disapproval for early release strategies
- Building new institutions can be counterproductive; b/c the availability of accommodation might encourage presiding officers to imprison more offenders.
- Demographic factors are responsible for fluctuations in the population who are at risk for committing crime and receiving terms of imprisonment.
- The premise is that prison populations increase in poor economic conditions when more crimes are committed –associated with the increasing poverty and unemployment.
- The policy of sentencing, pre-sentencing detention (bail) and paroling also influences prison populations.

❖ Explain how restorative justice can play a role in the reintegration process- pg 197

❖ Discuss the six assumptions underlying incapacitation-pg 107

Criminologists focus on certain assumptions which form the point of departure for the claim that the incapacitation of offenders in prisons results in crime prevention:

- I. Some offenders recidivate-Wolfgang and others showed an early stage that a small majority of offenders are responsible for a large % of all crime. The small minority of offenders who are responsible are sooner or later arrested, found guilty and incapacitated. Scientists will be in a position to predict future criminality. If career offenders and high-risk offenders are identified and given longer terms of incarceration, crime can be prevented without a drastic increase in the prison population.
- II. The CJS has the capacity to solve known crimes, prosecute suspects and incapacitate in prisons those who are found guilty.-not entirely valid assumption. Only a small risk of an actual prison sentence being imposed for all serious crimes. The South African Law Reform Commission puts the conviction rate at less than 4%. The sentencing inability serves to handicap the preventive effect of any incapacitation strategy- there is a perception that crime pays.
- III. The place of offenders who are removed from society is not immediately and entirely filled by other offenders-when it comes to market-orientated crimes like drug-trade, organised crime syndicated and other gang related crimes there is a tendency that incapacitated offenders will be replaced by others.

According to Livingston, the volume of market-orientated crime will not diminish, even if offenders are restricted or removed from circulation, especially while the opportunity for crime and the demand for service delivery still exist.

- IV. The effects of incapacitation vary for different crimes as far as recidivation rates are concerned-the repeat offence rate for crimes like murder is very low. Custodial sentences only affect the occurrence of those offences which are characterized by a high degree of recidivation.
- V. Prisons as incapacitation measures are not criminogenic-controversial assumption. Prisoners who become institution-dependent or learn criminal techniques by associating with other criminals, the net preventive effect of incapacitation can drop to zero or have negative values. Conklin considers that the educational effect of the prison sub-culture is overestimated and that the disadvantages associated with it are less significant than the advantages of the incapacitation effect.
- VI. Criminal careers are neither quickly resumed on release nor practised more intensively.-doesn't seem to be valid. Clear and Cole have analysed the recidivation rates of offenders on parole and concluded that the parole failures tend to occur early in the release period.

❖ Discuss the role of restorative justice in the reintegration process.-pg 197

According to Muntingh, punishment must achieve two things to restore the imbalance created by a crime. It must restore the stigma attached to the crime so that both the offender and society can put it behind them so it does not affect their further interaction, it also ensures the commitment of the offender to be a part of the community of good citizens and act according to the principles of mutual respect and non-exploitation

The restorative justice theory was born out of the realisation that the retributive approach to punishment is ineffective, as it does not compel the offender to take responsibility for his actions.

(need to finish this essay)

10 marks-

No marks are rewarded for structure, but provide the definition if it is part of the answer.

❖ Same as q 7 in 25 marks

❖ Discuss the general principles that are applicable when a sentence of “ordinary” imprisonment is imposed.-pg 144

❖ Retention and/or abolition of the death penalty- pg 166

❖ Discuss the advantage and the disadvantages of imprisonment-pg 148

❖ Discuss the general principles underlying the imposition of community-based sentences.-pg 157

Community service allows the offender to be kept out of prison, which enables him to continue with his daily life. He is not exposed to the negative consequences that may occur to those who are imprisoned. The offender can continue to live and support his family and his family will not need hand-outs from the community. The community will be satisfied as the offender is expected to render a service free of charge. The community benefits directly from the service which is provided by the offender.

The offender must be 15 years of age or older to do community service. The service must be beneficial to the community in general and not just beneficial to a specific group or individual. Community service is implemented when the offender is not financially capable of paying a fine or compensating the victim. A strict selection process must be employed to decide which offenders are suitable for community service.

The minimum period of community service is 50 hours per sentence. The period of service for each offender varies of the crime, the blameworthiness of the offender, the ability of the supervising institution to keep the offender busy and the work circumstances of the offender. According to the gravity. Community service sentences are imposed for both serious and less serious offences. The offender is required to work the hours instructed, if not they will be returned to court, where they could receive a fine or any other sentence .

Sixteen-year-old Tom and three of his classmates were guilty of damaging private property and were sentenced by the court to do community service of removing graffiti from billboards for 40 hours each over the course of a month.

❖ Retribution restores a disturbed legal balance. Briefly discuss this statement-pg 81

Conklin, Brown, Regoli and Hewitt relate retribution to the restoring of a disturbed balance in society. Crime which is a violation of the rights to others requires a penalty

which will remove the advantage gained by the offender to try restoring social equilibrium. Through retribution, an attempt to replace discord with harmony and order is made.

Characteristics of retribution are as follows: The reaction to crime- Crime disrupts the moral balance of justice in society b/c the victim usually suffers harm and the offender benefits. Retribution restores the social equilibrium or legal balance. The extent of retribution is limited to restoring the imbalance. Through sentencing, an attempt is made to restore a disturbed legal balance and the aim is to mete out punishment in relation to the moral blame of the offender, the damage cause as a result of the crime and the victim's and society's formal rejection of the criminal behaviour.

❖ Give your view on the value of imprisonment by referring to the advantages as well as the disadvantages of imprisonment-pg 149

The advantages of imprisonment include that offenders are no longer able to offend, the community is protected from said offender and the offender is punished by not having freedom of movement. Some people are reformed and they leave prison as a new individual ready to give to society as decent human beings.

Imprisonment is a very expensive form of punishment and costs the taxpayers millions each year. The likelihood of rehabilitation is slim and many offenders return to a life of crime after being released from prison.

❖ What are the identified advantages of victim impact statement specifically for the criminal justice system (CJS)-pg 63

- Increases the quality of the court's administration of justice
- Improves the effectiveness and credibility of the CJS and makes the system more democratic
- Reminds the court that behind the state there is a person of interest in the way in which the case is decided.
- Helps to avoid arbitrary and variable sentences
- Promotes victim participation and the various aims of sentencing (retribution, deterrence, incapacitation and rehabilitation)
- Ensures that a fair and balanced sentence is imposed
- Balances an emotional submission made by the offender
- Helps the court to make a more informed decision when both sides are heard

- It can be used in the rehabilitation of an offender to help them break their negative patterns
- Helps parole boards to decide on the release of offenders.

❖ Briefly discuss the Offender Rehabilitation Path (ORP)-pg 181

- The ORP model assists in the rehabilitation of all offenders who enter the correctional system, with the ultimate aim of successful reintegration.
- The ORP is a 9-phase programme that re-engineers the offender management approach followed by the DCS:
 1. Admission of the offender to a specific correctional facility
 2. Assessment of the offender which included both the orientation and profiling of the offender. The offender is informed how the correctional system functions and the prescribed rules and regulations.
 3. The allocation of the inmate to an incarceration unit which in line with the individual's risk profile and classification. The risk profile is determined during phase 2. An individualised sentence plan is developed for the offender.
 4. Interventions are instituted based on the offender's sentence plan which included training, further educational programmes and personal psychological interventions such as anger management.
 5. Monitoring and evaluation of the progress made by the offender takes place. Remedial steps can be taken to bring the offender in line with the sentence plan.
 6. If the offender is successful in completing the sentence plan then the placement phase can occur. This includes the consideration of the offender for placement on either parole or correctional supervision.
 7. Just before release from prison back into society, the offender is allocated to a pre-released unit for training or final interventions before placement back into the community.
 8. The offender is admitted to a community corrections office and an individualised plan is devised for implementation.
 9. Focus is placed on the management of the probationers who are directly placed under community corrections by the court.
- The ORP is needs-based and caters for the special needs of the offender in an individualised manner
- It is structured according to the stage of incarceration of the inmate.