UNIVERSITY EXAMINATIONS

September 2021

IRM1501

Introduction to research for law and criminal justice

80 Marks

Duration from 12h00 on 15 September to 12h00 on 23 September 2021

First examiner: Prof M Swanepoel

Second examiners: Dr NQ Mabeka, Prof IJ Kroeze

Open Rubric

This paper consists of five questions

PLEASE NOTE THAT THIS EXAMINATION PAPER ONLY APPLIES TO THE FOLLOWING STUDENTS:

If you qualify for this examination, you will have been notified by the Department of Examinations. If you only registered for IRM1501 in 2021 for the first time, this examination does apply to you.

INSTRUCTIONS FOR A PORTFOLIO OR TAKE-HOME EXAM ON MYUNISA

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE ANSWERING THE EXAMINATION QUESTIONS. FAILURE TO DO SO COULD NEGATIVELY AFFECT YOUR PERFORMANCE IN THIS PORTFOLIO EXAMINATION. CLAIMING THAT YOU WERE IGNORANT OF THE RULES AND INSTRUCTIONS WILL NOT ASSIST YOU IF YOU FAIL TO FOLLOW THEM.

1. The examination question paper counts **80 marks.**
2. It consists of 5 (five) questions. Answer **ALL** the questions.
3. The duration of the examination is **7 days and 0 hours**. Your portfolio must be submitted via myUnisa on 23 September 2021 on or before 12h00 (South African Standard Time). If the completed portfolio is not submitted before this time, **a mark of 0% (zero) will be awarded and you will fail the module.**
4. This is an **open-book examination**. You may consult your prescribed study material during the examination.

5. Do not underestimate this portfolio – **start early** and **submit early**. No extensions will be granted under any circumstances.
6. Please complete this portfolio examination by writing or typing out your **answers** to the questions. You **do not** have to rewrite/retype the **questions**, but make sure that you number your answers correctly.
7. **You must submit your portfolio *online*** on myUnisa in PDF format. Convert your typed document to a PDF document, or scan in your written or typed pages to create one single PDF document.
8. Read the questions ***very*** carefully before answering. Where a question asks that you address more than one aspect, each element of the question should be addressed in your answer. Also, use the marks allocated to a question as guideline on how much information to provide in your answer. If a question counts only 1 mark, it is not necessary to write a paragraph or an essay. Likewise, if a question counts 4 or more marks, it is not sufficient to write only Yes/No or a few words.
9. Where a question asks that you answer in your **own words**, please do so. Failure to paraphrase the information found in the study material constitutes **plagiarism**. No marks will be awarded to answers that contain plagiarism.
10. Where you refer to information found in either the Constitution or the Study Guide, **you have to include references in the form of footnotes**. When an answer is based on information retrieved from a source other than your own knowledge or understanding, a reference must be included to the source you have used. Therefore, all answers obtained directly from the Study Guide must be referenced. Where you apply your mind and the contents of the learning material to answer a question, a reference is not necessary. These footnotes must adhere to the prescribed referencing style of the School of Law. In this regard, please read paragraph 5.2.4 (pp 21–35) in the LLBALLF/301/3/2021 tutorial letter. **Remember that a Unisa study guide is referenced in the same way as a book**. Please include references in your portfolio, even when you are only referring to the study material and the Constitution. Instructions on how to insert footnotes in an MS Word document are available on the module's myUnisa page in the "Portfolio" folder under "Additional resources".
11. In order to ensure that your portfolio is in line with the School of Law's **prescribed formal requirements** (ie font, font size, spacing and alignment) for written work, please read paragraph 5.2.3.7 (p 21) in the LLBALLF/301/3/2021 tutorial letter.
12. Please read paragraph 5.2.5 (pp 35–37) in the LLBALLF/301/3/2021 tutorial letter to familiarise yourself with **what constitutes plagiarism** and how to avoid it. Please note that you will lose marks if your answers indicate copying, plagiarism or collaboration with other parties. Also, if plagiarism is suspected,

your case may be referred for possible disciplinary proceedings.

13. **Keep a copy** of your portfolio, as well as proof of your successful submission.
14. Keep in mind that it is **your responsibility** to submit the correct document, in the correct file format, before the deadline for the portfolio. You are in charge of your own learning and your own examinations. **No excuses may be accepted for failure to submit on time**, or for submitting an incorrect or incomplete document.
15. You may only resubmit your portfolio **twice**. The myUnisa system will not allow you to resubmit more than twice. Also, once you have submitted your portfolio and the marking has started, you will not be able to replace it with another document via the RESUBMIT tool. Please note that when the RESUBMIT option is no longer available to you on myUnisa, you cannot resubmit and your lecturers are not in a position to change this. Therefore, please make sure that you submit the correct document.
16. Please note that you cannot add to your submission. If you wish to change anything about your submission, you must resubmit your portfolio if the system allows you to do so. When you resubmit, the new document **replaces** the original document.
17. Please include a **cover page** containing your student number, the module name and code, and the due date of the portfolio examination in your portfolio submission.
18. Submitting your portfolio online on the myUnisa platform:

    Portfolios may only be submitted online; lecturers cannot and will not accept portfolios submitted via email, fax or in any other format. The myUnisa system will close at 12h00 on the due date. After noon on the due date, you will no longer be able to submit your portfolio. If you cannot submit your portfolio in time, due to health reasons or for any of the circumstances listed in the UNISA exam policy, you will have to officially apply to the Examinations Department for another examination opportunity, if you qualify for such.

    Go to the module site for IRM1501, click on the link for “Assessment Info”. At the bottom of the page you will find the link to submit the document under the heading “Unisa summative assessment”. Make sure to submit the document by clicking on the ***correct*** link. Thereafter, please follow the onscreen instructions.

    a) **DO NOT submit the portfolio under a link for another module and do not submit another module’s assessment for this module.** You will be awarded a mark of 0% (ZERO) if you submit the wrong document. ***Please be very careful when you select the correct document to upload***. We are only allowed to mark what you submitted. If you

therefore submit the WRONG or a BLANK document, you will receive a mark of zero. No resubmissions are allowed after the due date and no exceptions can be made in this regard. This is an exam.

b) **BEFORE** submitting, make sure that you submit the **correct document**, containing **all** the pages you wish to submit. You will **not** be able to return to the "Assessment info" page to "VIEW" your submission, since this is an examination. This is how the myUnisa system works and your lecturers have no control over this process.

c) **Important:** Please do not wait until the last minute to submit. The system may be down and you will fail your examination if you are unable to submit in time.

d) **We advise you to submit your completed portfolio as early as possible. We recommend that you attempt to submit your portfolio at least a day before the deadline.** That way you will have sufficient time to resolve any potential technical problems that come up.

e) If the system does not allow you to submit, please take a screen shot and send it to Prof M Swanepoel at swanem@unisa.ac.za who will then forward it to ICT for possible assistance. Please note that feedback to such a request may take a day or two, **so please do not submit at the last minute**. Rather submit early so that you have time to resolve any technical or administrative challenges that may arise.

f) You must submit your examination answers as a single document in **PDF format**. Please take note of the following:

- The document may not be submitted as an encrypted pdf document or as a file with security restrictions under the "protect/secure document" option. This also means that you may not submit a password-protected file. Security restrictions interfere with the electronic marking program used.
- Do not include an electronic signature in the document as this affects the online marking.
- Do not submit copies of your Study Guide, tutorial letter, ID document, application form, bank statement, assessment for another module, your second assignment, or any other irrelevant document as your portfolio submission. We are not allowed to contact you to ask that you resubmit the correct document, since this is against UNISA's Assessment Policy. **We mark what we receive and if the submission does not answer the questions, a mark of zero will be awarded**. This is an exam.
- Do not submit a document in corrupt file format; you will be awarded a mark of 0%. This applies whether you corrupted the document

purposefully or accidentally. We are not allowed to contact you to ask that you resubmit the document in the correct file format, since this is against UNISA's Assessment Policy. **We mark what we receive**. If we cannot open the document, you will receive zero.

19. Do not take pictures of your hand-written or printed pages with your smart phone and then use an app to convert these photos into a pdf document. The quality of these photos may interfere with the marking of the document. If the marker cannot read the information contained on the page, it cannot be marked. All other queries regarding problems with myUnisa, Unisa emails, or online submission of assignments and portfolios should be directed to:

    myUnisaHelp@unisa.ac.za;

    myLifeHelp@unisa.ac.za; or

    assign@unisa.ac.za.

    Unfortunately, your lecturers CANNOT assist you with these matters.

SEPTEMBER EXAMINATION 2021

Question 1

Discuss plagiarism and use examples where necessary.

Marks: [10]

Question 2

Read the following case that can be found under Additional Resources > Prescribed reading.

South African Legal Practice Council v Shirinda [2021] ZAGPPHC 144 (3 February 2021)

Now summarise the case in the prescribed manner. Marks: [20]

Maximum word count allowed: 1000

Please note the following:

1.	You must use referencing to substantiate your summary.
2.	Marks are also awarded for language usage and using the prescribed format.
3.	Plagiarism will result in a mark of zero.

Question 3

Find three (3) sources dealing with transformative constitutionalism that are NOT mentioned in the study material. Now write an essay in which you do the following:

1. Summarise the viewpoints of your chosen sources.
2. Integrate the various viewpoints by pointing out similarities and differences.
3. Evaluate the various viewpoints based on the information in your study guide.

Marks: [20]

Maximum word count allowed: 1000

Question 4

Read the following case that can be found under Additional Resources > Prescribed reading.

Nothnagel v South African Legal Practice Council [2021] ZAGPPHC (8 January 2021)

Now summarise the case in the prescribed manner.

Marks: [20]

Maximum word count allowed: 1000

Please note the following:

1. You must use referencing to substantiate your summary.
2. Marks are also awarded for language usage and using the prescribed format.
3. Plagiarism will result in a mark of zero.

Question 5

Find three (3) sources dealing with social justice that are NOT mentioned in the study material. Now write an essay in which you do the following:

1. Summarise the viewpoints of your chosen sources.
2. Integrate the various viewpoints by pointing out similarities and differences.
3. Evaluate the various viewpoints based on the information in your study guide.

Maximum word count allowed: 1000