

Ch 6 Understanding Our Criminal Justice System

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Exercices

1. In a town called Peace Land, the supporters of the Fiesta football team learn that the supporters of the Jubilee football team in the nearby city about 40 km away have damaged the ground on which the Final between both teams is to be held the following day. A crowd of Fiesta fans armed with deadly weapons attacks the homes of the supporters of the Jubilee football team in the town. In the attack, 10 men are killed, 5 women are gravely hurt, many homes are destroyed and over 50 people injured.

Imagine that you and your classmates are now part of the criminal justice system. First divide the class into the following four groups of persons:

1. Police
2. Public Prosecutor
3. Defence lawyer
4. Judge

The column on the right provides a list of functions. Match these with the roles that are listed on the left. Have each group pick the functions that it needs to perform to bring justice to those who were affected by the violence of the Fiesta fans. In what order, will these functions be performed?

Roles	Functions
Police	hear the witnesses
Public prosecutor	record the statements of witnesses
Defence Lawyer	cross examine the witnesses
Judge	take photographs of burnt homes
	record the evidence
	arrest the Fiesta fans
	writes the judgment
	argue the case for the victims
	decide for how many years the accused will be put in jail
	examine the witnesses in court

	pass the judgment
	get the assaulted women medically examined
	conduct a fair trial
	Meet the accused persons

Answer

Police: record the statements of witnesses; take photographs of burnt homes; arrest the Fiesta fans; get the assaulted women medically examined.

Public Prosecutor: cross examine the witnesses; examine the witnesses in court; argue the case for the victims.

Defence Lawyer: cross examine the witnesses; meet the accused persons; examine the witness in court.

Judge: hear the witness; writes the judgment; decide for how many years the accused will be put in jail; pass the judgment.

The victims would not get justice if only one person performed all of the functions of the criminal justice system because a separation of powers is necessary within a judicial system too since absolute power can never be fair.

Different persons need to play different roles as part of the criminal justice system because: one, all aspects of an investigation and trial cannot be conducted by one person alone as they entail diverse kinds of work including, arrests, recording of witness statements, defence of accused and victims' parties, passing of a fair trial and a judicially correct judgment. Two, if all these powers are vested in one person alone, they might be misused and will thereby violate the rule of law based on equal and just decisions.

