

MEMO JUNE EXAM 2014

TAKE NOTE: The memo serves only as a guideline.

QUESTION 1 14 MARKS

1.1 Conduct that complies with the 5 elements of a crime namely legality, conduct, unlawfulness, criminal capacity and fault. **(1)**

1.2 **(2)**

Conduct – a human voluntary conduct and depending on whether conduct or consequence crime, causation

- Consequence crime – consequence is prohibited **1 mark**
- Consequence crimes differ from conduct crimes in respect of the conduct element: must comply with **4 elements**: human, voluntary conduct where there is a link/causation between conduct and consequence **1 mark**

1.3.1 E **(2)**

D is a police official and YES, had a legal duty which arose from his office.

Relevant case: Euwels (assault of a person in the presence of a police official) (Not Gaba police official where withheld information or Bazdow where police did not protect woman).

1.3.1 F **(1)**

NO legal duty

Legal duty arose from office – Euwels – person assaulted

1.4 3 marks

1 mark for yes or no to causation and for the reason.

1.4.1 **(1)** *S v Mokgethi* – no causation between bank robbery and death of bank teller – the victim did not take properly care of himself in accordance with the doctor's instructions and that broke the link between the robbery (conduct) and death (consequence).

1.4.2 **(1)** *S v Tembani* – yes, causation between shooting and death of girlfriend – the hospital negligent treatment did not break the link between shooting and death.

1.4.3 **(1)** *S v Cloete* – no causation because the state did not prove causation between the conduct of the accused (dragging) and death and it was not shown/proven by the state that the link had not been broken by the conduct of the people who assaulted the deceased - it is possible that the link had been broken.

Eng15memo May June Exam 2014

Patrick Vollmar



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Eng15memo May June Exam 2014 Book Review: Unveiling the Magic of Language

In an electronic era where connections and knowledge reign supreme, the enchanting power of language has become much more apparent than ever. Its ability to stir emotions, provoke thought, and instigate transformation is actually remarkable. This extraordinary book, aptly titled "**Eng15memo May June Exam 2014**," published by a highly acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound effect on our existence. Throughout this critique, we shall delve into the book's central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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