

Short Learning Programme (SLP) Outline: Law Enforcement by Peace Officers (LEPO) 40 contact hours (5 days)

Purpose of Short Learning Programme (SLP)

This credit bearing SLP will prepare students to enforce municipal by-laws and legislation. It is aimed at the training of any official who is responsible for the implementation and enforcement of by-laws or legislation and for whom appointment as a peace officer in terms of Section 334 of the Criminal Procedure Act is required.

Range Statement

This SLP will provide the student with an opportunity to acquire the competencies relevant to the regulatory framework for law enforcement officials and will provide the overarching understanding of legislation to conduct law enforcement

Minimum Entrance Requirements/Learning to be in place for this Short Learning Programme

Access to this short learning programme is granted to applicants who meet the following minimum entrance requirements:

- A National Senior Certificate (NSC) granting access to a Higher Certificate or
- A National Certificate (Vocational) Level 4 (NCV4) or
- An appropriate Further Education and Training Certificate or equivalent.

Learning to be in Place:

- It is assumed that the student would be competent in the language of instruction (English at NQF Level 4), Mathematical Literacy (NQF Level 4) and the theoretical knowledge and understanding accomplished at that level.

Assessment Practice

Assessment of students consists of a written knowledge test and a written practical assessment, which requires the completion of applicable documentation and notices in terms of a given scenario.

The knowledge test represents 40% of the total marks, while the practical assessment makes up the remaining 60%. Students must obtain 42 out of 60 marks for the practical part (a 70% pass-rate requirement). In order to comply with the requirements of the course, both the theory and practical components of the assessment need to be met. A pass mark of 50% overall is required.

Attendance Requirements

Kindly note delegates are required to attend all training days for the duration of the course.

Course Outline

1. The law and its sources

- Definition of law
- Sources of law
- Objective of law
- Legal capacity
- Main branches of the law
- Constitutional principles

2. The South African criminal justice system

- National crime prevention strategy
- Legislative and executive authority
- The main role players in the criminal justice system
- National prosecuting authority (NPA)
- The department of justice (DOJ)
- The department of correctional services
- The South African police service
- Municipal police services

3. Criminal accountability

- The requirements of criminal accountability
- Legality
- Human conduct
- Unlawfulness
- Fault

4. Initiation, prosecution and access to legal assistance

- Initiation of law enforcement activities
- The statement
- The charge sheet
- Evidence
- Court attendance of witnesses
- Access to legal assistance

5. Practical aspects of enforcement by peace officers who are not police officers

- Practical elements of law enforcement
- Receipt and handling of complaints
- Warnings
- Notices and fines
- Confiscations and disposal of confiscated goods
- File management

6. Role-players in the magistrate's courts and the presentation of evidence

- Official's of the magistrate's court
- The magistrate
- The public prosecutor
- The clerk of the court
- Other court officials
- The hearing
- The court proceedings
- The law enforcement officer as a witness

7. Appointment, functions and powers of peace officers

- Municipal manager's responsibility with regard to training of staff
- Law enforcement officer or peace officer?
- Conditions for appointment as a peace officer
- Appointment certificate
- The powers and functions of the peace officer
- Jurisdiction
- Legislation that may be applied by the municipal law enforcement officers

- Legislative actions that a law enforcement officer can pursue
- Breaking open of premises for purposes of arrest
- The use of force after arrest
- Search and seizure

8. Administrative enforcement

- The need for administrative enforcement
- The objectives of administrative enforcement
- The legal requirements for administrative justice
- Administrative enforcement tools
- Civil remedies

9. Reading of legislation and basic interpretation

- Rules that govern behaviour
- The format of a by-law
- The rules of interpretation
- The reading of legislation
- Analysis of a situation

10. Ethics and professionalism in law- enforcement

- Definition
- Ethics and morality
- Ethics and the constitution
- Batho Pele
- Principles of professionalism

11. Anti-corruption

- The scope of corruption in South Africa
- The prevention of corrupt services activities act
- Conditions that may assist corruption
- Forms of corrupt activities
- Indicators of fraud and corruption
- The effects of fraud and corruption
- The effects of fraud and corruption

12. How local government works (please note that this is an elective module for local government employees)

- Separation of powers
- The doctrine
- Establishment of executive structures
- Function of council
- Powers and functions of municipalities
- The schedule of 4 and 5 matters
- Fiscal powers and functions
- Division of powers and functions between local and district municipalities
- Objectives of local government
- The main role players in local government
- Role of the council
- Role of the speaker

Credits

- The LEPO course is registered at the Nelson Mandela University and carries 12 credits on NQF level 5 towards the Higher Certificate: Criminal Justice, a formal qualification offered at the university. It also carries credits towards a new formal qualification offered by the university's Faculty of Law namely the Diploma in Law Enforcement.
- Candidates who have successfully completed the SLP and who wish to enrol for the specified formal qualification(s) to which the credits are registered, may apply to the University for the exemption of the credits achieved, **provided that the candidate meets all entrance requirements as set for the formal qualification**

Training delivery

Training can take place on campus in Port Elizabeth or on-site.

Contact details

For further information and to request quotations, please contact:

Mrs Marlene Holland

Tel: 041-504 4757

E-mail: Marlene.Holland@mandela.ac.za

Ms Tamrin January

Tel: 041 504 4706

E-mail: Tamrin.January@mandela.ac.za