

Worksheet 2.5 Answers

Below is a list of statements/phrases. Your task is to write the question for which the given phrase is the answer. Also state which section of the CPA (if relevant) the information can be found in.

example: 2011

answer: What is the date of the Criminal Procedure Act?

1. An offence that is not punishable by a term of imprisonment.

Possible questions for this answer: (section 6 CPA)

- What is the basis of a category 1 offence? •
- What is a category 1 offence? •
- What is the first line of the description of a category 1 offence?

2. By filing a charging document.

Possible questions for this answer: (section 14 CPA)

- How are criminal proceedings commenced?
- How does a prosecution agency commence proceedings?

3. Sufficient particulars to fully and fairly inform the defendant of the substance of the offence that it is alleged that the defendant has committed.

Possible questions for this answer: (section 17(4) CPA)

- What must a charging document contain?
- When a person is charged what is one piece of information they must be given?

4. Amend or divide it.

Possible questions for this answer: (s21 CPA)

- What may a court do to an alternative or representative charge?
- What may a court do to an alternative or representative charge on application, on its own motion, or in the interests of natural justice?

5. Issue a warrant for the arrest of the defendant.

Possible questions for this answer: (s34 CPA)

- What can a court do if a summons cannot be served?

6. Give reasons for it.

Possible questions for this answer: (s106 CPA)

- What must the court do when delivering its decision?
- What must a court do when it has made its decision?

7. section 355 CPA.

Possible questions for this answer:

- Which section of the CPA details the jurisdiction of Justices?
- Where can a Justice find out about JP jurisdiction?

8. Jurisdiction of Justices and Community Magistrates to take pleas.

Possible questions for this answer:

- What does section 361 CPA provide for?
- What is contained in section 361 CPA?