

## Chapter 6 Understanding Our Criminal Justice System

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, record the statements of witnesses, cross examine the witnesses, 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
Public Prosecutor	
Defense Lawyer	
Judge	

Now take the same situation but ask one student who is a supporter of the Fiesta Club to perform all the functions listed above. Do you think the victims would get justice if only one person performed all of the functions of the criminal justice system? Why not? State two reasons why you believe that different persons need to play different roles as part of the criminal justice system.

Answer

Role	Functions

<b>Police</b>	Records the statements of witnesses Takes photographs of burnt homes Arrests the Fiesta fans Gets the assaulted women medically examined
<b>Public Prosecutor</b>	Cross examines the witnesses Argues the case for the victims
<b>Defence Lawyer</b>	Meets the accused persons Examines the witnesses in court
<b>Judge</b>	Hears the witnesses Records the evidence Writes the judgement Decides for how many years the accused will be put in jail Passes the judgement Conducts a fair trial

The victim would not get justice if only one person would perform all the functions of the criminal justice system because he could get influenced by various prejudice and separation of power is necessary in within a judicial system too since absolute power can lead to unfairness.

Two reasons why different persons need to play different roles as part of the criminal justice system are:

1. Because all the aspects of trial and investigation cannot be conducted by a single person all alone as it entail diverse kind of work including arresting, recording the statements of witnesses, defence of victim and accused parties, passing a fair trial and judicially correct judgement.
2. Because if all the powers are vested on one person alone, it might be misused and thereby violate the laws based on just and equal decision.

A single ideology may not be the right one as it can affect the trial and the result of the case.