

Questioning: The Undefended Accused

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About this Publication:

Questioning: The Undefended Accused – Practical Examples for Magistrates is aimed at assisting both acting and newly appointed magistrates in the questioning of an undefended accused appearing before them in a criminal matter. Each chapter relates to a different offence and gives a clear and concise explanation of what magistrates can encounter in practice. Relevant theory and practical examples on how to question are provided. Handy pro forma sheets are included at the end of the book listing required questions, explanations and procedures for use in court.

Contents Include:

- Explanation of accused's rights with regard to legal representation
- The rights of the undefended accused during the criminal trial
- The different plea proceedings in terms of section 112 and section 115 of the Criminal Procedure Act 51 of 1977
- Assault with the intent to do grievous bodily harm
- Housebreaking with the intent to steal and theft
- Malicious injury to property
- Theft
- Section 36: Failure to give a satisfactory account of possession of goods suspected to have been stolen goods
- Section 37(1): Receiving stolen property without reasonable cause
- Section 1(1): Unauthorised borrowing of the property of another for own use
- Failure to pay maintenance
- Domestic violence: Failure to comply with a protection order
- Driving while under the influence of intoxicating liquor or a drug having a narcotic effect
- Other traffic offences
- Unlawful possession of a firearm
- The taking of a confession
- Annexures
- Pro formas to assist the magistrate, for example:
 - explaining to the undefended accused his or her various rights through the criminal trial;
 - sentencing;
 - the enquiry in terms of section 103 of the Firearms Control Act 60 of 2000
 - the proceedings in terms of section 35 of the National Road Traffic Act 93 of 1996; and
 - the taking of a confession.
- Table of cases
- Table of statutes

- Legislation
- Bibliography

Of Interest and Benefit to:

- Legal practitioners
- Judges
- Magistrates
- Libraries
- ■Academics

Key Benefits:

- A quick reference guide for acting or newly appointed magistrates presiding in criminal cases where many accused lack legal representation.
- Public prosecutors and legal practitioners will benefit from the inclusion of example annexures to a charge sheet included in the practical examples of a plea of guilty of an undefended accused in terms of section 112(1)(b) of the Criminal Procedure Act.
- Prosecutors will benefit from practical examples of how to address the court at the various stages of court proceedings.
- Students can use this work effectively in their preparations for *moot courts*.

Pricing:

Description	Price
1st Edition	R 450.00