

Surname: _____ Name: _____ Gr.12 _____ Teacher: _____

MPUMALANGA DEPARTMENT OF EDUCATION



ENGLISH FIRST ADDITIONAL LANGUAGE

PAPER I

Time: 2 hours

Marks: 80

— TASK 14.1 —

PRELIMINARY EXAMINATION

SEPTEMBER 2009

This paper consists of 14 pages

Instructions:

1. Supply the **particulars required on the front page** of this paper before doing anything else. This paper must be handed in together with your answer paper upon completion of your answers once the allowed time has expired.
2. Answer ALL the questions in this paper:

SECTION A: COMPREHENSION	(30)
SECTION B: SUMMARY	(10)
SECTION C: LANGUAGE	(40)
3. Write **TASK 14.1**, **your surname**, followed by **your name** and **grade and class** at the **top left** on your **answer paper**.
4. Write PAPER 1 in the centre and the date to the extreme right on the top line.
5. The heading to every SECTION must be written in the centre of the page.
6. Start each SECTION at the top of a NEW PAGE, with the exception of SECTION A, which will follow directly underneath the particulars on the top line.
7. Number strictly according to the paper down the LEFT hand margin.
8. Leave an open line after every number and its answer.
9. Use BLACK or BLUE INK ONLY – no pencil or correcting fluids or -tapes.
10. Delete what you don't want to be marked neatly in INK.
11. DO NOT QUOTE unless you are specifically instructed to do so.
12. At multiple choice questions, write down only the CAPITAL letter of the correct answer.
13. Pay close attention to spelling, grammar and punctuation, e.g. do not use capital letters for answers that occur in the middle of a sentence on the paper.
14. Write neatly and legibly.

SECTION A: COMPREHENSION

QUESTION 1

Study written matter on the photograph and read the passage carefully before answering the questions based on it.

PHOTOGRAPH: Puxley Makgatho

Thando Pato speaks to attorney Tendani Vincent Mphaphuli about defending criminals and what it takes to succeed in his profession.



Justice for all

- 1 Before opening his own practice in Randburg, Johannesburg, in 2008, attorney Tendani Vincent Mphaphuli, 29, says he had handled only a few criminal cases. Now most of his clientele are criminals. "This is not out of choice but rather because it's difficult for a single practitioner to pitch to large commercial clients. But I do have a few commercial clients and before the end of this year I want to stop practising criminal law and specialise again in commercial litigation and corporate law," he explains.

Plans for expansion

- 2 Tendani's ultimate ambition is to expand his practice to include partners who specialise in various fields of law, but in the meantime his typical work day is made up of court appearances, bail applications and trials, preparing for court, consulting with clients and drafting contracts.
- 3 Tendani says his clients' crimes range from murder, shoplifting and rape, to public drinking, domestic violence and fraud. Most of us might squirm at the thought of working with criminals, but he says that he can't allow himself to approach cases from an emotional perspective if he wants to do his job properly. "My job is to ensure that the rights enshrined in the Constitution are truly and carefully protected and that justice is served in an unbiased and just way."

- 4 Unfortunately, says Tendani, there is a misconception among the general public that attorneys are liars who will rip you off. "What they don't understand is that we don't only defend and protect the perpetrators of crimes. We can also protect people by ensuring they are not harshly treated by financial institutions, protecting their assets and interests during divorces or even helping with the distribution of an estate when someone dies. There are many parts of the law that attorneys deal with," he explains.

A lifelong dream

- 5 Tendani says that while growing up, he always wanted to be an attorney. "I grew up in Venda, where I saw a lot of racism and people getting ripped off. I wanted to get a better understanding of the law because it is part of life. I would watch people in my community getting their furniture repossessed because they didn't know how to protect themselves and I wanted to help them."
- 6 After matric, he enrolled at Vista University's Soweto campus for an LLB degree, which he completed in the required four years.

Overcoming a challenge

- 7 But his career stalled when he struggled to find a firm where he could serve his articles – one of the requirements for him to become an attorney. "I was from a black-based university and the big law firms prefer candidates from universities like Wits, UCT, UWC and RAU."
- 8 To make a living, Tendani worked as a cashier at Woolworths in Cresta for a year, before finally finding a firm that would accept him.
- 9 In 2005 he completed his articles and passed the board exam. He then worked for several law firms specialising in commercial litigation and the drafting of commercial contracts.
- 10 Tendani says his future plans include concentrating on commercial law, but practising criminal law has taught him a lot about society. "I have no regrets. I believe you learn something important from every avenue you choose as long as you enjoy and appreciate what you have chosen."

Adapted from: **Sowetan EDUCATION** – POWER YOUR FUTURE, Volume 4 Edition 10, 2009

- 1.1 How does Thando Pato fit into this scenario? (1)
- 1.2 Why are Tendani Mphaphuli's clients mostly criminals at the moment? (1)
- 1.3 What are Mr Mphaphuli's long-term goals? (2)
- 1.4 List Tendani Mphaphuli's daily activities or tasks which could, more definitely than others, require of him to remain office-bound. (3)
- 1.5 Give a **definition** of what you understand "domestic violence" means. Do not give an example. (1)
- 1.6 Quote a phrase of three words from elsewhere in the passage that will suitably replace "Most of us" at the beginning of the second sentence in paragraph 3. (1)

1.7 Choose the INCORRECT answer from the options given.

The word “squirm” in the third paragraph, in this context, means to ...

A shy away.

B be embarrassed.

C feel awkward.

D be guilt-ridden.

(1)

1.8 If an attorney is unable “to do his job properly”, mention ONE consequence that could result from the man allowing his emotions to interfere while handling criminal clients. (1)

1.9 Which TWO separate words in the last sentence of paragraph 3, which refers to the Constitution, **both** mean “safeguarded”? (½ + ½)

1.10 Choose ONE correct option from 1.10.1 (A, B, C or D) and ONE from 1.10.2 (E, F, G or H).

1.10.1 In the context of the last line in paragraph 3, the word “unbiased” does NOT mean ...

A impartial.

B neutral.

C unambiguous.

D unprejudiced.

(½)

1.10.2 In the context of the last line in paragraph 3, the word “unbiased” also does NOT mean ...

E fair.

F independent.

G objective.

H isolated.

(½)

1.11 Say whether the following statement is TRUE or FALSE and quote a sentence of up to 17 words to prove your answer.

The majority of people believe lawyers are honest, reasonable people.

(2)

1.12 Point out, by giving examples, the difference between ‘assets’ and ‘interests’ in divorce cases. Refer to paragraph 4. (2)

1.13 Explain the role an attorney can fulfil after someone has passed away. (1)

1.14 What was Tendani’s main reason (paragraph 5) for wanting to become an attorney when he was still at school in Venda? (1)

1.15 How do you know Tendani was a devoted university student? (1)

1.16 Motivate why one could say the title “**Justice for all**” is NOT a suitable title. (1)

[21]

... 6 / ...

QUESTION 2

Read the passage and answer the questions that follow.

The wheels of justice go round and round

**The level of crime in this country remains one of our biggest challenges.
Suzan Chala looks at the legal process.**

- 1 Every citizen has the responsibility to stop crime. This starts with people reporting any crimes they witness, are aware of, or were the victims of. To report a crime, you have to go to the police station closest to you or call the police emergency services such as crime stop or 10111.

At the police station

- 2 A police officer will take your statement (which you will have to sign), open a docket and give you a case number, which you will use to track the progress of your case. Police officers will make an arrest if necessary. They will inform the suspect of his or her rights, which include the right not to answer their questions in the absence of a lawyer, not because the suspect has more rights than you, but to ensure that everyone, including those suspected of breaking the law, is treated fairly and in accordance with our Constitution and Bill of Rights.

Charging the suspect

- 3 The prosecutor decides whether or not to charge a suspect after studying the case. If so, police officers must investigate for further evidence. The prosecutor represents the State in court, trying to convince the magistrate of the suspect's guilt. A lawyer, who will either try to convince the court that his client is not guilty, or prove that the client was coerced into committing the crime by extenuating circumstances, may represent the suspect.

The final decision

- 4 The magistrate will make a final decision about the suspect's guilt or innocence after hearing evidence. Based on the nature of the crime committed, the evidence presented and circumstances surrounding the crime, the magistrate will give a verdict. The magistrate may acquit the suspect if the evidence is not strong enough, or pass a sentence if proven guilty. Should one of the parties involved not be happy with the sentence or the way the trial was handled, he can appeal to a higher court.

Changing the decision

- 5 There are three main levels of courts in South Africa: the magistrate courts – divided into regional and district courts – are at a lower level. They deal with civil matters and cannot pass a sentence exceeding three years.
- 6 The next level consists of the high courts, which can overturn a magistrate's ruling. High courts handle serious criminal cases and review appeals from the magistrate courts.
- 7 The penultimate level is the Supreme Court of Appeal, which has the final say on all matters, except those that relate to the Constitution. The Supreme Court hears cases on appeal only, which means that a suspect may not appear in the Supreme Court before he has appeared in the high court.

Other courts

- 8 The Constitutional Court was set up in 1995 to hear matters relating to the Constitution. For instance, if a high court ruling were based on a law that clashes with the Constitution, you would be able to go to the Constitutional Court for appeal. The nine judges, who make up the court, would hear your case, study the ruling and the Constitution and, if they find that the law was in conflict with the Constitution, may change the law.
- 9 If you were trying to recover less than R3 000 owed to you, you would go to the small claims court. Neither party is allowed legal representation. The decision taken here is final – no appeal to a higher court is possible.
- 10 Other specialised courts include the land claims courts, divorce courts, special income tax courts, and the labour courts.

Condensed from: **Sowetan EDUCATION** – POWER YOUR FUTURE, Volume 4 Edition 10, 2009

- 2.1 What is suggested when it is said that the wheels of justice are going "round and round", as stated in the title? (2)
- 2.2 Which THREE groups of people can, even before the police get involved, set the wheels of justice in motion, according to paragraph 1? Do NOT quote. (3)
- 2.3 Beginning with the court in which you can only represent yourself, LIST the FIVE different levels of courts in South Africa in ascending order, i.e. from the lowest to the highest in rank. (1)
- 2.4 Complete the following sentence in no more than THREE words.
You have to sign your statement the police officer takes down, for without your signature your entire statement _____ . (1)
- 2.5 Choose the correct answer from the options given.
The writing style and tone of this passage as a whole is ...
A entertaining.
B persuasive.
C informative.
D emotional. (1)
- 2.6 Who will say the words: "Everything you say can and will be held against you in a court of law."? Apart from the **person** you state, the **circumstances** under which these words will be spoken must also be evident from your answer. (1)

[9]

[SECTION A TOTAL: 30]

... 8 / ...

SECTION B: SUMMARY

QUESTION 3

Read the following passage and search for **only** the **SEVEN character traits** legal practitioners need in order to be successful at what they do in **no more than 60 words**.

Instructions:

- Number the character traits from 1 – 7, listing them underneath one another in full sentences.
- List only ONE trait per number – a second characteristic at one number will be disregarded.
- Do not quote – use your own words as far as possible.
- Do not exceed the number of words stipulated to avoid penalties.
- Indicate the exact number of words you used at the end of your seven points, otherwise you will forfeit a mark.

CAREERS IN LAW

The legal profession in this country can be divided into two categories: attorneys, who do legal work of all kinds for clients, and advocates, who are specialists in certain fields.

Attorneys are the lawyers clients go to for advice with their legal problems and help them to prepare cases for court. If a case is too complicated, attorneys employ advocates to argue the case in court.

Advocates are specialist lawyers who give advice on complicated legal issues. Advocates don't deal directly with clients, but get briefed by attorneys to take on cases when a specialist skill or research into the law is needed in a court case. They stick to what is called a "cab rank" rule. According to this rule, advocates cannot turn down a case because they disapprove of the person's acts. They have to take a case regardless of that person's political or religious affiliation, financial status or even the nature of the crime they are accused of.

Unlike attorneys, they never form partnerships, but may become members of 'the Bar', which is the name used for societies of advocates. These 'Bars' are independent associations, which are governed by an elected Bar Council.

A good legal practitioner is not easily influenced by others and is therefore able to think independently. The legal profession is mostly about influencing others to see your point of view. That can be achieved only if you speak fluently and confidently. Language is a very strong tool in law and you must be able to use it well. Lawyers select certain words because particular words may be stronger than others or evoke certain emotions to develop a stronger argument.

You must have superb analytical skills which will enable you to identify loopholes, analyse problems and work out solutions. Good lawyers must always be ahead of their opponents. Courtrooms can be very emotional and nerve wrecking; therefore there is no room for people who cannot control their emotions. Lawyers can't get emotionally attached or involved, like feeling sympathy towards either the client or the opposition. There's no place for sentiment. Remember, it's just work. That's it.

You can't be easily intimidated. If your opponent sees that you are easily intimidated, they will use that to win their case. Show your strong personality and stand your ground.

From the first consultation with a client to the courtroom where the case is argued, lawyers need to have better listening skills than the average person. As a lawyer, you may be required to negotiate for an out-of-court-settlement on behalf of your client. You must be able to negotiate in a way that will not compromise your client's interests. Some cases require more research than others, so be prepared to sometimes put in the extra hours that will give you the edge.

Adapted from: **Sowetan EDUCATION** – *POWER YOUR FUTURE*, Volume 4 Edition 10, 2009

[SECTION B TOTAL: 10]

... 9 / ...

SECTION C: LANGUAGE

QUESTION 4: ADVERTISING AND VISUAL LITERACY

4.1 Study these two sides of a milk carton before answering the questions.

**Side
A**



full cream
FRESH MILK
with a longer life...

Wetu's neighbour



fresh dairy milk

Unopened, SPAR Fresh Milk
will last in your fridge at 5°C
for 21 days from date
of packing.

Milk is an excellent source of proteins, fats and carbohydrates which contain essential vitamins and nutrients including:

- Calcium
- Vitamins A, D, B2 and B12
- Riboflavin
- Pantothenic Acid
- Phosphorous

These essential micronutrients help care for the normal development of many parts of the human body – from muscles, skin and eyes, to nerves, blood and the immune system.

Milk is also rich in calcium which is vital for healthy teeth and bones.

Nutritionists recommend that you consume milk and other dairy products daily as part of a balanced diet.

nutrition information			
Typical value	per 100 ml	per 250 ml	% RDA* per 250 ml
Energy	260 kJ	650 kJ	-
Carbohydrate	4,8 g	12,0 g	-
Protein	3,4 g	8,5 g	15%
Milk Fat	3,4 g	8,5 g	-
Calcium	119 mg	297 mg	37%
Phosphate	93 mg	232 mg	30%
Vitamin B2	0,16 mg	0,4 mg	-
Vitamin B12	0,41U	11U	100%

*RDA= Recommended Dietary Allowance for individuals 13 years and over

STAYS FRESH FOR 21 DAYS UNOPENED

KEEP REFRIGERATED
CONSUME WITHIN 4 DAYS OF OPENING

**Side
B**



full cream
FRESH MILK
with a longer life...

Wetu's other neighbour



fresh dairy milk

Unopened, SPAR Fresh Milk
will last in your fridge at 5°C
for 21 days from date
of packing.

This new 2-litre SPAR Fresh Milk pack uses the Pure-Lac™ High Temperature Pasteurisation System to ensure your fresh milk lasts longer than ever before without being chemically treated or losing any of its delicious wholesome taste.

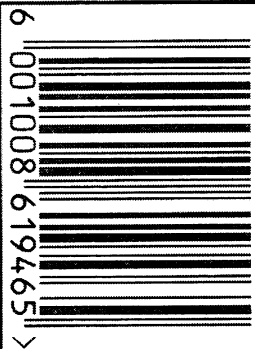
- Because the nutrients in milk are highly sensitive to light, a paperboard carton, like the one you've just purchased, is the ideal way to store it.
- SPAR Fresh Milk has been heat-treated to reduce the microbial count beyond normal pasteurisation and packaged under extreme hygienic conditions to extend the shelf life under refrigeration.



Exposure to any light destroys the valuable nutrients



No light passes through. Preserves all nutrients and freshness



6 001008 619465

SPAR Consumer Help Line: 0860 313141
Specially packed and quality guaranteed for
SPAR South Africa (Pty) Ltd.
22 Chancery Lane/P.O. Box 1589 Pinetown 3600.
www.spar.co.za

STAYS FRESH FOR 21 DAYS UNOPENED

KEEP REFRIGERATED
CONSUME WITHIN 4 DAYS OF OPENING

4.1.1 Why would a customer be more inclined to buy this product than any other fresh milk? (1)

4.1.2 Which phrase of THREE words on Side A summarises the list of vitamins and nutrients listed on the carton? (1)

- 4.1.3 Why does the word “calcium” occur no less than three times on Side A of the carton? (2)
- 4.1.4 “Pure-Lac” on Side B is followed by “™” – what does this symbol “™” indicate? (1)
- 4.1.5 Quote FIVE CONSECUTIVE words stating the **best** example of **persuasive language** from Side B that refers to the longevity of the product. (1)
- 4.1.6 What, as stated on Side B, makes the paperboard carton the ideal storage container? (2)
- 4.1.7 What is, according to the suppliers of this product, **the advised time** in which you must finish the milk once you have started using it? (1)

[9]

4.2 Study this advertisement before answering the questions.

Lactose intolerant?

Then why not try EasyGest? The only lactose-free cow's milk. EasyGest offers all the goodness of real milk without the uncomfortable side-effects associated with lactose intolerance. Which is why delicious EasyGest is the milk everyone can enjoy.

NOTE:
This part has been enlarged for the sake of clarity only – it's not part of the original advertisement

- 4.2.1 What product is advertised in the advertisement? (1)

4.2.2 Which consumers would be more tempted to buy the product advertised on page 10 rather than the one appearing on page 9? (1)

4.2.3 Which TWO symptoms does the boy on the cereal box portray through his body language?

Choose from the following list:

toothache / nausea / diarrhoea / broken teeth / tummy ache / lactose intolerance / vomiting (2)

4.2.4 Choose the **most probable** correct answer in context of the advertisement from the options given.

The girl's facial expression and stance reveal that she ...

- A is eagerly looking forward to having the bowl of cereal for breakfast.
- B desperately anticipates what reaction the boy is going to produce next.
- C doesn't suffer the uncomfortable side-effects the boy is experiencing.
- D has difficulty getting her legs straight after riding the horse all night long. (1)

4.2.5 What is the **only similarity** (regarding their origin) between this product and the one under 4.1 on page 9? (1)

4.2.6 Choose the correct word from those given in brackets:

If you take two bites of the cereal, which you have scooped up using the spoon, you will have eaten two (spoonsful / spoonfuls / spoonsfull / spoonfulls). (1)

4.2.7 Quote ONE WORD which could serve as a **pun** between **the clothes** worn by the children on the box **and the product**. (1)

4.2.8 Write down the slogan of the product advertised on page 10. (1)

4.2.9 Quote SIX CONSECUTIVE WORDS proving that this is **not** an artificial product. (1)

4.2.10 Explain why it can be said that the advertisement on page 10 is misleading. (1)

[11]

... 12 / ...

QUESTION 5: GRAMMAR, EDITING AND CARTOON

5.1 Read the following passage and answer the questions that follow.

Plea to utilise 'car guard' Zim doctors

- 1 THE GOVERNMENT needs to find a way to employ doctors working as car guards to help deal with the dire shortage of medical professionals in rural areas, a senior adviser to the KwaZulu Natal Health Department believes.
- 2 Dr Clarence Mini, the advisory board chairman of Africa Health Placement, which assists the department with recruiting and placing doctors in rural areas, was speaking at the Hospital Association of South Africa's annual conference in Durban yesterday.
- 3 "There is an oversupply of doctors in urban areas. We have more doctors where there is less need, and **less** doctors where there is more need. We have a disaster situation, but, with the changes coming, perhaps it is time to correct that," Mini said.
- 4 "Some of the people who are parking our cars (car guards) are doctors. We say don't let professionals park our cars. We have professionals from all over, from countries like the DRC (Democratic Republic of Congo), and we have managed to put some of them into the system, but it is difficult because of the agreements our countries have signed (not to poach one another's professionals)," Mini said.
- 5 He said the country was faced with a quadruple burden of disease stemming from poverty, crime, alcohol and lifestyle-related illness caused by obesity.
- 6 "There is a massive shortage of clinical staff in the public sector owing to the brain drain of doctors from the country," Mini noted.
- 7 Between 1990 and 2005, South Africa had produced around 20 000 doctors, but more than 5 000 of those were not registered and working in the country.
- 8 "The number of doctors working outside South Africa **are** more than the number of doctors working in the public sector. Even though the burden of disease has increased, the number of doctors trained has remained constant," Mini said.



DESPERATE: Dr Clarence Mini, adviser to the KZN Health Department. PICTURE: SIZWE NDIINGANE

Unchanged from: *The Star*, Friday, 05 June 2009

5.1.1 For which neighbouring country is the colloquial term "Zim" in the title an abbreviation?(1)

5.1.2 Give the correct form of the words in brackets.

The shortage of medical professionals **5.1.2.1 (not exist)** in urban areas. There is no **5.1.2.2 (true)** in stating that **5.1.2.3 (doctor)** practices abound in rural areas either.

The very **5.1.2.4 (little)** of South Africa's problems, however, is finding a venue where conferences can **5.1.2.5 (hold)**. (5)

5.1.3 Supply suitable WORDS for the numbered spaces. Every line requires ONE WORD.

On Friday, the **5.1.3.1** _____ of June 2009, *The Star* **reported** that Dr Clarence Mini **5.1.3.2** _____ speaking at the Hospital Association of South Africa's conference, which takes place only once every **5.1.3.3** _____, in Durban the **5.1.3.4** _____ day. (4)

5.1.4 Correct the error underlined in ...

5.1.4.1 paragraph 3 (1)

5.1.4.2 paragraph 8. (1)

5.1.5 Supply the missing words. The first sentence in paragraph 4 reads:

"Some of the people who are parking our cars (car guards) are doctors."

To shift the focus, we can rewrite the sentence to read

"Our cars are **5.1.5.1** _____ by car guards, some of **5.1.5.2** _____ are doctors." (2)

5.1.6 If **NATO** is an **acronym** (a word formed from the initial parts of a name) for **North Atlantic Treaty Organisation**, and **SABC** is an **initialism** (an abbreviation formed from the first letter of each word in a name pronounced separately) for **South African Broadcasting Corporation**, what is **DRC** – an initialism or an acronym? (1)

5.1.7 Supply the missing preposition.

African countries entered ____ an agreement not to poach one another's professionals. (1)

5.1.8 Combine the following sentences by using "not only ... but also".

The country's problems stem from poverty. The country's problems stem from alcoholism. (1)

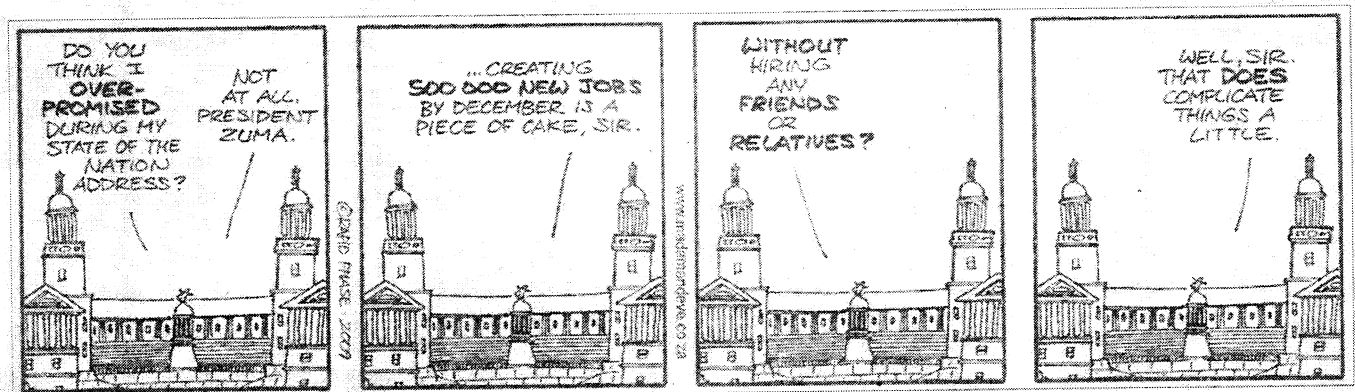
[17]

... 14 / ...

5.2 Study the following cartoon strip before responding to the questions.

MADAM & EVE

BY STEPHEN FRANCIS & RICO



from: *The Star*, Friday, 05 June 2009

5.2.1 The cartoonist hints at a possible problem that could rear its head, satirising alleged ...

- A familiarity.
- B bribery.
- C relativity.
- D nepotism.

(1)

5.2.2 The fact that not a soul is in sight, but just heard, suggests that discussions take place ...

- A behind closed doors.
- B barred from prying eyes.
- C as safe as houses.
- D with familiarity that breeds contempt.

(1)

5.2.3 The building portrayed in the cartoon is a South African landmark, known as the ...

- A **State President's Inaugural Venue** in the capital of South Africa.
- B **House of Parliament**, situated in Cape Town, our mother city.
- C **Union Buildings** in the city Pretoria, nowadays called Tswane.
- D **Presidential Headquarters** of the president-elect in Pretoria.

(1)

[3]

[SECTION C TOTAL: 40]

[TOTAL OF PAPER: 80 MARKS]