

SUMMARY

Chapter 1 looks at whether the courts pay too much or too little attention to the sentencing of accused. The question may be answered in the negative. The courts do not give enough attention to the sentencing of accused. Another question posed in Chapter 1 was about the

DIE ROL VAN DESKUNDIGE GETUIENIS BY VONNISOPLEGGING IN DIE STRAFVERHOOR

Chapter 2 looks at the use of experts at sentencing of accused. Experts may be used more effectively. Chapter 3 looks at the use of experts at sentencing of accused. Experts may be used more effectively. Chapter 4 looks at the use of experts at sentencing of accused. Experts may be used more effectively.

Chapter 5 looks at the practical procedure of sentencing. It shows where sentencing fits into the picture. The practical aspect of sentencing has not been dealt with fully, as it was necessary only to show where sentencing and the use of experts fit in. Chapter 6 finally looks at the rules about expert evidence, setting out the case for the use of experts at sentencing during the sentencing process. Chapter 7 looks at the use of expert evidence during the sentencing process. It shows that, despite the hearsay nature of expert evidence, it may still be used frequently at sentencing. There is also an appendix on the use of expert evidence at sentencing.

LLM VERHANDELING

Chapter 8 looks at the use of expert evidence at sentencing. It shows that, despite the hearsay nature of expert evidence, it may still be used frequently at sentencing. There is also an appendix on the use of expert evidence at sentencing.

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Chapter 9 looks at the use of expert evidence at sentencing. It shows that, despite the hearsay nature of expert evidence, it may still be used frequently at sentencing. There is also an appendix on the use of expert evidence at sentencing.

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SUMMARY

HOOFSTUK EEN

INLEIDING EN DEFINISIES

Chapter 1 looks at whether the courts pay too much or too little attention to the sentencing of accused. The question may be answered in the negative. The courts do not give enough attention to the sentencing of accused. Another question posed in Chapter 1 was about the proper use of expert witnesses. Again the question may be answered in the negative, as very little use is made of experts at sentencing of accused. Experts may be used more effectively too. Chapter 2 looks at the different theories on punishment and the research led to the conclusion that retribution forms the cornerstone of punishment. However, the other theories about namely deterrents, prevention and rehabilitation should not be ignored. A balanced approach is essential. Chapter 3 looks briefly at the practical procedure for sentencing, to show where sentencing fits into the picture. The practical aspect of sentencing has not been dealt with fully, as it was necessary only to show where sentencing and the use of experts fit in. Chapter 4 briefly looks at the rules about expert evidence, setting out the case for the use of expert witnesses during the sentencing process. Chapter 5 looks at the hearsay position and the conclusion was that, despite the hearsay nature of expert opinions it may still be used during the sentencing process. Chapter 6 looks at the different experts that are used frequently at the time of sentencing. These experts are psychiatrists, psychologists, social workers and criminologists. Each expert's qualifications and requirements for registration were looked at. In addition, the application and shortcomings of each expert were investigated. Chapter 7 contains recommendations. The shortcomings of expert testimony were discussed briefly. The chapter also contains recommendations about a multi-disciplinary approach to sentencing. The criminologist is considered the team leader of an expert witness team. The chapter also contains a recommendation for more frequent use of expert witnesses, not merely the use of experts as witnesses.