



**CORPORATE AND ACADEMIC SERVICES**

**MODULE SPECIFICATION**

| Part 1: Basic Data    |   |                    |                           |             |          |
|-----------------------|---|--------------------|---------------------------|-------------|----------|
| Module Title          | Criminal Law  |                    |                           |             |          |
| Module Code           | UJUTD3-30-1   | Level1             | 1                         | Version     | 6.3      |
| Owning Faculty        | FBL   | Field              | Law Undergraduate         |             |          |
| Contributes towards   | LLB (Hons); LLB (Hons) Commercial Law; LLB (Hons) European and International Law; LLB (Hons) Law with Criminology; BA (Hons) Criminology and Law; BA (Hons) Criminology with Law; LLB (Hons) Law with Business; BA (Hons) Business Management with Law; LLB(Hons) Law with Psychology; BSc (Hons) Psychology with Law; Law Joint Awards |                    |                           |             |          |
| UWE Credit Rating     | 30  | ECTS Credit Rating | 15                        | Module Type | Standard |
| Pre-requisites        | University entrance requirements  |                    | Co- requisites            |             |          |
| Excluded Combinations |   |                    | Module Entry requirements |             |          |
| Valid From            | September 2014  |                    | Valid to                  |             |          |

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| <b>CAP Approval Date</b> | 1 May 2012 |
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| Part 2: Learning and Teaching |  |
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| Learning Outcomes             | <p>On successful completion of this module students will be able to:</p> <ul style="list-style-type: none"> <li>• demonstrate subject knowledge of major concepts, values and principles of the English criminal legal system and be able to apply that knowledge to problem solving, research and other assessed work (Assessed Component A and B(1))</li> <li>• demonstrate an understanding of primary and secondary sources of law and be developing an understanding of the use of contextual materials to support the making of legal arguments (Assessed Component A, B(1) and B(2))</li> <li>• develop the ability to make in depth critical analysis of relevant materials and information, evaluating material drawn from a range of sources (Assessed Component A, B(1) and B(2))</li> <li>• use legal terminology appropriately (Assessed Components A, B(1) and B(2))</li> <li>• conduct searches efficiently using electronic retrieval systems (Assessed Component A, B(1) and B(2))</li> <li>• identify appropriate sources to research areas of the law which they have not previously studied (e.g. Halsbury's Laws and Current Law) to develop an understanding of relevant legal principles (Assessed Component A, B(1) and B(2))</li> <li>• demonstrate the ability to work in groups actively participating in group tasks (Assessed Component B(2))</li> <li>• exchange documents by email use a wide range of computer software packages including Blackboard and be able to access and download material from Blackboard as and when appropriate, students should also</li> </ul> |

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|                               | <p>be able to use word processing programmes and submit work electronically (not formally assessed)</p> <ul style="list-style-type: none"> <li>• undertake research activities and carry out and produce research (of an appropriate standard for level 1) supported by evidence from cases, statutes, appropriate secondary sources and be able to produce a referenced bibliography (Assessed Component B(1))</li> <li>• demonstrate that they are developing a knowledge and understanding of the use of different methods of communication and developing an ability to select the most effective means to communicate the material orally or in written form. (Assessed Component B(1) and B(2))</li> <li>• show capacity to reflect on their own work and to improve their own ability to study. (Assessed Component B(2))</li> <li>• begin to assess their own progress, identify weaknesses in their approaches to study and formulate appropriate strategies to remedy those weaknesses (Assessed Component B(2))</li> <li>• make use of relevant numerical and statistical information derived from primary sources (Assessed Component A, B(1) and B (2))</li> </ul>  |
| Syllabus Outline              | <p>The module will focus upon legal approaches to Criminal Law and the interpretation of statute and common law in context, and also developing an in-depth approach to examining reform of an area of the criminal law which will entail researching that area of the law and examining the wider context in which reform takes place. Precise course content will vary from year to year but the following is an indicative list of areas that may be covered:</p> <ul style="list-style-type: none"> <li>• Homicide – murder, voluntary and involuntary manslaughter,</li> <li>• Theft, Burglary, Robbery and Fraud,</li> <li>• Sexual Offences,</li> <li>• Non-Fatal Offences Against the Person,</li> <li>• Defences for example insanity, automatism, self defence, intoxication, duress and necessity,</li> <li>• The legal framework within which criminal law operates,</li> <li>• Terrorism,</li> <li>• Inchoate crimes.</li> </ul> <p>In relation to the above topics the approach will be to examine the current law, consider recent developments, assess proposals for reform, explore comparative approaches and identify some of the theoretical underpinnings of the current legal approach. Where the topic concerns an area of law that has changed considerably in recent years, the impact of the European Convention for the Protection of Human Rights and Fundamental Freedoms will be considered and, where the legal landscape is politically charged and the media and pressure groups have considerable interest, the module will seek to provide students with the opportunity to view the subject within this framework, and to consider the extent to which law reform shapes or is shaped by societal attitudes.</p> |
| Contact Hours/Scheduled Hours | <p>The module is delivered via a mix of lectures and workshops, timetabled across semester 1 and 2. Web based materials are used to support the learning environment via the library web site and the student experience is supported through the use of a virtual learning environment. The average class contact for students is 3 hours per week. Workshops link directly to lectures and the practicing of skills, particularly those of problem solving, teamwork, researching and communicating legal arguments in both a written and verbal format.</p>   |
| Teaching and Learning Methods | <p>The module will be taught by means of weekly 2 hour lectures and fortnightly 2 hour workshops during which students will have the opportunity to:</p> <ul style="list-style-type: none"> <li>• acquire knowledge of major concepts, values and principles of the criminal legal system(s) studied and be encouraged to apply that knowledge to problem solving, making legal arguments and other assessed work,</li> <li>• acquire subject specific knowledge and learn to interpret, evaluate and analyse primary and secondary sources of criminal law,</li> <li>• learn about legal reasoning in relation to the criminal law,</li> <li>• discuss relevant legal issues,</li> </ul>  |

- learn to analyse and solve problems based on criminal law offences and defences,
- develop report writing and presentation/advocacy skills,
- discuss, evaluate and analyse the social, political and moral context in which the legal debate takes place,
- develop research skills,
- develop time management skills,
- develop group working skills,
- practice individual and group oral presentations.

In addition the module is supported by on-line materials which will enable students to test their understanding of the lecture and workshop content.

**Key Information Sets Information**

Key Information Sets (KIS) are produced at programme level for all programmes that this module contributes to, which is a requirement set by HESA/HEFCE. KIS are comparable sets of standardised information about undergraduate courses allowing prospective students to compare and contrast between programmes they are interested in applying for.

| <b>Key Information Set - Module data</b> |   |                         |                       |                 |
|--|---|-------------------------|-----------------------|-----------------|
| <i>Number of credits for this module</i> |   |                         |                       |                 |
|  |   |                         |                       | 30              |
| Hours to be allocated                    | Scheduled learning and teaching study hours | Independent study hours | Placement study hours | Allocated Hours |
| 300                                      | 72  | 228                     | 0                     | 300             |



The table below indicates as a percentage the total assessment of the module which constitutes a -

**Written Exam:** Unseen written exam, open book written exam, In-class test

**Coursework:** Written assignment or essay, report, dissertation, portfolio, project

**Practical Exam:** Oral Assessment and/or presentation, practical skills assessment, practical exam

Please note that this is the total of various types of assessment and will not necessarily reflect the component and module weightings in the Assessment section of this module description:

| Total assessment of the module:      |      |
|--------------------------------------|------|
| Written exam assessment percentage   | 50%  |
| Coursework assessment percentage     | 50%  |
| Practical exam assessment percentage | 0%   |
|                                      | 100% |

**Reading Strategy**

Where possible, essential reading to accompany the workshops will be based on digitised chapter materials, the workshop handbook and electronic online resources. Library 'hands on' training workshops in approaches to using library and electronic sources to research the law are provided within the first year programme. Guidance to some key authors and journal titles available through the Library is given in the module handbook.

Where appropriate materials will be digitised or study packs created to support learning on the course. In addition the workshop handbook and lecture notes contain materials to support learning.

General Texts: this list is up to date at the time of module specification approval.

The most recent versions of the texts are recommended to students for further reading should they wish to purchase more textbooks.

Ashworth A., (2009) *Principles of the Criminal Law*, 7<sup>th</sup> edit, Oxford University Press

Clarkson C M V, (2005), *Understanding Criminal Law*, 4th edit, Sweet and Maxwell

McAlhone C and Huxley - Binns R., (2010) *Criminal Law – The Fundamentals*, 2<sup>nd</sup> edit, Sweet and Maxwell

Simester A.P. and Sullivan G.R., (2010) *Criminal Law Theory and Doctrine*, 4<sup>th</sup> edit, Hart

### **Further reading**

#### **On Specific Topics**

Ashworth, A and Mitchell, B. ed, *Rethinking English Homicide Law*, (Oxford University Press 2000)

Duff, A., *Intention, Agency and Criminal Liability* (Blackwell 1990)

Duff, A., *Criminal Attempts* (Clarendon, Oxford 1996)

Horder, J., *Provocation and Responsibility* (Clarendon, Oxford 1992)

Horder J, *Excusing Crime* (Oxford University Press 2004)

Husak D., Overcriminalisation, *The Limits of the Criminal Law*, (Oxford University Press 2008)

Fletcher, G., *Rethinking Criminal Law*, (Oxford University Press 2000)

Gardner, J., *Offences and Defences, Selected Essays in Philosophy and Crime*, (Oxford University Press 2007)

Mackay, R., *Mental Condition Defences in the Criminal Law* (Clarendon, Oxford 1995) David

Ormerod, D, Smith & Hogan, *Criminal Law* 13<sup>th</sup> edn (Oxford University Press 2011)

Tadros V., *Criminal Responsibility* (Oxford University Press 2005),

Students will also be expected to access relevant official publications for example:

Home Office, (1981) *Report on the age of consent in relation to sexual offences* (Cmnd 8216) HMSO

Home Office, (2000) *Setting the boundaries reforming the law on sex offences consultation paper* London: Home Office

Law Commission Report (2004) Partial Defences to Murder Law Comm No 290

Law Commission Report (2006) Murder, Manslaughter and Infanticide Law Comm No 304

Law Commission Report (2009) Intoxication and Criminal Liability Law Comm No 314

Law Journals:

Students will be expected to make use of the legal journal search facilities available through the library databases. Articles on issues relating to criminal law may appear in a wide range of journals with which students may already be familiar for example: *Criminal Law Review*, *Criminal Law Journal*.

In addition students will also be directed towards other journals which contain relevant articles such as the *British Journal of Criminology*, *Cambridge Law Journal*, *Modern Law Review*, *Oxford Journal of Legal Studies* (all of which are available electronically).

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| Assessment Strategy | <p>The assessment strategy has been devised to support engagement and learning.</p> <p><b>Component A</b><br/>Open Book Examination – 2 hours duration – Multiple choice questions, short answer questions and a longer essay answer (50% of total module marks)</p> <p><b>Component B(1)</b><br/>Written coursework question – a team submission, (1500 words) (30% of total module marks)</p> <p><b>Component B (2)</b><br/>Reflective report on workshop experience of group/team working activity and advocacy/oratory activity and wider learning experience within the module (20% of total module marks) (1000 words)</p> <p><b><u>Resit assessment</u></b><br/>Component A – 2 hour open book examination (50% of module marks)<br/>Component B (1) – Written coursework question (30% of module marks)<br/>Component B (2) – Critical reflection on the importance and development of group/teamwork skills, advocacy and oratory skills and wider skills learnt within the module (20% of module marks)</p> |
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| Identify final assessment component and element                | <b>Component A1</b> |                  |
| % weighting between components A and B (Standard modules only) | <b>A:</b><br>50%    | <b>B:</b><br>50% |

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| <b>First Sit</b>  |  |
| <b>Component A (controlled conditions)</b><br><b>Description of each element</b>  | <b>Element weighting</b><br><b>(as % of component)</b> |
| 1. Examination – 2 hours duration – open book   | 100%   |
| <b>Component B</b><br><b>Description of each element</b>  | <b>Element weighting</b><br><b>(as % of component)</b> |
| 1. Written coursework question – joint submission (1500 words)  | 60%  |
| 2. Reflective report on workshop experience of group/team working activity and advocacy/oratory activity and wider learning experience within the module (1000 words) | 40%  |

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| <b>Resit (further attendance at taught classes is not required)</b>   |  |
| <b>Component A (controlled conditions)</b><br><b>Description of each element</b>  | <b>Element weighting</b><br><b>(as % of component)</b> |
| 1. Examination (2 hours duration) open book   | 100%   |
| <b>Component B</b><br><b>Description of each element</b>  | <b>Element weighting</b><br><b>(as % of component)</b> |
| 1. Written coursework question (1500 words)   | 60%  |
| 2. Critical reflection on the importance and development of group/teamwork skills, advocacy and oratory skills and wider skills learnt within the module (1000 words) | 40%  |

If a student is permitted an **EXCEPTIONAL RETAKE** of the module the assessment will be that indicated by the Module Description at the time that retake commences.