



**CORPORATE AND ACADEMIC SERVICES**

**MODULE SPECIFICATION**

Part 1: Basic Data					
Module Title	Criminal Law				
Module Code	UJUTD3-30-1	Level1	1	Version	6
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 Studies; BA (Hons) Business Studies and Law; BA (Hons) Business Studies 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			Co- requisites		
Excluded Combinations			Module Entry requirements	University entrance requirements	
Valid From	September 2012		Valid to		

<b>CAP Approval Date</b>	26/7/12
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Part 2: Learning and Teaching	
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 legal system(s) studied and be able to apply that knowledge to problem solving, research design and other assessed work (Assessed Component A and B)</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 and B)</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 and B(2))</li> <li>• use legal terminology appropriately (Assessed Component A and B(2))</li> <li>• conduct searches efficiently using electronic retrieval systems (Assessed Component 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 and B(2))</li> <li>• demonstrate the ability to work in groups actively participating in group tasks (Assessed Component A and B(3))</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 be able to use word processing programmes and submit work</li> </ul>

	<p>electronically (Assessed Component B)</p> <ul style="list-style-type: none"> <li>• design a research project 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 A and B(2))</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 A 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 (Practised in workshops and Assessed in component B(2))</li> <li>• make use of relevant numerical and statistical information derived from primary sources (Assessed Component A and B)</li> </ul>
Syllabus Outline	<p>The module will focus in the first semester on legal approaches to Criminal Law and the interpretation of statute and common law in context. In the second semester the module will concentrate on 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. The module concerns an area of law which has changed considerably in recent years and where the impact of the European Convention for the Protection of Human Rights and Fundamental Freedoms is significant. The area is also one which is politically charged and one in which the media and pressure groups have considerable interest. The module will therefore 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 public attitudes.</p>
Contact Hours/Scheduled Hours	<p>The module is delivered through a mix of lectures, workshops, tutorials and legal research clinics. Web based materials are used to support the learning environment via the library web site. The student experience is supported through use of a virtual learning environment. The average class contact for students is 3 hours per week but students have the opportunity to avail themselves of more support through the availability of one to one tutorials if required. Workshops link directly to skills practice, feedback on practice and development of research written and higher level skills of close reading and critical analysis.</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 legal system(s) studied and be encouraged to apply that knowledge to problem solving, research design 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> <li>• learn to analyse and solve problems based on criminal law offences and defences,</li> </ul>

	<ul style="list-style-type: none"> <li>• develop report writing and presentation/advocacy skills,</li> <li>• discuss, evaluate and analyse the social, political and moral context in which the legal debate takes place,</li> <li>• develop research skills,</li> <li>• develop time management skills,</li> <li>• develop group working skills,</li> <li>• practice individual and group oral presentations.</li> </ul> <p>In addition the module is supported by on-line materials which will enable students to test their understanding of the lecture course through formative and summative tests of their knowledge.</p>
Reading Strategy	<p>Essential reading to accompany the workshops in term 1 is based on digitised chapter materials. Additionally the workshop handbook and is supplemented by a number of electronic online resources. Library ‘hands on’ training workshops in approaches to using library and electronic sources to research the law are provided. Guidance to some key authors and journal titles available through the Library is given in the module handbook.</p> <p>Currently there are a number of textbooks which are suitable for recommendation as core texts. As the criminal law develops and new textbooks are produced so the choice of textbook varies; students are informed of the choice through the module handbook. Textbooks such as Martin J. and Storey T., (2010) <i>Unlocking Criminal Law</i>, 3<sup>rd</sup> edit, Hodder and Stoughton or Clarkson C M V, Keating H M, and Cunningham S R (2010) <i>Criminal Law Text and Materials</i>, 7<sup>th</sup> edit, Sweet and Maxwell, may be recommended.</p> <p>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.</p> <p>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.</p> <p>Ashworth A., (2009) <i>Principles of the Criminal Law</i>, 7<sup>th</sup> edit, Oxford University Press  Clarkson C M V, (2005), <i>Understanding Criminal Law</i>, 4th edit, Sweet and Maxwell  McAlhone C and Huxley - Binns R., (2010) <i>Criminal Law – The Fundamentals</i>, 2<sup>nd</sup> edit, Sweet and Maxwell  Simester A.P. and Sullivan G.R., (2010) <i>Criminal Law Theory and Doctrine</i>, 4<sup>th</sup> edit, Hart</p> <p>There are a range of books which students may find useful depending on the reform proposal on which they are presenting their research. The following is a list of some of the major texts which they may want to consult in the second term. If it is felt that demand for a particular book will be such that one copy is insufficient the most important chapter will be the subject of a request for digitisation. Again the list is indicative as books selected vary from year to year.</p> <p><b>Further reading</b></p> <p><b>On Specific Topics</b>  Ashworth, A and Mitchell, B. ed, <i>Rethinking English Homicide Law</i>, (Oxford University Press 2000)  Duff, A., <i>Intention, Agency and Criminal Liability</i> (Blackwell 1990)  Duff, A., <i>Criminal Attempts</i> (Clarendon, Oxford 1996)  Horder, J., <i>Provocation and Responsibility</i> (Clarendon, Oxford 1992)  Horder J, <i>Excusing Crime</i> (Oxford University Press 2004)  Husak D., Overcriminalisation, <i>The Limits of the Criminal Law</i>, (Oxford University Press 2008)  Fletcher, G., <i>Rethinking Criminal Law</i>, (Oxford University Press 2000)  Gardner, J., <i>Offences and Defences, Selected Essays in Philosophy and Crime</i>, (Oxford University Press 2007)</p>

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).

### Part 3: Assessment

#### Assessment Strategy

The assessment strategy has been selected to drive engagement and learning see Claydon L. *Engaging and motivating students: assessment to aid student learning on a first year core law module*, (2009) *The Law Teacher*, Volume 43 Issue 3, 269-283.

- The on line multiple reasoning tests are of two types formative and summative. The formative tests give advice which feeds forward into the summative assessment.
- The group work elements have a small allocation of the marks 5% in each case, portfolio and presentation. The rest of the mark being based on an individual task which has to be meshed into the group preparation. The presentation element in terms of group mark allocation is assessed in relation to performance as a group. The portfolio element is assessed through a short reflection on the group task and its performance. Tasks are set but allocation is made by group negotiation.
- The group presentation element forms the controlled conditions element and is held in class prior to the exam period. It is of 25 minutes duration.
- Research capability is assessed through the written legal content statement of the presentation task and also through the more lengthy research report which requires a critical review of the research methodology adopted and the usefulness of materials retrieved in constructing the presentation and written content relevant to the allocated task.

#### Component A

Element 1 – Individual presentation (5 minutes) (*approx 25% of overall module mark*)

Element 2 – Group work element (*approx 5% of overall module mark*)

#### Component B

Element 1 – Multiple Reasoning tests (*approx 25% of overall module mark*)

The on line multiple reasoning tests are of two types - one formative and one

	<p>summative. There is a series of tests engaging the students with learning on the lecture course. The formative tests giving feed forward.</p> <p>Element 2 – Coursework (<i>approx 40% of overall module mark</i>) The individual work has two parts:</p> <ol style="list-style-type: none"> <li>I. Written Statement outlining presentation content not more than 1,000 words – individual task (approximately 20% of overall module mark)</li> <li>II. Research Trail detailing research for written statement) not more than 2,000 words – individual task (approximately 20% of overall module mark)</li> </ol> <p>Element 3 - Group reflection not more than 1500 words (approximately 5% of overall module mark)</p> <p>Resit assessment Component A – 15 minute viva (30% of overall module mark) Component B Element 1 – On-line test (<i>approx 30% of overall module mark</i>) Element 2 – Research report on a given legal problem (1,500 words) (<i>approx 15% of overall module mark</i>) and individual research / study skills log (2,500 words), (<i>25% of overall module mark</i>)</p>
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Identify final assessment component and element	<b>Component A1</b>	
<b>% weighting between components A and B</b> (Standard modules only)	<b>A:</b>	<b>B:</b>
	<b>30%</b>	<b>70%</b>
<b>First Sit</b>		
<b>Component A</b> (controlled conditions) <b>Description of each element</b>	<b>Element weighting</b> (as % of component)	
1. Presentation	83%	
2. Group work element	17%	
<b>Component B</b> <b>Description of each element</b>	<b>Element weighting</b> (as % of component)	
1. Submission of series of electronic multiple reasoning tests	36%	
2. Submission of individual work	57%	
3. Group reflection not more than 1500 words	7%	

<b>Resit (further attendance at taught classes is not required)</b>		
<b>Component A</b> (controlled conditions) <b>Description of each element</b>	<b>Element weighting</b> (as % of component)	
1. Viva on either resit research essay or on previous written submission 15 minutes in length	100%	
<b>Component B</b> <b>Description of each element</b>	<b>Element weighting</b> (as % of component)	
1. An online test to test learning on the module	43%	
2. Research report on a given legal problem (2,000 words) and individual work/ study skills log (1500 words)	57%	
If a student is permitted an <b>EXCEPTIONAL RETAKE</b> of the module the assessment will be that indicated by the Module Description at the time that retake commences.		