



University of the
West of England

MODULE SPECIFICATION

Code: UJUTD7-30-3

Title: Criminal Justice

Version: 4

Level: 3

UWE credit rating: 30

ECTS credit rating: 15

Module type: Standard

Owning Faculty: FBL

Field: Law Undergraduate

Faculty Committee approval: QSC

Date:

Valid from: September 2008

Discontinued from:

Contributes towards: LLB; BA Law; BA Joint Awards

Pre-requisites: Either UJUTA3-30-1 Method, Procedure & Systems + Law modules at level 1 worth at least 30 credits or 80 credits acceptable to the Law award on which the student is registered.

Co-requisites: None

Excluded combinations: None

Aim of module

1. To provide students with a structure to enable them to critically examine criminal justice processes in England and Wales.
2. To enable students to understand a variety of theoretical approaches to the study of criminal justice processes and to make judgements about the ethical issues and values involved.
3. To instil an appreciation of the variety of issues raised by the study of criminal justice processes, and the complexity of those issues particularly in respect of the extent to which they may interrelate.
4. To develop the ability of students to understand both the variety of principles applicable to criminal justice issues, and to be able to critically assess both the existing processes and proposals for change, having regard to those principles and to existing knowledge and research findings.
5. To provide students with a variety of opportunities to fulfil the above aims, and to demonstrate knowledge of relevant theoretical approaches, principles and laws and to ability to apply them to particular aspects of criminal justice.

Learning outcomes:

On successful completion of this module students will be able to:

1. demonstrate a sound knowledge of relevant theoretical approaches, principles and laws as they relate to criminal justice;
2. critically evaluate a variety of criminal justice processes, both as they exist and in relation to proposals for reform;
3. demonstrate that they understand the relationship between legal rules and their implementation in practice as revealed by relevant research, and the limitations of law in regulating social action;

4. demonstrate an appreciation of the complex interrelationship between different criminal justice processes and phenomena;
5. demonstrate an ability to conduct appropriate research in relation to specific criminal justice issues;
6. demonstrate an ability to produce a structured, coherent and concise argument, both orally and in writing.

Syllabus outline:

The precise focus of the module varies from year to year depending upon topical issues of significance, recent legislation, proposals for reform and the availability of research findings.

1. Nature and objectives of criminal justice – the purposes of criminal justice processes, system or process?, models of criminal justice, methods of evaluating criminal justice processes, race and gender issues, the role of victims.
2. Human rights and comparative perspectives – the Human Rights Act 1998 and the European Convention on Human Rights, adversarial and inquisitorial approaches, other common law approaches, European approaches.
3. Pre-charge processes and issues – police powers of stop and search, and arrest, police discretion, control and accountability of the police, police investigative powers, suspects' rights, evidential implications of pre-charge processes.
4. Pre-trial processes and issues – prosecution agencies and the discretion to prosecute, prosecution and defence disclosure, mode of trial decisions.
5. Trial processes and issues – the structure and personnel of the summary courts, the jury, the role of the judge, evidential issues (confessions, identification evidence, inferences from silence, forensic evidence).
6. Post-trial processes and issues – the structure, process and efficacy of the appeals system, the causes of miscarriages of justice, mechanisms for dealing with miscarriages of justice.

Teaching and learning methods:

The emphasis throughout will be on providing the student the opportunity and facilities to question, understand, analyse and evaluate the law in its historical, practical, academic and social context. The learning context is student-centred and utilizes a variety of techniques to encourage independent thought and constructive criticism. Dialogue is promoted between student and lecturer in an interactive relationship which emphasizes the two-way flow of information and criticism.

Subject to the requirements of the Professional Bodies, it is not necessarily envisaged that every topic in the syllabus will be covered in any one academic year. Areas which have topical significance could, therefore, be developed at greater length and less important areas delineated in outline only.

Students will be expected to conduct research with both traditional and electronic sources and will be instructed how to do this both during the Programme as a whole and, where necessary, within the module.

Contact hours:

Lectures: 2 hours per week.

Seminars: 1 hour seminar per fortnight.

Student preparation:

Lectures: In most cases there is no expectation of preliminary work. However, students may be given directed preliminary reading from recommended texts. Occasionally material may be also given out in advance so as to provide the basis for practical exercises or for more detailed discussion of topics to be conducted within the lecture. This will apply more to Level 3 options' modules where group sizes allow for a more interactive approach to lectures.

Guest speakers will be utilised where appropriate.

Seminars: The Programme estimates a preparation time of 10 hours per seminar. At Level 1 much of this time will be taken up with acquiring experience of research and with gaining a familiarisation with legal method. At Level 3, more qualitative research and preparation is expected.

Seminar preparation tasks include working individually, in pairs or in small groups.

Students will be given seminar sheets in advance of their seminars which will be centred on the analysis of cases, statutes, European and Human Rights' material as appropriate. The material will usually be problem or discussion title-based. Supplementary material (usually of a problem-solving nature) may be provided in the seminar.

Directed reading will be suggested along with internet sources and video material as appropriate. At Level 1 students will be given more direction in terms of sources and specific questions to address.

Students are expected to make full use of their independent learning time to reflect critically upon the subject and to develop their own ideas.

Operation and purpose:

Lectures: On most topics covered, outline learning materials will be supplied to students during or in advance of the lectures. Lectures are generally designed to:

- (a) communicate the principal features of a topic, including its major principles, rules, concepts, relationships and values;
- (b) to stimulate interest in the topic and provide alternative views; and
- (c) to provide other information necessary to facilitate its further study, including updating.

Seminars: Seminars will involve problem-solving and the analysis and synthesis of conceptual and contextual issues, through plenary discussion and presentations by individual students or groups of students. Students are expected to fully participate in seminar discussions, which will cover the controversial and difficult areas of the subject.

We see the function of seminars to be:

- (a) to monitor the acquisition by students of the knowledge, understanding and skills mentioned under the *Learning Outcomes*; and
- (b) to facilitate and enhance the acquisition of that knowledge, understanding and skills and to foster deeper learning.
- (c) to allow students to evaluate, analyse and synthesise legal materials in an interactive environment and to facilitate their appreciation of the levels of variation of opinion which may be generated in legal discussion.

Other learning activities:

Students will be expected to pursue independent and directed study between class contact sessions.

Students will be encouraged to engage in extra-curricula activities such as debating and mooting.

SPECIFIC NOTES ON LEARNING APPROACHES:

- The teaching method consists primarily of lectures and seminars.
- Lectures are normally presented by members of the criminal justice module team, but some lectures are presented by external speakers.
- Seminars are of two types. The first involves learning and applying skills of critical legal analysis and reasoning, in respect of law, theory, policy and research. The second type consists of assessed seminars in which students present papers and lead seminar discussion

INDICATIVE BIBLIOGRAPHY:

All references shall be to the latest editions available

Ashworth, A. The Criminal Process: an evaluative study, London: Oxford.

Belloni, F. and Hodgson, J. Criminal Injustice: An Evaluation of the Criminal Justice Process in Britain, London: Macmillan.

Brown, D. PACE ten years on: a review of the research, Home Office Research Study 155, London: Home Office (1997).

Bucke, T., Street, R.

and Brown, D. The right of silence: the impact of the Criminal Justice and Public Order Act 1994, Home Office Research Study 199, London: Home Office.

Fitzgerald, M. and Sibbitt, R. Ethnic monitoring in police forces: a beginning, Home Office Research Study 173, London: Home Office.

McConville, M., Sanders A. and Leng, R. The Case for the Prosecution, London: Routledge.

Sanders, A. and Young, R. Criminal Justice, Oxford: Oxford University Press

Wadham, J. and

Mountfield, H. The Human Rights Act 1998, London: Blackstone.

Articles from a variety of journals including Criminal Law Review, British Journal of Criminology, Policing and Society, Journal of Law and Society, European Journal of Crime, Criminal Law and Criminal Justice.

Official publications and reports, for example, Royal Commission on Criminal Justice Report (1993), Law Commission Report 267 Double Jeopardy and Prosecution Appeals.

Assessment

Weighting between components A and B (standard modules only) A: 50% B: 50%

ATTEMPT 1

First Assessment Opportunity

Component A

Description of each element

1 Exam (3 hours) Final assessment

Element weighting

100%

Component B

Description of each element

1 Essay

2 Essay

Element weighting

Better of the two marks to constitute Component B.

100%

Second Assessment Opportunity (further attendance at taught classes is not required)

Component A

Description of each element

1 Exam (3 hours) Final assessment

Element weighting

100%

Component B

Description of each element

1 Essay

Element weighting

100%

Specification confirmed byDate
(Associate Dean/Programme Director)