

LWZ114 CRIMINAL LAW

Credit points:	10	Mode:	Internal / External
Assumed knowledge:	Completion of LWZ100A and LWZ100B; OR LWZ001	Location:	Casuarina Campus / External
		Learning method:	Online Resources
Year:	2012		
Semester:	Semester 1	Unit coordinator / Lecturer:	Tanjil Whitnell
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UNIT DESCRIPTION

This unit covers material relating to substantive and procedural aspects of criminal law.

The unit includes:

- Introduction To Criminal Law & Codes;
- Introduction To Criminal Offences;
- 'The Police' – Search, Arrest and Bail;
- 'The Prosecution' - Role & Guidelines;
- 'The Courts' – Judiciary and Trial Principles
- Criminal Responsibility - Intent, Attempt, Conspiracy & Parties
- Unlawful Killing – including Insanity & Diminished Responsibility
- Sexual Offences – including Rape and Mistake of Fact, Maintaining a Sexual Relationship with a Child, Indecent/ Sexual Assault;
- Offences Against The Person (Non Fatal, Non Sexual);
- Property Offences.

This unit aims to equipping students, where ever they may live, with the knowledge and ability to work as a criminal lawyer. Wherever possible discussion of substantive offences will make reference to the law in both 'Code States' and 'Common Law States' with a focus on Northern Territory legislation.

LEARNING OUTCOMES

1.

<i>Unit Information Template:</i> Version 4.0 13/11/09	<i>Administered:</i> TLQG	<i>Approved:</i> Senior DVC	<i>Next Review:</i> November 2010
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TEACHING AND LEARNING STRATEGIES

- This is a unit with a substantial content volume. There is a lot of material to cover throughout the semester.
- This unit is taught primarily in the online mode through the weekly delivery of pre-recorded audio-visual (lecture) presentations along with written materials (Study Guides and supplementary materials), and online and on campus tutorial sessions.
- All unit materials will be made available on the unit Learnline site.
- Information pertaining to administration of the unit content and its delivery will be disseminated to students through the Learnline site 'Announcements' function and via the student email facility.
- Effective organisation of time and study techniques is critical to the attainment of the Learning Outcomes described above. Students are encouraged to utilise all materials and to seek clarification and help when needed.
- It will be assumed that students will have read the prescribed material prior to the topics being covered in the lectures and tutorials.
- All students **must** attempt set exercises/problems **prior to attending** the relevant tutorial session. For more, please see the document 'Important Information You Need to Know About Tutorials in LWZ115', found in 'Learning Materials' then 'Tutorials'.

PARTICIPATION

Students will receive approximately 4 hours of formalised instruction per week. However, students must be prepared to devote at least 10 hours study per week to this unit in order to attain the Learning Outcomes described above.

To successfully complete this unit students are required to attend / engage with / participate in the following:

- Online audio-visual lecture and seminar presentations (approx 3 hours total);
- **Internal** students: 1 x 1.5 hour tutorial per week;
- **External** students: 1 x 2 hour online tutorial per week.

Students will note that there are no tutorials in the first week Semester. Tutorials commence in week 2 of semester.

TUTORIALS

Tutorials will consist of one or more of the following:-

- Problem based hypothetical scenarios whereby students are required to provide advice to hypothetical persons in relation to issues arising in the context of criminal law. Students will be required to adopt the IRAC methodology in completing these exercises

- Mini-moots whereby students are required to prepare and deliver oral argument as against each other in support of the hypothetical client's / prosecutor's case, by reference to relevant legal principles and authority.
- Discussions whereby students will be asked to research a particular issue commonly arising in the context of criminal law and deliver their results to their peers for critical discussion and debate.

The importance of preparing for, and attending, tutorials cannot be overstated. For more, please see the document 'Important Information You Need to Know About Tutorials in LWZ114', found in 'Learning Materials' then 'Tutorials'.

Students intending to attend online tutorials (all external students) are required to self-enrol in a preferred online tutorial session. Details of the self-enrolment process can be found within the 'Wimba E-Tutorial Rooms' content area of the Learnline website for this unit.

BLOGS:

Students are also encouraged to make contact with their fellow students via the blog board.

PRESCRIBED TEXTBOOKS

There is NO prescribed textbook for this unit. All readings are provided by the lecturer through E-Reserve or other methods.

RECOMMENDED TEXTBOOKS

See document titled 'Textbook Information' found under 'Unit Information' on the website for details on these books. Whether the book will be useful for you depends largely on where you live, your level of comprehension and your level/area of interest.

Recommended textbooks are generally available to be ordered through the CDU Bookshop website at www.cdu.edu.au/bookshop

LEARNLINE (ONLINE LEARNING SYSTEM)

Learnline is Charles Darwin University's on-line learning system.

PLEASE READ AND PRINT the document titled 'LWZ114 Criminal Law **Induction Manual**', located in the 'Unit Information' content area of the Learnline website for this unit. This document will provide students with invaluable guidance in relation to Learnline, studying law at CDU and matters relating to this unit generally.

In this unit, Learnline will be used to:

- provide important announcements about the unit;
- distribute audio-visual content, powerpoint slides, and other study materials including assessment information and materials;
- complete online assessments;
- access feedback from tasks and grades for assessable work;
- provide a communication point where you contribute to discussions, and to interact with

other students in the unit.

Students will need to connect to the Internet to access it, at <http://learnline.cdu.edu.au/>

If this is the first time using Learnline, click on 'Student Learnline Support' in the left-hand navigation panel BEFORE logging in.

It is necessary that all students have access to regular, reliable and relatively fast internet access to complete unit requirements.

E-RESERVE

e-Reserve allows electronic copies of journal articles, book chapters and lecturer notes that have been recommended by a lecturer as part of their course reading requirements. You can access e-Reserve at <http://ereserve.cdu.edu.au.ezproxy.cdu.edu.au/cgi-bin/library?e=q-000-00---Ontlier--00-0-0-0prompt-10---4-----0-1l--1-en-50---20-about---00001-001-1-OutfZz-8-0&a=p&p=about>

This site is password protected. The CDU student login will provide access. Students can then search for items by Lecturer, Unit Code, Title, Author, keyword, Year or Date if they have that information.

COURE STRUCTURE

Duration / Module	Topics	Required readings or student learning activities to be completed	Assessments Due
Week 1	INTRO TO CRIMINAL LAW & CODES	<i>See Learnline</i>	
Week 2	INTRO TO CRIMINAL OFFENCES	"	
Week 3	'THE POLICE'	"	
Week 4	'THE PROSECUTION' and 'THE COURTS'	"	
Week 5	CRIMINAL RESPONSIBILITY	"	
MID SEMESTER BREAK	MID SEMESTER BREAK	"	
Week 6	UNLAWFUL KILLING	"	
Week 7	CONSOLIDATION WEEK	"	
Week 8	SEXUAL OFFENCES	"	
Week 9	SKILLS PORTFOLIO WEEK	"	
Week 10	OFFENCES AGAINST THE PERSON (NON FATAL, NON SEXUAL)	"	
Week 11	PROPERTY OFFENCES	"	
Week 12	REVISION	"	

COURSE OUTLINE

OVERVIEW OF ASSESSMENT

Item	Description/Focus	Value	Relates to learning outcomes
1.	Online Test	15%	
2.	Skills Portfolio	35%	
3.	Centrally Organised Exam	50%	

1. ONLINE TEST

The Online Test will assess students understanding of the matters covered in weeks 1 – 4 inclusive. The Online test will account for 15% of the student's final grade.

2. SKILLS PORTFOLIO

A skills portfolio is a series of exercises which will provide students with the opportunity to attain practical and theoretical skills relevant to the course material and criminal law and procedure generally.

The Skills Portfolio will account for 35% of the student's final grade.

3. CENTRALLY ORGANISED EXAM

The exam will be held during the Central Examinations Period, on a date and time to be determined. It is each student's responsibility to ensure that the necessary arrangements in respect of invigilation have been carried out, and to inform themselves of the time, date and place of the examination.

The Final Exam will account for 50% of the student's final grade.

CDU GRADUATE ATTRIBUTES

CDU graduate attributes refer to those skills, qualities and understandings that should be acquired by students during their time at the University regardless of their discipline of study. (See <http://www.cdu.edu.au/teachingandlearning/gradattributes.html>).

In this unit, the following graduate attributes are developed:

Attribute	Description	Learning outcomes
Acquisition	Can identify, retrieve, evaluate and use relevant information and	

	current technologies to advance learning and execute work tasks.	
Application	Is an efficient and innovative project planner and problem solver, capable of applying logical and critical thinking to problems across a range of disciplinary settings and has self-management skills that contribute to personal satisfaction and growth.	
Creativity	Can conceive of imaginative and innovative responses to future orientated challenges and research.	
Knowledge base	Has an understanding of the broad theoretical and technical concepts related to their discipline area, with relevant connections to industry and professional knowledge.	
Communication	Demonstrates oral, written, and effective listening skills in a cross generational environment.	

University Plagiarism policy

Plagiarism is the unacknowledged use of material written or produced by others or a rework of one's own material. All sources of information and ideas used in assignments must be referenced. This applies whether the information is from a book, journal article, the internet, or a previous essay or the assignment of a friend.

Plagiarism or other acts of academic dishonesty if proved may have very serious consequences for those wishing to be admitted to practise as a legal practitioner, as proven dishonesty may lead to refusal of admission by the relevant Legal Practitioners Admission Board.

The University Plagiarism policy is available at:

<http://www.cdu.edu.au/governance/documents/3.3academicandscientificmisconduct.pdf>

Exam Rules

Exam rules are available at

<http://www.cdu.edu.au/governance/documents/ExaminationRules.pdf>