

Criminal Law

Course code: LEG 152/A (CEA)

Semester and year: Fall 2020

Day and time: Thursday 8:15-11:00

Instructor: Carrollann Braum

Instructor contact: Carrollann.braum@aauni.edu

Consultation hours: Thursday 14:30; by appointment

Credits US	3	Level	Intermediate
Length	15 weeks	Pre-requisite	Level 4 LLB
Contact hours	42 hours	Course type	Bachelor Required

1. Course Description

Criminal law is one of the seven foundation modules required for a qualifying law degree in England and Wales and is a core requirement of the University of London LLB and CertHE Common Law programmes.

This course introduces students to the general principles of criminal liability, fatal and non-fatal offences against the person and offences against property. Attempts to commit offences, secondary liability and defences also form part of this curriculum.

Course Aims

This course introduces students to the aims and principles of criminal law and helps them to explain and evaluate offences and defences, and the general principles governing liability.

2. Student Learning Outcomes

LEARNING OUTCOMES: KNOWLEDGE

Students completing this module are expected to have knowledge and understanding of the main concepts and principles of criminal law. In particular they should be able to:

1. Describe the legal principles governing liability for offences against the person and property offences;
2. Describe the principles governing criminal defences;
3. Describe the legal principles governing liability for preliminary or inchoate offences and liability as an accomplice;
4. Explain the hierarchy of courts and the appeal process in criminal cases;
5. Explain the points of comparison and distinction between different offences within the same family and different criminal defences.

Students completing this module should be able to:

6. Interpret a set of facts in order to identify legal issues arising, providing reasoned arguments and conclusions as to the criminal offences that may have been committed and defences that may be available;
7. Identify strengths and weaknesses of areas of law in terms of underlying considerations of morality, principle and policy;
8. Communicate in a clear and concise manner, using accurate legal terminology;
9. Conduct straightforward legal research tasks using legal databases and the internet to locate primary and secondary sources relevant to criminal law.

3. Reading Material

Required Materials

- *All materials are those recommended by London for 2019-20, including the Criminal Law Module Guide.*
- Wilson, W. Criminal law. (Harlow: Pearson, 2017) – purchase in AAU bookstore
- Wilson, W., Dine, J., Gobert J. Cases & Materials on Criminal Law - purchase in AAU bookstore
- Blackstone's Statutes on Criminal Law 2016-2017 - purchase in AAU bookstore
- Materials distributed via NEO

Recommended Materials

Refer to the University of London Module Guide for a list of recommended materials. Additional study materials, case notes, and legal dictionaries are available for purchase in the AAU Bookstore.

Smith and Hogan's Criminal Law provides comprehensive and in-depth analysis of the material covered.

Criminal Law by Jonathan Herring provides an approachable summary of the subject matter, however, is not as comprehensive and may be out of date.

4. Teaching methodology

This course is taught over the period of one academic year from September through April (28 sessions). Additional sessions will be scheduled during the year for a total of 32 scheduled meetings. Classes will involve a variety of teaching methods: predominately seminar and lecture. There will be active participation in discussions, analysis of cases, presentations, at home preparation and homework assignments with follow-up analysis and discussion in class. Practice Essays/Exams will be assignment throughout the course.

Individual conferences with students will be an integral part of the course, giving students important opportunities to ask specific questions and receive additional individualized support. Students will be expected to come to the individual meetings prepared with questions, challenges, and specific areas they would like to discuss in more detail. Throughout the course, classes will involve lectures (particularly important during the first several weeks of class, when students are being exposed to a large amount of information), in-class discussions of cases and materials, as well as practice writings and practice exams. The style of the class will generally involve a conversation led by the instructor in which all students are expected to participate. Students will also be encouraged to communicate with the professor via email or by appointment outside of class time.

5. Course Schedule

PLEASE NOTE: Schedule is subject to change depending on the Pace of the Students and Lectures. Readings will be assigned for each week. Several Additional Classes will be scheduled – TBD

FOR EVERY CLASS: Students are expected to complete the Problems and Questions within the Module Guide in addition to completing the readings. Questions will be discussed in class.

Date	Class Agenda
Week 1	Topic: Introduction and overview

	<p>Description: Introducing Criminal Law; the lawyer's method, what does criminal law comprise; criminal procedure; sources of criminal law</p> <p>Reading: Module Guide Chapter 1 and corresponding Wilson Chapters</p>
Week 2	<p>Topic: Elements of criminal offence and liability</p> <p>Description: Introducing elements of a crime and their proof</p> <p>Reading: Module Guide Chapters 2 and corresponding Wilson Chapters</p>
Week 3	<p>Topic: <i>Actus Reus: conduct and circumstances</i></p> <p>Description: What is <i>actus reus</i>? Circumstance that equal a criminal act</p> <p>Reading: Module Guide Chapters 3; corresponding Wilson readings</p> <p>Assignment Given: Problem Questions on Actus Reus</p>
Week 4	<p>Topic: <i>Actus Reus: consequences and their causes</i></p> <p>Description: Result crimes, Accountability and basic principles</p> <p>Reading: Module Guide Chapter 4; Corresponding Wilson readings</p>
Week 5	<p>Topic: <i>Actus Reus: finishing the concept of causation</i></p> <p>Description: Principles governing causation; breaking the chain of causation</p> <p>Reading: Module Guide Chapter 4; corresponding Wilson readings</p> <p>Assignment Due: Problem Questions on Actus Reus</p>
Week 6	<p>Topic: Mens Rea</p> <p>Description: Introduction to the mental element of the crime; objective fault, subjective fault</p> <p>Reading: Module Guide Chapter 5; corresponding Wilson readings</p> <p>Assignment Give: Problem Questions on Mens Rea</p>
Week 7	<p>Topic: <i>Mens Rea</i></p> <p>Description: Intention, Recklessness, Negligence</p> <p>Reading: Module Guide Chapter 5; corresponding Wilson readings</p>
Week 8	<p>Topic: Mens Rea</p> <p>Description: Concluding the concept and review</p> <p>Reading: Module Guide Chapter 5, corresponding Wilson readings</p> <p>Assignment Due: Problem Questions on Mens Rea</p>
Week 9	<p>Topic: MIDTERM – Practice Exam Question</p> <p>Description: Midterm covering cases and identification and application of actus reus and mens rea.</p> <p>Reading: Module Guide Chapter 15; corresponding Wilson readings</p>
Week 10	<p>Topic: Coincidence of actus reus and mens rea</p> <p>Description: Temporal coincidence and corresponding principle</p> <p>Reading: Module Guide Chapter 6; corresponding Wilson readings</p>
Week 11	<p>Topic: Coincidence of actus reus and mens rea</p> <p>Description: Transferred malice: a qualification to the corresponding principle</p> <p>Reading: Module Guide Chapter 6; corresponding Wilson readings</p>
Week 12	<p>Topic: Criminal Homicide: murder</p> <p>Description: Common elements in criminal homicide; murder</p> <p>Reading: Module Guide Chapter 7; corresponding Wilson readings</p> <p>Assignment Given: Problem Question on Homicide</p>
Week 13	<p>Topic: Criminal Homicide: manslaughter</p> <p>Description: Voluntary and Involuntary manslaughter</p> <p>Readings: Module Guide Chapter 7; corresponding Wilson readings</p> <p>Assignment Due: Problem Question on Homicide</p>
Week 14	<p>Topic: Revision and Mock Exam Preparation</p> <p>Description and Readings: Notes and materials from the course</p>
Final Exam	<p>Topic: Mock Examination/Final Examination</p>

6. Course Requirements and Assessment (with estimated workloads)

Assignment	Workload (average)	Weight in Final Grade	Evaluated Course Specific Learning Outcomes	Evaluated Institutional Learning Outcomes*
Written Assignments (1, 2, 4, 6)	60	40%	Describe the legal principles governing liability for offences against the person and property offences; Describe the principles governing criminal defences; Describe the legal principles governing liability for preliminary or inchoate offences and liability as an accomplice; Communicate in a clear and concise manner, using accurate legal terminology; Conduct straightforward legal research tasks using legal databases and the internet to locate primary and secondary sources relevant to criminal law.	1, 2, 3
Midterm and Final Exams	90	60	Explain the hierarchy of courts and the appeal process in criminal cases; Explain the points of comparison and distinction between different offences within the same family and different criminal defences. Interpret a set of facts in order to identify legal issues arising, providing reasoned arguments and conclusions as to the criminal offences that may have been committed and defences that may be available; Identify strengths and weaknesses of areas of law in terms of underlying considerations of morality, principle and policy; Communicate in a clear and concise manner, using accurate legal terminology;	1, 2, 3
TOTAL	150	100%		

*1 = Critical Thinking; 2 = Effective Communication; 3 = Effective and Responsible Action

7. Detailed description of the assignments

Assignment 1: Actus Reus

Assessment breakdown

Assessed area	Percentage
Application of principles, statutes, and cases of Actus Reus	10%

Assignment 2: Mens Rea

Assessment breakdown

Assessed area	Percentage
Application of principles, statutes, and cases of Mens Rea	10%

Assignment 3: Midterm Exam

Assessment breakdown

Assessed area	Percentage
Application of principles, statutes, and cases involved in both elements of a crime: Actus Reus and Mens Rea. Midterm is comprehensive over materials covered in class so far.	20%

Assignment 4: Criminal Homicide

Assessment breakdown

Assessed area	Percentage
Application of principles, statutes, and cases involved with criminal homicide (murder)	10%

Assignment 5: Final Examination

Assessment breakdown

Assessed area	Percentage
Problem Question and Essay Question on materials covered in the course (comprehensive and requires application of principles, statutes and case law).	40%

Assignment 6: Problems and Questions based on Readings (Module Guide)

Assessment breakdown

Assessed area	Percentage
In-class discussions of problems and questions assigned with readings	10%

8. General Requirements and School Policies

General requirements

All coursework is governed by AAU's academic rules. Students are expected to be familiar with the academic rules available in the Codex and Student Handbook and to maintain the highest standards of honesty and academic integrity in their work.

Electronic communication and submission

The university and instructors shall only use students' university email address for communication. It is strongly recommended that any email communication between students and instructors take place in NEO LMS.

Each e-mail sent to an instructor that is about a new topic (meaning not a reply to an original email) shall have a new and clearly stated subject and shall have the course code in the subject, for example: "COM101-1 Mid-term Exam. Question".

All electronic submissions are carried out through NEO LMS. No substantial pieces of writing (especially take home exams and essays) can be submitted outside of NEO LMS.

Attendance

Attendance is required for all students. CertHE students MUST attend at least 80% of their courses in order to be permitted to sit the Criminal Law examination by the University of London. According to AAU policy, all students who are absent 35 percent of classes will be failed (or administratively withdrawn from the course if most absences are excused). Students might also be marked absent if they miss a significant part of a class (by arriving late or leaving early) as specified in the syllabus.

Absence excuse and make-up options

Should a student be absent from classes for relevant reasons (illness, serious family matters), s/he must submit to the Dean of Students an Absence Excuse Request Form supplemented with documents providing reasons for the absence. The form and documents must be submitted within one week of the absence. If possible, it is recommended the instructor be informed of the absence in advance. Should a student be absent during the add/drop period due to a change in registration this will be an excused absence if s/he submits an Absence Excuse Request Form along with the finalized add/drop form. Assignments missed due to unexcused absences cannot be made up which may result in a decreased or failing grade as specified in the syllabus.

Students whose absence has been excused by the Dean of Students are entitled to make up assignments and exams provided their nature allows for a make-up. Students are responsible for contacting their instructor within one week of the date the absence was excused to arrange for make-up options.

Late work: No late submissions will be accepted – please follow the deadlines.

Electronic devices

Electronic devices (phones, tablets, laptops...) may be used only for class-related activities (taking notes, looking up related information, etc.). Any other use will result in the student being marked absent and/or being expelled from the class. No electronic devices may be used during tests or exams.

Eating is not allowed during classes.

Cheating and disruptive behavior

If a student engages in disruptive or other conduct unsuitable for a classroom environment of an institution of learning, the instructor may require the student to withdraw from the room for the duration of the activity or for the day and shall report the behavior to the Dean.

Students engaging in behavior which is suggestive of cheating (e.g. whispering or passing notes) will, at a minimum, be warned. In the case of continued misbehavior the student will be expelled from the exam and the exam will be marked as failed.

Plagiarism and Academic Tutoring Center

Plagiarism is "the unauthorized use or close imitation of the language and thoughts of another author and the representation of them as one's own original work." (Random House Unabridged Dictionary, 2nd Edition, Random House, New York, 1993)

Turnitin's White Paper 'The Plagiarism Spectrum' (available at <http://go.turnitin.com/paper/plagiarism-spectrum>) identifies 10 types of plagiarism ordered from most to least severe:

1. CLONE: An act of submitting another's work, word-for-word, as one's own.

2. CTRL-C: A written piece that contains significant portions of text from a single source without alterations.
3. FIND-REPLACE: The act of changing key words and phrases but retaining the essential content of the source in a paper.
4. REMIX: An act of paraphrasing from other sources and making the content fit together seamlessly.
5. RECYCLE: The act of borrowing generously from one's own previous work without citation; To self-plagiarize.
6. HYBRID: The act of combining perfectly cited sources with copied passages—without citation—in one paper.
7. MASHUP: A paper that represents a mix of copied material from several different sources without proper citation.
8. 404 ERROR: A written piece that includes citations to non-existent or inaccurate information about sources
9. AGGREGATOR: The "Aggregator" includes proper citation, but the paper contains almost no original work.
10. RE-TWEET: This paper includes proper citation, but relies too closely on the text's original wording and/or structure.

As the minimum policy the types of plagiarism from 1 through 8 results in the failing grade from the assignment and must be reported to the Dean. The Dean may initiate a disciplinary procedure pursuant to the Academic Codex. Allegations of bought papers and intentional or consistent plagiarism always entail disciplinary hearing and may result in expulsion from AAU.

If unsure about technical aspects of writing, students are encouraged to consult their papers with the tutors of the AAU Academic Tutoring Center. For more information and/or to book a tutor, please contact the ATC at: <http://atc.simplybook.me/sheduler/manage/event/1/>.

Students with disabilities

Students with disabilities are asked to contact their instructor as soon as possible to discuss reasonable accommodation..

Prepared by and when: Carollann Braum, February 20, 2020

Approved by and when: Carollann Braum, February 20, 2020