

Criminal Law

Module title			
Criminal Law			
Module NFQ level (only if an NFQ level can be demonstrated)	Module number / reference	ECTS Value	Duration
Level 8 NFQ	LLBH - CRL	15 ECTS	24 weeks.
Parent programme(s). Principal programme title, and embedded(s) if relevant		Stage of parent programme	Semester No.
Bachelor of Laws (Honours)		1	1 and 2
Bachelor of Laws (Honours) in Criminal Justice		1	1 and 2
Bachelor of Laws (Honours) in Commercial Law		1	1 and 2
Teaching and Learning modes	Proportion (% of Total Directed Learning)		
Classroom / Face to Face	26%		
Workplace			
Online			
Other (Identify)	74% (Independent Research and Learning)		
Entry requirements (statement of knowledge, skill and competence)			
Please see section 4.2 for full details of entry requirements.			
Maximum number of learners per instance of the module	Sixty (60)		
Average (over the duration of the module) of the contact hours ¹ per week	Two sets of two (2) hours per week over both semesters (twelve (12) lecture weeks each)		
Pre-requisite module title(s) (if any)	None		
Co-requisite module title(s) (if any)	No		
Is this a capstone module? (Yes or No)	No		
Module-specific physical resources and support required per centre (or instance of the module)			
Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle. There are no further software requirements for this module. In relation to Microsoft Office the lecturer will require to use PowerPoint or Word to present the information to the learners. Zoom will be required in conjunction with Microsoft Office in order to record the lectures when the module is being delivered for block release or for the Blended Programme when organised in advance. Zoom will also be required for the seminars through which the module will be taught (block release).			
Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff working in this module.			
Role e.g. Tutor, Mentor etc	Qualifications & experience required:	# of Staff with this profile (WTEs ²)	
Lecturer	Lecturers expected to hold at least a level 8 legal qualification, preferably with a professional legal qualification. It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.		

¹ Effort while in contact with staff

² WTE is the whole-time equivalent number. The number 1 indicates a fulltime person fully dedicated to the programme. 0.5 indicates a part-time person available to this programme half of the time.

Analysis of required learning effort		
*Effort while in contact with staff	Minimum ratio teacher / learner	Hours
Classroom and demonstrations	1:60	96
Mentoring and small-group teaching	-	-
Other (specify)	-	-
Independent Learning		
Directed e-learning (hours)		-
Independent Learning (hours)		279
Other hours (specify)		-
Work-based learning hours of learning effort		-
Total Effort (hours)		375

Allocation of Marks					
	Continuous Assessment	Supervised Project	Proctored Practical Exam.	Proctored Written Exam	Total
Percentage Contribution	40			60	100%

6.4.1 Module aims and objectives

This module allows learners to understand the key distinctions between civil and criminal law and is an essential foundational module of the programme. Key philosophical and theoretical concepts in Criminal Law are introduced to the learners and examined, including due process and complicity. The Module also aims to provide learners with an understanding of the nature and elements of a crime both in strict legal terms and its wider social context.

Learners are also provided with an understanding of each step of the criminal process and procedure, from the jurisdiction of the courts through to arrest, bail, detention and modes of trial. The Module also familiarizes learners with a number of specific offences, most especially offences against the person and offences against property. This module provides learners with knowledge and understanding of the defences to criminal charges as well a knowledge and understanding of reform proposals in criminal law. Finally, learners are enabled to apply their learning to practical factual scenarios.

6.4.2 Minimum intended module learning outcomes

On successful completion of this module, learners will be able to:

- (i) Analyse and discuss the definition of a crime
- (ii) Distinguish and communicate the various elements of criminal practice, procedure and criminal liability, including accessorial liability
- (iii) Discuss core groups of offences namely homicide offences, sexual offences, assault-based offences, offences against property and inchoate offences and defences
- (iv) Evaluate the defences available to a criminal offence
- (v) Research legal problems using both hard copy sources and online legal databases.
- (vi) Apply criminal law principles to practical, abstract factual situations arising in a legal context
- (vii) Engage in legal reasoning and analysis demonstrating knowledge of the principles of criminal law

6.4.3 Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs

Criminal Law is a core module where learners become familiar with the principles, legislation and case law relating to the area of criminal law within the Irish legal system. It is also one of the areas of law that is examined by the Law Society of Ireland to embark upon training as a solicitor in Ireland. It is essential that learners understand the key ingredients of Criminal Law, including the trial and sentencing process. This module also provides a foundation of understanding for other modules that the learners could take later in their programme such as Law of Evidence and Miscarriage of Justice. Through this Module, learners also appreciate, at an early stage in their learning, the exacting standards of precision and evidential probity required within law, as a whole, and, specifically, in the criminal justice system. This module serves to directly underpin (iii) conceptualise and communicate legal arguments with clarity and precision, (vi) effectively employ advanced research skills, including use of legal databases, to investigate, interrogate and critique the law and (vii) participate constructively (contribute, collaborate and direct, if so charged) in both individual and group environments. This module also directly underpins the Programme Minimum Learning Outcomes (i), (iv), (v), (ix), (x) and (xi).

6.4.4 Information provided to learners about the module

At the start of the Academic Year, learners will receive their Faculty Handbooks. The Faculty Handbook provides general information about the faculty, its staffing, resources, and operation. Detailed programme information is supplied through Moodle, including copies of the approved module descriptors from the accredited programme (detailing related teaching, learning and assessment) along with a programme timetable.

During the first class of the Module, learners are given a detailed outline of the Module showing the schedule of delivery and the dates when assignments are released and due for submission.

Moodle is used to provide learners with ongoing access to module related information, from the handbooks and module outlines provided in advance of the module commencement, the lecture material and links to related resources provided on a scheduled basis in line with the module delivery.

6.4.5 Module content, organisation and structure

The Criminal Law module is a 15 ECTS credit module taught and assessed over two academic semesters. The module is delivered over 24 lecture sessions of 4 hours duration for Full Time learners, 2 hours duration for Part Time learners and weekly pre-recorded lectures that will be supplemented with evening seminars and Live Days for the Blended learners.

The Learning Outcomes for this module have been aligned with the knowledge, skills and competencies indicated as appropriate for Level 6 on the NFQ. They have been articulated using the Quality and Qualifications Ireland (QQI) Awards Standards for Honours Bachelor of Laws and Master of Laws (July 2014) and for Generic Higher Education and Training (July 2014).

- Introduction to Criminal Law:
 - The sources of Criminal Law
 - Trial 'in due course of law'
 - Classification of crimes
 - Sentencing
- Criminal Practice and Procedure:
 - The criminal jurisdiction of the Courts
 - Arrest and Detention
 - Bail

- Modes of trial
- The Elements of a Crime:
 - *Actus reus*
 - *Mens rea*
- Complicity
 - Doctrine of Innocent Agency
 - Doctrine of Common Design
 - Accessorial Criminal Liability
- Offences Against the Person – Homicide:
 - Murder
 - Manslaughter
 - Infanticide
- Sexual Offences:
 - Rape
 - Sexual assault
 - Sexual offences against children
 - Incest
- Assault-based Offences:
 - Assault
 - Assault causing harm
 - Assault causing serious harm
 - Syringe attacks
- Inchoate Offences:
 - Attempts
 - Conspiracy
 - Incitement
- Offences against property:
 - Theft
 - Deception offences
 - Making off without payment
 - Burglary
 - Aggravated burglary
 - Robbery
 - Handling and possessing stolen property
 - Criminal Damage
- Defences:
 - Lawful Use of Force
 - Provocation
 - Intoxication
 - Insanity
 - Automatism
 - Duress
 - Necessity
 - Infancy
 - Mistake
 - Consent
 - Unconstitutionality

6.4.6 Module teaching and learning (including formative assessment) strategy

The module is delivered using participative lectures, which consist of tutorial-style discussions, group work sessions and exercises. Formative assessment is provided through tutorial-style discussions,

group work and exercises. These focus on specific case law and problem-based learning requiring learners to analyse the law and apply it to practical tort law disputes or issues. The lectures are supplemented by structured on-line resources and directed reading. Formative assessment is also provided in the form of interactive exercises such as directed class discussion topics that reference experiences on court visits or current affairs pertaining to Criminal Law at the time of instruction. Learners are also enabled to develop their oral communication and presentation skills.

Learners also engage in collaborative work in pairs or small groups to brainstorm what learning has been achieved at the end of lectures. In order to support learners through the examination process, they engage in the answering of sample examination questions and correction of their own or peer's papers, thereby familiarising themselves with the marking criteria. Learners also engage in activities where they draft their own exam questions in order to recap and consolidate a particular topic.

Learners undertaking the course via blended learning benefit from varied and additional options for engagement to compensate their reduced attendance of campus. These include webinars, screencasts (recorded lectures), discussion fora, and increased use of the College's VLE (Virtual Learning Environment), Moodle.

In addition to what has been stated, classroom assessment and benchmarking techniques are deployed to encourage learners to develop more agency in terms of their own learning including in-class presentations, group work, peer-review exercises and reflective practice. The variety of teaching, learning and assessment techniques reflect an enhanced emphasis on skills acquisition to deepen practical knowledge. Finally, the attention of learners is drawn to current industry practice and technology used in the specific area of law to add a further dimension to learning, tracking the actual practice of legal professionals.

6.4.7 Work-based learning and practice-placement

Criminal Law is a class based 15 ECTS credit module and does not require work-based learning and practice placement.

6.4.8 E-learning

Moodle is used to disseminate notes, advice, and online resources to support the learners. The learners will also have access to a number of other online resources through the library such as access to databases and research tools (Westlaw.ie, Westlaw.uk, JustisOne (vLex) and Hein Online) as well as access to online copies of books published from Bloomsbury Online.

6.4.9 Module physical resource requirements

Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle. There are no further software requirements for this module. In relation to Microsoft Office the lecturer will require to use PowerPoint or Word to present the information to the learners. Zoom will be required in conjunction with Microsoft Office in order to record the lectures when the module is being delivered for block release or for the Blended Programme when organised in advance. Zoom will also be required for the seminars through which the module will be taught (block release).

6.4.10 Reading lists and other information resources

Primary reading

- *Campbell, L., Kilcommins, S. and O'Sullivan, C., Cusack, A., Criminal Law in Ireland, Cases and Commentary (2nd Edition, Clarus Press 2021)*
- *Hanly, C., An Introduction to Irish Criminal Law (3rd Edition, Gill 2015)*
- *Holmes, Criminal Procedure in the Circuit Court, (1st Edition Thomson Reuters 2022)*
- *Hughes, C. and Hughes, S., Criminal Procedure in the District Court: Law and Practice (1st Edition, Clarus Press 2015)*
- *Charleton and McDermott's Criminal Law and Evidence (2nd Edition, Bloomsbury Professional 2020)*
- *Ormerod and Laird, Smith & Hogan's Criminal Law (16th edition, Oxford 2021)*

Secondary reading

- *Ashworth & Horder Principles of Criminal Law (10th Edition Oxford: Oxford University Press 2022)*
- *Herring, J. Criminal Law: Text, Cases, and Materials (10th Edition Oxford: Oxford University Press 2022)*
- *McAuley and McCutcheon Criminal Liability (2nd Edition, Round Hall Press 2022)*
- *McIntyre, McMullen, Toghda (2012) Criminal Law. Dublin: Round Hall*
- *O'Malley, T. (2013) Sexual Offences. Dublin: Round Hall*
- *O'Sullivan, L. Criminal Legislation in Ireland (Bloomsbury 2019)*
- *Walsh Criminal Procedure (2nd Edition Thomson Round Hall 2016)*
- *Law Reform Commission Reports relevant to areas considered, these will be identified to learners as they arise during the course.*
- *Articles from online journals relevant to areas considered, these will be identified to learners as they arise during the course.*

e-Resources

- *Bloomsbury Professional Online*
- *JustisOne – Vlex*
- *Westlaw.ie*
- *Westlaw UK*
- *Heinonline*
- *Griffith College Library Website*

6.4.11 Specifications for module staffing requirements

Lecturers qualified to at least a Level 8 legal qualification (LLB (Honours), preferably with a professional legal qualification and a third level teaching qualification (e.g. Certificate in Education, Learning and Development offered by Griffith College). Learners also benefit from the support of the Programme Director, Faculty Administrators, a dedicated Learning Technologist Office, the Learning Supports Office, at least one Learner Representative for each Stage, the Students' Union and a free (off campus) Counselling Service.

6.4.12 Module summative assessment strategy

Theoretical knowledge is assessed by both continuous assessment (40%) and a summative end of year examination (60%). The continuous assessment shall consist of a written assignment (30%) and an oral presentation (10%). The written assignment comprises a written submission based on a factual scenario. This submission later comprises the basis of the oral presentation upon which the learners are summatively assessed.

The examination will consist of both essay and problem style questions. Essay style questions will place emphasis on the demonstration of understanding pertaining to Criminal Law. Problem Style questions will enable learners to apply the principles of Criminal Law to a factual scenario.

The assessed work breakdown can be seen in the table below.

No.	Description	MIMLOs	Weighting
1	Written Submission (2,000 words)	i, ii, iii, iv, v, vi, vii	30%
2	Oral Presentation	i, ii, iii, iv, v, vi, vii	10%
3	Exam	i, ii, iii, iv, vi, vii	60%

Reassessment/Repeat assessment strategy: Griffith College regulations state that learners must pass all component elements of the module to be deemed to have passed the module.

- In the event of a learner failing components of / this module, they will be required to submit a new individual repeat assignment which will be made available on Moodle to learners, and which must be submitted as per faculty instructions.
- In the event of a learner failing the group assessment element of this module, a new individual repeat assignment will be made available on Moodle to learners which must be submitted as per faculty instructions.
- In the event of the learner failing the exam, learners will take the re-sit exam at the next available sitting, details of which will be made available to learners via Moodle.

6.4.13 Sample assessment materials

Please see sample assessment supplementary document.

