

Module 4: Criminal Law

Stage		1					
Semester		1 & 2					
Module Title		LLBH - CRL					
Module Number		4					
Module Status		Mandatory					
Module ECTS Credits		15					
Module NFQ level		6					
Pre-Requisite Module Titles		None					
Co-Requisite Module Titles		None					
Capstone Module?		No					
List of Module Teaching Personnel		Edward Matthews					
Contact Hours				Non-contact Hours			Total Effort (hours)
96 (72) ¹				204 (228)			300
Lecture	Practical	Tutorial	Seminar	Assignment	Placement	Independent Work	
72 (48)			24	30		174 (198)	300
Allocation of Marks (Within the Module)							
	Continuous Assessment	Project	Practical	Final Examination	Total		
Percentage Contribution	50			50	100		

Intended Module Learning Outcomes

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

1. Outline and discuss the definition of a crime;
2. Describe the various elements of criminal practice, procedure and criminal liability, including accessorial liability
3. Demonstrate knowledge of core groups of offences namely homicide offences, sexual offences, assault based offences, offences against property and inchoate offences and defences
4. Identify and define the defences available to a criminal offence
5. Research legal problems using both hard copy sources and online legal databases.

¹ Part time hours shown in brackets where different from full time hours

6. Apply basic criminal law principles to practical, abstract factual situations arising in a legal context
7. Engage in basic legal reasoning and predictive analysis demonstrating knowledge of the principles of criminal law

Module Objectives

To provide the learner with:

1. An understanding of the nature and elements of a crime both in social and strict legal terms;
2. An understanding of criminal process and procedure, including an understanding of the whole criminal process;
3. An understanding of a number of specific offences, most especially offences against the person and offences against property;
4. Knowledge and understanding of the defences to criminal charges;
5. Knowledge and understanding of reform proposals in criminal law.

Module Curriculum

- 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

Reading lists and other learning materials

Primary Reading:

Campbell, L., Kilcommins, S. & O'Sullivan, C. (2010) *Criminal Law in Ireland: Cases and Commentary*. Dublin: Clarus

Card, R. (2012) *Card, Cross & Jones: Criminal Law*. Oxford: Oxford University Press

O'Malley, T. (2009) *The Criminal Process*. Dublin: Round Hall

Ormerod, J. E. (2011) *Smith and Hogan's Criminal Law*. Oxford: OUP

Secondary Reading:

Ashworth & Horder (2013) *Principles of Criminal Law*. Oxford: Oxford University Press

Conway, V., Daly, D. & Schweppe, J. (2010) *Irish Criminal Justice: Theory, Process and Procedure*. Dublin: Clarus Press

Herring, J. (2013) *Criminal Law: Text, Cases, and Materials*. Oxford: OUP

McAuley and McCutcheon (2000) *Criminal Liability : a grammar* . Dublin: Butterworths
McIntyre, McMullen, Toghda (2012) *Criminal Law*. Dublin: Round Hall
O'Malley, T. (2013) *Sexual Offences*. Dublin: Round Hall
O'Sullivan, L. (2011) *Criminal Legislation in Ireland*. Dublin: Bloomsbury
Walsh (2002) *Criminal Procedure*. Dublin: Thomson Round Hall
Ormerod (2009) *Smith & Hogan's Criminal Law, Cases and Materials*. Oxford: Oxford University Press

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.

Module Learning Environment

Accommodation

Lectures and workshops take place in a classroom setting. Participants also have access to online teaching resources and Moodle

Library

All learners have access to an extensive range of “physical” and “remote access” library resources. The library monitors and updates its resources on an on-going basis, in line with the College's Library Acquisition Policy. Lecturers collaborate with the library in updating reading lists for this course on an annual basis as is the norm with all programmes run by Griffith College.

Module Teaching and Learning Strategy

This module is delivered through a series of lectures which consist of tutorial-style discussions, group work sessions and exercises. The lectures are supplemented by structured on-line resources and reading. To consolidate learning each week learners have the opportunity, in a tutorial/workshop scenario, to either apply the law to factual scenarios or to discuss the current state of the law with a view to possible reform. In class discussions also make use of topical media reporting of criminal law matters so as to relate learning to the day to day operation of the criminal law.

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

Module Assessment Strategies

Element No.	Weighting	Type	Description	Module Learning outcomes
1	50%	Written submission and presentation	The written assignment and presentation take the form of a factual scenario where the learner is expected to prepare a written legal submission and to make a presentation of that submission to the course lecturer. Learners are allocated opposite roles, one arguing for the DPP, and the other arguing on appeal for a person who has been convicted of an offence. The learner is marked primarily on the quality of their written submission, and is also marked in relation to the understanding of their position as displayed in their oral submission. The written submission accounts for 70%, and the oral submission 30%, of the available marks.	All Outcomes
2	50%	Exam	The end of module examination consists of a choice of both essay and problem style questions, these questions are designed to assess the entirety of the learning outcomes specified above. Essay style questions place emphasis on the learners' demonstrating their knowledge and understanding of the fundamental principles of criminal law, the nature of accessory liability, the operation of specific offences, the concept of inchoate offences, the operation of defences to criminal liability, and the potential for reform of the criminal law. Problem style questions enable learners to display their competency in applying principles of criminal law to a factual scenario and also to display their knowledge and understanding of substantive criminal law principles.	1-4, 6 & 7

