

Module 8 Criminal Law

Stage				1			
Semester				3			
Module Title				Criminal Law			
Module Number				8			
Module Status				Mandatory			
Module ECTS Credits				5			
Module NFQ level				Level 7			
Pre-Requisite Module Titles				n/a			
Co-Requisite Module Titles				n/a			
Capstone Module?				No			
List of Module Teaching Personnel				James Buckley			
Contact Hours				Non-contact Hours			Total Effort (hours)
21				79			100
Lecture	Practical	Tutorial	Seminar	Assignment	Placement	Independent Work	
15		6				79	100
Allocation of Marks (Within the Module)							
	Continuous Assessment	Project	Practical	Final Examination	Total		
Percentage Contribution		40		60	100		

Intended Module Learning Outcomes

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

1. Discuss the nature of criminality.
2. Identify and assess the central elements of a crime.
3. Identify, describe and evaluate the different types of criminal offence.
4. Discuss the defences available to a criminal offence and the constitutional rights such as trial and due process
5. Apply the law regarding criminal offences and the defences to such charges to different factual situations.
6. Discuss academic controversies in the field and the possibility of the reform of the law.

Module Objectives

This module aims to:

1. Provide learners with an understanding of the nature of a crime, both in social and strict legal terms.
2. Provide the learner with an understanding of the elements of a crime.
3. Familiarise learners with a number of specific offences, most especially offences against the person, offences against property, public order offences and inchoate offences.
4. Acquaint learners with possible defences to criminal charges.
5. Enable learners to apply criminal law theory to different factual situations.
6. Enable learners to engage with academic controversies in the field and the possibility of the reform of the law.

Module Curriculum

TOPIC	DISCUSSION
Introduction to Criminal Law	Defining the aims and purposes of the criminal law, examining constitutional protections and the definition of a crime. Examining sources of Criminal Law and the classification of offences.
Elements of an Offence	Examining and explaining Actus Reus, omissions, causation, medical treatment, Egg-Shell Skull Rule, Mens Rea, intention, recklessness, strict liability and coincidence of Mens Rea and Actus Reus.
Complicity in Offences	Defining the Doctrine of Innocent Agency, common design and accessory liability
Homicide	Examining and explaining murder, Mens rea, Actus Reus, Intervening Causes: Novus Actus Interveniens, Capital Murder Section 3 Murder and manslaughter.
Sexual Offences	Defining and examining rape, consent, sexual assault, section 4 rape, sexual offences against children and incest.
Non-Fatal Offences Against the Person	Defining and examining Assault, assault causing harm, causing serious harm and consent

Property Offences	Defining and examining Criminal Justice (Theft and fraud offences) Act 2001, theft, robbery, burglary and the Criminal Damage Act 1991
Public Order Offences	Defining and examining Intoxication in a Public Place, Offensive Conduct in a Public Place, Threatening, Abuse or Insulting Behaviour in a Public Place, Obscene Displays in a Public Place, Riot, Violent Disorder and Affray
Inchoate Offences	Defining and examining Incitement, Conspiracy and Attempt
Defenses	Defining and examining General Principles, Categorisation of Defences, Burden & Standard of Proof, Effect of successfully raising a defence, Duress, Necessity, The lawful use of force, Provocation, Infancy, Intoxication, Insanity, Automatism, Mistake and Unconstitutionality

Reading lists and other learning materials

1. Griffith College Manual, *Criminal Law*, (Dublin: Clarus Press, updated annually)
2. Charleton, McDermott, Bolger, *Criminal Law*, (2004, Dublin; Butterworths)
3. Hanly, *An Introduction to Irish Criminal Law*, (2006, Dublin; Sweet & Maxwell)
4. McIntyre & McMullen, *Criminal Law – Essential law Text*, (2005, Dublin; Round Hall)
5. Ormerod, *Smith and Hogan, Criminal Law*, (2008, Oxford; Oxford University Press)
6. O'Mahony, *Criminal Justice in Ireland*, (2002, Dublin; Institute of Public Administration)

Module Learning Environment

Accommodation

In line with other higher education awards offered by the College, the Special Purpose Diploma in Legal Studies and Practice, will provide reasonably comparable resources and accommodation requirements, all of which can be met by facilities on campus.

At the moment, a base classroom is used for teaching purposes at both the Dublin and Cork campuses. Participants also have access to online teaching resources and Moodle¹ and an e-learning studio. It is not proposed that these arrangements be changed as they are continuing to operate successfully.

¹ Moodle is Griffith College's current Virtual Learning Environment (VLE)

In addition, all lectures are recorded and posted on the relevant Moodle page, providing students with the opportunity to watch lectures at a later date if they are unable to attend the lecture or wish to review the lecture.

The workshop is held in an open plan room with movable desks in order to facilitate group work, discussion, presentations. The workshop is not recorded as all learners must attend.

Library

All learners have access to an extensive range of “actual” and “remote access” library resources. The library monitors and updates its resources on an ongoing basis, in line with the College’s Library Acquisition Policy. Lecturers update reading lists for this programme on an annual basis as is the norm with all courses run by Griffith College.

Equipment, Information & Communication Technology

The College is already fully resourced with the necessary teaching equipment – such as a base class room fully equipped with PC, audio and visual presentation facilities and projectors.

Further resources such as video recording equipment are also available for use on the programme. Participants may also use the College’s other computer labs, open labs and the e-learning studio. The College’s IT Services Department and the Lecturer Support Unit also support this process by continually updating classrooms and PC labs. Proposals for the acquisition of new technologies are made to the IT Services Department and to the Director of Academic Programmes, so that academic and technical issues are considered.

Extensive use is also made of the Moodle VLE for posting lecture notes and other relevant material used for study and revision. With the aid of data projectors, these can form the basis of lecture presentations.

Module Teaching and Learning Strategy

This module will be delivered through a series of lectures and tutorials.

This module comprises of twenty-one contact hours, being fifteen lecture hours, five tutorial hours and one revision/exam preparation class.

Each class will comprise three hours of lectures and a one-hour tutorial.

Tutorials will comprise the review of past exam papers, class discussions, group work sessions and exercises.

Lectures and tutorials will be supplemented by structured web-based resources and reading.

Module Assessment Strategy

Theoretical knowledge will be assessed at the end of the module by examination (60%), the purpose of which is to enable learners to become accustomed to undertaking extended

examinations which are a traditional method of assessment commonly used in law-based degrees on the National Framework of Qualifications and in the sphere of professional legal training. The examination will consist of a mixture of essay style questions, which place emphasis on the learners demonstrating academic legal knowledge as well as discursive legal writing skills, and problem style questions which assess the learner's ability to apply the law to practical factual scenarios. Formative assessment will be provided in the form of interactive exercises such as mini quizzes or directed class discussion topics.

The examination will be supplemented by an Assignment worth 40% of the overall grade enabling learners to utilise their learning from class based work and to develop their legal research, problem solving, independent learning, initiative skills and professional analytical capacity. The Assignment focuses on a matter of practical importance in the field of the Irish Criminal Law.