

LAWS 7048 CRIMINAL LAW

Credit Points 10

Legacy Code 201047

Coordinator Meda Couzens ([https://directory.westernsydney.edu.au/search/name/Meda Couzens/](https://directory.westernsydney.edu.au/search/name/Meda%20Couzens/))

Description This unit examines the principles and aims of criminal law and criminal procedure. Students will engage with the definition, elements and application of crimes in the context of fatal and non-fatal offences against the person, the major sexual offences, property offences, and relevant defences. Students will analyse the elements of offences and apply the principles of statutory interpretation of offence provisions. Concepts of criminal responsibility and strict liability, the roles of principal agencies in the criminal justice system, and the central elements of the criminal process and sentencing are examined. Students will be introduced to the institutional arrangements of criminal procedure and their respective legislative and policy rationales. Students will engage with contemporary and historical considerations of criminal law, criminal responsibility and the impact of the criminal justice process in a broad social, political and economic context with a particular focus on issues including domestic violence and the impact of the criminal justice system on Aboriginal and Torres Strait Islander peoples. Students will be engaged with a range of practice-oriented exercises including Bail Applications.

School Law

Discipline Criminal Law

Student Contribution Band HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Postgraduate Coursework Level 7 subject

Co-requisite(s) LAWS 7056 Fundamentals of Australian Law

Incompatible Subjects LAWS 2004 Criminal Law

Restrictions

Students must be enrolled in a postgraduate program.

Learning Outcomes

On successful completion of this subject, students should be able to:

1. Analyse principles of criminal law, procedure and policy, and their relationship to broader social, economic and political contexts;
2. Construct solutions to legal problems that indicate a deep comprehension of the criminal law;
3. Describe the impact of the criminal justice system on Aboriginal and Torres Strait Islander peoples;
4. Discuss ethical issues arising in criminal law practice and the professional responsibilities of lawyers in promoting justice and service to the community.

Subject Content

- The criminal process and The aims of criminal Law
- general Doctrines and principles of Crime
- Definition and elements of Crime
- indigenous Australians and The criminal justice system
- Domestic violence

- components of criminal Offences
- Offences against property
- non-fatal Offences against The person and Defences
- Dishonest acquisition
- Homicide and Defences: Murder, Omission, involuntary, Manslaughter
- Attempts, participation in Crime, Drunkenness, Mistake and Strict responsibility
- public order
- statutory Offences
- criminal procedure: Classification of Offences, process to compel appearance, bail, Preliminary Examination, indictable Offences

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

| Item | Length | Percent | Threshold | Individual/Group Task |
|-------------------|----------------------------|---------|-----------|-----------------------|
| Professional Task | 20 minutes and 1,000 words | 30 | N | Individual |
| Practical | 5 minutes | 25 | N | Individual |
| Final Exam | 24 hours | 45 | N | Individual |

Prescribed Texts

- Howe, Sattler and Hood, Hayes and Eburn *Criminal Law and Procedure in New South Wales 6th edition* (LexisNexis, 6th edition, 2019)

Teaching Periods

Autumn

Parramatta - Victoria Rd

Day

Subject Contact Meda Couzens ([https://directory.westernsydney.edu.au/search/name/Meda Couzens/](https://directory.westernsydney.edu.au/search/name/Meda%20Couzens/))

View timetable (https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS7048_22-AUT_PS_D#subjects)