



LAWS11060 *Criminal Law*

Term 1 - 2017

Profile information current as at 20/04/2024 04:36 pm

All details in this unit profile for LAWS11060 have been officially approved by CQU University and represent a learning partnership between the University and you (our student). The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

General Information

Overview

This unit examines the scope of criminal law in Queensland. Particular focus is on the study of the elements to prove criminal law offences beyond a reasonable doubt including murder, manslaughter, assault and property and the availability and application of defences as specified in the Queensland Criminal Code to enable a strong defence case.

Details

Career Level: *Undergraduate*

Unit Level: *Level 1*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

Pre-requisites or Co-requisites

Corequisite: LAWS11057

Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the [Assessment Policy and Procedure \(Higher Education Coursework\)](#).

Offerings For Term 1 - 2017

- Distance

Attendance Requirements

All on-campus students are expected to attend scheduled classes - in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

Website

[This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.](#)

Class and Assessment Overview

Recommended Student Time Commitment

Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

Class Timetable

[Regional Campuses](#)

Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

[Metropolitan Campuses](#)

Adelaide, Brisbane, Melbourne, Perth, Sydney

Assessment Overview

1. **Written Assessment**

Weighting: 40%

2. **Written Assessment**

Weighting: 60%

Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the [University's Grades and Results Policy](#) for more details of interim results and final grades.

CQUniversity Policies

All University policies are available on the [CQUniversity Policy site](#).

You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure – Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure – International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback – Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the [CQUniversity Policy site](#).

Previous Student Feedback

Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

Feedback from Communication between students and course co-ordinator.

Feedback

There was high satisfaction with the teaching of skills to assist students with assignment preparation. Further, students suggested at least 1 day of a weekend be included in the final take home paper.

Recommendation

The course will continue to provide materials and live sessions focused on the teaching of skills to equip students with the ability to complete their assessment tasks. Further, where possible the course co-ordinator will attempt to include 1 day from a weekend into the duration of the final take home paper.

Action

A live session was dedicated to each topic which provided students with real time opportunity to engage with the unit coordinator.

Unit Learning Outcomes

On successful completion of this unit, you will be able to:

1. Identify and explain criminal law offences, elements of a criminal offence or defence, and the onus and burden of proof.
2. Research and apply principles of criminal law in Queensland as expressed in legislation and case law to the analysis of criminal law problems.
3. Demonstrate skills in communication, critical legal thinking and reasoning.

Alignment of Learning Outcomes, Assessment and Graduate Attributes



Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes		
	1	2	3
1 - Written Assessment - 40%	•	•	•
2 - Written Assessment - 60%	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes		
	1	2	3
1 - Communication	•	•	•
2 - Problem Solving		•	•

Graduate Attributes	Learning Outcomes		
	1	2	3
3 - Critical Thinking			•
4 - Information Literacy	•	•	•
5 - Team Work			
6 - Information Technology Competence			
7 - Cross Cultural Competence			
8 - Ethical practice			
9 - Social Innovation			
10 - Aboriginal and Torres Strait Islander Cultures			

Alignment of Assessment Tasks to Graduate Attributes

Assessment Tasks	Graduate Attributes									
	1	2	3	4	5	6	7	8	9	10
1 - Written Assessment - 40%	•	•	•	•						
2 - Written Assessment - 60%	•	•	•	•						

Textbooks and Resources

Textbooks

LAWS11060

Prescribed

Carter's Criminal Law of Queensland

Edition: 21st ed (2016)

Authors: Shanahan et al

Lexis Nexis Butterworths

Chatswood , NSW , Australia

ISBN: 9780409343663

Binding: Hardcover

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Prescribed

Principles of Criminal Law in Queensland and Western Australia

Edition: 2nd Ed (2015)

Authors: Burton., K.

Lawbook Co. Thomson Reuters

Sydney , NSW , Australia

ISBN: 9780455236971

Binding: Hardcover

Additional Textbook Information

In addition to the prescribed text book students are encouraged to purchase a law dictionary. A law dictionary will assist in the understanding of key legal terms in this course and for all law courses studied in the Bachelor of Laws. Further, a law dictionary provides direction for research as terms are referenced with case law and statute.

The following law dictionaries are recommended:

T.Mann, *Australian Law Dictionary*, (Oxford University Press, 2nd Ed, 2013) or

P.Butt, *Lexis Nexis Concise Australian Law Dictionary*, (Lexis Nexis, 4th Ed, 2011).

[View textbooks at the CQUniversity Bookshop](#)

IT Resources

You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)
- iTunesU

Referencing Style

All submissions for this unit must use the referencing style: [Australian Guide to Legal Citation, 3rd ed](#)

For further information, see the Assessment Tasks.

Teaching Contacts

Lance Rundle Unit Coordinator

l.rundle@cqu.edu.au

Schedule

Week 1 - 06 Mar 2017

Module/Topic	Chapter	Events and Submissions/Topic
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Introduction to Criminal Law and Skills
Topic Sentencing Burton Chapter 1 and 16

Week 2 - 13 Mar 2017

Module/Topic	Chapter	Events and Submissions/Topic
Inchoate Liability	Burton Chapter 14	

Week 3 - 20 Mar 2017

Module/Topic	Chapter	Events and Submissions/Topic
Secondary Liability and Skills Topic Bail	Burton Chapter 15 and Chapter 2 pp 40-48	

Week 4 - 27 Mar 2017

Module/Topic	Chapter	Events and Submissions/Topic
Homicide	Burton Chapter 4	Written Assessment- Practical Skills Task Due: Week 4 Friday (31 Mar 2017) 11:45 pm AEST

Week 5 - 03 Apr 2017

Module/Topic	Chapter	Events and Submissions/Topic
Assault and Sexual Assault	Burton Chapter 5 and 6	

Vacation Week - 10 Apr 2017

Module/Topic	Chapter	Events and Submissions/Topic
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Week 6 - 17 Apr 2017

Module/Topic	Chapter	Events and Submissions/Topic
Offences Relating to Property- Stealing and Robbery	Burton Chapter 7	

Week 7 - 24 Apr 2017

Module/Topic	Chapter	Events and Submissions/Topic
Offences Relating to Property- Burglary, Receiving, Fraud and Drug Offences	Burton Chapter 7 and 8	

Week 8 - 01 May 2017

Module/Topic	Chapter	Events and Submissions/Topic
Defences- Mistake	Burton Chapter 13	

Week 9 - 08 May 2017

Module/Topic	Chapter	Events and Submissions/Topic
Defences- Self Help and Provocation	Burton Chapter 10 and Chapter 9 pp 285- 295	

Week 10 - 15 May 2017

Module/Topic	Chapter	Events and Submissions/Topic
Mental Disease Insanity	Burton Chapter 12	

Week 11 - 22 May 2017

Module/Topic	Chapter	Events and Submissions/Topic
Intoxication	Burton Chapter 12	

Week 12 - 29 May 2017

Module/Topic	Chapter	Events and Submissions/Topic
Skills Topic: Research, Preparation, Legal Reasoning and Writing in Law, and Revision		Written Assessment- Final Take Home Paper Due: Week 12 Wednesday (31 May 2017) 12:00 pm AEST

Review/Exam Week - 05 Jun 2017

Module/Topic	Chapter	Events and Submissions/Topic
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Exam Week - 12 Jun 2017

Module/Topic	Chapter	Events and Submissions/Topic
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Assessment Tasks

1 Written Assessment- Practical Skills Task

Assessment Type

Written Assessment

Task Description

You will be presented with a problem scenario, the assessment question will be released on Moodle. You will be required to undertake research of legislation and case law and apply this research to support your legal argument and conclusion.

Assessment Due Date

Week 4 Friday (31 Mar 2017) 11:45 pm AEST
To be uploaded on Moodle as a word document

Return Date to Students

Week 7 Friday (28 Apr 2017)
The assessment with feedback will be returned after all students in this course, including those with an approved extension, have submitted their assessment.

Weighting

40%

Assessment Criteria

You will be assessed on your research skills, your ability to reference case law and reference legislation so as to outline your legal argument linking the law to the problem scenario using concise, clear and grammatically correct language.

Referencing Style

- [Australian Guide to Legal Citation, 3rd ed](#)

Submission

Online

Submission Instructions

To be uploaded on Moodle in a word document.

Learning Outcomes Assessed

- Identify and explain criminal law offences, elements of a criminal offence or defence, and the onus and burden of proof.
- Research and apply principles of criminal law in Queensland as expressed in legislation and case law to the analysis of criminal law problems.
- Demonstrate skills in communication, critical legal thinking and reasoning.

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy

2 Written Assessment- Final Take Home Paper

Assessment Type

Written Assessment

Task Description

The Final Take Home Paper will be released on Moodle in week 12. The assessment will comprise criminal law problem scenarios requiring legal argument based on legislation and case law. You must upload your answer on Moodle in a word document.

This assessment task must be completed by the due date in week 12. In the absence of an approved extension, there will be no opportunity to complete the task after this date and there will be no opportunity to apply a late penalty of five per cent per day and you will receive a mark of zero for this assessment task.

Assessment Due Date

Week 12 Wednesday (31 May 2017) 12:00 pm AEST

To be uploaded on Moodle as a word document

Return Date to Students

The Final Take Home Paper will not be returned to students.

Weighting

60%

Assessment Criteria

You will be assessed on your ability to outline your legal argument linking the law with the problem scenario using concise, clear and grammatically correct communication. This includes referring to case law and the elements of the legislation to support your legal argument.

Referencing Style

- [Australian Guide to Legal Citation, 3rd ed](#)

Submission

Online

Submission Instructions

To be uploaded on Moodle as a word document

Learning Outcomes Assessed

- Identify and explain criminal law offences, elements of a criminal offence or defence, and the onus and burden of proof.
- Research and apply principles of criminal law in Queensland as expressed in legislation and case law to the analysis of criminal law problems.
- Demonstrate skills in communication, critical legal thinking and reasoning.

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy

Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the [Student Academic Integrity Policy and Procedure](#). This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

What is a breach of academic integrity?

A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

Why is academic integrity important?

A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

Where can I get assistance?

For academic advice and guidance, the [Academic Learning Centre \(ALC\)](#) can support you in becoming confident in completing assessments with integrity and of high standard.

What can you do to act with integrity?



Be Honest

If your assessment task is done by someone else, it would be dishonest of you to claim it as your own



Seek Help

If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)



Produce Original Work

Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem