



# LAWS11060 *Criminal Law*

## Term 1 - 2022

Profile information current as at 09/12/2022 11:40 pm

All details in this unit profile for LAWS11060 have been officially approved by CQUUniversity 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

LAWS11060 Criminal law provides knowledge of the procedures of and general doctrines of criminal law with emphasis on offences against the person (including murder, manslaughter and assault) and against property (including stealing) as expressed in the Queensland Criminal Code. Selective treatment is given to various defences and to the elements of criminal procedure. This unit together with LAWS13010 Evidence and Proof meets the LPAB requirements for criminal law and procedure.

#### 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 - 2022

- Online

#### 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. **Take Home Exam**

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 Survey, verbal comments to the UC, email communication to the UC.

##### **Feedback**

Students spoke positively of the availability of the unit notes, podcast and assessment information on the day Moodle went live as it gave students an opportunity to commence their study before week one.

##### **Recommendation**

The UC will continue to have all unit materials, podcasts and assessment information available on Moodle the day the unit goes live to give students an opportunity to prepare for the unit before week one.

#### Feedback from Verbal comments to the UC in Zoom sessions and in email communication to the UC

##### **Feedback**

Students enjoyed the practical aspect of assessment one where they wrote submissions for a bail application as it gave students an insight into legal practice as a criminal lawyer.

##### **Recommendation**

The UC will continue to design and implement assessment tasks that have an advocacy component. Given the size of Criminal Law (averaging 150 to 180 students per offering) that is likely to be written submissions in respect of a real-life criminal law scenario which may include a bail application or a sentencing hearing.

#### Feedback from Survey and email to UC.

##### **Feedback**

Some students questioned the use of a textbook published in 2020 for the offering of this unit in 2021 and that textbook information could be made available before the term commences.

##### **Recommendation**

The use of a 2020 textbook in 2021 should not be considered out of date. The law changes almost weekly in most areas of the law, for example, new legislation, amendments to current legislation and new case law. A textbook is a resource to direct the reader to further research. The UC will make sure that the most appropriate textbook that covers as many of the topics studied will be prescribed. The textbook information is available in the unit profile which is published more than one month before the unit goes live. Further, the textbook details are available on Moodle when Moodle goes live, which is two weeks before week one.

## Unit Learning Outcomes

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

1. Analyse and explain criminal law offences against the person and against property
2. Analyse and explain the elements of the criminal offence or defence, and the onus and burden of proof
3. Research and apply principles of criminal law in Queensland as expressed in legislation and case law to the analysis of criminal law problems
4. Apply 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	4
1 - Written Assessment - 40%			•	•
2 - Take Home Exam - 60%	•	•	•	•

## Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes			
	1	2	3	4
1 - Communication	•	•	•	•
2 - Problem Solving			•	•
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 - Take Home Exam - 60%	•	•	•	•						

## Textbooks and Resources

### Textbooks

LAWS11060

#### Prescribed

#### **Principles of Criminal Law in Queensland and Western Australia**

3rd Edition (2020)

Authors: Kelley Burton, Thomas Crofts, Stella Tarrant

Lawbook Co., Australia

Pymont, NSW, Australia

ISBN: 9780455242972

Binding: Paperback

[View textbooks at the CQUniversity Bookshop](#)

### IT Resources

#### You will need access to the following IT resources:

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

## Referencing Style

All submissions for this unit must use the referencing style: [Australian Guide to Legal Citation, 4th ed](#)

For further information, see the Assessment Tasks.

## Teaching Contacts

**Lance Rundle** Unit Coordinator

[l.rundle@cqu.edu.au](mailto:l.rundle@cqu.edu.au)

## Schedule

### Week 1 - 07 Mar 2022

Module/Topic	Chapter	Events and Submissions/Topic
Introduction to criminal law principles, the warrant and arrest process and bail	Chp 1 & 2	

### Week 2 - 14 Mar 2022

Module/Topic	Chapter	Events and Submissions/Topic
Criminal law court process and sentencing	Chp 16	

### Week 3 - 21 Mar 2022

Module/Topic	Chapter	Events and Submissions/Topic
Inchoate and secondary liability	Chp 14 & 15	

### Week 4 - 28 Mar 2022

Module/Topic	Chapter	Events and Submissions/Topic
Homicide	Chp 4	

### Week 5 - 04 Apr 2022

Module/Topic	Chapter	Events and Submissions/Topic
Assault and sexual assault	Chp 5 & 6	
<b>Vacation Week - 11 Apr 2022</b>		
Module/Topic	Chapter	Events and Submissions/Topic
<b>Week 6 - 18 Apr 2022</b>		
Module/Topic	Chapter	Events and Submissions/Topic
Offences relating to property (stealing and robbery)	Chp 7	
<b>Week 7 - 25 Apr 2022</b>		
Module/Topic	Chapter	Events and Submissions/Topic
Offences relating to property (burglary, receiving, fraud) and drug offences	Chp 7 & 8	
<b>Week 8 - 02 May 2022</b>		
Module/Topic	Chapter	Events and Submissions/Topic
Defences - mistake	Chp 13	
<b>Week 9 - 09 May 2022</b>		
Module/Topic	Chapter	Events and Submissions/Topic
Defences - self help and provocation	Chp 10 & 9	<b>Practical skills task - written application</b> Due: Week 9 Monday (9 May 2022) 8:00 am AEST
<b>Week 10 - 16 May 2022</b>		
Module/Topic	Chapter	Events and Submissions/Topic
Mental disease insanity	Chp 12	
<b>Week 11 - 23 May 2022</b>		
Module/Topic	Chapter	Events and Submissions/Topic
Defences - intoxication	Chp 12	
<b>Week 12 - 30 May 2022</b>		
Module/Topic	Chapter	Events and Submissions/Topic
Revision and preparation for final assessment	See week 12 on Moodle	
<b>Review/Exam Week - 06 Jun 2022</b>		
Module/Topic	Chapter	Events and Submissions/Topic
Final take home exam Release date and due time to be advised during the term		
<b>Exam Week - 13 Jun 2022</b>		
Module/Topic	Chapter	Events and Submissions/Topic

## Assessment Tasks

### 1 Practical skills task - written application

#### Assessment Type

Written Assessment

#### Task Description

You will be presented with a criminal law problem scenario, and the assessment question will be released on Moodle under the assessment tile.

You will be required to undertake research of legislation and case law and apply this research to support your legal argument.

The purpose of this assessment is to develop and build your legal advocacy skills.

### **Assessment Due Date**

Week 9 Monday (9 May 2022) 8:00 am AEST

To be uploaded to Moodle via the assessment 1 upload link as a word document

### **Return Date to Students**

Week 12 Monday (30 May 2022)

The assessment with feedback will be returned after all students in this unit, 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. A marking rubric will be provided with the question on Moodle.

High Distinction standard:

the assignment is very well written/spoken and clearly expressed

- there is a demonstrated appreciation and understanding of the issues involved
- the assignment is well structured and logically organised
- demonstrated mastery of referencing system
- there is evidence of a comprehensive analysis of the issues

Distinction standard:

- the assignment is well written/spoken and expressed
- the assignment is structured and logical
- the issues have been reasonably well identified and appreciated
- there is the correct use of referencing
- issues have been analysed

Credit standard:

- the assignment is generally well written/spoken and expressed
- the assignment is structured and sequential
- referencing is satisfactory
- issues are identified and addressed
- there has been an attempt to analyse some of the issues

Pass standard:

- the assignment is able to be followed and understood
- the assignment could perhaps be better organised and structured
- the referencing may need improvement
- issues may need to be identified and addressed in more depth
- analysis when present may be incorrect

Fail standard:

- the assignment is sometimes significantly short of the required length
- the expression is poor and difficult to understand
- the assignment is poorly organised
- there has been a failure to address the issues in the question
- referencing is generally inadequate

### **Referencing Style**

- [Australian Guide to Legal Citation, 4th ed](#)

### **Submission**

Online

### **Submission Instructions**

To be uploaded as a word document on Moodle

### **Learning Outcomes Assessed**

- Research and apply principles of criminal law in Queensland as expressed in legislation and case law to the analysis of criminal law problems
- Apply skills in communication, critical legal thinking and reasoning.

## Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy

## 2 Take Home Exam

### Assessment Type

Take Home Exam

### Task Description

The Final Take Home Exam will be released on Moodle and is due in the exam week. The release date, due date and time will be advised by the Unit Coordinator during the term.

The assessment will comprise criminal law problem scenarios requiring legal arguments based on legislation and case law.

A marking rubric will be provided on Moodle with the question.

You must upload your answer on Moodle in a word document.

This assessment task must be completed by the due date and time. Submissions after the deadline has passed will not be accepted. Extensions are not available for this assessment. Failure to submit by the deadline will result in a mark of zero for this assessment as the paper will not be marked. Exam conditions apply to all take home papers.

### Assessment Due Date

To be uploaded to Moodle via the assessment 2 upload link as a word document on a date to be advised by the Unit Coordinator

### Return Date to Students

Students will receive their mark for this assessment and their grade for the unit on the date of certification/ release of grades.

### Weighting

60%

### Assessment Criteria

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

### Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

### Submission

Online

### Submission Instructions

To be uploaded to Moodle via the assessment 2 upload link as a word document

### Learning Outcomes Assessed

- Analyse and explain criminal law offences against the person and against property
- Analyse and explain the elements of the 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
- Apply 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