



# **LAWS13021 Criminal Law in Practice**

## **Term 1 - 2019**

Profile information current as at 18/05/2024 11:43 pm

All details in this unit profile for LAWS13021 have been officially approved by CQUniversity 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

Criminal Law in Practice will build on your existing knowledge of criminal law with an emphasis on developing practical oral and written communication skills designed to assist you in the practice of criminal law. You will analyse fundamental aspects of criminal law and apply the law in a practical methodology. In this unit you will study practical topics relating to specific criminal law issues including police powers and responsibilities in arrest and questioning, applying for bail (with an emphasis on the Supreme Court), the registry committal and committal hearing process, procedures to ensure a fair trial, the role of the jury and verdict, sentencing of youth offenders and adult offenders and the appeals process to the District Court of Queensland, the Queensland Court of Appeal and the High Court of Australia.

### Details

Career Level: *Undergraduate*

Unit Level: *Level 3*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

### Pre-requisites or Co-requisites

Pre-requisites: LAWS11057 Introduction to Law LAWS11059 Statutory Interpretation LAWS11060 Criminal Law Co-requisite: LAWS13010 Evidence and Proof

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 - 2019

- 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. **Practical 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](#).

## Unit Learning Outcomes

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

1. Research and apply principles of criminal law from legislation, rules and case law to the analysis of practical criminal law scenarios
2. Demonstrate persuasive written and oral communication skills in response to practical criminal law scenarios
3. Apply critical legal thinking, analytical reasoning and professional judgment that demonstrate an in-depth understanding of criminal law issues.

## Alignment of Learning Outcomes, Assessment and Graduate Attributes

 N/A Level	 Introductory Level	 Intermediate Level	 Graduate Level	 Professional Level	 Advanced Level
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### Alignment of Assessment Tasks to Learning Outcomes

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

## Textbooks and Resources

### Textbooks

LAWS13021

#### Prescribed

##### **Criminal Process in Queensland**

2nd Edition (2017)

Authors: Douglas.H., Barrett. M., Higgins. E.

Thomson Reuters

Pymont , NSW , Australia

ISBN: 9780455239750

Binding: Paperback

#### Additional Textbook Information

**Paper copies can be purchased at the CQUni Bookshop here: <http://bookshop.cqu.edu.au> (search on the Unit code)**

**[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, 3rd 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 - 11 Mar 2019

Module/Topic	Chapter	Events and Submissions/Topic
Module 1 Criminal procedure, courts, arrest, warrants and bail	Chp 1, 2, 3, 4 and 5	Zoom workshop module 1

### Week 2 - 18 Mar 2019

Module/Topic	Chapter	Events and Submissions/Topic
Module 1 self guided learning		

### Week 3 - 25 Mar 2019

Module/Topic	Chapter	Events and Submissions/Topic
Module 2 Committal, trial, jury and verdict	Chp 6, 7 (pp161-181), 8, 9, 10	Zoom workshop module 2

### Week 4 - 01 Apr 2019

Module/Topic	Chapter	Events and Submissions/Topic
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Module 2 self guided learning

#### Week 5 - 08 Apr 2019

Module/Topic	Chapter	Events and Submissions/Topic
Module 3 Sentencing	Chp 7 (pp 147-161), 11, 12	Zoom workshop module 3

#### Vacation Week - 15 Apr 2019

Module/Topic	Chapter	Events and Submissions/Topic
Mid term break		

#### Week 6 - 22 Apr 2019

Module/Topic	Chapter	Events and Submissions/Topic
Module 3 self guided learning		

#### Week 7 - 29 Apr 2019

Module/Topic	Chapter	Events and Submissions/Topic
Self guided learning		

#### Week 8 - 06 May 2019

Module/Topic	Chapter	Events and Submissions/Topic
Assessment 1- Criminal law advocacy		<b>Criminal Law Advocacy</b> Due: Week 8 Tuesday (7 May 2019) 5:00 pm AEST

#### Week 9 - 13 May 2019

Module/Topic	Chapter	Events and Submissions/Topic
Assessment 1- Criminal law advocacy		

#### Week 10 - 20 May 2019

Module/Topic	Chapter	Events and Submissions/Topic
Module 4 The appeals process	Chp 13, 14 (389-395)	Zoom workshop module 4

#### Week 11 - 27 May 2019

Module/Topic	Chapter	Events and Submissions/Topic
Module 4 self guided learning		

#### Week 12 - 03 Jun 2019

Module/Topic	Chapter	Events and Submissions/Topic
Assessment 2- Final assessment		<b>Final Take Home Paper</b> Due: Week 12 Monday (3 June 2019) 5:00 pm AEST

## Assessment Tasks

### 1 Criminal Law Advocacy

#### Assessment Type

Practical Assessment

#### Task Description

In week 1, on Moodle, you will be provided with a criminal law scenario and details to complete assessment 1.

You will be required to present your legal argument via zoom in a live format to the unit coordinator and in the presence of other students.

You will be graded on your legal advocacy, in addition to how you link your legal argument with reference to the law and facts.

You will present this task in week 8 or week 9. A share document on Moodle will enable you to select a day and time to complete the oral assessment.

#### Assessment Due Date

Week 8 Tuesday (7 May 2019) 5:00 pm AEST

Students will undertake this assessment task via zoom during week 8 or week 9

**Return Date to Students**

Week 11 Monday (27 May 2019)

Students will receive verbal feedback after their zoom presentation. A grade will be confirmed via Moodle Gradebook

**Weighting**

40%

**Assessment Criteria**

You will be assessed on your legal advocacy skills. In addition to how you link your legal argument with reference to the law and the facts in a persuasive and concise style using grammatically correct language.

**Referencing Style**

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

**Submission**

Online

**Learning Outcomes Assessed**

- Research and apply principles of criminal law from legislation, rules and case law to the analysis of practical criminal law scenarios
- Demonstrate persuasive written and oral communication skills in response to practical criminal law scenarios
- Apply critical legal thinking, analytical reasoning and professional judgment that demonstrate an in-depth understanding of criminal law issues.

**Graduate Attributes**

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy

## 2 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 with reference to legislation and case law. This assessment task must be completed by the due date in week 12.

You must upload your answer on Moodle in a word document to the assessment two upload link.

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 Monday (3 June 2019) 5:00 pm AEST

Students are to submit their answer via the assessment 2 link on Moodle

**Return Date to Students**

Given the final take home paper is treated like an examination, the final take home paper will not be returned 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 your research skills, including your reference to case law, reference of legislation and your legal argument linking the law to the problem scenario using persuasive, concise, and grammatically correct language.

**Referencing Style**

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

## Submission

Online

## Learning Outcomes Assessed

- Research and apply principles of criminal law from legislation, rules and case law to the analysis of practical criminal law scenarios
- Demonstrate persuasive written and oral communication skills in response to practical criminal law scenarios
- Apply critical legal thinking, analytical reasoning and professional judgment that demonstrate an in-depth understanding of criminal law issues.

## 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