



LAWS13021 *Criminal Law in Practice*

Term 1 - 2023

Profile information current as at 27/04/2024 02:16 am

All details in this unit profile for LAWS13021 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

Criminal Law in Practice is delivered via intensive mode. This unit 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 complete advocacy based assessment tasks that will require you to present legal argument, orally, via the use of zoom. You will analyse fundamental aspects of criminal law and apply the law using 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, 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: 48 credit points of law units including LAWS11060 and Co-requisite LAWS13010

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 - 2023

- 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](#).

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, email correspondence with the UC and in class.

Feedback

Students commended the availability of the unit materials, podcasts and assessment tasks two weeks before the unit went live on Moodle.

Recommendation

The UC will continue to have all unit materials, podcasts and the first assessment task available for students to access on the day Moodle goes live.

Feedback from Survey, email correspondence from students to the UC.

Feedback

Students commended the practical based advocacy assessment tasks.

Recommendation

The UC will continue to develop assessment tasks that are based on real-life criminal law scenarios with the objective of developing and refining advocacy skills that are necessary to prepare students for legal practice.

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



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

Pyrmont , NSW , Australia

ISBN: 9780455239750

Binding: Paperback

Additional Textbook Information

The prescribed textbook can be accessed online at the CQUniversity Library website. Access may be limited.

If you would prefer your own copy, purchase either paper or eBook versions 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, 4th ed](#)

For further information, see the Assessment Tasks.

Teaching Contacts

Dominic Jorgensen Unit Coordinator

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Lance Rundle Unit Coordinator

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Schedule

Week 1 - 06 Mar 2023

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 - 13 Mar 2023

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 3 - 20 Mar 2023

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

Week 4 - 27 Mar 2023

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

Week 5 - 03 Apr 2023

Module/Topic	Chapter	Events and Submissions/Topic
Assessment 1- Criminal law advocacy		Criminal Law Advocacy Due: Week 5 Monday (3 Apr 2023) 8:00 am AEST

Vacation Week - 10 Apr 2023

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

Week 6 - 17 Apr 2023

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

Week 7 - 24 Apr 2023

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

Week 8 - 01 May 2023

Module/Topic	Chapter	Events and Submissions/Topic
Assessment 2- Final assessment task		Final Take Home Paper Due: Week 8 Friday (5 May 2023) 9:00 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 on a date to be selected. A share document on Moodle will be available in week 1. You will use this document to select a day and time to complete the oral assessment in addition to selecting the role of defence or

prosecutor.

The purpose of this assessment is to develop your legal advocacy skills. Therefore, the feedback is designed to refine and improve your advocacy skills to better prepare you for criminal law legal practice. You receive your feedback from the Unit coordinator immediately following your oral submissions.

Assessment Due Date

Week 5 Monday (3 Apr 2023) 8:00 am AEST

The written component is to be submitted via Moodle. The oral component will be conducted via zoom during week 5 and possibly week 6.

Return Date to Students

Students will receive verbal feedback after their zoom presentation. A grade will be confirmed via Moodle Gradebook after all students complete the assessment task.

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.

Assessment criteria:

These criteria are a general guide as to the standard expected at the various levels. It is not necessarily the case that all criteria will be met at a particular standard, as there may be superior performance on one of the criteria and not so satisfactory performance on another.

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 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

Written component on Moodle. Oral component in a live zoom session in the presence of the unit co-ordinator and other students.

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. The assessment will comprise criminal law problem scenarios requiring a legal argument with reference to legislation and case law to support your argument. A marking rubric will be released with the question.

This assessment must be completed by the due date. You will have 6 hours to complete the assessment. You must upload your answer to 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 the due 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 8 Friday (5 May 2023) 9:00 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, 4th 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