



## UNSW Course Outline

# CRIM2037 Explaining Punishment - 2024

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## General Course Information

**Course Code :** CRIM2037

**Year :** 2024

**Term :** Term 1

**Teaching Period :** T1

**Is a multi-term course? :** No

**Faculty :** Faculty of Law and Justice

**Academic Unit :** School of Law, Society and Criminology

**Delivery Mode :** Online

**Delivery Format :** Standard

**Delivery Location :** Kensington

**Campus :** Sydney

**Study Level :** Undergraduate

**Units of Credit :** 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

In this course you will be introduced to a theoretical and policy-oriented consideration of how and why we punish criminal offending, particularly through the use of imprisonment. You will take an inter-disciplinary approach utilising law, history, sociology, and criminology. You will

consider various theoretical contributions that have shaped our understanding of punishment including the work of Durkheim, Foucault, Weber, Marxist approaches, and David Garland. Finally, you will also examine contemporary law and public policy issues, including juvenile detention, women in prison, the imprisonment of ethnic and racial minorities, inequality and imprisonment, privatisation, torture, deaths in custody, the death penalty, and the impact of law and order policies on punishment.

## Course Learning Outcomes

Course Learning Outcomes
CL01 : Explain punishment and penalty in modern society
CL02 : Recognise the relationship between race, gender and class and the administration of punishment
CL03 : Analyse the relationship between punishment and social structure, and the significance of punishment for socio-political order
CL04 : Interrogate the relationship between sentencing and punishment
CL05 : Outline various theoretical contributions to the concept of punishment
CL06 : Investigate contemporary issues in punishment and the related public policy dilemmas

Course Learning Outcomes	Assessment Item
CL01 : Explain punishment and penalty in modern society	<ul style="list-style-type: none"> <li>• Scoping and Positioning Exercise</li> <li>• Theory Position paper</li> </ul>
CL02 : Recognise the relationship between race, gender and class and the administration of punishment	<ul style="list-style-type: none"> <li>• Research Essay</li> <li>• Scoping and Positioning Exercise</li> <li>• Theory Position paper</li> </ul>
CL03 : Analyse the relationship between punishment and social structure, and the significance of punishment for socio-political order	<ul style="list-style-type: none"> <li>• Research Essay</li> <li>• Theory Position paper</li> </ul>
CL04 : Interrogate the relationship between sentencing and punishment	<ul style="list-style-type: none"> <li>• Research Essay</li> </ul>
CL05 : Outline various theoretical contributions to the concept of punishment	<ul style="list-style-type: none"> <li>• Theory Position paper</li> <li>• Research Essay</li> </ul>
CL06 : Investigate contemporary issues in punishment and the related public policy dilemmas	<ul style="list-style-type: none"> <li>• Scoping and Positioning Exercise</li> <li>• Research Essay</li> </ul>

## Learning and Teaching Technologies

Moodle - Learning Management System | Blackboard Collaborate

# Learning and Teaching in this course

The course will be completely online with Lectures and Tutorials available via Collaborate on the Moodle page. Lectures and Tutorials will occur on Tuesday morning / Afternoon commencing Tuesday February 13th 2024. Tutorials will not be recorded, Lectures will be recorded and will be available for access with contacting the Course Convenor by email.

## Assessments

### Assessment Structure

Assessment Item	Weight	Relevant Dates
Scoping and Positioning Exercise	20%	
Theory Position paper	30%	
Research Essay	50%	

### Assessment Details

#### Scoping and Positioning Exercise

##### Assessment Overview

You are required to write a 750 word paper introducing the group that you have chosen for your final essay. Written and rubric feedback will be provided within 10 working days of submission.

##### Course Learning Outcomes

- CL01 : Explain punishment and penalty in modern society
- CL02 : Recognise the relationship between race, gender and class and the administration of punishment
- CL06 : Investigate contemporary issues in punishment and the related public policy dilemmas

##### Detailed Assessment Description

Please see Moodle for full instructions

#### Theory Position paper

##### Assessment Overview

This assessment requires you to write a 1500 word discussion of the theory(ies) that you will deploy in your final essay.

Written and rubric feedback will be provided within 10 working days of submission.

### Course Learning Outcomes

- CL01 : Explain punishment and penalty in modern society
- CL02 : Recognise the relationship between race, gender and class and the administration of punishment
- CL03 : Analyse the relationship between punishment and social structure, and the significance of punishment for socio-political order
- CL05 : Outline various theoretical contributions to the concept of punishment

### Detailed Assessment Description

Please see Moodle for full instructions

## **Research Essay**

### Assessment Overview

This assessment requires you to present a 2500 word research essay examining a key demographic and their relationship to the penal system.

Written and rubric feedback will be provided within 10 working days of submission.

### Course Learning Outcomes

- CL02 : Recognise the relationship between race, gender and class and the administration of punishment
- CL03 : Analyse the relationship between punishment and social structure, and the significance of punishment for socio-political order
- CL04 : Interrogate the relationship between sentencing and punishment
- CL05 : Outline various theoretical contributions to the concept of punishment
- CL06 : Investigate contemporary issues in punishment and the related public policy dilemmas

### Detailed Assessment Description

Please see Moodle for full instructions

## **General Assessment Information**

Please refer to the CRIM2037 Moodle for more detailed assessment information

### Grading Basis

Standard

# Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 12 February - 18 February	Lecture	Punishment in Australia: what we do, who we do it to, how much it costs, how the trends are going. Hyperincarceration. Penal culture.
	Tutorial	Getting to know each other. Introduction to the course and administrative matters. Choosing your assignment topics.
Week 2 : 19 February - 25 February	Lecture	The logic of punishment, and its justifications. What is punishment for? How can we justify the deliberate infliction of pain on another human being? Is punishment necessary?
	Tutorial	The problem of volition. Punishment assumes the free choice of action by the offender. Is that assumption credible?
Week 3 : 26 February - 3 March	Lecture	Making criminals. What is a 'criminal'? And how are they 'made'? A social history of punishment: Featured theorist: Michel Foucault.
	Tutorial	The demise of punishments of the body: what does that mean for modern penalty? Could it change back?
Week 4 : 4 March - 10 March	Lecture	Who is punishment for? Functionalism and the idea of social solidarity. Featured theorist: Emile Durkheim.
	Tutorial	Abolitionism: is the elimination of regimes of punishment from society possible, or even desirable? What would happen if we undertook to close all prisons by 2027?
Week 5 : 11 March - 17 March	Lecture	Criminal punishment as mass control. Are there other ways? Justice reinvestment. Featured theory: Marxist political economy.
Week 6 : 18 March - 24 March	Tutorial	If criminality is a product of poverty, psychology or biology, how can we justify imprisonment?
	Other	Flexibility Week - No Classes
	Assessment	Scoping Exercise 15 March 2024 23:59pm Sydney Time
Week 7 : 25 March - 31 March	Lecture	Punishment and legal-rational governance: prisons as a management system. Featured theorist: Max Weber. Other ways: Health-based approaches to offending.
	Tutorial	Actuarial justice and individual circumstance.
Week 8 : 1 April - 7 April	Lecture	Criminalisation and the colonisation project: Indigenous people and imprisonment. Featured theory: post-colonial theory. Other ways: circle courts and restorative justice.
	Tutorial	How should we deal with customary law, such as promised marriage?
	Assessment	Research Paper - 5 April 2024 23:59pm Sydney Time
Week 9 : 8 April - 14 April	Tutorial	Featured theory: Feminist penology. What role do women take in the penal system? How do we punish women, and what for?
	Lecture	Featured theory: Feminist penology. What role do women take in the penal system? How do we punish women, and what for?
	Tutorial	Interpersonal relationships and harm: is the criminal law the right tool?
Week 10 : 15 April - 21 April	Lecture	The future of punishment: liquid prisons for a liquid society? Or a panopticon on steroids? Featured theorist: Zygmunt Bauman.
	Tutorial	The surveillance society and social credit: a road to abolition, or a new totalitarianism?
	Assessment	Theory Paper - 22 April 2024 23:59pm Sydney Time

## Attendance Requirements

- All students are expected to attend the face-to-face lecture, which is delivered on Monday afternoons. Where this is not possible, students are expected to have watched the recording of the lecture via the Lecture Recordings+ system prior to attending their tutorial. The lecture recording will be available on Moodle shortly after the conclusion of the lecture.

Tutorial attendance is compulsory in this course. **There is an 80% tutorial attendance**

**requirement**, meaning that students must not miss more than two (2) tutorials during the term. Failure to attend 80% of tutorials may mean you do not meet the minimum attendance requirements for the course and may be refused final assessment. For more information about attendance requirements, please see the **Law & Justice Assessment Procedure and Student Information** documented located on the course Moodle page.

Please be advised that the lecture and tutorials in Week will be delivered asynchronously online due to the Public Holiday. Please see Moodle for full instructions of the work to be completed in lieu of your usual classes. This work will count towards the attendance requirements in the course.

## Course Resources

### Prescribed Resources

No text book allocated for this class but all prescribed readings will be available using the Leganto tool.

## Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Lukas Carey		Mobile	Via appointment	Via appointment	Yes	Yes

## Other Useful Information

### Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

## UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

## Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

## Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

### Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further

information, see Special Consideration on the UNSW [Current Students](#) page.

## Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

## Faculty-specific Information

### Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

### Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors



will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## **School Contact Information**

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.