



## UNSW Course Outline

# LAWS1022 Criminal Laws - 2024

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## General Course Information

Course Code : LAWS1022

Year : 2024

Term : Term 2

Teaching Period : T2

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Law, Society and Criminology

Delivery Mode : In Person

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

*LAWS1022 is only available in T3 by School Consent. Contact UNSW Law Student Services for more information.*

This course follows from LAWS1021 / JURD7121 Crime and the Criminal Process, and applies the perspectives and themes of that course to the doctrinally central criminal offences and

defences. These are examined in a contextual framework that emphasises the policy and social issues underpinning the development and application of the law. This critical approach allows students to appreciate a complex set of conflicting ideologies, principles, discretion and histories informing the criminal law. The course draws on materials from other disciplines – especially criminology, history, sociology and feminist theory, which enhance students' appreciation of the law in context. Social issues including race, class and gender are stressed. Comparisons with jurisdictions other than NSW are undertaken where this highlights relevant policy issues, legislative alternatives, or demonstrates the contingent nature of the law in question. Throughout, detailed doctrinal analysis of the chosen offences/defences takes place and students develop the skills of legal element analysis of both statutory and common law offences and defences.

## Main Topics

- Assault (including aggravated assault and domestic violence)
- Sexual Assault
- Homicide
- Defences (including mental illness, automatism, self-defence, extreme provocation, substantial impairment, intoxication)
- Dishonest Acquisition
- Extending Criminal Liability (including complicity)
- Sentencing

## Course Learning Outcomes

Course Learning Outcomes
CLO1 : Demonstrate awareness of principles of criminal justice and their relationship to the broader context (PLOs 1, 2 & 3)
CLO2 : Navigate and explain the basic doctrines, principles and rules relating to pre-trial procedure in criminal litigation (PLOs 4 & 5)
CLO3 : Use statutory interpretation principles to identify the constituent elements of criminal offences and apply to hypothetical fact scenarios (PLOs 4 & 5)
CLO4 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately (PLOs 6, 9, 10 & 11)
CLO5 : Demonstrate an ability to incorporate a range of legal and interdisciplinary research sources in written communication with appropriate referencing (PLOs 6, 7 & 8)
CLO6 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9, 10, 11 & 12)
CLO7 : Engage in reflective practice regarding the criminal law's role in serving society and promoting justice (PLOs 1, 2, 3, 9, 10, 11 & 12)

Course Learning Outcomes	Assessment Item
CLO1 : Demonstrate awareness of principles of criminal justice and their relationship to the broader context (PLOs 1, 2 & 3)	<ul style="list-style-type: none"> <li>Assignment</li> <li>Final Invigilated Examination</li> </ul>
CLO2 : Navigate and explain the basic doctrines, principles and rules relating to pre-trial procedure in criminal litigation (PLOs 4 & 5)	<ul style="list-style-type: none"> <li>Assignment</li> <li>Final Invigilated Examination</li> </ul>
CLO3 : Use statutory interpretation principles to identify the constituent elements of criminal offences and apply to hypothetical fact scenarios (PLOs 4 & 5)	<ul style="list-style-type: none"> <li>Assignment</li> <li>Final Invigilated Examination</li> </ul>
CLO4 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately (PLOs 6, 9, 10 & 11)	<ul style="list-style-type: none"> <li>Assignment</li> <li>Final Invigilated Examination</li> </ul>
CLO5 : Demonstrate an ability to incorporate a range of legal and interdisciplinary research sources in written communication with appropriate referencing (PLOs 6, 7 & 8)	<ul style="list-style-type: none"> <li>Assignment</li> <li>Final Invigilated Examination</li> </ul>
CLO6 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9, 10, 11 & 12)	<ul style="list-style-type: none"> <li>Class Participation</li> </ul>
CLO7 : Engage in reflective practice regarding the criminal law's role in serving society and promoting justice (PLOs 1, 2, 3, 9, 10, 11 & 12)	<ul style="list-style-type: none"> <li>Class Participation</li> <li>Assignment</li> <li>Final Invigilated Examination</li> </ul>

## Learning and Teaching Technologies

Moodle - Learning Management System

## Assessments

### Assessment Structure

Assessment Item	Weight	Relevant Dates
Class Participation Assessment Format: Individual	10%	Start Date: Not Applicable Due Date: Not Applicable
Assignment Assessment Format: Individual	30%	Start Date: Not Applicable Due Date: Week 7: 08 July - 14 July
Final Invigilated Examination Assessment Format: Individual	60%	Start Date: Not Applicable Due Date: exam period

# **Assessment Details**

## **Class Participation**

### **Assessment Overview**

This assessment requires you to prepare for and actively engage in class-based and online activities.

### **Course Learning Outcomes**

- CLO6 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9, 10, 11 & 12)
- CLO7 : Engage in reflective practice regarding the criminal law's role in serving society and promoting justice (PLOs 1, 2, 3, 9, 10, 11 & 12)

### **Detailed Assessment Description**

Class participation is assessed each class according to the marking criteria provided on Moodle. Students will be awarded a mark our of ten at the end of term.

### **Assessment Length**

N/A

### **Assignment submission Turnitin type**

Not Applicable

## **Assignment**

### **Assessment Overview**

This assessment requires you to prepare a written response to an assignment.

### **Course Learning Outcomes**

- CLO1 : Demonstrate awareness of principles of criminal justice and their relationship to the broader context (PLOs 1, 2 & 3)
- CLO2 : Navigate and explain the basic doctrines, principles and rules relating to pre-trial procedure in criminal litigation (PLOs 4 & 5)
- CLO3 : Use statutory interpretation principles to identify the constituent elements of criminal offences and apply to hypothetical fact scenarios (PLOs 4 & 5)
- CLO4 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately (PLOs 6, 9, 10 & 11)
- CLO5 : Demonstrate an ability to incorporate a range of legal and interdisciplinary research sources in written communication with appropriate referencing (PLOs 6, 7 & 8)
- CLO7 : Engage in reflective practice regarding the criminal law's role in serving society and promoting justice (PLOs 1, 2, 3, 9, 10, 11 & 12)

### Detailed Assessment Description

The mid-term assessment will be linked to the sentencing modules. Further details will be provided on Moodle.

### Assessment Length

1,200 words

### Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

## Final Invigilated Examination

### Assessment Overview

This assessment requires you to complete an invigilated written examination within the University examination period.

### Course Learning Outcomes

- CLO1 : Demonstrate awareness of principles of criminal justice and their relationship to the broader context (PLOs 1, 2 & 3)
- CLO2 : Navigate and explain the basic doctrines, principles and rules relating to pre-trial procedure in criminal litigation (PLOs 4 & 5)
- CLO3 : Use statutory interpretation principles to identify the constituent elements of criminal offences and apply to hypothetical fact scenarios (PLOs 4 & 5)
- CLO4 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately (PLOs 6, 9, 10 & 11)
- CLO5 : Demonstrate an ability to incorporate a range of legal and interdisciplinary research sources in written communication with appropriate referencing (PLOs 6, 7 & 8)
- CLO7 : Engage in reflective practice regarding the criminal law's role in serving society and promoting justice (PLOs 1, 2, 3, 9, 10, 11 & 12)

### Detailed Assessment Description

Detailed information will be provided on Moodle.

### Assessment Length

2,000 words

### Assignment submission Turnitin type

Not Applicable

## General Assessment Information

### Grading Basis

Standard

# Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 27 May - 2 June	Seminar	Assault (1) - Common Assault
	Seminar	Assault (2): Consent to Harm & Acceptable Violence and Aggravated Assault
Week 2 : 3 June - 9 June	Seminar	Sexual Assault (1): Patterns & Context; Actus Reus
	Seminar	Sexual Assault (2): Mens Rea & Recent Reform
Week 3 : 10 June - 16 June	Seminar	Domestic/Family Violence & Other Offences; Coercive Control; ADVOs Note - due to the Public Holiday on 10 June this class will be delivered through asynchronous materials for classes on both Monday 10 June and Tuesday 11 June.
	Seminar	Homicide (1): Murder I; Causation
Week 4 : 17 June - 23 June	Seminar	Homicide (2): Murder II; Manslaughter
	Seminar	Homicide (3): Homicide by Omission; Other 'Causing Death' Offences
Week 5 : 24 June - 30 June	Seminar	Defences (1): Mental Health & Cognitive Impairment; Automatism
	Seminar	Defences (2): Substantial Impairment; Intoxication
Week 6 : 1 July - 7 July	Other	Flexibility week
Week 7 : 8 July - 14 July	Seminar	Defences (3): Self-Defence; Excessive Self-Defence
	Seminar	Defences (4): Extreme Provocation
Week 8 : 15 July - 21 July	Seminar	Homicide (4): Revision
	Seminar	Dishonest Acquisition (1): Dishonesty & Fraud
Week 9 : 22 July - 28 July	Seminar	Dishonest Acquisition (2): Larceny
	Seminar	Group Crime (1): Complicity I
Week 10 : 29 July - 4 August	Seminar	Group Crime (2): Complicity II; Conspiracy
	Seminar	Revision: Exam Preparation

## Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

## Course Resources

### Prescribed Resources

The required textbook for LAWS1022/JURD7122 Criminal Laws is David Brown et al, *Criminal Laws: Materials and Commentary on Criminal Law and Process in New South Wales*, (7th edition, Federation Press, 2020).

A Reading Schedule will be provided on Moodle which sets out the required readings for each

class with specific page references for the textbook. Some topics require supplementary readings to ensure that we are up to date. Links to the additional reading, for relevant classes, will be provided on Moodle.

## Recommended Resources

Howie and Johnson's Annotated Criminal Legislation New South Wales is a **recommended** text for LAWS1022/JURD7122 Criminal Laws. It is not essential that you purchase this book. It is available from the [UNSW Bookshop](#).

## Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Sarah Williams					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.