



UNSW Course Outline

LAWS3198 Sentencing and Criminal Justice - 2024

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General Course Information

Course Code : LAWS3198

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 : 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

This course introduces students to sentencing law, practice and procedure. Woven through the course is a critical examination of the interaction between the goals of sentencing policy and its practical application. Specific areas of focus include: sentencing court procedure; sentencing

policy, principles and law; sentencing in the context of disadvantaged and vulnerable offenders; therapeutic justice principles; sentencing Indigenous offenders in the context of their over-representation in conviction rates and in custody; alternatives to custodial sentences. Sentencing and Criminal Justice builds on core courses in the program to prepare graduates for practice in criminal courts.

Students are required to attend court to observe sentencing proceedings. This real-world experience will contextualise the law learnt in the classroom and inform on law reform, policies and the social justice dimensions of sentencing.

Course Aims

This course builds on the introduction to sentencing principles in Criminal Laws with the aim of creating strong proficiency in navigating the statutory framework of sentencing law in NSW and utilizing the extensive Australian case law that informs this field. The course will draw on some Canadian and other practices in its discussion of law reform, but its chief focus is building students' skills in strategically planning, preparing and making submissions to a sentencing court.

Course Learning Outcomes

Course Learning Outcomes
CLO1 : Understand the basic principles of sentencing law and practice (PLO 1, 3, 4, 5)
CLO2 : Understand issues relevant to law reform in an interdisciplinary context of sentencing law and practice (PLO 2, 3, 6, 7, 8)
CLO3 : Articulate legal principles clearly, persuasively and appropriately and undertake the basic skills of preparation of a sentencing case (prosecution and defence), examining witnesses and making submissions on sentencing (PLO 9, 10, 12)
CLO4 : Have a thorough comprehension of the ethical obligations of a legal advocate. (PLO 11)

Course Learning Outcomes	Assessment Item
CLO1 : Understand the basic principles of sentencing law and practice (PLO 1, 3, 4, 5)	<ul style="list-style-type: none">• Essay• Sentencing Reflection and Brief• Sentencing Exercise
CLO2 : Understand issues relevant to law reform in an interdisciplinary context of sentencing law and practice (PLO 2, 3, 6, 7, 8)	<ul style="list-style-type: none">• Essay• Sentencing Reflection and Brief• Sentencing Exercise
CLO3 : Articulate legal principles clearly, persuasively and appropriately and undertake the basic skills of preparation of a sentencing case (prosecution and defence), examining witnesses and making submissions on sentencing (PLO 9, 10, 12)	<ul style="list-style-type: none">• Class Participation• Essay• Sentencing Reflection and Brief• Sentencing Exercise
CLO4 : Have a thorough comprehension of the ethical obligations of a legal advocate. (PLO 11)	<ul style="list-style-type: none">• Essay• Sentencing Reflection and Brief• Sentencing Exercise

Learning and Teaching Technologies

Moodle - Learning Management System

Learning and Teaching in this course

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Essay Assessment Format: Individual	30%	
Class Participation Assessment Format: Individual	10%	
Sentencing Reflection and Brief Assessment Format: Individual	40%	
Sentencing Exercise Assessment Format: Group	20%	

Assessment Details

Essay

Assessment Overview

This assessment requires you to write an essay.☒

Course Learning Outcomes

- CL01 : Understand the basic principles of sentencing law and practice (PLO 1, 3, 4, 5)
- CL02 : Understand issues relevant to law reform in an interdisciplinary context of sentencing law and practice (PLO 2, 3, 6, 7, 8)
- CL03 : Articulate legal principles clearly, persuasively and appropriately and undertake the basic skills of preparation of a sentencing case (prosecution and defence), examining witnesses and making submissions on sentencing (PLO 9, 10, 12)
- CL04 : Have a thorough comprehension of the ethical obligations of a legal advocate. (PLO 11)

Class Participation

Assessment Overview

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

Course Learning Outcomes

- CL03 : Articulate legal principles clearly, persuasively and appropriately and undertake the basic skills of preparation of a sentencing case (prosecution and defence), examining witnesses and making submissions on sentencing (PLO 9, 10, 12)

Sentencing Reflection and Brief

Assessment Overview

This assessment has two parts. Firstly, you are required to prepare a written reflection resulting from attending court to observe sentencing proceedings. Secondly, you are required to prepare a sentencing brief responding to a hypothetical scenario.

Course Learning Outcomes

- CL01 : Understand the basic principles of sentencing law and practice (PLO 1, 3, 4, 5)
- CL02 : Understand issues relevant to law reform in an interdisciplinary context of sentencing law and practice (PLO 2, 3, 6, 7, 8)
- CL03 : Articulate legal principles clearly, persuasively and appropriately and undertake the basic skills of preparation of a sentencing case (prosecution and defence), examining witnesses and making submissions on sentencing (PLO 9, 10, 12)
- CL04 : Have a thorough comprehension of the ethical obligations of a legal advocate. (PLO 11)

Sentencing Exercise

Assessment Overview

This assessment requires you to work collaboratively to deliver a presentation in a mock sentencing court setting.

Course Learning Outcomes

- CL01 : Understand the basic principles of sentencing law and practice (PLO 1, 3, 4, 5)
- CL02 : Understand issues relevant to law reform in an interdisciplinary context of sentencing law and practice (PLO 2, 3, 6, 7, 8)
- CL03 : Articulate legal principles clearly, persuasively and appropriately and undertake the basic skills of preparation of a sentencing case (prosecution and defence), examining witnesses and making submissions on sentencing (PLO 9, 10, 12)
- CL04 : Have a thorough comprehension of the ethical obligations of a legal advocate. (PLO 11)

General Assessment Information

Please see moodle for more detailed assessment information.

Grading Basis

Standard

Course Schedule

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

D, Yehia, The Essential Guide to Sentencing in NSW: A summary of appellate decisions in sentencing proceedings (LexisNexis, 2024)

Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Jill Hunter		231, Law Building		by 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.