

Module	Criminal Law
Course code	LLBH - CRL
Credits	15
Important notes	Available for year abroad students only
Allocation of marks	40% Continuous assessment 60% Final examination

Intended Module Learning Outcomes

On successful completion of this module, learners will be able to:

1. Outline and discuss the definition of a crime;
2. Describe the various elements of criminal practice, procedure and criminal liability, including accessorial liability
3. Demonstrate knowledge of core groups of offences namely homicide offences, sexual offences, assault based offences, offences against property and inchoate offences and defences
4. Identify and define the defences available to a criminal offence
5. Research legal problems using both hard copy sources and online legal databases.
6. Apply basic criminal law principles to practical, abstract factual situations arising in a legal context
7. Engage in basic legal reasoning and predictive analysis demonstrating knowledge of the principles of criminal law

Module Objectives

To provide the learner with:

1. An understanding of the nature and elements of a crime both in social and strict legal terms;
2. An understanding of criminal process and procedure, including an understanding of the whole criminal process;
3. An understanding of a number of specific offences, most especially offences against the person and offences against property;
4. Knowledge and understanding of the defences to criminal charges;
5. Knowledge and understanding of reform proposals in criminal law.

Module Curriculum

- Introduction to Criminal Law:

- The sources of Criminal Law
- Trial 'in due course of law'
- Classification of crimes
- Sentencing
- Criminal Practice and Procedure:
 - The criminal jurisdiction of the Courts
 - Arrest and Detention
 - Bail
 - Modes of trial
- The Elements of a Crime:
 - *Actus reus*
 - *Mens rea*
- Complicity
 - Doctrine of Innocent Agency
 - Doctrine of Common Design
 - Accessorial Criminal Liability
- Offences Against the Person – Homicide:
 - Murder
 - Manslaughter
 - Infanticide
- Sexual Offences:
 - Rape
 - Sexual assault
 - Sexual offences against children
 - Incest
- Assault-based Offences:
 - Assault
 - Assault causing harm
 - Assault causing serious harm
 - Syringe attacks
- Inchoate Offences:
 - Attempts
 - Conspiracy
 - Incitement
- Offences against property:
 - Theft
 - Deception offences
 - Making off without payment
 - Burglary
 - Aggravated burglary
 - Robbery
 - Handling and possessing stolen property
 - Criminal Damage
- Defences:
 - Lawful Use of Force
 - Provocation
 - Intoxication

- Insanity
- Automatism
- Duress
- Necessity
- Infancy
- Mistake
- Consent
- Unconstitutionality

Reading lists and other learning materials

Primary Reading:

Campbell, L., Kilcommins, S. & O'Sullivan, C. (2010) *Criminal Law in Ireland: Cases and Commentary*. Dublin: Clarus
 Card, R. (2012) *Card, Cross & Jones: Criminal Law*. Oxford: Oxford University Press
 O'Malley, T. (2009) *The Criminal Process*. Dublin: Round Hall
 Ormerod, J. E. (2011) *Smith and Hogan's Criminal Law*. Oxford: OUP

Secondary Reading:

Ashworth & Horder (2013) *Principles of Criminal Law*. Oxford: Oxford University Press
 Conway, V., Daly, D. & Schweppe, J. (2010) *Irish Criminal Justice: Theory, Process and Procedure*. Dublin: Clarus Press
 Herring, J. (2013) *Criminal Law: Text, Cases, and Materials*. Oxford: OUP
 McAuley and McCutcheon (2000) *Criminal Liability : a grammar* . Dublin: Butterworths
 McIntyre, McMullen, Toghda (2012) *Criminal Law*. Dublin: Round Hall
 O'Malley, T. (2013) *Sexual Offences*. Dublin: Round Hall
 O'Sullivan, L. (2011) *Criminal Legislation in Ireland*. Dublin: Bloomsbury
 Walsh (2002) *Criminal Procedure*. Dublin: Thomson Round Hall
 Ormerod (2009) *Smith & Hogan's Criminal Law, Cases and Materials*. Oxford: Oxford University Press

Law Reform Commission Reports relevant to areas considered, these will be identified to learners as they arise during the course.

Module Teaching and Learning Strategy

This module is delivered through a series of lectures which consist of tutorial-style discussions, group work sessions and exercises. The lectures are supplemented by structured on-line resources and reading. To consolidate learning each week learners have the opportunity, in a tutorial/workshop

scenario, to either apply the law to factual scenarios or to discuss the current state of the law with a view to possible reform. In class discussions also make use of topical media reporting of criminal law matters so as to relate learning to the day to day operation of the criminal law.

Learners also engage in collaborative work in pairs or groups to brainstorm what learning has been achieved at the end of lectures. In order to support Learners through the exam process they engage in the answering of sample exam questions and correction of their own or peers' papers, thereby familiarising themselves with the marking criteria. Learners also engage in activities whereby they draft their own exam question in order to recap and reconsolidate a particular topic.