



<b>Course Code:</b>	<b>1012CCJ</b>
<b>Course Name:</b>	<b>Police, Courts &amp; Criminal Law</b>
<b>Trimester:</b>	<b>Trimester 2, 2019</b>
<b>Program:</b>	Diploma of Criminology & Criminal Justice
<b>Credit Points:</b>	10
<b>Course Coordinator:</b>	Angelique Richards
<b>Document modified:</b>	13 June 2019

### Teaching Team

Your lecturer/tutor can be contacted via the email system on the portal.	
<b>Name</b>	<b>Email</b>
Angelique Richards	<a href="mailto:anri@staff.griffithcollege.edu.au">anri@staff.griffithcollege.edu.au</a>

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### Staff Consultation

Your lecturer/tutor is available each week for consultation outside of normal class times. Times that your lecturer/tutor will be available for consultation will be given in the first week of lectures. A list of times and rooms will be published on the Griffith College Portal under the "myTimetable" link.

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### Prerequisites

There are no prerequisites for this course

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## **Brief Course Description**

Police Courts and Criminal Law explains the law and procedural processes which govern the way crimes are investigated, tried and punished in Australia. It begins by considering some general principles of criminal responsibility such as the aims and functions of the criminal law and its sources. The legal principles guiding police investigations are examined, including police powers and responsibilities, the rights of suspects, and the importance of obtaining reliable and admissible evidence. Finally, students learn about the ways cases can progress through the court system, from initial charge to final sentence. The course focuses primarily on the Queensland criminal justice system. Other jurisdictions are examined in passing, and general principles are common to all Australian systems.

## **Rationale**

Students studying criminology are challenged to develop an understanding of the function of the elements of the criminal justice system. This course begins the unpacking of these elements with a focus on the relationship between the law (as the governing framework of conduct), police (as upholders of the law) and the courts (as enforcers of the law). This subject is contextualised within the Australian and Queensland experience providing a foundation for students to understand these jurisdictions.

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## **Aims**

This course aims to provide students with an overview of laws relating to Australian criminal justice processes..

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## **Learning Outcomes**

Upon successful completion of this course you will be able to:

1. Understand the aims and functions of the criminal law and how it operates in the Australian criminal justice system.
  2. Demonstrate knowledge about criminal responsibility, the elements of crimes and the classification of offences.
  3. Demonstrate familiarity with the processes by which alleged offences are investigated, brought to trial, punished and ability to critically analyse the impact of criminal law processes on people affected by them.
  4. Demonstrate knowledge of the powers, functions and ethical responsibilities of police and other investigators, prosecutors, defence lawyers and judges in both pre-trial and trial processes.
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## **Texts and Supporting Materials**

Lecture notes, notices and other issues relating to the course will be made available through the Griffith College portal.

## **Required Textbook & Resources:**

Findlay M, Odgers S & Yeo S, Australian Criminal Justice, 5th edition (2014), Oxford University Press, South Melbourne.

## Organisation and Teaching Strategies

Each week, you are required to attend 4 hours of contact time in class consisting of lectures and tutorials. To achieve the course objectives, a lecture complemented by the required text will deliver the primary course content. The **lecture** will develop your understanding of the topics covered within the course. The **tutorials** are oriented towards solving problems that are related to concepts and issues that have been introduced in lectures and the required reading. The tutorial will also provide you with the opportunity to ask any unresolved questions and develop a solid foundation for understanding the lecture, textbook and other material.

## Class Contact Summary

### Attendance:

Your attendance in class will be marked twice during a four-hour class. To receive full attendance, you must be present in the classroom on both occasions.

### Program Progression:

You are reminded that satisfactory Program Progression requires that attendance in classes is maintained at equal to or greater than 80%, and that GPA is maintained at equal to or greater than 3.5 [please see Griffith College Policy Library - Program Progression Policy - for more information].

### Lecture Notes & Course Materials:

You are required to bring a copy of the lecture notes printed from the course notes on the Griffith College Portal and any other required course materials to classes each week.

### Independent Study:

You are expected to reinforce your learning gained during class time by undertaking sufficient independent study. For this 10 CP course, you will need to spend at least 10 hours per week engaged in activities that will help your learning and fulfil the course objectives. Thus, provided you have well used the 4 hours per week of formal contact, you would then complete at least 6 hours per week of independent study.

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## Content Schedule

### Weekly Teaching Schedule

Week	Topic	Activity	Readings
1	<b>Introducing the Criminal Law</b>	Lecture	Textbook, Chapter 1, pp. 1-17
	course overview	Class	
	aims and functions of the criminal law	Class	

	sources of criminal law	Class	
	court hierarchy and jurisdiction	Class	
	foundation principles: the rule of law and due process	Class	
2	<b>Understanding Criminal Offences</b>	Lecture	Textbook, Chapter 1, pp. 17-35
	classification of offences	Class	
	elements of an offence	Class	
	criminal responsibility	Class	
3	<b>Defences</b>	Lecture	Criminal Code 1899, ss. 22-31
	legal defences and criminal responsibility	Class	
	types of defences including self-defence, provocation and intoxication	Class	
	domestic violence and self-defence	Class	
4	<b>Police Powers 1</b>	Lecture	Textbook, Chapter 2, pp. 36-69
	why and how is police power regulated?	Class	
	search, seizure and arrest powers	Class	
	answering problem-based questions (ISAAC)	Class	
5	<b>Police Powers 2</b>	Lecture	Textbook, Chapter 3, pp. 70-103
	detention and questioning powers	Class	
	right to silence and privilege against self-incrimination	Class	
	confessions as evidence	Class	

6	<b>Police Powers and Accountability</b>	Lecture	
	police misconduct and corruption	Class	
	use of excessive force	Class	
	police accountability	Class	
	Crime and Corruption Commission (CCC)	Class	
7	Royal Commissions	Class	
	<b>Pre-Trial Processes</b>	Lecture	Textbook Chapter 4, pp. 104-142
	discretion	Class	
	pre-trial decision-making by police, prosecutors and judges	Class	
8	bail applications	Class	
	<b>The Criminal Trial</b>	Lecture	Textbook Chapter 5, pp. 143-172
	prosecution, defence and judicial roles at trial	Class	
	legal representation and legal aid	Class	
	summary trials	Class	
	jury trials	Class	
9	what is a fair trial?	Class	
	<b>Sentencing</b>	Lecture	Chapters 7 & 8, pp. 202-280
	aims and objectives of sentencing	Class	
	sentencing hearings	Class	
	factors relevant to sentencing	Class	
10	problems and new directions in sentencing	Class	
	<b>Appealing Court Decisions</b>	Lecture	Chapter 9, pp. 281-291

11	what is an appeal?	Class	
	appeals against conviction	Class	
	appeals against sentence	Class	
	miscarriages of justice not remedied by appeals	Class	
	<b>Justice and Injustice</b>	Lecture	Chapter 10, pp. 299-364
	doing justice: who is targeted by criminal law and who is neglected?	Class	
	over-policing and under-policing	Class	
	victims	Class	
	<b>Review and Conclusion</b>	Lecture	
	exam preparation	Class	
12	course revision	Class	

## Assessment

This section sets out the assessment requirements for this course.

### **Summary of Assessment**

Item	Assessment Task	Weighting	Relevant Learning Outcomes	Due Date
1	Court/Field Report	40%	1,2,3,4	Week 8
2	Online Quizzes	20%	1,2,3,4	Week 3 & 9
3	Final Exam	40%	1,2,3,4	Exam Period

## ***Assessment Details***

### **Assessment Details**

#### **Court / Field Report**

Type: Assignment - Written Assignment  
Learning Objectives Assessed: 1, 2, 3, 4  
Due Date: Week 8  
Length: 2000 words  
Weighting: 40%

Details of the field experience will be provided in class.

You will need to complete a proforma report about what you observed, and your reflections on the process. The proforma and more detailed requirements and criteria will be given to students in the first week of trimester.

#### **Online Quizzes**

Due Date: Week 3 and 9  
Weight: 20%  
Description:

Students will be required to complete two online quizzes during the trimester, assessing course content and application. These quizzes will consist of a series of true/false and multiple-choice items. Each quiz is worth 10%. More information about the quizzes will be provided in class.

#### **Final Exam**

Due Date: Examination Week  
Weight: 40%  
Duration: 90 minutes  
Description:

The exam will consist of multiple-choice, true/false and short answer questions for a total of 80 marks (40%). Details of the style of questions with examples will be given in class.

## ***Submission and Return of Assessment Items***

End of Trimester Exam will be held in week 13, and results posted to the Griffith College Portal in the week following exam week.

### **Retention of Originals**

You must be able to produce a copy of all work submitted if so requested. Copies should be retained until after the release of final results for the course.

## ***Extensions***

To apply for an extension of time for an assessment item you must submit a written request to your lecturer via the Student Website at least 48 hours before the date the assessment item is due. Grounds for extensions are usually: serious illness, accident, disability, bereavement or other compassionate circumstances and must be able to be substantiated with relevant documentation [e.g. medical certificate]. Please refer to the Griffith College Portal - Policy Library - for guidelines regarding extensions and deferred assessment.

## **Penalties for late submission without an approved extension**

Penalties apply to assignments that are submitted after the due date without an approved extension. Assessment submitted after the due date will be penalised 10% of the TOTAL marks available for assessment (not the mark awarded) for each day the assessment is late. Assessment submitted more than five days late will be awarded a mark of zero (0) For example:

- > 5 minutes and <= 24 hours 10%
- > 24 hours and <= 48 hours 20%
- > 48 hours and <= 72 hours 30%
- > 72 hours and <= 96 hours 40%
- > 96 hours and <= 120 hours 50%
- > 120 hours 100%

Note:

- Two-day weekends will count as one day in the calculation of a penalty for late submission.
- When a public holiday falls immediately before or after a weekend, the three days will count as one day in the calculation of a penalty for late submission.
- When two public holidays (e.g. Easter), fall immediately before or after, or one day either side of a weekend, the four days will count as two days in calculating the penalty for late submission.
- When a single public holiday falls mid-week, the day will not be counted towards the calculation of a penalty.

Please refer to the Griffith College Portal - Policy Library > Assessment Policy for guidelines and penalties for late submission.

## ***Assessment Feedback***

Marks awarded for assessment items will also be available on the on-line grades system on the Student Website within fourteen [14] days of the due date.

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## **Generic Skills**

Griffith College aims to develop graduates who have an open and critical approach to learning and a capacity for lifelong learning. Through engagement in their studies, students



are provided with opportunities to begin the development of these and other generic skills.

Studies in this course will give you opportunities to begin to develop the following skills:

<b>Generic Skills</b>	<b>Taught</b>	<b>Practised</b>	<b>Assessed</b>
Written Communication	Yes	Yes	Yes
Oral Communication	Yes	Yes	
Information Literacy		Yes	
Secondary Research	Yes	Yes	
Critical and Innovative Thinking	Yes	Yes	Yes
Academic Integrity	Yes	Yes	Yes
Self Directed Learning		Yes	Yes
Team Work			
Cultural Intelligence	Yes	Yes	Yes
English Language Proficiency		Yes	

### ***Additional Course Generic Skills***

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#### **Additional Course Information**

In addition to formal contact hours, you are provided with extra support through individual consultation with teaching staff, tutorials in English language, and self-access computer laboratories.

#### **Teacher and Course Evaluations**

There is no available data for this course.

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#### **Academic Integrity**

Griffith College is committed to maintaining high academic standards to protect the value of its qualifications. Academic integrity means acting with the values of honesty, trust, fairness, respect and responsibility in learning, teaching and research. It is important for students, teachers, researchers and all staff to act in an honest way, be responsible for their actions, and show fairness in every part of their work. Academic integrity is important for an individual's and the College's reputation.

All staff and students of the College are responsible for academic integrity. As a student, you are expected to conduct your studies honestly, ethically and in accordance with accepted standards of academic conduct. Any form of academic conduct that is contrary to these standards is considered a breach of academic integrity and is unacceptable.

Some students deliberately breach academic integrity standards with intent to deceive. This conscious, pre-meditated form of cheating is considered to be one of the most serious forms of fraudulent academic behaviour, for which the College has zero tolerance and for which penalties, including exclusion from the College, will be applied.

However, Griffith College also recognises many students breach academic integrity standards without intent to deceive. In these cases, students may be required to undertake additional educational activities to remediate their behaviour and may also be provided appropriate advice by academic staff.

As you undertake your studies at Griffith College, your lecturers, tutors and academic advisors will provide you with guidance to understand and maintain academic integrity; however, it is also your responsibility to seek out guidance if and when you are unsure about appropriate academic conduct.

Please ensure that you are familiar with the [Griffith College Academic Integrity Policy](#); this policy provides an overview of some of the behaviours that are considered breaches of academic integrity, as well as the penalties and processes involved when a breach is identified.

For further information please refer to the Academic Integrity Policy on the Griffith College Portal – Policy Library.

### ***Risk Assessment Statement***

There are no out of the ordinary risks associated with this course.

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