

**City University of Hong Kong
Course Syllabus**

**offered by School of Law
with effect from Semester A 2018/19**

Part I Course Overview

Course Title: Criminal Law I

Course Code: LW5606A

Course Duration: One Semester

Credit Units: 3

Level: P5

Medium of Instruction: English

Medium of Assessment: English

Prerequisites:
(Course Code and Title) Nil

Precursors:
(Course Code and Title) Nil

Equivalent Courses:
(Course Code and Title) LW3606A Criminal Law

Exclusive Courses:
(Course Code and Title) Nil

Part II Course Details

1. Abstract

This course aims to provide students with an insight into the notion and concept of criminal liability and the factors affecting criminal liability, capacity to commit crime and participation in crime. Specific offences dealt with include murder and other homicides and also non fatal assaults.

The course also aims to engage students in discovering the practical application of the principles of criminal law and liability and to encourage the development of the necessary analytical, reasoning and practical skills needed for the solution of real-life criminal problems, to appreciate the application of the criminal law in Hong Kong and the strengths and weaknesses of the criminal law as it operates in contemporary society.

2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	DEC related learning outcomes		
			A1	A2	A3
1.	Identify and analyse concepts of criminal liability		✓	✓	✓
2.	Identify factors affecting criminal capacity and the commission of crime		✓	✓	✓
3.	Discover the practical application of criminal liability in real-life situations		✓	✓	✓
4	Identify concepts of participation in crime		✓	✓	✓
5	Appreciate the practicalities of participation in crime		✓	✓	✓
6	Describe and explain both orally and in writing in plain English the basis of criminal liability for certain substantive offences		✓	✓	✓
7	Identify and discuss possible areas of reform or development		✓	✓	✓
		100%			

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.

A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

Alignment of CILOs with PILOs:

Programme Intended Learning Outcomes (PILOs)		CILOs
1	Explain and assess specified areas of the law and the legal system of Hong Kong, with particular emphasis on the law in action and the dynamic interplay between law and other social phenomena.	1, 2, 6
2	Assess the common law system and its values, and its interaction with the law and legal system of mainland China, the East Asian region and the wider world.	1, 2, 4
3	Explain, interpret and apply main principles of ethics, civil duty, and social and professional responsibility.	1, 3, 4, 6
4	Critically assess the strengths and weaknesses of law as a means of regulating society in the context of competing and conflicting interests.	1, 2, 3, 4, 5, 6, 7
5	Demonstrate and apply skills of legal analysis and reasoning, of legal research, or problem solving, and of oral and written communication to a level appropriate to a graduate-entry degree in law.	1, 3, 6, 7

3. Teaching and Learning Activities (TLAs)

(TLAs designed to facilitate students' achievement of the CILOs.)

TLA	Brief Description	CILO No.							Hours/week (if applicable)
		1	2	3	4	5	6	7	
Lectures	students will be introduced to substantive criminal offences, their constituent parts and to key concepts and issues.								2
Tutorial	Tutorials provide an opportunity for student led activity and discussions of issues. The format of these activities will be discussed in the class in the first week of the course.								1
	By reading Ordinances, cases and other material and by research material students will acquire knowledge of the substantive content of the criminal justice system.								
	Tutorial activities will enable students to analyse and evaluate issues and concerns in substantive criminal law offences and provide a forum where those issues and concerns can be identified, discussed and evaluated.								
Reading Week (Week 7)	During the Reading Week students are asked to develop their knowledge in the subject by doing further reading and research on the conceptual and theoretical sides of the subject.								

4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.							Weighting	Remarks
	1	2	3	4	5	6	7		
Continuous Assessment: 50%									
Written assignment(s)								30%	
Students' skills of legal research, critical analysis, organisation and written communication will be tested. Students will be expected to divide into a group of four to do a written group assignment / project, to show a good understanding and appreciation of English and of the use of English, and to learn team work skill.									
Tutorial activities and overall participation								20%	
Each student will be assessed on his/her comments, questions and answers given during tutorials (apart from the tutorial designated for that student's Class Participation (Sub-Group) - see above), in terms of each student's display of his/her ability to discuss and explain the material for the particular tutorial as well as the ability to question and challenge oral presentations by other members of their group.									
Examination: 50% (duration: 2 or 3 hours, if applicable)									
Students' ability to describe and explain the purpose and operation of substantive criminal offences, their constituent parts and components and the principles, objectives and purposes underpinning those substantive offences will be tested as will the ability to apply those principles to given situations and to resolve issues and problems relating to the operation of the criminal law. As with the written assignment(s) students will be expected to show a good standard of written English and to express themselves clearly, accurately and concisely.								50%	
								100%	

To pass this course, students must obtain an aggregate mark of 40% and a minimum of 40% in each of the coursework and the examination elements of the assessment. Coursework for this purpose means those ways in which students are assessed otherwise than by the end of session examination.

The portion of the overall mark allocated to performance/participation in inter-active in class activities will be assessed on the quality of the participation. Assessment criteria for those activities, their nature and their timing will be advised and expanded upon by the course leader.

The duration of the examination may last for 2 or 3 hours and it will be at the discretion of the course leader. The course leader will announce the duration of the examination in the first week of the course. Similarly the course leader will announce whether the examination will be closed book or open book.

To enable the full benefit to be obtained from this course, students should attend all of the classes and activities.

Assessment will be formative to enable students to demonstrate their capacity to understand, analyse and apply rules and principles and summative to assess ability to synthesise primary and secondary material to solve novel problems.

5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-)	Marginal (D)	Failure (F)
1. Coursework	Original thinking Rational analysis Justified conclusion	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.
2. Participation in tutorial sessions	Presentation structure Understanding additivity to think on the spot					
3. Examination	Application of Law in factual scenarios theoretical and critical thinking in essay questions					

Part III Other Information (more details can be provided separately in the teaching plan)

1. Keyword Syllabus

(An indication of the key topics of the course.)

The following topics are studied in detail:

1. Actus Reus and causation
2. Mens Rea, intention and recklessness
3. Coincidence of actus reus and mens rea and transferred malice
4. Strict and absolute liability, vicarious and corporate liability
5. Participation, joint enterprise, principal and secondary parties
6. Murder
7. Manslaughter
8. Assaults, woundings and other non – fatal offences against the person.

2. Reading List

2.1 Compulsory Readings

(Compulsory readings can include books, book chapters, or journal/magazine articles. There are also collections of e-books, e-journals available from the CityU Library.)

Michael Jackson (2003), *Criminal Law in Hong Kong*, Hong Kong University Press (ISBN 9622095585) (Paperback).

Details of other texts and other reference material will be circulated during the course.

As Hong Kong's Criminal Law is based upon that of England and Wales, English texts on criminal law may be used to supplement and complement Hong Kong texts. Students may find the latest editions of Smith and Hogan, *Criminal Law* (Butterworths), and Smith and Hogan *Criminal Law Cases and Materials* (Butterworths) useful though there are other texts.

Nutshells, SWOT and similar books are NOT suitable replacements for textbooks or for reports of cases in Law Reports. They do not provide the in depth knowledge and understanding of the subject that will be needed to successfully negotiate open book examinations.

2.2 Additional Readings

(Additional references for students to learn to expand their knowledge about the subject.)

Online Resources

The Hong Kong Judiciary: www.judiciary.gov.hk

Hong Kong Legal Information Institute: www.hklii.org

Department of Justice: www.doj.gov.hk

The Hong Kong Police: www.police.gov.hk

The Crown Prosecution Service (England and Wales): www.cps.gov.uk

British and Irish legal Information Institute: www.bailii.org

Judicial Studies Board (England and Wales): www.jsboard.co.uk