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Title: Criminal Law, Practice and Procedure 1
Status: Definitive
Code: **4302PS** (126334)
Version Start Date: 01-08-2021

Owning School/Faculty: Justice Studies
Teaching School/Faculty: Justice Studies

| Team | Leader |
|-------------|--------|
| Nick Kealey | Y |

Academic Level: FHEQ4 **Credit Value:** 20 **Total Delivered Hours:** 57.5
Total Learning Hours: 200 **Private Study:** 142.5

Delivery Options

Course typically offered: Semester 1

| Component | Contact Hours |
|-----------|---------------|
| Lecture | 22 |
| Online | 11 |
| Workshop | 22 |

Grading Basis: 40 %

Assessment Details

| Category | Short Description | Description | Weighting (%) | Exam Duration |
|----------|-------------------|---|---------------|---------------|
| Exam | Exam | Multiple Choice and seen questions exam | 100 | 2.5 |

Aims

*To provide the students with the knowledge and understanding of legislation and police powers in relation to a range of typical policing incidents.
Enable students to apply such knowledge to a range of specified circumstances and incidents.*

Learning Outcomes

After completing the module the student should be able to:

- 1 Demonstrate knowledge and understanding of the various pieces of the legislation and the resulting police powers relating to a range of typical policing incidents and issues.
- 2 Demonstrate the ability to apply the legislation and powers to given sets of circumstances and incidents.
- 3 Consider the wider issues and implications in using police powers.
- 4 Demonstrate knowledge and understanding of the process of enacting, developing and applying the criminal law and the basic legal principles.
- 5 Demonstrate knowledge and understanding of public protection legislation and related matters

Learning Outcomes of Assessments

The assessment item list is assessed via the learning outcomes listed:

| | | | | | |
|------|---|---|---|---|---|
| Exam | 1 | 2 | 3 | 4 | 5 |
|------|---|---|---|---|---|

Outline Syllabus

Legislative process.
Criminal law principles.
Characteristics of the common law system.
Criminal law legislation.
Police powers.

Learning Activities

Lectures, supported online Canvas activities and Workshops.

Notes

Lectures and other activities will provide the students with information, which they will then be able to apply practically, within the tasks, scenarios and discussions incorporated into the workshops.

This is the first of three such modules the remaining two being at level 5. Each module building on the previous.

Where relevant and appropriate the concept of evidence based policing will be introduced and its relevance emphasised in such areas as application of legislation and enforcement strategies. There will also be reference to the College of Policing 'What Works' facility.

National Policing Curriculum

Indicative Content

Understanding the Police Constable Role

6.1 Legal requirement to use the least level of power necessary to achieve a proportionate, legal, accountable and necessary: • Human Rights Act 1998 •

Mnemonic PLAN

6.2 Statutory responsibilities where police need to provide an explanation to an individual prior to applying police powers e.g. reasons for arrest

6.3 Balance between the effect (and the implications) of using police powers and the benefits being sought

6.4 Specific legislation applicable when dealing with typical policing incidents: •

Offences Against the Person Act 1861 • Criminal Damage Act 1971 • Misuse of

Drugs Act 1971 • Theft Act 1968/Theft Act 1978 • Road Traffic Act 1968/ Road

Traffic Act 1988 • Police and Criminal Evidence Act (PACE) 1984 • Public Order Act

1986 • Offensive Weapons Act 1996 • Human Rights Act 1998 • Regulation of

Investigatory Powers Act 2000 (RIPA) • Police Reform Act 2002 • Sexual Offences

Act 2003 • Licensing Act 2003 • Anti-social Behaviour, Crime and Policing Act 2014 •

Psychoactive Substances Act 2016 • Policing and Crime Act 2017 • Investigatory

Powers Act 2016

Valuing Difference and Inclusion

4.1 Roles and responsibilities of those charged with ensuring the police deliver an unbiased, ethical and fair service

4.2 Upholding the law versus supporting the public

4.3 Maintaining the public perceptions of a fair and unbiased police service

4.4 Interpretation of the law: • Letter of the law • Essence of the law

4.5 Public interest and criminalisation

4.6 How ethical decisions (e.g. the application of discretion) can conflict with standard operating procedures, policies and procedures, accepted practice, performance standards and legislation

4.7 Justifying the application of discretion

4.8 Case for adopting a professional approach that values inclusivity and diversity (within the organisation, community and wider society)

4.9 How application of professional judgement can influence public perceptions of policing

Public Protection

1.1 Legislation and guidance associated with public protection policing, including: • Protection from Harassment Act 1997 • Racial and Religious Hatred Act 2006 • Sexual Offences Act 2003

1.2 Terms and offences associated with public protection policing, including: • Child abuse, including neglect, child sexual abuse/exploitation (CSE) • Adults at risk • Domestic abuse • Families with complex needs • Missing persons • Forced marriage • Honour-based abuse • Female genital mutilation (FGM) • Modern slavery and human trafficking • Sex work and prostitution • Coercive control • Stalking and harassment • Sexual offences • Managing offenders • Hate crime

1.3 Potential overlaps between one type of public protection offence and other offences (e.g. human trafficking and sex work and prostitution)

- 2.1 Potential forms of abuse/harm, including digital-related abuse (e.g. sexting, revenge porn, grooming)
- 2.2 The range of situations and locations in which abuse can take place
- 2.3 Home Office definition of domestic abuse
- 2.4 Demand on policing resources resulting from domestic abuse incidents
- 2.5 How child abuse differs from other forms of abuse
- 2.6 Signs, symptoms and common myths surrounding child abuse and child sexual exploitation
- 2.7 Signs and behaviours that may be displayed by victims and offenders in grooming incidents
- 2.8 Who may perpetrate an act of abuse and why they abuse others (including familial abuse, particularly with regard to sexual offences)
- 2.9 Potential relationships between victim(s) and abuser(s)
- 2.10 Cultural considerations associated with some public protection offences (e.g. female genital mutilation, hate crime and forced marriage)
- 2.11 Why incidents of abuse go under-reported

Learning Outcomes

Understanding the Police Constable Role

6

Valuing Difference and Inclusion

4

Public Protection

1,2