

Liverpool John Moores University

Title: PUNISHMENT AND SENTENCING: THEORY, PROCESS AND PRACTICE
Status: Definitive
Code: **5007LAWCJ** (107804)
Version Start Date: 01-08-2016

Owning School/Faculty: Law
Teaching School/Faculty: Law

Team	Leader
Ester Ragonese	Y

Academic Level: FHEQ5
Credit Value: 24
Total Delivered Hours: 78
Total Learning Hours: 240
Private Study: 162

Delivery Options

Course typically offered: Standard Year Long

Component	Contact Hours
Lecture	24
Off Site	10
Online	18
Tutorial	24

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Report	AS1	Essay:2500 words	50	
Presentation	AS2	Assessed Presentation	30	
Exam	AS3	Online Assessment	20	2

Aims

To introduce to the student an understanding of the concepts of punishment, from a theoretical, policy and applied perspective, in the administration of justice.

To introduce students to competing theories of 'justice' and rights in criminal justice, and different theoretical bases of sentencing in the judicial process.

To enable students to understand, critically examine and evaluate the development and use of penal sanctions and punishment.

To develop understanding of factors which influence sentencing outcomes (e.g. race, class, gender) or which discriminate against some of those playing a part in the judicial process (e.g. vulnerable suspects, vulnerable witnesses)

To examine and evaluate critically alternatives to traditional theories of punishment, such as restorative justice and rights-based approaches to justice.

Learning Outcomes

After completing the module the student should be able to:

- 1 Critically understand the theoretical issues surrounding the use and legitimacy of punishment, and its hidden agendas
- 2 Recognise and understand the theoretical concepts which shape notions of 'justice' in judicial procedure and sentencing
- 3 Appreciate the key stages in the judicial process, what can happen at each stage, and which individuals and agencies play a role in deciding the outcome of each stage.
- 4 Evaluate, understand and critically analyse the ways in which discrimination and issues around class, race and other social divisions within courts, prison and community sentences can affect the trial and sentencing process in practice
- 5 Examine, critically compare and discuss the concepts of reductivism and retributivism, linking this to recent UK sentencing legislation
- 6 Recognise the principles of restorative justice, and understand how it affects different groups and procedures in the current judicial process, as well as how its role may change and develop in the future.

Learning Outcomes of Assessments

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

Report	1	2	4	5	6	
Presentation	2	3				
Exam	1	2	3	4	5	6

Outline Syllabus

Introducing Key Concepts in Understanding Theories of Punishment

- *Thinking about Punishment*
- *The Concept of Rights in Theory and Practice*
- *The Philosophy of Punishment 1*
- *The Philosophy of Punishment 2*

Competing Theoretical Perspectives on Punishment

- The Sociology of Punishment 1*
- The Sociology of Punishment 2*
- Punishment: A Psychological Perspective*
- Punishment: Execution, Reformation and Death Penalty*

Understanding Sentencing Theory

- Theories of Sentencing 1 (backward looking)*
- Theories of Sentencing 2 (forward looking)*
- The Right to Punish: Public or Private*
- Crime, Inequality and Punishment*

Examining the Institutions of Justice

- Setting the Context – Introduction*
- Key Agents in the court setting*
- Magistrates Court Justice*
- Crown Court Justice*
- Youth Court Justice*
- Fieldwork/presentation practice*
- Presentations*
- Presentations*

The Judicial Process

- Sentencing in Practice 1*
- Sentencing in Practice 2*
- Restorative Justice in Practice*
- Mentally Disordered Suspects*
- Course overview*

Learning Activities

24 lectures (24 hours):listening,notetaking,critical reflection

24 tutorials (24 hours): reading,discussion and presentation of material

Private Study: reading,researching information sources (including electronic sources)

Assessment: 1. researching,planning and writing essay 2.

researching,observation,group work and presentation 3. researching information sources

Notes

The module examines the whole process of punishment and sentencing in a multi-cultural society in the 21st century,incorporating all aspects of punishment. It discusses the theories behind the policies and critically examines how they work in practice.The module highlights the key stages and agencies in the court process addressing who has the power to influence decisions at each stage