

**City University of Hong Kong
Course Syllabus**

**offered by School of Law
with effect from Summer Term 2020**

Part I Course Overview

Course Title:	<u>Citizens and Criminal Justice</u>
Course Code:	<u>GE1214 (old code: GE1103)</u>
Course Duration:	<u>One Semester</u>
Credit Units:	<u>3</u>
Level:	<u>B1</u> <u>2 Arts and Humanities</u>
Proposed Area: <i>(for GE courses only)</i>	<u>1 Study of Societies, Social and Business Organisations</u> <u><input type="checkbox"/> Science and Technology</u>
Medium of Instruction:	<u>English</u>
Medium of Assessment:	<u>English</u>
Prerequisites: <i>(Course Code and Title)</i>	<u>Nil</u>
Precursors: <i>(Course Code and Title)</i>	<u>Nil</u>
Equivalent Courses: <i>(Course Code and Title)</i>	<u>Nil</u>
Exclusive Courses: <i>(Course Code and Title)</i>	<u>LW4638 Criminal Justice</u>

Part II Course Details

1. Abstract

Content: This Course deals with and provides understanding of basic rights and responsibilities of citizens in Hong Kong and other jurisdictions who are caught up in the criminal justice process and of their criminal justice institutions, such as the police, the courts and the prisons. What makes the process ‘fair’ and ‘just’ is questioned and in particular whether the ideals have been achieved in practice. The discussion assists the student to develop an understanding of crucial legal, ethical and social foundations of systems of criminal justice. The student discovers through discussion and research, the fundamentals of internationally acknowledged protections of human rights. Hong Kong and the justice system of other jurisdictions are compared. Vulnerable persons (women and children) need special regard. In particular, sexual and drug crimes will be examined. The student is asked, “What acts by citizens should be regarded and treated as ‘crimes?’”. For instance, should killing to save lives and so on be crimes? The student will be also asked to examine what are the best methods of preventing crime and punishing it consistent with broader notions of justice. Consequently, a student will discover his or her ethical position in relation to important issues in our society. There is training in logical analysis, argument and presentation throughout the Course.

Methods: The Course emphasizes inquiry and discovery by each student, team discussion, and problem solving. The course asks for team work and team analysis and oral presentation in the class room. The student gains insight into the institutional safeguards of justice in the criminal process by a visit to two criminal courts and reporting on those visits. The Course comprises 2 hours of lectures and 1 hour of tutorials each week except for one clinical exercise.

This course aims to:

- (a) arouse the curiosity of participants about the fundamental and necessary features of a fair and just system of criminal justice;
- (b) encourage participants to explore and discover for themselves what are the requirements for and the features of a fundamentally ‘fair’ and ‘just’ criminal justice process in Hong Kong and other countries;
- (c) provide participants with the ability to critically analyse and explain the workings of the criminal justice agencies and institutions (Department of Justice, police and the courts) in Hong Kong and how they work to protect freedoms and rights of Hong Kong citizens;
- (d) raise participants’ critical awareness of the difference between the ‘theory’ and the practice of protection of basic rights of citizens caught up in the criminal justice process in Hong Kong and other jurisdictions. The treatment of vulnerable persons (children) and other persons caught up in the criminal process will be studied.
- (e) provide, by case study and discussion, an understanding of what conduct ought to be labelled ‘criminal’ whilst appreciating that there are cultural differences to take into account. This adds to the student’s ability to apply his or her ethical awareness to important issues in our society. The student, by enquiry and discovery, develops an understanding of the important legal, moral, ethical and social foundations of systems of criminal justice.
- (f) provide participants with skills in logical analysis and in presenting oral and written arguments.

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)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	Have discovered the important features of a 'fair' and 'just' system of criminal justice wherever it is implemented. By so doing they will have become alert to their legal, ethical and social responsibilities as citizens of Hong Kong.				√
2.	Be able to explain the fundamental rights and responsibilities of, and safeguards for, citizens of Hong Kong caught up in the criminal justice system.		√		
3.	Be able to critically compare those rights and responsibilities and safeguards in Hong Kong with other jurisdictions.			√	
4.	Have discovered for themselves the legal, ethical, moral and social considerations that are applied in a criminal justice system.				√
5.	Be able to explain the role and value of the judge and jury in a criminal justice system.		√		
6.	Be able to describe and explain the principles, the sentencing process and the methods of punishment of criminals in Hong Kong.		√		
		100%			

* If weighting is assigned to CILOs, they should add up to 100%.

Please specify the alignment of CILOs to the Gateway Education Programme Intended Learning outcomes (PILOs) in Section A of Annex.

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.

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	
Research, class discussion, analysis and presentation individually and in teams, of case studies and problems		√	√	√	√	√	√	
Role playing of witnesses and as a jury in a trial and a judge in relation to a plea in mitigation		√	√			√		

Individual submissions of media reports about topical issues in the press		√	√		√	√	√	
Training in structured logical analysis through case studies		√		√		√		
A court visit report		√	√	√	√		√	

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		
Continuous Assessment: 50%								
In-class discussion	√	√	√	√	√	√	15%	Team and individual contributions to discussion and debate that addresses capacity for self-directed learning, critical thinking, interpreting of information and other GE PILOS.
Out-of-class power point presentation	√		√	√			5%	Students will make an out -of -class power point presentation on a media story.
A Court Visit Report	√	√	√	√	√	√	30%	The student discovers how ‘justice’ is attained in court cases in Hong Kong, as well as developing the skill needed to write a well organised assignment and develop critical thinking skills
Examination: 50% (duration: 2 hours)								
An examination	√	√	√	√	√	√	50%	The student’s understanding of the Course content and ability to express it clearly under controlled examination conditions.
							100%	

* The weightings should add up to 100%.

An aim of all the teaching and learning activities in this Course is to facilitate and motivate the students to develop an attitude of curiosity and inquiry into some of the fundamental ethical and moral issues arising in their own and other societies.

A student must obtain a minimum mark of 30% in both coursework and examination and an overall mark of 40% in order to pass.

In relation to columns 5 and 6 of section 4 above, whether or not they are met will depend on the type of court hearings which students attend.

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. In-class discussion (15 marks)	Students need to obtain a minimum 30% in coursework overall (of which this assessment task is a sub-component)	Strong evidence of original thinking; good organization, capacity to analyze and synthesize, superior grasp of subject matter; evidence of extensive knowledge base	Evidence of grasp of the subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues, evidence of familiarity with literature	Student is profiting from the university experience; understanding of subject; ability to develop solutions to simple problems in the material	Sufficient familiarity with the subject matter, weakness in critical and analytic skills; limited or irrelevant use of literature	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited or irrelevant use of literature
2. Out-of-class power point presentation. This comprises an out-of-class power point presentation on a media related topic relevant to the course (5 marks)	Students need to obtain a minimum 30% in coursework overall (of which this assessment task is a sub-component)	Strong evidence of original thinking; good organization, capacity to analyze and synthesize, superior grasp of subject matter; evidence of a strong knowledge base concerning the media item	Evidence of grasp of the subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues, evidence of familiarity with literature concerning the media item	Student is profiting from the university experience; understanding of subject; some reference to literature concerning the media item	Sufficient familiarity with the subject matter, weakness in critical and analytic skills; limited or irrelevant use of literature concerning the media item	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited or irrelevant use of literature concerning the media item
3. Written Assignment on a court visit report (30 marks)	Students need to obtain a minimum 30% in coursework overall (of which this assessment task is a sub-component)	Strong evidence of original thinking; good organization, capacity to analyze and synthesize, superior grasp of subject matter.	Evidence of grasp of the subject, some evidence of critical capacity and analytic ability	Student is profiting from the university experience; understanding of subject	Sufficient familiarity with the subject matter, weakness in critical and analytic skills	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills
4. Exam (50 marks)	Students need to obtain a minimum 30%	Strong evidence of original thinking; good organization, capacity to analyze and synthesize,	Evidence of grasp of the subject, some evidence of critical capacity and analytic	Student is profiting from the university experience; understanding of subject; ability to	Sufficient familiarity with the subject matter, weakness in critical and analytic skills in relation to the	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills in

		superior grasp of subject matter; evidence of extensive knowledge base in relation to the exam questions	ability; reasonable understanding of issues in relation to the exam questions	develop solutions to simple problems in relation to the exam questions.	exam questions.	relation to the exam questions.
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Part III Other Information

1. Keyword Syllabus

Criminal justice process and institutions; Human rights; Vulnerable citizens and the law; a comparative study of Hong Kong and other jurisdictions; Criminal investigation agencies; Judicial institutions; Juries; Rule of Law; What is a 'crime?'; Sentencing principles; Logical analysis.

2. Reading List

Recommended Reading:

Wing Hong Chui and T Wing Lo (Eds) *Understanding Criminal Justice in Hong Kong* (Willian Publishing, 2017).

The Rules and Directions for the Questioning of Suspects and the Taking of Statements, issued by the Secretary for Security, 2nd Oct 1992.

Department of Justice, *The Statement of Prosecution Policy and Practice*, accessible through the Department of Justice website.

Department of Justice, 'The Victims of Crime Charter', accessible through the Department of Justice website.

Additional Reading if interested

Cross, I.G., SC and Cheung, P S, *Sentencing in Hong Kong*, (Butterworths Asia, 8th Ed, 2018).

Chui, W.H., Social Work Model of Probation Supervision of Offenders in Hong Kong', (2002) 49 *Probation Journal* 297-304.

Harris, R. J., and Lo. W.T., 'Community Service: Its Uses In Criminal Justice', (2002) 46 *International Journal of Offender Therapy and Comparative Criminology* 427-444.

Alison Liebling, Shad Maruna and Lesley McAra (Eds) *The Oxford Handbook of Criminology* (Oxford, United Kingdom: Oxford University Press 2017)

Journals

Students can use Journals for additional reading and for keeping up to date with developments in the subject area. The following Journals are available in the library:

Australian and New Zealand Journal of Criminology

British Journal of Criminology

Criminal Justice: The International Journal of Policy and Practice

Current Issues in Criminal Justice

Federal Probationer

Hong Kong Law Journal

Howard Journal of Criminal Justice

Journal of Criminal Justice

Social Justice

The Prison Journal

Online Resources

Australian Institute of Criminology: www.aic.gov.au
Bar Association (Hong Kong): www.hkba.org/
Correctional Services Department (Hong Kong): www.correctionalservices.gov.hk/
Criminology Resources, University of Melbourne:
www.criminology.unimelb.edu.au/resources/crimres.htm
Customs and Excise Department (Hong Kong): www.customs.gov.hk/
Department of Justice, Canada: canada.justice.gc.ca/en/ps/yj/index.html
Department of Justice (Hong Kong): www.doj.gov.hk/
Duty Lawyer Service (Hong Kong): www.dutylawyer.org.hk
Home Office (UK) Criminal Justice: www.homeoffice.gov.uk/new_indexes/crim_jus.htm
Hong Kong Police Force: www.info.gov.hk/police
The Hong Kong Judiciary: www.judiciary.gov.hk
Hong Kong Legal Information Institute: www.hklji.org
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

**Annex
(for GE courses only)**

Please specify the Gateway Education Programme Intended Learning Outcomes (PILOs) that the course is aligned to and relate them to the CILOs stated in Part II, Section 2 of this form:

GE PILO	Please indicate which CILO(s) is/are related to this PILO, if any (can be more than one CILOs in each PILO)
PILO 1: Demonstrate the capacity for self-directed learning	C1,3 and 4. All these CILOs require self- directed learning in team analysis and required research notes during the Course.
PILO 2: Explain the basic methodologies and techniques of inquiry of the arts and humanities, social sciences, business, and science and technology	C1,2,3,4,5,6 The Course as a whole requires that the student learns to apply and explain the basic methodologies and techniques of inquiry in the social sciences. For example, the qualitative design and study methods of social sciences require the development of critical analysis of theory and practice, which is what C1,C3, C4, 5 & 6 require. Also the methodology of case studies in C1, 2, 3, 4 & 5 develops the student's awareness and understanding of the case study as a tool for inquiry. Participant observation is another technique of inquiry that is employed in C5.
PILO 3: Demonstrate critical thinking skills	C1, 3 and 4. Implicit and explicit in all these CILOs.
PILO 4: Interpret information and numerical data	C1, 2, 4 and 6 Implicit and explicit in all these CILOs.
PILO 5: Produce structured, well-organised and fluent text	C1 The court report requires this.
PILO 6: Demonstrate effective oral communication skills	C2, 3 and 4 These skills will be exercised in class in discussion and the presentation on these topics.
PILO 7: Demonstrate an ability to work effectively in a team	C5 The role play in a 'jury' exercise and the sentencing exercise requires this. There are constant team tasks throughout the Course.
PILO 8: Recognise important characteristics of their own culture(s) and at least one other culture, and their impact on global issues	C1, 4, 6 C1, 2: 'Fairness' and 'justice' in other jurisdictions are examined and compared. C6: Sentencing and policing in other jurisdictions and HK's attitude and international attitudes.
PILO 9: Value ethical and socially responsible actions	C1, 2, 3,4, 6 All these CILOs involve consideration of and personal reflection upon ethical and socially responsible actions.
PILO 10: Demonstrate the attitude and/or ability to accomplish discovery and/or innovation	C1,3,4 and 5 All these CILOs enable the demonstration of the attitude and/or ability to accomplish discovery and/or innovation.

GE course leaders should cover the mandatory PILOs for the GE area (Area 1: Arts and Humanities; Area 2: Study of Societies, Social and Business Organisations; Area 3: Science and Technology) for which they have classified their course; for quality assurance purposes, they are advised to carefully consider if it is beneficial to claim any coverage of additional PILOs. General advice would be to restrict PILOs to only the essential ones. (Please refer to the curricular mapping of GE programme: http://www.cityu.edu.hk/edge/ge/faculty/curricular_mapping.htm.)

- A. Please select an assessment task for collecting evidence of student achievement for quality assurance purposes. Please retain at least one sample of student achievement across a period of three years.

Selected Assessment Task
Court Report – Related CILOs 1-4; Related GE PILOs 1,2,3,4,5,8,9,10
Examination – Related CILOs 1-6; Related GE PILOs 1,2,3,4,5,8,9,10