

## A Suggested Module Outline

# Debates in Criminal Justice (Level 2)



**Core unit - Level 2 10 to 20 credits**

**(10 credits generally suitable for joint or combined honours, with fewer assessments and optional seminars)**

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## INTRODUCTION TO THE MODULE

This module is based on the eponymous text book:

**Ellis, T. & Savage, S.P. (2011) Debates in Criminal Justice: Themes and Issues. London: Routledge.**

**ISBN**     Hardback: 978-0-415-44590-0

**ISBN**     Paperback: 978-0-415-44591-7

The teaching of this module requires the use of both the book and its companion web site.

From the 1990s onward, Criminal Justice legislation, policy and organisation have changed at an incredible pace in England and Wales compared to previous decades. This has been matched by a huge growth in what is written about criminal justice, both by academics and by others, most notably journalists, who are able to publish much more quickly, but perhaps to different requirements and standards of evidence.

The content of this module is designed so that students study key academic texts, and a wide variety of other sources, to assist in the effective study of criminal justice themes and issues, using a framework that is both appealing and interesting. The debate format has been used and developed for over 10 years and it has been very successful and popular in achieving its learning outcomes in what is potentially a very dry, though necessary, key area within criminological studies.

**NB it is important to note that the contributors to the book have, for the most part, argued from relatively extreme positions. They have acted as devil's advocates in order to comply with the format demanded by a debate approach. Therefore, it is important to bear in mind that the views presented should not be taken as the actual views of those contributors. Likewise, it is important that those members of staff presenting the debates in person are viewed in the same light**

This module does not provide 'the answers'. It will identify the key questions within each topic and give you the means to find the sources so that you will be able to answer them in a balanced and logical way. The unit contains 12 debates, 10 of which are provided in the book. It is always possible to develop further debates and room is left here to reflect the need to react to new events as they occur.

The debate format is familiar to most through the approach most often taken in press, radio and other media, and even in student debating societies. See for instance: <http://www.idebate.org/index.php>

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As such, the module allows students to start from a level that they are more familiar with and to progress beyond this so that they understand the limits of 'for and against' approaches in academic study. Some of the chapters in the book, and their associated online materials, are therefore developed beyond the debate format in order to help students to progress to the higher levels of critical thinking required as they progress through their courses. For instance, the debate on restorative and retributive justice approaches (Chapter 5 of the book), uses established arguments between these two approaches as a way of progressing to understanding and applying all of the key philosophies of punishment.

If the book and other materials are used well, they should enable students to understand the key underpinning concepts to criminal justice, such as 'What is criminal justice for?' or 'Why is punishment necessary?' For each issue, basic slides are provided which can be used as learning materials with some active links. However, the book chapters provide you with more extensive further reading, further questions to ask yourself, and further answers to seek within your additional reading. **It is essential, therefore, that you use the book as intended, and complete your additional reading, to gain the full benefit of its design.** Most assessments (suggested examples of which are provided separately) will require more than a simple recapitulation of the debates contained here. These debates necessarily overlap and assessments are likely to require you to use materials from at least two different debates/chapters in order to ensure that you integrate your learning.

The content is not exhaustive, but we have picked what we think are a good mix of key issues and contemporary themes or 'dilemmas'. We have also endeavoured to include a number of 'jump off points' in the materials and the book for those who wish to deepen their studies in a particular area, perhaps when thinking about a dissertation topic.

The module and the book are split into 2 parts. **Part 1** is more conceptual and based on key 'themes' that form the basis of criminal justice studies. For instance, by debating the arguments for crime control or due process, the first debate is a device for introducing the different models of criminal justice. It also requires you to read further and decide for yourself whether models need to be developed in a different way to provide an explanation of what criminal justice **should** be for and what it actually **does**. Similarly, arguments for and against whether imprisonment 'works', lead to questions about how success or failure of punishment **can** be measured and/or **should** be measured, and whether these measures are determined by which philosophical standpoint is used.

**Part 2** of the module and the book present 'issues' in criminal justice, two of which ('Legalisation of Drugs' and 'Capital Punishment') have been selected based on long running areas of debate within criminology and criminal justice, while others are of more recent contemporary concern. This is the section where new issues can be introduced according to contemporary events. We have generally changed 2 debates each year in order to do this. In this suggested outline, the issues of torture and vice have been included (marked in red below) in addition to the topics in the book, but these are included as potential examples and can be replaced newer topics that have been developed depending on current events and the interests of the module teaching team. For example, the riots in England in August 2011 produced a plethora of explanations, most of them 'single cause'. This is rich ground for producing a debate format, possibly based on individual vs social/structural causes in the first instance, but with a more integrated approach and materials following on from that.

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As noted, each debate is approached and delivered in a different way. We hope that this variation in approach allows your learning to stay fresh. What is common to all of the debates are the indications of the additional work students need to carry out in order to underpin their learning fully.

Finally, the book that underpins the module is designed to be easy to use, but it is not designed for lazy scholarship. It is not intended as a reference source that should be cited in itself, but as a way of structuring reading of key sources referred to in the text. Referring only to the book, or simply quoting from it, shows that the student has not done some of their own expected 'spadework' and it will be easy for tutors to spot this. That said, it does make it as easy as possible to decide on which sources you should read.

## **Academic and non-academic sources**

in many of the debates, extensive use has been made of **press and other web-based sources**. These are included in order to provide you with a richer source of materials and **should mainly be used to illustrate the issues derived from the required academic reading**. However, students should be clear that such sources are **not** usually peer reviewed and **should therefore not be used 'instead' of academic sources**.

A 'Hierarchy of evidence' is therefore provided at the end of chapter 1 to help students decide on the relative value of the sources.

The book has been developed as the basis of both campus-based and distance learning modules, with students ranging from full-time undergraduates to police and probation officers. The book is also designed as an introductory text for Masters students who have no prior experience of studying criminal justice, or who need to refresh their knowledge. Tutors should therefore find it easy to adapt it to particular courses and integrate additional materials.

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## Debates in Criminal Justice

### Aims

1. To develop a critical awareness of contemporary debates in criminal justice.
2. To explore the dilemmas confronting decision makers in criminal justice.
3. To examine alternative frameworks for criminal justice to those currently in place in the UK.
4. To develop the capacity of students to assess contrasting and conflicting standpoints on approaches to criminal justice.

### Learning Outcomes

1. Students should be able to assess the strengths and weaknesses of competing perspectives on criminal justice.
2. Students should be able to assess the applicability of alternative approaches to criminal justice to the UK context.
3. Students should be able to represent particular standpoints on criminal justice within a debating context.

### Teaching strategies

The unit will be taught using:

12 debate-format lectures on key dilemmas and issues in criminal justice;  
and

5 seminar sessions, which require students to present their own assessed (summative) group debates.

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## Course Programme [TERM/SEMESTER/YEAR] at a glance

### Part 1: Themes in Criminal Justice

WEEK 1 **Crime Control Vs Due Process**

(Lecturer A Vs Lecturer B)

WEEK 2 **Lay Justice Vs Professionalised Justice**

(Lecturer C Vs Lecturer D)

WEEK 3 **Adversarial Justice Vs Inquisitorial Justice**

(Lecturer D Vs Lecturer C)

WEEK 4 **Restorative Vs Retributive Justice/Deterrence**

(Lecturer A Vs Lecturer B)

WEEK 5 **Public Vs Private Policing**

(Lecturer C Vs Lecturer D)

WEEK 6 **Prison Works!?**

(Lecturer B Vs Lecturer A)

### Part 2: Contemporary Issues in Criminal Justice

WEEK 7 **Legalisation of drugs**

(Lecturer D Vs Lecturer C)

**WEEK 8 Prohibition on torture - absolute, relative or situational?**

(Lecturer B Vs Lecturer A)

WEEK 9 **Capital Punishment**

(Lecturer C Vs Lecturer D)

WEEK 10 **Victims' Rights Vs Suspects' Rights**

(Lecturer B Vs Lecturer A)

WEEK 11 **Sex Offender Notification**

(Lecturer D Vs Lecturer C)

**WEEK 12 Legalising and/or deregulating vice: prostitution and**

**gambling**

(Lecturer A Vs Lecturer B)

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**Note to tutors:** All institutions and departments will have their own individual approaches and resources. The above outline is based on the assumption that there is a small team of 4 lecturers to deliver the unit (including associated seminars), with one as module coordinator. Obviously, if more staff are available and willing, this makes the unit less onerous for all involved. Based on experience, it is not advisable to run the module (other than for distance learning courses) with fewer than 4 lecturers. It is also important that the 'extreme positions' taken are varied so that individual lecturers are not associated with a consistent view by the students. For example, one lecturer should not be presenting the case for crime control, that capital punishment 'works', that drugs should not be legalised, and that prisons 'work'. Indeed, the feedback from lecturers is that it is important to swap roles year on year. Many have commented that they themselves have learned more about the topic in this way. This is why, in most cases, the chapters in the book are dual authored with no individual attribution to particular sections.

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## **Course Programme with readings**

**[Key readings, selected from those provided in the book, should be indicated for each debate]**

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## **ASSESSMENT ARTEFACTS**

There are 2 assessment artefacts  
(20 credit module):

**Part 1:** Group presentation (30% of final mark)

**Part 2:** Examination 2-hour/ 2 questions (70%)

NB 10 Credit assessment can dispense with (if seminars optional), or reduce weighting for presentation (or replace it with a 'poster' requirement) and should have a single 1 hour examination question or equivalent

Distance learning presentation assessments can be done on an individual or group basis, or dispensed with (or replaced it with a 'poster' requirement) depending on available technology. We recommend individual presentations, with sound, limited to 10 minutes and loaded onto U-tube

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## PART 1: Seminar Group Presentation & Assessment Outline

### ASSESSMENT

Each student is allocated to a seminar group. **Seminars start in week 3 or week 4.**

Each seminar groups will consist of a max. of 15 students, split into a further 3 subgroups of a max. of 5. Each subgroup has to prepare and deliver **an assessed 15-minute debate-format presentation (plus 5 minutes Q&A)** on a contemporary issue within criminal justice to the rest seminar group.

The issue must be one that has been in the newspapers within the last 12 months. (Tutors will distribute and discuss a guide to presentation skills and the marking criteria during the first seminar.)

The seminar tutor will award a group mark to the seminar presentation, which will count for each individual student towards 30% of the final mark for the unit.

**Non-attendance at the presentation will result in no mark being awarded. Each person in the group must play some part in the presentation, as judged by the tutor.**

Recognition of preparation, IT, etc. is justified but needs to be confirmed before the presentation begins.

Each presentation should ensure that each of the 3 learning outcomes is clearly demonstrated.

### SEMINAR 1

- The Tutor will split seminar group into **three sub-groups A,B & C**
- Tutors will also allocate date and times for these sub-groups to present their debates.
- Tutors will explain the purpose of the groupwork using the instructions document, which will also be handed out to the students
- Tutors will get students to think about CJ issues that have been prominent (in the media or for other reasons) in last 12 months that are NOT one of unit's 12 debates.
- The remainder of seminar 1 will be a concentration on presentational skills and the art of debating, using the instructions document.

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## **SEMINAR 2**

- Students bring to seminar 2 their suggested title for their Groups' separate presentations in one of seminars 3, 4 or 5, This MUST be agreed as appropriate by the tutor.
- Students MUST bring press clippings and other materials etc. and discuss with tutor/group
- The remainder of the session will be a practice debate with the seminar group being split into 2 **ad hoc groups (Y & Z)** and asked to read some unrelated materials, eg 'gun crime', and then attempt to support and criticise a particular standpoint.
- Tutors will provide feedback on the best elements and those that could be improved.

## **SEMINARS 3 - 5**

- Group presentations
- 15 mins + 5 mins Q&A
- Peer Assessment advised (ie, the students in the non-presenting groups for that week)

Strict enforcement of attendance with clear assessment penalties are applied for both those presenting and those assessing

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## Part 2: Examination (Seen paper)

- The examination paper requires students to answer 2 questions in 2 hours
- There will be a maximum of 5 questions to choose from, drawing on different combinations of the full 12 debate themes.
- This is a seen 'paper'. Candidates will be issued online (or equivalent) with the paper 1 WEEK prior to the examination date
- The 'seen' paper will also have guidance attached and together, these documents form the 'topic list' for revision
- Each of the questions requires students to combine and integrate themes and arguments from more than one debate. Reproducing the debates will limit the mark awarded
- The examination will take place after the full debate programme has been delivered.

**NB The examination can be substituted by other form/s of assessment, but through trial and error, and based on student performance and markers' evaluations of quality, this approach (including the timing) produced the best results in terms of 'meta-learning'.**

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## Key texts

**[ENSURE YOU INDICATE THE MINIMUM READING EXPECTED UNDER EACH HEADING BY UTILISING THE KEY SOURCES FROM THE DBATES TEXT BOOK AND/OR ADDING YOUR OWN/UPDATING]**

Students should also regularly browse the following journals, many available through as e journals:

British Journal of Criminology  
Criminology & Criminal Justice  
Journal of Contemporary Criminal Justice  
Howard Journal of Criminal Justice

**[ADD IN URLS AND OTHER JOURNALS ETC. BASED ON YOUR INSTITUTION'S LICENSING]**

**NEVER, EVER, USE WIKIPEDIA OR NON-CRIMINOLOGICAL DICTIONARIES AS A SOURCE!**

## A NOTE ON REFERENCING

**[Ensure clear guidance and urls are provided to your institution's/departement's guide on Harvard APA etc. eg, <http://referencing.port.ac.uk> ]**