1. **Title of the module**

LAWS9240 (LW924) - EU Criminal Law and Procedure

1. **School or partner institution which will be responsible for management of the module**

Kent Law School

1. **The level of the module (Level 4, Level 5, Level 6 or Level 7)**

Level 7

1. **The number of credits and the ECTS value which the module represents**

20 credits (10 ECTS)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn or Spring term

1. **Prerequisite and co-requisite modules**

None

1. **The programmes of study to which the module contributes**

All law postgraduate programmes. Available to postgraduate students from other schools at the convenors discretion.

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Critique the origins, development and future of EU criminal law and procedure
   2. Critically probe the forces driving and shaping the law-making, policy-making and implementation processes in EU criminal law and procedure
   3. Critique the law and practice on cross-border police, prosecution and judicial cooperation from constitutional and human rights perspectives
   4. Critically assess the role of select EU criminal law and procedure measures in shaping national and international responses to global crime challenges
   5. Appreciate and critique the emergence of a distinct EU criminal process
   6. Critically debate the legal, constitutional, political and cultural tensions between domestic criminal processes and EU influences and how they are mediated
   7. Conduct independent critical research on EU criminal law and procedure issues, and present incisive perspectives on them.
2. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Research, interpret and apply complex material from across several disciplines, such as: law, criminal justice, politics, international relations, history and philosophy
   2. Research, interpret and apply primary and secondary legal materials from national, European and international sources
   3. Demonstrate an understanding of the specificity of textual analysis
   4. Demonstrate skills in making well-constructed argument
   5. Demonstrate skills in the presentation of complex ideas and materials
   6. Demonstrate critical and self-reflexive modes of thought and analysis
   7. Demonstrate awareness of and capacity to debate the major social, political and legal issues of the day in national, European and international affairs
   8. Demonstrate the capacity for independent learning
   9. Demonstrate the ability to formulate viable research questions
   10. Demonstrate the capacity to undertake independent research on a specific topic
   11. Present research findings within a critical theoretical framework
3. **A synopsis of the curriculum**

This module offers a critical study of the origins, principles, concepts and practices of European Union criminal law and procedure from historical, constitutional, legal, political and social perspectives. It also addresses how national criminal law and procedure (especially that in the United Kingdom) are being shaped by developments at EU level, and explores the emergence of a distinct EU criminal process.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**

E. Herlin-Karnell The Constitutional Dimension of European Criminal Law (Oxford: Hart, 2012)

A. Klip European Criminal Law: an Integrative Approach (Cambridge: Intersentia, 2012)

S. Miettinen Criminal Law and Policy in the European Union (London: Routledge, 2013).

V. Mitsilegas EU Criminal Law (Oxford: Hart, 2009).

1. **Learning and teaching methods**

Total contact hours: 20

Private study hours: 180

Total study hours: 200

1. **Assessment methods**
   1. Main assessment methods

Essay, no more than 5000 words (100%)

13.2 Reassessment methods

Reassessment Instrument: 100% coursework

1. **Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 8.7 | 9.1 | 9.2 | 9.3 | 9.4 | 9.5 | 9.6 | 9.7 | 9.8 | 9.9 | 9.10 | 9.11 |
| **Learning/ teaching method** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Private Study | x | x | x | x | x | x | x | x | x | x | x | x | x | x | x | x | x | x |
| Seminars | x | x | x | x | x | x | x | x | x | x | x | x | x | x | x | x |  |  |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Essay | x | x | x | x | x | x | x | x | x | x | x | x | x | x | x | x | x | x |

1. The School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. There are no lectures in this module, therefore the lecture capture policy does not apply

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered**

Canterbury

1. **Internationalisation**

The module examines the origins, shape, content, values, development and application of the body of EU law on crime and criminal procedure, including how it is influencing the substance and operation of national criminal law and procedure. It includes a critical examination of the emergence of a distinct EU criminal process, and the operation of supranational law enforcement bodies such as Europol and Eurojust, and processes such as the European Arrest Warrant. These are considered critically from perspectives of national sovereignty, EU integration, crime control, security, due process and human rights.

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**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6&7 cover sheet) |
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Revised FSO Jan 2018