



RHODES UNIVERSITY

# **CRIMINAL LAW B**

**2019**



**Lecturer: Sarah Driver**

**s.driver@ru.ac.za**

## **1. INTRODUCTION**

Criminal Law A concentrated on the general principles of criminal liability. Criminal Law B builds onto the knowledge and skills developed in Criminal Law A by applying the principles of criminal liability to selected specific crimes/offences.

The purpose of Criminal Law B is to familiarise students with the characteristics and essential elements of selected specific crimes in the South African legal system, and to consider contentious issues and reforms. By the end of the course, students should be able to identify, discuss and evaluate these specific crimes and solve problems when presented with a factual scenario.

Students would need to know, and be able to do, the following in order to benefit from this course:

- Be capable of communicating in written and spoken English;
- Be capable of critically analysing and extracting relevant legal information from case law, legislation and other source material; and
- Be capable of independent learning.

## **2. TEACHING METHODS**

It is intended that successful participation in the course will assist students in developing the following competencies:

- Identifying and solving problems;
- Organising and managing themselves;
- Collecting, analysing and evaluating information;
- Communicating effectively; and
- Using technology.

A detailed course outline with a comprehensive reading list and bibliography are provided for this course. Students are expected to read ahead of the next lecture in order to acquire a basic familiarity with the relevant topic and case law and then take their own notes in lectures. Lectures are conducted in a structured but discursive

manner allowing for questions and discussion and practical examples are routinely considered. Students should be able to discuss the facts and decisions of all the cases listed in the course outline at the relevant time. It is expected that students assume responsibility for their own learning by independent study, as guided by the course outline.

### **3. BIBLIOGRAPHY**

Students are required to supplement and consolidate their own notes in this course. The following texts, which are all available in the Law Library, form the core reading for the course:

- Kemp (ed) *et al Criminal Law in South Africa* (2015) Oxford University Press: Cape Town
- J Burchell *Principles of Criminal Law* (2014), 4<sup>th</sup> ed, Juta and Co: Cape Town
- J Burchell *Cases and Materials on Criminal Law* (2007), 3<sup>rd</sup> ed, Juta and Co: Cape Town
- C R Snyman *Criminal Law* (2014), 6<sup>th</sup> ed, Lexis Nexis: Durban

In addition to the readings, students are required to read the relevant cases and legislation as indicated in the course outline. All the case law is available on the Jutastat database and the legislation is available on the Netlaw database, both of which are accessible through the Rhodes Library website.

### **4. ASSESSMENT**

The class work component for this course amounts to 30% of the final mark and the remaining 70% comprises a two-hour examination that will be written in November 2019.

Students are assessed for the class work component based on two pieces of work consisting of one test and one assignment. The test and assignment will each count 15% of the final mark. If students do not write the test, for whatever reason, then they will be required to sit for an oral test in lieu thereof. There are no written catch-up tests.

The test and examination will contain questions of the following types:

- problem questions which require the application of statute and common law to solve practical issues;
- theory/essay/note type questions in which students are required to describe, explain and critically evaluate a particular area of the law; and
- case note questions in which students are required to set out the facts and decision of a case and provide a critical evaluation of the decision.

## **5. COURSE OUTLINE**

The topics covered in this course comprise the following:

1. Introduction to specific crimes.
2. Crimes against the person.
3. Crimes against property.
4. Crimes against the State and administration of justice.
5. Crimes against public welfare.