

LAW2106 Criminal Law of RK General Part

Code

LAW2106

Title

Criminal Law of RK General Part

Prerequisites

Theory of State and Law

Credits

3

Description

This course considers in detail the principles and main concepts of criminal law and legislation of the Republic of Kazakhstan (CrLRK). Students will learn, from dynamic and comparative perspectives, specific rules with respect to the operation of criminal law in time, space and by person, the notion and various categories of criminal offences, incomplete offences as well as general conditions for criminal responsibility. The course will also extensively review the law governing complicity in a crime and the circumstances excluding, mitigating and aggravating the criminality of acts. Subsequently the concept, types and the purposes of criminal punishment as well as the conditions of the release from criminal responsibility and punishment are examined with particular attention to the specifics of the criminal responsibility and punishment of juveniles. Mandatory medical measures are also discussed.

Objectives

The teaching methodology is largely based on the so-called “softened” Socrates method and interactive discussion. The course is rather interactive; hence the student preparation and participation are important. The students are expected to read the assigned materials, ask questions and show active engagement during the class. This is so since the lectures are aimed, inter alia, at solving the doubts or uncertainties that may arise during the scrutiny and discussion of the topic(-s) at stake. Furthermore, students’ self-study is significant in the learning process: they are welcome to conduct additional research, consult extra materials, works, (text-) books, etc.

Outcomes

Upon successful completion of the course, students will be able to: 1 Knowledge outcomes: - obtain comprehensive knowledge of the fundamental concepts, principles and issues of CrLRK, with a view to further applying it in the study and practice of law in Kazakhstan, and in preparation for their future careers - develop their understanding of the place and role the CrLRK plays in the general structure of legal branches in Kazakhstan - comprehend the character and significance of the reformed criminal legal legislation of the RK - familiarize themselves with the relevant specialist literature and legal materials 2 Skills outcomes: - learn how to organize their own learning programme and manage their time effectively - learn how to assimilate large amounts of material and extract from it relevant information to successfully prepare for and complete each seminar and written assignment - learn to listen and interact effectively in class - learn how to engage and reflect critically on issues related to theoretical and practical discussion of the law - learn to express their ideas coherently and logically, both orally and in writing - crystallize their problem-solving skills as well as the ability to generate practical ideas for the solution of legal problems 3 Values and behavior outcomes - appreciate the theory of criminal law, its main tasks and principles by becoming aware of a variety of factors influenced by and/or affecting their place and role in the society - appraise the existing criminal legal system, norms and legislation in a more objective and critical way

Assessment

60 % -first and second assessments

40 % -final assessment

Tentative course outline

Week1

Introduction

Week2

The notion of criminal law: system, tasks and principles

Week3

The notion of criminal offence

Week4

The object of crime

Week5

Material element of a crime (actus reus)

Week6

Mental element of a crime (mens rea)

Week7

The subject of crime

Week8

Multiplicity of criminal offences

Week9

Excuses and justifications

Week10

Criminal responsibility

Week11

Punishment

Week12

Imposition of punishment

Week13

Release from criminal responsibility

Week14

Release from punishment

Week15

Criminal responsibility of minors / mandatory medical measures