



Centre of **Criminology**
Africa focused. Globally engaged.

LLM/MPhil

Criminology, Law and Society

The LLM and MPhil programme in Criminology, Law and Society is offered by the Centre of Criminology and the Centre for Law and Society. This programme will appeal to students with interests in law and society, criminology and social justice. The programme seeks to develop interdisciplinary skills in theory and research methods and offers a range of speciality courses, including theories of crime and social order, policing, sexual offences, law and society in Africa, and forensics and the law. A key focus of the programme is on equipping students with the methodological skills necessary to understand and deal with "law in action", linking them to two of the Faculty's most innovative and exciting research centres.

PROGRAMME STRUCTURE



TWO REQUIRED COURSES
(First Semester)



TWO ELECTIVE COURSES
(Second Semester)



MINOR DISSERTATION
(Whole Year)

REQUIRED COURSES

1

PBL5847F: *Law in Action Research Methods*

Weekly 3-hour seminar
Thursday 16h00 – 19h00

2

PBL5820F: *Theories of Crime and Social Order*

Weekly 3-hour seminar
Monday 16h00 – 19h00

OR

2

PBL5848F: *Law and Society in Africa*

Block Lectures
Two weeks, usually mid-March 09h00 – 15h00

CHOICE OF TWO THEORY COURSES

PBL5820F: *Theories of Crime and Social Order*

Weekly 3-hour seminar | Monday 16h00 – 19h00

The course is intended to provide an understanding of the theoretical ideas that have shaped and are shaping criminal justice policy and the way in which both implicit and explicit policy agendas are realized in practice. The course will explore the history of criminological theory on understandings of crime and social order. The course considers the thinking of seminal criminological theorists; schools of thought and emblematic exemplars of each will be explored. The course interrogates Southern critiques of criminology's theoretical and programmatic projects and considers what (South) African criminology contributes to these debates in theory, as discipline and in practice.

PBL5848F: *Law and Society in Africa*

Block Lectures | 2 weeks (usually mid-March) 09h00 – 16h00

Law shapes and is shaped by our social, political and cultural institutions and practices. In this course we will engage with some of the key theories and concepts, such as legal consciousness and legal pluralism, that help us to understand the relationship between law and society. Explicitly interdisciplinary in orientation, the course will consider questions that arise – and are best addressed – at the intersections of legal, social, political and economic fields like why some laws are made (or enforced) and others are not, the institutional barriers to effective implementation, the reasons why citizens turn to the law (or not) to address their problems, the functioning of police, prosecutors, courts and prisons – and the other forms of social regulation that fill the gaps in between.

PBL45644S: Sexual Offences and the Law

Block Lectures | Two weeks (usually mid-September) 09h00 – 16h00

Taking a multi-disciplinary and comparative approach, this course will engage with the utility of the law in addressing sexual violence, testing its aims and highlighting challenges and limitations. The course situates law within the broader social, economic, political and historical context. The course will also focus on the interpretation and impact of specific provisions of the Sexual Offences and Related Matters Amendment Act. Topics to be covered may include: defining rape, autonomy and consent; investigating and prosecuting sexual offences; mens rea; medico-legal and psycho-social issues; the criminalisation of sexually transmitted diseases; online sexual violence; vulnerable witnesses and protective measures; evidence and procedure: caution, corroboration and delays, previous sexual history, character and disclosure of personal records; publication of offender names ('naming and shaming'); vernacular law approaches to sexual violence; compensation; sexual offender registers; quasi-legal proceedings, such as inquiries into sexual harassment in the workplace

PBL45644S: Punishment and Human Rights

3-hour Seminar | Monday 16h00 – 19h00

This course aims to provide students with a sound theoretical understanding both of the justifications of punishment and human rights constraints in the context of sentencing, including how/if the theory translates into practice. The course introduces the class to the various philosophical justifications that have historically been provided for sentencing and the relationship between human rights law and penal sanctions. It then explores in detail the current justifications for punishment/ purposes of the correctional system, focusing on issues such as deterrence, incapacitation, rehabilitation, restoration, retribution and just deserts. The course deals with constraints placed on sentencing in South Africa by human rights norms contained in the Bill of Rights and international law. Finally the course places the preceding theoretical/philosophical discussions into a practical context by dealing with current and future sentencing practice in South Africa, modes of implementing punishment (e.g. prison) and special stakeholders in punishment

PBL5844S: Police and Policing

3-hour Seminar | Tuesday 16h00 – 19h00

This course is intended to develop academic and professional expertise in the governance of security and provides a critical understanding of trends in the governance of security through the window of police and policing. Thus, it explores both what trends in governance can tell us about policing and what policing can tell us about developments in governance. It focuses on the impacts that global and local governance developments, new risks, spaces and technologies, have on state and non-state policing, and the regulatory and human rights implications of new trends in policing. This course focuses particularly on security governance in Africa (particularly South Africa).

PBL5847S: Forensics and the Law

3-hour Seminar | Wednesday 16h00 – 19h00

This course is designed for students who are interested in acquiring an introduction to the use of science to solve crime and will give students an understanding of the application of forensics to the law. The course provides an overview of crime scene investigation and the various kinds of forensic evidence that may be collected and presented in court. Students will be introduced to the theory of identification, documentation and collection of physical evidence, including fingerprints, shoe impressions, hair and fibers, firearms evidence, questioned documents and fraud investigation. The course then considers biological evidence, including blood spatter and other fluids, forensic anthropology and odontology. The course encourages a critical appraisal of the science of forensics, and to the role and use of forensic evidence in the criminal justice process.

PBL5822S: Victims and Victimology

3-hour Seminar | Thursday 17h00 – 20h00

This course is designed to provide us with an overview of the evolving interest in victims of crime and other forms of social harm. Here we take stock of concepts, theories, social constructions, policies and criminal justice practices which allow us to engage more thoughtfully with victims of crime and social harm. We are interested in the contestations and controversies relating to the social construction of victimhood, how claims to victimhood are staked; the forms of social mobilisation exhibited by groups of victims; the types of contestation to which this may give rise. We consider the interaction and/or fusion of identities between victims and offenders. Substantive areas of concern may include victims of interpersonal violent crime (homicide; gendered-based forms of violence); as well as victims of organised crime; terror; environmental degradation and genocide.

PBL5851S: Criminal Process & Human Rights

3-hour Seminar | Weekday (TBC) 17h00 – 20h00

The course will draw together two components of the criminal process, namely, substantive and procedural law (the latter including evidentiary issues). Theories underlying the criminal process will be explored in a human rights context and applied to contemporary challenges and developments. These include the appropriateness of a primarily adversarial trial process; the lag between developments in social science and rules of proof; the impact of the digital world on criminal processes and the challenge of de-colonisation.

MINOR DISSERTATION

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DUE DATES:

15 September | ~15 February

SUPERVISOR:

Expertise & Availability

LENGTH & SCOPE:

25 000 words (about 80 pages)

For further information contact:

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