



F8 - Working in Criminal Practice

Foundation Stage

2025-2026

F8: Working in Criminal Practice

The aim of this module is to give you an overview of how the criminal justice system works in practice. You will cover many of the key stages of a criminal prosecution, from the initial arrest of a suspect to trial and sentencing. You will apply your knowledge to practical scenarios.

The module covers:

1. The general principles of establishing criminal liability
2. Key criminal offences and common defences
3. An overview of proceedings in the magistrates' courts and the Crown Court
4. The arrest and detention of the suspect
5. The defendant's first appearance at the magistrates' court including issues of bail and allocation
6. Preparation for trial, including disclosure of evidence
7. Sentencing principles
8. Funding of a criminal case
9. Communication, Conduct and Professional Ethics

Learning Outcomes

By the end of this module you will be able to:

1. Identify the general principles required to establish criminal liability
2. Describe the elements of key criminal offences and some common defences advanced in criminal proceedings
3. Advise whether a suspect has been lawfully arrested and detained by the police
4. Identify the category of an offence and advise in which court the defendant will be tried
5. Advise a client on the likelihood of bail being granted and explain the procedure regarding bail
6. Identify the key stages in preparing a criminal case and the rules regarding disclosure of evidence
7. Describe key sentencing principles and identify appropriate sentences for key offences
8. Advise in relation to funding options available in criminal cases and assess whether the defendant will be eligible for legal aid
9. Recognise regulation, including the duties and responsibilities of the SRA Code of Conduct and the CILEX Code of Conduct
10. Demonstrate the skills required for effective communication with clients

Details of updates included in 2025-2026 Module Specification

- There were no updates deemed necessary

1. The general principles of establishing criminal liability	To work in any area of criminal practice you will need to understand the building blocks of establishing criminal liability: a) Fundamental principles, aims, theory, scope and function of the criminal law b) The burden and standard of proof in a criminal case (including where the burden of proof is reversed) c) Actus reus • Definition • The distinction between conduct, circumstances and consequence/result aspects of actus reus • The principles of causation • Criminal liability for an omission to act d) Mens rea • Definition • Intention • Recklessness • Coincidence of actus reus and mens rea e) Strict liability • Definition and purpose
2. Key Criminal Offences & Defences	You will need to be aware of the elements of key criminal offences with which a defendant might commonly be charged and some of the key defences. You will be able to explain these to a client and give basic advice on the correct plea. a) Property offences: • Theft, Burglary, Robbery (ss.1, 9 and 8 Theft Act 1968); • Criminal damage (s.1 Criminal Damage Act 1971) b) Homicide offences: • Murder and voluntary manslaughter (including the partial defences to murder); • Involuntary manslaughter (unlawful act) c) Non-fatal offences against the person: • Assault and battery (s.39 Criminal Justice Act 1988) • Assault occasioning actual bodily harm (s.47 Offences Against the Persons Act 1861) • Inflicting grievous bodily harm/wounding (s.20 Offences Against the Persons Act 1861) • Causing grievous bodily harm/wounding with intent (s. 18 Offences Against the Persons Act 1861)

	d) Attempts (s.1 Criminal Attempts Act 1981) e) Defences • Self-defence /defence of another/ prevention of crime • The meaning of reasonable force • The special considerations for 'householders' • Intoxication • Duress
3. Hierarchy of the Criminal Court System	An understanding of the hierarchy of the criminal court system is essential in criminal practice. Therefore, you will need to know the jurisdiction and appellant function (where applicable) of the following: a) The magistrates' court b) The Crown Court c) The Administrative Court (appeal by way of case stated) d) Court of Appeal (Criminal Division) e) The Supreme Court
4. Arrest and Detention of suspects by the police	Working in criminal law requires an awareness of the role of the police. In order to advise a client and to make representations to the police, you will need to understand the powers of the police and the rights of the suspect whilst in police detention. a) The requirements for a lawful arrest (ss. 24 and 28 PACE 1984) b) Custody time limits whilst in detention (ss. 41, 42, 43 and 44 PACE 1984) c) The fundamental rights of the suspect whilst in detention (ss. 58 and 56 PACE 1984)
5. The defendant's first court appearance.	Lots of important decisions are made during the defendant's first court appearance which will inform how the case progresses. You must understand and be able to explain the following: a) The classification of criminal offences including the key criminal offences covered in the module b) The procedure at the first magistrates' court hearing: • The plea before venue procedure for offences which are triable either way

	• The allocation procedure for either way offences (s.19 Magistrates' Courts Act and the Sentencing Council's Allocation Guideline). The defendant's right to elect a jury trial. • The procedure in relation to summary only and indictable only offences c) The law and procedure in relation to bail: • The presumed right to bail and the exceptions to that right • The factors the courts consider when making a decision regarding bail (the 'paragraph 9 factors') • Appropriate bail conditions • Appeals by the prosecution and defence against the grant of bail • Failure to surrender to bail and breach of bail conditions
6. Preparation for trial	A large part of preparing for trial in a criminal case will be assessing the evidence against the defendant and deciding how to present the case. This requires a clear understanding of the court procedures and the rules on disclosure of evidence including: a) The magistrates' courts • An overview of the summary trial procedure b) The Crown Court • Plea and Trial Preparation Hearing (PTPH) • An overview of the trial on indictment procedure c) The disclosure timetable • Initial details of the prosecution case (IDPC) • Initial disclosure of unused material and the ongoing duty of disclosure by the prosecutor (ss. 3, 7 and 8 of the Criminal Procedure and Investigations Act 1996) • Defence disclosure obligations, defence statements and witness requirements (ss. 5 and 6 Criminal Procedure and Investigations Act 1996) • Expert witness requirements
7. Sentencing principles	When a defendant is convicted or pleads guilty the court will proceed to sentence them. Sentencing is a big part of a criminal practitioner's work. You will need to be able to explain the law on sentencing and apply the relevant guidelines: a) The general principles of sentencing • The aims of sentencing • Seriousness

	b) The maximum sentencing powers of the magistrates' court c) The Sentencing Guidelines for each of the key offences contained in this module d) The hierarchy of sentences and the types of sentences commonly imposed • Fines • Community sentences • Custodial sentences
8. Funding of a criminal case	It is important to have a commercial awareness of how a law firm functions. One of the most important areas for criminal practice is how the case will be funded. You should be able to advise a client as to the various funding options available and the most suitable for them: a) The financial eligibility test for legal aid in the magistrates' court and the Crown Court b) The Interests of Justice Test for legal aid in criminal proceedings c) Options for private funding (including insurance, trade unions etc.)
9. Communication Skills in Criminal Practice	Communication skills are fundamental to building confidence with clients and peers. You will have to communicate effectively, both orally and in writing, with clients, colleagues and other stakeholders in the criminal justice system (opposing lawyers, court staff, the police etc.) This will involve speaking to individuals, listening to what they have to say and noticing the way they respond to the message you are giving them. a) The importance of effective communication within a legal environment: • Identify the ways in which legal professionals communicate with clients and third parties • Understand the range and appropriate methods of communication to use with specific clients and third parties • Consider the impact of equality, diversity, and cultural difference when working with clients and third parties. b) The use of verbal communication to effectively communicate a message: • Prepare effectively for verbal communication situations for example interviews with clients • Distinguish between the types of questions to be used in different situations.

	• Understand the effect tone of voice and language can have on the receiving party c) The role non-verbal cues play in effective communication: • Understand the range of non-verbal responses and the effect they can have on the communication process d) Actively listening to colleagues, clients and other stakeholders to effectively conduct a case • Accurately receive and interpret messages while communicating • Use active listening skills to fully understand the message e) The importance of effective and accurate legal writing: • Be able to effectively take notes upon which others can then base correspondence • Be able to produce correspondence, which is grammatically correct, with no spelling mistakes f) Draft original and precedent forms of communication • Understand the importance of the client care letter • Understand the required content of the client care letter including terms and conditions • Draft a routine letter, email, an attendance note and fill in routine forms. g) Professional and ethical considerations • Ensure that clients are served in an ethical and professional way • Understand how to manage risk
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