

L A K E H E A D U N I V E R S I T Y
DEPARTMENT OF POLITICAL SCIENCE

Political Science 2311 WA

Criminal Law

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Winter, 2018
Mondays, 7:00-10:00 p.m.
AT-2001

Course Outline

- An overview of criminal law in Canada, theory and procedure, including the political issues and controversies surrounding it.
- Lectures will deal with the following topics:
 - Criminal law and social policy
 - Criminal procedure
 - Criminal law and the Charter of Rights and Freedoms
 - The role of the Crown Attorney
 - The role of the defence counsel
 - Lawyers' Professional Responsibility
 - Evidentiary issues and Defences

Required Textbook

Criminal Law in Canada, 6th Edition, Simon N. Verdun-Jones
(available at Lakehead University book store)

Other resources to be provided.

Course Requirements and Evaluation

Mid-term Examination (in class February 12)	worth	20% (Optional)
Essay (hand in hard copy in class February 5)	worth	30% (Optional)
Final Examination (during April exam period)	worth	50% (or 100% if no
options chosen or 70% or 80% if one option chosen)		

The final examination is open book and two and one-half hours in length.

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Supplementary Course Outline

Winter, 2018

Introduction to Law in Canada (Intro to Law in Canada), BAC (Bar Admission Course)
Criminal Law Materials and Lecturer's Notes are on reserve in the library.

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| January 8 | Lecture 1: Introduction
Required reading: Criminal Law in Canada, Chapter 1
Recommended reading: Intro to Law in Canada, Chapter 1
Essay topics handed out |
| January 15 | Lecture 2: Sources of Canadian Criminal Law/ Actus Reus Elements
Required reading: Criminal Law in Canada, Chapter 2
Recommended reading: Intro to Law in Canada, Chapters 2, 3 & 4 |
| January 22 | Lecture 3: Classification of Offences and Trial Jurisdiction/ Mental Elements- Subjective Liability
Required reading: Criminal Law in Canada, Chapter 4
Recommended reading: BAC Materials, Chapter 2 |
| January 29 | Lecture 4: Disclosure/ Mental Elements-Objective Liability
Required reading: Criminal Law in Canada, Chapter 5
Recommended reading: BAC Materials, Chapter 5 |
| February 5 | Lecture 5: Professional Responsibility/ Regulatory Offences
Required reading: Criminal Law in Canada, Chapter 6
Recommended reading: BAC Materials, Chapter 1
Essay Due |
| February 12 | Lecture 6: The Preliminary Inquiry
Midterm Examination
Recommended reading: BAC Materials, Chapter 6 |
| February 19 | NO CLASS-Study Break |
| February 26 | Lecture 7: Witnesses/ Mental Impairment and Criminal Responsibility
Required reading: Criminal Law in Canada, Chapter 8
Recommended reading: BAC Materials, Chapter 7 |

March 5	Lecture 8: The Trial/ Mistake of Fact, Consent and Mistake of Law as Defences Required reading: Criminal Law in Canada, Chapter 9 Recommended reading: Intro to Law in Canada, Chapter 7; BAC Materials, Chapter 10
March 12	Lecture 9: Sentencing/ Provocation and Intoxication as Defences Required reading: Criminal Law in Canada, Chapter 10 Recommended reading: BAC Materials, Chapter 11
March 19	Lecture 10: The Youth Criminal Justice Act/ Necessity and Duress Required reading: Criminal Law in Canada, Chapter 11 Recommended reading: BAC Materials, Chapter 15
March 26	Lecture 11: Selected Issues in Criminal Law/Guest Speakers
April 2	NO CLASS-Easter Monday
April 9	Review and examination preparation

The above is subject to change. Additional required readings, if any, will be handed out in class or forwarded by e-mail. Students are responsible to be available for the final examination to be scheduled for the examination period from April 13-24, 2018. Students are responsible to know the time, date and location of the final examination by consulting the Lakehead University examination timetable.

2311- CRIMINAL LAW- ESSAY OPTION-2018

Prepare a 7-10 page, typewritten, double-spaced essay, using 12 point font, on one of the following topics:

- (1) "Punishment should fit the crime. Murder should result in the death penalty. A sexual offence should result in surgical removal of the sex organ in question." Provide your opinion on how punishment should be dealt with in our law so that it serves as an effective deterrent to criminal activity.
- (2) The Government of Canada has been imposing more mandatory minimum sentences. Discuss the concept of mandatory minimum sentences and what, if any, deterrent value it has had in other countries or in Canada. Discuss the

challenges, societal and/or legal and/or political, of mandatory minimum sentences. Offer your opinion on the advantages and disadvantages of mandatory minimum sentences in our criminal law.”

(3) “Sentencing of offenders should be culturally sensitive. Appropriate sentences could result in reducing the number of repeat offenders.” Discuss this proposition and consider the manner of sentencing/punishment in other cultures and societies, currently or historically or both.

(4) The Charter of Rights and Freedoms sets out the extent of our rights and freedoms. Discuss whether rights and freedoms are more restricted by virtue of having a written charter. In your answer, consider other countries, their constitutional history and their historical experiences.

(5) “The Youth Criminal Justice Act has been an abject failure in terms of deterring youth crime.” Discuss whether you agree or disagree with this proposition. In your answer, consider alternatives to dealing with youth crime from other cultures and/or countries.

(6) Select a topic of your choosing on approval of the instructor.

Your essay should include citations and a complete bibliography. It is worth 30% of your final mark and is due no later than February 5, 2018 (hand in a hard copy in class that night). The essay is optional but will count toward your final grade once it is handed in. To obtain a good mark, you must not use merely internet sources- journal articles or texts are the legitimate research sources that must be utilized.