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, 2017
Mondays, 7:00-10:00 p.m.
AT-1001

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 (February 13)…… 20% (Optional)
Essay (due February 6)……..……..……..……...30% (Optional)
Final Examination (April 3, in class, ATAC-1001)……50% (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, 2017

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.

January 9	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 16	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 23	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 30	Lecture 4: Disclosure/ Mental Elements-Objective Liability Required reading: Criminal Law in Canada, Chapter 5 Recommended reading: BAC Materials, Chapter 5
February 6	Lecture 5: Professional Responsibility/ Regulatory Offences Required reading: Criminal Law in Canada, Chapter 6 Recommended reading: BAC Materials, Chapter 1 Essay Due
February 13	Lecture 6: The Preliminary Inquiry Midterm Examination Recommended reading: BAC Materials, Chapter 6
February 20	NO CLASS-Study Break
February 27	Lecture 7: Witnesses/ Mental Impairment and Criminal Responsibility Required reading: Criminal Law in Canada, Chapter 8 Recommended reading: BAC Materials, Chapter 7

March 6	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 13	Lecture 9: Sentencing/ Provocation and Intoxication as Defences Required reading: Criminal Law in Canada, Chapter 10 Recommended reading: BAC Materials, Chapter 11
March 20	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 27	Lecture 11: Selected Issues in Criminal Law/Guest Speakers/Exam Preparation
April 3	Final Examination-In-Class (ATAC-1001) (Two and one-half hours, open book)

The above is subject to change. Additional required readings, if any, will be handed out in class.

2311- CRIMINAL LAW- ESSAY OPTION-2017

Prepare a 5-10 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 had 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. 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.

Your essay should include citations and a complete bibliography. It is worth 30% of your final mark and is due no later than February 6, 2017. 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.