

**CJ 2130
CRIMINAL LAW**

TEXTBOOKS: (T) Simon N. Verdun-Jones, Cases Questions and the Code, 4th Edition Pocket Criminal Code of Canada 2010, 7th Edition

OTHER REQUIRED MATERIALS:

Students should also obtain copies of the relevant sections of the Constitution Acts 1867, and 1982; both are accessible on the Internet. Other materials may be made available on the course website from time to time. Students should check the course website at least once a week for announcements and readings.

COURSE DESCRIPTION:

This course introduces students to the nature, purpose, scope, sources and basic principles of the criminal law. The course covers the fundamental legal concepts listed in the reading syllabus below. Students engage in a critical examination of the legislative policies expressed in the Criminal Code of Canada and examine the legal principles pertaining to specific crimes and defenses to a charge. The course considers by way of introduction the interplay of the criminal law and the Canadian Charter of Rights and Freedoms. The course does not cover the intricacies of criminal process and procedure or the legal process of policing but focuses on the theoretical elements of crime from a legal perspective at trial.

EXPECTATIONS:

The reading list is firm but is subject to amendment on occasion due to time constraints and in addition the timetables of coverage may vary. Students are expected to attend class having read the materials in the Verdun-Jones Textbook (T). You are also expected to read the website readings indicated. You are expected to read the relevant sections of the Criminal Code of Canada and the Constitution Acts 1876, and 1982 as we cover them. The lectures will focus on the basic principles with a heavy emphasis on the most important case law in the area.

GRADE DISTRIBUTION;

The following letter/percentage scale will be used for all assignments.

A+ = 90-100%	B+ = 75-79%	C = 60-64%
A = 84-89%	B = 70-74%	D = 50-59%
A- = 80-83%	C+ = 65-69%	F = 0-49%

ACADEMIC DISHONESTY:

Students should acquaint themselves with the University's policy regarding **academic ethics** (i.e. cheating). It is outlined in The University of Winnipeg Course Calendar under the heading; Regulations and Policies.

<http://www.uwinnipeg.ca/index/calendar-calendar>

WITHDRAWAL DATE:

The final date to withdraw from the course without academic penalty can be found online. <http://www.uwinnipeg.ca/index/services-withdrawal-schedules>

SERVICES FOR STUDENTS WITH DISABILITIES:

Students with documented disabilities requiring academic accommodations for tests/exams (e.g., private space) or during lectures/laboratories (e.g., access to volunteer note-takers) are encouraged to contact the Coordinator of Disability Services (DS) at 786-9771 to discuss appropriate options. Specific information about DS is available on-line at <http://www.uwinnipeg.ca/index/services-disability>. All information about the disability is confidential.

**CRIMINAL LAW CJ 2130
COURSE OUTLINE AND REQUIRED READING**

Weeks 1 & 2:

Basic concepts in law, introduction to the criminal law, the impact of the Charter on criminal law in Canada.

Readings (T) Ch. 1

Weeks 3 & 4:

The Actus Reus and legal implications

Readings (T) Ch. 2, Ch. 8: pp 196-208

Weeks 5 – 8:

Criminal Causation

Reading (T) Ch. 3

Weeks 9-11:

Subjective Mens Rea, Mental Illness, Provocation, Self Induced Intoxication

Reading (T) Ch. 4, Ch. 10: pp. 258-260 in Criminal Law in Canada: Cases, Questions and the Code, Ch. 8: pp 192-196 in Criminal Law in Canada: Cases, Questions and the Code, Mental Illness Component on the website

Week 12:

Objective Mens Rea, Mistake of Fact, Consent, Mistake of Law

Readings (T) Ch. 5, Pp 91-93 and 80-81 in Miscellaneous Defenses on the website

Time Permitting:

Regulatory offences

Readings (T) Ch. 6

Modes of participation in crime, inchoate offences

Readings Parties to an Offence and Inchoate Offences on the website
Additional readings and topics tba

METHODS AND MODES OF EXAMINATIONS

Exams are open book. This means that any and all course materials and texts, including your notes, may be brought to class. You may not bring in books or articles that have not been assigned in class. These materials may be confiscated during exams and you may be asked to stop writing if you are spotted with these materials. Use of such prohibited materials is a form of academic misconduct. You may use previous editions of course materials though.

Midterms

Test 1: Written and multiple choice questions (25%)

Test 2: Written and multiple choice questions (25%)

Cumulative Final

Final Test (50%): check registrar listings (3 hours, cumulative)

The final test will be administered during the scheduled exam period. Check the registrar's listings for time, date and location.

POLICY ON MISSED TESTS

Under no circumstances will a test be given earlier than the scheduled date. Makeup tests may be scheduled if a student can produce suitable documentation (a doctor's note, for instance) to indicate illness or family emergency. The documentation should verify that the student was either legitimately ill or otherwise indisposed by virtue of exigent circumstances and it should outline the time frame for which the exigency transpired. Make up tests will not necessarily be the same format or duration as the scheduled test and they will be scheduled at the convenience of the instructor. However if you miss the final test you must avail yourself of the formal application for deferral through the University of Winnipeg. The instructor has no control over this process.

LATE ASSIGNMENTS

Late assignments/take home tests, if assigned, will be reduced by 5 percent penalty per day of lateness, including non business days. All take home work, if assigned, must be type written.