

UNIVERSITY OF MANITOBA
SOCIOLOGY SOC 3720 A01
CRIMINAL LAW & PROCEDURES (3 CR HRS)
COURSE OUTLINE (TERM 1)
Monday Evening September 11, 2006 to December 4, 2006
Room 214 Tier Building 7:00 p.m. until 10:00 p.m.

Craig S. Murray B.A. LL.B
200-99 Scurfield Blvd.
Winnipeg, Manitoba
R3Y 1Y1

Room 214 Tier Building
Ph: 989-8767 Fax: 989-8765
E-Mail: craigmurray@cmresolutions.com

Office Hours: Consultations with students could occur via e-mail, fax, telephone, on campus either before or after Monday evening class or by attendance at my law office at a mutually convenient time and date.

REQUIRED MATERIALS:

- (S) Murray, *Materials on Criminal Law and Its Procedures* - available through the University of Manitoba Bookstore
- (T) Simon Verdun-Jones, *Criminal Law in Canada: Cases, Questions and the Code (4th edition 2006)* - available through the University of Manitoba Bookstore

EVALUATION:

A+=90-100%	A=80-89%	B+=75-79%	B=70-74%
C+=65-69%	C=60-64%	D=59-50%	F=Less than 50%

- 33.3% TAKE HOME ESSAY DISTRIBUTED IN ADVANCE ON OCTOBER 2, 2006.
- DUE ON OCTOBER 16, 2006 in class or no later than 7:00 p.m.
- 33.3% TEST - OCTOBER 23, 2006. *Closed book*
- 33.3% FINAL EXAMINATION - IN EXAMINATION PERIOD. Time and date to be provided by the Registrar's Office (Dec. 8-20, 2006.)- Closed Book

COURSE OVERVIEW:

Criminal law and its procedure will introduce you to the criminal process. First, we will consider how the “system” of criminal law works. The reality of justice and manner rendered in our criminal courts will be exposed for our examination and criticism. Emphasis will be placed on individual rights, their protection under law and most notably under the Charter of Rights and Freedoms. Once you have a background of knowledge respecting the way an accused comes before Court, we will contemplate the proof of guilt at Trial. This is “substantive” criminal law. It is concerned with defining the rights and duties each person has in a society, it defines criminal conduct.

COURSE READINGS: [REVISED] T= Verdun-Jones Text S= Murray Materials

September 11, 2006	SOURCES OF CRIMINAL LAW: THE COMMON LAW	S 1-10 T 1-19
	INTRODUCTION TO THE CHARTER OF RIGHTS & FREEDOMS	S 11-25
September 18	THE CRIMINAL PROCESS/CLASSIFICATION & ARREST 47	S 26-
	ARREST & THE CHARTER	S 48-56
September 25	THE AUTHORITY TO SEARCH	S 57-66
	UNREASONABLE SEARCH & SEIZURE	S 67-83
October 2	PRE-TRIAL PROCESS: CHARGE SCREENING & DISCLOSURE	S 84-106
	BAIL	S 107-111
October 9	Happy Thanksgiving - NO CLASS	
October 16	THE PLEA & THE TRIAL	S 112-116, 126-132
	SENTENCING	S 133-140
	TAKE HOME ESSAY DUE 33.3%	

October 23	IN CLASS TEST 33.3%	
October 30	INTRODUCTION TO ACTUS REUS	T 20-24, 31-42
	CAUSATION	T 44-62
November 6	DEFENCES: NECESSITY	T 264-272
November 13	MENS REA	T 66-71, 78-96
	NEGLIGENCE	T 100-104, 113-120
November 20	STRICT & ABSOLUTE LIABILITY	T 122-134
	PARTIES TO AN OFFENCE	T 142-157, T 135-139
November 27	UNFILLED OFFENCES	T 157-176
	VOLUNTARINESS/AUTOMATISM	T 196-207
	DURESS	T 272-280
December 4	MENTAL DISORDER	T 182-196
	INTOXICATION	T 250-261
	MISTAKE OF FACT	T 213-223
	MISTAKE OF LAW	T 232-239

APPEAL OF MID-TERM TEST & TERM WORK ASSESSMENTS:

A student who wishes to appeal a grade given for a piece of term work is normally allowed 10 working days (from date of communication of the grade) to make such an appeal, which is to be done as follows:

1. The student is expected to discuss matters relating to the grade with the instructor prior to submitting a formal, ie., written appeal.

2. Having decided to submit a formal appeal, the student is to obtain the necessary "Application for Appealing a Grade Given for Term Work" form from the General Office of Sociology, complete it, take it to The University of Manitoba Comptroller's Office and pay the required fee.

MISSED EXAMINATIONS & LATE ASSIGNMENTS:

If a test is missed for a legitimate medical reason the student **MUST** get in touch with the professor, present a medical certificate, and arrange for a make-up test. Under normal circumstances, the student is required to inform the professor of a request for a make-up test within one week of the original test date. Failure to request a make-up test within the expected time frame may result in ineligibility for a make-up test and a mark of zero for that test. No make-up will be allowed after the mid-term examination has been returned or taken up in class. One mark per day will be deducted for late submission of the assignment. No assignment will be accepted after the return of the marked assignments and the student will receive a zero for the assignment.

POLICY ON PLAGIARISM AND CHEATING:

The rule is simple: Plagiarism and cheating is not allowed in this course. See University of Manitoba Undergraduate Calendar on page 26.

Voluntary withdrawal deadline November 15, 2006.