

**UNIVERSITY OF MANITOBA
DEPARTMENT OF SOCIOLOGY
SOC 3720 A01
THE CRIMINAL LAW AND ITS PROCEDURE – 3 CREDIT HOURS
Wednesday Evenings 7pm-10pm – 308 Tier (January – April 2015)**

Sessional Instructor: Jennifer Mann

Email: Jennifer.mann@gov.mb.ca

Office Hours: 5:30 – 6:30 Wednesdays, 309 Isbister

COURSE OVERVIEW:

This course will serve to introduce you to the criminal justice process. It is important to understand the procedures and practices that govern criminal law; from initial arrest to sentencing and appeal. We will also examine the elements of an offence and common defences. Classes will be taught primarily through group discussion format.

MATERIALS:

1. Coughlan, Steve –*Criminal Procedure- 2nd Edition*- (available through the University of Manitoba Bookstore)- **REQUIRED**
2. Roach, Kent- *Criminal Law- 5th Edition* (available through the University of Manitoba Bookstore)- **REQUIRED**
3. *Criminal Code of Canada* – available for free on-line at the Government of Canada, Department of Justice Website. Here is the direct link:
<http://laws.justice.gc.ca/eng/acts/C-46/index.html>
4. CanLii is a free on-line case law search tool which may be of assistance should you wish to explore the issues examined in class in more depth.

EVALUATION:

A+ = 95-100% A = 86-94% B+ = 80-85% B = 79-70%
C+ = 69-65% C = 60-64% D = 50-59% F = less than 50%

5% - Participation/attendance

40% - Midterm exam (to be done during class on February 25, 2015)

55% - Final Exam (3 hours)

READINGS:

***Aside for the readings for the first class, it is expected that you will read the readings in advance of the applicable class.*

January 7th – Criminal Justice, the Division of Powers, Overview of the Criminal Process

Roach, Chapter 1 & Chapter 2, pgs. 24 – 31, Coughlan, Chapter 3

January 14th – Actus Reus

Roach, Chapter 3

January 21st – Parties to the Offence and Unfulfilled Crimes

Roach, Chapter 4

January 28th – Mens Rea, Mental Disorder and Intoxication

Roach, Chapters 5, 7 and 8

February 4th – Defences

Roach, Chapter 9

February 11th – Common *Charter* Issues – Statements, Search and Seizure

Roach, Chapter 2, pgs. 31 – 77, Coughlan, Chapter 4, Chapter 7, pgs .202 - 214

February 18th – Spring Break

February 25th – Mid-Term Exam (in class)

March 4th – Judicial Interim Release, Variations, Reviews, Disclosure

Coughlan, Chapters 6 and 8

March 11th – Preliminary Inquiries and Pre-Trial Motions

Coughlan, Chapters 9 and 10

March 18th – Trials

Coughlan, Chapter 11

March 19th – Last day for Voluntary Withdrawal

March 25th – Evidence

April 1st – Sentencing

Roach, Chapter 11

April 8th – Appeals

Coughlan, Chapter 12

April 13th – 27th – Exam Period

IMPORTANT INFORMATION:

Students are expected to be present for the midterm and final examinations. Failure to do so may result in an F. Should there be an exceptional circumstance, I expect to be informed PRIOR to the exam. If the reason is medically related, a doctor's letter will be required. I will determine whether the circumstance merits an extension or not. If not, students must be prepared to write the examination as scheduled.

Students should acquaint themselves with the University's policy on plagiarism, cheating, exam personation, (“**Personation at Examinations**” (Section 5.2.9) and “**Plagiarism and cheating**” (Section 8.1)) and duplicate submission by reading documentation provided at the Arts Student Resources web site at <http://www.umanitoba.ca/faculties/arts/student/index.html> . Ignorance of the regulations and policies regarding academic integrity is not a valid excuse for violating them.

Any term work that has not been claimed by students will be held for four (4) months from the end of the final examination period for the term in which the work was assigned. At the conclusion of this time, all unclaimed term work will become property of the Faculty of Arts and be destroyed according to FIPPA guidelines and using confidential measures for disposal.