

UNIVERSITY OF MANITOBA
DEPARTMENT OF SOCIOLOGY
SOC 3720 A01
THE CRIMINAL LAW AND ITS PROCEDURE – 3 CREDIT HOURS
Wednesday Evenings 7pm-10pm – 215 Tier (January – April 2016)

Sessional Instructor: Jennifer Mann

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Office Hours: 6:00 – 7:00 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 a criminal 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. Verdun-Jones- *Criminal Law- 5th Edition* (available through the University of Manitoba Bookstore)- **REQUIRED**
3. Rodrigues, Gary P. - *Pocket Criminal Code 2016* (available through the University of Manitoba Bookstore) - **REQUIRED**
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

10% - Court Assignment (due **March 30, 2016**)

40%- Midterm exam (to be done during class on **February 24, 2016**)

45% - Final Exam (3 hours)

COURT ASSIGNMENT

You will be required to attend court (408 York Avenue) for at least ½ day. You may attend any type of criminal proceeding (aside from an adjournment request) such as a bail court docket, disposition (sentencing) docket, preliminary inquiry, trial or appeal.

You must complete a 1,000 word typed report. Further information will be provided as to the specific issues you will need to address in the report. The report is due March 30, 2016 at the start of the class. Two copies of your report must be submitted in class. There will be no extensions given to this deadline (absent exceptional circumstances – see “Important Information” below) and you will receive a “0” on the assignment if it is not submitted on or before the due date.

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 6th – Introduction to Canadian Criminal Law

Verdun-Jones, Chapter 1

January 13th – The Criminal Process and Crown Disclosure

Coughlan, Chapter 2 (pages 24 – 32), Chapter 3, Chapter 4 (pages 216 – 230)

January 20th – Judicial Interim Release, Variations, Reviews

Coughlan, Chapters 6 and 8

January 27th – Preliminary Inquiries and Pre-Trial Motions

Coughlan, Chapters 6 and 8

February 3rd – Trials and Evidence

Coughlan, Chapter 11

February 10th – Sentencing

Criminal Code, sections 718 – 718.21, 719, 721, 722 – 724, 726

February 17th – Spring Break

February 24th – Mid-Term Exam (in class)

March 2nd – Appeals

Coughlan, Chapter 12

March 9th – Actus Reus and Causation

Verdun-Jones, Chapter 2

March 16th – Mens Rea

Verdun-Jones, Chapters 3 and 4

March 18th – Last day for Voluntary Withdrawal

March 23rd – Parties to the Offence and Unfulfilled Crimes

Verdun-Jones, Chapter 7

March 30th – Mental Impairment and Criminal Responsibility, **Court Assignment Due**

Verdun-Jones, Chapter 8

April 6th – Provocation, Intoxication, Self-Defence

Verdun-Jones, Chapters 10 and 12

Final Exam will be scheduled during the exam period.

IMPORTANT INFORMATION:

Students are expected to be present for the midterm and final exams and the court assignment must be submitted by the deadline. Failure to do so may result in an F. Should there be an exceptional circumstances requiring an extension of the deadline or requiring

the exam to be written on a later date, I expect to be informed PRIOR to the deadline for the court assignment or date of 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/submit the assignment as scheduled.

Students are permitted to use the *2016 Pocket Criminal Code* during the midterm and final exams provided there are no added notations or writing in the copy used. It may be highlighted or tabbed. No other material (books, notes, etc.) will be permitted.

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.