

UNIVERSITY OF MANITOBA  
DEPARTMENT OF SOCIOLOGY  
SOCIOLOGY SOC 3720 A01  
CRIMINAL LAW & PROCEDURES (3 CR HRS)  
COURSE OUTLINE (TERM 1)  
Monday Evening September 8, 2008 to December 1, 2008  
Room 214 Tier Building 6:30 p.m. until 9:30 p.m.

Craig S. Murray B.A. LL.B  
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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 SEPTEMBER 29, 2008  
- DUE ON OCTOBER 6, 2008 in class or no later than 6:30 p.m.
- 33.3% MID-TERM TEST - October 20, 2008. *Closed book*
- 33.3% FINAL EXAMINATION - IN EXAMINATION PERIOD. Time and date to be provided by the Registrar's Office (December 5 - 18, 2008.)- Closed Book from materials October 27, 2008 to December 1, 2008.

## **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 8, 2008	SOURCES OF CRIMINAL LAW: THE COMMON LAW	S 1-10 T 1-13
	INTRODUCTION TO THE CHARTER OF RIGHTS & FREEDOMS	S 11-25
September 15, 2008	THE CRIMINAL PROCESS/CLASSIFICATION & ARREST	S 26-47
	ARREST & THE CHARTER	S 48-56
September 22, 2008	THE AUTHORITY TO SEARCH	S 57-66
	UNREASONABLE SEARCH & SEIZURE	S 67-83
September 29, 2008	PRE-TRIAL PROCESS: CHARGE SCREENING & DISCLOSURE	S 84-106
	BAIL (Distribution of Essay)	S 107-111
October 6, 2008	THE PLEA & THE TRIAL	S 112-116, 126-132
	SENTENCING	S 133-140

**TAKE HOME ESSAY DUE @ 6:30p.m. (33.3% of Total Grade)**

October 13, 2008	HAPPY THANKS GIVING - NO CLASS	
October 20, 2008	MID-TERM TEST 33.3 % of Final Grade	
October 27, 2008	INTRODUCTION TO ACTUS REUS	T 20-24, 31-42
	CAUSATION	T 44-62
November 3, 2008	MENS REA- Subjective Liability	T 66-71, 78-97
	- Objective Liability	T 100-120
November 10, 2008	DEFENCE of NECESSITY	T 264 - 272
November 17, 2008	STRICT & ABSOLUTE LIABILITY	T 122-139
November 24, 2008	PARTIES TO AN OFFENCE	T 142-158
	UNFILLED OFFENCES	T 158-176
	VOLUNTARINESS/ AUTOMATISM	T 196-207
December 1, 2008	MISTAKE OF FACT	T 212-222
	MISTAKE OF LAW	T 232-8
	PROVOCATION	T 244-249
	INTOXICATION	T 250-261
	DURESS	T 272 - 280

**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 12, 2008.