

## CRIMINAL JUSTICE: THE INDIVIDUAL AND THE STATE

Section B, 2010/11

six credits

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This course will examine the role criminal law plays in society, and the impact it has on the lives of individuals. It will examine the sources of criminal law, including statutes, judge-made law and the *Charter*. The major focus will be on substantive criminal law and the principles surrounding liability for criminal offences, but there will be some discussion of criminal procedure and sentencing. Ultimately, the aim is to allow you to examine criminal law with a critical eye, but the primary goal is to allow you to become knowledgeable enough to make informed criticisms.

### Class place and time

#### Fall

Tuesday, 1:30 - 3:00, room 105

Thursday, 2:30 - 4:00, room 104

#### Winter

Tuesday, 1:00 - 2:30, room 204

Thursday, 1:00 - 2:30, room 104

### Materials

Required materials (you may bring these to the exam)

The casebook for this course is *Learning Canadian Criminal Law* (11<sup>th</sup> ed.) which is available in the bookstore, or can be purchased second hand. A sheet indicating the materials we are likely to cover, in order, will be distributed separately. The exact readings will be announced in class each week for the following week, to allow us to proceed at a suitable pace. You are also required to obtain a Pocket Criminal Code - you will want the 2011 edition. In addition there will be handouts from time to time, either distributed in class or available in the materials room.

Suggested Materials (you may not bring these to the exam)

Books about criminal law which you might find useful include Don Stuart, *Canadian Criminal Law* or Kent Roach, *Criminal Law*. In addition, several Annotated Criminal Codes are available, either at the Bookstore or on reserve in the library. These Annotated Codes provide brief descriptions of cases decided relative to individual sections of the *Criminal Code*.

### Evaluation

Evaluation will be based 100% on open book examination. There will be both a Christmas exam and a final exam. The Christmas exam is "failsafe", which means that it will only count if it is to your benefit to count it. If your final exam mark is higher than your Christmas exam, your final exam grade will make up your entire grade. If your Christmas exam mark is higher than your final exam mark, the Christmas mark will count for 30% of your final grade.

Class participation will not count toward your mark, but we'll all have a much more interesting year if you do the readings and show up ready to discuss them.

Examinations will be administered using Exam4 software. Instructions for downloading the software to your laptop computers will be provided by the Associate Dean's office in due course. The law school has a limited number of laptops that will be made available for exam purposes to students who do not have a laptop computer. Students who wish to handwrite their exams must notify the Associate Dean's office in accordance with instructions that will be sent to all students.

All requests for deferral of exams, or for any other type of accommodation, must be addressed to the Law School Studies Committee. The regulations provide that: "Where it can be established that, for medical or personal reasons, a student's ability to pursue a class or to write an examination or complete an assignment for credit was significantly hampered, the Faculty may allow the student to write a special examination or complete a special assignment."

Students seeking special accommodation with regard to course evaluation, such as exam deferral and extensions to deadlines, should consult with Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes as soon as possible, and before an exam is scheduled to be written or an assignment is due. Requests for special accommodation for reasons such as illness or personal circumstances will require an application to the Law School Studies Committee. Students should contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes if they require more information about the Studies Committee process. Students wishing to discuss arrangements for classroom assistance should see Professor Wildeman, the law faculty advisor to students with disabilities.

Students may request accommodation as a result of barriers related to disability, religious obligation, or any characteristic under the Nova Scotia Human Rights Act. Students who require academic accommodation for the writing of tests, quizzes and exams should make their request to the Office of Student Accessibility & Accommodation (OSAA) prior to or at the outset of each academic term (with the exception of X/Y courses). Please see [www.studentaccessibility.dal.ca](http://www.studentaccessibility.dal.ca) for more information and to obtain Form A – Request for Accommodation. Students may also contact the Office of Student Accessibility & Accommodation directly at 494-2836, and they may contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes for more information.

In accordance with Law School requirements, the marks for this course are expected to correspond to a bell curve. More details on the curve can be found in the Law School Calendar.