

CRIMINAL JUSTICE: THE INDIVIDUAL AND THE STATE

Section A, 2008/09

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, 10:30 - 12:00, room 305

Thursday, 9:00 - 10:30, room 305

Winter

Tuesday, 1:00 - 2:30, room 105

Friday, 10:30 - 12:00, room 104

Materials

Required materials (you may bring these to the exam)

The casebook for this course is *Learning Canadian Criminal Law* (10th 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 2009 edition. There will also 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.

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."

Professor Pothier is the Faculty Advisor to students with disabilities. Students with disabilities wishing to discuss in-class accommodation or study assistance needs should see Prof. Pothier. Students wishing to request accommodation regarding exam writing or other aspects of evaluation must make the request in writing to the Studies Committee and should see Associate Dean (Academic) Deturbide or Assistant Dean Hughes for more information. Material for the Studies Committee should be given to Tiffany Coolen-Jewers, administrative assistant to the Associate Dean.

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.