

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2010-11 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION¹

COURSE	Law 305 Law, Theories and Practices of Sentencing
UNIT VALUE	1.5 Units (3 hours per week)
INSTRUCTOR	Gerry Ferguson
TERM OFFERED	Fall 2010
CLASS TIMES	See Schedule
PREREQUISITES/CO-REQUISITES	None

COURSE OBJECTIVES

1. To provide a brief overview of the historical development of punishment and sentencing.
2. To provide a sound theoretical basis for understanding the aims, purposes and justifications for punishment.
3. To examine in detail the various sentencing options and the basic principles and rules of sentencing, including the rules governing sentencing hearings.

COURSE CONTENT

1. A brief history of punishment and sentencing
2. Justifications for punishment
3. Judicial discretion and the methodology of sentencing
4. Principles of sentencing
5. Rules of sentencing
6. Sentencing hearings
7. Restorative Justice
8. Aggravating and mitigating factors
9. Sentencing options: Discharge, Fine, Suspended Sentence, Probation, Conditional Sentence, Imprisonment
10. Plea Discussions and Joint Sentencing Submissions
11. Victim Participation in Sentencing
12. Dangerous and Long Term Offender Provisions
13. Sentencing under the *Youth Criminal Justice Act* [if time permits]

METHODOLOGY

Both lecture and discussion methods will be used. **Students are expected to:**

1. Have read the assignment materials prior to class;
2. Be able to *identify* and state the *issues* presented by the assigned materials; and
3. Participate in class discussion of the assigned materials and any exercises relating to the assigned materials. The purpose of the discussion is to develop an understanding of the issues presented by the materials; to develop the student's ability to analyze, synthesize, and present legal material; and to enable the instructor to gain a sense of the student's understanding of the materials and the abilities referred to above.

EXPECTED EVALUATION METHODOLOGY

- Mock Sentencing Hearing - 20 marks
- Optional memorandum (15 pages) - 40 marks
- Final examination (Open Book Exam) - 40-80 marks

April 7, 2010

¹ The information in this document is provided for course registration purposes only and is *subject to change*. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (lawmaass@uvic.ca).