

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2011-12 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION¹

COURSE	Law 302 Criminal Law II
UNIT VALUE	1.5 Units (3 hours of instruction per week)
INSTRUCTOR	Gerry Ferguson
TERM OFFERED	Spring 2012
CLASS TIMES	See Schedule
PREREQUISITES/CO-REQUISITES	None

COURSE OBJECTIVES

1. To provide an historical understanding of the development of criminal law and the research skills which are necessary to trace the history of any particular part of the Criminal Code.
2. To provide a sound theoretical basis for analyzing and solving substantive criminal law problems.
3. To examine in greater detail basic principles of criminal law which were introduced in the first year course.
4. To examine in detail areas of criminal law not covered in the first year course.
5. To examine the impact of certain provisions of the Charter on substantive criminal law.
6. To acquire a technique, an approach, or a methodology for solving substantive criminal law problems.

PERSPECTIVE

Because the first year course focuses on the criminal law process for the first half of the course, students are only given a preliminary introduction to many substantive criminal law issues in the remainder of the course. The first year criminal law course does not provide students with an opportunity to deal with several of the more complex issues in criminal law. Thus one important purpose of this course is to provide students with an opportunity to study substantive criminal law principles and concepts in considerable depth. The course is designed to be analytical--an opportunity to refine and improve upon the analytic skills developed in first year--as well as historical.

SUBJECT MATTER TO BE COVERED

1. Historical development of criminal law, especially the codification movement resulting in Canada's first Criminal Code in 1892.
2. Review of basic principles of liability (*actus reus* and *mens rea*) covered in first year plus new subject matter such as:
a) aiding and abetting; (b) counselling and procuring; (c) accessories after the fact; (d) vicarious liability; (e) attempts; (f) conspiracy; (g) corporate criminal liability; (h) laws on criminal organizations and terrorist groups (i) defences.
3. The impact of sections 2, 7 and 15 of the Charter on criminal law offences and defences.

TEACHING METHODOLOGY

Lecture, classroom discussion, problem method and optional legal memorandum

METHODS OF EVALUATION

1. History Quiz (10%)
2. Optional legal memorandum (approximately 15 typed pages) with either an historical or current research focus: - 50% (only if higher than exam grade).
3. Final examination (3 hours, open book) - worth 40% to 90% of final grade.
4. Anyone wishing to do their major paper requirement in this course should consult with me.

March 9, 2011

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).