



FACULTY OF LAW

UNIVERSITY OF ALBERTA

CRIMINAL PROCEDURE

Law 520:X50

Bob Aloneissi

Edmond O'Neill

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780-421-4766/ aloneissi@libertylaw.ca, oneill@libertylaw.ca Room 207

DESCRIPTION

This course will provide students with an overview of the Canadian criminal process. It will begin with an exploration of police investigative powers. The authority of Canadian police to detain, search/seize, question and arrest will all be considered in detail. Special attention will be given to the limitations imposed on each of these powers by the *Canadian Charter of Rights and Freedoms*. The exclusion of unconstitutionally obtained evidence under the *Charter*, as well as the availability of other constitutional remedies, will also be addressed. The course will then shift to a consideration of the criminal process after charges are formally brought, including intake procedures, bail, disclosure (the effects of non-disclosure and/or lost evidence), election and plea, preliminary inquiries, the right to trial within a reasonable time and plea-bargaining. The course will then focus on the trial, including trial venue, jury selection and trial procedure.

READINGS

Required Materials

- Course Materials (available online)
- *Criminal Code* and related statutes

The Course Materials are available for viewing and downloading on TWEN. You may choose to purchase a *Code* from the bookstore or another vendor (annotated or un-annotated).

Alternatively you may wish to rely on an online version.

Recommended Reading

- Tim Quigley, *Procedure in Canadian Criminal Law*, 2d ed. (Toronto: Thomson, 2005) (loose-leaf)
- Roger E. Salhany, *Canadian Criminal Procedure*, 6th ed. (Aurora, Ont.: Canada Law Book, 1994) (loose-leaf)
- Don Stuart, *Charter Justice in Canadian Criminal Law*, 3d ed. (Scarborough: Carswell, 2001)

EVALUATION

Evaluation will be based on a final examination that will be worth 100 percent of your grade. The examination will be open-book.

REGULATIONS

The University's policy about course outlines can be found in Section 23.4(2) of the University Calendar.

The University of Alberta is committed to the highest standards of academic integrity and honesty. Students are expected to be familiar with these standards regarding academic honesty and to uphold the policies of the University in this respect. Students are particularly urged to familiarize themselves with the provisions of the Code of Student Behaviour (online at www.ualberta.ca/secretariat/appeals.htm) and avoid any behaviour which could potentially result in suspicions of cheating, plagiarism, misrepresentation of facts and/or participation in an offence. Academic dishonesty is a serious offence and can result in suspension or expulsion from the University.

CONSULTATION

Students are welcome to visit our office at any time or to contact us by phone or email.