

Course Outline

COURSE: LAWS 4307 B - Medical Criminal Law Issues
PREREQUISITES: LAWS 2004 and fourth-year Honours standing
TERM: Winter 2007-08
CLASS: Day & Time: Tuesday, 6 to 9 p.m.
Room: 208 CO (University Commons)
INSTRUCTOR: Michael Davies
(Contract)
CONTACT: Office: D476 LA (Loeb)
Office Hrs: immediately before or after class or by appointment
Telephone: 234-1110
Email: mdavlaw@yahoo.ca

Students with disabilities needing academic accommodations in this course are required to contact a coordinator at the Paul Menton Centre to complete the necessary *letters of accommodation*. The student must then make an appointment to discuss their needs with the instructor at least two weeks prior to the first class or ITV test. This is to ensure sufficient time is available to make the necessary accommodation arrangement. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is March 14, 2008 for April examinations. For further information, please see, http://www.carleton.ca/pmc/students/accom_policy.html

COURSE OBJECTIVE AND CONTENT

This course is an opportunity for students to think about and discuss a variety of areas where medicine and the criminal law intersect.

The course is divided into two parts. During the first part we will examine the interplay between psychiatry and the criminal law. Classes will be in the seminar format and the discussion will be lead by the instructor. Students will be expected to read the assigned material and participate in the class discussion.

The second part of the course will consist of student lead seminars. Students, in groups of two or three, will make a presentation on a topic assigned by the instructor or selected in consultation with the instructor. Students will then prepare individual research papers on the topic of their presentation.

The goal of each class will be to examine critically the principles, policies and pragmatics underlying those areas where medicine and criminal law intersect.

REQUIRED READING

A list of cases will be provided to the students. Students should always bring their copy of the Criminal Code to class.

COURSE STRUCTURE

Part A: The first four or five classes will involve an overview of the intersection of criminal law and psychiatry. Students will be given an overview of the major mental disorders and an overview of the Criminal Code provisions that deal with mental disorder. We will examine the interplay between the Criminal Code provisions and provincial mental health legislation. We will then examine specific issues that commonly arise in criminal cases, including fitness to stand trial, the not criminally responsible verdict as well as the role of the Ontario Review Board in supervising those found not criminally responsible.

Part B: The remaining classes will involve student lead seminars on topical medico-legal issues. These student lead seminars will likely include presentations drawn from the following areas: euthanasia/doctor assisted suicide; medicinal use of marijuana and other narcotics; medical issues in sexual assault trials; treatment as an alternative to punishment; pregnancy, reproductive technology and the criminal law; medical issues in criminal investigations; offences involving H.I.V. and the defences of intoxication and automatism. Students may also suggest other topics.

EVALUATION

Marks will be awarded as follows:

1. **20 Marks** **Write a short (5 page) memorandum, essay or position paper** on some aspect of the criminal law and psychiatry. The precise topic will be assigned in the week 4 or 5 class and the paper will be due at the beginning of the following class.
2. **20 Marks** **Lead a class discussion** (of approximately 45 minutes) on an assigned medico-legal issue and,
3. **40 Marks** **Write a critical evaluation** (circa 10 to 12 pages) of some aspect of the law in that area. The paper will be due at the beginning of the last class.
4. **20 Marks** **Class Participation.**

