SCHOOL OF LAW  
Year 20011/12 Term 1

CRIMINAL LAW

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Practice Associate Professor of Law

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COURSE DESCRIPTION

This course will introduce students to the fundamental principles of criminal liability in Singapore.

The subject will be first examined from a jurisprudential standpoint. Aims and objectives of crime control and punishment will be considered followed by the elements of the criminal process. That will give the basic backdrop for criminal law in situ. Basic elements of a crime will be covered thereafter. Major offences and general defences will be looked at in detail. Legislative provisions, cases-local and otherwise and proposals for reforms in Singapore and elsewhere will be carefully examined.

PRE-REQUISITE/ CO-REQUISITE/ MUTUALLY EXCLUSIVE COURSE(S)

None

RECOMMENDED TEXT AND READINGS

Additional readings will be assigned. Seminar outlines and recommended reading list will be posted on SMU-Vista at least two weeks in advance of the scheduled seminar.

REFERENCE TEXTS:

Stanley Yeo, Neil Morgan and Chan Wing Cheong  
Criminal Law in Malaysia and Singapore

Kow Keng Siong
Sentencing Principles in Singapore
Academy Publishing 2009

Andrew Ashworth
*Principles of Criminal Law*
Oxford University Press, 5th ed., 2006

Smith & Hogan
*Criminal Law*
Oxford University Press, 11th ed., 2005
(12 ed. to be published in August 2008)

*Mallal’s Penal Law*
Malayan Law Journal Sdn Bhd, 2002

Stanley Yeo
Criminal Defences in Malaysia and Singapore
Lexis Nexis, (2005)

Andrew Ashworth
Principles of Criminal Law (5th Edition)
Oxford University Press (2005)

Mallal’s Penal Law

**LEGAL RESOURCES AVAILABLE ON THE INTERNET**

Free access to local Statutes may be found at [http://statutes.agc.gov.sg](http://statutes.agc.gov.sg). Alternatively, visit Lawnet (specifically, the Legal Workbench) via SMU website at [http://www.smu.edu.sg](http://www.smu.edu.sg) (password required – please check with the Library)

Reports of local cases are accessible through the Legal Workbench in Lawnet (see above)

For access to reports of English and many other Commonwealth cases, visit *Lexis* via SMU website at [http://www.smu.edu.sg](http://www.smu.edu.sg) (password required please check with the Library)

**ASSESSMENT METHOD**

Class Participation: 20%

Written Assignment: 20%
(group)

Individual presentation:
of group project: 10%

Final Examination: 50%
Class Participation
Students will be continuously assessed on their participation in class. They are therefore expected to complete the assigned readings and to actively participate in class discussions. In addition, students will also be assessed on oral presentations of their written assignment.

Written Assignment
The class will be grouped into teams of 4-5 persons. The assignment may be a hypothetical question or an essay. Group members will submit a written assignment of not more than 2000 to 2500 words. Upon submission, the group will make an oral presentation of their team members’ written assignments on an assigned date.

IMPORTANT: Plagiarism is strictly forbidden and may result in a failed grade. All materials and ideas gleaned from other sources must therefore be duly attributed.

Final Examination
The final examination will be a three hour open book exam. This means that students will be permitted to make reference to their notes and other materials during the course of the exam. However please take note that you should have mastered your materials prior thereto and reference to the materials should be only to confirm a section in a legislation, to confirm case name, etc. The fact of the matter is that in an open book exam there will be no time to refer to materials. It is good practice to treat the exam as closed book for all intents and purposes and should memory fail recourse may be had to the text merely to refresh your memory.

COURSE METHODS
This course shall be conducted as a seminar with weekly 4.5 hours of instruction time, spread over two sessions. In addition there may be guest lectures by practitioners.

CLASS SCHEDULE

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<tr>
<th>Week No.</th>
<th>Topic</th>
<th>Readings (tba)</th>
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| Week 1   | Introduction to Criminal Law  
• Definition of Criminal Law  
• Aims and objectives of Criminal Law  
• Ambit of Criminal Law  
• Sources of Criminal Law and Procedure  
• Aims of punishment | Please refer to seminar outlines for all the classes which will be posted on SMU Vista |
| Week 2   | Singapore Criminal Justice System and the Criminal process | |
| Week 3   | Anatomy of a crime  
• Actus Reus  
• Mens Rea  
• Strict Liability & Sexual offences | |
<p>| Week 4   | Culpable Homicide – Murder | |</p>
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<tr>
<th>Week 5</th>
<th>Defences – Introduction</th>
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<td>Denial of criminal liability</td>
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<td>Burden of Proof</td>
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<td>Scope of General Defences</td>
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<td>Special Exceptions</td>
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<th>Week 6</th>
<th>Defences – Special</th>
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<td>Provocation</td>
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<td>Diminished Responsibility</td>
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<td>Sudden fight</td>
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<td>Excess of Private Defence</td>
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<th>Week 7</th>
<th>Defences - General</th>
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<td>Private Defence</td>
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<td>Accident</td>
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<td>Mistake</td>
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<td>Insanity</td>
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<td>Intoxication</td>
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Area of Law subject of the written assignment will be given out at the end of week 5-6

8 Mid-term Break

Week 9- Class presentation

Week 10 | Offences against Property |
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<tr>
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<td>Cheating</td>
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<td>Criminal Breach of Trust/ Criminal Misappropriation</td>
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<td>Robbery/Theft</td>
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Week 11 & 12 | Accessorial and Joint Liability |
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<td>Common intention</td>
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<td>Common object</td>
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<td>Attempts</td>
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<td>Introduction to corporate criminal liability</td>
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<td>Revision</td>
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Week 13 | Revision |
**Academic Integrity**

All acts of academic dishonesty (including, but not limited to, plagiarism, cheating, fabrication, facilitation of acts of academic dishonesty by others, unauthorized possession of exam questions, or tampering with the academic work of other students) are serious offences.

All work presented in class must be the student’s own work. Any student caught violating this policy may result in the student receiving zero marks for the component assessment or a fail grade for the course. This policy applies to all works (whether oral or written) submitted for purposes of assessment.

Where in doubt, students are encouraged to consult the instructors of the course. Details on the SMU Code of Academic Integrity may be accessed at [http://www.smused.org/resources.html](http://www.smused.org/resources.html).