SCHOOL OF LAW  
Year 2015/16 Term 1  

LAW103 CRIMINAL LAW  

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COURSE DESCRIPTION  

This course will introduce students to the fundamental principles of criminal liability in Singapore. Criminal law will first be examined from a jurisprudential viewpoint with a study of its aims and objectives and the purpose of crime control and punishment in society. Students will study the major offences (against the person and property) and general defences under the Penal Code and some selected statutes. Legislative provisions, judicial decisions interpreting these provisions and proposals for reform of the law, both in Singapore and elsewhere, will be closely examined. In addition, students will learn about the Singapore criminal process and how an accused person accused of a crime is investigated, tried in court and if found guilty, convicted and sentenced within our criminal justice system.  

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

None  

READINGS  

Weekly readings will be assigned 2 weeks prior to the seminar. Seminar outlines and recommended reading list will be posted on SMU-elearn at the least, two weeks in advance of the scheduled seminar.  

REFERENCE TEXTS:  

Chan Wing Cheong, Michael Hor and Victor Ramraj,  
Fundamental Principles of Criminal law, Cases and Materials,  
Lexis Nexis,(2005)
LEGAL RESOURCES AVAILABLE ON THE INTERNET

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

ASSESSMENT METHOD

Class Participation: 20 %

Written Assignment: 20% (group)

Group presentation: 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**

**LLB:** 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 2500-3000 words. Upon submission, the group will make an oral presentation of their written answer on an assigned date.

**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 (whether oral or written) submitted for purposes of assessment must be the student’s own work. Penalties for violation of the policy range from zero marks for the component assessment to expulsion, depending on the nature of the offence.

When in doubt, students should consult the instructor of the course. Details on the SMU Code of Academic Integrity may be accessed at [http://www.smuscd.org/resources.html](http://www.smuscd.org/resources.html)

**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 a guest lecture during the course of the term. Attendance at guest lecture is compulsory and students will be duly notified of the date and time so that conflicting personal arrangements are avoided.
List of Topics

Please note the following:-

1. Please see individual course outline of instructors for the sequence of topics to be covered for each week
2. Week 8 of the term is university recess week
3. Week 15&16 of the term is the university designated exam weeks

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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 elearn |
| Week 2   | Singapore Criminal Justice System and the Criminal process | |
| Week 3   | Anatomy of a crime  
  • Actus Reus  
  • Mens Rea  
  • Strict Liability & Sexual offences | |
| Week 4   |  
  • Culpable Homicide – Murder  
  • Culpable Homicide not amounting to murder  
  • Hurt | |
| Week 5   | Defences – Introduction  
  • Denial of criminal liability  
  • Burden of Proof  
  • Scope of General Defences  
  • Special Exceptions | |
| Week 6   | Defences – Special  
  • Provocation  
  • Diminished Responsibility  
  • Sudden fight  
  • Excess of Private Defence | |
| Week 7   | Defences - General  
  • Private Defence | |
- Accident
- Mistake
- Insanity
- Intoxication

**Area of Law subject of the written assignment will be given out at the end of week 5-6**

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<th>Mid-term Break</th>
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<tr>
<td><strong>Week 9- Class presentation</strong></td>
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<td><strong>Week 10</strong></td>
<td>Offences against Property</td>
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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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<td><strong>Week 11 &amp; 12</strong></td>
<td>Accessorial and Joint Liability</td>
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<td>- Abetment and Conspiracy</td>
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<td>- Common intention</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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<td><strong>Week 13</strong></td>
<td>Revision</td>
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The above schedule is only meant as a guide and may be subject to amendments from time to time