

## CURRICULUM GUIDELINES

**A:** Division: **EDUCATION** Effective Date: **SEPTEMBER 2006**

**B:** Department / Program Area: **CRIMINOLOGY  
FACULTY OF HUMANITIES &  
SOCIAL SCIENCES** Revision  New Course

If Revision, Section(s) Revised:  
Date of Previous Revision:  
Date of Current Revision:

**C: CRIM 4410 D: CANADIAN LAW AND THE MENTALLY DISORDERED OFFENDER E: 3**

Subject & Course No.	Descriptive Title	Semester Credits						
<p><b>F:</b> Calendar Description: Individuals with major mental disorders are prevalent within correctional facilities. Facilities exist specifically for the purpose of managing the “not criminally responsible” mentally disordered offender. This course is designed to provide students with an understanding of the experience of the mentally disordered offender in the criminal justice system in terms of the structure and process imposed on these offenders. Students will be introduced to the various professional disciplines at work in the Canadian Criminal Justice and Forensic Psychiatric Systems. The course focuses on the criminal process and procedures in place to detain and treat the criminally accused mentally disordered person. The legal concept of “protection of the public” is examined in detail and the student is introduced to the current issues in mental health law. Students will be encouraged to critically consider the mental disorder provisions of the law and the treatment, care and control of the mentally disordered person from both practical and academic perspectives.</p>								
<p><b>G:</b> Allocation of Contact Hours to Type of Instruction / Learning Settings</p> <p>Primary Methods of Instructional Delivery and/or Learning Settings:</p> <p><b>Lecture</b></p> <p>Number of Contact Hours: (per week /semester for each descriptor)</p> <p><b>Lecture: 4 hrs. per week / semester</b></p> <p>Number of Weeks per Semester: <b>15</b></p>	<p><b>H:</b> Course Prerequisites:</p> <p><b>CRIM 1100 and CRIM 1150 and CRIM 1160 Recommended: CRIM 2260 and/or CRIM 2261</b></p> <p><b>I:</b> Course Corequisites:</p> <p><b>NONE</b></p> <p><b>J:</b> Course for which this Course is a Prerequisite</p> <p><b>NONE</b></p> <p><b>K:</b> Maximum Class Size:</p> <p><b>35</b></p>							
<p><b>L:</b> PLEASE INDICATE:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;"><input type="checkbox"/></td> <td>Non-Credit</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>College Credit Non-Transfer</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>College Credit Transfer:</td> </tr> </table> <p style="text-align: center;">SEE BC TRANSFER GUIDE FOR TRANSFER DETAILS (<a href="http://www.bctransferguide.ca">www.bctransferguide.ca</a>)</p>			<input type="checkbox"/>	Non-Credit	<input type="checkbox"/>	College Credit Non-Transfer	<input checked="" type="checkbox"/>	College Credit Transfer:
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**M: Course Objectives / Learning Outcomes**

At the conclusion of the course, the successful student will be able to:

1. Describe the experience of the mentally disordered offender in the criminal justice system in terms of the official state structure and process imposed on the offender.
2. Describe the historical management of the mentally disordered offender and become demonstrably knowledgeable with regard to the major mental disorders, and also with the possible associated criminogenic factors.
3. Identify and describe the various professional disciplines at work in the Canadian Criminal Justice System and Forensic Psychiatric System.
4. Describe the criminal process and procedures in place to detain and treat the criminally accused mentally ill person.
5. Explain the legal concept of “the protection of the public” in so far as risks posed by the mentally ill offender.
6. Identify and describe the current legal issues in mental health law.
7. Compare and contrast the legal standards for the “defence of insanity” between different jurisdictions, for example, Canada and the United States.
8. Describe the mental disorder provisions of the law and institutional procedures (forensic hospitals) from both the practical procedures of management of the mentally disordered offender and academic/theoretical perspectives.
9. Retrieve case law and conduct research via the Quicklaw system and Web based resources.

**N: Course Content**

The course begins in Section One with a brief history of the management and treatment of the mentally disordered criminal. The student will subsequently be introduced to the professional disciplines involved in forensic psychiatry, psychology, and law, understanding that each discipline contributes to the overall “state” management of the mentally ill accused.

An examination of the major mental disorders follows in Section Two. The student will become generally familiar with the symptoms and behaviours associated with common disorders of the mind and with what statistical frequency these behaviours may result in *Criminal Code* offences and subsequent legal proceedings. Bio-criminological theory provides the basis for examining the aetiology of these offences. Instructional dimension is provided through the examination of case law together with criminological theory. This course utilizes court reported examples and case studies, examining the experience of the mentally disordered offender in a more tangible, “real life” context, while incorporating legal and criminological study to fully examine the issues.

Section Three finds an emphasis placed on relevant case law for lecture and in-class discussion. The recent Supreme Court of Canada ruling in *Winko* is discussed in depth as it relates to the concepts of liberty of the person and public safety. European and US case law on the “insanity defence” will be examined in comparison to current Canadian law.

Section Four of this course addresses the legal pathways of the arrested person, and will focus on the Mental Disorder Provisions of the *Criminal Code* (Part XX.1). The student examines the process of arrest, remand, bail, pre-trial, court appearances, hospitalisation and reintegration. The student will become familiar with these procedural systems, and is able then to apply the process to hypothetical cases as part of course work assignments and the term paper.

A guided field trip to the Forensic Psychiatric Institute in Port Coquitlam is an additional learning resource, where scheduling permits.

<p><b>O: Methods of Instruction</b>                  Lecture (primary mode of instruction)                  In-library Quicklaw Lab                  Small group discussions re case law                  Video materials, Web based resources                  Research paper                  Field trip</p>												
<p><b>P: Textbooks and Materials to be Purchased by Students</b></p> <p>Assigned course readings (case law) will be accessible via Quicklaw. Reading lists will be available on a week- to-week basis, and in advance as required. Students will attend an in-library Quicklaw lab as part of the course instruction. Other course materials will be accessible on-line and through the Douglas College Library Web Site. Students will refer to Part XX.1 of the Criminal Code, also available on-line.</p> <p><u>Recommended/Required Texts:</u></p> <p>Verdun-Jones, Simon. (1999). <i>Canadian criminal cases: Selected highlights</i>. Thompson Nelson.</p> <p>Wrightsmann, Lawrence S., &amp; Porter, Stephen. (2006). <i>Forensic psychology</i> (1<sup>st</sup> Canadian Edition) Thompson Nelson.</p>												
<p><b>Q: Means of Assessment</b></p> <p>The instructor will provide a course outline at the start of the semester containing specific evaluation criteria. All evaluations will conform to the policies of Douglas College. Formal evaluations will be based on the following:</p> <ol style="list-style-type: none"> <li>1. Examinations: midterm and final</li> <li>2. Class participation</li> <li>3. Term paper, project or presentation</li> </ol> <p>An example of a possible evaluation scheme would be:</p> <table style="margin-left: 20px;"> <tr> <td>Midterm</td> <td style="text-align: right;">25%</td> </tr> <tr> <td>Final</td> <td style="text-align: right;">25%</td> </tr> <tr> <td>Term paper</td> <td style="text-align: right;">30%</td> </tr> <tr> <td>Class assignments</td> <td style="text-align: right;">10%</td> </tr> <tr> <td>Class participation</td> <td style="text-align: right;"><u>10%</u></td> </tr> <tr> <td></td> <td style="text-align: right;">100%</td> </tr> </table>	Midterm	25%	Final	25%	Term paper	30%	Class assignments	10%	Class participation	<u>10%</u>		100%
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<p><b>R: Prior Learning Assessment and Recognition: specify whether course is open for PLAR</b></p> <p>Under review.</p>												

Course Designer(s): H. H. Currie

Education Council / Curriculum Committee Representative

Dean / Director

Registrar