



“WINTER COURSE ON CRIMINAL LAW AND PUBLIC POLICY”

SEVEN-DAY WINTER COURSE TO BE ORGANIZED BETWEEN 29TH JANUARY, 2018 AND 4TH FEBRUARY 2018 BY THE CENTRE FOR REGULATORY STUDIES, GOVERNANCE AND PUBLIC POLICY AT THE WEST BENGAL NATIONAL UNIVERSITY OF JURIDICAL SCIENCES, KOLKATA

Backdrop:

Blackstone defines Crime as “an act committed or omitted in violation of public law forbidding or commanding it”. The whole idea behind labelling a harmful act as ‘criminal’ is to protect the society from the gruesome consequences of the act. On that premise, the State assumes the guardianship of the society and accomplishes its duty by formulating laws regulating criminal behaviour or by punishing the wrongdoer. Certain harmful acts such as murder or theft are universally recognised as crimes in all legal systems across the world. However, there is no such uniformity with regard to certain other acts, which are treated differently in different legal systems. In a given society, whether an act/omission is harmful as a crime rests on a number of factors, which are not exclusively attributable to individual behaviour. The outlook of the concerned society, its historical past, customs, cultures, existing human rights jurisprudence, religious sentiments and traditions and the implications of the act on the given society act as limiting forces on the process of estimating the criminality of the act. Emile Durkheim explained that criminal law is an outgrowth of a society’s most fundamental social norms what he called conscience collective and should embody, express and reinforce them. While acts such as adultery, prostitution, etc., are not crimes in many western countries, they are so in countries whose cultural values and societal norms disallow them. With such wide range of crimes and a much wider range of views attached to them, formulation of holistic public policies become a herculean task.

India has its penal law embodied in the Indian Penal Code, 1860 and a number of special laws that keep augmenting the body of the existing laws by embodying new categories of crimes and responding to the dynamic changes in the way crimes are perceived. Special laws are target-specific and have been made in India to address issues such as sexual harassment of women and children, domestic violence, juvenile delinquency, cyber-crimes, witch-hunting, etc. The Penal Code operates in a specific and conventional way whereas the operation of special laws is slightly different and involves a special procedural mechanism to address the specific crime. Moreover, besides the expansion, modification or abolition of existing laws, there has been a paradigm shift in the ways notions of criminality/culpability are perceived. Hence, responding to such changes is a challenging task altogether.

Criminal Law and Public Policy:

One of the convincing ways to respond to the ever-evolving criminal justice system is through devising effective public policy tools in conjunction with the objectives of the state. Once public policy tools are crafted in consonance with the theoretical frameworks, facts and figures governing the changing nature of crimes and punishment, a dynamic criminal justice system is supposed to emerge. The society's will, thus, get reshaped into a policy document through an executive action. This policy will then be converted into laws, which are implemented through the executive. These laws will undergo various interpretations and will eventually lead to an overhaul of the earlier laws, effected through a renewed public policy document. Criminal law and public policy are, therefore, intricately related; every criminal law is, after all, an extension of a state's urge to promote certain policies (governing crimes and punishment) that the society recognises and endorses.

In the Indian perspective, public policy experts always try to heed to the changing dynamics of the criminal law system. Various policy recommendations regarding prison reforms, criminal procedure, due process, etc., are made in light of important developments and court decisions in the field of criminal law. Keeping in view the inseparable relationship between criminal laws and public policy, the Centre for Regulatory Studies, Governance and Public Policy (CRSGPP) intends to organise a seven-day Winter Course, a Seminar Course, on 'Criminal Law and Public Policy' at the West Bengal National University of Juridical Sciences (WBNUJS), Kolkata from 29th January to 4th February, 2018.

About the Course:

The Seminar Course will be of approximately 20 hours duration and will include classroom teaching, interactive exercises, library work, etc. A learning guide/material will be provided to the participants at the beginning of the Course. Performance in the course will be evaluated through regular objective tests of a total of 30 Marks and a Course-end examination (comprising objective and subjective questions) of a total of 70 Marks. The Course-end examination may be scheduled on 4th February, 2018, which is the last day of the Winter Course. The evaluation may also include a project work circumscribing the main topic. Upon successful completion, Certificates of Participation shall be given to all the participants. Certificates will not be issued in absentia.

Undergraduate law and social science students will be eligible to participate in the Course. The maximum number of participants will be 50 and will be selected on a first-come-first-served basis. The deadline for application is 12/01/2018. The communication of acceptance to the first 50 Candidates will be made by 16/01/2018.

The Seminar instructions will be delivered by distinguished academicians, policy experts and criminal lawyers. The delivery of academic instructions will take place in the afternoon (may be between 2 PM and 5 PM).

Candidates may register for the Course by filling the form attached at the end of this Note. The Registration fee is Rs 2000/- (Rupees Two Thousand only), which includes registration kit, study/learning material(s) and lunch but does not include accommodation. The filled-up Registration Form along with a Demand Draft (DD) of Rs. 2000/- drawn in favour of '**THE WBNUJS CRSGPP A/C**' payable at '**Kolkata**' has to be sent to:

Prof. (Dr.) T. R. Subramanya, Research Fellow & Coordinator

Centre for Regulatory Studies, Governance and Public Policy

The West Bengal National University of Juridical Sciences

12 LB Block, Sector III, Salt Lake City, Kolkata- 700098.

E-mail: events.crsgpp@gmail.com for any queries.

Objectives of the Course:

The main objectives of the Course are to:

- (a) Introduce participants to the fundamentals of criminal justice administration.
- (b) Know the critical issues involved in public policies governing crimes and punishment.
- (c) Address crime policies from a legal as well as from a public policy perspective.
- (d) Understand the effectiveness of the procedural and substantive laws on crimes and punishment.
- (e) Understand the role of constitutions in the crafting, enactment and effective implementation of criminal laws and policies.
- (f) Comprehend the relevance of special statutes governing crimes and punishment.
- (g) Update the participants with the recent trends in criminal law and its administration in India.

Intended Outcome of the Course:

At the end of the course students should be able to:

- (a) Make out the plus and minus points in laws and policies on crime and punishment.
- (b) Streamline the objective relation between criminal law and public policy.
- (c) Identify the critical issues plaguing the administration of criminal justice in India.
- (d) Know when, why and how public policies are converted to criminal laws.
- (e) Gain sound knowledge of the procedural and substantive laws, including special laws, governing crimes and punishment.

Important Dates:

- (1) Official Notification of the Course: **19/12/2017**
- (2) Closure of Registration: **12/01/2018**
- (3) Communication of Acceptance (to the first 50 Candidates): **16/01/2018**
- (4) Duration of the Winter Course: **29/01/2018 to 04/02/2018**

REGISTRATION FORM

WINTER COURSE ON CRIMINAL LAW AND PUBLIC POLICY

January 29 to February 4, 2018

Centre for Regulatory Studies, Governance and Public Policy

The WB National University of Juridical Sciences, Kolkata

Photo with Signature
Across the Photo

1. Name of the Participant:

2. Name of the Course:

3. Name of the Institution (Postal Address, Phone and E-mail):

4. Academic Qualification(s):

5. Contact Details (Postal Address, Mobile No. and E-mail):

6. DD Details (No, Bank, Date):

I declare that all the information provided above is true to the best of my knowledge and belief.

Date:

Signature of the Candidate