

Criminal justice assignment

Law



Criminal law is the body of law concerned with what constitutes a criminal offence and how it is dealt with when it comes to court in terms of sentence. Criminal procedure law is linked with the law of evidence and is concerned with how the defendant is charged, brought to court, asked to enter pleas, and the whole business of conducting a trial in accordance with the established principles of procedure and evidence. Criminal law versus civil law All law other than criminal law is known as civil law. It includes tort law (private wrongs and damages), property law, and contract law.

Differences between criminal law and civil law are important because criminal proceedings are separate from civil actions. Table 1 shows these differences. TABLE 1 Differences between Criminal and Civil Law

Criminal Law	Civil Law
Crime as public wrong	Tort as private wrong
Punishment as incarceration or death	Punishment as compensation
Government as prosecutor	Injured person as plaintiff
Proof: Beyond a reasonable doubt	Proof: Preponderance of evidence

Substantive versus procedural law
Criminal law encompasses both substantive criminal law and criminal procedure. Substantive law defines proscribed behaviors and specifies penalties.

Laws concerning murder, rape, and robbery are substantive in that they define unlawful acts. Procedural law consists of rules stating how the government proceeds against an individual accused of committing a crime. Trial by jury, the right to counsel, the right to appeal, and the right to face one's accusers are just a few examples of procedural law. Violations of these rights by the government are violations of due process. If the government

violates procedural law, that violation can be grounds for appeal and for a reversal of a criminal conviction. Criminal Justice By matchstick