

Criminal Law Information

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According to criminal law, crimes are offences against the social order. In common law jurisdictions, there is a legal fiction that crimes disturb the peace of the sovereign. Government officials, as agents of the sovereign, are responsible for the prosecution of offenders. Hence, the criminal law "plaintiff" is the sovereign, which in practical terms translates into the monarch or the people.

The major objective of criminal law is deterrence and punishment, while that of civil law is individual compensation. Criminal offences consist of two distinct elements; the physical act (the *actus reus*, guilty act) and the requisite mental state with which the act is done (the *mens rea*, guilty mind). For example, in murder the 'actus reus' is the unlawful killing of a person, while the 'mens rea' is malice aforethought (the intention to kill or cause grievous injury). The criminal law also details the defenses that defendants may bring to lessen or negate their liability (criminal responsibility) and specifies the punishment which may be inflicted. Criminal law neither requires a victim, nor a victim's consent, to prosecute an offender. Furthermore, a criminal prosecution can occur over the objections of the victim and the consent of the victim is not a defense in most crimes.

Criminal law in most jurisdictions both in the common and civil law traditions is divided into two fields:

- * Criminal procedure regulates the process for addressing violations of criminal law
- * Substantive criminal law details the definition of, and punishments for, various crimes.

Criminal law distinguishes crimes from civil wrongs such as tort or breach of contract. Criminal law has been seen as a system of regulating the behavior of individuals and groups in relation to societal norms at large whereas civil law is aimed primarily at the relationship between private individuals and their rights and obligations under the law. Although many ancient legal systems did not clearly define a distinction between criminal and civil law, in England there was little difference until the codification of criminal law occurred in the late nineteenth century. In most U.S. law schools, the basic course in criminal law is based upon the English common criminal law of 1750 (with some minor American modifications like the clarification of *mens rea* in the Model Penal Code).

Types of criminal law are: Arrests and Searches, Drug Crimes, Juvenile Law, Drunk Driving / DUI / DWI , Parole, Probation, Pardons, Violent Crimes, White Collar Crimes and Military Law. Criminal Law, please visit Free Legal Information.