

Course Outline

COURSE: LAWS 2302 (Section D) – Criminal Law

TERM: Winter 2013

PREREQUISITES: LAWS 1000

CLASS: **Day & Time:** Wednesdays at 18:05
 Room: Please check Carleton Central for room location.

INSTRUCTOR: Tyler Botten
(CONTRACT)

CONTACT: **Office Hrs:** By Appointment
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COURSE DESCRIPTION

This course serves as a complement to LAWS 2301, with a more practical focus. Its aim is to introduce students to both legal and social dimensions of Canadian criminal law. We will examine basic components such as the *actus reus* and *mens rea* elements of offences, along with the various ways in which persons can be found criminally liable. Defences will be examined in-depth, both those from the common law tradition as well as those codified in statute. Sentencing principles and objectives will be discussed, with a look at how they are implemented in practice. Finally, certain special topics relating to criminal law will be discussed, if time permits.

REQUIRED TEXTS

Criminal Law in Canada: An Introduction to the Theoretical, Social and Legal Contexts (Toronto: Carswell, 2002) by Ron Saunders & Justice John McMunagle

It is also strongly recommended that students have access to a copy of the Canadian *Criminal Code*, as reference will be made to many of the provisions therein. Any of the popular annotated copies (Martin's, Tremear's, or Gold's) or a Pocket Criminal Code will do. The full text is also available online at <http://laws.justice.gc.ca>.

WEBCT

Additional materials referred to in class, along with class lecture slides will all be made available via the course WebCT page. It is critical that students have access to WebCT, as it will also be used for all course-based announcements.

EVALUATION

(All components must be completed in order to get a passing grade)

Midterm Exam	30%	In class February 13 th
Written Assignment	20%	Available February 27 th , due March 13 th
Final Exam	50%	TBA (during formal examination period in April)

Please note the following:

- Both the midterm and final will be closed book exams and will incorporate both multiple choice

and short answer questions. Material will include all readings and additional lecture content, including guest lecture presentations.

- The penalty for a late assignment is 2 marks for each day it is past the due date
- A medical certificate or appropriate documentation must be provided to support any request for a deferred examination or to hand in a late assignment.

SCHEDULE

A more detailed guide to readings for each class will be provided at the beginning of the term, subject to change depending on how much material we are able to cover in each lecture.

The order in which we will review the topics will generally be as follows:

(note – these sections are from Chapters 6, 7, 5 and 8 in your course textbook)

1. Introduction
2. Criminal Liability – *Actus Reus*
3. Criminal Liability – *Mens Rea*
4. Strict and Absolute Liability Offences
5. Incomplete Offences: Attempts, Counselling and Conspiracy
6. The Limits of Liability
7. Defences: Duress, Necessity, Self Defence, Defence of Property, Consent
8. Defences: Mistake of Fact, Ignorance of the Law
9. Defences: Entrapment, Charter Protections (“Policy” Defences)
10. Defences: Provocation, Mental Disorder, Intoxication, Automatism
11. Sentencing and Punishment
12. Conditional Sentences
13. Racism in Criminal Law

Special arrangements: For accommodation as needed, please adhere to the following processes:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision.

If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation.

If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, **and no later than two weeks before the first in-class scheduled test or exam requiring accommodation**. After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>