

Course Outline

COURSE:	LAWS 2302 D - Criminal law in Context
PREREQUISITE:	LAWS 1000
TERM:	Winter 2014
CLASS:	Monday 18:05-20:55
ROOM:	342 Tory Building
INSTRUCTOR:	Michael A. Smith
CONTACT:	Office: B442 (Loeb Bldg) Office Hrs: By Appointment Telephone: 613-230-5787 Email: msmith@langevinmorris.com

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

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 (*if applicable*). 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/>

GENERAL

This course is an extension of the theories and approaches that were covered in LAWS 2301 D. It is designed to provide a practical introduction to the Canadian Criminal Legal System and to the institution, processes and rules. The goal is to highlight the elements of criminal offences and to examine various legal defences and their effectiveness in the system.

Students will be provided with an opportunity to put their theoretical knowledge to use in formal practice through in class presentations. In this course, the focus will be on the legal jurisprudence and various sections *The Criminal Code* of Canada.

MATERIALS

- A. Required Text: *Criminal Law in Canada: An Introduction to the Theoretical, Social and Legal Context* **4th Edition** (Toronto: Carswell, 2002).
- B. Recommended: *Criminal Justice in Canada* by Colin Goff 4TH edition.
- C. Recommended: *The Criminal Code* (Martin's Annual *Criminal Code* or Tremear's). A pocket Edition of *The Criminal Code* of Canada is acceptable.

MARKING SCHEME

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

1. Midterm Examination 20% - In class exam will be held on **Feb 10/14**
2. Final Examination 40% - Will be held during the April exam period (**TBA**).
3. Class Assignment 30% - Assignments due Mar 10th, 2014
4. Participation 10% - Will be based upon attendance, participation/summaries

Both examinations will be closed book. The exams will comprise multiple choice and short-answer questions. Students will be responsible for all of the required readings, information provided by guest speakers as well as material covered in the lectures.

SYLLABUS – WINTER TERM

Jan 6 Topic: Course Introduction, Assignments Sentencing & Punishment–Sentencing
Readings: Chapter 5 – section 5.1

Jan 13 Topic: Sentencing and Punishment – Punishment

	<u>Readings:</u>	Chapter 5 – section 5.2
Jan 20	<u>Topic:</u>	Criminal law and liability – Elements of an offence
	<u>Readings:</u>	Chapter 6 – section 6.1
Jan 27	<u>Topic:</u>	Criminal law and liability- Incomplete offences
	<u>Readings:</u>	Chapter 6 – section 6.2
Feb 3	<u>Topic:</u>	Criminal law and liability- Attaching liability
	<u>Reading:</u>	Chapter 6 – section 6.3
Feb 10		IN CLASS MIDTERM EXAM – 20%
FEBRUARY 17-21		READING WEEK – NO SCHEDULED CLASSES
Feb 24	<u>Topic:</u>	Defences- Justification and Excuses
	<u>Readings:</u>	Chapter 7 – section 7.1
Mar 3	<u>Topic:</u>	Defences- Absences of intent of knowledge
	<u>Readings:</u>	Chapter 7 – section 7.2 Guest Speaker
Mar 10	<u>Topic:</u>	Defences- Policy Defences and Incapacity
	<u>Readings:</u>	Chapter 7 – section 7.3 and 7.4
Mar 17	<u>Topic:</u>	Selected Topics in criminal justice – Sexual assault
	<u>Readings:</u>	Chapter 8- section 8.1 –
Mar 24	<u>Topic:</u>	Selected Topics in criminal justice-Racism and the criminal justice system
	<u>Readings:</u>	Chapter 8 – section 8.2
April 31	<u>Topic:</u>	Selected Topics in criminal justice
	<u>Readings:</u>	Chapter 8 – section 8.3
April 7	<u>Topic:</u>	Exam Review
	<u>Readings:</u>	Chapters 5 – section 8