

Course Outline

COURSE:	LAWS 2302 (Section E) – Criminal Law
TERM:	Winter 2014
PREREQUISITES:	LAWS 1000
CLASS:	Day & Time: Tuesdays, 18:05 – 20:55 Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Tyler Botten
CONTACT:	Office Hrs: By Appointment Telephone: (613) 564-0006 Email: tyler.botten@carleton.ca

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/>

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. If time permits, we will also discuss certain special topics and new developments in our criminal law.

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 you have access to a copy of the Canadian *Criminal Code*, as we will discuss a number of provisions in the *Code*. Any of the popular annotated copies (Martin's, Tremear's, or Gold's) or a Pocket Criminal Code will do. Full text also at <http://laws.justice.gc.ca>.

cuLearn

Additional materials referred to in class, along with class lecture slides will all be made available via the course cuLearn page. It is critical that students have access to cuLearn, 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 11 th
Written Assignment	20%	Available February 25 th , due March 11 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.
- Late assignments will be assessed a 10% penalty for each day past the due date.
- A medical certificate or appropriate documentation must be provided to support any request for a deferred examination or to submit 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. Sentencing and Punishment
8. Defences: Duress, Necessity, Self Defence, Defence of Property, Consent
9. Defences: Mistake of Fact, Ignorance of the Law
10. Defences: Entrapment, Charter Protections (“Policy” Defences)
11. Defences: Provocation, Mental Disorder, Intoxication, Automatism
12. Special Topics in Criminal Law