

Course Outline

COURSE:	LAWS 2302F - Criminal Law
TERM:	Fall 2010
PREREQUISITES:	LAWS 1000
CLASS:	Day & Time: Friday. 8:35-11:25 a.m. Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Dr. Roger R. Rickwood, PH.D., LL.M., LL.B.
CONTACT:	Office: C476 LA – Sessional Lecturers' Office, Loeb Office Hrs: Friday – 1:00-3:00 p.m. or by appointment Email: rogerrickwood@aol.com

"Students with disabilities requiring academic accommodations in this course must contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary Letters of Accommodation. After registering with the PMC, make an appointment to meet and discuss your needs with me in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see: http://www.carleton.ca/pmc/students/accom_policy.html . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by **November 15, 2010 for Fall exams and March 12, 2011 for Winter exams**. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

COURSE DESCRIPTION

This course is designed to examine, in an increasingly complex constitutional and social context, the principles of criminal law liability and responsibility in Canada, including issues and problems surrounding *mens rea*, *actus reus*, and knowledge. Liability for unfulfilled crimes and various degrees of participation in a crime will be assessed. Various defences, including entrapment, self-defence, duress, necessity, provocation, intoxication and mental disorder will be considered. The course examines the application of general principles of criminal liability to some specific offences, including the various forms of homicide, sexual, property and terrorism offences. Regulatory offences and corporate and organized crimes are also explored. A historical legal and jurisprudential perspective is emphasized in the context of evolving *Charter* protections.

REQUIRED TEXTS

Learning Canadian Criminal Law, 11th edition, STUART, Don, DELISLE, Ronald J. & COUGLAN, Steve, 2009, Carswell, Toronto, ISBN 978-7798-2143-3, soft cover (referred to as Stuart)

Criminal Law, 4th ed., Kent Roach, 2004, Irwin Law, Toronto (KE8809R.62)

Pocket Criminal Code 2011, Carswell, 2010, ISBN-978-0-7798-2685-8 Soft cover (referred to as PCC)

Handouts

SUPPLEMENTARY TEXTS

Criminal Law in Canada, 4th ed., Saunders, R.P. and Mungale, J., 2002, Carswell, Toronto
Martin's Annual Criminal Code 2011 Student Edition, 2010, Canada Law Book, Toronto

EVALUATION**N.B. All components must be completed in order to get a passing grade**

First mid-term test (2 hours)	30%	Feb. 11
Second mid-term test - case study - Take-home	20%	Due March 4
Final examination (2 hours)	40%	(in examination period)
Class/lecture participation	10%	(in-class registration taken)

SCHEDULE

January 7	Overview - Historical evolution of criminal law – Common Law to Codification and Charter - Roach, Ch. 1; Stuart, Ch. 1(1)(a)(b)(c)(d), Appendices A and B; - UDHR (www.un.org); CCRF in PCC pp. 811-816 and CBR in PCC, pp. 807-809
January 14	Criminal law and the Constitution. Federal and provincial responsibilities. - Roach, Ch. 2 and pp. 446-453; Stuart, Ch. 1(2)(a)(b)(c)(d)(e)
January 21	The Prohibited Act (<i>Actus Reus</i>) - Roach, Ch. 3; Stuart, Ch. 2(2)(2)(3)(4)
January 28	The Fault Element (<i>Mens Rea</i>) - Roach, Ch. 5; Stuart, Ch.3 (1)(2)(3)(4)(5)(6)
February 4	Unfulfilled Crimes and Parties to a Crime - Roach, Ch. 4; Stuart, Ch. 8(1)(2)(3) and Ch. 9
February 11	FIRST MID-TERM TERM (In-class – 2 hours exam, closed book)
March 4	Second mid-term take-home test – jury case study handed out. – Due
February 18	Regulatory Offences and Corporate Crime, Mistake of Fact and Law - Roach Ch. 5, pp. 184-189; Ch. 6; Stuart, Ch. 3(1)(2)(3) and Ch. 5
February 25	READING WEEK – NO CLASS – NO OFFICE HOURS
March 4	Criminal Defences – Incapacity, Provocation, Mental Disorder, Intoxication, Automatism - Roach, Ch. 7, 8; Stuart, Ch. 6(3)(4) CASE STUDY DUE
March 11	Criminal Defences - Justifications and Excuses: Duress, Necessity, Self-Defence, Consent - Roach, Ch. 9; Stuart, Ch.7(1)(2)(3)
March 18	Criminal Defences - Policy Defences (Entrapment, Charter Protections) - Roach, pp. 42-44, 465; Stuart, Ch. 7(9)
March 25	Special Part – Homicide, Sexual, and Property Offences - Roach, Ch. 10; Stuart, Ch. 3(4)(5)(6)(7) and Ch. 4(1)(2)(3)(4)
April 1	Group Responsibility, Corporate Crime, Organized Crime, Terrorism and Charter Concerns Final Exam Review - Roach, Ch.11, pp. 401-412; Stuart, Ch. 10
April	FINAL EXAM - TBA (2 hours – closed book – in exam period)