

Course Outline

COURSE:	LAWS 2302E – Criminal Law
TERM:	WINTER 2019
PREREQUISITES:	LAWS 1000 (no longer offered), LAWS 1001 and LAWS 1002
CLASS:	Day & Time: Thursdays, 6:05pm – 8:55pm Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Christopher McNaught
CONTACT:	Office: B442 Loeb Building (Contract Instructor’s Office) Office Hrs: To be arranged with TA Email: ckmcnaugh@gmail.com

CALENDAR COURSE DESCRIPTION

The legal and social dimensions of criminal liability and responsibility in Canada, including issues and problems surrounding mens rea, actus reus, and establishing liability. Excuses and justifications, the Canadian Criminal Code and the role of the Charter in the criminal legal system.

COURSE DESCRIPTION

This course complements LAWS 2301 and offers further critical analysis and exploration of the current Canadian Criminal Legal System, including its institutions, processes, rules, and principal actors. The course examines the interrelationship between Canadian society and its formal criminal law. Sentencing principles and objectives will be discussed in the context of their practical implementation; in that light, we will also review recent legislative changes to the criminal law. Emphasis is placed on practical aspects of the law and how the relevant players combine to exercise ‘justice’. Concluding focus will be on the actual Criminal Code of Canada and its role in key cases and current societal issues.

REQUIRED TEXTS

Saunders, R. P. & Bromwich, R., *Criminal Law in Canada: An Introduction to the Theoretical, Social and Legal Context* 5th Edition (Toronto: Carswell, 2016). * available at the Campus Bookstore*

SUPPLEMENTARY TEXTS

Current copies of: *Youth Criminal Justice Act*; *Criminal Code*; and *Canadian Charter of Rights and Freedoms* (downloadable electronic versions available from *CanLii* or the *Department of Justice* website)

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

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

In-class essay (1 hour) **15% - February 28**

In-class short answer quiz **25% - March 21**

Final exam, university scheduled, multiple short answer, with one short essay question **60%**

SCHEDULE

Jan. 10 - Introduction, thematic overview of course, key questions/issues to be pursued (no readings)

Jan. 17 - Read Chap.1, *Criminal Law and Government Regulation in Perspective*, consider Questions /Discussion

Jan. 24 - Read Chap. 3, *The Production of Criminal Law*

Jan. 31 - Chap. 3 (continued), consideration of Questions/Issues and Selected Further Readings

Feb. 7 - Read Chap. 4, *Criminal Law—Personnel, Participants and Powers, (4.1 and 4.2)*

Feb. 14 - Chap. 4 (continued), 4.3, 4, and 5, Questions and Discussion

Feb. 21- NO LECTURE-READING WEEK

Feb. 28 - Read Chap. 6, *Criminal Law Liability*

March 7 - Chap. 6 (continued), Preliminary read of *Chap. 7*

March 14 - Read Chap. 7, *Defences*

March 21 - Read Chap. 5, *Sentencing and Punishment*

March 28 - Read Chap.2, *Perspectives on Criminal Law*, focus on 2.4, 2.3

April 4 - REVIEW (final lecture)

ACADEMIC ACCOMMODATIONS

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

Pregnancy obligation: Please contact 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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

Academic Accommodations for Students with Disabilities: If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) www.carleton.ca/pmc

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: carleton.ca/sexual-violence-support

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your

instructor 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: students.carleton.ca/course-outline

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>