

**Course Outline**

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**COURSE:** LAWS 2302F – Criminal Law

**TERM:** WINTER 2019

**PREREQUISITES:** LAWS 1000

**CLASS:**           **Day & Time:** Tuesdays, 18:05pm – 20:55pm  
                          **Room:** Please check with Carleton Central for current room location

**INSTRUCTOR:**                   **Michael A. Smith**  
**(CONTRACT)**

**CONTACT:**                   **Office: B442 Loeb Building (Contract Instructor’s Office)**  
                          **Office Hrs: By appointment only**  
                          **Telephone: 813-520-5787**  
                          **Email: msmith@lmslawyers.com**

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**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 the attachment of liability. Excuses and justifications, the Canadian Criminal Code and the role of the Charter in the criminal legal system.

**COURSE DESCRIPTION**

This course is an extension of the theories and approaches that are typically dealt with in LAWS 2301. It is designed to provide a practical introduction to Criminal Law in Canada and to the institutions, 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 a class assignment. In this course, the focus will be on legal jurisprudence and various sections of *The Criminal Code* of Canada

**REQUIRED TEXTS**

Required Text: Criminal Law in Canada: An Introduction to the Theoretical, Social and Legal Context 5<sup>th</sup> Edition – Authored by Ron Saunders and Rebecca Bromwich.

**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.

1. Midterm Examination 20% - In class exam (one hour and fifteen minutes) will be **FEB 12<sup>th</sup>/19**
2. Final Examination 35% - Will be held during the APR 12<sup>th</sup>-27<sup>th</sup> exam period
3. Class Assignment 35% - Assignments due **MAR 5<sup>th</sup>/19**
4. Participation 10% - Will be based upon attendance and participation

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.

### **SCHEDULE**

JAN 8	<u>Topic:</u>	Course Introduction, Overview and assignments
	<u>Readings:</u>	None required for this day
JAN 15	<u>Topic:</u>	Overview of Crime and Punishments
	<u>Readings:</u>	Chapter 5
JAN 22	<u>Topic:</u>	Crime, Sentencing and Punishment
	<u>Readings:</u>	Chapter 5 continued
JAN 29	<u>Topic:</u>	Criminal law and liability
	<u>Readings:</u>	Chapter 6 – 6.1.1-6.1.2
FEB 5	<u>Topic:</u>	Criminal law and liability
	<u>Readings:</u>	Chapter 6 – section 6.1.3 – 6.2.1
<b>FEB 12</b>	<b>MIDTERM EXAMINATION (IN CLASS – one hour and 15 minutes)</b>	
<b>FEB 19</b>	<b>WINTER BREAK – NO SCHEDULED CLASS</b>	
FEB 26	<u>Topic:</u>	Criminal Law Liability -
	<u>Readings:</u>	Chapter 6 – section 6.2.1 – 6.3
MAR 5	<u>Topic:</u>	Defences
	<u>Readings:</u>	Chapter 7 – section 7.1 7.2.1 - <b><u>ESSAY ASSIGNMENT DUE</u></b>
MAR 12	<u>Topic:</u>	Defences
	<u>Readings:</u>	Chapter 7 – section 7.2.2- 7.3.2
MAR 19	<u>Topic:</u>	Defences
	<u>Readings:</u>	Chapter 7 – section 7.4 – 7.4.2
MAR 26	<u>Topic:</u>	Defences
	<u>Readings:</u>	Chapter 7 – section 7.4.3-7.4.4
APR 2	<u>Topic:</u>	<b>EXAM REVIEW</b>

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## **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](http://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](http://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](mailto: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](http://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](http://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](https://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/>