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<b>COURSE:</b>	<b>LAWS 2302 I - CRIMINAL LAW</b>
<b>TERM:</b>	<b>Fall 2021</b>
<b>PREREQUISITES:</b>	<b>LAWS 1001 and LAWS 1002</b>
<b>CLASS:</b>	<b>Day &amp; MONDAY</b> <b>Time: 18:05-20:55</b> <b>Room: All courses during the Fall 2021 semester will be delivered online. The lectures in this course will be delivered “live”, online every week during our regularly scheduled class time using the Zoom conferencing platform</b>
	<b>Video cameras and microphones are not required for this course but will be of assistance during the online office sessions and lectures during in class discussions.</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>MICHAEL A. SMITH</b>
<b>TEACHING ASSISTANT(S):</b>	<b>Jillian Hawley – <a href="mailto:jillianhawley@cmail.carleton.ca">jillianhawley@cmail.carleton.ca</a></b>
<b>CONTACT:</b>	<b>Office: N/A</b> <b>Office Hrs: TBA –</b> <b>Telephone: 613-230-5787</b> <b>Email: <a href="mailto:msmith@lmslawyers.com">msmith@lmslawyers.com</a></b>

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### **CALENDAR COURSE DESCRIPTION**

The legal and social dimensions of criminal liability and responsibility in Canada, including issues 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 institution, process 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.

### **MATERIALS /TEXTBOOKS**

- A. 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.

This book is available for purchase from the Carleton University bookstore website.  
<https://www.bkstr.com/carletonstore/home>

### **MARKING SCHEME**

Please note that 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. Monthly Quiz 30% - To be submitted Sep 30<sup>th</sup>, Oct 31<sup>st</sup> & Nov 30<sup>th</sup>
2. Final Examination 35% - Will be held during the DEC 11<sup>th</sup> – 23<sup>rd</sup> formal exam period
3. Class Assignment 25% - Assignments due **Nov 17<sup>th</sup>/21**
4. Participation 10% - Will be based upon submissions of weekly discussion questions

Both examination and quizzes will be open book, however students must complete the monthly quizzes and the final examination by themselves. Collaboration is not permitted. 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.

**LATE PENALTIES AND EXTENSIONS**

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. The extension requests must be made in writing outlining what the extension is for, the basis of the extension and the time period it is being requested for.

Students should also indicate what efforts have been made to avoid the need for an extension. All requests for extensions must be made no less than 48 hours prior to the scheduled due date of the assignment or submission.

For requests for extensions, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

For any and all assignments that are submitted past the scheduled due date a late penalty of 10% per day will be applied. For all monthly quizzes and weekly discussion questions, marks will not be awarded for any submissions that are made past the scheduled due date.

**SCHEDULE**

<b>Sep 13</b>	Topic	Course Introduction, Overview of Crime and Punishments
	Reading	Chapter 5 (history and issue in sentencing)
<b>Sep 20</b>	Topic	Crime, Sentencing and Punishment
	Reading	Chapter 5 Continued
<b>Sep 27</b>	Topic	Crime, Sentencing and Punishment
	Reading	Chapter 5 continued (punishment)
<b>Oct 4</b>	Topic	Criminal law and liability
	Reading	Chapter 6 – section 6.1.1
<b>Oct 11</b>		<b>THANKSGIVING</b>
<b>Oct 18</b>	Topic	Criminal law and liability
		Chapter 6 – section 6.1.2
<b>Oct 25</b>		<b>Fall Break</b>
<b>Nov 1</b>	Topic	Criminal law and liability
	Reading	Chapter 6 – section 6.1.3

<b>Nov 8</b>	Topic	Criminal law and liability
	Reading	Chapter 6 – section 6.2.1 - 6.2.3
<b>Nov 15 <u>ASSIGNMENT DUE</u></b>	Topic	Criminal law and liability
	Reading	Chapter 6 – section 6.3
<b>Nov 22</b>	Topic	Defences
	Reading	Chapter 7 – section 7.1 – 7.1.4
<b>Nov 29</b>	Topic	Defences
	Reading	Chapter 7 – section 7.1.5 -7.2.2
<b>DEC 6</b>	Topic	Defences
	Reading	Chapter 7 – section 7.3.1 – 7.4.1
<b>Dec 10</b>	Topic	Defences
	Reading	Chapter 7 – section 7.4.2 – 7.4.4/ <b>EXAM REVIEW</b>

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### **COVID-19 PREVENTION MEASURES**

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g. wearing a mask, physical distancing, hand hygiene, respiratory and cough etiquette) and [mandatory self-screening](#) prior to coming to campus daily.

If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory [symptom reporting tool](#). For purposes of contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the cuScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the [COVID-19 website](#).

All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g. directional arrows, designated entrances and exits, designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton's COVID-19 response and required measures, please see the [University's COVID-19 webpage](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact [covidinfo@carleton.ca](mailto:covidinfo@carleton.ca)

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the [Student Rights and Responsibilities Policy](#). Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.

## **ACADEMIC ACCOMMODATIONS**

### **Academic Accommodation**

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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

**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 [click here](#).

**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](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 to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

### **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 where 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: <https://carleton.ca/equity/sexual-assault-support-services>

**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 will be provided to students who compete or perform at the national or international level. 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: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

**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/>.

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For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.

**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: <https://carleton.ca/law/student-experience-resources/>