

Course Outline

COURSE: LAWS 2302C & 2302V – Criminal Law

TERM: WINTER 2020

PREREQUISITES: LAWS 1001, LAWS 1002

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

INSTRUCTOR: Paolo Giancaterino
(CONTRACT)

CONTACT: Office: Room B442 Loeb Building (Contract Instructor’s Office)
Office Hrs: By Appointment
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Email: pgiancaterino@lmslawyers.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 the attachment of liability. Excuses and justifications, the Canadian Criminal Code and the role of the Charter in the criminal legal system.

COURSE DESCRIPTION

Criminal law process in Canada; structure and use of the process examined for fairness, defects, and possible reform initiatives. Issues concerning gender, race and class bias in the implementation and application of the criminal law.

REQUIRED TEXTS

Roach, Kent. *Criminal Law*, 7th edition. (Irwin Law: August 2018)

SUPPLEMENTARY TEXTS

Students should also have a copy of the *Criminal Code* available for reference. Available online at

Criminal Code: <http://www.canlii.org/en/ca/laws/stat/rsc-1985-c-c-46/latest/rsc-1985-c-c-46.html>

Charter: <https://www.canlii.org/en/ca/laws/stat/schedule-b-to-the-canada-act-1982-uk-1982-c-11/latest/schedule-b-to-the-canada-act-1982-uk-1982-c-11.html>

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.

Take-home Assignment:	25% (March 13, 2020 at 5:00pm)
Mid-term exam:	30% (Sunday February 9, 2020 - 03:00pm to 05:00pm)
Final exam:	45% (Formal Examination Period) (3 hours, closed book)

SCHEDULE

The lectures are organized into various topic areas with assigned readings. Chapter number corresponds with chapter number in required coursepack/textbook.

NB: I will also post readings such as news articles, case law etc. on cuLearn. These various items are considered to be "required reading"

TOPICS:**January 8: Basic Introduction to the Course**

Chapter 1 - Overview

- Course Outline
- Overview of Topics and Methodology

January 15: The Criminal Law and the Constitution

Chapter 2

January 22: The Prohibited Act, or *Actus Reus*

Chapter 3

January 29: Unfulfilled Crimes and Participation in Crimes

Chapter 4

February 5: The Fault Element, or *Mens Rea*

Chapter 5

February 12: Regulatory Offences and Corporate Crime

Chapter 6

February 19:

Winter Break – No Classes

February 26: Intoxication

Chapter 7

March 4: Mental Disorder and Automatism

Chapter 8

March 11: Self-defence, Necessity and Duress

Chapter 9

March 18: Homicide, Sexual, Property and Terrorism Offences

Chapter 10

March 25: Sentencing

Chapter 11

April 1: Conclusions and Future Direction

Chapter 12

Course Review and Exam Review/Preparation

ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

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 Department of Equity and Inclusive Communities (EIC) website – <https://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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

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:* <http://carleton.ca/studentaffairs/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: <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.

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