

Course Outline

COURSE:	LAWS 2302H – Criminal Law
TERM:	Winter 2022
PREREQUISITES:	LAWS 1001 and LAWS 1002
CLASS:	Day & Time:
	Room: Please check Carleton Central for current Class Schedule.
	 This is an “ONLINE” course.
	 Lectures will be held every Thursday between 18:05 and 20:55 via ZOOM conferencing program
INSTRUCTOR:	Paolo Giancaterino
CONTACT:	Office: Room B442 Loeb Building (Contract Instructor’s Office)
	Office Hrs: By Appointment – Via ZOOM
	Telephone: 613.297.8745
	Email: Paolo.Giancaterino@Carleton.ca

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 first year law. 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 various crimes and their elements, while examining various legal defences and their effectiveness in the system.

REQUIRED TEXTS

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

May also be purchased through the Carleton University Bookstore website:
<https://www.bkstr.com/carletonstore/home>)

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

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. Paper Proposal: 10% (Due: February 11, 2022 at 5:00pm)

Students will be responsible for providing a short outline in regards to their topic of choice and related research. The outline of what is required will be posted on Brightspace

2. Paper Assignment: 25% (Due March 25, 2022 at 5:00pm)

Students will be responsible for submitting a formal essay on their topic of choice. Requirements of the paper will be posted on Brightspace

3. Quizzes: 30% (Feb 4, March 4 and April 1)

A quiz will be posted on the above dates on Brightspace. The quiz will be based on the

lecture material from the prior weeks. The quizzes will be multiple choice. Students will have a time-limit within which to complete the quiz once started. Quizzes will have to be submitted within 5 days of their posting on Brightspace.

4. Final exam: 35% (To be scheduled)

Three (3) hour exam to be scheduled during the formal exam period

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Please refer to the individual assignments for specifics on late submission penalties.

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, 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>.

Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

TA:

Your TA for this semester is David Brush. He can be reached via email at davidbrush@cmail.carleton.ca

SCHEDULE

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

A reoccurring ZOOM meeting link will be posted on Brightspace.

The weekly lectures will be recorded and uploaded onto Brightspace. **HOWEVER, they are not meant to be a substitute for being present for the live lecture.** Students are responsible for attending lectures each week. Technical difficulties may arise where a lecture may not be recorded properly and therefore not available for viewing.

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

TOPICS:

January 13: Basic Introduction to the Course

Chapter 1

January 20: The Criminal Law and the Constitution

Chapter 2

January 27: The Prohibited Act, or *Actus Reus*

Chapter 3

February 3: Unfulfilled Crimes and Participation in Crimes

Chapter 4

February 10: The Fault Element, or *Mens Rea*

Chapter 5

February 17: Regulatory Offences and Corporate Crime

Chapter 6

February 24:

Winter Break – No classes

March 3: Intoxication

Chapter 7

March 10: Mental Disorder and Automatism

Chapter 8

March 17: Self-defence, Necessity and Duress

Chapter 9

March 24: Homicide, Sexual, Property and Terrorism Offences

Chapter 10

March 31: Sentencing

Text: Chapter 11

April 7: Conclusion and Exam Preparation

Chapter 12

Course Review and Exam Review/Preparation

University and Departmental Policies

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/>.

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/>.

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

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

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 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](#)

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

For more information on academic accommodation, please visit:

<https://students.carleton.ca/services/accommodation/>.