

Course Outline

COURSE:	LAWS 4308 C – Sentencing
TERM:	Winter - 2018
PREREQUISITES:	Fourth-year Honours standing and LAWS 2301, 2302. This course may not be taken by students who have completed the course as a special topics course.
CLASS:	Day & Time: Wednesdays 18:05-20:55 Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Michael A. Smith
CONTACT:	Office: B442 Loeb Office Hrs: By Appointment Telephone: 613-230-5787 Email: msmith@lmslawyers.com

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 more details visit the Equity Services website: <http://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 Equity Services website: <http://carleton.ca/equity/>

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*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website (www.carleton.ca/pmc) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*).

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://carleton.ca/equity/>

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/>

Student Services: The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at carleton.ca/csas

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/>

COURSE DESCRIPTION

This course is an extension of the theories and approaches that are typically dealt with in LAWS 2301 and 2302. It is designed to provide a combination of theoretical and practical knowledge about sentencing by reviewing the principles of sentencing. The goal is to highlight various approaches and perspectives on sentencing while examining the efficiency of the rules that guides those dealing with sentencing. 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 The Criminal Code of Canada.

REQUIRED TEXTS

Required Text: The Law of Sentencing
By Allan Manson
The text is available at the University Bookstore

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. Midterm Examination 20% - In class exam (one hour) will be **Feb 14th/18**
2. Final Examination 35% - Will be during the April 14th-26th exam period

3. Class Assignment 35% - Assignments due **FEB 28th/18**
4. Participation 10% - Will be based upon attendance and participation

Both examinations will be closed book. The exams will be comprised of 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 10	<u>Topic:</u>	Course Introduction, Overview and assignments
	<u>Readings:</u>	Chapter 1
Jan 17	<u>Topic:</u>	History of Punishment and Sentencing/Justification for Punishment
	<u>Readings:</u>	Chapters 2 & 3
Jan 24	<u>Topic:</u>	Judicial Discretion and Substantive Principles in Sentencing
	<u>Readings:</u>	Chapters 4 & 5
Jan 31	<u>Topic:</u>	Rules of Sentencing/Aggravating and Mitigating Factors
	<u>Readings:</u>	Chapters 6 & 7
Feb 7	<u>Topic:</u>	The Sentencing Hearing
	<u>Reading:</u>	8
Feb 14		MIDTERM EXAMINATION (IN CLASS – one hour)
Feb 21		WINTER BREAK – NO SCHEDULED CLASS
Feb 28	<u>Topic:</u>	Sentencing Options
	<u>Readings:</u>	Chapter 9 [Course Assignment due]

Mar 7 Topic: Murder and Manslaughter

Readings: Chapter 10

Mar 14 Topic: Preventive Detention

Readings: Chapter 11

Mar 21 Topic: The Role of the Appellate Courts

Readings: Chapter 12

Mar 28 Topic: The Future of Sentencing

Readings: Chapter 13

Apr 4 Topic: **EXAM REVIEW**