

Course Outline

COURSE: LAWS 2302 A – Criminal Law

TERM: Fall 2024

PREREQUISITES: LAWS 1001 and LAWS 1002

CLASS: TUESDAYS, 18:05 - 20:55

Room: Please check Carleton Central for current class schedule
Lectures will be conducted in person once a week

INSTRUCTOR: MICHAEL A. SMITH

CONTACT: **Office Hrs:** Office hours with the Instructor and/or TA will be held by appointment. Appointments may take place in person or via Zoom.

Teaching Assistant: Claudia Guertin
ClaudiaGuertin@email.carleton.ca

Telephone: 613-230-5787 ext. 301
Email: michaelsmith@cunet.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 dealt with in LAWS 2301. It is designed to provide a practical introduction to Criminal Law in Canada and to the institution, processes and rules.

The goal is to highlight the elements of criminal offences while examining various legal defences and their effectiveness in the system. This course will focus on legal jurisprudence and various sections of *The Criminal Code* of Canada.

Students will be provided with an opportunity to put their theoretical knowledge to use into formal practice through a class assignment.

LEARNING OUTCOMES

Successful students will achieve the basic understanding of criminal law within Canada. They will understand what occurs from time of arrest to the completion of a trial.

REQUIRED TEXTS

- A. Criminal Law in Canada: An Introduction to the Theoretical, Social and Legal Context 5th 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>

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.

***All components must be successfully completed to get a passing grade.**

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| 1. Monthly Quizzes | 30% | To be submitted Oct 9 th , Nov 6 th & Dec 6 th , 2024 |
| 2. Final Examination | 35% | Will be held during the Dec 9-21, 2024 formal exam period |
| 3. Essay Assignment | 25% | Assignments due <u>November 12th, 2024 at 6:05 pm</u> |
| 4. Participation | 10% | Based upon attendance, engagement and a writing exercise |

Quizzes and final examination will be open book. Students must complete the monthly quizzes and the final examination by themselves. Collaboration is not permitted. The final exam will be comprised of multiple choice and short-answer questions. Students will be responsible for all the required readings and information/materials provided in the course including lectures.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

*Any quiz submitted past the deadline will not be accepted or graded.

**Assignments submitted past the deadline date will be subject to a 10% per day late penalty up to a maximum of 5 days. No assignments will be accepted beyond November 17th, 2024.

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 short-term 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/academic-consideration-coursework-form/>.

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.

Final exam deferrals must be applied for at the Registrar's Office. Please view the following link for more information and how to apply for a deferral: <https://carleton.ca/registrar/deferral/>

For more information regarding academic consideration for short-term incapacitation (illness, injury, or extraordinary circumstances beyond a student's control), please visit the following link: <https://students.carleton.ca/course-outline/#academic-consideration-for-short-term-incapacitation>

SCHEDULE

September 10	Topic	Course Introduction, Overview of Crime and Punishments
	Reading	Chapter 5 (History and Issue in Sentencing) p. 309-317
September 17	Topic	Crime, Sentencing and Punishment
	Reading	Chapter 5 Continued p. 318-341
September 24	Topic	Crime, Sentencing and Punishment
	Reading	Chapter 5 Continued p. 342-373
October 1	Topic	Criminal Law and Liability
	Reading	Chapter 6 section 6.1.1 - 6.1.2
October 8	Topic	Criminal Law and Liability
	Reading	Chapter 6 section 6.1.2 - 6.1.3

October 15	Topic	Criminal Law and Liability
	Reading	Chapter 6 section 6.1.3 – 6.2.3
October 22		Fall Break – No scheduled class
October 29	Topic	Criminal Law and Liability
		Chapter 6 section 6.2.3 - 6.3
November 5	Topic	Defences
	Reading	Chapter 7 section 7.1 -7.1.2
November 12 <u>ESSAY</u> <u>ASSIGNMENT</u> <u>DUE</u> @6:05 pm	Topic	Defences
	Reading	Chapter 7 section 7.1.2 – 7.1.5
November 19	Topic	Defences
	Reading	Chapter 7 section 7.1.5 - 7.2.1
November 26	Topic	Defences
	Reading	Chapter 7 section 7.2.1 – 7.3.2
December 3	Topic	Defences
	Reading	Chapter 7 section 7.3.2 - 7.4.4

POLICIES AND EXPECTATIONS

Effective adherence to academic integrity requires that students understand the meaning of academic misconduct. Please review the following webpage to ensure that your practices meet our Department's expectations: <https://carleton.ca/law/student-experience-resources/>.

An important and valuable component of the learning process is the progress a student can make as a result of interacting with other students. In struggling together to master similar concepts and problems and in being exposed to each other's views and approaches, a group of students can enhance and speed up the learning process. Carleton University encourages students to benefit from these activities which will not generally be viewed as a violation of the Policy. With the exception of tests, quizzes, essay assignment, examination, instructors will not normally limit these interactions.

Students shall not co-operate or collaborate on academic work when the instructor has indicated that the work is to be completed on an individual basis. Failure to follow the instructor's directions in this regard is a violation of the standards of academic integrity. Unless otherwise indicated, students shall not co-operate or collaborate in the completion of a test, quizzes, essay assignment, and examination.

Students are prohibited from re-using their own work or a variation thereof from a different course/assignment.

Any use of generative AI tools (e.g. ChatGPT) to provide assessed content is not permitted. Students are expected to provide original work.

PLAGIARISM

The University Academic Integrity Policy defines plagiarism as "*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one's own.*" This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);

- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another's data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one's own; and
- failing to acknowledge sources through the use of proper citations when using another's work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course's instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of "F" for the course.

STATEMENT ON STUDENT MENTAL HEALTH

As a university student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you.

For more information, please consult <https://wellness.carleton.ca/>

Emergency Resources (on and off campus):

- <https://carleton.ca/health/emergencies-and-crisis/emergency-numbers/>

Carleton Resources:

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources:

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Empower Me: 1-844-741-6389, https://studentcare.ca/rte/en/IHaveAPlan_CarletonUniversityUndergraduateStudentsCUS A_EmpowerMe_EmpowerMe
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

ACADEMIC ACCOMMODATIONS

Carleton is committed to providing academic accessibility for all individuals. You may need special arrangements to meet your academic obligations during the term. The accommodation request processes, including information about the Academic Consideration Policy for Students in Medical and Other Extenuating Circumstances, are outlined on the Academic Accommodations website (<https://students.carleton.ca/course-outline>).

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows.

Pregnancy Obligation and Family-Status Related Accommodations

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 about the accommodation policy, visit the [Equity and Inclusive Communities \(EIC\)](#) website.

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, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>.

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. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

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 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. Read more here: <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/>.

Academic Consideration for Medical and Other Extenuating Circumstances

Due to medical and other extenuating circumstances, students may occasionally be unable to fulfill the academic requirements of their course(s) in a timely manner. The University supports the academic development of students and aims to provide a fair environment for students to succeed academically. Medical and/or other extenuating circumstances are circumstances that are beyond a student's control, have a significant impact on the student's capacity to meet their academic obligations, and could not have reasonably been prevented.

Students must contact the instructor(s) as soon as possible, and normally no later than 24 hours after the submission deadline for course deliverables. If not satisfied with the instructor's decision, students can conduct an "informal appeal" to the Chair of the department within three (3) working days of an instructor's decision. We have created a webform specifically for appeals to the Chair, which can be found here: <https://carleton.ca/law/application-for-review-of-refusal-to-provide-academic-consideration/>. *Note: This form only applies to LAWS courses and is not the same as a formal appeal of grade.* More information about the academic consideration can be found [here](#).