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| <b>COURSE:</b>                    | <b>LAWS 2302A - CRIMINAL LAW</b>   |
| <b>TERM:</b>                      | <b>FALL 2023</b>   |
| <b>PREREQUISITES:</b>             | <b>LAWS 1001 and LAWS 1002</b>   |
| <b>CLASS:</b>                     | <b>Day &amp; MONDAY</b><br><b>Time: 18:05-20:55</b><br><b>Room: Please check Carleton Central for current Class Schedule</b>   |
| <b>INSTRUCTOR:<br/>(CONTRACT)</b> | <b>MICHAEL A. SMITH</b>  |
| <b>TEACHING<br/>ASSISTANTS:</b>   | <b>TBD</b><br><b>TBD</b>   |
| <b>CONTACT:</b>                   | <b>Office: Virtual</b><br><b>Office Hrs: TBA</b><br><b>Telephone: 613-230-5787</b><br><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 Oct 2<sup>nd</sup>, Nov 6<sup>th</sup> & Dec 4<sup>th</sup>
2. Final Examination 35% - Will be held during the DEC 10-22 formal exam period
3. Class Assignment 25% - Assignments due **NOV 13<sup>th</sup>/23 at 6:05pm**
4. Participation 10% - Will be based upon attendance, engagement and a writing exercise

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

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|---------------------|---------|--|
| <b>September 11</b> | Topic   | Course Introduction, Overview of Crime and Punishments |
|                     | Reading | Chapter 5 (history and issue in sentencing)            |
| <b>September 18</b> | Topic   | Crime, Sentencing and Punishment                       |
|                     | Reading | Chapter 5 Continued                                    |
| <b>September 25</b> | Topic   | Crime, Sentencing and Punishment                       |
|                     | Reading | Chapter 5 continued (punishment)                       |
| <b>October 2</b>    | Topic   | Criminal law and liability                             |
|                     | Reading | Chapter 6 – section 6.1.1 - 6.1.2                      |
| <b>October 9</b>    |         | <b>University Closed - No scheduled class</b>          |
| <b>October 16</b>   | Topic   | Criminal law and liability                             |
|                     | Reading | Chapter 6 – section 6.1.2 - 6.1.3                      |
| <b>October 23</b>   |         | <b>Fall Break – No scheduled class</b>                 |
| <b>October 30</b>   | Topic   | Criminal law and liability                             |
|                     | Reading | Chapter 6 – section 6.1.3 – 6.2.3                      |
| <b>November 6</b>   | Topic   | Criminal Law Liability                                 |
|                     | Reading | Chapter 6 – section 6.2.3 – 6.3                        |
| <b>November 13</b>  | Topic   | Defences   |

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| <b>ESSAY<br/>ASSIGNMENT DUE<br/>@6:05pm</b> | Reading | Chapter 7 – section 7.1 -7.1.2            |
| <b>November 20</b>                          | Topic   | Defences                                  |
|   | Reading | Chapter 7 – section 7.1.2- 7.1.5          |
| <b>November 27</b>                          | Topic   | Defences                                  |
|   | Reading | Chapter 7 – section 7.2.1 – 7.3.1         |
| <b>December 4</b>                           | Topic   | Defences                                  |
|   | Reading | Chapter 7 – section 7.3.2-7.4.4           |
| <b>December 8</b>                           | Topic   | Chapter 7 – continued + Final Exam Review |

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## **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): <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](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 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) <https://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: <https://carleton.ca/registrar/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: <https://carleton.ca/studentssupport/svpolicy/>

### **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: <https://carleton.ca/law/current-students/>