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**COURSE:** LAWS 2302E - CRIMINAL LAW

**TERM:** WINTER 2024

**PREREQUISITES:** LAWS 1001 and LAWS 1002

**CLASS:** Day & Time: TUESDAY  
18:05-20:55  
Room: Please check Carleton Central for current class schedule.

**INSTRUCTOR:** MICHAEL A. SMITH  
**(CONTRACT)**

**TEACHING ASSISTANTS:** HADEZA ISMAILA- hadezaismaila@cmail.carleton.ca  
MICHAEL SADONO – michaelsadono@cmail.carleton.ca

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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 Jan 30<sup>th</sup>, Mar 1<sup>st</sup> & Apr 2<sup>nd</sup>
2. Final Examination 35% - Will be held during the APR 13<sup>th</sup>-25<sup>th</sup> formal exam period
3. Class Assignment 25% - Assignments due **MAR 5<sup>th</sup>/24 at 6:05pm**
4. Participation 10% - Will be based upon submissions of weekly discussion questions

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 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 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

<b>January 9</b>	Topic	Course Introduction, Overview of Crime and Punishments
	Reading	Chapter 5 (history and issue in sentencing)
<b>January 16</b>	Topic	Crime, Sentencing and Punishment
	Reading	Chapter 5 Continued
<b>January 23</b>	Topic	Crime, Sentencing and Punishment
	Reading	Chapter 5 continued (punishment)
<b>January 30</b>	Topic	Criminal law and liability
	Reading	Chapter 6 – section 6.1.1 - 6.1.2
<b>February 6</b>	Topic	Criminal law and liability
	Reading	Chapter 6 – section 6.1.2 - 6.1.3
<b>February 13</b>	Topic	Criminal law and liability
	Reading	Chapter 6 – section 6.1.3 – 6.2.3
<b>February 20</b>		<b>Winter Break – No scheduled class</b>
<b>February 27</b>	Topic	Criminal Law Liability
	Reading	Chapter 6 – section 6.2.3 – 6.3
<b>March 5</b> <b>ESSAY ASSIGNMENT</b> <b><u>DUE @ 6:05pm</u></b>	Topic	Defences
	Reading	Chapter 7 – section 7.1 -7.1.2
<b>March 12</b>	Topic	Defences
	Reading	Chapter 7 – section 7.1.2- 7.1.5
<b>March 19</b>	Topic	Defences
	Reading	Chapter 7 – section 7.2.1 – 7.3.1
<b>March 26</b>	Topic	Defences
	Reading	Chapter 7 – section 7.3.2-7.4.4
<b>April 2</b>	Topic	Chapter 7 - continued
<b>April 9</b>	Topic	<b>EXAM REVIEW</b>

# University and Departmental Policies

## DEPARTMENT POLICIES AND REGULATIONS

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements: <https://carleton.ca/law/student-experience-resources/>.

## 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.

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://students.carleton.ca/services/empower-me-counselling-services>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.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 accommodation regarding a formally-scheduled final exam, you must complete the Pregnancy Accommodation

Form that can be found at:

<https://carleton.ca/equity/contact/form-pregnancy-accommodation/>

#### **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](mailto: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/>