

Course Outline

COURSE: LAWS 4308 C – Sentencing

TERM: Winter 2026

PREREQUISITES: LAWS 2301 & LAWS 2302

CLASS: Day & Mondays 18:05-20:55
Time:
Room:

INSTRUCTOR: Michael A. Smith

CONTACT: Office Hrs: By appointment
Telephone: (613) 230-5787 ext. 301
Email: michaelsmith@cunet.carleton.ca

BRIGHTSPACE: To be added.

CALENDAR COURSE DESCRIPTION

Theories of sentencing, current sentencing laws and practices, perceptions of sentencing. Data on sentencing practice across Canada. Reforms in other jurisdictions. Critical review of the Canadian Sentencing Commission. Multidisciplinary approach using research and theory in law, criminology, social psychology and sociology.

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.

LEARNING OUTCOMES

Successful students will achieve the basic understanding of sentencing within Canada. They will be able to:

1. Explain and critically compare major theories of sentencing as developed within law, criminology, social psychology and sociology.

2. Analyze current sentencing laws and practices in Canada, including statutory frameworks, judicial discretion, and key appellate decisions.
3. Interpret and evaluate national sentencing data, identifying patterns, disparities, and trends across jurisdictions in Canada.
4. Assess public and professional perceptions of sentencing, and explain how these perceptions influence policy debates and reform efforts.
5. Critically examine the work and legacy of the Canadian Sentencing Commission, including recommendations and their contemporary relevance.
6. Compare Canadian sentencing practices with reforms and innovations in other jurisdictions, identifying strengths, weaknesses, and potential areas for policy transfer.
7. Apply sentencing principles to practical scenarios, demonstrating an ability evaluate proportionality, aggravating and mitigating factors, and the purposes of sentencing.
8. Evaluate the effectiveness and fairness of existing sentencing rules and guidelines, using empirical research and theoretical frameworks.
9. Integrate multidisciplinary perspectives to develop nuanced arguments about sentencing policy, judicial decision-making, and justice system outcomes.
10. Formulate informed, evidence-based critiques of sentencing policy, and propose potential reforms grounded in theory, comparative research, and empirical data.

REQUIRED TEXTS

Required text: The Law of Sentencing by Allan Manson

- The text is available at The Campus Store for \$50
<https://carletonshop.ca/Item?item=9781552210291#item=9781552210291>

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.

1. Monthly quizzes: 30%
 - a. A total of 3 quizzes will make up a portion of the scores. Each quiz will assess the students' understanding of the specific readings reviewed in the month leading up to the quiz. Quizzes will be completed on Brightspace and submitted on February 3rd, March 3rd, April 7th of 2026.
 - b. To be submitted January 26, February 23, March 30
2. Final examination: 25%
 - a. Students will complete a comprehensive open book exam (textbook and personal notes only) as part of their final grade. The exam will be held during the formal exam period (April 11-23, 2026)

3. Class Assignment: 35%
 - a. Students will be assigned the role of Crown or Defence and be required to complete “Written sentencing submissions” advocating their position based upon a case fact scenario. Students will be assessed on their ability to apply the various principles and applicable law. Assignments will be due March 2, 2026, at 6:05pm EST
4. Participation: 10%
 - a. Students will be asked to lead a portion of the class discussions where their ability to engage the class and demonstrate their knowledge of the subject matter (readings). Marks will be awarded for attendance and preparedness.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Any quiz submitted past the deadline will not be accepted nor graded.

Assignments submitted past the deadline date will be subject to a 10% per day late penalty up to a maximum of five (5) days. No assignments will be accepted beyond Sunday, March 22, 2026.

The granting of extensions is at the discretion of the instructor, who will confirm whether an extension is approved and its duration. For information about requesting short-term or long-term extensions, deferrals for final exams, or academic consideration due to illness, injury, or other extraordinary circumstances, please visit the Academic Consideration Policy page and complete the relevant forms as required. All requests must be submitted to the instructor before the assignment due date or, in the case of exam deferrals, directly to the Registrar’s Office. Full details and instructions can be found here: <https://carleton.ca/registrar/academic-consideration-policy/>.

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 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

| | | |
|---|---------|---|
| January 5 | Topic | Course Introduction, Overview of Crime and Punishments |
| | Reading | Chapter 1 p. 1-4 |
| January 12 | Topic | History of Punishment and Sentencing/Justification for Punishment |
| | Reading | Chapter 2 & 3 p.5-55 |
| January 19 | Topic | Judicial Discretion and Substantive Principles in Sentencing |
| | Reading | Chapter 4 & 5 p.56-97 |
| January 26 | Topic | Rules of Sentencing/Aggravating and Mitigating Factors |
| | Reading | Chapter 6 & 7 p. 98-161 |
| February 2 | Topic | The Sentencing Hearing |
| | Reading | Chapter 8 and guest speaker p.162-208 |
| February 9 | Topic | Sentencing Options |
| | Reading | Chapter 9 p. 209-244 |
| WINTER BREAK: FEB. 16-20, 2026 | | |
| NO CLASSES | | |
| February 23 | Topic | Sentencing Options |
| | Reading | Chapter 9 p.245-291 |
| March 2 ESSAY ASSIGNMENT DUE @6:05PM | Topic | Murder and Manslaughter – ESSAY ASSIGNMENT DUE AT 6:05 P.M. |
| | Reading | Chapter 10 p.292-313 |
| March 9 | Topic | Preventive Detention |
| | Reading | Chapter 11 and guest speaker p.314-353 |
| March 16 | Topic | The Role of the Appellate Courts |

| | | |
|-----------------|--------------------------|---|
| | Reading | Chapter 12 p.354-364 |
| March 23 | Topic | The Future of Sentencing |
| | Reading | Chapter 13 p.365-375 |
| March 30 | Topic | The Future of Sentencing – Continuation |
| | Reading | Chapter 13 p.375-389 |
| April 5 | LAST CLASS – EXAM REVIEW | |

POLICY ON PERMISSIBILITY OF SUBMITTING SAME WORK MORE THAN ONCE, PERMISSIBILITY OF GROUP OR COLLABORATIVE WORK, AND PERMISSIBILITY OF USING GENERATIVE AI

Permissibility of Submitting Substantially the Same Piece of Work for Academic Credit

- Students are strictly prohibited from submitting any work that has been previously submitted for academic credit in another course. Any such submission will result in an academic integrity violation, and the student will be referred to the university's academic integrity office for review. Re-using any portion of previous work, regardless of its extent, will be treated as a violation of academic integrity.

Cooperation or Collaboration

- Students are not permitted to cooperate or collaborate on any academic assignments unless explicitly stated by the instructor. Any unauthorized collaboration will result in the assignment not receiving a grade and the student being referred to the academic integrity office. This policy applies to all tests, exams, and individual assignments. Proofreading by others is not allowed.

Use of Generative Artificial Intelligence (AI) Tools

- The use of AI tools, such as ChatGPT, to produce any part of an assignment or test is strictly forbidden. Unauthorized use of AI in this course will be treated as a violation of academic integrity.

UNIVERSITY AND DEPARTMENTAL POLICIES

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://wellness.carleton.ca/get-help-now/>

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/>
- 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 (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 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](#).