

Course Outline

COURSE:	LAWS 2302 (Section B) – Criminal Law
TERM:	Fall 2014
PREREQUISITES:	LAWS 1000
CLASS:	Day & Time: Tuesdays at 18:05 Room: TBD (Please check with Carleton Central for current room location)
INSTRUCTOR: (CONTRACT)	Tyler Botten
CONTACT:	Office Hrs: By Appointment Telephone: (613) 564-0006 Email: tyler.botten@carleton.ca

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://www2.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://www2.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*). 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*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.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://www.carleton.ca/studentaffairs/academic-integrity/>

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://www.carleton.ca/law/student-resources/department-policies/>

COURSE DESCRIPTION

This course serves as a complement to LAWS 2301, with practical focus on the legal standards of liability and some examination of the criminal justice process. The course introduces students to both legal and social dimensions of Canadian criminal law. We will examine basic components such as the *actus reus* and *mens rea* elements of criminal offences, along with various routes to criminal liability. A wide array of defences will be examined in-depth, both from the common law tradition as well as those set out in the *Criminal Code*. Sentencing principles and objectives will be discussed, with a look at how they are implemented in practice. Time permitting, we will also review some of the recent changes Parliament has brought to our criminal law.

REQUIRED TEXTS

Criminal Law in Canada: An Introduction to the Theoretical, Social and Legal Contexts (Toronto: Carswell, 2002) by Ron Saunders & Justice John McMunagle

You must also have access to a copy of the Canadian *Criminal Code*, as we will discuss a number of provisions in the *Code*. Any of the popular annotated copies (Martin's, Tremear's, or Gold's) or a Pocket Criminal Code will do. Full text of the provisions is also available online at <http://laws-lois.justice.gc.ca/eng/acts/C-46/>

cuLearn

Supplementary reading, along with class lecture slides will be made available via the course cuLearn page. It is critical that students have access to cuLearn, as it will also be used for all course-related announcements.

EVALUATION

(All components must be completed in order to get a passing grade)

Midterm Exam	30%	In class October 14 th
Written Assignment	20%	Available October 21 st , due November 11 th
Final Exam	50%	TBA (during formal examination period, December 10-21)

Please note:

- Both the midterm and final will be closed book exams and will incorporate a combination of multiple choice and short answer questions. Examinable material includes all assigned readings and additional lecture content, including any guest lecture presentations.

- Late assignments will be penalized 10% for each day past the due date that they are received.
- A medical certificate or appropriate documentation must be provided at the earliest possible opportunity to support any request for a deferred examination or to submit a late assignment.
- 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.

SCHEDULE

Please note: Fall break is October 27-31 – No class.

A more detailed guide to readings for each class will be provided at the beginning of the term, subject to change depending on how much material we are able to cover in each lecture.

The order in which we will review the topics will generally be as follows:

(note – these sections are from Chapters 6, 7, 5 and 8 in your course textbook)

1. Introduction
2. Criminal Liability – *Actus Reus*
3. Criminal Liability – *Mens Rea*
4. Strict and Absolute Liability Offences
5. Incomplete Offences: Attempts, Counselling and Conspiracy
6. The Limits of Liability
7. Sentencing and Punishment
8. Defences: Duress, Necessity, Self Defence, Defence of Property, Consent
9. Defences: Mistake of Fact, Ignorance of the Law
10. Defences: Entrapment, Charter Protections (“Policy” Defences)
11. Defences: Provocation, Mental Disorder, Intoxication, Automatism
12. Special Topics in Criminal Law