



Lakehead University
POLI/CRIM 2311 WDF – Criminal Law (Winter 2021)
Online Course

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If you would like to meet with me over the phone or via Zoom please email me to arrange an appointment.

COURSE DESCRIPTION

Humans are fascinated by crime. Whether it's the news, television shows, movies, video games, books, or whatever other communication or entertainment mediums we engage, crime is often a major theme or focus. Despite this interest, however, many of us lack an appreciation and understanding of the legal treatment of crime in Canada and may in fact be more familiar with American criminal law (at least as it is portrayed in popular media). This semester we will embark on an exploration of Canadian criminal law and develop a basic understanding of the legal processes and considerations in the adjudication of crime in Canada as well as an appreciation of the impact of the common law, legislation, and our constitution in this fascinating area of the law.

COURSE REQUIREMENTS AND POLICIES

Required Texts:

1. Kent Roach, *Criminal Law*, 7th ed. (Toronto: Irwin Law, 2018).

All readings will be from the required texts unless noted otherwise in the syllabus. You are free to order a hard copy or an e-copy from Lakehead's bookstore.

Course Delivery

As this is a web-based course the class is structured in a flexible, and somewhat unique, manner. Every Monday or Tuesday I will provide a link to a recorded lecture of approximately 30-60 minutes in length, which will be available for viewing for two weeks after it has been posted. Each lecture will be accompanied by several discussion questions related to the topic and readings for the week.

Every Thursday you will have the opportunity to participate in a class discussion of approximately 30-60 minutes via Zoom where we will engage with the provided discussion questions. Your live participation is entirely optional. There are no negative ramifications whatsoever if you do not join the live class discussion; it simply provides an alternative mode via which you can engage with your peers and earn your participation grade. All class discussions will also be recorded and will be available for two weeks after the link has been posted. Whether you participate in the live discussion or not, you will have the opportunity to respond to discussion questions in our class discussion forum. Each discussion topic will be available for two weeks.

In an effort to provide as fair an opportunity as possible for everyone to participate in live class discussions if you so choose, the time for class discussions on Thursdays will fluctuate to some degree. The specific times for each discussion are noted in the reading schedule.

You are expected to view all of the recorded lectures and recorded class discussions that are provided, as all of the content covered in these videos, as well as our readings, are potentially examinable.

Grading

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|--------------------------|-----|
| - Participation: | 15% |
| - Exam 1: | 25% |
| - Exam 2: | 25% |
| - Exam 3 OR Final Paper: | 35% |

Participation

Participation marks are earned by meaningfully contributing to our group discussion throughout the semester by answering questions that are posed or providing comments or observations pertaining to our class topics and readings. Both quality and quantity of participation is considered in your participation grade. As noted above, you can choose to participate entirely in our live discussions, entirely in writing in our discussion forum, or with a combination of both. In both the live and online formats, you may engage with the question or topic with your own originating response, or by providing a meaningful response or counterpoint to someone else's response. What I hope will develop in both contexts is interesting, useful dialogue that furthers our insights and understanding on various elements of criminal law.

As a very rough guideline, engaging with several discussion questions or topics almost every week with a fair degree of insight and articulateness would earn a grade somewhere in the 'B' range (70-79%).

Exams

Exam 1 will take place on Monday, February 1 at 10:00 a.m. and will cover all course content from Week 1 through Week 4. Exam 2 will take place on Monday, March 15 at 1:00 p.m. and will cover all course content from Week 5 through Week 8. Exam 3 will take place during the exam period and

will cover all content from our course. Please consult Lakehead's exam timetable for the date and time of this exam once it becomes available.

The exams will have some combination of multiple choice, fill-in-the-blank, true or false, or short answer questions and will be administered via our course website.

Optional Final Paper

You may choose to complete a final paper in lieu of Exam 3. If you want to write a final paper you must discuss and have approved by me a topic of your choosing related to criminal law. Final papers also need to meet the following requirements:

1. Persuasive Thesis Statement: This is a formal, academic essay, which means that it must have as its foundation a persuasive thesis statement wherein you establish a meaningful and insightful position which you support throughout the body of your essay. If I have difficulty readily identifying your thesis statement when I read your introduction then there is a major problem!
2. Word Count: Your final paper must be between 2200-2500 words. Words on your title page or in your footnotes or bibliography do not count towards your word count. This word count is very wide and as a result is non-flexible; if your paper is outside the word limit expect a significant deduction to your grade.
3. Sources: You must cite at least five proper secondary sources in your paper. These are sources that you actually utilize in your paper, not simply sources that you've consulted and just included in your bibliography. For clarity, only the following types of sources will count towards your secondary source total: 1) academic journal articles, 2) academic books, or 3) case law. Other types of sources may be utilized where appropriate, but will not count towards your source total.
4. Formatting and Citations: While I prefer papers written in accordance with the Turabian/Chicago style, I am open to other formatting styles so long as formatting is clear, consistent, and thorough. I do, however, expect the following: 1) a formal, standalone title page, 2) footnotes as opposed to endnotes or in-text references, 3) a complete bibliography, and 4) Times New Roman 12-point font used throughout your paper.
5. Deadline: Your final paper must be submitted no later than 11:59 p.m. on Tuesday, April 13, 2021.

Guidelines for Submission of Final Paper

Final papers must be submitted to me via email (awschenk@lakeheadu.ca, not through our course site). All assignments must be in PDF form; submitting your paper in PDF form ensures that I see your paper exactly as you've submitted it, whereas assignments submitted as a Word document may have inadvertent formatting issues if you've written them in an older version of Word and I open

it in a newer version. Submitting in a format other than PDF attracts an automatic 10% deduction on your assignment.

In regards to late submissions, unless you experience a serious medical or personal emergency that prevents you from submitting an assignment or you have been explicitly given a prior extension from me, assignments that are not submitted by the date and time assigned will receive a grade of 0. There is no sliding scale of percentage points that you will lose if it is late by a certain number of days. For complete clarity, if your paper is emailed to me one minute after the deadline, the grade for the paper is 0. This policy is applied automatically and without exception. Fortunately, avoiding this penalty is extremely simple: manage your time properly and don't leave assignments until the last minute.

In regards to extensions, if you have experienced a personal or medical emergency that prevents you from submitting your assignment on time please contact me as soon as possible to discuss a potential extension. It is incumbent on you to be as proactive as possible. Do not request extensions because you have a number of other assignments in other courses due around the same time or you simply haven't given yourself enough time to complete the assignment; time management is your responsibility and a crucial skill to develop and hone as an undergraduate student. Do not request an extension because you have suffered some type of technological mishap; make sure you're regularly backing up documents in multiple places in case something goes wrong.

Marks and Feedback

All of your marks will be provided to you via myInfo. Feedback will be provided exclusively via our course site. Your individual feedback accompanying each of your marks will be viewable under the 'Assignments' tab.

Academic Honesty

Academic honesty is expected of all Lakehead University students. Cheating, collusion, and plagiarism will not be tolerated. Students are expected to make themselves fully familiar with Lakehead's policy in this area. Although all these policies will be enforced in full, it is worth emphasizing the following:

Plagiarism involves presenting another's work, ideas, theories, or interpretation as one's own.

To avoid plagiarism, writers should always:

1. Put quotation marks around any words from sources
2. Paraphrase material completely; changing (with the help of a thesaurus) or rearranging a few words or the tense of a verb is not paraphrasing.
3. Give accurate and complete citations for all material including paraphrased material.
4. Avoid borrowing entire arguments or approaches to a subject from another writer. Make it 'original' while staying faithful to the assignment parameters.

A Quick Word on Emails

I am very happy to answer questions over email, but there are parameters to the way in which these emails should be written and sent. I expect that your emails to me are written with proper spelling, grammar, and punctuation. If I receive an email that has the appearance of a hastily typed text message, you should not expect an email in reply. I also expect that before you ask me a question you have consulted the syllabus to see if the answer is there.

Academic Supports

If you feel that you're in need of academic assistance in a particular area, I encourage you to utilize the resources of Lakehead's Academic Support Zone (<https://www.lakeheadu.ca/students/academic-success/student-success-centre/academic-support-zone>). The Academic Support Zone can provide assistance in a variety of different areas, including specific supports for writing papers.

Disability Accommodations

Lakehead University is committed to achieving full accessibility for persons with disabilities. Part of this commitment includes arranging academic accommodations for students with disabilities and/or medical conditions to ensure they have an equitable opportunity to participate in all of their academic activities. If you are a student with a disability and think you may need accommodations, you are strongly encouraged to contact Student Accessibility Services (SAS) and register as early as possible. For more information, please contact Student Accessibility Services <http://studentaccessibility.lakeheadu.ca> (SC0003, 343-8047 or sas@lakeheadu.ca).

COURSE SCHEDULE

Readings are from the assigned texts unless otherwise noted. The course schedule and assigned readings are potentially subject to change at the discretion of the instructor.

Dates	Topic	Readings	Discussion Date
			<i>**Discussions take place via Zoom**</i>
Week 1 (January 11)	Introductions and Basic Concepts	<i>Criminal Law</i> , 1-24	January 14 at 11:30 a.m.
Week 2 (January 18)	Criminal Law and the Charter	<i>Criminal Law</i> , 26-64	January 21 at 12:00 p.m.
Week 3 (January 25)	The Actus Reus	<i>Criminal Law</i> , 92-140	January 28 at 12:30 p.m.
Week 4 (February 1)	The Mens Rea	<i>Criminal Law</i> , 185-237	February 4 at 1:00 p.m.
Week 5 (February 8)	Unfulfilled Crimes and Participation in Crimes	<i>Criminal Law</i> , 143-182	February 11 at 1:30 p.m.
Week 6 (February 22)	Regulatory Offences and Corporate Crime	<i>Criminal Law</i> , 242-273	February 25 at 4:00 p.m.
Week 7 (March 1)	Course Catchup/Cancellation Date	N/A	March 4 at 11:30 a.m.
Week 8 (March 8)	Intoxication	<i>Criminal Law</i> , 275-309	March 11 at 12:00 p.m.
Week 9 (March 15)	Mental Disorders and Automatism	<i>Criminal Law</i> , 311-349	March 18 at 12:30 p.m.
Week 10 (March 22)	Self-Defence, Necessity and Duress	<i>Criminal Law</i> , 352-420	March 25 at 1:00 p.m.
Week 11 (March 29)	Homicide	<i>Criminal Law</i> , 422-472	April 1 at 1:30 p.m.
Week 12 (April 5)	Sentencing	<i>Criminal Law</i> , 514-543	April 9 at 4:00 p.m.
Week 13 (April 12)	Course Review	N/A	April 12 at 11:30 a.m.