



Lakehead University
POLI/CRIM 2311 FDE – Criminal Law (Fall 2024)
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:

Kent Roach, *Criminal Law*, 8th ed. (Toronto: Irwin Law, 2022).

All readings will be from the required text unless noted otherwise in the syllabus. You are free to order a hard copy or an e-copy of the book from Lakehead's bookstore. You are expected to thoroughly read all assigned readings, and it is of course more useful for you to do this prior to viewing lectures or posting responses to discussion questions.

Course Delivery

Every week I will provide a link to a recorded lecture approximately 30-60 minutes in length, which will be available for viewing for at least two weeks after it has been posted. Lectures will be posted no later than Friday each week. Be sure to read the assigned readings before viewing the lecture.

Each lecture will be accompanied by several discussion questions related to the topic and readings for the week. There will be no discussion questions for Week 1 or Week 12. Each discussion topic will be available for at least two weeks. *Please take careful note of when the access period for posted lectures and discussion topics will close and make sure you access the lecture and participate in discussion before they are no longer accessible.*

Grading

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

Participation

Participation marks are earned by meaningfully contributing to our online group discussion throughout the semester by answering questions that are posed or providing comments or observations pertaining to our class topics and readings in our class discussion forums. Both the quality and quantity of participation is considered in your participation grade. You may engage with the posted question or topic with your own originating response or by providing meaningful responses or counterpoints to someone else's response. What I hope will develop in our discussion forums is interesting, useful dialogue that furthers our insights and understanding on various elements of criminal law. I may occasionally pose a question in response to your posting in the discussion forum as well.

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 **Tuesday, October 1 beginning at 10:00 a.m.** and will cover all course content from Week 1 through Week 4. Exam 2 will take place on **Friday, November 1 beginning at 1:00 p.m.** and will cover all course content from Week 5 through Week 8. These exams will be made available for a **24-hour period**. 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. If you submit a final paper you *cannot* then write Exam 3 and choose the higher of the two marks.

Final papers must 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 2000-2500 words. Words on your title page or in your footnotes or bibliography do not count towards your word count. This word count is quite 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 Thursday, November 28, 2024.**

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 sudden 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 submitted after the deadline receive a penalty to their grade. Assignments submitted within 24 hours after the deadline receive a 25% deduction; assignments submitted between

24-48 hours after the deadline receive a 50% deduction; assignments submitted more than 48 hours after the deadline do not receive any marks. Avoiding these penalties is extremely simple: manage your time properly and don't leave assignments until the last minute.

This does not, however, mean that extensions are not available in appropriate circumstances. If you have experienced a personal or medical issue that may prevent you from submitting your assignment on time please do 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).

Mental Health Resources

As a university student, you may sometimes experience mental health concerns or stressful events that interfere with your academic performance and negatively impact your daily activities.

All of us can benefit from support during times of struggle. If you or anyone you know experiences academic stress, difficult life events or feelings of anxiety or depression, Student Health and Wellness is here to help. Their services are free for Lakehead Students and appointments are available. You can learn more about confidential mental health services available on and off campus at lakeheadu.ca/shw.

Remember that getting help is a smart and courageous thing to do - for yourself, for those you care about, and for those who care about you. Asking for support sooner rather than later is almost always helpful.

Dealing with Difficult Course Content

The study of criminal law in some instances necessitates consideration of disturbing instances of violence, abuse, and other damaging human actions. While it is sometimes necessary to confront some unpleasant history and legal cases in order to understand how the law can and should respond to criminal wrongdoings, this may inadvertently trigger unpleasant personal memories and emotions if the issues we are discussing relate in some way to troubling experiences you have had. If this is the case for you (or upon reviewing a particular assigned reading you believe this may be the case), you may certainly ask to be excused from engaging with a particular discussion topic. Please feel free to contact me about this issue and/or utilize Lakehead's mental health supports via Student Health and Wellness.

COURSE READING 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
Week 1 (September 2)	Introductions and Basic Concepts	<i>Criminal Law</i> , 1-24
Week 2 (September 9)	Criminal Law and the Charter	<i>Criminal Law</i> , 25-67
Week 3 (September 16)	The Actus Reus	<i>Criminal Law</i> , 97-148
Week 4 (September 23)	The Mens Rea	<i>Criminal Law</i> , 192-251
Week 5 (September 30)	Unfulfilled Crimes and Participation in Crimes	<i>Criminal Law</i> , 149-191
Week 6 (October 7)	Regulatory Offences and Corporate Crime	<i>Criminal Law</i> , 252-288
Week of October 14	Reading Week	N/A
Week 7 (October 21)	Intoxication	<i>Criminal Law</i> , 289-325
Week 8 (October 28)	Mental Disorders and Automatism	<i>Criminal Law</i> , 326-366
Week 9 (November 4)	Self-Defence, Necessity and Duress	<i>Criminal Law</i> , 367-440
Week 10 (November 11)	Homicide	<i>Criminal Law</i> , 441-493
Week 11 (November 18)	Sentencing	<i>Criminal Law</i> , 514-572
Week 12 (November 25)	Course Review: There will be two <u>completely optional</u> opportunities to ask review questions live over Zoom during this week: November 26 at 11:30 AM and November 29 at 7:00 PM. These sessions will be recorded for those who cannot attend.	N/A