

# COURSE SYLLABUS



COURSE TITLE: CRIM-270: Criminal Law

CLASS SECTION: CRIM 270-001

TERM: Winter 2024

COURSE CREDITS: 3

DELIVERY METHOD(S): Lecture - Wednesdays 6:00 PM to 8:50 PM in Y201

Camosun College campuses are located on the traditional territories of the Lək̓ʷəŋən and W̱SÁNEĆ peoples. We acknowledge their welcome and graciousness to the students who seek knowledge here.

Learn more about Camosun's [Territorial Acknowledgement](#).

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## INSTRUCTOR DETAILS

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NAME: Len Statz

EMAIL: [statzl@camosun.bc.ca](mailto:statzl@camosun.bc.ca)

OFFICE: Y205

HOURS: Wednesdays 5:00 PM to 6:00 PM

*As your course instructor, I endeavour to provide an inclusive learning environment. However, if you experience barriers to learning in this course, do not hesitate to discuss them with me. Camosun College is committed to identifying and removing institutional and social barriers that prevent access and impede success.*

## CALENDAR DESCRIPTION

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An examination of criminal law, its ideologies and theories. This includes an examination of what constitutes a crime, the elements for conviction and common defenses used in criminal law. Students will examine criminal statutes and cases from superior courts of Canada and BC.

### PREREQUISITE(S):

One of:

- C in any 100 level Criminology course

And one of:

- C in ENGL 151
- C in ENGL 161
- C in ENGL 163
- C in ENGL 164

#### CO-REQUISITE(S):

Not Applicable

#### EXCLUSION(S):

Not Applicable

#### COURSE LEARNING OUTCOMES / OBJECTIVES

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Upon completion of this course a student will be able to:

1. Articulate the basic principles, procedures and substantive areas of criminal law.
2. Identify the various sources of criminal law and critique the criminal justice system, its offences and defenses.
3. Explore by the use of papers and other activities areas of criminal law that are of interest.
4. Articulate an appreciation of criminal law in practice by participating in a mock trial that as closely as possible replicates a true criminal trial.

#### REQUIRED MATERIALS & RECOMMENDED PREPARATION / INFORMATION

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##### 1. Textbook

Verdun-Jones, S. (2020) Criminal Law in Canada, Cases Questions and the Code, 7<sup>th</sup> Edition. Toronto, ON: Nelson Education Ltd.

This course will generally follow the textbook, so it is important for you to keep up with your readings. You may obtain a copy of the textbook from the Camosun College Bookstore.

An "E-Version" of the textbook is also available from the bookstore.

##### (b) CRIM 270 Cases

Cases from various Canadian Courts will be assigned during the course and posted to the D2L. These cases will supplement the textbook and are required reading.

#### COURSE SCHEDULE, TOPICS, AND ASSOCIATED PREPARATION / ACTIVITY / EVALUATION

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The following schedule and course components are subject to change with reasonable advance notice, as deemed appropriate by the instructor.

- Week 1 (January 10, 2024)
  - Introduction to the course and course requirements
  - Introduction to Criminal Law
  - Criminal law and morality

- Week 2 (January 17, 2024)
  - Sources of Criminal Law
  - Crimes, Quasi Criminal Offences and Regulatory Offences
  - Types of criminal offences
  - The *Charter* and Criminal Law

Chapter 1

- Week 3 (January 24, 2024)
  - Beyond a Reasonable Doubt and other Criminal Burdens of Proof
  - Actus Reus – basic elements
  - Omissions
  - Specific Duties

Chapter 2

*R. v. Lifchus*, 1997 CanLII 319 (SCC) - [1997 CanLII 319 \(SCC\)](#) | [R. v. Lifchus](#) | [CanLII](#)  
(abridged version to be provided on D2L)

- Week 4 (January 31, 2024)
  - Causation

Chapter 3

*Smithers v. R.*, 1977 CanLII 7 (SCC) - [1977 CanLII 7 \(SCC\)](#) | [Smithers v. R.](#) | [CanLII](#)  
*R. v. Shanks*, 1996 CanLII 2080 (ON CA) - [1996 CanLII 2080 \(ON CA\)](#) | [R. v. Shanks](#) | [CanLII](#)

- Week 5 (February 7, 2022)
  - Mens Rea
  - History and application
  - Significance in offences
  - Subjective and objective mens rea
  - Types of intent

Chapter 4

- Week 6 (February 14, 2024)
  - Objective forms of Mens Rea
  - Dangerous Driving
  - Criminal negligence
  - Manslaughter

Chapter 5

**\*Case Battle Assignment Instructions Posted to D2L**

- **Week 7 (February 21, 2024) – READING BREAK**
- Week 8 (February 28, 2024)

**Examination 1**

- Week 9 (March 6, 2024)
  - Regulatory offences
    - Absolute liability
    - Strict liability
  - Parties to offences
  - Inchoate offences

Chapters 6 and 7
  
- Week 10 (March 13, 2024)
 

**\*Submission of case for Case Battle Due**

  - Introduction to defences
  - NCRMD
  - Automatism

Chapter 8
  
- Week 11 (March 20, 2024)
 

**\*Case Battle Written Arguments Due**

  - Defences continued
  - Consent
  - Mistake of fact/law

Chapter 9
  
- Week 12 (March 27, 2024)
 

**\*Case Battle Mock Hearings**

  - More defences
  - Provocation/Intoxication

Chapter 10
  
- Week 13 (April 3, 2024)
 

**\*Case Battle Mock Hearings**

  - And yet more defences
  - Justification and excuse
  - Necessity and duress

Chapter 11
  
- Week 14 (April 10, 2024)
  - Self-defence and defence of property
  - Final exam review

Chapter 12

Students registered with the Centre for Accessible Learning (CAL) who complete quizzes, tests, and exams with academic accommodations have booking procedures and deadlines with CAL where advanced notice is required. Deadlines can be reviewed on the [CAL exams page](http://camosun.ca/services/accessible-learning/exams.html). <http://camosun.ca/services/accessible-learning/exams.html>

## EVALUATION OF LEARNING

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DESCRIPTION	WEIGHTING
Mid-term examination	25%
Final Examination	25%
Case Battle / Mock Appeal Hearing	40%
Participation	10%
	<b>TOTAL</b>
	100%

If you have a concern about a grade you have received for an evaluation, please come and see me as soon as possible. Refer to the [Grade Review and Appeals](http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.14.pdf) policy for more information. <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.14.pdf>

### Bases of Student Assessment

#### (a) Two examinations (50%)

Examination 1 – February 28, 2024 (25%)

Examination 2 – Exam week (25%)

Each will examine your recollection/understanding of the content from the assigned readings and class lectures/materials. Exam 1 will be based on materials from weeks 1 to 6. Exam 2 will be based on materials from weeks 8 to 14, except as otherwise indicated by the instructor.

**The exams for this course are OPEN-BOOK exams. Further details will be provided by the instructor.**

**Failure to attend an exam will result in a mark of ZERO (0) on the exam.**

#### (b) Case Battle and Mock Appeal Hearing (40%)

The class is divided into teams in which part of the team will play the role of Crown Counsel and part of the team will play the role of defence counsel. Team sizes will depend on the number of students registered for the course.

The group finds a criminal case from the trial level. That case must relate to one of the topics covered in this class. The result of that case will be appealed by either Crown or defence, depending on the outcome of the case. The “Appellant” is the side that is seeking to appeal the original case. The other side is the “Respondent”.

The Appellant will submit a copy of the case to the instructor and identify the issue(s) that is (are) being appealed.

And then the battle begins!

The Appellant and Respondent will prepare written arguments outlining the key facts of the case (as they relate to the appeal) and their arguments on the issue(s) that is (are) being appealed. Written arguments will be submitted to the instructor, opposing counsel and the assigned judges.

Court dates (during class) will be assigned to each group. The Appellant and Respondent will prepare oral arguments to present to the panel of appellate judges. Those arguments should follow the written arguments but should also directly address the arguments submitted by opposing counsel.

The Appellant will present their argument first, followed by the Respondent. The Appellant will have a brief opportunity to “reply” to the Respondent’s arguments. After the completion of the arguments, the hearing will be adjourned, and the panel of judges will have one week to write individual judgments. Whichever side receives more judgments in their favour WINS!

The rules, specific grading for each portion of the assignment, order of argument, and hearing dates will be clarified via handout later in the term.

### **(c) Participation (10%)**

Regular attendance and active participation are expected of all students. For the purposes of your participation grade, you will be asked to submit to the instructor an assessment of your participation during the course. You will assess yourself in the following areas:

1. Attendance and punctuality.
2. Class preparation (completing assigned readings, videos and tasks/assignments in a timely manner – i.e. when assigned/due).
3. Engaging with classmates during small group discussions.
4. Offering your thoughts/perspectives during lectures and large group discussions.
5. Maintaining a positive, constructive and respectful demeanor towards peers and instructor.

**The instructor will make a final determination of the student’s participation score, taking into account the student’s assessment as well as the instructor’s own assessment of the student’s participation in the course.**

## **COURSE GUIDELINES & EXPECTATIONS**

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### **1. Class Preparation and Participation**

You are expected to complete the assigned readings before coming to class. This often becomes increasingly more difficult as the semester moves along and as the completion of assignments and preparation for exams for all classes takes a great deal of your time. This is a content-heavy course with a substantial amount of reading to be completed, so you should devote time daily/weekly to completing the assigned readings and you should do so from the beginning of the semester.

It is expected that you will arrive on time, be attentive, non-disruptive, constructive and respectful. For example, using headphones, engaging in text messaging, looking at messages, surfing the internet or using any means of

disengaging with your classmates and the learning process is not accepted in this class. You will be asked to leave the classroom setting.

I welcome the use of laptops to take notes in class. However, should any student's use of a laptop become disruptive or distracting to other students, I will ask that student to leave the class. Should there be repeated incidents of laptops becoming distractions in class, I may prohibit their use for the remainder of the semester.

### Late Penalty

All assignments must be completed and submitted on the date and at the time assigned. The penalty for late assignments will be 10% per day. An extension can be granted only with at least 72 hours' notice and will only be granted for good reason; supporting documentation may be required.

## 2. Course Completion Requirements

You **must** complete all evaluative requirements (two exams and case battle) to receive a passing grade in this course. In other words, if you miss an exam or do not submit a complete a component of the Case Battle and Mock Appeal, you will receive an F grade.

### STUDENT RESPONSIBILITY

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Enrolment at Camosun assumes that the student will become a responsible member of the College community. As such, each student will display a positive work ethic, assist in the preservation of College property, and assume responsibility for their education by researching academic requirements and policies; demonstrating courtesy and respect toward others; and respecting expectations concerning attendance, assignments, deadlines, and appointments.

### SUPPORTS AND SERVICES FOR STUDENTS

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Camosun College offers a number of services to help you succeed in and out of the classroom. For a detailed overview of the supports and services visit <http://camosun.ca/students/>.

Academic Advising	<a href="http://camosun.ca/advising">http://camosun.ca/advising</a>
Accessible Learning	<a href="http://camosun.ca/accessible-learning">http://camosun.ca/accessible-learning</a>
Counselling	<a href="http://camosun.ca/counselling">http://camosun.ca/counselling</a>
Career Services	<a href="http://camosun.ca/coop">http://camosun.ca/coop</a>
Financial Aid and Awards	<a href="http://camosun.ca/financialaid">http://camosun.ca/financialaid</a>
Help Centres (Math/English/Science)	<a href="http://camosun.ca/help-centres">http://camosun.ca/help-centres</a>
Indigenous Student Support	<a href="http://camosun.ca/indigenous">http://camosun.ca/indigenous</a>
International Student Support	<a href="http://camosun.ca/international/">http://camosun.ca/international/</a>
Learning Skills	<a href="http://camosun.ca/learningskills">http://camosun.ca/learningskills</a>
Library	<a href="http://camosun.ca/services/library/">http://camosun.ca/services/library/</a>

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Office of Student Support	<a href="http://camosun.ca/oss">http://camosun.ca/oss</a>
Ombudsperson	<a href="http://camosun.ca/ombuds">http://camosun.ca/ombuds</a>
Registration	<a href="http://camosun.ca/registration">http://camosun.ca/registration</a>
Technology Support	<a href="http://camosun.ca/its">http://camosun.ca/its</a>
Writing Centre	<a href="http://camosun.ca/writing-centre">http://camosun.ca/writing-centre</a>

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If you have a mental health concern, please contact Counselling to arrange an appointment as soon as possible. Counselling sessions are available at both campuses during business hours. If you need urgent support after-hours, please contact the Vancouver Island Crisis Line at 1-888-494-3888 or call 911.

## COLLEGE-WIDE POLICIES, PROCEDURES, REQUIREMENTS, AND STANDARDS

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### Academic Accommodations for Students with Disabilities

The College is committed to providing appropriate and reasonable academic accommodations to students with disabilities (i.e. physical, depression, learning, etc). If you have a disability, the [Centre for Accessible Learning](#) (CAL) can help you document your needs, and where disability-related barriers to access in your courses exist, create an accommodation plan. By making a plan through CAL, you can ensure you have the appropriate academic accommodations you need without disclosing your diagnosis or condition to course instructors. Please visit the CAL website for contacts and to learn how to get started:

<http://camosun.ca/services/accessible-learning/>

### Academic Integrity

Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.13.pdf> for policy regarding academic expectations and details for addressing and resolving matters of academic misconduct.

### Academic Progress

Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.1.pdf> for further details on how Camosun College monitors students' academic progress and what steps can be taken if a student is at risk of not meeting the College's academic progress standards.

### Course Withdrawals Policy

Please visit <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.2.pdf> for further details about course withdrawals. For deadline for fees, course drop dates, and tuition refund, please visit <http://camosun.ca/learn/fees/#deadlines>.

### Grading Policy

Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.5.pdf> for further details about grading.



### Grade Review and Appeals

Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.14.pdf> for policy relating to requests for review and appeal of grades.

### Mandatory Attendance for First Class Meeting of Each Course

Camosun College requires mandatory attendance for the first class meeting of each course. If you do not attend, and do not provide your instructor with a reasonable reason in advance, you will be removed from the course and the space offered to the next waitlisted student. For more information, please see the “Attendance” section under “Registration Policies and Procedures” (<http://camosun.ca/learn/calendar/current/procedures.html>) and the Grading Policy at <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.5.pdf>.

### Medical / Compassionate Withdrawals

Students who are incapacitated and unable to complete or succeed in their studies by virtue of serious and demonstrated exceptional circumstances may be eligible for a medical/compassionate withdrawal. Please visit <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.8.pdf> to learn more about the process involved in a medical/compassionate withdrawal.

### Sexual Violence and Misconduct

Camosun is committed to creating a campus culture of safety, respect, and consent. Camosun’s Office of Student Support is responsible for offering support to students impacted by sexual violence. Regardless of when or where the sexual violence or misconduct occurred, students can access support at Camosun. The Office of Student Support will make sure students have a safe and private place to talk and will help them understand what supports are available and their options for next steps. The Office of Student Support respects a student’s right to choose what is right for them. For more information see Camosun’s Sexualized Violence and Misconduct Policy: <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.9.pdf> and [camosun.ca/sexual-violence](http://camosun.ca/sexual-violence). To contact the Office of Student Support: [oss@camosun.ca](mailto:oss@camosun.ca) or by phone: 250-370-3046 or 250-3703841

### Student Misconduct (Non-Academic)

Camosun College is committed to building the academic competency of all students, seeks to empower students to become agents of their own learning, and promotes academic belonging for everyone. Camosun also expects that all students to conduct themselves in a manner that contributes to a positive, supportive, and safe learning environment. Please review Camosun College’s Student Misconduct Policy at <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.5.pdf> to understand the College’s expectations of academic integrity and student behavioural conduct.

**Changes to this syllabus:** Every effort has been made to ensure that information in this syllabus is accurate at the time of publication. The College reserves the right to change courses if it becomes necessary so that course content remains relevant. In such cases, the instructor will give the students clear and timely notice of the changes.