



**School of Arts & Science
CRIMINAL JUSTICE DEPARTMENT**

CRIM 270-001

Criminal Law

Winter 2009

COURSE OUTLINE

The Approved Course Description is available on the web @ _____

Ω Please note: this outline will be electronically stored for five (5) years only.
It is strongly recommended students keep this outline for your records.

1. Instructor Information

(a)	Instructor:	BD YOUNG		
(b)	Office Hours:	As posted		
(c)	Location:	Y205		
(d)	Phone:	250.370.3109	Alternative Phone:	
(e)	Email:	youngb@camosun.bc.ca		
(f)	Website:			

2. Intended Learning Outcomes

(No changes are to be made to this section, unless the Approved Course Description has been forwarded through EDCO for approval.)

Upon completion of this course the 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 defences.
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.

3. Required Materials

Criminal Law in Canada, Cases Questions and the Code
Simon N. Verdun Jones, Harcourt Brace

This fine book is available at your friendly bookstore. On the spot financing is available. Earlier editions are usable, but check with me. The text is carefully chosen to offer the best supplementary readings to the lectures.

A copy of a *Criminal Code* is helpful, but not needed. Use a current one – doesn't have to be new. The library (that's the big building with all the books) has a few *Criminal Codes* that you can access with your handy library card.

4. Course Content and Schedule

	First Class
Introduction Discussion of outline and course requirements	
	Second Class
Review of Terms Discussion of textbook Discussion of casebook Background - types of offences Overview of justice system Sources of legislation	Preface & C. 1
	Third Class
Procedure Review - courts, players, trials - arrest and charge procedures - plea types - burdens	C. 1 and 2
	Mid Sept
Actus Reus - elements of offences - history - application	C. 2
	Sept/Oct
Causation Voluntariness Automatism	C. 2 - 3
	October
Mens Rea - the other element to an offence - history and application - significance in offences - necessity of proof - Mens Rea as a defence itself - What is knowledge? - Direct and Indirect knowledge - What is intention? - The different types of intents	C. 4 - 5
	Oct/Nov
OBJECTIVE LIABILITY - Criminal Negligence Causing Death - Manslaughter - Regulatory Offences - Strict Liability - Absolute Liability	C. 5
	November
DEFENCES PART 1 (not necessarily in this order) - duress - necessity - provocation - justification and excuse - immunity - children, crown, your spouse - internationally protected persons - military personnel - mental disorder - diseases of the mind - automatism - fitness to stand trial	C. 6, 7, 8
	Nov & Dec
DEFENCES PART 2	C. 10

- aiding and abetting
 - intoxication
 - defence of property and of others
 - self defence
 - necessary force
 - mistake of fact
 - mistake of law
 - Charter of Rights
 - procedural defence vs. defence to offences
 - entrapment
 - People in Authority
 - ship's captain, doctor, pilot, College Prof!
 - Alibi
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It is impossible to gauge the speed at which we will travel through this minefield, but you will always know where we just were and where we are about to go. If you are ever feeling lost either come and see me or call the SPCA.

5. Basis of Student Assessment (Weighting)

Each course takes countless hours of development by our Research and Development team of the Crim Justice Department. Consultation with thousands of former students allows me to decide just how students in each term should be graded. Once we have received back the questionnaires that we mail to thousands of students, the results are tabulated and the final scores kept by Price Waterhouse. Based on this I then test-run assignments on student laboratory mice to see how the assignments work and if they are fair. This is not easy task. Finding mice that work the way students do, is tougher than it looks. And trying to differentiate between a student mouse and an adult worker mouse is a monumental task. The bottom line, therefore, is just to make sure that I, and the Research and Development mice, am happy.

Spilling texts	10%
First Test	25%
Second Test	25%
Third Test	20%
Case Presentation	20%
	100%

Tests – There will be three tests. They will be true/false, multiple choice, and short answer. The tests will be on the following dates:

First Test – February 10

Second Test – March 10

Third Test – last day of class (April 7th)

Each exam must be written. If you miss an exam, you can not pass the course. We have a number of laboratory mice that missed one, and we had to draw the line and execute them. And that's not a pretty sight.

Spilling Texts – and you thought this wasn't high school

Due to years of disgust at the way students spell I have decided to do something professors should have done years ago. Yup, you're gonna get five little spelling tests – one every few weeks. Each is worth 2% of your course grade.

At the beginning of term you will get a list of the words to be used. You just have to find the correct spelling for them.

Case Report – talk about fun! You thought spelling tests were going to rock... now you have to partner up with someone you don't even like and make a case presentation. Here's how this works: you and your partner have to find a case that covers one of the defences or primary issues we discuss in class. It has to be a case that is not in the case book or text book or that anyone else has found. Then you present your case to the class. You must sign up for a day to present your case. Word of warning: do not leave this until the last month of class.

Each case presented will be marked as follows:

Case picked – 15 (effort, type of case, relevancy)

Presentation – 5 (effort, uniqueness)

Mock Trial - bonus marks attributed for participation

One of the highlights of the term (other than the scintillating lectures and spelling tests) is the mock trial. This takes place at the courthouse downtown and will as accurately as possible resemble a real murder trial. Students will be the judge, lawyers, witnesses, jurors, and the accused. Given the class size this year, the class will be divided into two teams: Crown and defence. Nothing like a little in-class competition to create enemies amongst friends...

6. Grading System

(No changes are to be made to this section, unless the Approved Course Description has been forwarded through EDCO for approval.)

Standard Grading System (GPA)

Percentage	Grade	Description	Grade Point Equivalency
90-100	A+		9
85-89	A		8
80-84	A-		7
77-79	B+		6
73-76	B		5
70-72	B-		4
65-69	C+		3
60-64	C		2
50-59	D	Minimum level of achievement for which credit is granted; a course with a "D" grade cannot be used as a prerequisite.	1
0-49	F	Minimum level has not been achieved.	0

Temporary Grades

Temporary grades are assigned for specific circumstances and will convert to a final grade according to the grading scheme being used in the course. See Grading Policy E-1.5 at **camosun.ca** for information on conversion to final grades, and for additional information on student record and transcript notations.

Temporary Grade	Description
I	<i>Incomplete:</i> A temporary grade assigned when the requirements of a course have not yet been completed due to hardship or extenuating circumstances, such as illness or death in the family.
IP	<i>In progress:</i> A temporary grade assigned for courses that, due to design may require a further enrollment in the same course. No more than two IP grades will be assigned for the same course. <i>(For these courses a final grade will be assigned to either the 3rd course attempt or at the point of course completion.)</i>
CW	<i>Compulsory Withdrawal:</i> A temporary grade assigned by a Dean when an instructor, after documenting the prescriptive strategies applied and consulting with peers, deems that a student is unsafe to self or others and must be removed from the lab, practicum, worksite, or field placement.

7. Recommended Materials or Services to Assist Students to Succeed Throughout the Course

LEARNING SUPPORT AND SERVICES FOR STUDENTS

There are a variety of services available for students to assist them throughout their learning. This information is available in the College calendar, at Student Services or the College web site at camosun.ca.

STUDENT CONDUCT POLICY

There is a Student Conduct Policy **which includes plagiarism**. It is the student's responsibility to become familiar with the content of this policy. The policy is available in each School Administration Office, at Student Services and on the College web site in the Policy Section.

ADDITIONAL COMMENTS AS APPROPRIATE OR AS REQUIRED