

## COURSE OUTLINE

The course description is online @ <http://camosun.ca/learn/calendar/current/web/crim.html>

Ω Please note: the College electronically stores this outline for five (5) years only.  
 It is **strongly recommended** you keep a copy of this outline with your academic records.  
 You will need this outline for any future application/s for transfer credit/s to other colleges/universities.

### 1. Instructor Information

|     |               |                          |                    |  |
|-----|---------------|--------------------------|--------------------|--|
| (a) | Instructor:   | Brian D Young            |                    |  |
| (b) | Office Hours: | As posted on office door |                    |  |
| (c) | Location:     | Y205                     |                    |  |
| (d) | Phone:        | 250.370.3105             | Alternative Phone: |  |
| (e) | Email:        | youngb@camosun.bc.ca     |                    |  |
| (f) | Website:      |                          |                    |  |

### 2. Intended Learning Outcomes

(No changes are to be made to these Intended Learning Outcomes as approved by the Education Council of Camosun College.)

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

1. *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.

2. A copy of a *Criminal Code* is helpful, but not needed. It doesn't have to be current as the Code doesn't change all that much. 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<br>Discussion of outline and course requirements   |                |
|   | Second Class   |
| Review of Terms<br>Discussion of textbook<br>Discussion of casebook<br>Background - types of offences<br>Overview of justice system<br>Sources of legislation | Preface & C. 1 |

|   |                                   |
|---|-----------------------------------|
| <p>Procedure Review</p> <ul style="list-style-type: none"> <li>- courts, players, trials</li> <li>- arrest and charge procedures</li> <li>- plea types</li> <li>- burdens</li> </ul>  | <p>Third Class<br/>C. 1 and 2</p> |
| <p>Actus Reus</p> <ul style="list-style-type: none"> <li>- elements of offences</li> <li>- history</li> <li>- application</li> </ul>  | <p>Mid Jan<br/>C. 2</p>           |
| <p>Causation</p> <p>Voluntariness</p> <p>Automatism</p>   | <p>Jan/Feb<br/>C. 2 - 3</p>       |
| <p>Mens Rea</p> <ul style="list-style-type: none"> <li>- the other element to an offence</li> <li>- history and application</li> <li>- significance in offences</li> <li>- necessity of proof</li> <li>- Mens Rea as a defence itself</li> <li>- What is knowledge?</li> <li>- Direct and Indirect knowledge</li> <li>- What is intention?</li> <li>- The different types of intents</li> </ul>   | <p>Feb<br/>C. 4 - 5</p>           |
| <p>OBJECTIVE LIABILITY</p> <ul style="list-style-type: none"> <li>- Criminal Negligence Causing Death</li> <li>- Manslaughter</li> <li>- Regulatory Offences</li> <li>- Strict Liability</li> <li>- Absolute Liability</li> </ul>   | <p>Feb<br/>C. 5</p>               |
| <p>DEFENCES PART 1</p> <p>(not necessarily in this order)</p> <ul style="list-style-type: none"> <li>- duress</li> <li>- necessity</li> <li>- provocation</li> <li>- justification and excuse</li> <li>- immunity - children, crown, your spouse</li> <li>- internationally protected persons</li> <li>- military personnel</li> <li>- mental disorder - diseases of the mind</li> <li>- automatism</li> <li>- fitness to stand trial</li> </ul>                                    | <p>March<br/>C. 6, 7, 8</p>       |
| <p>DEFENCES PART 2</p> <ul style="list-style-type: none"> <li>- aiding and abetting</li> <li>- intoxication</li> <li>- defence of property and of others</li> <li>- self defence</li> <li>- necessary force</li> <li>- mistake of fact</li> <li>- mistake of law</li> <li>- Charter of Rights</li> <li>- procedural defence vs. defence to offences</li> <li>- entrapment</li> <li>- People in Authority - ship's captain, doctor, pilot, College Prof!</li> <li>- Alibi</li> </ul> | <p>Mar/Apr<br/>C. 10</p>          |

## 5. Basis of Student Assessment (Weighting)

Each course takes countless hours of development by our Research and Development team at the Six Mile Pub. 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 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.

Each assignment must be completed. If you do not complete an assignment you do not pass the course. Simple as that. We have a number of laboratory mice that missed one assignment, and we had to draw the line and execute them. And that's not a pretty sight.

**Exams** – There will be two. They will be true/false, multiple choice, and short answer. The dates are as follows and can not be changed. If you miss an exam, you fail... nice and simple.

**1<sup>st</sup> Exam – Friday March 4<sup>th</sup> 35%**

**2<sup>nd</sup> Exam – Friday April 15<sup>th</sup> (the last class) 20%**

**Case Report – 30%.** talk about fun! 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 must, in other words, be relevant to the class and enlighten us on a specific issue we deal with in class. It has to be a case that is not in the case book or text book or that anyone else in class is using. Then you present your case to the class in a concise, understandable, 5 minute presentation. You must sign up for your presentation day ASAP or a date will be assigned to you. The case must be relevant to what we are doing around that time so make sure you check with me with respect to the case you are going to use.

On the day of your presentation you must hand in to me a copy of the case AND a one page summary (headnote) of the case. It must be a concise, accurate, headnote on the case itself. This is NOT a research assignment. This is an assignment that tests your ability to summarize a case into a concise document. It must be one page, 12 pt, properly formatted, with a cover page. NOTE: you must pick a case that is long enough to be summarized into one page. A three page case isn't. A fifteen page case is.

**Peer Assessment – 15%.** Even more fun! You get to rip apart fellow students. Okay, not so much rip apart but give constructive feedback. You are required to do two of these during the term and they are based on the Case Report other students do. You will be given a sheet to fill in, which includes a question you must ask of the students.

**Mock Trial** - bonus marks attributed for participation

One of the highlights of the term (other than the scintillating lectures) is the mock trial. This takes place at the courthouse or at the Maritime Museum in the oldest courthouse in B.C. Our mock trial will as accurately as possible resemble a real murder trial. Students will be the judge, lawyers, witnesses, jurors, and the accused. More details on this to follow.

## 6. Grading System

(No changes are to be made to this section unless the Approved Course Description has been forwarded through the Education Council of Camosun College 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](http://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. (For these courses a final grade will be assigned to either the 3 <sup>rd</sup> course attempt or at the point of course completion.) |
| 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](http://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 the College web site in the Policy Section.

ADDITIONAL COMMENTS AS APPROPRIATE OR AS REQUIRED