



## 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 my office door		
(c)	Location:	Y205		
(d)	Phone:	3109	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.

3. *Crim 270 Annotated Casebook*

This casebook is required. It is available in the bookstore. It will be available by the third class. I update and annotate the casebook each summer. There may be other supplemental cases that will be available for pickup or online.

### 4. Course Content and Schedule

#### DETAILED COURSE OUTLINE

Introduction  
 Discussion of outline and  
 course requirements

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### Review of Terms

Discussion of textbook  
Discussion of casebook  
Background - types of offences  
Overview of justice system  
Sources of legislation

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### Procedure Review

- courts, players, trials
- arrest and charge procedures
- plea types
- burdens

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### Actus Reus

- elements of offences
- history
- application

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### Causation

Voluntariness  
Automatism

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### 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

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### OBJECTIVE LIABILITY

- Criminal Negligence Causing Death
- Manslaughter
- Regulatory Offences
- Strict Liability
- Absolute Liability

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### 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

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### DEFENCES PART 2

- 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

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.

## 5. Basis of Student Assessment (Weighting)

**Exams** – There will be two. They will be true/false, multiple choice, and short answer. If you miss an exam, you fail... nice and simple.

**1<sup>st</sup> Exam – 30% February 19<sup>th</sup> 2014**

**2<sup>nd</sup> Exam – During the final exam period 40%**

**Case Report – 22%.** Talk about fun! You get to partner up with someone you don't even like and make a case presentation. Here's how this works: you and your partner(s) 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. In other words, don't leave picking your case until late in the term. Then you present your case to the class in a concise, understandable, 10 minute presentation. You must sign up for your presentation day ASAP or a date will be assigned to you. Once you have a date it is etched in stone (that is, you can't change it). 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. Emailing me the case is the best way to do this.

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 – 8%.** Even more fun! You get to rip apart fellow students. Okay, not so much rip apart but give constructive feedback. You are required to sign up for the peer assessment just like you do the case report. The peer assessments are done in class right after the case report. You are given a sheet to fill in, and hand in, that will help guide you. And yes, it is meant to be a face to face oral feedback to the person(s) who just did their case report. There will be two or three of these with each case report and the date you pick is the date you do it.

**Mock Trial** – One of the highlights of the term (other than the scintillating lectures) is the mock trial. This takes place 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. <i>(For these courses a final grade will be assigned to either the 3<sup>d</sup> 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](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

## SOME GENERAL CLASS POLICIES

- Regular attendance and participation are expected. There is an old saying that even if you come to class and take no notes, you leave with some new knowledge. The other old saying is that if it was said in class, it can be on an exam. This also implies that you should learn to take good, clear, class notes (which is probably a saying from somewhere).
- Please arrive in class on time. It is disruptive for other students and I will not repeat what was said if you are late.
- Please do not bring food to class unless you intend to share it (which does not mean talking with your mouth full). Beverages are okay – burgers and fries, for example, are not.
- Prepare for class. This means do the readings and reading the cases. You will get a lot more out of class if you are at least up to date on what we are doing. If you stay up to date, exams are a lot easier.
- Ask questions. The worst question is the one not asked.
- Cheaters do not prosper (unless of course you are never caught). The Criminal Justice Department and the College have very strict policies on cheaters. I have zero tolerance for cheaters. Cheaters will be publicly ridiculed and stoned (remember the short story "The Lottery"?).
- Please provide feedback on the course, the book, the cases or whatever. Your input is respected and valued: after all, you're payin' big bucks to be here.

If you have any questions about this outline, please see me in class or in my office. Have a great term.