



## 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		
(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

#### ***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. And consider sharing the text with a friend. Cheaper and less nights alone. The text is carefully chosen to offer the best **supplementary readings** to the lectures.

#### ***Crim 270 Annotated Casebook and Cases***

Reading of the cases is required. There are a few copies of this in the bookstore if you like the hardcopy thing, but each case will be sent to you prior by email or on D2L. The cases are mandatory reading for the course. You need to read these cases before the class in which we talk about the case. Simple as that.

Students are expected to read (your kidding) all the handouts, including this one. That means the cases, articles, and the textbook.

The library at the College has an excellent selection of criminal law related texts. Library tours are available (remember to take a buddy). The law library at Uvic is also open to students from Camosun.

During term students should keep up to date on the latest criminal news. Local trashy newspapers are great for crime stuff. Students may also attend at any of the courthouses in Greater Victoria. All trials are open to the public - admission is free. Any student wishing to perpetrate a crime during term could earn extra credits and the rest of us could follow your progress (Liability note: just kidding).

#### 4. Course Content and Schedule

*(This section can include: class hours, lab hours, out of class requirements and/or dates for quizzes, exams, lectures, labs, seminars, practicums, etc.)*

### DETAILED COURSE OUTLINE

Introduction Discussion of outline and course requirements	
Review of Terms Discussion of textbook Discussion of casebook Background - types of offences Overview of justice system Sources of legislation	Preface & C. 1
Procedure Review - courts, players, trials - arrest and charge procedures - plea types - burdens	C. 1 and 2
Actus Reus - elements of offences - history - application	C. 2
Causation Voluntariness Automatism	C. 2 - 3
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
OBJECTIVE LIABILITY - Criminal Negligence Causing Death - Manslaughter - Regulatory Offences - Strict Liability - Absolute Liability	C. 5
DEFENCES PART 1 (not necessarily in this order) - duress - necessity - provocation	C. 6, 7, 8

- 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

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

### 5. Basis of Student Assessment (Weighting)

*(This section should be directly linked to the Intended Learning Outcomes.)*

**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.

#### **Mid Term Exam – October 10th 25%**

In class. Pretty easy stuff. Just be caught up on readings and cases. It will be in the second half of the class.

#### **Final Exam – During the final exam period 40%**

The college sets this and I have no control over the date. Don't be away!

#### **Case Battle 2016 – 35%**

One of the test mice suggested this during a debrief. I think it's a good idea. But she was drunk. Anyway, here's how it works....

The class is divided into teams of three. If we have an extra student we'll kick them out of class. Each team is assigned an opposing team. The first team must find a case that relates to issues we study in this class (see the list below for examples). The case must be from a trial court in Canada – that means not a court of appeal. The first team does a one-page synopsis of the case and delivers the case, plus the synopsis, to their opposing team and to me. The opposing team must then write an appeal decision of the case that disagrees with the trial decision. This part of the assignment is three pages in length. A copy is handed in to me when delivered to the Crown. Then, the Crown team does a one-page rebuttal of the appeal. And then the battle begins. During the final weeks of the class, the schedule will be handed out, each set of two teams will go head to head in front of the class arguing their case. The class will vote on the team with the best argument. The ground rules, order of argument, and the date of your group's battle will be handed out.

List of possible case issues: actus reus, causation, mens rea, transferred intent, indirect intent, automatism, self defence, mistake of fact, necessity, intoxication, insanity, duress...

Picking the case is very important. This MUST be approved by me before it is put to the other team. A bad case will make everyone's job very hard. Do not leave your case choice too long. You need to start this right away.

The first group is marked for the case they pick and the synopsis, the rebuttal, and the battle round. The second group is marked for the 3-page appeal and the battle round. Students are marked as a group for all written parts and individually for the battle round. The winning team in the battle round is given a bonus of up to 5%.

Due dates for each part of this assignment will be handed out with the team lists early in the term.

### Mock Trial

One of the highlights of the term (other than the scintillating lectures) is the mock trial. This takes place in the courthouse on Burdett. So yeah, a trial in a real courtroom. Our mock trial will as accurately as possible resemble a real murder trial. Students will be the judge, lawyers, witnesses, jurors, and the accused. This becomes a great class project and ends up with some wonderful moments of students fighting. Warms my heart. More details on this to follow. We will discuss a date in class but it is usually near the very end of term.

### 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>rd</sup> course attempt or at the point of course completion.)</i>

<b>CW</b>	<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.
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**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.

## **SOME GENERAL CLASS POLICIES**

1. 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). Bottom line is that we only meet once a week, so make it to class.
2. Please arrive in class on time. It is disruptive for other students and I will not repeat what was said if you are late.
3. 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 – mushroomfuckingsoy burgers and fries, for example, are not.
4. 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.
5. Ask questions. The worst question is the one not asked.
6. 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”?).
7. 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.
8. No cell phones in class. If you do, I will take it from you and text your mom weird pictures.

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