



**CAMOSUN COLLEGE**  
**School of Arts & Science**  
**Department of Criminal Justice**

**CRIM-270-001**  
**Criminal Law**  
**Winter 2020**

## **COURSE OUTLINE**

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

Ω Please note: This outline will not be kept indefinitely. It is recommended students keep this outline for their records, especially to assist in transfer credit to post-secondary institutions.

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### **1. Instructor Information**

(a) Instructor	BD Young
(b) Office hours	Thursday afternoon and Friday noon – posted on office door
(c) Location	Y205
(d) Phone	3109 <b>Alternative:</b> _____
(e) E-mail	youngb@camosun.bc.ca
(f) Website	_____

### **2. Intended Learning Outcomes**

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 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.

### **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 Cases***

The cases are mandatory reading for the course. They are uploaded to D2L for you to print-out and read. It's best if you bring it to class (or have it on your laptop or Nokia

FlipPhone ™). You will be given advance notice when a case will be talked about in class.

#### 4. Course Content and Schedule

##### 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 - justification and excuse - immunity - children, crown, your spouse - internationally protected persons - military personnel - mental disorder - diseases of the mind - automatism	C. 6, 7, 8

- 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)

Each assignment must be completed. If you do not complete an assignment you do not pass the course. We have a number of laboratory mice that missed one assignment, and we had to execute them.

**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 – February 14<sup>th</sup> 25%**

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

### **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% of the case battle mark.

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 (Liability Note: no student dies). Students will be the judge, lawyers, witnesses, jurors, and the accused. The class is divided into two teams: Crown and defence. This becomes a great class project and ends up with some wonderful moments of students fighting and catcalling. 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**

Standard Grading System (GPA)

Competency Based Grading System

## **7. Recommended Materials to Assist Students to Succeed Throughout the Course**

## **8. College Supports, Services and Policies**



### **Immediate, Urgent, or Emergency Support**

If you or someone you know requires immediate, urgent, or emergency support (e.g. illness, injury, thoughts of suicide, sexual assault, etc.), **SEEK HELP**. Resource contacts @ <http://camosun.ca/about/mental-health/emergency.html> or <http://camosun.ca/services/sexual-violence/get-support.html#urgent>

### **College Services**

Camosun offers a variety of health and academic support services, including counselling, dental, disability resource centre, help centre, learning skills, sexual violence support & education, library,

and writing centre. For more information on each of these services, visit the **STUDENT SERVICES** link on the College website at <http://camosun.ca/>

### College Policies

Camosun strives to provide clear, transparent, and easily accessible policies that exemplify the college's commitment to life-changing learning. It is the student's responsibility to become familiar with the content of College policies. Policies are available on the College website at <http://camosun.ca/about/policies/>. Education and academic policies include, but are not limited to, Academic Progress, Admission, Course Withdrawals, Standards for Awarding Credentials, Involuntary Health and Safety Leave of Absence, Prior Learning Assessment, Medical/Compassionate Withdrawal, Sexual Violence and Misconduct, Student Ancillary Fees, Student Appeals, Student Conduct, and Student Penalties and Fines.

#### A. GRADING SYSTEMS <http://camosun.ca/about/policies/index.html>

The following two grading systems are used at Camosun College:

##### 1. 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		1
0-49	F	Minimum level has not been achieved.	0

##### 2. Competency Based Grading System (Non GPA)

This grading system is based on satisfactory acquisition of defined skills or successful completion of the course learning outcomes

Grade	Description
COM	The student has met the goals, criteria, or competencies established for this course, practicum or field placement.
DST	The student has met and exceeded, above and beyond expectation, the goals, criteria, or competencies established for this course, practicum or field placement.
NC	The student has not met the goals, criteria or competencies established for this course, practicum or field placement.

#### B. 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 at <http://camosun.ca/about/policies/index.html> 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 are designed to have an anticipated enrollment that extends beyond one term. No more than two IP grades will be assigned for the same course.
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.