

**SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY
SAULT STE MARIE, ON**



COURSE OUTLINE

Course Title: CRIMINAL & CIVIL LAW

Code No.: PFP 301

Semester: 1 Police Foundations

Semester: 1 Law and Security

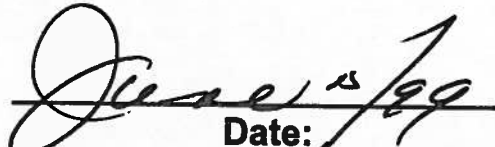
Program: Police Foundations Program

Author: Ugo Capy

Date: Sept, 1999

Previous Outline Date: September 1998

Approved: 
Dean, Criminal Justice Programs


Date:

Total Credits: 3

Prerequisite(s): none

Co-requisite: none

Length of Course: 3 hrs per week

Total Credit Hours: 48

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written permission of The Sault College of Applied Arts & Technology is prohibited.
For additional information, please contact Jim Euale, Police Foundations Program
(705) 759-2554, Ext.618.**

Course Description:

This course will enable the student to analyze the elements of an offence, to classify offences and to identify possible defences in criminal cases. This course will also enable the student to analyze the rights and obligations of citizens involving areas of civil law. The student will recognize the responsibilities and limitations of citizens and police officers in light of the Charter of Rights and Freedoms. The student will develop legal research and analysis skills to locate, interpret and apply statute and case law.

Course Learning Outcomes

Students who receive credit for this course will have demonstrated their ability to:

1. Locate, interpret and apply Canadian Statute and case law.
 - i) Define law
 - ii) Identify functions of law
 - iii) Classify legal issues in law areas including substantive and procedural law
 - iv) Identify law making areas of jurisdiction of the various levels of governments
 - v) Locate Federal and Provincial statutes using print and on line sources
 - vi) Describe typical layout of statutes including the breakdown of sections
 - vii) Locate case law using print and on line sources
 - viii) Explain the system of precedent
2. Apply the basic principles of criminal law to given factual situations
 - i) Identify the most common criminal and quasi criminal offences in Federal and Provincial Statutes that influence the law enforcement process
 - ii) Classify offences into indictable , summary or dual procedure
 - iii) Identify the "Actus Reus" elements of an offence
 - iv) Apply the legal principles of actus reus by describing types of actus reus, causation and voluntariness
 - v) Identify the "Mens Rea" in a given offence
 - vi) Apply the legal principles of mens rea by describing the types of mens rea and the methods of logical proof of the same
 - vii) Identify absolute and strict liability offences
 - viii) Identify the various participants to a crime and explain their role and criminal liability including aiding and abetting, counseling, common intention and accessory after the fact
 - ix) Compare the commission of an offence to attempts and conspiracies
 - x) Identify the most commonly used defences to used in criminal cases and describe the elements of each

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3. Apply the civil law with respect to the rights and obligations of citizens in specific law enforcement areas
 - i) Classify issues in specific civil law areas of torts, contracts and property
 - ii) Determine liability applying the principles of the law of torts of assault and trespass
 - iii) Apply tort principles of the doctrines of negligence
 - iv) Apply principles of the tort law of false imprisonment
 - v) Identify basic contract elements and related legislation
 - vi) Identify basic insurance contract elements
 - vii) Identify basic employment contract elements and related legislation
 - viii) Identify labour law as it relates to labour disputes
 - ix) Recognize property ownership applying basic law of property
 - x) Identify issues in family law with respect to custody, property and support and related legislation
 - xi) Identify basic landlord and tenant contract elements and related legislation

 4. Identify basic rights under the Charter of Rights and Freedoms under the Canadian Constitution
 - i) Apply charter provision s.2 with respect to fundamental freedom to given factual situation
 - ii) Apply charter provisions with respect to democratic rights s.3 to given factual situations
 - iii) Apply Charter right with respect to mobility rights s.6 to given factual situation
 - iv) Apply charter rights with respect to equality rights including affirmative action
 - v) Apply section 7.11 of Criminal Code and Federal Statutes

Course Learning Outcome

1. Locate, interpret and apply Canadian Statute and case law.

Critical Knowledge and Skills	Suggested Resources	Suggested Learning Activities
<ul style="list-style-type: none"> • Identify government law making powers under the constitution • list the steps in the formulation of statutes from bills to royal assent • locate statutes using indexes and reference books Internet and CD ROMS • list the steps in the formulation of regulations • locate regulations using indexes and the gazette Internet and CD ROMS • interpret sections of statute by reference to definitions sections and interpretation acts • update statutes using services such as citator CED and on line services • locate case law using indexes of law reports CD ROMs and on line services • brief a case law according to a specific standard • interpret cases using services such a text and treatises 	Revised Statutes of Canada Revised Statutes of Ontario Statute Citators Canadian Encyclopedic Digest Using A Law Library -Banks Practical guide to Leg Research Castel Criminal Codes Tremears, or Martins Ontario Provincial Offences both versions Criminal Law and the Code Barnhorst Annotated Landlord and tenant act Annotated Family Law Act Business Law text Torts texts	lectures syndicate case studies student presentations practical activities

2. Apply the basic principles of criminal law to given factual situations

Critical Knowledge and Skills	Suggested Resources	Suggested Learning Activities
<ul style="list-style-type: none"> • list common offences related to law enforcement • locate the above common offences using legal research skills • classify the common offences according to the procedural classification of indictable, summary and dual • list the “Actus Reus” elements of offences • determine the type of “Actus Reus” in an offence • apply the principles of causation and voluntariness to actus reus issue • identify mens rea elements in the common offence • apply the logical principles of inference voluntariness to actus reus elements • determine the “Mens Rea” of an offence • apply the logical principles of inference, analogy and presumption to the proof of mens rea • list and determine the elements of parties to an offence including committing aiding, abetting counseling and accessory after the fact • determine the elements of the inchoate offences; attempts and • determine the elements of the most commonly used defences to crimes outcomes 		<p>reading local newspapers practical activities case studies</p>

3. Apply the civil law with respect to the rights and obligations of citizens in specific law enforcement areas

Critical Knowledge and Skills	Suggested Resources	Suggested Learning Activities
<ul style="list-style-type: none"> • classify issues in specific civil law areas of "Torts " and contract • apply the principles of the torts of assault and battery and trespass to factual situations • apply the doctrines of negligence to specific factual situations • apply the principle of the tort of false imprisonment to factual situations • recognize the basic elements of a contract • identify the basic elements of an insurance contract • identify the basic element of an employment contract • describe the basic legal right in labour disputes • describe the basic legal rights in family issue regarding custody support and property • describe the basic law of property ownership 		<p>lectures syndicate case studies student presentations practical activities</p>

4. Apply Charter of Rights provisions to areas of civil law including

Critical Knowledge and Skills	Suggested Resources	Suggested Learning Activities
<ul style="list-style-type: none"> • Sections 52, 24, 1, 7 to 14 		<p>Research reading national newspapers case studies</p>

Recommended Texts:

Martin's Annotated Criminal Code Emond Montgomery, Police Foundations edition
Criminal Law and the Criminal Code, Bharnhorst

How learners might demonstrate their learning achievement of course learning outcomes:

Application level tests
Application assignments
Case Studies

EVALUATION PROCESS / GRADING SYSTEM

Students will be evaluated in the following manner:

Assignments	20%
Mid Term	40%
Final Exam	40%
TOTAL	100%

Students are also responsible for attending and writing their mid term and final exams on the scheduled dates.

Re-writes will not be permitted unless accompanied by a doctor's note.

COLLEGE GRADING POLICY

90 - 100%	=	A+
80 - 90%	=	A
70 - 80%	=	B
60 - 70%	=	C
BELOW 60%	=	R (Repeat Course)

SPECIAL NOTES

- a) If you are a student with special needs (eg. physical limitations, visual impairments, hearing impairments, learning disabilities), you are encouraged to discuss required accommodations with the faculty member and/or the Special Needs Office, room E1204, ext. 493, 717 or 491 so that support services can be arranged for you.

- b) It is the responsibility of the student to retain all course outlines for possible future use in acquiring advanced standing at other post secondary institutions.
- c) There is no specific grade assigned to attendance, however, it has been demonstrated year after year that students who do not attend classes on a regular basis will have a very difficult time in being successful.

Suggested Prior Learning Assessment Process:

Portfolio Development

Interview

Testing