

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO



**SAULT
COLLEGE**

COURSE OUTLINE

COURSE TITLE: Interviewing and Introduction to Case Management

CODE NO. : NRL105 **SEMESTER:** 1

PROGRAM: Natural Resource/Environmental Law-Graduate Certificate

AUTHOR: James Pardy

DATE: June 2016 **PREVIOUS OUTLINE DATED:** June 2015

APPROVED:

Colin Kirkwood
CHAIR

June/16
DATE

TOTAL CREDITS: 3

PREREQUISITE(S): NONE

HOURS/WEEK: 3

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Interviewing and Introduction to Case Management

I. COURSE DESCRIPTION:

This course focuses on the interviewing and investigation skills necessary to retrieve information from victims, witnesses and suspects using legally accepted techniques. Indicators of deception and potential violence will be discussed. Rules of competence and compellability contained in the Canada Evidence Act will also be examined.

The Charter of Rights and Freedoms will be examined highlighting the obligations placed upon a “person in authority.”

Students will also learn the basic steps of conducting an investigation including the practical development of note taking and observation skills.

II. LEARNING OUTCOMES AND ELEMENTS OF THE PERFORMANCE:

Upon successful completion of this course, the student will demonstrate the ability to:

Explain the legal obligations created by Charter of Rights and Freedoms from the perspective of a “Person in Authority.”

- 1.1 The Supremacy of the Constitution of Canada (Charter of Rights and Freedoms)
- 1.2 Reasonable Limits (Section 1)
- 1.3 Life, Liberty and Security of Person as applicable to interviewing (Section 7)
- 1.4 Unreasonable Search or Seizure (Section 8)
- 1.5 Arbitrary Detention (Section 9)
- 1.6 Rights upon Detention (Section 10)
- 1.7 Non-compellability of an accused (Section 11)
- 1.8 Protection against self-incrimination (Section 13)
- 1.9 Enforcement of Guaranteed Rights and Freedoms (Section 24)

Apply Charter provisions and Judges Rules when obtaining admissions/confessions

- 2.1 Explain the concept of a “Person in Authority.”
- 2.2 Identify when a witness or suspect must be “cautioned” and the purpose of the “caution”
- 2.3 Identify when a suspect must be informed of his/her Charter rights
- 2.4 Identify what actions/inactions constitute minor and major inducements
- 2.5 Understand when a statement has been “induced” and the legal implications of information obtained from an induced statement.
- 2.6 Identify and recognize the admissibility of Res Gestae statements.
- 2.7 Obtain evidence within the boundaries set out by court decisions defining Charter rights and limitations

Gather information utilizing legally and ethically acceptable interviewing techniques.

- 3.1 Interview individuals and groups to collect evidence, elicit, and validate information
- 3.2 Recognize the differing interview techniques used when obtaining information from a witness versus obtaining information from a witness.
- 3.3 Differentiate between an interview and an interrogation
- 3.4 Explain the advantages and disadvantages of accusatory and non-accusatory interview techniques
- 3.5 Identify when “open” and “closed” questions should be used.
- 3.6 Explain the advantages and disadvantages of assumptive questioning.
- 3.7 Comply with provincial, civil, and criminal law and use rules of evidence to guide investigation and interactions, and to ensure admissibility of evidence

Apply effective communication and listening skills.

- 4.1 Collect, analyze, and categorize information obtained through observation and conversation
- 4.2 Record statements and observations accurately and objectively adhering to identified Common Law, Charter and legislative requirements.
- 4.3 Identify when information obtained may be classified as “Hearsay” evidence
- 4.4 identify exceptions that allow the admissibility of hearsay evidence.

Select and apply appropriate interviewing techniques.

Recognize the significance of body language and environment in the interviewing process.

- 5.1 Influence or persuade others using a variety of communication strategies and techniques.
- 5.2 Choose communication strategies, techniques, and language to meet the needs of an individual or group
- 5.3 Recognize verbal and non-verbal indicators of potential violent reactions
- 5.4 Explain the importance of the Behavioural Analysis Interview
- 5.5 Apply accepted interview techniques such as the Reid and PEACE Interview Technique
- 5.6 Identify speech patterns that may indicate deception
- 5.7 Recognize non-verbal indicators of deception

Understand and apply the rules of evidence contained in the Canada Evidence Act regarding competence and compellability of witnesses.

- 6.1 Identify when a witness is legally competent to testify
- 6.2 Identify when a witness may be legally compelled to testify
- 6.3 Identify when an accused and co-accused may be compellable
- 6.4 Identify the limitations of compellability and competence
- 6.5 Identify exceptions to privileged communication in the context of competent witnesses
- 6.5 Complete a Subpoena

Identify appropriate sources of information relative to investigative needs.

- 7.1 Differentiate between witnesses, informants and “agents of the state.”
- 7.2 Identify methods used to protect the confidentiality of an informant

Construct and apply descriptive factors for identification of suspects and other persons.

- 8.1 Recognize the limitations or accurate “eye witness” recall.
- 8.2 Use questioning techniques to gather, clarify, and validate information.
- 8.3 Record statements and observations accurately and objectively.
- 8.4 Identify means of suspect identification by witnesses
- 8.5 Explain how to conduct simultaneous and sequential photo line-ups, and identify the advantages and disadvantages of each method.
- 8.6 Explain how memories are formed and the limitations of the recall process
- 8.7 Determine witness credibility

Identify the enhanced procedural requirements created by the Youth Criminal Justice Act and the Provincial Offences Act regarding taking of statements from Young Persons.

- 9.1 Identify the enhanced legal rights of Young Persons
- 9.2 Explain the requirements of the ‘caution’ by a person in authority pertaining to young persons.
- 9.3 Determine the statements or behaviours exhibited by a person in authority that may be viewed as inducements in the context of interviewing a young person
- 9.3 Adapt accepted interviewing techniques to the requirements of the Youth Criminal Justice Act and applicable case law.

III. COURSE TOPICS:

- 1. Definitions and terms relating to investigative procedures
- 2. Basic investigative principles, procedures and sequence
- 3. The Charter of Rights and Freedoms relating to investigations
- 4. Rules of evidence regarding the admissibility of statements
- 5. Interview techniques
- 6. Victim interviews
- 7. Witness interviews
- 8. Suspect interviews
- 9. Interrogation principles and procedures
- 10. Detecting deception
- 11. Recording statements
- 12. The legal rights of Young Persons

IV. REQUIRED RESOURCES/ TEXTS/ MATERIALS:

Criminal Code of Canada, Martin's 2015 or newer edition

V. EVALUATION PROCESS/GRADING SYSTEM:

Midterm Exam 30%

Interviewing Assignment 15%

Assignments (case studies) 5x5% 25%

Final Exam 30%

The following semester grades will be assigned to students:

<u>Grade</u>	<u>Definition</u>	<u>Grade Point Equivalent</u>
A+	90 - 100%	4.00
A	80 - 89%	4.00
B	70 - 79%	3.00
C	60 - 69%	2.00
D	50 -59%	1.00
F (Fail)	49% and below	0.00
CR (Credit)	Credit for diploma requirements has been awarded.	
S	Satisfactory achievement in field /clinical placement or non-graded subject area.	
U	Unsatisfactory achievement in field/clinical placement or non-graded subject area.	
X	A temporary grade limited to situations with extenuating circumstances giving a student additional time to complete the requirements for a course.	
NR	Grade not reported to Registrar's office.	
W	Student has withdrawn from the course without academic penalty.	

VI. SPECIAL NOTES:

Attendance:

Sault College is committed to student success. There is a direct correlation between academic performance and class attendance; therefore, for the benefit of all its constituents, all students are encouraged to attend all of their scheduled learning and evaluation sessions. This implies arriving on time and remaining for the duration of the scheduled session.