

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO



**SAULT
COLLEGE**

COURSE OUTLINE

COURSE TITLE: Advanced Legal Process

CODE NO. : NRL 230 **SEMESTER:** 2

PROGRAM: Natural Resources/Environmental Law – Inspection and Enforcement

AUTHOR: Klaas Oswald

DATE: June 2012 **PREVIOUS OUTLINE DATED:** N/A

APPROVED: “COLIN KIRKWOOD”

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	DEAN	DATE

TOTAL CREDITS: 3

PREREQUISITE(S): NONE

HOURS/WEEK: Variable (average 3)

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***For additional information, please contact Colin Kirkwood,
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I. COURSE DESCRIPTION:

In this course, students will integrate the different aspects of inspection and investigation learned in the other modules. Teams of students will be each given a scenario which they will use to conduct a mock investigation from beginning to end, culminating in each team preparing a Crown Brief and participating in a Mock Trial.

II. LEARNING OUTCOMES AND ELEMENTS OF THE PERFORMANCE:

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

1. Examine and apply modes of inspection, and how these differ from or can become investigations

Potential Elements of the Performance:

- Conduct routine patrols
- Participate in inspection stations
- Carry out a regular program of inspection with client groups (outdoor users, natural resource industries, retail outlets)
- Receive and respond to telephone and Crime Buster tips

This learning outcome will constitute approximately 5 % of the course's grade

2. Initiate and conduct an investigation into a natural resource complaint/violation by applying and integrating the other courses of study

Potential Elements of the Performance:

- Identify the scene and identify/collect/maintain physical evidence, including the decision to and procedure to search for and seize evidence under exigent circumstances
- Interview witnesses
- Maintain records of the investigation: notebook, photos, statements, receipts, continuity of evidence documents
- Identify and apply the relevant international, federal and provincial statutes and regulations
- Determine if arrest is warranted, and how to proceed if so

This learning outcome will constitute approximately 15 % of the course's grade

3. **Conduct follow-up investigation using a variety of techniques**

Potential Elements of the Performance:

- Carry out records searches (permits, licences)
- Submit evidence items for forensic examination (firearms and ammunition, handwriting, altered documents) and obtaining expert opinion evidence
- Write and execute Production Warrants, Information to Obtain Search Warrants, and Search Warrants
- Interview and take statements from witnesses and from accused persons

This learning outcome will constitute approximately 15 % of the course.

4. **Complete a full Crown Brief that will be used by a prosecutor and viewed by defence counsel**

Potential Elements of the Performance:

- Lay out a history of the investigation
- List the charges in order of best evidence, effect on the resource, and likelihood of conviction
- Know and write out the elements of the offence(s) and how they are proved
- Organize Will Say documents of witness testimony
- Itemize and include copies of all documents used in the investigation and prosecution (notebooks, inspection documents, Informations, Warrants, Summons, seizure and custody documents, forensic forms, receipts and invoices of commercial transactions, licences, permits, etc.)
- Include copies of all relevant legislation, including case law references
- Prepare Confidential Notes to Prosecutor (discussion of evidence, potential difficulties in prosecution, etc.)
- Include notes relevant to sentencing (previous convictions, extent of resource abuse/damage, etc.)

This learning outcome will constitute approximately 45 % of the course's grade

5. **Conduct an investigation as part of an enforcement team**

Potential Elements of the Performance:

- Work with other inspectors/officers/supervisors in a work unit
- Work with other agencies

This learning outcome will constitute approximately 5 % of the course's grade

6. **Appear in court and provide evidence at trial**

Potential Elements of the Performance:

- Understand courtroom procedure and the trial process
- Know and apply the kinds of evidence, and the rules of evidence in a trial
- Give factual testimony in the role of a witness
- Understand the role of the prosecutor for the crown
- Understand the position of an accused person
- Understand the role of defence counsel in defending an accused person

This learning outcome will constitute approximately 15 % of the course's grade

III. TOPICS:

1. Beginning an investigation based on inspection observations or information received in a complaint
2. Recognizing, obtaining, securing, and using evidence
3. Follow-up investigation
4. Preparation of Crown Brief
5. Presentation in court

IV. REQUIRED RESOURCES/ TEXTS/ MATERIALS:

n/a

V. EVALUATION PROCESS/GRADING SYSTEM:

Mid-term Progress Evaluation: 35%
 Team Assignment (Crown Brief): 50%
 Mock Trial Evaluation: 15%

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.

Participation in team assignments constitutes 5% of the final mark, and lack of participation in team and other sessions will result in reduced marks.

Assignments:

Since there is not enough time to complete the anticipated assignments during in-class lecture and lab sessions, students individually and in assigned teams are expected to work on their own time to the extent required to complete the assignments.

VII. COURSE OUTLINE ADDENDUM:

The provisions contained in the addendum located on the portal form part of this course outline