

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO

COURSE OUTLINE

COURSE TITLE: INTRODUCTION TO LAW

CODE NUMBER: LAS 100

PROGRAM: LAW AND SECURITY ADMINISTRATION

SEMESTER: ONE

AUTHOR: UGO CAPY

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APPROVED: *rf^JPr/9(*Afi.A/St-'*
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Law and Security Administration

INTRODUCTION TO LAW

LAS 100

COURSE OUTLINE

Course Number: LAS 100

Hours: 45

COURSE PHILOSOPHY/GOALS

This course will provide the student with an opportunity to appreciate and understand the nature of law as a mechanism for organized social control. It will introduce the structures, components, institutions and individuals involved with the administration of justice in Canada. The course will also examine the process of law in the Canadian Criminal Justice system.

This introductory level course is designed to be presented in eight modules. Each module has been designed as a stand alone unit of learning. Some modules, however, require that the student have the knowledge and skills associated with pre-requisite modules. The course modules are listed in the order in which they should be completed by the student. Further details of each module can be found in the following pages, of the modules.

Module #	Module Title	Prerequisites	Hours
	Intro & Orientation		1
1	Sources of Law		4
2	Law Making Process		4
3	Finding Criminal Law		6
4	Classification of Criminal Offences		6
5	Crime and it's Components: Actus Reus	module #4	6
6	Crime and it's Components: Mens Rea	module #5	6
7	Criminal Liability	module #6	8
8	Defences to Criminal Offences	module #7	4
	Total		45

REQUIRED STUDENT RESOURCES

Carswell. Pocket Criminal code, 1993 edition

Criminal Law in Canada
Cases, Questions and the Code
Simon Verdun Jones, 1989

Canadian Law Dictionary

Handouts provided by course instructor

METHOD OF EVALUATION

Students will be evaluated through assignments and tests.
Each four hour module shall have a value of 9 percent of the final grade, six hour modules shall have a value of 13 or 14 percent of the final grade **and eight hour** modules shall have a value of 18 percent of the final grade.

The overall grade for the course will be calculated as a percentage based on the **aggregate marks** for all of the modules.

COLLEGE GRADING POLICY

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

SPECIAL NOTES

Students with **special needs** (eg. physical limitations, visual impairments, hearing impairments, learning disabilities) are encouraged to discuss required accommodations confidentially with the instructor.

Your instructor reserves **the right to modify the** course as he deems necessary to **meet the needs of the students.**

1.0 SOURCES OF LAW

Upon successful completion of this module the student will have demonstrated an ability to:

- a) define law and state the function of law in Canadian society
- b) list and describe the various sources of Canadian Law
- c) define the various types of laws that influence the Justice system
- d) from given scenarios, locate, in the Canadian Criminal Cases, pertinent Case law and describe the impact of this law on law enforcement in Canada.
- e) from various media sources, identify current issues involving the passage of new laws and discuss the need for such laws

Topics to be Covered

1.1 **LAW**

definition
 as a legal concept
 as a legal system
 as a set of rules
 jurisprudence

1.2 **FUNCTION OF LAW**

need for law
 as opposed to rules

1.3 **PRIMARY SOURCES OF LAW**

religion (church law)
 customs & conventions (Common Law)
 social and political philosophy
 (Marxism , Communism & philosophers)

1.4 **SECONDARY SOURCES OF LAW**

Constitution (BNA & Charter)
 Statutes
 Court decisions (Case Law)
 how to locate Case law

2.0 THE LAW MAKING PROCESS

Upon successful completion of this module, the student will have demonstrated an ability to:

- a) state the authority that allows each level of government to create laws
- b) list five areas that are the exclusive jurisdiction of the federal government for the creation of laws
- c) list five areas that are the exclusive jurisdiction of the provincial government for the creation of laws
- d) chart the law making process at the federal, provincial and municipal levels
- e) name the leading players at the three levels of government
- f) given a scenario, law and take it through the process
- g) create a
- s) list eight of the most common Federal Statutes
- h) list seven of the most common Provincial Statutes
- i) list three municipal by-laws

Topics to be Covered

2.1 FEDERAL LAW

authority to create
jurisdiction
make up of Parliament
creation of a bill
process
role of the senate
enactment
key members of Parliament
common Federal laws

2.2 PROVINCIAL LAW

authority to create
jurisdiction
make up of the Ontario Legislature
creation of a bill
process
enactment
key members of the Legislature
common Provincial laws

.3 MUNICIPAL LAW

authority to create
jurisdiction
make up of municipal council
process
enactment
members of council
common municipal by-laws

3.0 FINDING CRIMINAL LAW

Upon successful completion of this module, the student will have demonstrated an ability to:

- a) differentiate between criminal law and quasi criminal law
- b) state the purpose of the Criminal Code
- c) from given scenarios, locate and identify appropriate sections of the Criminal Code or other Federal Statutes

Topics to be Covered

3.1 CRIMINAL LAW

scope of Criminal Law
criminal record

3.2 QUASI CRIMINAL LAW

scope of Quasi criminal law

3.3 CRIMINAL CODE

purpose
contents
locating sections
definitions

4.0 CLASSIFICATION OF CRIMINAL OFFENCES

Upon successful completion of this module, the student will have demonstrated an ability to:

- a) define the terms; indictable offence, dual procedure offence and summary conviction offence
- b) identify the significant factors in the classification of criminal offences
- c) from a given list, identify offences as either, indictable, dual or summary conviction

Topics to be Covered

4.1 INDICTABLE OFFENCES

- definition
- arrest
- release
- level of court
- sentence
- appeals
- statute of limitations

4.2 DUAL PROCEDURE OFFENCES

- definition
- arrest
- release
- level of court
- sentence
- appeals
- statute of limitations
- common dual procedure offences

4.3 SUMMARY CONVICTION OFFENCES

- definition
- arrest
- release
- level of court
- sentence
- appeals
- statute of limitations
- common Summary Conviction offences

5.0 CRIME AND ITS COMPONENTS : ACTUS REUS

Upon successful completion of this module, the student will have demonstrated an ability to:

- a) list and describe the components of a crime
- b) describe the required elements of actus reus
- b) from a given scenario, identify the crime and state what constitutes the actus reus of that crime
- d) identify situations where individuals would not be held criminally liable for unlawful acts

Topics to be Covered

5.1 CRIME

- definition
- essential elements
- duty of Crown

5.2 ACTUS REUS

- conduct
- exceptions to general rule regarding conduct
- circumstances
- consequences
- failure to act
- voluntariness

5.2.1 AUTOMATISM

- definition
- sleepwalking
- external blow
- self induced
- disease of mind
- distinction between insanity
- psychological blow

5.2.2 CAUSATION

- definition
- examples
- refusal of treatment

6.0 CRIME AND ITS COMPONENTS: MENS REA

Upon successful completion of this module, the student will have demonstrated an ability to:

- describe the required elements for mens rea
- differentiate between:
 - planned and deliberate,
 - intention and motive,
 - recklessness and carelessness,
 - strict and absolute liability,
 - direct, indirect, specific and transferred intent
- from a given scenario, identify the crime, select and describe the appropriate mental elements

Topics to be Covered

6.1 ELEMENTS OF MENS REA

- philosophical premis of Canadian Criminal Law
- choice
- freely made
- knowledge
- excuses that may absolve individual from criminal responsibility

6.2 KNOWLEDGE AND INTENTION

- willfully
- fraudulently
- planned and deliberate
- direct intention
- indirect intention
- motive
- proving intention
- transferred intent
- specific intent
- examples

6.3 RECKLESSNESS AND CARELESSNESS

- recklessness
- carelessness
- criminal negligence
- willful blindness
- strict and absolute liability
- examples

7.0 MODES OF PARTICIPATION IN A CRIME

Upon successful completion of this module, the student will demonstrated an ability to:

- a) identify and describe the role of the various participants of a crime
- b) describe the role of an accessory after the fact t criminal offence
- c) identify a completed offence and what constitutes attempt to commit a criminal offence
- d) list the central elements of conspiracy to commit criminal offence
- e) state the penalties for the different forms of participation in a crime
- f) from a given scenario, identify the offence and describe the role of each of the participants

Topics to be Covered

7.1 COMMITTER

- completing the criminal act
- actus reus requirement
- mens rea requirement
- omitting to do something that is required by law
- penalties

7.2 AIDER

- definition
- actus reus requirement
- mens rea requirement
- examples
- penalties

7.3 ABETTOR

- definition
- actus reus requirement
- mens rea requirement
- examples
- penalties

7.4 COUNSELLING: OFFENCE COMPLETED

- definition
- actus reus requirement
- mens rea requirement
- examples
- penalties

7.5 COUNSELLING: OFFENCE NOT COMPLETED

- actus reus requirement
- mens rea requirement
- examples
- penalties

7.6 CONSPIRACY

- definition
- elements of the offence
- common purpose
- actus reus requirement
- mens rea requirement
- examples
- penalties

7.7 ACCESSORY AFTER THE FACT

- definition
- elements of offence
- actus reus requirement
- mens rea requirement
- exemption for spouse
- examples
- penalties

7.8 CRIMINAL ATTEMPTS

- basic principles
- actus reus relating to attempts
- mens rea relating to attempts
- examples
- penalties

8.0 CRIMINAL DEFENCES

Upon successful completion of this module, the student will have demonstrated an ability to:

- a) list and discuss selected defences to criminal charges
- b) from a given scenario, identify the offence and determine if one of the defences that has been discussed is applicable

Topics to be Covered

8.1 **MISTAKE OF FACT**

- mens rea requirement
- facts in issue
- examples

8.2 **NECESSITY**

- meaning
- facts in issue
- examples

8.3 **INTOXICATION**

- voluntary intoxication
- facts in issue
- examples
- involuntary intoxication
- facts in issue
- examples

INTRO TO LAW

LAS 100

8.4 DURESS

meaning
applicability to serious offences
facts in issue
examples

8.5 INSANITY

meaning
facts in issue
rules of law
examples

8.6 SELF DEFENCE

meaning
scope
facts in issue
rules of law
examples

8.7 OTHER DEFENCES

defence of property
consent