

# **SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY**

**SAULT STE. MARIE, ONTARIO**



## **COURSE OUTLINE**

**COURSE TITLE:** **Interviewing and Introduction to Case Management**

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

**PROGRAM:** **Natural Resources/Environmental Law-Graduate Certificate**

**AUTHOR:** **James Pardy**

**DATE:** **August 2013** **PREVIOUS OUTLINE DATED:** **June 2012**

**APPROVED:**

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	<b>CHAIR</b>	<b>DATE</b>
<b>TOTAL CREDITS:</b>	<b>3</b>	
<b>PREREQUISITE(S):</b>	<b>NONE</b>	
<b>HOURS/WEEK:</b>	<b>3</b>	

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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)

**Gather information utilizing legally and ethically acceptable interviewing techniques.**

- 2.1. Interview individuals and groups to collect evidence, elicit, and validate information
- 2.2 Recognize the differing interview techniques used when obtaining information from a witness verses obtaining information from a witness.
- 2.3 Differentiate between an interview and an interrogation
- 2.4 Explain the advantages of non-accusatory interviewing and when accusatory interview techniques should be used
- 2.5 Identify when “open” and “closed” questions should be used.
- 2.6 Explain the advantages and disadvantages of assumptive questioning.
- 2.7 Comply with provincial, civil, and criminal law and use rules of evidence to guide investigation and interactions, and to ensure admissibility of evidence

**Select and apply appropriate interviewing techniques.**

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

- 3.1 Influence or persuade others using a variety of communication strategies and techniques.
- 3.2 Choose communication strategies, techniques, and language to meet the needs of an individual or group
- 3.3 Apply accepted interview techniques such as the Reid Interview Technique
- 3.4 Identify speech patterns that may indicate deception
- 3.5 Recognize non-verbal indicators of deception

**Apply effective communication and listening skills.**

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

**Apply Charter provisions and Judges Rules when obtaining admissions/confessions**

- 5.1 Explain the concept of a “Person in Authority.”
- 5.2 Identify when a witness or suspect must be “cautioned” and the purpose of the “caution”
- 5.3 Identify when a suspect must be informed of his/her Charter rights
- 5.4 Identify what actions/inactions constitute minor and major inducements
- 5.5 Understand when a statement has been “induced” and the legal implications of information obtained from an induced statement.
- 5.6 Identify and recognize the admissibility of Res Gestae statements.
- 5.7 Comply with provincial, civil, and criminal law and use rules of evidence to guide investigations and interactions and to ensure admissibility of evidence within the boundaries set out by court decisions defining Charter rights and limitations

**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 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 Protect 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 identify identification by witnesses
- 8.5 Explain how to conduct simultaneous and sequential photo line-ups, and identify the advantages and disadvantages of each method.

**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 Enhanced legal rights of Young Persons
- 9.2 “Caution” requirements, including recognition of inducements
- 9.3 Statement taking procedures, Youth Criminal Justice Act

**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:**

Interviewing and Investigation 2<sup>nd</sup> Edition Emond Montgomery Publications

Criminal Code of Canada, Martin's 2013 or 2014 edition

#### **V. EVALUATION PROCESS/GRADING SYSTEM:**

Midterm Exam 30%

Video 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.



## **COURSE OUTLINE ADDENDUM**

### 1. Course Outline Amendments:

The professor reserves the right to change the information contained in this course outline depending on the needs of the learner and the availability of resources.

### 2. Retention of Course Outlines:

It is the responsibility of the student to retain all course outlines for possible future use in acquiring advanced standing at other postsecondary institutions.

3. Prior Learning Assessment:

Students who wish to apply for advance credit transfer (advanced standing) should obtain an Application for Advance Credit from the program coordinator (or the course coordinator regarding a general education transfer request) or academic assistant. Students will be required to provide an unofficial transcript and course outline related to the course in question. Please refer to the Student Academic Calendar of Events for the deadline date by which application must be made for advance standing.

Credit for prior learning will also be given upon successful completion of a challenge exam or portfolio.

Substitute course information is available in the Registrar's office.

4. Accessibility Services:

If you are a student with a disability (e.g. physical limitations, visual impairments, hearing impairments, or learning disabilities), you are encouraged to discuss required accommodations with your professor and/or the Accessibility Services office. Visit Room E1101 or call Extension 2703 so that support services can be arranged for you.

5. Communication:

The College considers ***Desire2Learn (D2L)*** as the primary channel of communication for each course. Regularly checking this software platform is critical as it will keep you directly connected with faculty and current course information. Success in this course may be directly related to your willingness to take advantage of this Learning Management System (LMS) communication tool.

6. Plagiarism:

Students should refer to the definition of “academic dishonesty” in *Student Code of Conduct*. Students who engage in academic dishonesty will receive an automatic failure for that submission and/or such other penalty, up to and including expulsion from the course/program, as may be decided by the professor/dean. In order to protect students from inadvertent plagiarism, to protect the copyright of the material referenced, and to credit the author of the material, it is the policy of the department to employ a documentation format for referencing source material.

7. Tuition Default:

Students who have defaulted on the payment of tuition (tuition has not been paid in full, payments were not deferred or payment plan not honoured) as of the first week of *November* will be removed from placement and clinical activities due to liability issues. This may result in loss of mandatory hours or incomplete course work. Sault College will not be responsible for incomplete hours or outcomes that are not achieved or any other academic requirement not met as of the result of tuition default. Students are encouraged to communicate with Financial Services with regard to the status of their tuition prior to this deadline to ensure that their financial status does not interfere with academic progress.

8. Student Portal:

The Sault College portal allows you to view all your student information in one place. **mysaultcollege** gives you personalized access to online resources seven days a week from your home or school computer. Single log-in access allows you to see your personal and financial information, timetable, grades, records of achievement, unofficial transcript, and outstanding obligations, in addition to announcements, news, academic calendar of events, class cancellations, your learning management system (LMS), and much more. Go to <https://my.saultcollege.ca>.

9. Electronic Devices in the Classroom:

Students who wish to use electronic devices in the classroom will seek permission of the faculty member before proceeding to record instruction. With the exception of issues related to accommodations of disability, the decision to approve or refuse the request is the responsibility of the faculty member. Recorded classroom instruction will be used only for personal use and will not be used for any other purpose. Recorded classroom instruction will be destroyed at the end of the course. To ensure this, the student is required to return all copies of recorded material to the faculty member by the last day of class in the semester. Where the use of an electronic device has been approved, the student agrees that materials recorded are for his/her use only, are not for distribution, and are the sole property of the College.



