

Columbia College
Criminal Procedure & Evidence (CRIM210)

Lecture 1

Course Outline

Semester Dates: September 29, 2014 – November 2, 2014

Please note that when a holiday falls during the week, your class will be rescheduled for the Friday of that week. Students are required to make arrangements to be present at the rescheduled class.

Facilitator: Siona Gunn-Graham, LL.B.

Email: castledown999@gmail.com

Class Time: 1:00 pm – 5:00 pm (T/TH)

Room: 805-114

Credit: 3

Prerequisite: CRIM 135

Note: It is the student's responsibility to be familiar with the information contained in the Course Outline and to clarify any areas of concern with the facilitator.

Course Description:

This course examines selected topics in criminal procedure and evidence within the Canadian context. Emphasis is given to how criminal cases are processed through the court system. An investigation of the system of rules and standards through which the admissibility of evidence is determined will be made. The Charter of Rights and Freedoms and its impact on criminal procedure and evidence will also be examined in detail.

Learning Outcomes:

Students who successfully complete this course will demonstrate:

- Know and describe the nature, purpose, sources and principles of Canadian criminal procedure and evidence.
- Explain the process for bringing an accused to court, trials, dispositions, and appeals.
- Critically assess the procedures for gathering evidence in a criminal trial and its admissibility in court.
- Evaluate the procedures for search and seizure, electronic surveillance, admissions and confessions, and types of evidence and exclusionary rules.
- Critically examine the effects of the Charter of Rights and Freedoms on the rules of procedure and evidence.

Course Format:

This course uses a variety of teaching/learning methods including discussion, personal reflection, experiential exercises, student presentations, role-plays, group activities and especially case studies. Our faculty aims to create a learning environment where the learner is actively engaged in inquiry, critical thinking and problem solving. The classroom provides you with a place where you can learn with and from others in a cooperative and collaborative manner.

You are expected to take a very active part in class discussions and take responsibility for your own learning. Be a positive and co-operative team member. Columbia College uses a facilitation model of instruction where the facilitator's role is to facilitate your learning. The expectation is that you will come to class prepared with pre-class homework completed. Your facilitator will engage you in activities that are based on your completed homework and readings. Your enthusiastic and positive approach in the classroom will create an atmosphere that will help every student develop the knowledge, skills and attitudes that are needed for success.

How you conduct yourself in our classes will, to a large extent, mirror your conduct in society and your future work site. For example, if you have a tendency to ask questions, challenge the ideas of others in a respectful manner, draw out the best from your colleagues, and encourage both group development and task accomplishment in this class, it is likely you will do the same at work. A high level of student involvement and developing professionalism is expected in the classroom as you work towards your goal.

Required Textbooks and Equipment:

Brockman, J. & Rose, V. (2011). *An introduction to Canadian Criminal Procedure and Evidence*, 4th Edition, Toronto, ON: Nelson Education Ltd.

Recommended Readings and Resources:

Students may access these sources from the College library and from home.

ProQuest Nursing and Allied Health, Canadian Business and Current Affairs, and Canadian Newsstand

- <http://proquest.umi.com/login>
Username: cc-library
Password: welcome

GALE InfoTrac Custom Journals

- <http://infotrac.galegroup.com/itweb/calg145?db=SP00>
Password: cclibrary09

Homework Assignment Due for the First Class:

- Read the Preface, Introduction and Chapter One in your text, *An introduction to Canadian Criminal Procedure and Evidence*, 4th Edition.
- As a result of your reading assignment write down at least three questions that you would find beneficial to discuss in class.
- Read this syllabus and be prepared to discuss in class.

Evaluation - Assessment of Student Performance:

The final grade in the course will be based on the following elements. Wherever possible facilitators will use rubrics to assess your performance and offer feedback.

Title of Assignment/Examination	Length	Due Date	Weight
Term paper outline	250 words	Class 4	05%
Term paper	1,000-1,500 words	Class 8	25%
Presentation	10-15 minutes	Class 8 or 9	15%
Quizzes	NA	Classes 1 through 8	20%
Final Exam	NA	Class 10	30%
Participating & Engagement			5%

Grading:

Grades for each component will be added together at the end of the semester. The final total will be translated to the Columbia College's 4.0 grading scale as follows:

Marking and Grading Conversion:

Description	Letter Grade	Grade Points	Percentage Scale	
Excellent	A+	4.0	100	95
	A	4.0	94	90
	A-	3.7	89	85
Good	B+	3.3	84	80
	B	3.0	79	75
	B-	2.7	74	70
Satisfactory	C+	2.3	69	65
	C	2.0	64	60
	C-	1.7	59	55
Poor	D	1.0	54	50
Failure	F	0.0	49	0

Submission and Completion of Assignments:

You are expected to submit assignments by the due date. Any late assignments may be assessed a marking penalty of 5%. If you are unable to submit an assignment on the due date, you must request an extension **before** the due date by filling out an *Application for Assignment Extension form (SSPP-F013)* that is to be submitted to the Department Chair for approval.

Requesting an Examination Deferral:

If you are requesting an exam to be deferred, you must submit the *Application for Deferred Examination (SSPP-F012)* to the Department Chair **within 48 hours of the missed examination date and time**. Applications for deferred examinations will only be considered due to medical or personal emergency. A medical certificate or other appropriate documentation may be required.

Attendance Requirements:

Columbia College believes that students are committed to their program and learning experiences. However, it is understood that there are times when students may be absent. Any absences can be viewed as a potentially serious disruption of the learning process and necessary achievement of the learning objectives. Being late is also considered unacceptable as it interferes with the learning opportunities of others. Unavoidable absences or lateness must be reported to the course facilitator in advance. Please refer to Columbia College's *Attendance Policy and Regulations (ADM-P151)* for detailed information on Attendance Requirements.

Academic Integrity:

Academic dishonesty is a serious offence and can result in suspension or expulsion from Columbia College.

There is no tolerance for academic dishonesty and any student caught plagiarizing is subject to serious sanctions as outlined in the *Student Code of Conduct Policy (ADM-P229)*. Students are encouraged to familiarize themselves with this policy and avoid any behavior that could possibly be seen as cheating, plagiarizing, misrepresenting, or putting into question the integrity of one's academic work.

Student Conduct:

It is the responsibility of each student to uphold the expectations and responsibilities outlined in the *Student Code of Conduct Policy (ADM-P229)* and any additional requirements established by your program.

Generally, each student will:

- be respectful and courteous toward others;
- demonstrate appropriate and supportive communication skills, and coach, assist, advise and otherwise support other students in their studies;
- manage any personal stress and conflict in a positive and resourceful manner, and assist others to do the same;
- be dressed in a manner appropriate for their workplace or learning environment, as established by the program;
- conduct themselves in a professional manner with regard to their communication with others and their behavior in class;
- conduct themselves with academic integrity in all of their learning activities, tests, exams, and assignments
- keep up with day-to-day classroom and course expectations.

Important Dates:

Description	Date
Last to add/drop courses	5 school operating days from the start of the semester OR before the third scheduled class, whichever is greater
Last day to withdraw without academic penalty	50% or less of the semester has been completed
Final Examination	A final exam may take many formats. If a final exam is scheduled, it will be taken in an assigned room under the supervision of a Test Proctor. <u>Students must be on time as they will not be permitted to enter once the exam has started.</u> Exam dates, times, and location are posted by the main office Bldg. 802 and by the library in Bldg. 4. <u>It is the student's responsibility to check this exam posting.</u>

Appeals:

Please refer to the *Student Appeal Policy (ADM-P177)*.

Students with Temporary or Permanent Disabilities:

Students with temporary or permanent disabilities may apply for accommodations. To be considered for an accommodation, a student must register with Columbia College's Disability Services by making an appointment with a Disability Services Advisor – Main Office – Bldg. 802 or emailing disabilityservices@columbia.ab.ca. The Department Chair or facilitator is not able to provide you with any accommodations without you taking this step. Please refer to Columbia College's website to review *the Accommodation Policy and Handbook (ADM-P188)*.

Student Support:

Students should be aware that Life Coaching, Career and Disability Services, and Student Support Services (i.e. tutoring, academic strategists, etc.) are provided by Columbia College. Inquire how to request these services at the Main Office in building 802. It is the student's responsibility to discuss their specific learning needs with the appropriate service provider.

Class Schedule/Overview:

Please note that this schedule is subject to change. Any changes or cancellations will be emailed to you. It is your responsibility to check the email address you have given to the school on a daily basis for any messages from the Department Chair/designate, facilitator or College Administration. It is the student's responsibility to be familiar with the information contained in the Course Outline and to clarify any areas of concern with the facilitator.

Class Session	Topics	Readings	Homework
1	<ul style="list-style-type: none">• Introduction and course overview• Perspectives on criminal procedure and evidence and the constitutional framework• Classification of offences, elections, and jurisdiction of the court	<ul style="list-style-type: none">• Preface, Introduction,• Chapter 1	
2	<ul style="list-style-type: none">• Compelling the appearance of the accused and judicial interim release• Information and indictments, arraignments and pleas	<ul style="list-style-type: none">• Chapter 2• Chapter 3	
3	<ul style="list-style-type: none">• Crown disclosure and preliminary inquiry	<ul style="list-style-type: none">• Chapter 4	Term paper outline due
4	<ul style="list-style-type: none">• Juries and procedures at trial	<ul style="list-style-type: none">• Chapter 5	
5	<ul style="list-style-type: none">• Sentencing and appeals• Evidence that is illegally or improperly obtained	<ul style="list-style-type: none">• Chapter 6• Chapter 7	
6	<ul style="list-style-type: none">• Search and seizure• Electronic surveillance and interception of private communications	<ul style="list-style-type: none">• Chapter 8• Chapter 9	
7	<ul style="list-style-type: none">• Admission and confessions• Types of evidence	<ul style="list-style-type: none">• Chapter 10• Chapter 11	
8	<ul style="list-style-type: none">• Types of evidence (cont'd.)• Exclusionary rules	<ul style="list-style-type: none">• Chapter 11 (con't)• Chapter 12	Term paper due; Oral presentation due
9	<ul style="list-style-type: none">• Judicial notice, secondary sources, and opinion evidence• Review	<ul style="list-style-type: none">• Chapter 13	Oral presentation due
10	<i>Final Exam – 3 hrs.</i>		All Chapters

Appendix 1 Assessment Information

Term Paper Outline

Due Date: Class 4

Weight: 5%

Students will be expected to submit a one-page outline of their proposed term paper for approval.

Term Paper

Due Date: Class 8

Weight: 30%

Students will be expected to submit a 1,000-1,500-word term paper critically examining the impact of the Canadian Charter of Rights and Freedoms on the Rules of Procedures and Evidence. Students must use a minimum of four sources in addition to the course text and the submission must be to APA standards.

Quizzes

Due Date: Classes 1 through 8.

Weight: 20% (2.5% per quiz)

Students will be expected to read the assigned chapters in the text and other assigned readings and be prepared to write a graded quiz based on these reading assignments.

Oral Presentation

Due date: Class 8 or 9

Weight: 15%

Students will be organized into a team of 4-5 members. Each team will pick a topic of their choice from the text and assigned readings, make a 15 to 20-minute PowerPoint presentation to the class, and be prepared to respond to questions from class members. Students will be evaluated on their individual presentations.

Final Exam

Due Date: Class 10

Weight: 30%

Students will write a final exam covering the content of classroom learning and assigned text and other readings.

Columbia College
Class Participation
 Last Revised: February 20, 2014

Student's Name		Course Code	Date	Facilitator/Evaluator's Name	
Pts	Preparation for Class	Quality of Participation	Involvement in Process	Frequency of Participation	
5	Demonstrates completion of readings or assignment and awareness of all key concepts contained in readings or assignment on a daily basis.	Comments significantly add to the learning process; consistently demonstrates high order thinking, analysis, synthesis, and evaluation; demonstrates ability to appropriately apply concepts to real-life situations; always participates constructively in discussion on a daily basis	Comments build on contribution of others, enabling group to integrate experiences and insights (linking theory and real-life experiences); supportive and encouraging to other class members; comments are focused and concise.	Contributes actively and consistently to group process on a daily basis.	
4	Demonstrates completion of readings or assignment and awareness of most of the key concepts on a daily basis.	Comments contribute to learning process; shows evidence of ability to apply concepts to real- life situations; mostly demonstrates higher order thinking skills; generally participates constructively in discussion on a daily basis.	Comments do not always build on the contribution of others; most times shows support of other classmates.	Contributes actively and somewhat inconsistently to group process on a daily basis.	
3	Demonstrates awareness of some key concepts or ideas contained in readings or assignment on a daily basis.	Comments show evidence of awareness and understanding of concepts covered in the reading or assignment; inconsistently demonstrates high- order thinking; inconsistently participates in a constructive manner.	Speaks up when asked with comments that add to understanding; inconsistently shows support of other classmates; comments tend to be at times off focus.	Contributes inconsistently to group process.	
2	Inconsistently demonstrates awareness of concepts or ideas contained in readings or assignment; inconsistent daily preparation.	Comments show background knowledge of basic concepts covered in the readings or assignment; little demonstration of higher-order thinking; generally, participation is not constructive	Contributes little to group understanding; little evidence of being encouraging to others.	Does not contribute to group except when asked.	
1	Demonstrates little or no awareness of key concepts or ideas contained in readings or assignment; little to no daily preparation.	Comments show no evidence of awareness of concepts covered in the readings or assignment; shows no evidence of higher-order thinking; shows general lack of interest.	Does not contribute to the group process.	Does not contribute.	

Total Score out of 20:

Facilitator/Evaluator's Comments:

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Class Participation
 Last Revised: February 20, 2014

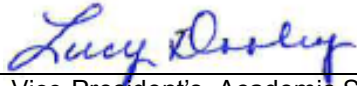
Student's Name	Course Code		Date		Facilitator/Evaluator's Name	
	A	B	C	D	F	Score
Writing Focus	5 <ul style="list-style-type: none"> Presents a precise well developed thesis, reflecting insightful, original perspective. Demonstrates direction in the development of the paper. 	4 <ul style="list-style-type: none"> Presents a clear, carefully constructed thesis, reflecting original perspective. Demonstrates direction in the development of the paper most of the time. 	3 <ul style="list-style-type: none"> Presents a simplistic and/or unclear thesis. Demonstrates some direction in the development of the paper, but often the paper is hard to follow. 	2.5 <ul style="list-style-type: none"> Presents a partly developed thesis. Demonstrates little direction in the development of the paper. 	2.4-0 <ul style="list-style-type: none"> No thesis presented. Development of the paper is unclear. 	
	10-9	8-7	6	5	4-0	
Content Ideas & Analysis	<ul style="list-style-type: none"> Displays extensive in-depth knowledge of the topic. Comprehends deeper meaning and relevance of topic. Conveys insightful, original points of view. Critically synthesizes and evaluates information. Clearly supports all statements with examples. 	<ul style="list-style-type: none"> Displays good knowledge of the topic. Conveys some original points of view. Comprehends meaning and relevance of topic. Demonstrates careful analysis, synthesis and evaluation of information. Clearly supports most statements with examples. 	<ul style="list-style-type: none"> Displays adequate knowledge of the topic. Requires further exploration. Demonstrates some analysis, synthesis and evaluation of information. Supports some statements with examples. 	<ul style="list-style-type: none"> Displays limited basic knowledge of the topic. Explores topic inadequately, leaving areas unexplored. Displays limited analysis, synthesis, and evaluation of information. Most statements are unsupported with examples. 	<ul style="list-style-type: none"> Unable to display relevant understanding of the topic. Critical thinking not evident. Statements are unsupported with examples. 	

	10-9	8-7	6	5	4-0	
Style Expression of Ideas	<ul style="list-style-type: none"> • Uses highly effective, clearly focused, varied sentences. • Conveys all ideas with originality and clarity. • Uses rich, accurate and effective word choice. • Uses relevant, timely and varied sources to support 	<ul style="list-style-type: none"> • Mostly uses effective, well structured, focused, varied sentences. • Conveys most ideas with originality and clarity. • Uses accurate and effective word choice. • Uses relevant, timely and varied sources to support 	<ul style="list-style-type: none"> • Uses some variety in sentence structure. • Conveys some ideas clearly. • Uses some effective word choice. • Uses some varied sources to support ideas. Quotes and 	<ul style="list-style-type: none"> • Demonstrates limited variety of sentences. • Many sentences are awkward. • Conveys few ideas clearly. • Uses vague, ineffective word choice. • Uses limited resources 	<ul style="list-style-type: none"> • Uses simplistic sentence structures that are awkward. • Most ideas are not conveyed clearly. Inadequate, simplistic word choice. • Lacks the use of support for ideas. 	

Total Score out of 40:

Facilitator/Evaluator's Comments:

Approval:



Vice-President's, Academic Signature

September 26, 2014

Date



Registrar's Signature

September 26, 2014

Date