

INTRODUCTION TO CRIMINAL LAW AND PROCEDURE: IN-CLASS TEST

Analyze ONE scenario from Section A and one from Section B. You need to examine whether there is a crime in Canada. The definition of the offence is given in the case. Use this definition and not the actual Criminal Code definition of the offence. You also need to analyze behavior that is not a crime, but which may potentially have elements of a crime. **Use the required readings, class activities, and class discussions as examples to support your answers.** You do not need to answer in essay format. Point form, charts, and diagrams are accepted, as well as a combination of any of these formats. **Use subheadings to introduce each idea that you discuss, such as the elements of the crime or requirements of an offence** if you write in essay format. **Evaluation criteria:** Please refer to the SOLO taxonomy included in the course syllabus.

Section A:

1. Fred is walking down the street when he sees what appears to be Barney getting beaten up. What Fred does not realize is that Barney is acting out a fight scene for a movie he is starring in. Fred defends Barney by hitting his friend's attacker. Assume that assault is defined as follows "a person commits an assault when without the consent of another person he or she intentionally, recklessly, or negligently applies force to that other person, directly or indirectly."
2. Fred, a law abiding citizen, is walking home from work one day when Wilma, a prostitute, approaches him and offers him her services for the price of fifty dollars. Fred tells Wilma he is not interested and continues walking. Over the next several blocks Wilma follows Fred and repeatedly offers her services to him, which Fred repeatedly rejects. However, after a few minutes, Wilma's repeated offers pique Fred's curiosity and he decides to give it a try. Wilma then leads Fred to a nearby motel room and once inside she identifies herself as an undercover police officer and arrests Fred. Assume that the offence of solicitation is defined as "procuring the services of a prostitute on the street or any other public place".

Section B:

3. Fred shoots Barney with a gun. However, because of a mental illness that Fred has, he does not understand that shooting someone with a gun can hurt or kill the person. Assume that homicide is defined as "intentionally causing the death of another human being".
4. Fred is walking down the street when he sees that his friend Barney is getting beaten up. Fred defends Barney by hitting his friend's attacker. Assume that assault is defined as follows "a person commits an assault when without the consent of another person he or she intentionally applies force to that other person, directly or indirectly."
5. Analyze the cartoon. Assume that theft is defined as "intentionally taking anything from its owner."

