

R. v. Jacob Legal Opinion: Learning and Applying 4 Theories of Crime

LEARNING GOALS

- ◆ demonstrate knowledge of the four core *theories of crime*.
- ◆ research the criminal elements of the offences at issue in the Jacob case and connect those elements to the theories of crime.
- ◆ demonstrate an ability to make arguments both in favour for and against those theories by applying them to the Jacob case.

TASKS

1. Complete background reading (“*Who Commits Crime*” and “*Critical Legal Theory*”) and make notes on the theories of crime in the *quadrant organizer* (core concepts and links to case for each theory). See example organizer on classroom blackboard.
2. Read the R. v. Jacob decision FULL CASE LINK (and in particular, paragraphs 13 to 19 titled “*The Offence*”) and make notes about key facts, Jacob’s circumstances, and the offence itself.
3. Research and note the elements of each and every offence Jacob committed, including the *actus reus* and *mens rea* and range of punishment (search the online *Criminal Code of Canada*).
4. Research the general purposes behind punishing criminal conduct (note a minimum of 4).
5. Write a well-supported opinion that responds to the following inquiry question:

Which theory of crime is best applicable to understanding the Jacob case and to ultimately assigning the appropriate level of criminal responsibility, given Jacob’s circumstances, the facts surrounding the crime itself, and the criminal elements of the offences committed?

6. Directly cite (in-text) any sources used in writing your legal opinion, including the *Criminal Code of Canada*, the R. v. Jacob decision, the handout provided, or other online research sources.

LEGAL OPINION SAMPLE STRUCTURE

<u>Sentences</u>	<u>Content</u>
1	1. Headline Your Opinion on the Theory of Crime Best Applicable to the <u>Jacob</u> Case.
1	2. State the Appropriate Level of Criminal Responsibility that must be Assigned to Jacob (i.e., punishment).
3-4	3. First point and supporting details that back up your opinion (based on T, CD, CE, PC).
3-4	4. Second point and supporting details that back up your opinion (based on T, CD, CE, PC).
3-4	5. Third point and supporting details that back up your opinion (based on T, CD, CE, PC).
3-4	6. Fourth point and supporting details that back up your opinion (based on T, CD, CE, PC).
2	7. State and Explain the Purpose of Punishment most Important to Your Opinion on the <u>R. v. Jacob</u> case.

16-20 Sentences in Total

T = Theory
CD = Case Details
CE = Criminal Elements
PC = Purposes of Crime

SUCCESS CRITERIA

- K/U Opinion (and research notes) includes ideas, criminal law concepts, facts, and theories that demonstrate knowledge of the theories of crime, the criminal elements of the offences, the purposes of punishment and case details.
- T Points made throughout opinion are well supported with explanation, specific case details, and the core concepts of the theories of crime.
- COM Opinion is clear, concise, and well organized. The organization of writing supports and reinforces arguments made. Proper writing conventions evident throughout.
- APP Includes effective linking of the theories of crime, the criminal elements of the offences, the purposes of punishment, and case details to supporting arguments throughout opinion. Supporting research sources directly cited throughout the opinion.

EVALUATION *A rubric will be provided online under the project page.*