

Offences against the Person



Offences against the Person

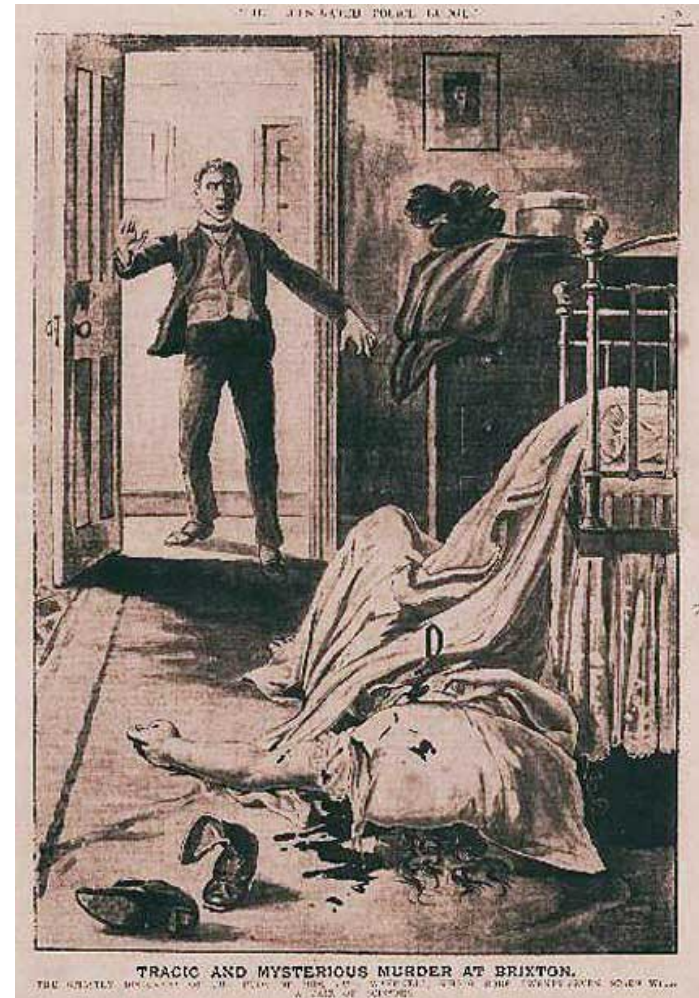
Offences against the person and reputation includes violent crimes in which the victim is threatened injured or killed



Offences against the Person

Homicide

Section 222 (1) A
Person commits
homicide when
directly or indirectly,
by any means,
causes the death of a
human being



Offences against the Person

There are two main types of homicide:

Culpable Homicide: is when someone intentionally causes the death of another person or through recklessness they cause someone's death



Offences against the Person

There are two main types of homicide:

Non-Culpable: is a killing for which the accused cannot be held legally responsible, such as death caused by unforeseeable accident



Offences against the Person

Murder: is the intentional killing of another human being

First Degree Murder:

is planned and deliberate

One person hires another to commit murder

If the victim is a police officer, prison officer or other public peace officer

If the murder is committed in association with another serious crime



Offences against the Person

Murder: is the intentional killing of another human being

Second Degree Murder:

any murder that does not fit into the categories listed for first degree murder

The minimum punishment for murder is life imprisonment. The only difference is that for second degree murder you can apply for parole in 10-15 years.



Offences against the Person

Manslaughter:

Defined as any culpable homicide that is not murder or infanticide

Actus Reas of Manslaughter consists of killing someone through an unlawful act , even if the killing was unintentional

The Mens Rea for the act is that any reasonable person could have foreseen that the act posed a risk of bodily harm, “that was neither trivial or transitory”



Offences against the Person

Manslaughter is also used in acts of criminal negligence resulting in death

Manslaughter also includes unintentionally killing someone through an unlawful act

Murder can be reduced to manslaughter if the accused can show “provocation”

Murder becomes Manslaughter in the “Heat of the Moment” only



YO MAMA SO FAT

She's costing taxpayers millions of dollars in property damage

Offences against the Person

Assault

The most common form of violent crime

Intentionally applying force to another person without that person's consent

Attempting or threatening, by an act or gesture to apply force

Accosting or impeding another person; or begging, while openly wearing or carrying a weapon or an imitation of a weapon



Offences against the Person

Assault

There are three levels of Assault

Level 1:

- is a hybrid offence
- max five years
- consists of pushing someone or threatening them with violence
- Words must be accompanied by an action



Offences against the Person

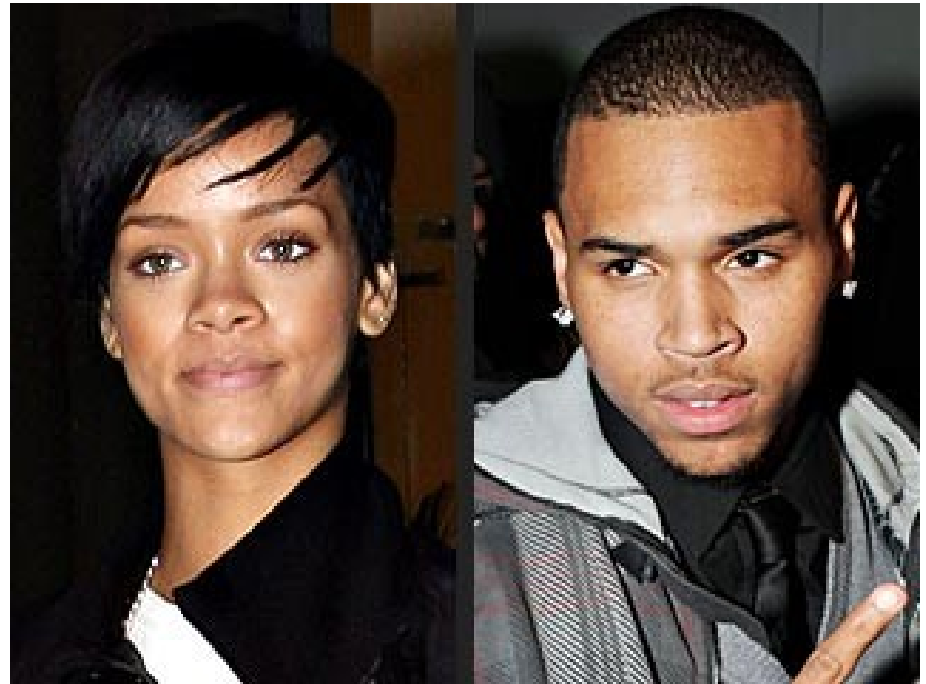
Assault

Level 2:

- Assault with a weapon causing bodily harm
- Max ten years in prison

Level 3:

- Aggravated Assault
- Wounding, Maiming disfiguring or endangering the life of the victim
- Max 14 years in prison



Offences against the Person

Sexual Assault

- Involves physical violence
- Spouses can be charged with sexual abuse
- Victims can be either male or female



Offences against the Person

Sexual Assault

There are Three levels of Sexual Assault

Level 1

- 97% of sexual assault are level 1
- un-consensual sexual touching
- Max 10 years in prison



Offences against the Person

Sexual Assault

Level 2

- Sexual assault with a weapon, threats, or causing bodily harm
- Max 14 years in prison

Offences against the Person

Sexual Assault

Level 3

- Aggravated Sexual Assault
- Wounding, maiming, disfiguring, or endangering the life of the victim of a sexual assault
- Max life in prison



Offences against the Person

Consent

can be used as a defence, if the accused had an honest and reasonable, even mistaken, belief that the victim was consenting to sexual contact

R vs Ewanchuk



Offences against the Person

Suicide:

has been legal since 1972,
but it is illegal to counsel
or aid someone in
committing the act

