To secure a conviction of A, the CROWN DEFENCE will have to prove BARD/HOP/Jodi the following elements of the: [ARCHIE/Duff]
[1] Already proved ? **[2] Not proved** ? **[3] Not proved** ? **[4] Not proved** ? **[5] Not proved** ? **[6] Not proved** ? **[7] Not proved** ? **[8] OFFENCE/Injury where need more info/apply SOC**
Note to consequences: ? I will argue ? ? expect the defence to argue/counter/ **Conclusion** = ? If the court accepts this argument, based on X being true, ? will happen ---> if defence succeeds ? will happen OR ---> Prosecution succeeds ? will happen **Note to Intent**: ? Intent is a mental state. ? Intent is not the same as motive. ? Intent is what the person, on his behalf, here are the elements, would have to give a [Ar of B to each] ---> X will be able to give because of X (yes/no). Then Crown disprove BARD. But if I'm wrong and accepted X

[1] ARGUEABLY PARSED? (**REPEALED/MURDER;** 20-(A-D) (Martineau/Vaillancourt). AND **29 (c) ("ought to know")**
[ASSAULT]: AR: Direct/indirect application of force (contact no matter how slight - def. from caselaw) without consent; **MR:** they intend to apply force; know you don't consent.
[ASSAULT WOUNDING] Using weapon added to CI. **Weapon** def. S2 - broad.
[ASSAULT] Mental Injury: AR: ? ? application of force directly or indirectly; **CT:** without consent **CO:** Causes bodily harm
JHI def. in S2.*a "conduct which interferes with health or comfort in a manner that is more than transient or trifling"* (From case) = sum: that interferes w/health or comfort, v. short period of time, apart (---> ?) and causes a temporary state of distress. Case law: eg need to impact functioning.
[DANGEROUS DRIVING] (*Beatty*) **AR:** operating a motor vehicle in a manner objectively dangerous to the public (in regard to the circumstances - nature/condition of place, amt of traffic reasonably expected) **MR:** modified objective test - was there a marked dep. from the standard of care, in the A's circumstances? Take into account A's state of mind. If explanation offered by accused, ? is the ? ? in the particular circumstances would have been aware of the risk created by the conduct and proceeded in conduct. Def of Beside & RB in A Stef.
[FRAUD] [Thorne] AR: CT: A dishonest act **CO:** Causes deprivation or risk of deprivation (can be economic). **MR: CT**: intent to commit act; **CO:** subjective knowledge or recklessness that prohibited act could have as a consequence the deprivation of another, or put them at risk for that. Honest belief things would work out = no excuse.
[SEXUAL ASSAULT] Sexual nature/purpose/character of a contact assault, without consent **MR:** intentional or reckless as to lack of consent, either by words or actions, from the person being touched. * Here consent means - the complainant had affirmatively communicated by words or conduct her agreement to engage in sexual activ. Consent - ? ? ?