

COURSE: LAWS 2301E - Criminal Justice System

TERM: Fall 2015

PREREQUISITES: LAWS 1000

CLASS: **Day & Time:** Tuesday - 11:35 a.m. – 2:25 p.m.
 Room: Please check with Carleton Central for current room location

INSTRUCTOR: Dr. Roger R. Rickwood, LL.M., LL.B.
(CONTRACT)

CONTACT: **Office:** B442 – Contract Instructors' Office, Loeb Building
 Office Hrs: Tuesday - 10:00 a.m. – 11:00 a.m. or by appointment
 Telephone:
 Email: rickwood@connect.carleton.ca OR rogerrickwood@aol.com
 Dept. Website: www.carleton.ca/law

Academic Accommodations:

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://carleton.ca/pmc/students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://carleton.ca/equity/>

Plagiarism

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More information on the University's **Academic Integrity Policy** can be found at:
<http://carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>

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OFFICIAL COURSE DESCRIPTION

The institutional and social production of criminal law in Canada. Process, personnel, and agencies in the criminal legal system. The role of discretion and mechanisms of accountability. The accused and the place of the victim. Issues and problems in sentencing and punishment. Theoretical frameworks.

Lectures and in-class discussions – three hours a week (in-class registration taken)

REQUIRED TEXTS

O'Regan, Karla and Susan Reid, *Thinking About Criminal Justice in Canada*, (Toronto : Emond Montgomery Publications, 2013) paper. (Referred to as ORR) – Available at CU Bookstore

Universal Declaration of Human Rights (UDHR) (1948) (www.un.org) (on cuLearn Site)

Pocket Criminal Code 2016, (Toronto: Carswell, 2015), paper (referred to as PCC). Handouts - including Criminal law offences and procedures summary – Available at CU Bookstore

Constitution of Canada (CA 1867) (CA 1982) (UK) and other required items posted to LAWS 2301E site on cuLearn.

SUPPLEMENTARY TEXTS

Roach, Kent, *Criminal Law*, 6th ed., (Toronto: Irwin Law, 2015).

Saunders, R.P. and J. McMunagle, *Criminal Law in Canada*, 4th ed.,(Toronto: Carswell,2002).

Martin's Annual Criminal Code 2016 Student Edition, (Toronto: Canada Law Book, 2015).

EVALUATION

First mid-term test (in-class) (2 hours)

(closed book – 50% quiz & 50% essay)

30% - October 6

Second mid-term test – Take-home case analysis on sentencing

20% - Due Nov.10

Final examination (2 hours) (50% quiz & 50% essay)

40% - (TBA in examination period – December 9-21, 2015)

Class/lecture participation (in-class registration taken)

10%

Proof of attendance will be by signing in at each class in a legible way. Failure to attend lectures and class room discussions will negatively affect your grade as you will be penalized for not attending class and participating in class. A high class room participation grade requires more than passive attendance; it requires constructive active participation on a regular basis.

There will be a penalty of 2 per cent per day for cases analyses received after November 10 and no analysis will be accepted after November 17. Case analyses will only be accepted in **hard copy format**. **Failure to provide a hard copy will result in a zero grade.**

Exam preparation can benefit from reviewing announcements, statutes, explanatory notes and materials on 2301E cuLearn web site. Links to *Criminal Code* on Canada's Dept. of Justice website can be accessed via cuLearn web site. Law Department Citation Style Guide is on cuLearn and Department of Law & Legal Studies home page.

ALL STUDENTS are required to sign the register at every class. Your participation mark is based in part on attendance and in part on active participation in class discussions. Explanation of your absence for medical and compassionate reasons will be considered in adjusting the registration record. Excuses that you did not know there is a sign-in registration will not be accepted. ONLY ATTENDING AN IN-CLASS EXAM WILL NOT BE CONSIDERED ATTENDANCE FOR PURPOSES OF THE PARTICIPATION MARK. SHOULD YOU FAIL TO ATTEND AT LEAST ONE REGULAR CLASS, YOU WILL RECEIVE AN F FOR CLASS PARTICIPATION.

SCHEDULE

- Sept. 8 - Week 1 - **Welcome, Introduction, Syllabus Review and Evaluation Component**
Explanation
Definition of Criminal Justice System and Elements, Media Influences
 -O'Regan and Reid (ORR) Chapter 1- Studying Criminal Justice in Context of Criminal Law and Criminology
 -ORR, pp. 389-391 – “You be the Judge” case study
 -Handout on UDHR (on cuLearn and on UN.org site)
 -“About Canada’s Criminal System of Justice”, Dept. of Justice website, June 19, 2015
 -“Goals, Basic Principles and Sources of Criminal Law”, B.C. Government, Justice BC website 2012
- Sept. 15 - Week 2 - **The History and Structure of Criminal Law, the Courts and the Constitution**
 ORR, chapter 5 + “Robert Picton” case study, pp.39-44
 PCC – the information will be entered on the course outline when the 2016 edition is available
- Sept. 18 **Last day of registration for fall term**
Last day to change courses or sections for fall term
- Sept. 22 - Week 3 - **Criminal Procedures & Evidence (from Traditional to Forensics)**
 ORR Chapter 6 and 7
 Handout on *Criminal Law and Procedure Summary* (on cuLearn site)
 PCC - when 2016 edition available
- Sept. 29 - Week 4 - **Policing Practices – History and organization – Strategies & Organizations & Legal Powers**
 ORR Chapters 2, 3 and 4 + Case Study 2 on G20 Summit
 PCC – when 2016 edition available
- Sept. 30 **Last day to withdraw from fall term with a full fee adjustment**
- Oct. 6 - Week 5 - **MID-TERM TEST IN CLASS – 30% OF COURSE GRADE – CLOSED BOOK – 50% QUIZ & 50% ESSAY**
- Oct. 9 **December examination schedule available online**
- Oct. 12 **Thanksgiving Holiday – No classes – No office hours**
- Oct. 13 - Week 6 - **Sentencing – Adult**

ORR Chapter 8

PCC – when 2016 edition available

“Adult Sentencing”, Legal Aid Ontario, www.lawfacts.ca/criminal/adultsentencing

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SECOND MID-TERM TEST – TAKE-HOME CASE ANALYSIS ON SENTENCING – DUE NOVEMBER 10

Oct. 20 - Week 7 - **Historical Roots and Contemporary Approaches to Youth Justice (Youth Criminal Justice Act)**

ORR Chapter 13

PCC – when 2016 edition available

“Youth Justice”, Government of Canada, DOJ website, May 7, 2015

Oct. 26-30 - MID-TERM BREAK - NO CLASS - NO OFFICE HOURS

Nov. 3 - Week 8 - **Sentencing - Youth**

ORR Chapters 14 + “Ashley Smith” case study, pp. 325-332

PCC – when 2016 edition available

Nov. 6 **Last day to submit Formal Examination Accommodation Forms to the Paul Menton Centre for Students with Disabilities for December examination.**

Nov. 10 - Week 9 - **Corrections - Institutional Community and Conditional Release in Canada**

(Corrections and Custodial Release Act)

ORR Chapters 9, 10, & 11

SECOND MID-TERM TEST -- TAKE-HOME CASE ANALYSIS DUE ON NOV.10

LATE PENALTY OF 2% PER DAY UNTIL NOV. 17 – NO CASE ANALYSIS ACCEPTED AFTER NOV. 17 WITHOUT PRIOR INSTRUCTOR APPROVAL

PCC TBA

Nov. 17 - Week 10 - **Types of Offenders and Populations in Focus (Controlled Drugs and Substances Act)**

ORR Chapter 12

PCC – when 2016 edition available

Handout on “Mandatory Prison Sentences” by offence by ORR.

Nov. 24 - Week 11 - **System Challenges: Crime Prevention and Criminal Profiling**

ORR Chapter 15

PCC – when 2016 edition available

Matt Kwong, “New York Public Urination Debate Tests ‘Broken Windows’ Theory of Crime (Prevention)”, CBC News, August 5, 2015. See

<http://www.cbc.ca/news/world/new-york-public-urination-debate-tests-broken-windows->

[theory-of-crime-1.3170821](#)

Dec. 1 - Week 12 - **System Challenges: Selected Issues in Criminal Justice: Conclusions - “What works?” - Revisiting Theoretical Models after Values Debate and Empirical Research to Determine Appropriate Courses of Action**

ORR Chapter 16 + “You Be The Judge” Case study in Chapter 1 revisited for discussion in class, pp. 389-392, Chapter 1, pp. 24-31

PCC – when 2016 edition available

- **Exam Review**

Dec. 7 - Last day of Fall term

Last day for academic withdrawal from fall term courses

Dec. 8 - Study Day - No Classes

Dec. 9-21 FINAL EXAMINATION PERIOD

LAWS2301E TBA – FINAL EXAM – 40% OF COURSE GRADE – 50% QUIZ & 50% ESSAY

Feb. 12-20 **Fall term deferred examinations will be held**
