

CARLETON UNIVERSITY

**Department of Law and Legal Studies
LAWS 2301T**

CRIMINAL JUSTICE SYSTEM

Summer, 2013 (May-June)
VOD and Broadcast (Channel 243, Tuesday/Saturday, 2 p.m.)

Instructor

Ron Saunders, D589 Loeb

E-mail: ronald.saunders@carleton.ca (the fastest and best way to contact me; be sure to use your Connect account to email me and put "LAWS 2301" in the subject line)

By appointment: email me for an appointment

Course Web site: Logon at <https://culearn.carleton.ca>

Online office hours: Before the exams I will make myself available for live online discussions at specified times. The dates, times and process of joining in will be announced later in the term.

General

The purpose of this course is to provide a broad introduction to the Canadian criminal legal system and to the institutions, processes, rules and actors that comprise it. The goal is to situate the criminal law within its general social setting, practically and theoretically, and to examine the interrelationship between the aspirations and practices of each. The class will also look in detail at the participants and parties in the criminal justice system, and in particular examine the mechanisms of accountability and control for these actors and their relative effectiveness. Current examples and reforms will be discussed throughout the course to highlight the pertinent issues and problems within the system.

N.B. The prerequisite for enrolling in this course is the successful completion of LAWS 1000.

Note about Rebroadcasting

Because this course is a rebroadcast of the Fall 2012 course, some of the details of the course, such as the marking scheme and the exam format, will differ from those given in the recorded lectures. For example, due to the abbreviated time period, there will only be two exams: a midterm on **Saturday, May 25th** at 10 a.m. – 12 noon, and a final exam in the formally scheduled exam period (please see the marking scheme below). Please be aware of any differences by looking carefully at the outline, reading the posted slides carefully, and by keeping abreast of any announcements made on the web site; it is the student's responsibility to know the requirements of the course. If you are uncertain about any of these, please contact the instructor.

In this regard, it is important that students access the web site for the course as soon as possible and continue to access it on a regular basis. Any important changes or announcements will be put on the site.

Materials

Required text:

Criminal Law in Canada: An Introduction to the Theoretical, Social and Legal Contexts (Toronto: Carswell, 2002) - Available (new and used) at the Carleton University Bookstore or Haven Books, 43 Seneca Avenue, Ottawa (havenbooks.ca). **Note:** If you are taking LAWS 2302 this Summer term, this text will also be used for that course.

Supplementary (on Reserve in the Library; do not buy):

1. *Criminal Law, 3rd ed.* - Kent Roach (KE8809.R62 2004)
2. *Canadian Criminal Justice: A Primer 2nd ed.* - C. Griffiths & A. Cunningham (HV9960.C2 G76 2002)

Web Site

The PowerPoint presentations used in class will be posted on the course Web site along with course announcements, grades, and other materials. To logon, go to <https://culearn.carleton.ca>. Only students registered in the course have access to the site. **It is imperative that the student have access to the course website.**

Evaluation

Marking scheme

1. Midterm Examination: 40% (Saturday, May 25th at 10 a.m. – 12 noon)
2. Final Examination: 60% (in the formal exam period in June; exact date TBA by Scheduling during term)

Explanation of scheme:

1. Midterm Examination - a **2 hour** closed book exam to be held **Saturday, May 25** (at 10 a.m. – 12 noon) worth **40%** of the final grade. It covers the material on the first 5 lectures (Lectures S-1 to S-5). Note that the exam will consist of 40 multiple choice questions in Part 1 of the exam, and an essay question in Part 2.
2. Final examination - a **3 hour** closed book exam to be held during the scheduled exam period, **June 21 -26**, worth **60%** of the final grade. This exam covers **only** the material and topics in Lectures S-6 to S-13. Note that the exam will consist of 50 multiple choice questions in Part 1 of the exam, and two essay questions in Part 2.

Please note:

- i) A medical certificate or other appropriate documentation must be provided to support any request to write a deferred examination. Deferrals for the final examination are administered by the Registrar's Office.
- ii) The midterm will be available for pick-up from the Media Distribution Centre, D299 Loeb.

Syllabus/Schedule

The course syllabus will generally follow the topics as presented in the "Table of Contents" in the text. The topics, required readings (all from the text) and schedule for the Summer term are as follows. Please note that some of the readings in the text have been omitted and are not required. Also, **please note** that the dates/schedule refer to the television broadcasts; the taped lectures are usually available well in advance of these dates.

May 7 (S-1)

Topic: Introduction - outline, administrative matters, goals, themes

May 11 (S-2)

Topic: Context of criminal law - Where does it come from? How do we define it? What goals do we have for criminal law?

Readings: Chapter 1

May 14 (S-3)

Topic: Definitions of criminal law

Readings: Chapter 1

May 18 (S-4)

Topic: Purposes/goals/principles of criminal law

Readings: Chapter 2, section 2.1

May 21 (S-5)

Topic: ; perspectives on criminal law; debates & strategies within perspectives; feminist perspectives.

Readings: Chapter 2, sections 2.2, 2.3 and 2.4 (**skip Historical Perspectives, section 2.5**)

NOTE to Summer term students: At the end of this lecture, there is a discussion of the Fall midterm – information for the Summer term midterm on May 25th will be provided on the course site so you can ignore this part of the lecture and the relevant slides shown in the lecture. However, the slides **posted** to the course web site have been modified to reflect the required information for the Summer midterm.

Midterm: Saturday, May 25, 10 a.m.; covering material up to and including Lecture S-5

May 25 (S-6)

Topic: The production of criminal law - the role of the Constitution and of Parliament

Readings: Chapter 3 – pp. 87-135 (**but skip Quigley article** on p. 125)

May 28 (S-7)

Topic: The role of the courts.

Readings: pp. 136-175

NOTE: There is a reference to the assignment essay for the Fall course in this lecture – please **ignore** that reference.

June 1 (S-8)

Topic: The role of the courts (cont'd) and Actors in the System - Police

Readings: pp. 175-196

Note to Summer term students: At the end of this lecture, there is a discussion of the Fall assignment – please ignore this part of the lecture.

June 4 (S-9) and June 8 (S-10)

Topic: Police (cont'd) and Actors in the System – Prosecution/Defence

Readings: pp. 197-224; 226-231; 232-235

June 11 (S-11)

Topic: Plea Bargaining

Readings: pp. 224-226; 231-232

June 15 (S-12)

Topic: Actors in the System – Victims

Readings: pp. 252-278

NOTE to Summer term students: The final exam for the Fall term is discussed at the end of this lecture, but the format of the final exam for Summer Term is different; information on the final exam will be posted on the web site. The final exam covers only material which was **not** covered on the midterm.

June 21-26: Final exam (3 hours) during the examination period (exact date and location of the final exam will be announced on Carleton's web site during the term)

Requests for 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://www2.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://www2.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://www2.carleton.ca/pmc/new-and-current-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://www2.carleton.ca/equity/>

Grades and Grade Adjustments

Students **must complete all the requirements** of the course to obtain a passing grade. Furthermore, be advised that there is the possibility the final marks in this section of LAWS 2301 will be adjusted if they are markedly different from the distribution and/or average of the marks normally received in sections of this course. All grades must be approved by the department and the Faculty of Public Affairs.

Policy and Procedures

For a general statement on instructional offences, special examinations, prerequisites, appeals, etc., please read carefully the Department of Law's "Course-Related Policy and Procedure Statement". This document can be found at: <http://www.carleton.ca/law/policy.htm>. You are strongly encouraged to read it carefully.

Please note as well that there are several services available on campus that can provide you with advice on studying, reviewing, writing exams and essays, etc.; for example there is the Writing Tutorial Service (4th Floor of the Library), the Student Academic Success Centre (SASC 302 Tory) and the Learning Commons (4th Floor of the Library).