

## Course Outline

**COURSE:** LAWS 3306 A – Criminal Law: Process & Politics  
**PREREQUISITES:** LAWS 2004  
**TERM:** Fall/Winter 2007-08  
**CLASS: Day & Time:** Wednesday 6:00 p.m. – 9:00 p.m.  
**Room:** 202 TB (Tory Building)  
**INSTRUCTOR:** Tim Wightman  
**CONTACT: Office:** C476 LA (Loeb Building)  
**Office Hrs:** By Appointment  
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Students with disabilities needing academic accommodations in this course are required to contact a coordinator at the Paul Menton Centre to complete the necessary *letters of accommodation*. The student must then make an appointment to discuss their needs with the instructor at least two weeks prior to the first class or ITV test. This is to ensure sufficient time is available to make the necessary accommodation arrangement. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is November 9, 2007 for December examinations and March 14, 2008 for April examinations. With regard to accommodations for religious obligations and pregnancy, please see <http://www.carleton.ca/law/accommodations.htm>.

**DESCRIPTION**

Calendar: Criminal law process in Canada; structure and use of the process examined for fairness, defects, and possible reform initiatives. Issues concerning gender, race and class bias in the implementation and application of the criminal law.

The object of this course is to provide students with a foundation in the political processes that shape criminal justice policy and its implementation. The course is organized thematically around current issues in criminal justice intervention that have variable effects on populations depending upon race, class, and gender.

**EVALUATION**

**Mid-term exam:** 40% (October 17<sup>th</sup>, 2007)  
**Final exam:** 60% (Exam period): cumulative

NOTE: Students must complete all components of the evaluation to receive a passing grade.

**COURSE TEXT**

Coursepack

**COURSE ORGANIZATION**

The lectures are organized into 12 topic areas with assigned readings. These will be followed in chronological order, however, changes may be necessary to accommodate guest lectures, films, etc.

**TOPICS**

- 1. Introduction to the course and overview of the politics of criminal law**  
Solomon, Peter, Jr. (1981) The policy process in Canadian criminal justice: A perspective and research agenda. *Canadian Journal of Criminology*, 23(1):5-25.  
Bryant, Clifford D. (1990) The social context. Chapter 1 in: *Deviant Behavior*. New York: Hemisphere, pp. 3-20.

**2. Modern politics of criminal law reform**

Hatt, Ken, Tullio Caputo and Barbara Perry (1992) Criminal justice policy under Mulroney, 1984-90: Neoconservatism, eh?" *Canadian Public Policy*, 3:245-260.  
Kevin Stenson (1991). Making sense of crime control. In Stenson, K., & Cowell, D. (Eds.) *The Politics of Crime Control*. London: Sage, pp. 1-32.

**3. Prostitution**

Larsen, Nick (1992) The politics of prostitution control: Interest group politics in four Canadian cities. *The Int'l Journal of Urban and Regional Research*, 16(2):169-189.  
Lowman, John (1992) The 'left' regulation of prostitution: reconciling individual rights and collective interests, in Lowman, John and Brian D. MacLean (Eds.) *Realist Criminology: Crime Control and Policing in the 1990s*. Toronto: University of Toronto Press, pp.157-176.

**4. Woman battery**

Sherman, Lawrence and Richard A. Berk (1984) The specific deterrent effects of arrest for domestic assault. *American Sociological Review*, 49:261-272.  
Rigakos, George. 1998. "The politics of protection: Battered women, protection orders and police subculture." in Bonnycastle, Kevin and George S. Rigakos, *Unsettling Truths*, Vancouver: Collective Press, pp. 82-92.  
Comack, Elizabeth. 1998. "Do we need to syndromize women's experiences?: The limitations of the Battered Woman Syndrome" in Bonnycastle, Kevin and George S. Rigakos, *Unsettling Truths*, Vancouver: Collective Press, pp. 105-111.

**5. Sexual assault**

Gunn, Rita and Rick Linden (1997) The impact of law reform on the processing of sexual assault cases. *The Canadian Review of Sociology and Anthropology*, 34(2):155-174.  
Criminal Code provision and *Seaboyer* and *Gayne* synopses.

**6. Gun Control**

Stenning, Philip (1995) Solutions in search of problems: A critique of the federal government's gun control proposals. *Canadian Journal of Criminology*, 37(2):184-194.  
Gabor, Thomas (1995) The proposed Canadian legislation on firearms: More symbolism than prevention. *Canadian Journal of Criminology*, 37(2):195-213.

**7. 'Race' and Crime**

Gabor, Thomas (1994) The suppression of crime statistics on race and ethnicity: The price of political correctness. *Canadian Journal of Criminology*, 36(2): 153-163.  
Nielsen, Marianne O. Canadian correctional policy and native inmates: The control of social dynamite. *Canadian Ethnic Studies*, 22(3):111-121.  
Spousal Sex Ratio of Killings (Table from Ellis and DeKeseredy, 1996)

**8. Illicit Drugs**

Erickson, Patricia G. (1999) A persistent paradox: Drug law and policy in Canada. *Canadian Journal of Criminology*, 41:275-284.  
TBA: excerpts from *Nolin Report*

**9. Corrections and punishment**

Feeley, M., & Simon, J. (1994). Actuarial justice: The emerging new criminal law. In D. Nelken (Ed.), *The Futures of Criminology*. Thousand Oaks: Sage, pp. 173-201.  
Simon, J. (1987). The emergence of a risk society: Insurance, law, and the state. *Socialist Review*, 95, 61-89.

**10. The commodification of policing**

Shearing, C. D., & Stenning, P. C. (1983). Private security: Implications for social control. *Social Problems*, 30(5), 498-505.  
Rigakos, George S. 1999. 'Hyperpanoptics as Commodity: The Case of the Parapolice' *Canadian Journal of Sociology*, 24(3): 381-409..

**11. Technical criminologies**

Wilson, J. Q., & Kelling, G. L. (1982). Broken windows: The police and neighbourhood safety. *Atlantic Monthly*, March, 29-38.  
CCJA (1989) Safer communities: A social strategy for crime prevention.