

Course Outline

COURSE:	LAWS 3307A – Youth and Criminal Law
TERM:	FALL 2015
PREREQUISITES:	LAWS 2301 & LAWS 2302
CLASS:	Day & Time: Thursday, 2:35pm-5:25pm Room: Please check with Carleton Central for current room location
PROFESSOR	Dr. Dale C. Spencer
CONTACT:	Office: Loeb D597 Office Hrs: By Appointment. Telephone: 613-520-2600 ext. 8096 Email: dale.spencer@carleton.ca

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://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/>

COURSE DESCRIPTION*Official Course Description*

A review of the Youth Criminal Justice Act within the framework of the Canadian justice system, with particular emphasis on historical and philosophical developments and objectives. Current topics include: constitutional issues, procedure, confessions, transfers, sentencing options, alternative measures, reviews, and possible amendments.

General Course Description

This course will provide an in-depth overview of the youth criminal justice act and its antecedents. This course will review various approaches to youth criminal offending and on the legal and moral regulation of youth. It will review the theories and concepts underpinning these approaches to youth offending. This course will elucidate youth experiences of the criminal justice system.

Course Objectives

1. To read and discuss a variety of theoretical perspectives and empirical investigations of issues related to youth and criminal law, utilizing legal, historical, sociological and criminological, and interdisciplinary perspectives.
2. To assist in the development of critical reading, writing, discussion, and analytical skills through class participation, class readings, and written assignments.

REQUIRED TEXTS

*** Students are not required to buy a text for this course.**

EVALUATION

Assignments	Percentage of Total Grade	Due Date
Paper Abstract and Sample Bibliography	5%	October 15 th , 2015
Small Group Presentation & Attendance	20%	See sign up sheet
Critical Commentaries	20%	Weekly
Research Paper	30%	December 3 rd , 2015
Final Exam	25%	Formal exam period (December 9 – 21, 2015)

Please Note: *All* components must be completed in order to get a passing grade.

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

Descriptions of Assignments

Critical Commentaries (20%):

To promote class discussion and participation, each class member shall prepare one written critical commentary on the required reading (choose one per week) and be prepared to raise issues from their commentaries in class each week (20%) from week 2 through week 12.

Critical commentaries should briefly outline the central claims and issues, the central debates or points of comparison, and the scholarly strengths and limitations of material as you see it (interpretations of the material are encouraged).

Commentaries must include at least one critical question that will inform class discussion and stimulate debate of issues of scholarly importance.

Each submission of critical commentaries must be 1.5 double-spaced typed pages in length and ***handed in on the day that the reading is assigned***. Students must submit their critical commentary at the beginning of class. Throughout the semester, students will submit a total of 10 critical commentaries.

Students ***are not required to submit*** a critical commentary on the week that they are presenting.

Small Group Presentation & Attendance (20%):

Class attendance is mandatory. The attendance and participation mark is based on formal attendance (an attendance sheet will be signed prior to the small group presentations) and in-group reading presentations, which is completed during each XXXX's class (the last 30 minutes). You will have to present one of the readings to your group and you will have to submit your presentation notes to me at the end of the class. 10% will be apportioned for weekly attendance and 10% for your in-class presentation.

You will be assigned to small groups on the second day of class (XXXX, September XX, 2015). A sheet will be distributed and you will sign up to present on one of the readings between week 4 and week 13. If you do not sign up for a presentation, it is your responsibility

to contact teaching assistant or me to sign up.

This class will feature lively discussion each week. The class rewards good attendance and class participation, which will work to the benefit of 90 per cent or more of you. One of my commitments to you is that you should find the class interesting to attend and should not want to miss it. On top of that, a pattern of missing class regularly will lower your final mark and, for some, will put you in danger of failing the course. You should not take the course if you are unable to attend regularly. If an issue comes up for you during the term that will mean you are unable to attend class for an extended period, as soon as possible you should talk to Dr. Spencer to clarify the situation and get any help he can offer.

Paper Abstract and Bibliography (5%):

This assignment involves the development of a specific research question and research parameters for your final paper. The abstract (1-2 double spaced typed pages) should briefly outline the thesis, issues, and arguments you will present in your final paper. Try to choose a clearly delineated and manageable topic and avoid embarking on vast research enterprises.

The bibliography should present the literature you propose to use to address these issues. The bibliography is expected to conform to the minimum requirements for the final research paper (see below).

Research Paper (30%):

For this assignment, students shall write an essay on a subject matter suitable to the course. It is important to utilize ideas, arguments, and concepts presented in class and in course readings and to discuss and critically evaluate the materials you use in your paper. The aim of the research paper is to synthesize, discuss, and assess (not simply describe or summarize) scholarly literature and to develop a conceptual analysis of the topic chosen.

Papers shall be **8 pages** and must be typed and double-spaced with 1-inch margins.

Composition of the Research Paper: The paper should reflect and communicate specific information from the writer to the reader. It should start with a statement of intentions and objectives, followed by a discussion and analysis of supporting and illustrative materials. Do not limit yourself to descriptive analyses only; employ relevant concepts and incorporate theoretical (or formal explanatory) arguments within your study. In writing your essay, you should be able to summarize the thesis (major argument) in a brief statement or short paragraph.

Layout of the Research Paper:

Introduction: The introduction presents the theme or issues explored in the essay. It briefly outlines your approach to the topic and the major ideas and argument(s) advanced in the main body of the essay. This section is 1-2 pages in length.

Main body of the research essay: This section develops and contains the central thesis or argument(s) of the essay. This main body should review and assess the appropriate literature, while providing an exposition of the central points. The research theme, together with ideas relating to the central thesis, should be clearly presented and substantiated. Ideally, each paragraph should focus upon a major point related to the central argument(s) or theoretical framework. Internal headings and sub-headings are useful as a device to mark shifts in discussion while, at the same time, maintaining an integration of points to the central theme. This section is 4-6 pages in length.

Conclusion: This last section provides a brief summary of the essay's major argument(s) within the context of the central theme addressed. The conclusion is 1-2 pages in length.

Bibliography/References: A minimum of **10** cited scholarly references is required including journal articles or academic quality book chapters on your selected topic by different reputable social scientific authors. ***You are not allowed to use Wikipedia or newspaper articles as sources.***

References to source(s) of information should include the author's surname, year of publication, and pagination as in the ***American Psychological Association Style Guide 5th or 6th edition*** or the ***Harvard Citation Style***. Footnotes and Endnotes are not to be used for referencing sources in this class.

Citation of the sources must always be given for the following: all direct quotations; paraphrases of the statements of others; opinions, ideas, and theories not your own; and, information which is not a matter of general knowledge. Even when using proper citation, it is a mistake to place too much reliance on one source. Furthermore, direct quotations from one or more authors should seldom occur in an essay and should not be longer than two or three sentences in length. All quotations of over four text lines should be indented and single spaced with quotation marks omitted. Quotations of any kind, however, must be acknowledged by a reference to the source, and include the page number(s). Quotations should be used as a way to emphasize a point or because the original author has an authority of expertise that can be best expressed by her/him).

Final Examination - To be held during formal exam period at the end of the term.
25% - Cumulative exam.

SCHEDULE

- **The following course readings are available on the Carleton University Online Library Catalogue and/or cuLearn.**

Week 1 – September 3rd, 2015 – Course Introduction

Week 2 – September 10th, 2015 – Youth as a Concept

Reading:

Foster, K. R., & Spencer, D. C. (2011). At risk of what? Possibilities over probabilities in the study of young lives. *Journal of Youth Studies*, 14(1), 125–143.

Week 3 – September 17th, 2015 – Theoretical Approaches to Youth Offending

Reading:

Baron, S. W. (2008). Street Youth, Unemployment, and Crime: Is It That Simple? Using General Strain Theory to Untangle the Relationship¹. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 50(4), 399–434. doi:10.3138/cjccj.50.4.399

Week 4– September 24th, 2015 – The Development of Youth-Related Laws in Canada

Reading:

Doob, A. & Sprott, J. Youth Justice in Canada. *Crime and Justice*, 31, 185-242.

Week 5 - October 1st, 2015 – Youth Criminal Justice Act

Readings:

Carrington, P., & Schulenberg, J. (2004). Introduction: The Youth Criminal Justice Act - A New Era in Canadian Juvenile Justice? *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 46(3), 219–224.

Harris, P., Weagant, B., Cole, D., & Weinper, F. (2004). Working “In the Trenches” with the YCJA. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 46(3), 367–390.

Week 6 – October 8th, 2015 – Youth, Risk and the YCJA

Reading:

Maurutto, P., & Hannah-Moffat, K. (2007). Understanding Risk in the Context of the Youth Criminal Justice Act. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 49(4), 465–491.

Week 7 – October 15th, 2015 – Police and the Courts

Readings:

Greene, C., Sprott, J. B., Madon, N. S., & Jung, M. (2010). Punishing Processes in Youth Court: Procedural Justice, Court Atmosphere and Youths' Views of the Legitimacy of the Justice System¹. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 52(5), 527–544.

Marinos, V., & Innocente, N. (2008). Factors Influencing Police Attitudes towards Extrajudicial Measures under the Youth Criminal Justice Act¹. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 50(4), 469–489. doi:10.3138/cjccj.50.4.469

Week 8 – October 22th, 2015 – Youth Sentencing and Incarceration

Reading:

Cesaroni, C., & Peterson-Badali, M. (2013). The Importance of Institutional Culture to the Adjustment of Incarcerated Youth and Young Adults. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 55(4), 563–576.

Week 9 – October 29th, 2015 - Fall Break – *No class***Week 10** – November 5th, 2015 – Mental Health, the YCJA, and Young People

Reading:

Gretton, H. M., & Clift, R. J. W. (2011). The mental health needs of incarcerated youth in British Columbia, Canada. *International Journal of Law and Psychiatry*, 34(2), 109–115.

Week 11 – November 12th, 2015 – Aboriginal Youth, Crime, and the Criminal Justice System

Reading:

Bracken, D. C., Deane, L., & Morrissette, L. (2009). Desistance and social marginalization: The case of Canadian Aboriginal offenders. *Theoretical Criminology*, 13(1), 61–78.

Week 12 – November 19th, 2015 – Immigrant Youth and the Criminal Justice System

Readings:

Hagan, J., Levi, R. and Dinovitzer, R. (2008), The Symbolic Violence of the Crime-Immigration Nexus: Migrant mythologies in the Americas. *Criminology & Public Policy*, 7: 95–112.

Rossiter, M. J., & Rossiter, K. R. (2009). Diamonds in the Rough: Bridging Gaps in Supports for At-Risk Immigrant and Refugee Youth. *Journal of International Migration and Integration / Revue de L'integration et de La Migration Internationale*, 10(4), 409–429.

Week 13 – November 26th, 2015 – Future Directions/Class Summary

No readings

Week 14 – December 3rd, 2015 – Final Class

* Hand in Final Papers

Other Matters:

My Philosophy of Teaching: I believe that the purpose of education – my philosophy on life – is to inquire and to reflect on the past, present, and future and to carry this quest for understanding beyond this educational institution into the world. What I can promise is that what you will learn and the skills acquired in this class will help you critically engage with what you hear and see in the world. I am inimical to forms of education that are predicated on indoctrination for conformity and the pursuit of a high grade without actual reflection on the academic material.

Your feedback about the course: If you have any suggestions about the course, they are encouraged at any time. I have incorporated a number of students' suggestions in the past.

Student Concerns/Complaints: From time to time students object to or have concerns about the grade they receive on a given assignment. While students may raise concerns regarding the grade they receive from me, you must wait two days after the assignment was handed back and must put your specific reasoning of why you deserve a higher grade in print. There is also a chance – upon reevaluation of the grade you received – that you will receive a lower grade on your assignment. To be clear, it is *not* enough to say that you worked really hard on an assignment, that you get higher grades in other classes, or that you believe, without a rationale, you deserve a higher grade.

Late Assignments: Late assignments will receive a 10% deduction for every day the assignment is late. Only under exceptional circumstances (e.g., medical issues accompanied by a valid doctor's note) will a student be able to receive an extension. To be clear, in the event of a medical issue or death in the family, you *must* submit a doctor's note or a death certificate. Unless you can demonstrate through documentation that you need or deserve an extension, you will receive the 10% deduction for every day that your assignment is late.

Electronic Devices: Students are required to silence all electronic devices (cellular phones, Blackberries, iPhones, pagers, ipads, etc.) when in the classroom. If there is a reason that you require your device to remain on 'ring' mode (i.e., sick child at daycare), please inform me at the start of the class. Students are not permitted to send or receive text messages during class. A student found texting during class will be asked to leave. Students are welcome to bring laptop computers to class for note-taking purposes only. Students found using social networking sites or surfing the Internet during class will be asked to leave.

Classroom Disruptions: Students should recognize that excessive talking, late arrival, or early departures from the classroom are disrupting for both the instructor and classmates. Please be considerate of others in the class. Continual disruption by a student may result in disbarment from the course. Please notify the instructor at the onset of class if you need to leave early or if you have to come late to the next class.