

Course Outline

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**COURSE:** LAWS 3307 A - Youth and Criminal Law

**PREREQUISITES:** LAWS 2004

**TERM:** Fall 2009

**CLASS:** Day & Time: Thursday 18:00-21:00  
Room: 502 SA (Southam)

**INSTRUCTOR:** Gary R. Barnes  
**(Contract)**

**CONTACT:** Office: Sessional Office - C 476 LA ( Loeb )  
Office Hrs: By Appointment  
Telephone: Office = 613-225-2529  
Home = 613-225-1529

Email: [barnesgary@rogers.com](mailto:barnesgary@rogers.com)

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"Students with disabilities requiring academic accommodations in this course must contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary Letters of Accommodation. After registering with the PMC, make an appointment to meet and discuss your needs with me in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see: [http://www.carleton.ca/pmc/students/accom\\_policy.html](http://www.carleton.ca/pmc/students/accom_policy.html) . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by **November 16, 2009 for December examinations** and **March 12, 2010 for April examinations**.

For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: [www.carleton.ca/equity](http://www.carleton.ca/equity)

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**COURSE DESCRIPTION AND FORMAT:**

This course is a sequel to Laws 2004 ( Introduction to the Canadian criminal justice system ) . The instructor is a practicing criminal defence counsel with over 30 years experience as well as 5 years as a part time Assistant Crown Attorney. The perspective will be broader than these viewpoints alone. The course will deal with the procedural and substantive aspects of the involvement of young people and their families with the criminal justice system including institutions, bail, conduct of a case, and plea bargaining. The course will also deal with related topics including the Charter, sentencing and appeals. The focus will be on the Youth Criminal Justice Act, it's intentions contents and effects. The roles of the accused, victims, police, defence counsel, Crown attorney, judges, juries, media, politicians and the public will all be illustrated. Current issues before the Youth Courts, legislatures and the media will also be discussed. Students are encouraged to follow the media reports on current issues dealing with the Youth Court so that they can participate in class discussions.

Reference will be made to the text, specific readings, the Youth Criminal Justice Act, the Criminal Code and case law.

The course will be taught through lectures and discussions and guest lecturers. Students will be encouraged to participate by applying and critiquing the various institutions, concepts, and case law.

A detailed course outline as well as weekly assigned readings will be given on the first day of class.

**COURSE READING MATERIALS :**

- a) Required Text :** Bala, Nicolas  
Youth Criminal Justice Law ( Irwin Law Inc. 2003 )
- 2010 edition of The Criminal Code  
Martin's Annotated Criminal Code 2010 ( Canada Law Book )  
or Tremear's Annotated Criminal Code 2010 ( Carswell )  
or Carswell's pocket edition 2010 is acceptable

**b) Supplementary Readings :**

A list of readings will be given on the first day of class for those students who may wish to explore certain topics in more detail.

**METHOD OF EVALUATION :**

The grade in this course will be based on the following :

1. 50 % Essay
2. 50 % Final examination  
2 hour examination, multiple-choice, closed book  
- to be held during formal exam period at the end of the term

**The examination will cover the assigned readings and class lectures.**

**COURSE SCHEDULE**

<u>Date</u>	<u>Class #</u>	<u>Topic</u>	<u>Readings</u>
Sept. 10	1	Introduction History Of Youth And Criminal Law	Ch. 1 pp. 1 - 61
Sept. 17	2	Principles For Responding To Youth Offending	Ch. 2 pp. 62 - 98
Sept. 24	3	Restorative Justice	Ch. 2 pp. 98 - 144
Oct. 1	4	Jurisdiction Of The Youth Court	Ch. 3 pp. 145 - 183
Oct. 8	5	Arrest and Police Questioning	Ch. 4 pp. 184 - 235
Oct. 15	6	Pretrial Detention	Ch. 4 pp. 235 - 271
Oct. 22	7	Diversion And Extrajudicial Measures	Ch. 5 pp. 272 - 317
Oct. 29	8	Sentencing Under The Y.C.J.A. – Non Custodial ESSAY DUE	Ch. 8 pp. 400 - 444
Nov. 5	9	Sentencing Under The Y.C.J.A. – Custodial	Ch. 8 pp. 444 - 499
Nov. 12	10	The Youth Justice Court Process	Ch. 7 pp. 353 – 399
Nov. 19	11	Lawyers In The Youth Justice Process	Ch. 6 pp. 318 - 352
Nov. 26	12	Adult Sentencing For Youths	Ch. 9 pp. 500 - 552
Dec. 3	13	Review	
Dec.	9 - 22	End of Term Examinations	