

## Course Outline

**COURSE:** LAWS 3307D – Youth and Criminal Law

**TERM:** Winter 2008/09

**PREREQUISITES:** LAWS 2004

**CLASS:**           **Day & Time:** Wednesday, 6:05 to 8:55  
                          **Room:** 132, Azrieli Pavilion

**INSTRUCTOR:** Lisa Micucci, Department of Justice Canada  
**(CONTRACT)**

**CONTACT:**       **Office Hrs:** By appointment  
                          **Telephone:** (613) 957-4691 (work)  
                          **Email:** lisacarletonclass@sympatico.ca

---

“Students with documented disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities (PMC) for a formal evaluation of disability-related needs. Documented disabilities include physical, mental, and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, as well as other conditions. Registered PMC students are required to contact the PMC at 613-520-6608, early each term to ensure that your Instructor receives your Letter of Accommodation no later than two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations. If you require accommodations for your formally scheduled exam(s) in this course, please submit your request for accommodations to PMC by March 6, 2009 for April exams.” Also available at [http://www.carleton.ca/pmc/faculty/acom\\_statement.html](http://www.carleton.ca/pmc/faculty/acom_statement.html) . For Religious and Pregnancy accommodations, please contact Equity Services, 613-520-2600 x. 5622 or their website: [www.carleton.ca/equity](http://www.carleton.ca/equity)

---

**COURSE DESCRIPTION**

This course examines the *Youth Criminal Justice Act*. It examines substantive criminal law and procedure as it pertains to the young offenders between 12 and 17 years of age who become involved with the criminal justice system. It will examine the special rights afforded a young person under the *Youth Criminal Justice Act*. The roles of parents, judges, lawyers and the police will also form part of the discussions. The course will also highlight proposed changes to the Act and discuss relevant court decisions. The role of restorative justice in dealing with young offenders will also be examined. The course will further examine the reasoning and philosophy behind the creation of a separate legislation dealing specifically with young persons before the criminal justice system. The course will also take a historical perspective of the treatment of young offenders in the Canadian criminal justice system and examine the underlining societal values that have shaped and modified the legislation dealing with young offenders.

**REQUIRED TEXT**

Lee Tustin and Robert Lutes, *A Guide to the Youth Criminal Justice Act, 2008/2009 Edition* (LexisNexis Canada, 2008)

Other readings will include articles placed on reserve in the library or as provided on WebCT. It is expected that students will be checking WebCT on a regular basis for course updates.

**SUPPLEMENTARY TEXTS**

1. 2008 or 2009 edition of the *Criminal Code*
2. Nicolas Bala, *Youth Criminal Justice Law* (Toronto: Irwin Law, 2003).

**EVALUATION**

**(All components must be completed in order to get a passing grade)**

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

1. **50 % Mid-course examination (in class) - To be held: February 11, 2009**  
2 hour exam, closed book, multiple choice format  
The examination will cover the assigned readings and class lectures.
2. **50 % Final examination - To be held during formal exam period at the end of the term.**  
2 hour exam, closed book, multiple choice format  
The examination is cumulative and will cover all the assigned readings and all class lectures.

**SCHEDULE AND READINGS****Class Date Class Topic and Readings**

1. Jan 7 Introduction to course and overview of the *Youth Criminal Justice Act*
2. Jan 14 Responding to Youth Crime in Canada

**Required Reading:**

Lee Tustin and Robert Lutes, *A Guide to the Youth Criminal Justice Act, 2008/2009 Edition* (LexisNexis Canada, 2008) – Introduction: pages 1 to 23

**Recommended Reading:**

Nicolas Bala, *Youth Criminal Justice Law* (Toronto: Irwin Law, 2003) - Chapters 1 and 2.

3. Jan 21 Extrajudicial Measures

**Required Reading:**

Lee Tustin and Robert Lutes, *A Guide to the Youth Criminal Justice Act, 2008/2009 Edition* (LexisNexis Canada, 2008) – Part 1: pages 24 to 36

**Recommended Reading:**

Nicolas Bala, *Youth Criminal Justice Law* (Toronto: Irwin Law, 2003) – Chapter 5.

4. Jan 28 **Arrest, Police Questioning and Pre-trial Detention**

**Required reading:**

Lee Tustin and Robert Lutes, *A Guide to the Youth Criminal Justice Act, 2008/2009 Edition* (LexisNexis Canada, 2008) – Part 3: pages 51 to 67 and Part 7: pages 223 to 230

**Recommended Reading:**

Nicolas Bala, *Youth Criminal Justice Law* (Toronto: Irwin Law, 2003) – Chapter 4.

5. Feb 4 **Organization of Youth Criminal Justice System**

**Required Reading:**

Lee Tustin and Robert Lutes, *A Guide to the Youth Criminal Justice Act, 2008/2009 Edition* (LexisNexis Canada, 2008) – Part 2: pages 36 to 48, Part 3: pages 72-73 and Part 7: pages 210 to 223

**Recommended Reading:**

Nicolas Bala, *Youth Criminal Justice Law* (Toronto: Irwin Law, 2003) – Chapters 6 and 7.

6. Feb 11 **Mid-course examination** (in class)  
- worth 50% of your mark  
- 2 hour exam, closed book, multiple choice format  
- The examination will cover the assigned readings and class lectures.

7. Feb 18 **No Class – Winter Break**

8. Feb 25 **Sentencing under the *Youth Criminal Justice Act***

**Required Reading:**

Lee Tustin and Robert Lutes, *A Guide to the Youth Criminal Justice Act, 2008/2009 Edition* (LexisNexis Canada, 2008) – Part 4: pages 75 to 120

**Recommended Reading:**

Nicolas Bala, *Youth Criminal Justice Law* (Toronto: Irwin Law, 2003) – Chapter 8.

9. Mar 4 **Sentencing under the *Youth Criminal Justice Act* continued - Custody and Supervision**

**Required Reading:**

Lee Tustin and Robert Lutes, *A Guide to the Youth Criminal Justice Act, 2008/2009 Edition* (LexisNexis Canada, 2008) – Part 5: pages 145 to 185

**Recommended Reading:**

Nicolas Bala, *Youth Criminal Justice Law* (Toronto: Irwin Law, 2003) – Chapter 8.

**10. Mar 11 Adult Sentencing for Youth**

**Required Reading:**

Lee Tustin and Robert Lutes, *A Guide to the Youth Criminal Justice Act, 2008/2009 Edition* (LexisNexis Canada, 2008) – Part 4: pages 120 to 145

**Recommended Reading:**

Nicolas Bala, *Youth Criminal Justice Law* (Toronto: Irwin Law, 2003) – Chapter 9.

**11. Mar 18 Publication, Records and Information**

**Required Reading:**

Lee Tustin and Robert Lutes, *A Guide to the Youth Criminal Justice Act, 2008/2009 Edition* (LexisNexis Canada, 2008) – Part 6: pages 185 to 210

**12. Mar 25 Revising the *Youth Criminal Justice Act***

**Required Reading:**

Lee Tustin and Robert Lutes, *A Guide to the Youth Criminal Justice Act, 2008/2009 Edition* (LexisNexis Canada, 2008) – Appendices: Summary Report of Nunn Commission of Inquiry and Bill C-25 Amendments

**13. Apr 1 Review Class**