

Course Outline

COURSE:	LAWS 4305A – Criminal Justice Reform
TERM:	Winter 2016
PREREQUISITES:	Fourth-year Honours standing and LAWS 2301 and LAWS 2302
CLASS:	Day & Time: Thursdays, 1805hrs – 2055hrs Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Leo S. Russomanno
CONTACT:	Office: B442LA – Contract Instructors’ Office Office Hrs: TBA Telephone: (613) 296-2551 Email: leorussomanno@gmail.com

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://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://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://carleton.ca/pmc/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://carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished

material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:

<http://carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>

COURSE DESCRIPTION

On November 12, 2015, Prime Minister elect Justin Trudeau sent 'Mandate Letters' to each of his Cabinet Ministers outlining desired reforms in key areas. In his letter to Attorney General Wilson-Raybould, Trudeau outlined a number of reforms to be undertaken in the criminal justice system, including doctor-assisted suicide, marijuana legalization, murdered and missing indigenous women, and national security legislation.

This course will examine criminal justice reform through a week by week analysis of these and more key areas. Students will be expected to assess the impact of the desired reforms and to understand their legal implications.

ATTENTION

Please pay special attention to Carleton University's rules and regulations concerning academic integrity. Please note that any suspected cases of academic dishonesty are forwarded directly to the Dean of the faculty.

REQUIRED TEXTS

All readings will be provided on cuLearn.

This is a fourth year seminar class. Students are expected to come to class having completed the readings and having reflected on the materials in order to participate in class discussions.

EVALUATION**(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.

20% - Group presentation – sign-up sheet to be provided in class

30% - Paper – 10 page limit – topic to be announced in class.

50% - Final exam - the date of the exam will be during the formal exam period schedule (April 11-23 2016)

GROUP PRESENTATION

For this assignment, students will form teams of two and sign up to give a 5-minute presentation. A sign-up sheet will be provided and the topic to be presented on will depend on the readings for the class that week. Students are expected to evenly divide the work between them. If more than one group is presenting, students are expected to coordinate so as to avoid repetition.

The evaluation will be based on each group's ability to convey the key concepts to be discussed that week, and the essential components of the reform in question.

PAPER

The paper will be due on March 10th 2016 at the start of class, in hard copy format. If you are late to class, your paper will be subject to late penalties. Please read the paper instructions document on cuLearn for details.

There will be a 10 point deduction per 24 hours of tardiness. At the start of every 24 hour lateness period, in other words, you will be deducted 10%.

The paper is to use 12 point Times New Roman font, double spaced, with one inch margins on all sides. Failure to adhere to this will result in deduction.

You will be evaluated on your writing (20 points), the substance (40 points), and the quality of your argument (40 points).

EXAM

The exam will include long answer questions.
This will be a close book exam, 2 hours in duration.

The date of the exam is TBA

Your mark on the exam will be based on your ability to reflect the principles and concepts discussed in class and to engage in debate over criminal justice reform. Attendance is crucial to your ability to your understanding of the course materials.

SCHEDULE (subject to modification)

WEEK 1 – January 7th:

Introduction

- Introduction
- Review of course outline
- Expectations of students
- Structure of class
- Assignments

Readings: Mandate letter to the Attorney General from Justin Trudeau

WEEK 2 – January 14th:

Assisted suicide

Readings: *Carter v. Canada*

WEEK 3 – January 21st:

Solitary Confinement

Readings: The Ashley Smith Inquiry Report

WEEK 4 – January 28th:

Murdered and missing Indigenous Women

Readings: TBA

WEEK 5 – February 4th:

Marijuana legalization

Readings:
Video: Glenn Greenwald vs. John Walters debate on drug legalization

WEEK 6 – February 11th:

Prostitution

Readings:
Bill C-36 and related parliamentary committee hearings

WEEK 7 – February 25th:

Bail Reform

Readings:
R v. St. Cloud (headnote only)
Selected readings from John Howard Society

WEEK 8 March 3rd:

Self Defence

Readings:
Vanessa MacDonnell: The New Self Defence Law: Progressive Development or Status Quo?
Department of Justice: Bill C-26 Reforms to Self-Defence and Defence of Property: Technical Guide for Practitioners

WEEK 9 – March 10th:

Cyberbullying and 'lawful access'
Search and seizure – computers, subscriber data, and smartphones

Readings:
Bill C-13 and related Parliamentary Committee Hearings
R v. Vu; *R v. Spencer*; *R v. Fearon* (headnotes only)

WEEK 10 – March 17th :

Surveillance, spying and intelligence

Readings:
Bill C-51 and related Parliamentary Committee Hearings

WEEK 11 – March 24th:

Mandatory Minimum Sentences

Readings: TBA

WEEK 12 – March 31st:

Victims' Rights

Readings: TBA

WEEK 13 – April 7th:

Exam Review