

## Course Outline

**COURSE:** LAWS 4504 B - Aboriginal Criminal Justice

**TERM:** Winter 2007-08

**PREREQUISITES:** LAWS 2004 and fourth-year Honours standing

**CLASS:** Day & Time: 18:00 – 21:00, Tuesday  
Room: 505 SA (Southam Hall)

**INSTRUCTOR:** Vernon White, BA, MA  
**(CONTRACT)**

**CONTACT:** Office: C476 LA (Loeb) Contract Instructors Office  
Office Hrs: Tuesday evening 17:30 or prearranged  
Telephone: (613) 601-0400  
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Or  
[whitev@ottawapolice.ca](mailto:whitev@ottawapolice.ca)

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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 March 14, 2008 for April examinations. For further information, please see, [http://www.carleton.ca/pmc/students/accom\\_policy.html](http://www.carleton.ca/pmc/students/accom_policy.html)

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**COURSE DESCRIPTION AND OBJECTIVES:**

The relationship between the Canadian criminal justice system and Aboriginal peoples of Canada has been less than stellar. The over-representation of Aboriginal peoples within the justice system, suicide rates, violent crime rates, to name but a few of the challenges of Canada's Aboriginal peoples will be reviewed and dissected as we attempt to better understand the issues at hand, possible causes, and solutions to the problems identified. One of the primary goals will be to identify key times in history that may have lead to the problems identified. The analysis will also look at programs that have been implemented including legislative change and the success, if any, in the efforts seen. There will as well be discussions and class interaction in relation to the acceptance and appropriateness of cross-cultural training, restorative justice, circle sentencing, family group conferencing etc...

Accordingly, the course objective is to:

Create a better understanding of criminal justice as it pertains to Aboriginal peoples in Canada, and in some part outside of Canada.

**Important:** In this class you are required to keep informed about current events by reading a daily newspaper or a recognized online source relating to policing.

**EVALUATION:** Your grade for this course will be based on various requirements designed to address the course objectives listed above, as follows:

**30%: Mid term exam or presentation** - This exam will consist of multiple choice and short answer questions and will be a “closed book” examination. As an option the students can present an analysis of a relevant issue found in the course materials, when approved by the professor. This presentation will be made to the class and will be a minimum of fifteen minutes per student, it may be done as a group and if so will require fifteen minutes per student in the group. The student(s) will provide a copy of their full presentation to the professor at the end of the presentation and if a group presentation each student will include a peer assessment completed by each of the participants as to the grade they would give other participants in the group.

**30%: Class participation** – Although attendance will not be taken there will be no participation mark given when a student is absent. Participation will include knowledge of subject material and participation in discussions or activities. There will be an opportunity for participants to improve their participation mark with a short presentation when approved by the course instructor.

**40%: Final exam** – If you miss this exam, you will be assigned a grade of 0 for this component. This exam will consist of multiple choice and short answer questions and will be a “closed book” examination.

The grading scheme used in this class is as follows:

Grade	Percentage	Grade Points	Description
A+	90-100	4.3	Excellent. Strong evidence of originality and independence of thought; good organization; capacity to analyze and synthesize; superior grasp of subject matter with sound critical evaluations; evidence of extensive knowledge base; an outstanding ability to communicate.
A	85-89	4.0	
A-	80-84	3.7	Good. Substantial knowledge of subject matter; some evidence of organization and analytic ability; a moderate degree of originality and independence of thought; reasonable understanding of relevant issues; evidence of familiarity with literature; an ability to communicate clearly and fluently.
B+	77-79	3.3	
B	73-76	3.0	Adequate. Student is profiting from his/her university experience; an acceptable understanding of the subject matter; ability to develop solutions to representative problems in the material; some ability to organize and analyze ideas; an ability to communicate adequately.
B-	70-72	2.7	
C+	67-69	2.3	Marginal. Some evidence that critical and analytic skills have been developed; rudimentary knowledge of the subject matter; significant weakness in the ability to communicate.
C	60-66	2.0	
D	50-59	1.0	Inadequate. Little evidence of even superficial understanding of subject matter; weakness in critical and analytic skills; limited or irrelevant use of literature; failure to complete required work; an inability to communicate.
F	0-49	0.0	

**REQUIRED TEXTS:** There is a single required text for this course, with weekly readings provided as well. The readings will be found in the library, available online or provided by the professor.

E.J. Dickson-Gilmore and Carol LaPrairie, *Will the Circle be Unbroken: Aboriginal Communities, Restorative Justice and the Challenges of Conflict and Change*

**ACADEMIC INTEGRITY:**

**Academic dishonesty will not be tolerated and may result in severe penalties.** Regarding academic dishonesty, whether cheating, plagiarism or some other form of dishonest conduct related to academic coursework, I draw your attention to the following points, as outlined in the Academic calendar. **Read the following very carefully!**

**Academic misconduct includes, but is not limited to:**

- Unreasonable infringement on the freedom of other members of the academic community (e.g., disrupting classes or examinations, harassing, intimidating, or threatening others).
- Violation of safety regulations in a laboratory or other setting.
- Cheating on examinations, assignments, reports, or other work used to evaluate student performance. Cheating includes copying from another student's work or allowing one's own work to be copied, submitting another person's work as one's own, fabrication of data, consultation with an unauthorized person during an examination, or use of unauthorized aids.
- Impersonating another student or allowing oneself to be impersonated for purposes of taking examinations, or carrying out laboratory or other assignments.
- Plagiarism, which is the act of presenting the ideas, words, or other intellectual property of another as one's own. The use of other people's work must be properly acknowledged and referenced in all written material.
- Obtaining by improper means examination papers, tests, or similar materials; use or distribution of such materials to others.
- Falsifying academic records, including tests and examinations, or submitting false credentials for purpose of gaining admission to a program or course, or for any other purpose.
- Misrepresentation of facts, whether written or oral, which may have an effect on academic evaluation. This includes making fraudulent health claims, obtaining medical or other certificates under false pretenses, or altering certificates for the purposes of misrepresentation.
- Submission of work when a major portion has been previously submitted or is being submitted for another course, without the express permission of all instructors involved.

**GENERAL EXPECTATIONS:**

- You are permitted to use your laptops in this class. However, do **not** use them to send messages to each other during class time, to surf websites (unless I ask you to), to play games, or to otherwise use them inappropriately. Doing so is disrespectful to me, distracts other students, and is a waste of your time. To minimize such misuse of class time, you are not permitted to plug in your computers to the network unless I ask you to. **If I find that you are using your laptops inappropriately, you will be asked to leave the class for that day.**
- I expect students to attend classes, be on time, be prepared and not disrupt class by arriving or leaving in the middle of lectures. I will be on time, prepared, and return papers as promptly as possible.
- I will only allow you take a make up exam if you have a university approved excuse.
- Any in-class and homework exercises are designed to enrich your sociological thinking skills and are not graded.
- Please turn off your cell phones and pagers when you come to class.

**TENTATIVE READING SCHEDULE**

A reading schedule will be provided to students prior to the first class. This reading schedule may be altered with readings for the following week where a subject requires new or appropriate information.

<b>Date</b>	<b>Readings and Structure</b>
January 8 <sup>th</sup> , 2008	Course discussion and issues Expectations and structure of course General subject matter discussion and topics of interest from class Will the Circle be Unbroken: Aboriginal Communities, Restorative Justice and the Challenges of Conflict and Change, pp.5-26 and pp.27-47
January 15 <sup>th</sup> , 2008	Will the Circle be Unbroken: Aboriginal Communities, Restorative Justice and the Challenges of Conflict and Change, 48-91 R v Gladue, found at <a href="http://scc.lexum.umontreal.ca/en/1999/1999rcs1-688/1999rcs1-688.html">http://scc.lexum.umontreal.ca/en/1999/1999rcs1-688/1999rcs1-688.html</a>
January 22 <sup>nd</sup> , 2008	Brian Whitelaw "et al". 2006. Community Based Strategic Policing in Canada, second edition, CHAPTER 5. RESTORATIVE JUSTICE WITHIN A COMMUNITY POLICING FRAMEWORK Will the Circle be Unbroken: Aboriginal Communities, Restorative Justice and the Challenges of Conflict and Change, pp.91-110 and pp.111-130.
January 29 <sup>th</sup> , 2008	Will the Circle be Unbroken: Aboriginal Communities, Restorative Justice and the Challenges of Conflict and Change, pp.131-153 R v Marshall, found at <a href="http://scc.lexum.umontreal.ca/en/1999/1999rcs3-533/1999rcs3-533.html">http://scc.lexum.umontreal.ca/en/1999/1999rcs3-533/1999rcs3-533.html</a>
February 5 <sup>th</sup> , 2008	The incarceration of aboriginal offenders: trends from 1978 to 2001; Roberts, Julian V, Melchers, Ronald. Canadian Journal of Criminology and Criminal Justice. Ottawa: Apr 2003. Vol. 45, Iss. 2; p. 211 Will the Circle be Unbroken: Aboriginal Communities, Restorative Justice and the Challenges of Conflict and Change, pp.131-153 <b>Review for Mid Term and presentations</b>
February 12 <sup>th</sup> , 2008	Mid Term Exam and presentations
March 4 <sup>th</sup> , 2008	The Four Circles of Hollow Water found at: <a href="http://ww2.ps-sp.gc.ca/publications/abor_corrections/199703_e.pdf">http://ww2.ps-sp.gc.ca/publications/abor_corrections/199703_e.pdf</a> Will the Circle be Unbroken: Aboriginal Communities, Restorative Justice and the Challenges of Conflict and Change, pp. 154-168.
March 11 <sup>th</sup> , 2008	<i>Community can stop gangs from signing up Native youth.</i> Edmonton, AB: Alberta Sweetgrass found at: <a href="http://www.ammsa.com/sweetgrass/MAR99.html#anchor117674">http://www.ammsa.com/sweetgrass/MAR99.html#anchor117674</a> Thesis Readings from Tim Stumpel, regarding criminal justice issues in Nunavut Territory Will the Circle be Unbroken: Aboriginal Communities, Restorative Justice and the Challenges of Conflict and Change, pp.168-178.
March 18 <sup>th</sup> , 2008	The Marcellus Jacob case found at: <a href="http://www.sfu.ca/cfrj/fulltext/rvjacob.pdf">http://www.sfu.ca/cfrj/fulltext/rvjacob.pdf</a> Will the Circle be Unbroken: Aboriginal Communities, Restorative Justice and the Challenges of Conflict and Change, pp.179-205.
March 25 <sup>th</sup> , 2008	Will the Circle be Unbroken: Aboriginal Communities, Restorative Justice and the Challenges of Conflict and Change, pp.206-236.  Review for Final Exam and General Discussion
April 1 <sup>st</sup> , 2008	CLASS PARTICIPATION PRESENTATIONS AND FINAL EXAM

