

Course Outline

COURSE:	LAWS 4904A – Topic: Correctional Law: Human Rights in Canadian Prisons
TERM:	Winter 2007-08
PREREQUISITES:	Fourth-year Honours standing
CLASS:	Day & Time: Monday – 11:30-2:30 Room: 417 SA (Southam Hall)
INSTRUCTOR:	Professor Maeve W. McMahon, B.Soc.Sc., MA (Criminology) PhD (Sociology)
CONTACT:	Office: D586 LA (Loeb) (assignments and mail should be addressed to C476 Loeb) Office Hrs: Mondays & Wednesdays – 3:00-4:30 pm (and usually available immediately after class) Telephone: 613-520-2600 x. 8095 Email: Maeve.McMahon@carleton.ca Website: www.MaeveMcMahon.com

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/accm_policy.html

COURSE OBJECTIVES AND CONTENT:

This course will examine the history, structure, and place of correctional law within the Canadian criminal justice system. We will examine primary correctional statutes and legislation. The legal underpinning of major correctional programmes will be established. We will discuss the competing objectives of punishment, incapacitation and rehabilitation in the context of respect for the rule of law and human rights. The protection of the human rights of prisoners will be a primary theme, and we shall consider the role of judicial inquiries (notably the work of Louise Arbour as Commissioner '*Concerning Certain Events at the Prison for Women in Kingston*') in protecting these rights.. We shall also address the human rights situations concerning correctional staff, and especially with respect to women working in prisons for men. While our primary focus is on Canada, we shall also be considering matters concerning imprisonment and human rights in international and comparative contexts.

This is a seminar course that expects students to participate in informed discussion of the weekly topics. Students should do required readings prior to class.

REQUIRED PURCHASES:

1. **Justice Behind the Walls: Human Rights in Canadian Prisons** by Michael Jackson. Vancouver: Douglas and McIntyre. 2002. Michael Jackson is a Law Professor at the University of British Columbia. The book is available at the Carleton University Bookstore.
2. '*Quick Study Academic - Essays and Term Papers*' ISBN 534-3. Available at the Carleton University and other bookstores (\$7.50 approximately). Also available on reserve at the library
1. **Canadian Journal of Criminology and Criminal Justice** Vol. 48:2, April 2006. (The English language articles are required reading). Available at the University bookstore.

ADDITIONAL READINGS:

1. **Women on Guard: Discrimination and Harassment in Corrections** by Maeve W. McMahon. Toronto: University of Toronto Press. 1999. Available on reserve at Carleton University Library.
2. Students are obliged to consult the *Corrections and Conditional Release Act* as relevant. The Act can be accessed through the website of the Department of Justice at www.laws.justice.gc.ca
3. Curt T. Griffiths and Simon Verdun-Jones "The Structure and Operation of Canadian Corrections," pp. 459-494 in their book **Canadian Criminal Justice**, second edition. Toronto: Harcourt Brace and Company. 1994. Available on reserve at Carleton University Library.
4. Maeve W. McMahon "Control as Enterprise: Some Recent Developments in Privatization and Criminal Justice," in Steve Easton (Editor) **Privatizing Correctional Institutions**. Vancouver: The Fraser Institute. 1998. Available on reserve at Carleton University Library.

Further readings may be assigned in class. Students are also expected to consult additional academic sources in the course of preparing their research proposals and final assignments. The instructor can provide students with assistance in identifying sources relevant to their topic.

EVALUATION PROCEDURE:

- 12% PARTICIPATION (including 6% for attendance, and 6% for taking active and informed part in class discussions, listening to the contributions of the instructor and of other students, and being able to adequately answer questions about weekly readings by the instructor).
- 20% IN-CLASS PRESENTATION (Student presentations - 15 minutes - will be based on individual chapters of Professor Jackson's book, and on articles in the **Canadian Journal of Criminology and Criminal Justice**, and the presenting student will lead an ensuing 10 minute class discussion of the topic).
- 18% RESEARCH PAPER PROPOSAL (2-4 pages with a 2 page annotated bibliography). Due on February 4, at the beginning of class.
- 50% FINAL PAPER (15 pages of text, plus a bibliography and an appendix if relevant. In addition to the title page, the paper should include a 'Table of Contents').
The final assignment will be due on April 9 (two days after the last day of class). Assignments should be deposited in the 'drop-box' at the Department of Law, C473 Loeb by 3pm at the latest.

Late assignments will be marked down by one half grade for each day that they are late. A medical certificate or other appropriate documentation will be required to support any request for an extension. Students must complete and hand in all assignments in order to meet the course requirements and to be eligible to pass the course.

It is your responsibility to be present in class and to submit assignments on time.

Students are expected to pay attention to matters of essay format, and to follow instructions provided in the '*Quick Study Academic - Essays and Term Papers*', as well as instructions and guidelines provided by the instructor.

A hard copy of assignments must be submitted. Assignments are not to be submitted by e-mail.

Always keep a copy of your assignments.

A detailed schedule of individual class topics, and readings, will be available for students.
