



<b>COURSE:</b>	<b>CRCJ 4002 A – Courts and Society</b>
<b>TERM:</b>	<b>Fall 2020 (September – December)</b>
<b>PREREQUISITES:</b>	Fourth-year standing in the B.A Honours program in Criminology and Criminal Justice
<b>CLASS:</b>	<b>Mondays 2:35pm – 5:25pm EST (online)</b>
<b>INSTRUCTOR:</b>	<b>Thana Ridha</b>
Office Hours:	Wednesday 3pm-4pm (online) or by appointment
Email:	<a href="mailto:ThanaRidha@cmail.carleton.ca">ThanaRidha@cmail.carleton.ca</a>

---

### **COURSE DESCRIPTION**

This course engages students in a critical examination of the relationship between the courts/criminal justice system and society. Beyond looking at the role of the courts, emphasis will be placed on the multifaceted interplay between courts and society through the consideration of topics such as; access to justice, miscarriages of justice, wrongful convictions, criminalization processes, sentencing reforms and alternatives, as well the overall public perception on courts.

### **LEARNING OBJECTIVES**

This course includes several learning objectives. At the end of the course, the aim is for students to:

- Engage in critical and reflective thinking to better understand the relationship between courts and society
- Unpack and critically examine issues, barriers, and challenges seen in the courts and criminal justice system, while recognizing strengths and advancements
- Develop nuanced and comprehensive understandings around access to justice, the fallibility of the justice system, as well the various individual and societal implications of justice system processes
- Identify, describe, and imagine avenues for advancing/reforming the criminal justice system and overall court processes within Canada
- Practice accessing and applying discourses from government reports, policies, and research papers.
- Better understand the gap between theory and practice as it applies to the criminal justice system
- Gain experience engaging in informed discussion and knowledge sharing/transfer with classmates

## **COURSE FORMAT\***

This course will be delivered completely online. As a blended course, there will be synchronous (live) meetings as well as some asynchronous activities each week.

Students need to be prepared to meet online during class time via BigBlueButton (CULearn) for lectures and discussions. While these synchronous meetings are scheduled during class time (2:35pm), these meetings will not take up the full class period (<5:25pm). As such, the meetings will be supplemented with asynchronous activities, such as additional slides, videos, readings, or knowledge check prompts that students can go through. Asynchronous activities will be available after each synchronous meeting and will remain available throughout the term (no designated schedule/ time restriction for these activities).

\*Please note that this course requires access to reliable high-speed Internet and a computer—ideally with a webcam, and a headset with a microphone. While it is encouraged, students will not be required to turn their cameras on during meetings.

## **REQUIRED TEXTS**

All readings, such as journal articles, can be accessed online through the Carleton University Library website or CULearn.

## **EVALUATION\***

<b>40%:</b> Reflection Assignments X4	
	(10%) → 1. Monday, September 28 <sup>th</sup>
	(10%) → 2. Monday, October 19 <sup>th</sup>
	(10%) → 3. Monday, November 16 <sup>th</sup>
	(10%) → 4. Monday, December 7 <sup>th</sup>
<b>25%:</b> Midterm Exam	→ Monday, November 23 <sup>rd</sup>
<b>30%:</b> Final Assignment	→ Wednesday, December 23 <sup>rd</sup>
<b>5%:</b> Course Participation	→ Ongoing

\*Please note that ALL course evaluations will be administered and submitted online via CULearn. Students' course standing is determined by the instructor and subject to the approval of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision as no grades are final until they have been approved by the Dean.

### **Reflection Assignments (40%):**

There are **four (4)** reflection assignments, **each worth 10%**. Students will be required to watch the assigned documentaries/videos and write a reflection piece on the presented topic in 4-5 pages. These reflection pieces provide an opportunity for students to demonstrate understanding of course material while also engaging in critical analysis and reflection. Further instructions will be provided in class and on CULearn. Assignments are due online by 2:35pm (class time). Any late submissions will be subject to a 10% late penalty per day.

**Midterm (25%):**

The midterm will be an online, open book exam, which will take place during class time on **Monday November 23<sup>rd</sup>**. It will cover course content (including lectures, class discussions, readings as well as asynchronous activities) from weeks 1 to 10 and will consist of both multiple choice and short-answer questions.

**Final Assignment (30%):**

The final assignment serves as a 'final take home exam', which will be given on the last week of class and will be due on **Wednesday, December 23<sup>rd</sup>** (last day of Fall exams). Students will be expected to draw on the knowledge and topics learned in the course to develop a 10-12-page critique and reform proposal on an issue related to the courts and criminal justice system more broadly. Further instructions and details will be provided later in the term (in class and on CULearn).

**Participation (5%):**

Participation will be based on students' participation in course activities throughout the term, including class discussions as well as CULearn forum posts, responses, and questions. Throughout the course, news articles, media pieces, cases, and other relevant content will be shared to help engage students and foster discussion.

**GRADING SYSTEM**

Letter grades assigned in this course will have the following percentage equivalents (%):

A+ = 90-100	B+ = 77-79	C+ = 67-69	D+ = 57-59	F = 0-49
A = 85-89	B = 73-76	C = 63-66	D = 53-56	Fail
A - = 80-84	B - = 70-72	C - = 60-62	D - = 50-52	

**COURSE SCHEDULE AND READINGS\***

\*Please note that the following schedule serves as a guide and may be subject to change. Students are expected to remain up to date with the readings, deadlines and due dates.

→ **Week 1: Monday September 14<sup>th</sup>**  
**Introduction & course syllabus**

DiAngelo, R., & Sensoy, O. (2014). Leaning in: A student's guide to engaging constructively with social justice content. *Radical Pedagogy*, 11(1), 1-15.

→ **Week 2: Monday September 21<sup>st</sup>**  
**Access to justice I**

Currie, A. (2003). *Riding the third wave: Rethinking criminal legal aid within an access to justice framework*. Research and Statistics Division, Department of Justice Canada.

**→ Week 3: Monday September 28<sup>th</sup>****Access to justice II****\*\*Reflection Assignment #1 due\*\***

Farrow, T. C. (2013). What is access to justice. *Osgoode Hall LJ*, 51, 957.

Levin, A., & Alkoby, A. (2012). Is access to the profession access to justice? Lessons from Canada. *International Journal of the Legal Profession*, 19(2-3), 283-299.

**→ Week 4: Monday October 5<sup>th</sup>****Miscarriages of justice & Wrongful convictions I**

Ainslie, M. (2011). The phenomenon of wrongful convictions in Canada. *The Advocate (Vancouver)*, 69(6), 865-873.

Roach, K. (2011). Wrongful convictions in Canada. *U. Cin. L. Rev.*, 80, 1465-1526.

**→ Week 5: Monday October 12<sup>th</sup>****Statutory holiday (Thanksgiving— no class)****→ Week 6: Monday October 19<sup>th</sup>****Wrongful convictions II****\*\*Reflection Assignment #2 due\*\***

Findley, K. A. (2008). Toward a new paradigm of criminal justice: how the innocence movement merges crime control and due process. *Tex. Tech L. Rev.*, 41, 133.

Campbell, K., & Denov, M. (2004). The burden of innocence: Coping with a wrongful imprisonment. *Canadian journal of criminology and criminal justice*, 46(2), 139-164.

**→ Week 7: Monday October 26<sup>th</sup>****Reading week (Fall break— no class)****→ Week 8: Monday November 2<sup>nd</sup>****Indigenous experiences & approaches to justice**

Bressan, A., & Coady, K. (2017). *Guilty pleas among Indigenous people in Canada*. Department of Justice Canada.

Chartrand, L. & Horn, K. (2016). *A Report on the Relationship between Restorative Justice and Indigenous Legal Traditions in Canada*. Department of Justice Canada.

Johnson, S. (2014). Developing First Nations courts in Canada: Elders as foundational to Indigenous therapeutic jurisprudence+. *Journal of Indigenous Social Development*, 3(2).

→ **Week 9: Monday November 9<sup>th</sup>**  
**Systems, procedures & perceptions**

Pelvin, H. (2019). Remand as a cross-institutional system: Examining the process of punishment before conviction. *Canadian Journal of Criminology and Criminal Justice*, 61(2), 66-87.

Tanovich, D. M. (2008). The charter of whiteness: Twenty-five years of maintaining racial injustice in the Canadian criminal justice system. *Supreme Court Law Review* 40. 655-686.

Hausegger, L., & Riddell, T. (2004). The changing nature of public support for the Supreme Court of Canada. *Canadian Journal of Political Science/Revue canadienne de science politique*, 23-50.

→ **Week 10: Monday November 16<sup>th</sup>**  
**Midterm review & Guest speaker: Paralegal**  
**\*\*Reflection Assignment #3 due\*\***

Trabucco, L. (2018). What Are We Waiting For? It's Time to Regulate Paralegals in Canada. *Windsor Yearbook of Access to Justice*, 35, 149-176.

→ **Week 11: Monday November 23<sup>rd</sup>**  
**\*\*Midterm Exam\*\***

→ **Week 12: Monday November 30<sup>th</sup>**  
**Mental Health & NCRMD**

Canada, K. E., & Ray, B. (2016). Mental health court participants' perspectives of success: What key outcomes are we missing?. *International Journal of Forensic Mental Health*, 15(4), 352-361.

Crocker, A. G., Nicholls, T. L., Seto, M. C., Charette, Y., Côté, G., & Caulet, M. (2015). The National Trajectory Project of individuals found not criminally responsible on account of mental disorder in Canada. Part 2: the people behind the label. *The Canadian Journal of Psychiatry*, 60(3), 106-116.

Verdun-Jones, S. N. (1994). The insanity defence in Canada: Setting a new course. *International Journal of Law and Psychiatry*, 17(2), 175-189.

→ **Week 13.1 & 13.2: Monday December 7<sup>th</sup> & Wednesday December 11<sup>th</sup>**  
**Victims of crime**  
**\*\*Reflection Assignment #4 due\*\***

Pemberton, A., Aarten, P. G. M., & Mulder, E. (2017). Beyond retribution, restoration and procedural justice: The Big Two of communion and agency in victims' perspectives on justice. *Psychology, Crime & Law*, 23(7), 682-698.

Wemmers, J. A. (2013). Victims' experiences in the criminal justice system and their recovery from crime. *International review of victimology*, 19(3), 221-233.

## **STATEMENT ON PLAGIARISM**

The University Senate defines plagiarism as “*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.*” This can include:

- 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;
- Submitting a take-home examination, essay, laboratory report or other assignment written, in whole or in part, by someone else;
- Using ideas or direct, verbatim quotations, or paraphrased material, concepts, or ideas without appropriate acknowledgment in any academic assignment;
- Using another’s data or research findings;
- Failing to acknowledge sources through the use of proper citations when using another’s works and/or failing to use quotation marks;
- Handing in "substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the submission occurs."

Plagiarism is a serious offence that cannot be resolved directly by the course’s instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of "F" for the course.

## **INTELLECTUAL PROPERTY**

Classroom teaching and learning activities, including lectures, discussions, presentations, etc., by both instructors and students, are copy protected and remain the intellectual property of their respective author(s). All course materials, including PowerPoint presentations, outlines, and other materials, are also protected by copyright and remain the intellectual property of their respective author(s).

Students registered in the course may take notes and make copies of course materials for their own educational use only. Students are not permitted to reproduce or distribute lecture notes and course materials publicly for commercial or non-commercial purposes without express written consent from the copyright holder(s).

## **ACADEMIC ACCOMMODATION**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** Please contact the instructor 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 [click here](#).

**Religious obligation:** Please contact the instructor 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 [click here](#).

**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](mailto: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).

**Survivors of Sexual Violence:** As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and its survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: [carleton.ca/sexual-violence-support](http://carleton.ca/sexual-violence-support)

**Accommodation for Student Activities:** Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact the instructor 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.  
<https://carleton.ca/senate/wpcontent/uploads/Accommodation-for-Student-Activities-1.pdf>