

**Carleton University**

**Institute of Criminology & Criminal Justice**

**Course Outline**

**COURSE:**

**CRCJ 4100A : Criminal Courts and Society**

**TERM:**

**Winter 2025**

**PREREQUISITES:**

[CRCJ 2100](#), fourth-year standing, and enrollment in a B.A. or Minor in Criminology and Criminal Justice, or by permission of the Institute. Seminar three hours per week.

**CLASS:**

**Day & Time: Thursdays (January 6<sup>th</sup> 2025- April 8<sup>th</sup> 2025)  
2:35PM-5:25PM  
Room: Online (synchronous and asynchronous)**

**INSTRUCTOR:**

**Cassandra Richards**

**CONTACT:**

**Office: Zoom or phone appointments  
Office Hrs: By appointment  
Telephone:  
\*Email: cassandrarichards3@cunet.carleton.ca**

\*You must use your Carleton email address in all correspondence with the instructor.

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**ACKNOWLEDGEMENT & AFFIRMATION**

**ANISHNABE**

Ni manàdjiyànàni Màmìwinini Anishinàbeg, ogo kà nàgadawàbandadjig iyo akì eko weshkad. Ako nongom ega wìkàd kì mìgiwewàdj. Ni manàdjiyànàni kakina Anishinàbeg ondaje kaye ogo kakina eniyagizidjig enigokamigàg Kanadàng eji ondàpinangig endàwàdjìn Odàwàng. Ninisidawinawànàni kenawendamòdjig kije kikenindamàwin; weshkinìgidjig kaye kejeyàdizidjig. Nigijeweninmànàni ogo kà nìgàni sòngideyedjig; weshkad, nongom; kaye àyànikàdj.

**ENGLISH**

We pay respect to the Algonquin people, who are the traditional guardians of this land. We acknowledge their longstanding relationship with this territory, which remains unceded. We pay respect to all Indigenous people in this region, from all nations across Canada, who call Ottawa home. We acknowledge the traditional knowledge keepers, both young and old. And we honour their courageous leaders: past, present, future.

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## **1. 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, criminalization processes, trial procedures, sentencing reforms and alternatives, as well the overall public perception on courts.

## **2. COURSE FORMAT**

This course will be delivered completely online. As a blended course, there will be synchronous (live) meetings as well as some asynchronous meetings each week. Students need to be prepared to meet online during class time via Zoom in Brightspace for class lectures and discussions. The course outlines indicates which courses will be synchronous or asynchronous.

\*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. Students are expected to use their cameras during the course.

## **3. PRECLUSIONS**

N/A.

## **4. LEARNING OUTCOMES**

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 discussions and communicating understanding

## **5. TEXTS & COURSE MATERIALS**

All readings, such as journal articles, can be accessed online through the Carleton University Library website or Brightspace. Students are not required to purchase textbooks or other learning materials for this course.

## 6. EVALUATION

- a. **Online Quiz 1:** February 6<sup>th</sup> 2025 at 2:40pm: 20%
- b. **Online Quiz 2:** March 13<sup>th</sup> 2025 at 2:40pm: 20%
- c. **Final Assignment:** April 8<sup>th</sup> at 10pm: 40%
- d. **Ongoing Course Participation:** 20%

\*Please note that ALL course evaluations will be administered and submitted online via Brightspace.

Standing in a course is determined by the course instructor subject to the approval 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 Dean.

### **ONLINE QUIZ 1 (20%): February 6<sup>th</sup> 2025 at 2:40pm**

**The quiz will open promptly at 2:40pm.** The quiz will cover Weeks 1, 2, 3 and 4 of class material. There will be a total of 10 questions, in multiple choice or short answer format. The lecture will begin after the quiz at 4pm.

### **ONLINE QUIZ 2 (20%): March 13<sup>th</sup> 2025 at 2:40pm**

**The quiz will open promptly at 2:40pm.** The quiz will cover Weeks 5, 6, 8 and 9 of class material. There will be a total of 10 questions, in multiple choice or short answer format. The lecture will begin after the quiz at 4pm.

### **ONGOING PARTICIPATION (20%)**

Participation will be based on students' participation throughout the term in class discussions. Students are encouraged to ask questions and provide their comments throughout the lectures.

### **FINAL ASSIGNMENT (40%): April 8<sup>th</sup> 2025 at 10pm**

The final assignment consists of writing a 10 page paper relating to the observation periods of bail court or Indigenous Peoples Court (IPC). Students are expected to observe one afternoon of bail court and one afternoon of IPC as identified in the course schedule. The paper should pull on these observations and other scholarly materials. Detailed assignment explanation will be provided.

Students are expected to attend in person or virtual bail court and Indigenous Peoples Court (IPC). Please dress appropriately for court and respect court decorum. You will need to go through security to get into the courthouse. If you attend online please mute yourself and turn off your camera, indicate "Student Observer" as your name.

\*\*Please arrive or log into IPC at 1:50pm on March 20<sup>th</sup> 2025 to be able to observe the opening of the court and traditional smudge.

**Indigenous Peoples Court at 161 Elgin street, Ottawa, courtroom #5**

**Bail court at 161 Elgin street, Ottawa, courtroom #6**

Further instructions and details will be provided later in the term (in class and on Brightspace), including what should be included in the final paper and how the paper will be evaluated.

The final assignment will be submitted through Brightspace. Any late submissions will be subject to a 10% late penalty per day.

## **GRADING SYSTEM**

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

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

## **7. 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.

**Content Note:** Some materials may include discussions of gender-based violence, including sexual assault, intimate partner violence, and violence against racialized and Indigenous women. Some materials describe the historical and contemporary harms of the criminal justice system as a tool of colonial violence against Indigenous peoples. They also include descriptions of racialized violence, sexual abuse, over-incarceration, and racial profiling. They may also include discussions about historical and ongoing anti-Black racism, particularly racial profiling and systemic racism. This is not an exhaustive list of all topics discussed in the materials. Please take care when reading or listening.

### **WEEK 1: THURSDAY JANUARY 9<sup>TH</sup> 2025 (SYNCHRONOUS)**

#### **Topics to be covered:**

- Introduction & course overview
- Review of assessments
- Brief overview of the criminal court process

#### **Readings:**

- **Excerpts to be posted on Brightspace** from Benjamin Perrin et al, Criminal Law: Canadian Law, Indigenous Laws & Critical Perspectives, Canadian Legal Information Institute, 2023 CanLIIDocs 316.
- Steps to Justice, Types of Criminal Offences Chart.

## WEEK 2: THURSDAY JANUARY 16<sup>TH</sup> 2025 (SYNCHRONOUS)

### Topics to be covered:

- Rights of an arrested person
- The laying of a criminal charge
- Bail and pre-trial detention
- Bail reform

### Readings:

- Sections 493.1, 493.2, 495 & 515 of the *Criminal Code*
- *R v Zora*, [2020 SCC 14](#)
- Sean Gallop, [11\(e\) Shattered: The Historic and Continued Breaching of Indigenous Persons Right to Reasonable and Timely Bail](#), 2021 44-6 *Manitoba Law Journal* 170, 2021 CanLIIDocs 13414.
- CBC News, [“Meet the Bear Clan Patrol Group: The group easing shaken nerves in northern Manitoba”](#) (2:42).

## WEEK 3: THURSDAY JANUARY 23<sup>RD</sup> 2025 (SYNCHRONOUS)

### Topics to be covered:

- Roles and obligations of actors in the criminal system
- Understanding the progression of a criminal file through the court system
- Court appearances, disclosure, negotiations between defence and Crown counsel, client meetings, etc.

### Readings:

- Case study to be posted on Brightspace
- Review readings from Week 1
- **Excerpts to be posted on Brightspace** from Benjamin Perrin et al, *Criminal Law: Canadian Law, Indigenous Laws & Critical Perspectives*, Canadian Legal Information Institute, 2023 CanLIIDocs 316.

## WEEK 4: THURSDAY JANUARY 30<sup>TH</sup> 2025 (SYNCHRONOUS)

### Topics to be covered:

- Trial considerations and contemporary issues
- Guilty pleas and convictions

### Readings:

- Section 606 of the *Criminal Code*
- Kent Roach, [Canada Has a Guilty Plea Wrongful Conviction Problem - The First Report of the Canadian Registry of Wrongful Convictions](#), 2023 4-1 *Wrongful Conviction Law Review* 16, 2023 CanLIIDocs 1517.

## WEEK 5: THURSDAY FEBRUARY 6<sup>TH</sup> 2025 (SYNCHRONOUS)

### QUIZ 1: Weeks 1, 2, 3, 4: 2:40pm

The quiz will open promptly at 2:40pm. The quiz will cover Weeks 1, 2, 3 and 4 of class material. There will be a total of 10 questions, in multiple choice or short answer format. The lecture will begin after the quiz at 4pm.

#### Topics to be covered: Lecture begins at 4pm

- Access to justice
- Legal aid
- Self-representation

#### Readings:

- Section 486.3 of the *Criminal Code*
- October 2018- [Access to Justice: A Social Imperative, Remarks of the Right Honourable Richard Wagner, P.C., Chief of Justice of Canada](#)

## WEEK 6: THURSDAY FEBRUARY 13<sup>TH</sup> 2025 (ASYNCHRONOUS)

#### Topics to be covered:

- In person or virtual bail court attendance

#### Readings:

- Canadian Civil Liberties Association (CCLA). 2014. [Set Up to Fail: Bail and the Revolving Door of Pre-Trial Detention](#). Toronto: Canadian Civil Liberties Association.
- Jenaya Nixon, Carolyn Yule and Dennis Baker, [Reasonable Bail or Bail at All Costs? Defence Counsel Perspectives on a Coercive Environment](#), 2024 39-1 *Canadian Journal of Law and Society* 44, 2024 CanLIIDocs 2423.

Students are expected to attend in person or virtual bail between 8:50am-1pm or 1:50pm-5pm. Please dress appropriately for court and respect court decorum. You will need to go through security to get into the courthouse. If you attend online please mute yourself and turn off your camera, indicate “Student Observer” as your name.

Bail court at 161 Elgin street, Ottawa, courtroom #6

## WEEK 7: THURSDAY FEBRUARY 20<sup>TH</sup>- READING WEEK- NO CLASS

## WEEK 8: THURSDAY FEBRUARY 27<sup>TH</sup> 2025 (ASYNCHRONOUS)

### Topics to be covered:

- The sentencing process & sentencing options

### Readings:

- Sections 718, 718.1, 718.2, 718.21 of the *Criminal Code*

## WEEK 9: THURSDAY MARCH 6<sup>TH</sup> 2025 (ASYNCHRONOUS)

### Topics to be covered:

- Sentencing considerations and contemporary issues
- *Gladue* Reports, Enhanced Pre-Sentence Reports, mental health

### Readings:

- Sections 718, 718.1, 718.2, 718.21 of the *Criminal Code*
- *R v Gladue*, [\[1999\] 1999 CanLII 679 \(SCC\), 1 SCR 688](#)
- Department of Justice Canada, [“Transforming the Criminal Justice System: Indigenous Over-representation – Devon”](#) (4:11)
- *R. v. Morris*, [2021 ONCA 680](#)
- Queen’s Law, [“Ontario Court of Appeal decision on \*R. v. Morris\*: an interview with Professor Lisa Kerr”](#) (4:46)

## WEEK 10: THURSDAY MARCH 13<sup>TH</sup> 2025 (SYNCHRONOUS)

### QUIZ 2: Weeks 5, 6, 8, and 9: 2:40pm

The quiz will open promptly at 2:40pm. The quiz will cover Weeks 5, 6, 8 and 9 of class material. There will be a total of 10 questions, in multiple choice or short answer format. The lecture will begin after the quiz at 4pm.

### Topics to be covered: Lecture begins at 4pm

- Victims of crime: Navigating the system
- Victim & Community Impact Statements
- Restorative justice

### Readings:

- Section 722 & 722.2 of the *Criminal Code*
- Department of Justice Canada, [“Transforming the Criminal Justice System: Restorative Justice”](#) (6:06)
- Bonnie Dickie, [Hollow Water](#) (National Film Board of Canada, 2000) (48:31).

- The Trauma Informed Lawyer, “[Indigenous Women and Girls Continue to Call for Justice: A Conversation with Chief Commissioner Marion Buller](#)” (55:58). Click [here for transcript](#).

## WEEK 11: THURSDAY MARCH 20<sup>TH</sup> 2025 at 1:50pm (ASYNCHRONOUS)

### Topics to be covered:

- In person or virtual attendance at Indigenous Peoples Court (IPC)

### Readings:

- Hadley Friedland, [To Light a Candle: A Solution-Focused Approach toward Transforming the Relationship between Indigenous Legal Traditions and the Criminal Justice System](#), 2023 56-1 *UBC Law Review* 69, 2023 CanLIIDocs 2315.
- Jane Dickson and Michelle Stewart, [Risk, rights and deservedness: Navigating the tensions of Gladue, Fetal Alcohol Spectrum Disorder and settler colonialism in Canadian courts](#), Behavioral Sciences & the Law Journal, 2021 CanLIIDocs 13615.

Students are expected to attend in person or virtually in IPC court between 1:50pm-5pm. Please dress appropriately for court and respect court decorum. You will need to go through security to get into the courthouse. If you attend online please mute yourself and turn off your camera, indicate “Student Observer” as your name.

**\*\*Please arrive ON TIME to IPC at 1:50pm on March 20<sup>th</sup> 2025 to observe the opening of the court and smudge.**

**Indigenous Peoples Court at 161 Elgin street, Ottawa, courtroom #5**

## WEEK 12: THURSDAY MARCH 27<sup>TH</sup> 2025 (SYNCHRONOUS)

### Topics to be covered:

- Discussion class on topics covered throughout the semester. Participation is encouraged and assessed throughout the semester. However, students will be called on during this session.

### Readings:

- Review your notes and readings from past classes.
- Discussion questions will be posted on Brightspace prior to the class. Please review the questions and brainstorm your questions and comments in relation to them, to share with the class.

## WEEK 13: THURSDAY APRIL 3<sup>RD</sup> 2025 (ASYNCHRONOUS)

**No class:** Students are to use this time to continue working on the assignment.

## **PLAGARISM**

The University Academic Integrity Policy defines plagiarism as “*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.*” This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT)
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment
- using another’s data or research findings without appropriate acknowledgement
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one’s own failing to acknowledge sources with proper citations when using another’s work and/or failing to use quotations marks.

## **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).

## **STATEMENT ON MENTAL HEALTH**

As a student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. For more information, please consult <https://wellness.carleton.ca/>

Here is a list of resources that may be helpful:

## Emergency Resources ([on and off campus](#))

- Suicide Crisis Helpline: call or text 9-8-8, 24 hours a day, 7 days a week.
- For immediate danger or urgent medical support: call 9-1-1

## Carleton Resources

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

## Off Campus Resources

- Distress Centre of Ottawa and Region: call 613-238-3311, text 343-306-5550, or connect online at <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: call 613-722-6914 or toll-free 1-866-996-0991, or connect online at <http://www.crisisline.ca/>
- Empower Me Counselling Service: call 1-844-741-6389 or connect online at <https://students.carleton.ca/services/empower-me-counselling-services/>
- Good2Talk: call 1-866-925-5454 or connect online at <https://good2talk.ca/>
- The Walk-In Counselling Clinic: for online or on-site service <https://walkincounselling.com>

## **REQUEST FOR ACADEMIC ACCOMMODATIONS**

Carleton is committed to providing academic accessibility for all individuals. You may need special arrangements to meet your academic obligations during the term. The accommodation request processes, including information about the *Academic Consideration Policy for Students in Medical and Other Extenuating Circumstances*, are outlined on the Academic Accommodations website ([students.carleton.ca/course-outline](https://students.carleton.ca/course-outline)).

You should provide any **additional information** on your requirements for short-term informal accommodations.

- If you require supporting documentation for short-term considerations, you may only request the [Academic Consideration for Coursework form](#). You may **not** request medical notes or documentation.
- Consult the [Academic Consideration Policy for instructors](#) information page for more details.

## **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 where 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: <https://carleton.ca/equity/sexual-assault-support-services>