

Course Outline

Course: LAWS 2301 D Criminal Justice System

Term: Winter 2021

Prerequisites: LAWS 1001 and 1002

Class: **Day & Time:** Wednesdays, 8:35 to 11:25 am

Room: All Courses in the Winter 2021 term are offered online.

Lectures in this course will be delivered asynchronously through cuLearn. Three (3) sixty(60)-minute synchronous (live) sessions will also be delivered using the Zoom conferencing platform during our regularly scheduled class time. These live sessions are supplementary and **DO NOT** replace the asynchronous lecture for the given week. The synchronous sessions are for the express purpose of addressing questions related to assignments/exams. It is strongly encouraged that all students attend these live sessions.

Live Class Dates and Times:

January 27th 10:30-11:30 M (EST)

February 10th 10:30-11:30 M (EST)

April 07th 10:30-11:30 M (EST)

Instructor: Dr. Safiyah Rochelle
(Contract)

Contact: **Office Hrs:** Virtual hours will be held by appointment

Telephone: N/A

Email: safiyah.rochelle@carleton.ca

CALENDAR COURSE DESCRIPTION

The institutional and social production of criminal law in Canada. Processes, personnel, and agencies in the criminal legal system. The role of discretion and mechanisms of accountability. The accused and the place of the victim. Issues and problems in sentencing and punishment.

COURSE DESCRIPTION

This course will serve as an introduction to the various parts, procedures, rules, and actors that make up the Canadian criminal justice system, as well as the ongoing relations of power that continue to shape criminal law. A strong emphasis will be placed on examining the creation, interpretation, and enforcement of criminal law from critical and social scientific perspectives, including but not limited to critical race theories and feminist approaches, as well as post-colonial and abolition approaches.

In critically engaging with and examining these issues, we will explore: what is the nature and role of criminal law in society? How does our system respond to crime? What are the concepts of justice that undergird our system, and do they hold up in the application of criminal law? How do different groups in Canada experience the criminal law, and how does this impact our understanding of both its limits and its potentials? Are there alternative approaches to criminal law, incarceration, and notions of justice, and if so, to what extent can they help ameliorate the problems in our system? Students are encouraged to critically engage with and examine these issues in relation to the criminal justice system and to draw connections between social practices and the criminal law.

LEARNING OBJECTIVES

By the end of the course, students are expected to:

- Identify the agencies and organizations that collectively make up the criminal justice system
- Identify the roles, responsibilities, and powers of the various actors/participants involved in the criminal justice system
- Demonstrate a clear understanding of how Canada's current criminal justice system exists in specific historical, post-colonial, racialized, gendered, and socio-economic contexts, and an ability to critically analyze how these contexts impact the operation of criminal justice law
- Analyze and discuss the major challenges facing the criminal justice system, and critically engage with alternative approaches to the application of criminal law
- Demonstrate an ability to engage with contemporary issues in criminal law and the Canadian criminal justice system using critical and intersectional lenses.

REQUIRED TEXT

1) Curt Griffiths. Canadian Criminal Justice: A Primer, 6th ed. (Toronto, Nelson, 2019).

This book is available for purchase from the Carleton University bookstore website.

<https://www.bkstr.com/carletonstore/home>

An electronic version is also available for purchase from Vital Source.

https://www.vitalsource.com/en-ca/products/canadian-criminal-justice-a-primer-griffiths-v9780176798802?duration=365&gclid=EAlaIQobChMlj5ab_Mn_6gIVCr3ACh2htwtzEAYYASABEgl_pPD_BwE

Please note* In addition to this required text, further **required** readings and/or videos will be posted on cuLearn.

SUPPLEMENTARY TEXT

Karim Ismaili, Jane Sprott and Kim Varma. Canadian Criminal Justice Policy: Contemporary Perspectives (Toronto, Oxford University Press, 2012).

This book is available for purchase from the Carleton University bookstore website.

<https://www.bkstr.com/carletonstore/home>

EVALUATION

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.

1. **Reading Quizzes 15%**
2. **Case Brief 20%**
3. **Take-home midterm exam 25%**
4. **Final exam 40%**

1. Reading Quizzes

Students are expected to complete three (3) out of five (5) Reading Quizzes throughout the course of the term. These quizzes will be delivered online, through cuLearn, and are worth 5% each, for a total of 15% of the overall grade. If students complete all 5 quizzes, the top 3 marks will make up the final grade. The quizzes will apply to the relevant readings for the week of the quiz and all previous weeks' readings:

- the quiz on January 27th will cover the readings for that week and for the week of January 20th;
- the quiz on February 10th will cover the readings for that week and for the week of February 3rd;
- the quiz on March 03rd will cover the readings for that week and for the weeks of February 17th and 23rd;
- the quiz on March 24th will cover the readings for that week and the week of March 17th;
- the quiz on April 07th will cover the readings for that week and for the week of March 31st).

Please refer to the scheduled readings below in order to see which readings will correspond to the relevant weeks' quiz.

Quiz Dates:	January 27th
	February 10th
	March 03rd
	March 24th
	April 07th

Once the quiz begins, you will have 30 minutes to complete it. The quizzes will be made up of ten (10) multiple choice questions, and will occur during the weekly Wednesday class. Quizzes will be available to take on cuLearn and on the dates detailed above, anytime between 8:30AM (EST) and 11:59PM (EST). Students will receive their results through cuLearn, once the quiz has closed for all students.

There will be no requests for extensions granted for quizzes, nor can missed tests be taken outside of the dates allotted.

2. Case Brief

The Case Brief is worth 20% of the final mark. The Brief should be no longer than 1400 words. Students are expected to use proper citation footnotes, and to include all relevant information that is part of a Case Brief (we will discuss at length in class what is to be included).

Details will also be provided in lecture as to the case that will be examined and the components that must be included in the Brief. A marking rubric will be distributed and discussed in lectures prior to the due date. **PLEASE NOTE**, I will be holding a live session on **Zoom on JANUARY 27TH**, (the week before the Due Date) to address any questions about the Brief. The live session will run from 10:30-11:30AM (EST)

The **due date for the Case Brief is FEBRUARY 3RD** (the cut-off time for submission will be February 3rd, 11:59PM EST on cuLearn)

There will be no late submissions allowed, without express permission from the instructor (see below for General Policy for Late Penalties and Requests for Extensions). If no such arrangements have been made, late submissions will be penalized by 2 marks (out of 20) per day past the deadline. Further information will be provided in class.

3. Take-Home Midterm Exam

The take-home midterm is worth 25% of the overall grade, and will include questions relevant to all the readings and lectures covered in the first half of the course.

Exam questions will be posted on cuLearn on **MONDAY, FEBRUARY 22ND**, at 8:30 am

Completed responses are due by 11:59 pm (EST) **THURSDAY, FEBRUARY 25TH**, and **must be submitted online** through cuLearn.

PLEASE NOTE, I will be holding a live session on **Zoom on FEBRUARY 10th** to address any questions about the midterm. The live session will run from 10:30-11:30AM (EST).

Students must work **alone** and no additional research beyond the course materials is permitted or required. The test will be open-book, and will include short-answer and essay questions. Students will choose to answer two (2) of three (3) short-answer questions, and one (1) of two (2) essay questions. Each short-answer must be between 150-300 words, and the essay must be between 450-600.

There will be **no late submissions** allowed, without express permission from the instructor (see below for General Policy for Late Penalties and Requests for Extensions). If no such arrangements have been made, late submissions will be penalized by 1 mark (out of 25) **per hour** past the deadline. Further information will be provided in lecture.

4. Final Exam

The final exam is worth 40% of the overall grade and will be in the form of a formally scheduled exam. It will take place during the Scheduled Examination Period. The exact date is TBD.

PLEASE NOTE, I will be holding a live session on **Zoom on APRIL 07th** to address any questions about the final exam. The live session will run from 10:30-11:30AM (EST).

The exam will include multiple-choice, short-answer, and long-answer questions. Students must work alone and no additional research beyond the course material is permitted or required. The final exam will be open-book, and will be three (3) hours long. Students will choose to answer

three (3) of four (4) short answer questions, and two (2) of three (3) essay questions. Each short-answer must be between 250-400 words, and the essays must be between 500-800 words. Students are responsible for all the required readings of the course, as well as all the material covered by the lectures. Further information will be provided later in the term.

GENERAL POLICY FOR LATE PENALTIES AND REQUESTS FOR EXTENSIONS

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

SCHEDULE and READINGS

Please note that additional articles, videos, and short readings will be added weekly on cuLearn. Be sure to check cuLearn weekly to see the assigned readings.

January 13, 2021

Introduction to the Course

January 20th

Framing the Canadian Criminal Justice System (CJS)

Reading(s): Griffiths, Chapter 1 (6-20)

January 27th

What is the CJS? Purposes, Procedures, and Alternatives

Reading(s): Griffiths, Chapter 2 (21-41)

QUIZ #1

LIVE SESSION: 10:30-11:30AM (EST)

February 3rd

Experiencing the CJS.

Reading(s): Griffiths, Chapter 3 (42-66)

CASE BRIEF DUE*

February 10th

Policing

Readings(s): Griffiths, Chapter 4 (66-100)

QUIZ #2
LIVE SESSION: 10:30-11:30AM (EST)

February 17th

Winter Break, No Lecture

*Midterm distributed on cuLearn February 22nd at 8:30AM (EST)

February 24th

Midterm Exam Due (NO LECTURE)

*Midterm exam answers MUST be posted by 11:59 pm (EST) on cuLearn

March 03rd

Policing Continued: Powers and Discretion

Readings(s): Griffiths, Chapter 5 (101-131)

March 10

Policing Continued: Operations, Community, Prevention

Readings(s): Griffiths, Chapter 6 (132-157)

QUIZ# 3

March 17th

Criminal Courts

Readings(s): Griffiths, Chapter 7 (164-194)

March 24th

Prosecution, Defence, and Convictions

Readings(s): Griffiths, Chapter 8 (200-238)

QUIZ# 4

March 31st

Sentencing

Readings(s): Griffiths, Chapter 9 (246-277)

April 07th

Thinking about alternatives: Community and the CJS

Reading(s): Griffiths, Chapter 10 (284-307)

LIVE SESSION: 10:30-11:30 AM EST

April 16-27th

Final Exam, exact date TBD

ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

Pregnancy obligation

Please contact 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 Department of Equity and Inclusive Communities (EIC):

<https://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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

Academic Accommodations for Students with Disabilities

If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) <https://carleton.ca/pmc>

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: <https://carleton.ca/registrar/academic-integrity/>

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 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/studentsupport/svpolicy/>

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 your 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/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: <https://students.carleton.ca/services/accommodation/>

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