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**COURSE:** LAWS 2301 F – Criminal Justice System

**TERM:** Winter 2021

**PREREQUISITES:** LAWS 1001 and LAWS 1002

**CLASS:** Day & Time: Thursdays from 2:35 pm to 5:25 pm

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

**IMPORTANT:** This course will be offered entirely online through cuLearn. Course delivery will primarily involve asynchronous learning activities. There will be three synchronous (live) sessions held on BigBlueButton during regular class time: 1) a Question and Answer (Q&A) Session about the course's format and delivery on Thursday, January 21, 2021, from 2:35-4pm, 2) a Writing Workshop and Q&A Session about the Mid-Term Exam on Thursday, March 4, 2021, from 2:35-4pm, and 3) a Q&A Session about the Final Exam on Thursday, April 1, 2021, from 2:35-4pm.

**INSTRUCTOR:** Dr. William Hébert

**CONTACT:** Office Hrs: Group/Public Virtual Office hours held on Thursdays, 2:35-4 pm, on BigBlueButton (exceptions: Winter Term Break, Q&A Sessions). For individual matters, please email the Instructor to schedule a one-on-one appointment.

Telephone: (613) 520-2600 ext. 8853

Email: [william.hebert@carleton.ca](mailto:william.hebert@carleton.ca)

For any questions related to course content and assignments, please use the public Course Message Board on cuLearn. Use your Carleton email account for all other inquiries. Course Message Board posts and emails will only be answered during regular working hours (Monday to Friday, 9 am to 5 pm Eastern Standard Time (EST)). You should allow for up to 24 hours for a response during the week, up to 48 hours over the weekend. Please see the "Course Communication" section for more details.

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## **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 offers a thorough *introduction* to and *critical assessment* of Canada's criminal justice system.

Students will acquire *foundational knowledge* about the development, structure, practical operations, and ideological underpinnings of three central Canadian criminal justice institutions: *the police, the courts, and corrections*.

The course will clarify the *roles and obligations* of the actors who create, interpret, and enforce criminal law. Importantly, it will also emphasize the *diverse* and often *inequitable experiences* of the persons who come into contact and/or conflict with the criminal justice system.

The course will introduce concepts and empirical evidence from the social sciences that will enable students to *contextualize* and *critically examine* various criminal justice processes, problems, and solutions.

## **LEARNING OUTCOMES**

By the end of this course, students should be able to:

1. **Identify** the major institutions, agents, laws, and processes that constitute Canada's criminal justice system.
2. **Describe** the roles, responsibilities, and experiences of diverse groups of actors/participants in the criminal justice system.
3. **Communicate** ideas and **Formulate** persuasive arguments about the Canadian criminal justice system in the written form, by:
  - 3.1. **Explaining** how social, political, economic, and cultural factors have shaped the Canadian criminal justice system,
  - 3.2. **Demonstrating** how such factors contribute to contemporary criminal justice problems, through the selection and synthesis of pertinent pieces of evidence,
  - 3.3. And **Critically Examining** possible solutions to contemporary criminal justice problems, through the description and application of theoretical concepts.

## **COURSE FORMAT**

This course will be offered entirely online through cuLearn. Course delivery will primarily involve asynchronous learning activities. Each week, students will be responsible for completing one learning Module. The cuLearn platform for the course will clearly indicate what students are expected to do each week for each Module. It will be up to each student to manage their own weekly schedules and set aside time to view online materials (lectures and other learning tools), do assigned readings, complete quizzes, and work on all course assignments. Students who are comfortable managing their own time, work well by themselves, and are familiar with the

cuLearn environment should find that they are well-prepared to take this online course.

Three synchronous (live) sessions will be held on BigBlueButton during regular class time. These sessions are not mandatory, but students are strongly encouraged to attend:

- 1) a Question and Answer (Q&A) Session about the course's format and delivery on Thursday, January 21, 2021, from 2:35-4pm,
- 2) a Writing Workshop and Q&A Session about the Mid-Term Exam on Thursday, March 4, 2021, from 2:35-4pm, and
- 3) a Q&A Session about the Final Exam on Thursday, April 1, 2021, from 2:35-4pm.

Weekly group/public virtual office hours will be held on BigBlueButton every Thursday from 2:35-4 pm (exceptions: Winter Term Break and Synchronous Sessions). Office hours will be an informal setting for students to ask questions about course content and debrief current events. Students are welcome to join with their cameras and mics on or off. For individual matters, please email the Instructor to schedule a one-on-one appointment.

### **REQUIRED TEXTS**

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

Copies of the textbook are available for purchase from the Carleton Bookstore and can be picked up in person or shipped. Please monitor the Carleton Bookstore website for any changes to pick-up methods in response to evolving public health guidelines (<https://www.bkstr.com/carletonstore/home>). If you intend to get the book shipped to you, ensure that you place your order ahead of time and are ready to begin doing required readings at the start of the semester.

Alternatively, e-book versions of the textbook are also available at Vital Source: <https://www.vitalsource.com/en-ca/products/canadian-criminal-justice-a-primer-griffiths-v9780176798802>.

### **ADDITIONAL MATERIALS**

Any further required readings and materials will be uploaded to cuLearn or identified as available online.

### **TECHNOLOGICAL REQUIREMENTS**

Students will be required to log in and navigate cuLearn; watch lectures and other videos; listen to podcasts and other recordings; upload written assignments (in a word processor and saved in PDF format) in cuLearn; download and view PDF files; navigate their Carleton email accounts; generate typed responses to prompts on cuLearn; and navigate quizzes and other pages on cuLearn using the mouse or touchscreen functions.

All students must have regular access to an electronic device with reliable internet access. Students should access the course on cuLearn through a laptop or desktop computer, but some online course components may be accessible with a tablet or cellphone. Students who anticipate that they cannot fulfill the course's requirements because of technological barriers should contact the Instructor immediately.

## **COURSE COMMUNICATION**

For any questions related to course content (including general questions about assignments), please use the appropriate section of the course's public Course Message Board on cuLearn. The Course Message Board will be the primary platform for students to ask questions about the course and find existing answers to their questions. Email inquiries related to course content or assignments will be redirected to the Course Message Board. Please use your Carleton email account for any other inquiries.

Note that Course Message Board posts and emails will only be answered during regular working hours (9 am to 5 pm Eastern Standard Time (EST), Monday to Friday). You should allow for up to 24 hours for a response during the week, and up to 48 hours over the weekend. Students are strongly encouraged to consult with the Instructor and Teaching Assistants (TAs) well in advance of assignment due dates.

## **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.

Detailed instructions for the following evaluation components will be provided on cuLearn. For any questions related to assignments, please post your query ahead of the assignment due date under the appropriate section of the Course Message Board.

<b>Assignment</b>	<b>Weight</b>	<b>Notes</b>	<b>Due Date</b>
<u>Course Outline Quiz</u>	<b>3%</b>	Students will not be able to access weekly course Modules until they have completed the Course Outline Quiz with a minimum grade of 70%.	Sunday January 17, 2021 by 11:59 pm (Eastern Standard Time (EST))
<u>Weekly Module Quizzes (8)</u>	<b>3% each for a total of 24%</b>	There will be a total of 11 Quizzes that students can complete across the semester, for Modules 2 to 12. Students have two options:  1) Select and complete 8 out of 11 quizzes, or 2) Complete more than 8 quizzes and have the 8 highest marks count towards their final grade.	Ongoing  Sundays by 11:59 pm (EST)
<u>Introduction post for Discussion Group (100-200 words)</u>	<b>2%</b>	Prompts will be provided to direct students' Introduction posts.	Sunday January 31, 2021 by 11:59 pm (EST)

<u>First Participation in Discussion Group</u> (100-200 words)	<b>6%</b>	Discussion Group participation will serve as practice for short-answer questions in the Mid-term and Final Exams.	Sunday February 7, 2021 by 11:59 pm (EST)
<u>First Critical Reflection</u> (350-500 words)	<b>10%</b>	Critical Reflections will serve as practice for long-answer questions in the Mid-term and Final Exams.	Sunday February 28, 2021 by 11:59 pm (EST)
<u>Mid-term Exam</u> (take-home, open book)	<b>20%</b>	Take-home exam featuring short-answer and long-answer questions.  Exam questions will be posted on Monday, March 1, 2021	Sunday, March 14, 2021 by 11:59 pm (EST)
<u>Final Exam</u> (take-home, open book)	<b>35%</b>	Take-home exam featuring short-answer and long-answer questions.  Exam questions will be posted on Monday, March 29, 2021	Due during the Formally Scheduled Examination Period  Exact due date TBD

### **POLICY ON LATE ASSIGNMENTS**

Due dates/times in an online class are brutally firm because they are pre-set into cuLearn down to the very second. Students therefore have to plan to submit things on time. Please note that assignments' due times are set to Eastern Standard Time (EST). **Late assignments will automatically receive a grade of 0, which cannot be changed unless the student has made a formal request for an extension before the deadline using the process outlined below.**

There will be **no extensions granted for Weekly Module Quizzes**; however, students only have to complete 8 out of the total of 11 Weekly Module Quizzes offered this semester. Please choose wisely which Module Quizzes you skip (if any), as there will be no make-up Quizzes or extensions granted on Quizzes.

The granting of extensions for all other assignments (including Discussion Group Participations, Critical Reflections, and the Mid-Term and Final Take-Home Exams) is determined by the Instructor who will confirm whether an extension is granted and the length of the extension. **As a general rule, students will only be granted extensions for a period of less than 7 days.** To request an extension lasting less than 7 days, please **complete the Application for a Deferral or Short Extension Form provided on cuLearn.**

Extension requests sent by students **after an assignment's due date will not be granted** (in other words, students will receive a grade of 0 on the late assignment) **unless justified by**

**extraordinary circumstances**, in which case additional information must be provided by the student.

**Extensions for longer than 7 days will not be granted unless justified by extraordinary circumstances.** 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).

### **POLICY ON VIRTUAL CLASSROOM BEHAVIOR**

This course engages with potentially challenging topics, some of which can resonate with students on a personal level. These include experiences of sexual, colonial, racist, homophobic, transphobic, ableist, and gender-based violence. Students and faculty share the responsibility of creating and maintaining a learning environment that is intellectually rigorous, respectful, and supportive.

All students are expected to contribute towards an engaging, inclusive, and safe learning environment. During all class-related activities, whether synchronous or asynchronous, students are expected to engage in respectful and courteous communication. In accordance with the [Student Rights and Responsibilities Policy](#), [discrimination and harassment](#) will not be tolerated. It is a violation of course policy to cut and paste, screen shot, share course content, or post the words of your classmates, TA, or Instructor outside of class without permission. All work submitted in this course must be uniquely your own. When submitting assignments and/or completing exams, you are expected to articulate responses in your own words rather than cutting and pasting from course materials without permission (which would be a form of plagiarism).

### **INTELLECTUAL PROPERTY AND COPYRIGHT POLICY**

The course materials posted on this course's cuLearn page are designed for use as part of the LAWS 2301 B course at Carleton University and are the intellectual property of the Instructor (© 2021, William Hébert. All rights reserved.) unless otherwise stated. Unless a user's right in Canada's Copyright Act covers the particular use, you may not record, copy, publish, post on an internet site, sell, or otherwise distribute this course's content without the Instructor's express permission.

Third party copyrighted materials (such as book chapters, journal articles, music, videos, etc.) have either been licensed for use in this course or fall under an exception or limitation in Canadian Copyright law.

### **SCHEDULE**

**January 11, 2021**

**February 15 – 19, 2021**

**April 14, 2021**

**April 16 – 27 2021**

**Classes Begin**

**Winter Break, No Classes**

**Winter Term Ends (Friday schedule)**

**Formally Scheduled Final Exams**

<b>January 11 to 17 2021 — Module 1: Welcome to LAWS 2301</b>
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Readings/Materials:

-Course Outline

Assignment(s):

- Course Outline Quiz (3%) – Complete with minimum of 70% by Sunday January 17, 2021, 11:59 pm (EST) to access the rest of the course content

<b>January 18 to 24 2021 — Module 2: Introducing Canada’s Criminal Justice System</b>
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Readings/Materials:

- Textbook Chapter 1 (pp.4-15)  
 - Textbook Chapter 2: Part I (pp.21-26)

Assignment(s):

- Module 2 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)

Synchronous (live) activity:

- Thursday, January 21, 2021, 2:35-4pm: Synchronous (live) Question and Answer Session about Course Format/Delivery with Instructor and TAs on BigBlueButton — Students are strongly encouraged to participate

<b>January 25 to 31 2021 — Module 3: Approaches to Canada’s Criminal Justice System</b>
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Readings/Materials:

- Textbook Chapter 2: Part II (pp.27-36)  
 - Textbook Chapter 3 (pp.42-53)  
 - Pages 1-15 of:  
   Sensoy, Ozlem, and Robin DiAngelo. 2011. “How to Engage Constructively in Courses That Take a Critical Social Justice Approach.” In *Is Everyone Really Equal? An Introduction to Key Concepts in Social Justice Education*, 1–22. New York: Teachers College Press.  
 - Watch:  
   Democracy Now! 2016. *Canada’s Indigenous & Black Lives Matter Activists Unite to Protest Violence & Neglect*. Roundtable.  
   Part I (11:21): <https://www.youtube.com/watch?v=71OUZp0kHOY>  
   Part II (7:58): <https://www.youtube.com/watch?v=USBizevvnvGU>

Assignment(s):

- Module 3 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)  
 - Introduction post for Discussion Group (2%) — Complete and submit by Sunday January 31, 2021, 11:59 pm (EST)

<b>February 1 to 7 2021 — Module 4: Police I</b>
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Readings/Materials:

- Textbook Chapter 4 (pp.66-94)  
 - News Article:  
   Gerster, Jane. “The RCMP Was Created to Control Indigenous People. Can that

Relationship be Reset?" GlobalNews. June 15, 2019.  
<https://globalnews.ca/news/5381480/rcmp-indigenous-relationship/>

- Listen to:  
 Canadaland Podcast — Episode #331: *The RCMP Exists to Control Indigenous People*.  
 June 29, 2020. 51:04.  
<https://www.canadalandshow.com/podcast/331-the-rcmp-exists-to-control-indigenous-people/>

Assignment(s):

- Module 4 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)
- First Participation in Discussion Group (100-200 words) (6%) — Complete and submit by Sunday February 7, 2021, 11:59 pm (EST)

**February 8 to 14 2021 — Module 5: Police II**

Readings/Materials:

- Textbook Chapter 5 (pp.101-126)
- Pages 395-404 of:  
 Wortley, Scott, and Akwasi Owusu-Bempah. 2011. "The Usual Suspects: Police Stop and Search Practices in Canada." *Policing and Society* 21 (4): 395–407.
- Watch documentary:  
 Boctor, Lillian, with Solidarity Across Borders and No One is Illegal. 2013. *Twice Removed: Double Punishment and Racial Profiling in Canada*. 30:14.  
<https://www.youtube.com/watch?v=XyJGfnmkzcU>

Assignment(s):

- Module 5 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)

**February 15 to 19 2021 — Winter TERM BREAK**

**February 22 to 28 2021 — Module 6: Police III**

Readings/Materials:

- Textbook Chapter 6 (pp.132-157)
- Investigative journalism piece:  
 Doolittle, Robyn. "Unfounded: Why Police Dismiss 1 in 5 Sexual Assault Claims as Baseless." *The Globe and Mail*. February 3, 2017.  
<https://www.theglobeandmail.com/news/investigations/unfounded-sexual-assault-canada-main/article33891309/>
- Watch: *The Globe and Mail's "The Story Behind How The Globe's Unfounded Series Was Reported."* 2017. 7:57. <https://www.youtube.com/watch?embed=no&v=x4DuGAoE1xI>

Assignment(s):

- Module 6 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)
- First Critical Reflection (350-500 words) (10%) — Complete and submit by Sunday February 28, 2021, 11:59 pm (EST)



<b>March 1 to 7 2021 — Module 7: Criminal Courts I</b>
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Readings/Materials:

- Textbook Chapter 7 (pp.164-194)
- Pages 2-3 and 5-24 of:
  - Perrin, Benjamin, Richard Audas, and Sarah Péroquin-Ladany. 2016. "Canada's Justice Deficit: The Case for a Justice System Report Card." Report prepared for the MacDonald-Laurier Institute.

Assignment(s):

- Module 7 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)

Instructions:

- Instructions for Mid-Term Exam (20%, due Sunday, March 14, 2021) posted on Monday, March 1, 2021

Synchronous (live) activity:

- Thursday, March 4, 2021, 2:35-4pm: Synchronous (live) Writing Workshop and Question and Answer Session about Mid-Term Exam with Instructor and TAs on BigBlueButton — Students are strongly encouraged to participate

<b>March 8 to 14 2021 — Module 8: Criminal Courts II and MID-TERM EXAM</b>
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Readings/Materials:

- Textbook Chapter 8 (pp.200-237)
- Listen to:
  - CBC's The Current with Anna Maria Tremonti — Segment: *Canada's Bail System Set Up to Fail, Says Criminal Defence Lawyer*. March 29, 2016. 20:08.  
<https://www.cbc.ca/player/play/2686088725>

Assignment(s):

- Module 8 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)
- **MID-TERM EXAM** (take-home) (20%) — Complete and submit by Sunday, March 14, 2021 at 11:59 pm (EST)

<b>March 15 to 21 2021 — Module 9: Criminal Courts III</b>
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Readings/Materials:

- Textbook Chapter 9 (pp.246-277)
- Pages 1-7 of:
  - Legal Services Society of British Columbia. 2011. "Gladue Primer." Booklet.
- News Article:
  - Edwards, Kyle. "Why Gladue Has Not Lived Up to Its Promise for Indigenous Justice" MacLeans's. October 18, 2017. <https://www.macleans.ca/news/canada/why-gladue-has-not-lived-up-to-its-promise-for-indigenous-justice/>

Assignment(s):

- Module 9 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)

<b>March 22 to 28 2021 — Module 10: Corrections I</b>
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Readings/Materials:

- Textbook Chapter 10 (pp.284-306)
- Pages 32-49 of:
  - Gacek, James. 2020. "In the Era of E-Carceration: Criminal Justice Trends and Concerns with Electronic Monitoring." *The Annual Review of Interdisciplinary Justice Research* 9: 32-56.

Assignment(s):

- Module 10 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)

<b>March 29 to April 4 2021 — Module 11: Corrections II</b>
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Readings/Materials:

- Textbook Chapter 11 (pp.312-347)
- Investigative journalism piece:
  - Cardoso, Tom. "Bias Behind Bars: A Globe Investigation." *The Globe and Mail*. October 24, 2020. <https://www.theglobeandmail.com/canada/article-investigation-racial-bias-in-canadian-prison-risk-assessments/>

Assignment(s):

- Module 11 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)

Instructions:

- Instructions for Final Exam (35%, due during the Formally Scheduled Examination Period, exact due date TBD) posted on Monday, March 29, 2021

Synchronous (live) activity:

- Thursday, April 1, 2021, 2:35-4pm: Synchronous (live) Question and Answer Session about Final Exam with Instructor and TAs on BigBlueButton — Students are strongly encouraged to participate

<b>April 5 to 11 — Module 12: Corrections III</b>
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Readings/Materials:

- Textbook Chapter 12 (pp.359-392)
- Listen to (and read the descriptive text on webpage):
  - CBC's Ideas Podcast — Episode: *If We Abolish Prisons, What's Next?* December 18, 2019. 53:59. <https://www.cbc.ca/radio/ideas/if-we-abolish-prisons-what-s-next-1.5399845>

Assignment(s):

- Module 12 Quiz (3%) – Complete by Sunday, 11:59 pm (EST)

<b>FINAL EXAMINATION due during Formally Scheduled Examination Period</b>
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- **FINAL EXAM** (take-home) (35%) — Complete and submit during the Formally Scheduled Examination Period — Exact due date TBD

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## **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](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 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/studentssupport/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/>