

Course Outline

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<b>COURSE:</b>	<b>LAWS 3903A – Victims, Law and the Criminal Justice System</b>
<b>TERM:</b>	<b>FALL 2018</b>
<b>PREREQUISITES:</b>	<b>1.0 credit in LAWS at the 2000 level</b>
<b>CLASS:</b>	<b>Day</b> <b>&amp;Time: Mondays 2:35pm - 5:25pm</b> <b>Room: Please check with Carleton Central for current room location</b>
<b>INSTRUCTOR:</b> <b>(CONTRACT)</b>	<b>Vajmeh Tabibi</b>
<b>CONTACT:</b>	<b>Office: B442 Loeb Building</b> <b>Office Hrs: Monday 1:00pm -2:15pm By Appointment Only</b>  <b>Email: vtabibi@uottawa.ca</b>

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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:

**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 Equity Services website: [carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

**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 Equity Services website: [carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

**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) [www.carleton.ca/pmc](http://www.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:

<http://carleton.ca/studentaffairs/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: [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 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: [students.carleton.ca/course-outline](http://students.carleton.ca/course-outline)

**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.

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

## **COURSE DESCRIPTION**

The purpose of this course is to introduce students to the etiology of victimization, its consequences, its concepts and literature, the role of the victim, and the criminal justice system response and assistance to victims of crime. This course combines victimization theory and law (state's response to victimization) with a focus on applied responses to victimization from the criminal justice system. We start the course by examining the shifting role of the victims historically. Then we proceed to study the theoretical perspectives of victimization, its typology and processes, followed by an examination of the recent Canadian *Victims' Bill of Rights*. In the second section of the course a variety of issues centering on victims will be presented and examined in depth. First, we define our topics conceptually, proceed to present and make sense of the statistics associated with each topic and situate the victim within a socio-legal context. The topics of interest are: intimate partner violence, sexual assaults, Indigenous people in Canada, victims of human trafficking, and victims of fraud and identity theft. In the last section of the course, students learn about the consequences of victimization and the socio-legal remedies and assistance available to victims of crime. One of the remedies, is the enacted restorative justice approaches to victims of crime. Hence, we expand on our discussion of these new legal initiatives by examining the restoratively based programs offered by the legal system to the victims of crime. This course ends with a critical analysis of contemporary programs and trends in the criminal justice system's response to victims.

## **REQUIRED TEXTS**

Scott, Hannah (2016). *Victimology Canadians in Context*. Oxford University Press. Available at the Carleton University Bookstore.

**Class Lectures:** Students are responsible for the content of the lectures, class discussion, video presentations and any additional readings. I do not post any power point lectures. In order to have the full Power Point lectures, you must attend class. Please note that the class power points and lectures are the property of the Professor (me) and you are prohibited to post them or share them on any online medium/sites.

The use of cameras, tape recorders or any other electronic recording devices is prohibited within the lecture hall unless explicit permission is given by the professor.

**Communication:** All students are encouraged to check their Carlton University student e-mail accounts. You are responsible for activating and regularly checking this account since I will be communicating via this account. Indicate the course code and your full name in the subject line, for example LAWS 3903, Vajmeh Tabibi. I will get back to you in the next 48 hrs. Refrain from sending long e-mails and keep your questions short and to the point. If you need to see me during my office hrs, make an appointment by sending me an e-mail and I will get back to you as soon as possible with an appointment time.

**Late submission:** Absolutely NO EXCEPTIONS will be made to the above-mentioned dates. Late submissions are not tolerated. Exceptions are made only for illness or other serious situations deemed as such by the professor. Late submission of assignments due to illness must be justified by a doctor's note;

otherwise, a penalty of 5% per day (including weekends) will be imposed. Electronic submissions are not permitted, with an exception for late papers. If a student submits a late paper electronically, he or she must submit a hard copy as soon as possible. I will not mark a paper unless I have a hard copy. The 5% late penalty per day also applies to assignments sent by e-mail, and in this case, the time of receipt of the email by the recipient is guarantor of the time of delivery. The written assignments or paper must be submitted to the professor or TA and it cannot be slid under office door. Students may use the drop box outside of the room Loeb C 473. Be advised that the office will stamp the date on your papers placed in the drop box. Papers placed in the drop box after 4pm will be stamped the next day (hence one day late). You must submit the final exam directly to the Professor during the assigned date and time and sign the attendance sheet. I will not accept electronic submission. Final exams MUST be handed directly to the instructor. Do not slide them under the instructor's office door.

**Missed Exams (including mid-term):** If you failed to attend an examination, contact the professor as soon as possible (preferably on the day you missed the mid-term or final exam). Missed exams cannot be written without an official excuse from or validated by the health clinic. In case of illness, family death, etc., accommodation relating to course requirements can only be made with the submission of official certification (original + one copy). Please note that I do not permit students to do make-up examinations or supplementary assignments/tests to raise their marks.

For the student's own protection, he/she should always keep the original copy of all his/her assignments and hand in a photocopy. In case of loss, theft, destruction, dispute over authorship, or any other eventuality, it will be the student's responsibility to provide a copy of his/her assignments.

**Review of Mid Terms and Final Examinations:** Students will get back their mid-terms and assignments in class after 10 working days from the date of the examination or submission. The professor will review the mid-term in class. The TA will set up office hrs for those students who wish to review their mid-terms. In accordance with University policy, students' marks will not be communicated through e-mail. The mid-terms are retained by the professor. The assignments will be given back to students during class.

**Appealing Grades:** If you disagree with your grade or marking after reviewing your paper or assignment with the TA, you should make an appointment and see me during my office hrs. You must provide me with a written argument and evidence where a higher grade or marks is deserved. There are three possible outcomes: 1) no change in grade, the initial grade is deemed fair; 2) increase in grade, some aspects of your paper may have been overlooked or misinterpreted; 3) decrease in grade, quality of work or answers deemed to be overestimated.

**Written Papers:** You will also be judged on your writing abilities. It is recommended to take the appropriate measures to avoid mistakes such as spelling, syntax, punctuation, inappropriate use of terms, etc. You may be penalized up to 15%, to the professor's discretion. All typed assignments must use normal margins, be double-spaced, and use a normal 12 point font such as Times New Roman. Your papers will be graded for analytical skills, insights, synthesis, and inclusion of the course material, proper bibliographical references and appropriate citation, clarity of expression, proper grammar and relevance of content.

## **EVALUATION**

Your work will be evaluated based on the following components:

*To receive course credit, students are required to complete all components. There will be no possibility for make-up or extra credit assignment.*

- 1) **Mid-Term Examination- October 15<sup>th</sup>** **30%**  
The mid-term exam consists of multiples choice questions and short answer questions. The exam is based on all the material covered in class up to this point.
- 2) **Term Paper -Due November 12<sup>th</sup>** **30%**  
Research assignment between 9-11 pages long to be submitted on the specified date. The assignment requirement and topics will be provided and discussed in class.
- 3) **Final Examination** **40%**  
The final exam consists of multiple choice, true and false, short answer and an essay question. It is based on all the material covered in class since the mid-term examination. The date is set by Carleton University.

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.

## **SCHEDULE**

Please note that the date of each lecture may vary, as some lecture may take longer to complete.

### **WEEK 1- September 10<sup>th</sup>: The Victim as Concept**

- Introduction to the course, and Introduction to Victimology
- Who is a victim? Setting the stage
  - Reading: Introduction chapter

### **WEEK 2- September 17<sup>th</sup>: Locating victims within historical accounts**

- Historical review of victims' movement and victim advocacy and its role in the CJS
- Trends in Victimization and Measuring Victimization
  - Readings: Chapter 1 & Chapter 2
  - Class lecture

### **WEEK 3- September 24<sup>th</sup>: Theoretical Underpinning**

- Criminological Theories and the Victims
  - Readings: Chapters 3 & 4

#### **WEEK 4- October 1<sup>st</sup>: Victims' Rights and Remedies**

- Victims' Rights, Financial Remedy and Rights in Court; Victim Impact Statement
  - Waller, Irvin. (2011). Chapter 7: Victimology, Victim Services, and Victim Rights in Canada. In Linden, Rick (editor). *Criminology: A Canadian Perspective* (7th. edition). Nelson.
  - Victims' roles and rights in criminal justice system. Department of Justice. Available online <http://www.justice.gc.ca/eng/cj-jp/victims-victimes/rights-droits/>
  - Chapter 12 (pp. 236-251)

#### **WEEK 5- October 15<sup>th</sup>: In-class Midterm**

- **In class mid-term examination**
- Guest speaker: TBA

#### **WEEK - October 22<sup>th</sup> to 26<sup>th</sup> - Fall Break**

#### **WEEK 6 – October 29<sup>th</sup> : Victims of Intimate Partner Violence**

- Defining our concepts, presenting statistics, and examining legal statutes regarding IPV
  - Readings: Chapter 12 (pp. 226-235)
  - Grant, Isabel. (2017). sentencing for intimate partner violence in Canada: Has s. 718.2(a)(ii) made a difference. Department of Justice. Available online <http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rd10-rr10/p2.html>

#### **WEEK 7- November 5<sup>th</sup>: Victims of Sexual Assaults**

- Defining our concepts, presenting statistics and trend, legal definitions and responses
  - Readings: Chapter 6

#### **WEEK 8- November 12<sup>th</sup>: Vulnerable population as victims**

- Vulnerable Population: Indigenous people of Canada, Homeless and Prisoners
  - Readings: Chapters 7 & 8

#### **WEEK 9- November 19<sup>th</sup> : Victims of Fraud & Identity Theft- Victims of Human Trafficking**

- Defining our concepts, presenting statistics and trends, and legal responses

- Readings: Chapter 10 and class lecture

**WEEK 10- November 26<sup>th</sup> : Consequences of Victimization & Recovery**

- Physical injury, psychological harm and economic loss
  - Readings: Chapter 11 and class lecture

**WEEK 11- December 3<sup>rd</sup>: New initiatives for Victim Inclusion in the criminal Justice system: Restorative practices**

- Defining Restorative Justice, Restoratively base practices: Victim-centred paradigm shift?
  - Readings: Chapter 13
  - Ruth-Heffelbower, D. & Gaboury, M. (2015). Chapter 9: Victim-Offender Programs in Correctional Settings- Can They Effectively Bridge Divergent Perspectives? In Moriarty, Laura (editor). *Controversies in Victimology* (2nd edition). London: Routledge Taylor and Francis Group.

**WEEK 12- December 7<sup>th</sup>: Critical reflection**

- What should need to be done?
- Catch up and Wrap up
  - Reading: Waller, Irvine (2011). Chapter 10: STOPPING CRIME, Victimization Prevention as Return on Investment. In Waller, I. (editor). *Rights for Victims of Crime, Rebalancing Justice*. Rowman & Littlefield Publishers, INC.