

Course Outline

COURSE: LAWS 2301 T – Criminal Justice System

TERM: Summer 2018

PREREQUISITES: LAWS 1000

INSTRUCTOR: Dr. Jennifer Dalton

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Please be sure to use your cmail (or Connect) email account for correspondence and include "LAWS 2301" in the subject line.

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: 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: <http://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 Equity Services website: <http://carleton.ca/equity/>

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 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*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website (www.carleton.ca/pmc) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*).

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://carleton.ca/equity/>

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/>

Student Services: The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at carleton.ca/csas

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

This course provides a broad introduction to the Canadian criminal legal system and the institutions, processes, rules and actors therein. The objective is to situate the criminal law within its general social setting and examine the interrelationships between practical and theoretical perspectives on criminal justice. The class looks in detail at the participants in the criminal justice system, in particular the relative effectiveness of mechanisms of accountability and control for these actors. Current examples, case law and relevant reforms are discussed throughout the course to highlight pertinent issues and problems in the system.

After successful completion of the course, students should be able to:

- analyze and synthesize core concepts and formal discourses related to criminal law and justice;
- understand how the Canadian criminal justice system has been shaped by historical, colonial, political and social factors, and how these contexts impact the administration of criminal justice;
- critically reflect on Canadian historical, contemporary and alternative responses to criminal behaviour; and
- analyze depictions of criminal behaviour as presented in formal legal texts and popular culture.

PLEASE NOTE: *This course includes a combination of lectures, group/individual work, case studies/video clips/documentaries. Students should not expect lectures to cover the course readings in-depth. Instead, lectures are supplementary to the readings. It is expected that students will read the assigned text(s) on their own in advance of lectures. PowerPoint presentation slides cover key course concepts only and are not substitutes for taking notes from lectures.*

In lectures where group work is conducted, complete the exercises on your own or you may work in online groups through cuLearn. These case studies/exercises are meant to improve your critical thinking and analytical skills through the application of key course concepts and themes to practical examples.

The course is also structured so that students learn to improve these broader critical skills:

- *independent learning and initiative;*
- *critical thinking and analysis;*
- *synthesis of broader course themes;*

- **effective writing;**
- **persuasive argumentation; and**
- **coherent research.**

REQUIRED TEXTS

R. P. Saunders and Rebecca Bromwich, *Criminal Law in Canada: An Introduction to the Theoretical, Social and Legal Contexts*, 5th ed. (Toronto: Carswell, 2016).

- Available at the Carleton University Bookstore or Haven Books (new or used). Haven Books is located at 43 Seneca Street, which is a 2-minute drive or 10-minute walk from campus.
- Haven Books offers a 5% discount, but the Carleton Bookstore will price match. Haven Books also provides consignment services if you want to sell your book.
- On reserve at the Carleton Library.

SUPPLEMENTARY TEXTS

Students may consider reviewing these books for additional background information, learning or research purposes. They can be purchased at the Carleton Bookstore, but are not required. They are also on reserve at the Carleton Library:

Curt Griffiths, *Canadian Criminal Justice: A Primer*, 5th ed. (Toronto: Nelson, 2015).

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

Kent Roach, *Criminal Law*, 6th ed. (Toronto: Irwin Law, 2015).

WEBSITE

Course information, lecture presentations and other materials will be posted on the course website on cuLearn. Important announcements and grades will also be communicated through the course website. Visit <https://culearn.carleton.ca> and log on using the same username and password that you use for your email or Connect accounts. You must be registered in the course to access the online site. Access to the course website is crucial for successful completion of the course.

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.

All course components must be completed in order to be eligible to receive a passing grade.

1. Midterm Take-Home Exam – 30% – due Monday, May 28
2. Essay Assignment – 30% – due Friday, June 15
3. Final Take-Home Exam – 40% – due Thursday, June 28

Students are responsible for all of the required readings, lecture materials, and course content posted on cuLearn.

Medical or other appropriate documentation must be provided to support any request for a deferred examination or deadline extension for an assignment.

A late penalty of -10% per day or partial day, including weekends, will be applied to individual assignments submitted past the due date. **Assignments submitted beyond one week late will be accepted towards course completion, but will receive a grade of 0.**

IMPORTANT DATES

- May 7: Classes start
- May 14: Last day to register in the course or change sections
- May 25: Last day to withdraw from courses with full fee adjustment
- June 19: Last day for academic withdrawal; last day of classes

SCHEDULE

The schedule generally follows the topics presented in the “Table of Contents” of Saunders and Bromwich, *Criminal Law in Canada*. The order of the topics is as follows, subject to some variations as required by time constraints:

1. Course Overview and Introduction: No readings
2. Defining Criminal Law – Context and Government Regulation: Chapter 1 (pages 1-49)
3. Theoretical Issues and Perspectives: Chapter 2 (pages 51-86)
4. The Production of Criminal Law: The Roles of the Constitution, Parliament and the Courts, Part 1: Chapter 3 (pages 87-123)
5. The Production of Criminal Law: The Roles of the Constitution, Parliament and the Courts, Part 2: Chapter 3 (pages 123-173)
6. Actors in the System – Police: Chapter 4.1 (pages 175-202)
7. Actors in the System – Prosecution and Defence: Chapter 4.2 (pages 203-239)
8. Plea Bargaining: Re-read relevant pages in Chapter 4.2
9. Actors in the System – Judges: Chapter 4.3 (pages 239-255)
10. Actors in the System – Victims: Chapter 4.4 (pages 255-286)
11. Actors in the System – Accused: Chapter 4.5 (pages 286-307)