

## Course Outline

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<b>COURSE:</b>	<b>LAWS 2301 C Criminal Justice System</b>
<b>TERM:</b>	<b>Fall 2022</b>
<b>PREREQUISITES:</b>	<b>LAWS 1001 and 1002</b>
<b>CLASS:</b>	<b>Day &amp; Time: Mondays, 14:35 to 17:25 PM (EST)</b> <b>Room:</b> Nicol Building, Room 3030 (location is subject to change, please check Carleton Central)
<b>INSTRUCTOR:</b>	Safiyah Rochelle
<b>CONTACT:</b>	<b>Office:</b> <b>Office Hrs:</b> Virtual hours will be held by appointment <b>Telephone:</b> <b>Email:</b> safiyah.rochelle@carleton.ca

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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 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 postcolonial 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 TEXTS**

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>

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

### **SUPPLEMENTARY TEXTS**

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 Brightspace, 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 previous weeks' readings (with the exception of Quiz 5 on December 5th):

- the quiz on September 26th will cover the readings for that week and for the week of September 19th;
- the quiz on October 17th will cover the readings for that week and for the week of October 3rd;
- the quiz on November 14th will cover the readings for that week and for the week of November 7th;
- the quiz on November 28th will cover the readings for that week and the week of November 21st;
- the quiz on December 5th will cover the readings for that week only

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

**Quiz Dates:**

<b>Quiz #1</b>	September 26th
<b>Quiz #2</b>	October 17th
<b>Quiz #3</b>	November 14th
<b>Quiz #4</b>	November 28th
<b>Quiz #5</b>	December 5th

Once the quiz begins, you will have 30 minutes to complete it. The quizzes will be made up of ten (10) multiple choice questions. Quizzes will be available to take on Brightspace and on the dates detailed above between 8:30AM (EST) and 23:59PM (EST). Students will receive their results through Brightspace, 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 1500-2000 words in length. Students are expected to use proper citation and 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.

The due date for the Case Brief is **October 5th** (the cut-off time for submission will be October , 5th, 23:59 PM EST on Brightspace).

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 Brightspace **on October 31st at 8:00AM (EST). Completed exam answers MUST be posted by November 2nd at 23:59 PM (EST) through Brightspace.**

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 should be between 500 and 750 words, and the essay should be between 1000-1500.

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.

The exam will include multiple-choice, short-answer, and long-answer questions. Students will choose to answer **three (3) of four (4) short answer questions**, and **two (2) of three (3) essay questions**. 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.

#### **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**

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

LAWS 2301 C Schedule

*Please find a full list of important academic dates on the calendar website:*  
<https://calendar.carleton.ca/academicyear/>

September 12, 2022	Introduction to the Course
September 19, 2022	<i>Framing the Canadian Criminal Justice System (CJS)</i> Reading(s): Griffiths, Chapter 1 (6-20)
September 26, 2022	<i>What is the CJS? Purposes, Procedures, and Alternatives</i> Reading(s): Griffiths, Chapter 2 (21-41) <b>QUIZ #1</b>
October 3, 2022	<i>Experiencing the CJS.</i> Reading(s): Griffiths, Chapter 3 (42-66) <b>*CASE BRIEF DUE OCTOBER 5th (following Wednesday )*</b>
October 10, 2022	<b>Statutory Holiday/Thanksgiving Break</b>
October 17, 2022	<i>Policing</i> Readings(s): Griffiths, Chapter 4 (66-100) <b>QUIZ #2</b>
October 24, 2022	<b>Statutory Holiday/Fall Break</b>
October 31, 2022	<b>Mid-Term</b> <b>Midterm distributed on Brightspace on October 31st at 8:00AM (EST)</b> <b>*Midterm exam answers MUST be posted by November 2nd at 23:59 PM (EST) on Brightspace</b>
November 7, 2022	<i>Policing Continued: Powers and Discretion</i> Readings(s): Griffiths, Chapter 5 (101-131)
November 14, 2022	<i>Policing Continued: Operations, Community, Prevention</i> Readings(s): Griffiths, Chapter 6 (132-157) <b>QUIZ# 3</b>

November 21, 2022	<p style="text-align: center;"><i>Criminal Courts</i></p> <p style="text-align: center;">Readings(s): Griffiths, Chapter 7 (164-194)</p>
November 28, 2022	<p style="text-align: center;"><i>Prosecution, Defence, and Convictions</i></p> <p style="text-align: center;">Readings(s): Griffiths, Chapter 8 (200-238)</p> <p style="text-align: center;"><b>QUIZ# 4</b></p>
December 5, 2022	<p style="text-align: center;"><i>Sentencing</i></p> <p style="text-align: center;">Readings(s): Griffiths, Chapter 9 (246-277)</p> <p style="text-align: center;">Final Exam Review</p> <p style="text-align: center;"><b>Quiz #5</b></p>
December 10-22	Final Exam Period - Date of exam TBD

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## University and Departmental Policies

### 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/>.

### **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/student-experience-resources/>.

### **COVID-19 PREVENTION MEASURES**

It is important to remember that COVID is still present in Ottawa. The situation can change at any time and the risks of new variants and outbreaks are very real. There are a number of actions you can take to lower your risk and the risk you pose to those around you including being vaccinated, wearing a mask, staying home when you're sick, washing your hands and maintaining proper respiratory and cough etiquette.

**Feeling sick?** Remaining vigilant and not attending work or school when sick or with symptoms is critically important. If you feel ill or exhibit COVID-19 symptoms do not come to class or campus. If you feel ill or exhibit symptoms while on campus or in class, please leave campus immediately. In all situations, you must follow Carleton's symptom reporting protocols.

**Masks:** Carleton has paused the COVID-19 Mask Policy, but continues to strongly recommend masking when indoors, particularly if physical distancing cannot be maintained. It may become necessary to quickly reinstate the mask requirement if pandemic circumstances were to change.

**Vaccines:** Further, while proof of vaccination is no longer required as of May 1 to attend campus or in-person activity, it may become necessary for the University to bring back proof of vaccination requirements on short notice if the situation and public health advice changes. Students are strongly encouraged to get a full course of vaccination, including booster doses as soon as they are eligible, and submit their booster dose information in cuScreen as soon as possible. Please note that Carleton cannot guarantee that it will be able to offer virtual or hybrid learning options for those who are unable to attend the campus.

All members of the Carleton community are required to follow requirements and guidelines regarding health and safety which may change from time to time. For the most recent information about Carleton's COVID-19 response and health and safety requirements please see the University's COVID-19 website and review the Frequently Asked Questions (FAQs). Should you have additional questions after reviewing, please contact [covidinfo@carleton.ca](mailto:covidinfo@carleton.ca).

## **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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

**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 [click here](#).

**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>

### **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 will be provided to students who compete or perform at the national or international level. 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: <https://carleton.ca/senate/wp->

[content/uploads/Accommodation-for-Student-Activities-1.pdf](#)

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<https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit:

<https://students.carleton.ca/services/accommodation/>.