Carleton University  
Department of Law and Legal Studies  

Course Outline

**COURSE:**  
LAWS 4305B – Criminal Justice Reform

**TERM:**  
Winter 2018

**PREREQUISITES:**  
Fourth-Year Honours Standing - LAWS 2301 and LAWS 2302

**CLASS:**  
Day & Time:  
Wednesdays, 2:35 – 5:25

Room:  
(Please refer to the public schedule on Carleton Central)

**INSTRUCTOR:**  
Diana Young

**CONTACT:**  
Office:  
Loeb C574  
Office Hrs:  
Wednesdays 12:00 – 1:00 or email for an appointment  
Telephone:  
613-520-2600 x. 1981  
Email:  
diana.young@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 more details visit the Equity Services website: [http://carleton.ca/equity/](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/](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](http://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/](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

There are a number of mechanisms through which changes to criminal justice policies and the criminal law occur. Legislators respond to criminal justice issues by enacting new law or amending existing law. Courts respond to new challenges by reinterpreting legal rules, implementing changes that seem to be mandated by the Charter, and sometimes finding ways of resisting law reform measures taken by legislators. In addition, reform may occur through the changes in discretionary practices of criminal justice officials and policies at a more micro level. Less clear are the broader social forces that motivate reform. In this course we will consider the political, economic, and cultural conditions that problematize aspects of criminal justice, the mechanisms through which courts, legislatures and other actors in the criminal justice system interpret and respond to pressures for change, and examine some contemporary examples of criminal justice reform.

REQUIRED TEXTS

All the course readings can be accessed electronically through the MacOdrum Library collection of journals and e-books, or on CuLearn.

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.
Grading for the course will be based on the following:

Two take home assignments: 20% each
Research paper: 30%
Group presentation: 20%
Class participation: 10%

The take home assignments will be based on the material covered in class. The first will be posted on cuLearn on January 31 and due on February 14th. The second will be posted on March 7th and due on March 21st.

The research paper can be on any topic related to criminal justice reform, and should be 10 to 12 pages in length, double-spaced. It will be due on April 11th. Students should provide me with a brief outline of their research project well before the due date to ensure that it meets the course requirements.

Students will be asked to sign up for one of six groups that will give presentations to the class on various criminal justice reform topics over the last three weeks of the course. Students from two groups not presenting on a particular day will be asked to provide a brief written comment on each presentation. I will summarize the comments and forwarded them to the presenters.

The class participation grade is based on a combination of attendance, frequency of students’ participation in class discussions and the degree to which students’ comments and questions show thoughtfulness and preparation. Students who fail to submit comments on the class presentations will lose participation marks.

**Extensions on assignments will only be granted in extenuating circumstances, such as a verifiable medical condition or family emergency. Students requesting extensions will be required to provide appropriate documentation.**

**SCHEDULE**

**January 10**

Introduction to course
Sites of reform – criminal law, criminal justice policy and discretion

Readings:


**January 17**

Formal Mechanisms of Criminal Justice Reform:
   a) Legislators and the Courts
LAWS XXXX

- Social Movements Theory: What makes law-makers act?
- Tough on Crime legislation and judicial resistance
- Judicial Discretion and the Rule of Law

b) Royal Commissions of Inquiry
- Framing the issues and public debate
- Politics, value conflicts and legalization

Readings:


**January 24**

Formal Mechanisms of Criminal Justice Reform:

c) Legislators and the Courts
- Social Movements Theory: What makes law-makers act?
- Tough on Crime legislation and judicial resistance
- Judicial Discretion and the Rule of Law

d) Royal Commissions of Inquiry
- Framing the issues and public debate
- Politics, value conflicts and legalization

Readings:


**January 31**

***First take-home assignment posted***

Problematizing Criminal Justice, continued

a) Risk theory and criminal justice reform
b) The political economy of criminal justice and reform
c) Social Movements Theory and the criminal Justice System
   - Cultural Resources, Framing and Being Heard
   - Emotions and Criminal Justice
   - Sentencing, Hate Crimes and LGBT Rights

Readings:


**February 7**
Risk Theory and legal principle
The Victims’ Rights Movement
   a) Agency and Law and Order
   b) Risk Theory and Criminal Justice Reform

Readings:


February 14

***First Take-Home Assignment Due***

Wrongful Conviction
   a) Technology, wrongful conviction and exoneration
   b) Policing, Crown Policy and Reform

Readings:


February 21
***Reading Week***

February 28
Implementing Criminal Justice Reform: Good intentions and unexpected outcomes
   a) Punishment, treatment, rehabilitation
   b) Regulation of pornography

Readings:


March 7
***Second Take-Home Assignment Posted***

Community-Based and Restorative Alternatives
International Criminal Law

Readings:


March 14

Prison Reform and Penal Abolition
International Criminal Law and Transitional Justice

Readings:


Tutton, M. “Governments Face Wave of Lawsuits for Prison Injuries Amidst Rising Violence” (December 29, 2016) *The Canadian Press*


March 21

***Second Take-Home Assignment Due***

Group Presentations:

Group 1: Sex Work and Criminal Justice

Group 2: Assisted Suicide

March 28

Group Presentations:

Group 3: Terrorism
Group 4: Drug Policy – Decriminalization, Safe Injection Sites

April 4

Group Presentations:

Group 5: Youth Justice Reform

Group 6: Mental Illness and Criminal Law