

Course Outline

COURSE:	LAWS 4308 A
TERM:	Fall 2025
PREREQUISITES:	LAWS LAWS 2908, CRCJ 3001, or CRCJ 3002 and LAWS 2301, LAWS 2302 and fourth-year Honours standing.
CLASS:	Day & Time: Mondays 18:05 – 20:55 Room: Please check Carleton Central for current Class Schedule Course delivery is in-person unless otherwise specified in advance in writing (if exceptional mitigating circumstances arise)
INSTRUCTOR:	Dr. Rebecca Jaremko Bromwich, PhD, MBA, LLM, LLB
CONTACT:	Office Hrs: By appointment, in person or via TEAMS/Zoom Email: rebeccabromwich@cunet.carleton.ca Emails will be responded to within 48 hours.
BRIGHTSPACE:	https://brightspace.carleton.ca/d2l/home/370960

CALENDAR COURSE DESCRIPTION

Theories of sentencing, current sentencing laws and practices, perceptions of sentencing. Data on sentencing practice across Canada. Reforms in other jurisdictions. Critical review of the Canadian Sentencing Commission. Multidisciplinary approach using research and theory in law, criminology, social psychology and sociology.

Sentencing principles and Indigenous context

The course begins with a brief overview of sentencing principles in a Canadian context. The course then goes on to explore the sentencing principles application in an Indigenous context and examines the Gladue principles of sentencing and looks at Indigenous sentencing circles and other procedural mechanisms.

COURSE DESCRIPTION

This course offers critical examination of sentencing law and practice in Canada, beginning with a foundational overview of the statutory and common law principles that govern sentencing under the Criminal Code. Students will develop an understanding of key principles such as proportionality, parity, totality, and restraint, and the legal framework through which judges exercise sentencing discretion.

The course situates sentencing within broader socio-legal debates, with particular emphasis on the crisis of Indigenous over-incarceration in Canada—a persistent and urgent issue that has been documented and criticized in reports from the Supreme Court of Canada, the Truth and Reconciliation Commission (TRC), and the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG). Indigenous peoples, despite representing a small percentage of Canada's population, are vastly overrepresented in correctional institutions, particularly Indigenous women. This reality calls for critical engagement with how sentencing practices, systemic discrimination, and colonial legacies intersect.

Particular attention is paid to the application of sentencing principles in an Indigenous context, including the interpretation and implementation of Gladue principles arising from *R v Gladue* and *R v Ipeelee*. Students will explore the ways in which courts are mandated to consider the unique systemic and background factors affecting Indigenous offenders, as well as culturally appropriate sanctions and community-based alternatives to incarceration.

The course also examines Indigenous-led justice initiatives, including sentencing circles and other restorative and community-based procedural mechanisms, considering their potential to foster healing, accountability, and community safety while addressing the harms of over-incarceration. Throughout, students will be encouraged to think critically about the relationship between sentencing, social justice, and reconciliation, and to evaluate sentencing practices through the lenses of critical criminology, Indigenous legal orders, and human rights.

By the end of the term, students will be able to engage in sophisticated, critical discussions about sentencing law in Canada, assess the successes and failures of *Gladue* implementation, and propose reforms to better align sentencing with principles of substantive equality and restorative justice.

LEARNING OUTCOMES

At the end of the course, you will be able to:

- Apply your knowledge of the principles of sentencing
- Evaluate sentencing options in a variety of fact situations

- Discuss Indigenous sentencing options
- Identify the *Gladue* Principles and write a *Gladue* Report.
- Demonstrate your understanding of Indigenous Sentencing Circles

REQUIRED TEXTS

Manson, A. (2001). *The law of Sentencing*. Irwin Law. ISBN: 9781552210291.

Used copies of this text are completely acceptable, and there are many affordable copies available from a variety of sources. You are welcome to purchase a used copy of the book so long as it is the 5th edition. Prices will vary.

Further required reading materials will be posted on Brightspace.

EVALUATION

Attendance and participation –

20%

Participation requires each one of us to fulfill our responsibilities to help each other engage with the material and ideas in the course. This includes attending lectures, being prepared to discuss the course materials provided, and engaging with your peers who are leading the in-class discussion.

Those who contribute to the class discussion each week, will receive full marks for participation. Lesser participation will result in a correspondingly lesser mark.

A participation self-assessment will be submitted to assist in informing this grade.

Presentation –

30 %

Presentations will consist of group and individual components. The final group presentation (20%) will be 15 minutes in length and must demonstrate knowledge gained from the course materials and in- class discussions. You will be given some time during class time to work on your group presentation. The individual component will be a written reflection (5%) on the topic chosen for the presentation, submitted via Brightspace.

Paper –

Paper Proposal – due November 10, 2025

10%

The proposal will consist of an outline of your chosen topic, including a brief description of the topic and a list of at least three main arguments you will be using to

defend your topic, as well as an annotated bibliography of 5 academic sources you will be using in your paper.

Final Paper – due December 20, 2025

40%

The paper, 3500-word count, will be on a topic of your choosing as identified and approved at the Proposal stage.

- 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 components must be successfully completed in order to get a passing grade.

Students who cannot attend on-campus assessments in person may apply to write their exams remotely, if they meet certain criteria. More information for instructors and students is available at <https://carleton.ca/ses/distance-exams/>.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

The granting of extensions is at the discretion of the instructor, who will confirm whether an extension is approved and its duration. For information about requesting short-term or long-term extensions, deferrals for final exams, or academic consideration due to illness, injury, or other extraordinary circumstances, please visit the Academic Consideration Policy page and complete the relevant forms as required. All requests must be submitted to the instructor before the assignment due date or, in the case of exam deferrals, directly to the Registrar's Office. Full details and instructions can be found here: <https://carleton.ca/registrar/academic-consideration-policy/>.

Final Grade Approval

Standing in a course is determined by the course instructor subject to the approval 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 Dean.

SCHEDULE

Week	Date	Topic	Learning Materials	Assessment
Week 1	September 8, 2025	Introduction to the topics		
Week 2	September 15, 2025	A brief history of punishment and sentencing	Chapters 1-2	
Week 3	September 22, 2025	Judicial discretion and the methodology of sentencing	Chapters 3-4	
Week 4	September 29, 2025	Substantive principles of sentencing	Chapter 5	
Week 5	October 6, 2025	Rules of sentencing	Chapter 6	Group presentation (during class time); Individual reflection
Week 6	October 13, 2025	The sentencing hearing: establishing the factual basis for sentencing Mitigating and aggravating factors	Chapter 7; Chapter 8	
	October 20, 2025	Reading week – No classes		
Week 7	October 27, 2025			
Week 8	November 3, 2025	Sentencing options	Chapters 9 p. 208-255	
Week 9	November 10, 2025	Murder and manslaughter	Chapters 10-11 p. 315-335	paper proposal due
Week 10	November 17, 2025	Culturally appropriate sentencing		
Week 11	November 24, 2025	Gladue principles, Gladue factors, and the Gladue report; Sentencing circles and other procedural mechanisms of Indigenous sentencing		
Week 12	Friday December 5, 2025	Last class and review		
				Final paper due December 20

Fall 2025 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website:</i> https://calendar.carleton.ca/academicyear/	
September 3, 2025	Fall term begins.
September 16, 2025	Last day for registration and course changes (including auditing) for fall, and fall/winter courses.
September 30, 2025	Last day to withdraw from fall term and fall/winter courses with a full fee adjustment (financial withdrawal).
October 13, 2025	Statutory holiday. University closed.
October 20-24, 2025	Fall break. No classes.
November 15, 2025	Last day for academic withdrawal from fall courses.
	Last day to request formal exam accommodations for fall, and fall/winter examinations to the Paul Menton Centre for Students with Disabilities.
November 24, 2025	Last day for summative tests or examinations or formative tests or examinations totaling more than 15% of the final grade in the fall or fall/winter before the official examination period.
December 5, 2025	Fall term ends.
	Last day of fall term classes.
	Classes follow a Monday schedule.
	Last day for take home examinations to be assigned.
December 6-7, 2025	No classes or examinations take place.
December 8-20, 2025	Final examinations in fall term courses and mid-term examinations in fall/winter courses will be held.
December 20, 2025	All final take-home examinations are due on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.
December 24, 2025 – January 2, 2025	University closed.

Permissibility of Submitting Substantially the Same Piece of Work for Academic Credit

Students are allowed to re-use a portion of their own work from previous assignments or courses, provided they acquire necessary approvals from the instructor and acknowledge and properly cite the portions that were previously submitted. For instance, if a student has already written a paper on a similar topic, they may incorporate findings or arguments from that earlier work but must indicate where these come from. Students should seek approval from the instructor if they are unsure whether their submission meets the criteria. Submitting work without clear acknowledgment of reused material will be considered a violation of academic integrity.

Cooperation or Collaboration

Collaboration is permitted in specific instances where the instructor allows it. For example, group projects or collaborative assignments may be part of the course, in which case students are encouraged to work together and divide the tasks evenly. In all other cases (such as individual assignments), students must complete their work independently.

Use of Generative Artificial Intelligence (AI) Tools

Students may use AI tools like ChatGPT, but only in specific, limited ways. AI tools can be used to assist with tasks such as gathering ideas, researching initial sources, or proofreading a final draft for grammar and style. However, students are not allowed to use AI to organize or communicate their core ideas. The focus of the course is on developing original thought and critical thinking skills, so AI should not be relied upon for creating the main content of an assignment. Any use of AI must be clearly documented and cited, including the prompts used and how the tool assisted in the process.

UNIVERSITY AND DEPARTMENTAL POLICIES

PLAGIARISM

The University Academic Integrity Policy defines plagiarism as “*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.*” This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another's data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one's own; and
- failing to acknowledge sources through the use of proper citations when using another's work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course's instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of "F" for the course.

STATEMENT ON STUDENT MENTAL HEALTH

As a University student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you.

For more information, please consult <https://wellness.carleton.ca/>

Emergency Resources (on and off campus):

- <https://wellness.carleton.ca/get-help-now/>

Carleton Resources:

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources:

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

ACADEMIC ACCOMMODATIONS

Carleton is committed to providing academic accessibility for all individuals. You may need special arrangements to meet your academic obligations during the term. The accommodation request processes, including information about the Academic Consideration Policy for Students in Medical and Other Extenuating Circumstances, are outlined on the Academic Accommodations website (students.carleton.ca/course-outline).

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows.

Pregnancy and Family-Status Related Accommodations

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 about the accommodation policy, visit the [Equity and Inclusive Communities \(EIC\)](#) website.

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, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>.

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. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

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 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. Read more here: <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/>.

Academic Consideration for Medical and Other Extenuating Circumstances

Due to medical and other extenuating circumstances, students may occasionally be unable to fulfill the academic requirements of their course(s) in a timely manner. The University supports the academic development of students and aims to provide a fair environment for students to succeed academically. Medical and/or other extenuating circumstances are circumstances that are beyond a student's control, have a significant impact on the student's capacity to meet their academic obligations, and could not have reasonably been prevented.

Students must contact the instructor(s) as soon as possible, and normally no later than 24 hours after the submission deadline for course deliverables. If not satisfied with the instructor's decision, students can conduct an "informal appeal" to the Chair of the department within three (3) working days of an instructor's decision. We have created a webform specifically for appeals to the Chair, which can be found here: <https://carleton.ca/law/application-for-review-of-refusal-to-provide-academic-consideration/>. *Note: This form only applies to LAWS courses and is not the same as a formal appeal of grade.* More information about the academic consideration can be found [here](#).