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**COURSE:** LAWS 3903 B – Victims, Criminal Justice, and the Law

**TERM:** Fall 2017

**PREREQUISITES:** Third-year standing

**CLASS:** Day & Time: Tuesday, 2:35 pm - 5:25 pm

Room: Please check with Carleton Central for current room location

**PROFESSOR:** Dr. Dale C. Spencer

**CONTACT:** Office: Loeb D597

Office Hrs: Tuesday, 9:30 – 11:30am

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Email: [dale.spencer@carleton.ca](mailto:dale.spencer@carleton.ca)

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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:** 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](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*) at <http://carleton.ca/pmc/students/dates-and-deadlines/>

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/>

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 4<sup>th</sup> floor of MacOdrum Library or online at [carleton.ca/csas](http://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/>

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### **COURSE DESCRIPTION**

This course introduces students to the study of victims and victimization. A wide array of information is provided to demonstrate the diverse experiences that victims commonly confront, the process of victimization, and the coping mechanisms victims use to address their difficult circumstances. The course explores the social consequences of specific types of victimization, including family violence, elder abuse, and sexual assault. This course looks at victim service organizations and their roles in attending to the trauma resulting from victimization. The course tracks the victim's role through all stages of criminal procedure, from the event of victimization to investigation through sentence and post-sentence matters. It examines provincial constitutions and federal statutory victims' rights. This class offers the opportunity to understand the law in this area and the underlying cultural dynamics and their relationship with the legal system. This course is concerned with individual and collective forms of victimization; state and corporate forms of victimization; and victimization of marginalized populations. Finally, the course examines how the rights of victims are defined and how society attempts to address victims' needs.

### **Course Objectives**

1. To read and discuss a variety of theoretical perspectives and empirical investigations of issues related to victims and criminal justice, utilizing victimological, legal, historical, criminological, sociological, philosophical and interdisciplinary perspectives.

2. To assist in the development of critical reading, writing, presentation, discussion, and analytical skills through class participation, small group presentations, and written assignments.

### **REQUIRED TEXTS**

Spencer, D. and Walklate, S. (2016) *Reconceptualizing Critical Victimology: Interventions and Possibilities*. Lanham: Lexington Press.\*

All other materials are available through the Carleton University library online journal and catalogue system *or* through cuLearn.

\* This text is available for purchase at the Campus Bookstore.

### **EVALUATION**

<b>GRADES &amp; SCORING</b>		
Assignments	Percentage of Total Grade	Due Date
Paper Abstract	5%	October 17, 2017
Critical Commentaries	20%	Weekly
Attendance and Small Group Presentation	15%	Weekly
Research Paper	35%	November 28, 2017
Final Exam	25%	<b>Exam period: December 10 - 22</b>

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.

**Paper Abstract and Sample Bibliography (5%):**

This assignment involves the development of a specific research question and research parameters for your final paper. The abstract (1 double spaced typed page) should briefly outline the *thesis*, issues, and arguments you will present in your final paper. Try to choose a clearly delineated and manageable topic and avoid embarking on vast research enterprises. The bibliography should present the literature you propose to use to address these issues. The bibliography is expected to conform to the minimum requirements for the final research paper (see below).

**Research Paper Assignment (35%):**

For this assignment, students shall write an essay on a subject matter suitable to the course. It is important to utilize ideas, arguments, and concepts presented in class and in course readings and to discuss and critically evaluate the materials you use in your paper. The aim of the research paper is to synthesize, discuss, and assess (not simply describe or summarize) scholarly literature and to develop a conceptual analysis of the topic chosen.

Papers shall be **12 pages** and must be **typed** and **double-spaced** (1 inch margins).

**Composition of the Research Paper:** The paper should reflect and communicate specific information from the writer to the reader. It should start with a statement of intentions and objectives, followed by a discussion and analysis of supporting and illustrative materials. Do not limit yourself to descriptive analyses only; employ relevant concepts and incorporate theoretical (or formal explanatory) arguments within your study. In writing your essay, you should be able to summarize the *thesis* (major argument) in a brief statement or short paragraph.

*Layout of the Research Paper:*

**Introduction:** The introduction presents the theme or issues explored in the essay. It briefly outlines your approach to the topic and the major ideas and argument(s) advanced in the main body of the essay. This section is 1-2 pages in length.

**Main body of the research essay:** This section develops and contains the central thesis or argument(s) of the essay. This main body should review and assess the appropriate literature, while providing an exposition of the central points. The research theme, together with ideas relating to the central thesis, should be clearly presented and substantiated. Ideally, each paragraph should focus upon a major point related to the central argument(s)

or theoretical framework. Internal headings and sub-headings are useful as a device to mark shifts in discussion while, at the same time, maintaining an integration of points to the central theme. This section is 8-10 pages in length.

*Conclusion:* This last section provides a brief summary of the essay's major argument(s) within the context of the central theme addressed. The conclusion is 1-2 pages in length.

*Bibliography/References:* Each research paper must make direct references to appropriate course readings on your specific topic.

A minimum of 15 cited scholarly references is required including scholarly journal articles or academic quality book chapters on your selected topic by different reputable social scientific authors.

References to source(s) of information should include the author's surname, year of publication, and pagination as provided in the APA 6<sup>th</sup> edition style guide.

Citation of the sources must always be given for the following: all direct quotations; paraphrases of the statements of others; opinions, ideas, and theories not your own; and, information which is not a matter of general knowledge. Even when using proper citation, it is a mistake to place too much reliance on one source. Furthermore, direct quotations from one or more authors should seldom occur in an essay and should not be longer than two or three sentences in length. All quotations of over four text lines should be indented and single spaced with quotation marks omitted. Quotations of any kind, however, must be acknowledged by a reference to the source, and include the page number(s). Quotations should be used as a way to emphasize a point or because the original author has an authority of expertise that can be best expressed by her/him).

### ***Critical Commentaries (20%):***

To promote class discussion and participation, each class member shall prepare **one** written critical commentary on one of the required readings (choose one per week) and be prepared to raise issues from their commentaries in class each week (20%) from **week 2 through week 12**. Critical commentaries should briefly outline the central claims and issues, the central debates or points of comparison, and the scholarly strengths and limitations of material as you see it (interpretations of the material are encouraged).

Commentaries must include at least one critical question that will inform class discussion and stimulate debate of issues of scholarly importance.

Each submission of critical commentaries must be 1.5 double-spaced typed pages in length

and ***handed in on the day that the reading is assigned***. Students must submit their critical commentary at the beginning of class. Throughout the semester, students will submit a total of **9** critical commentaries.

***Small Group Presentation & Attendance (15%)***:

Class attendance is mandatory. The attendance and participation mark is based on formal attendance (an attendance sheet will be signed prior to the small group presentations) and in-group reading presentations, which are completed during each the last 30 minutes of every class. You will have to present one of the readings to your group and you will have to submit your presentation notes to me at the end of the class. 10% will be apportioned for weekly attendance and 5% for your in-class presentation.

You will be assigned to small groups on the second day of class (Monday, September 19th, 2016). A sheet will be distributed and you will sign up to present on one of the readings between ***week 4 and week 13***. If you do not sign up for a presentation, it is your responsibility to contact teaching assistant or me to sign up.

**SCHEDULE**

**Week 1** – September 12, 2017 – Introduction & Victimology as a discipline

**Reading:**

O'Connell, M. (2008). Victimology: A social science in waiting? *International Review of Victimology*, 15, 91–104.

**Week 2** – September 19, 2017 – Theoretical Perspectives on Victims and Victimization I

**Readings:**

Spencer, D. and Walklate, S. (2016) Introduction: Themes and Issues in Critical Victimology. In *Reconceptualizing Critical Victimology*.

**Week 3 – September 26, 2017 – Theoretical Perspectives on Victims and Victimization II****Readings:**

Spencer, D. (2011) 'Event and Victimization', *Criminal Law and Philosophy*, 5(1): 39-52.

McShane, M. D., & Williams, F. P. (1992). Radical Victimology: A Critique of the Concept of Victim in Traditional Victimology. *Crime & Delinquency*, 38(2), 258–271. [Available on cuLearn]

**Week 4 – October 3, 2017 – Types of Victims and Victimization****Readings:**

Katz, R. and Willis, H. (2016). Boys to Offenders: Damaging Masculinity and Traumatic Victimization. In *Reconceptualizing Critical Victimology*.

Condry, R. (2016) The Parent as Paradoxical Victim: Adolescent to Parent Violence and Contested Victimization. In *Reconceptualizing Critical Victimology*

**Week 5 – October 10, 2017 - Victims, Justice and Rights****Readings:**

McEvoy, K. and McConnachie, K. (2016) Victimhood and Transitional Justice. In *Reconceptualizing Critical Victimology*.

Miers, D. (2016) Restorative Justice as a Boundary Object: Some critical reflections on the rise and influence of restorative justice in England and Wales. In *Reconceptualizing Critical Victimology*.

**Week 6 – October 17, 2017 – Victim Culture and Victim Movements****Readings:**

Lippens, R. (2016) Sovereign Bodies, Minds, and Victim Culture. In *Reconceptualizing Critical Victimology*.

Elias, R. and Gallo, C. (2016) Punishment or Solidarity: Comparing the U.S. and Swedish

Victim Movements. In *Reconceptualizing Critical Victimology*.

Paper Abstracts Due: October 17<sup>th</sup>, 2017

**Week 7** – October 24, 2017 – Fall break, No Class.

**Week 8** – October 31, 2017 - Violence against Women

**Readings:**

Ballinger, A. (2016) A Change for the Better or Same Old Story? : Women, the State, and miscarriages of justice. In *Reconceptualizing Critical Victimology*.

Walklate, S. (2008) “What is to be done about violence against women? Gender, Violence, Cosmopolitanism and the Law”, *British Journal of Criminology*, 48: 39-54. [Available on cuLearn]

**Week 9** – November 7, 2017 – Marginalized Victims

**Readings:**

Chakraborti, N. (2016) Thinking Beyond the Tick-Box. In *Reconceptualizing Critical Victimology*.

Dylan, A., Regehr, C., & Alaggia, R. (2008). And Justice for All? Aboriginal Victims of Sexual Violence. *Violence Against Women*, 14(6), 678–696.

**Week 10** – November 14, 2017 – Corporate/White Collar Crime Victims and State Crime Victims

**Readings:**

Croall, H. (2008) 'White collar crime, consumers and victimization', *Crime, Law and Social Change*, 51 (1), 127-146. [Available on cuLearn]

McGarry, R. (2016) Hierarchical Victims of Terrorism and War. In *Reconceptualizing Critical Victimology*.

**Week 11 - November 21, 2017 – Victims, Police and the Courts****Reading:**

Spencer and Patterson (2016) Still World's Apart? Habitus, Field, and Masculinities in Victim and Police Interactions. In *Reconceptualizing Critical Victimology*.

**Week 12 – November 28, 2017 – Victims and the Media****Reading:**

Greer, C. (2007) 'News Media, Victims and Crime', in P. Davies, P. Francis and C. Greer (eds.) *Victims, Crime and Society*, London: Sage. [Available on cuLearn]

Research Papers Due: November 28<sup>th</sup>, 2017

**Week 13 – Last Class – December 5, 2017 – Class Summation**