

Carleton University

Department of Law and Legal Studies

Course Outline

COURSE: LAWS 3209A
Selected Legal Topics: Canadian Correctional Policies in Historical Perspective

TERM: Fall 2014

PREREQUISITE: Third year standing

CLASS: Monday, 11.35am-2.25pm
Room: Please check with Carleton Central for current room location.

INSTRUCTOR: Maeve W. McMahon B.Soc.Sc. MA (Criminology) PhD (Sociology)

CONTACT:

Office: Loeb D586

Office hours: Tuesday 12.30-1.30pm (also usually available immediately *after* class)

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E-mail: You can e-mail me through cuLearn, also at Maeve.McMahon@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://www2.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://www2.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*). 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://www2.carleton.ca/pmc/new-and-current-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://www2.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://www.carleton.ca/studentaffairs/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.

<http://www.carleton.ca/law/student-resources/department-policies/>

COURSE OBJECTIVES AND CONTENT: This course will examine Canadian corrections in historical perspective. While our primary focus will be on developments in Ontario during the decades following World War II, we shall also be examining the international evolution of Western penal systems during the nineteenth century (as affected by Enlightenment thought and the French Revolution). We shall further examine recent rates of imprisonment internationally, and how Canadian rates of imprisonment compare to those in other parts of the world.

The major development in Ontario and Canadian corrections during the post-war (II) period was the expansion of alternatives to prison from the late 1950s through to the 1970s (e.g. probation, parole, ½ -way houses, and community service orders). We shall analytically examine related developments in the context of critical criminological debates about the alleged phenomenon of 'net-widening'.

In addition to examining issues of imprisonment and alternatives, we will also address select topics with respect to correctional policies and experiences. These topics will include reflections on the revival of privatization in corrections in recent decades; on issues concerning mandatory minimum sentences and 'get tough' approaches to crime and punishment; and on the situation of women in corrections, both as workers and as offenders.

The course objectives include facilitating students in better understanding, analysing and explaining historical developments in imprisonment and other forms of punishment, and

especially since the mid twentieth century. In particular, an objective is to facilitate students in identifying the variety of complex social, economic and political dynamics that have had an impact on evolving systems of punishment both locally and internationally. Another objective is to facilitate students in bringing an analytical eye to literatures concerning corrections - including academic, government, journalistic and reformist sources. In accordance with all of this, an objective is to familiarize students with important theoretical perspectives (e.g. the ideas of Michel Foucault, and of David Rothman) on the historical evolution of imprisonment, and of alternatives to prison, in the western world.

To facilitate student learning, we shall be making use of the Internet and exploring relevant websites. Relevant sites include the homepage of the Canadian Association of Elizabeth Fry Societies (CAEFS) and of the John Howard Society of Canada. Other relevant websites in getting started include 'The Sentencing Project' in the USA; the Journal of Prisoners on Prisons; the 'Criminalization and Punishment Education Project' (Ottawa); the 'European Group for the Study of Deviance and Social Control'; 'ICOPA' (International Conference on Prison Abolition); and the 'Smart Justice Network of Canada.'

REQUIRED READINGS

1. **The Persistent Prison? Rethinking Decarceration and Penal Reform** by Maeve McMahon. Toronto: University of Toronto Press. 1992. This will be available at the Carleton University Bookstore.
2. **'Canadian Correctional Policies in Historical Perspective'**, a course-pack compiled by Maeve McMahon, and available at the Carleton University Bookstore.
3. Students will be encouraged to identify and consult relevant media sources.

FIELD TRIP PAYMENT: On Monday, November 3 we will have a class field trip to the Ottawa Jail at 75 Nicholas Street. Students will be asked to pay \$12 each on or by the third week of class to pay for our tour/guide. In the event of non-attendance this fee is not reimbursable. Our jail tour will be scheduled during class time.

EVALUATION PROCEDURES

- 1 **Attendance 6%** Class attendance is mandatory.
- 2 **A final examination** of 2 hours duration during the formal examination period (December 10-21, Examinations are normally held seven days of the week). Closed book. **[50% of final mark]**. The examination will consist of multiple choice (20%), True/False

and short answers (20%), and an essay (10%). Students will be given detailed directions concerning preparations for the exam during the last weeks of the course.

- 3 An **essay** [10-12 pages maximum], typed, double-spaced, 12 font (Times New Roman), plus title page, table of contents, endnotes and bibliography due on **Monday October 20th at the beginning of class [44% of final mark]**.

Students will be presented with a list of potential essay topics to choose from. Students also have the option of choosing an alternative topic with the proviso that it is relevant to the materials covered in the course, and also subject to approval of the topic by the Instructor. It is expected that, as well as drawing from materials used in the course, students will locate additional relevant sources.

*Mark deductions will be applied for papers that are late without permission **or exceed the page limit**. Late assignments will be marked down by the equivalent of one half grade for each day that they are late. A medical certificate will be required to support any request for an extension. A hard copy of the essay must be submitted. They will not be accepted by e-mail.*

ALWAYS KEEP A HARD COPY OF YOUR ASSIGNMENTS.

Your paper will:

- Clearly identify the correctional phenomena, the historical period and questions or arguments that you will address;
- Provide clear supporting evidence for the historical analysis you present (acknowledging limitations of the historical record as appropriate);
- Explain how historical data and analysis have deepened your understanding of the phenomena examined by you.

In addition to this course outline, a detailed schedule of individual class topics, and associated readings, will be available for students.

PLEASE CHECK OUT THE READINGS THAT ARE ON RESERVE AT THE LIBRARY FOR THIS COURSE. THEY WILL BE USEFUL FOR YOU IN CHOOSING AND RESEARCHING PAPER TOPICS.