

Course Outline

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<b>COURSE:</b>	<b>LAWS 3307 A – Youth and Criminal Law</b>
<b>TERM:</b>	<b>FALL 2014</b>
<b>PREREQUISITES:</b>	<b>LAWS 2301 &amp; LAWS 2302</b>
<b>CLASS:</b>	<b>Day &amp; Time: Monday, 11:35-2:25</b> <b>Room: Please check with Carleton Central for current room location</b>
<b>PROFESSOR:</b>	<b>Dr. Dale C. Spencer</b>
<b>CONTACT:</b>	<b>Office: Loeb D582</b> <b>Office Hrs: By Appointment.</b> <b>Telephone: 613-520-2600 ext. 8096</b> <b>Email: <a href="mailto:dale.spencer@carleton.ca">dale.spencer@carleton.ca</a></b>

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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://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](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://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/>

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## **COURSE DESCRIPTION**

### ***Official Course Description***

A review of the Youth Criminal Justice Act within the framework of the Canadian justice system, with particular emphasis on historical and philosophical developments and objectives. Current topics include: constitutional issues, procedure, confessions, transfers, sentencing options, alternative measures, reviews, and possible amendments.

### ***General Course Description***

This course will provide an in-depth overview of the youth criminal justice act and its antecedents. This course will review various approaches to youth criminal offending and on the legal and moral regulation of youth. It will review the theories and concepts underpinning these approaches to youth offending. This course will elucidate youth experiences of the criminal justice system.

### ***Course Objectives***

1. To read and discuss a variety of theoretical perspectives and empirical investigations of issues related to youth and criminal law, utilizing legal, historical, sociological and criminological, and interdisciplinary perspectives.
2. To assist in the development of critical reading, writing, discussion, and analytical skills through class participation, class readings, and written assignments.

## **REQUIRED TEXTS\***

Schissel, B. (2006). *Still Blaming Children: Youth Conduct and the Politics of Child Hating*. Fernwood Pub.

Comack, E., Deane, L., Morrissette, L., & Silver, J. (2013). *Indians Wear Red: Colonialism, Resistance, and Aboriginal Street Gangs*. Fernwood Pub.

\* Students are to choose one of the two books listed for the book review assignment.

**EVALUATION**

Assignments	Percentage of Total Grade	Due Date
Paper Abstract and Sample Bibliography	5%	October 6 <sup>th</sup> , 2014
Book Review	30%	October 24 <sup>th</sup> , 2014
Research Paper	35%	December 1 <sup>st</sup> , 2014
Final Exam	30%	TBD

**Please Note: All components must be completed in order to get a passing grade.**

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.

**Descriptions of Assignments*****Book Review (30%):***

This assignment involves the review of one of the two books listed in the additional texts listed above. Students may review a book pertaining to this course other than the ones listed but are required to discuss and receive approval from me of the proposed book. Students are required to write an 1000 word review of the chosen book. A guide to writing book reviews will be disseminated to students on week 2 of the class.

***Paper Abstract and 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 (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 **10 pages** and must be *typed* and *double-spaced*.

**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 6-8 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:* A minimum of fifteen cited scholarly references is required including journal articles or academic quality book chapters on your selected topic by different reputable social scientific authors. You are not allowed to use Wikipedia or newspaper articles as sources.

References to source(s) of information should include the author's surname, year of publication, and pagination as in the *American Psychological Association Style Guide 5<sup>th</sup> or 6<sup>th</sup> edition*.

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).

***Final Examination*** - To be held during formal exam period at the end of the term.

30% - Cumulative exam.

## **SCHEDULE**

**\* The following course readings are available on the Carleton University Online Library Catalogue.**

**Week 1** – September 8<sup>th</sup>, 2014 – Course Introduction

**Week 2** – September 15<sup>th</sup>, 2014 – Youth as a Concept

Readings:

Foster, K. R., & Spencer, D. C. (2011). At risk of what? Possibilities over probabilities in the study of young lives. *Journal of Youth Studies*, 14(1), 125–143.

Lint, W. de, & Chazal, N. (2013). Resilience and Criminal Justice: Unsafe at Low Altitude. *Critical Criminology*, 21(2), 157–176.

**Week 3** – September 22<sup>nd</sup>, 2014 – Theoretical Approaches to Youth Offending

Reading:

Baron, S. W. (2008). Street Youth, Unemployment, and Crime: Is It That Simple? Using General Strain Theory to Untangle the Relationship<sup>1</sup>. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 50(4), 399–434. doi:10.3138/cjccj.50.4.399

**Week 4** – September 29<sup>th</sup>, 2014 – The Development of Youth-Related Laws in Canada

Reading:

**Week 5** - October 6<sup>th</sup>, 2014 – Youth Criminal Justice Act

Readings:

Carrington, P., & Schulenberg, J. (2004). Introduction: The Youth Criminal Justice Act - A New Era in Canadian Juvenile Justice? *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 46(3), 219–224.

Harris, P., Weagant, B., Cole, D., & Weinper, F. (2004). Working “In the Trenches” with the YCJA. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 46(3), 367–390.

**Week 6** – October 13<sup>th</sup>, 2014 – Youth, Risk and the YCJA

Reading:

Maurutto, P., & Hannah-Moffat, K. (2007). Understanding Risk in the Context of the Youth Criminal Justice Act. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 49(4), 465–491.

**Week 7** – October 20<sup>th</sup>, 2014 – Police and the Courts

## Readings:

Greene, C., Sprott, J. B., Madon, N. S., & Jung, M. (2010). Punishing Processes in Youth Court: Procedural Justice, Court Atmosphere and Youths' Views of the Legitimacy of the Justice System<sup>1</sup>. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 52(5), 527–544.

Marinos, V., & Innocente, N. (2008). Factors Influencing Police Attitudes towards Extrajudicial Measures under the Youth Criminal Justice Act<sup>1</sup>. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 50(4), 469–489. doi:10.3138/cjccj.50.4.469

**Week 8** – October 27<sup>th</sup>, 2014 – Fall Break – **No class**

**Week 9** – November 3<sup>rd</sup>, 2014 - Youth Sentencing and Incarceration

## Reading:

Cesaroni, C., & Peterson-Badali, M. (2013). The Importance of Institutional Culture to the Adjustment of Incarcerated Youth and Young Adults. *Canadian Journal of Criminology and Criminal Justice/La Revue Canadienne de Criminologie et de Justice Pénale*, 55(4), 563–576.

**Week 10** – November 10<sup>th</sup>, 2014 – Mental Health, the YCJA, and Young People

## Reading:

Gretton, H. M., & Clift, R. J. W. (2011). The mental health needs of incarcerated youth in British Columbia, Canada. *International Journal of Law and Psychiatry*, 34(2), 109–115.

**Week 11** – November 17<sup>th</sup>, 2014 – Aboriginal Youth, Crime, and the Criminal Justice System

## Reading:

Bracken, D. C., Deane, L., & Morrissette, L. (2009). Desistance and social marginalization The case of Canadian Aboriginal offenders. *Theoretical Criminology*, 13(1), 61–78.

**Week 12** – November 24<sup>th</sup>, 2014 – Immigrant Youth and the Criminal Justice System

## Readings:

Hagan, J., Levi, R. and Dinovitzer, R. (2008), The Symbolic Violence of the Crime-Immigration Nexus: Migrant mythologies in the Americas. *Criminology & Public Policy*, 7: 95–112.

Rossiter, M. J., & Rossiter, K. R. (2009). Diamonds in the Rough: Bridging Gaps in Supports for At-Risk Immigrant and Refugee Youth. *Journal of International Migration and Integration / Revue de L'integration et de La Migration Internationale*, 10(4), 409–429.

**Week 13** – December 1<sup>st</sup>, 2014 – Future Directions

No readings

**Week 14** – December 8<sup>th</sup> – Class Summary

### **Other Matters:**

**My Philosophy of Teaching:** I believe that the purpose of education – my philosophy on life – is to inquire and to reflect on the past, present, and future and to carry this quest for understanding beyond this educational institution into the world. What I can promise is that what you will learn and the skills acquired in this class will help you critically engage with what you hear and see in the world. I am inimical to forms of education that are predicated on indoctrination for conformity and the pursuit of a high grade without actual reflection on the academic material.

**Your feedback about the course:** If you have any suggestions about the course, they are encouraged at any time. I have incorporated a number of students' suggestions in the past.

**Student Concerns/Complaints:** From time to time students object to or have concerns about the grade they receive on a given assignment. While students may raise concerns regarding the grade they receive from me, you must wait two days after the assignment was handed back and must put your specific reasoning of why you deserve a higher grade in print. There is also a chance – upon reevaluation of the grade you received – that you will receive a lower grade on your assignment. To be clear, it is **not** enough to say that you worked really hard on an assignment, that you get higher grades in other classes, or that you believe, without a rationale, you deserve a higher grade.

**Late Assignments:** Late assignments will receive a 10% deduction for every day the assignment is late. Only under exceptional circumstances (e.g., medical issues accompanied by a valid doctor's note) will a student be able to receive an extension. To be clear, in the event of a medical issue or death in the family, you **must** submit a doctor's note or a death certificate. Unless you can demonstrate through documentation that you need or deserve an extension, you will receive the 10% deduction for every day that your assignment is late.

**Electronic Devices:** Students are required to silence all electronic devices (cellular phones, Blackberries, I-phones, pagers, ipads, etc.) when in the classroom. If there is a reason that you require your device to remain on 'ring' mode (i.e., sick child at daycare), please inform me at the start of the class. Students are not permitted to send or receive text messages during class. A student found texting during class will be asked to leave. Students are welcome to bring laptop computers to class for notetaking purposes only. Students found using social networking sites or surfing the Internet during class will be asked to leave.

**Classroom Disruptions:** Students should recognize that excessive talking, late arrival, or early departures from the classroom are disrupting for both the instructor and classmates. Please be considerate of others in the class. Continual disruption by a student may result in disbarment from the course. Please notify the instructor at the onset of class if you need to leave early or if you have to come late to the next class.