

**LAW 3307T**  
**YOUTH AND CRIMINAL LAW**  
**Department of Law and Legal Studies, Carleton University**  
*Summer 2014*

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**PREREQUISITES:** The prerequisite for enrolling in this course is the successful completion of LAWS 2301, LAWS 2302.

**COURSE PHILOSOPHY**

The purpose of the course is to provide a broad introduction to youth and the Canadian criminal legal system and to the institutions, processes, rules and actors that comprise it. The course is divided in three parts

Part 1 is to situate the youth criminal law within its general social setting, practically and theoretically and to examine the interrelationship between the aspirations and practices of each. Part 2 will look in detail at the youth participants and parties in the criminal justice system, and in particular examine the mechanisms of accountability and control for these actors and their relative effectiveness. This includes with the procedural and substantive aspects of the involvement of young people and their families with the criminal justice system including institutions, bail, conduct of a case and plea bargaining. Part 3 will address current examples and reforms and this will be discussed throughout the course to highlight the pertinent issues and problems within the system. This includes the Charter, sentencing and appeals. The focus will also include the Youth Criminal Justice Act, its intentions, contents and effects.

Throughout the course, students are encouraged to focus on their personal or work experiences as they relate to the course material. All the course material assigned and learnt will be cumulative and students will be tested comprehensively on their understanding of the material at the end of the course.

**REQUIRED TEXTBOOK**

There is one textbook required for this class:

**Lee Tustin and Robert Lutes, A Guide to the Youth Criminal Justice Act, Edition 2014, (LexisNexis Canada, 2013)**, available at the Carleton University Bookstore. You can purchase a used version of the book at the bookstore.

**COURSE EVALUATION**

|            |                              |
|------------|------------------------------|
| Mid-Term   | 40 % (May 23rd, 2014)        |
| Final Exam | 60 % (TBD by the University) |
|            | -----                        |
|            | 100 %                        |

If you must miss the mid-term exam due to verifiable illness, you may apply to shift the weight of the mid-term to the final exam by submitting a medical certificate or other verifiable documentation to me—the professor—no later than five (5) calendar days after the midterm date.

The final exam will be held during the normal formal examination period. The exact date, time and location will be announced by the Scheduling Office during the term.

The midterm exam will be written on Friday, May 23<sup>rd</sup>, 2014 at 6:00 pm to 8:00 pm. It will be a closed book exam. Complete details will be provided during the course.

FND (Failure, no deferral): *You must achieve at least 50% in the midterm and the term paper (combined) to pass this course. That is in these two components combined you must earn at least 30%.*

**MEDICAL NOTES**

Please note, that in this course, in all occasions that call for a medical certificate you must use or furnish the information demanded in  
([http://www.carleton.ca/registrar/forms/Med\\_Cert\\_%20Carleton\\_University.pdf](http://www.carleton.ca/registrar/forms/Med_Cert_%20Carleton_University.pdf))

**PAUL MENTON CENTRE**

Students with disabilities requiring academic accommodations in this course are encouraged to contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary *letters of accommodation*. After registering with the PMC, make an appointment to meet and discuss your needs with me at least two weeks prior to the first in-class test or the midterm exam. This is necessary in order to ensure sufficient time to make the necessary arrangements. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is May 16th, 2014 for summer examinations.

**GROUP WORK IN LAW COURSES**

We encourage group assignments in the school for several reasons. They provide you with opportunities to develop and enhance interpersonal, communication, leadership, follower-ship and other group skills. Group assignments are also good for learning integrative skills for putting

together a complex task. Your professor may assign one or more group tasks/assignments/projects in this course.

Before embarking on a specific problem as a group, it is your responsibility to ensure that the problem is meant to be a group assignment and not an individual one.

### For Religious Observance

Students requesting academic accommodation on the basis of religious observance should make a formal, written request to their instructors for alternate dates and/or means of satisfying academic requirements. Such requests should be made during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist, but no later than two weeks before the compulsory academic event. Accommodation is to be worked out directly and on an individual basis between the student and the instructor(s) involved. Instructors will make accommodations in a way that avoids academic disadvantage to the student.

Students or instructors who have questions or want to confirm accommodation eligibility of a religious event or practice may refer to the Equity Services website for a list of holy days and Carleton's Academic Accommodation policies, or may contact an Equity Services Advisor in the Equity Services Department for assistance.

### For Pregnancy

Pregnant students requiring academic accommodations are encouraged to contact an Equity Advisor in Equity Services to complete a letter of accommodation. The student must then make an appointment to discuss her needs with the instructor at least two weeks prior to the first academic event in which it is anticipated the accommodation will be required.

### **PLAGIARISM**

The University's Senate defines plagiarism in the regulations on instructional offences as "to use and pass off as one's own idea or product work of another without expressly giving credit to another." Borrowing someone else's answers, unauthorized possession of tests or answers to tests, or possession of material designed to help answer exam questions, are also subject to university policy regarding instructional offences.

### **PERTINENT WEB SITES**

Department of Law and Legal Studies : [www.carleton.ca/law](http://www.carleton.ca/law)

**COURSE STRUCTURE**

This course consists of twelve (12) modules; one module is to be covered normally each week. The course syllabus will generally follow the topics presented in the textbook.

These modules are as follows:

- |     |                                        |                                    |
|-----|----------------------------------------|------------------------------------|
| 1.  | May                                    | Introduction                       |
| 2.  | May                                    | History of Youth and Criminal Law  |
| 3.  | May                                    | Principles for responding to youth |
| 4.  | May                                    | Restorative Justice                |
| 5.  | May                                    | Jurisdiction of the youth court    |
| 6.  | May 23 <sup>rd</sup> , 6:00 to 8:00 pm | Mid-Term                           |
| 7.  | May                                    | Arrest and police questioning      |
| 8.  | June                                   | The youth justice court process    |
| 9.  | June                                   | Diversion                          |
| 10. | June                                   | The lawyers                        |
| 11. | June                                   | Sentencing                         |
| 12. | June                                   | <u>Conclusion</u> & Review         |