



**CAMOSUN COLLEGE**  
***Aboriginal Education and Community Connections***  
**CRIM 236**  
**Fall 2017**

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**COURSE OUTLINE**

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**1. Instructor Information**

- (a) Instructor: Todd Ormiston
- (b) Office hours: Thursdays 1:00-2:00 pm or by appointment, Ewing 204
- (c) Class Location and Time: Thursdays 10:00am-12:50pm-WT 234 (unless otherwise stated)
- (d) Phone: 370-3122, Alternative: 370-3299, (24-hour voice mail message system for both numbers)
- (e) E-mail: ormiston@camosun.bc.ca

**2. Intended Learning Outcomes:**

Learning Outcomes

*At the conclusion of this course each student will be able to:*

1. Describe the nature and extent of Indigenous peoples' involvement in committing crime.
2. Demonstrate understanding of the impact of colonization and the economic, structural, political and social factors contributing to the criminal behaviour of Indigenous peoples.
3. Describe and critically assess the role of various social control agencies, law, policy and practice in the processing of Indigenous offenders.
4. Identify and describe the major issues surrounding the delivery of justice services to Indigenous peoples and communities.
5. Describe traditional, new and emerging models of justice and practice employed to address the needs of Indigenous peoples and communities.

**3. Required Materials:**

**Text:** Criminal Justice in Canada (7th Edition) by Colin Goff.  
Various handouts

**Recommended reading:** Justice In Aboriginal Communities: Sentencing Alternatives (1998) by Ross Gordon Green

## 4. Course Content and Schedule

### Class Schedule

#### **September 7: Introduction to the course and Defining Justice from a First Nations perspective**

- What are your expectations?
- Overview of themes/issues to be covered in the course.
- Course business: class expectations of students and instructor.
- Introduction to definitions and discussion of relevant terminology.
- What is a crime? What are the stereotypes of why First Nations are involved in crime?

#### **September 14: Youth Custody: Exercising our Rights and Responsibilities to Indigenous Youth**

- Small group discussions- Youth Justice
- Indigenous Worldviews and the concept of Justice
- Sign up for group justice projects

#### **Readings:**

**Youth Custody: Exercising our Rights and Responsibilities to Indigenous Youth:**  
at: [http://www.fncaresociety.com/sites/default/files/online-journal/vol5num1/Wickham\\_pp57.pdf](http://www.fncaresociety.com/sites/default/files/online-journal/vol5num1/Wickham_pp57.pdf)

**Special Guest:** Lisa Shields-Representative for Children and Youth

#### **September 21: What is a crime?**

- Why are First Nations over-represented in the Criminal Justice System (CJS)?
- Exploring definitions of a crime/ What is criminal Justice?
- Introduction to the mainstream CJS.
- Aboriginal Justice
- Court Report Guidelines.
- Sign up for group justice projects
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Course Text: Goff, "An Overview of the Criminal Justice System in Canada," Chapter 1- pages 1-15

Course text: GOFF: Aboriginal and Restorative justice, p.93-101

#### **Sep 28: What is Criminal Justice?**

- An adversarial system

- Criminal Justice funnel
- What is bail and how is it determined?
- Due process and Crime control Model
- Anti-Terrorism Laws
- Mens Reus and Actus Reus
- Sexual assault laws
- Small groups for Indigenous justice presentations-outline guidelines presented to students

**Readings:**

Course Text: Goff, "An Overview of the Criminal Justice System in Canada," Chapter 1- pages 16-30

Course Text: Goff, "Criminal Justice in Canada," Chapter 2, pages 55-56( Sexual assault and Mens and Actus Reus) and pages ,36-47..

**October 5: The Courts and Trial Procedures and Role of Policing & Issues of Policing**

- The roles of defense lawyer, Crown prosecutor and judge
- Preliminary hearings
- Introduction to plea bargaining
- The Jury
- The trial process
- Contemporary structure and operations of the police
- Police role and function
- police subculture
- How do we police the police?

**Second half of class**

- Mock trial roles defined-review of the case
- Indigenous Justice group meeting
- defining roles for Mock trial

**Readings:**

"The Courts and Trial Procedures," Chapter 9 (p.278-289)

Criminal Justice in Canada -Chapter 5 (p.161-172)

**October 12-Quiz (FIRST HALF OF CLASS)**

- Meet in Indigenous justice groups
- Prepare for Court Visit

**October 19- Court report guidelines, Mock Trial prep and Pit Cook--meet at WT 234 and 11:30 am the class will move to Pit Cook**

- **\*\*\*Outline Due for Indigenous Justice Project**

**October 26 -Court Visit- this class will be from 9:00am-12:30pm**

- Students will meet at the Victoria Courthouse-850 Burdette Street

**November 2: De-brief on Court Visit and prepare for mock trial/ Indigenous Law principles-**

**Readings:** Criminal Justice in Canada p. 167-169 AND P 204-206

**November 9-no class due to special class on November 20**

\*Court Report due on D2L

**November 16: Mock Trial @TBA-9:30am-12:20pm**

**November 20: William Head visit**

**William Head tour-note this class is from 9:30-1:30pm in Metchosin-Guest: Wayne Seaward-Aboriginal Liaison Worker-guest appearance  
Readings: <http://www.justice.gc.ca/eng/pi/ajs-sja/>**

**November 23-  
PRESENTATION 1-Circle sentencing, student presentation 2 and 3 and review for Sentencing circle**

**November 30- Student Presentations 4 - Closing Sentencing circle**

**Student Presentation topics:**

- 1) Circle sentencing
- 2) Tribal Policing
- 3) Healing lodges
- 4) Treatment Centers

Recommended readings for student presentations:

Nishawbe Aski Legal Services Corporation: "Sentencing Circle."  
Healing Lodges of Aboriginal People  
Power in the Spirit: Okimaw Ohci Healing Lodge  
Parallel Justice System in "Feather Not a Gavel."

## 5. Basis of Student Assessment

The total marks in this course are distributed as follows:

1. Quiz	20%
2. Outline of Indigenous group project	10%
3. Court Report	20%
4. Mock Trial	5%
5. Indigenous Justice Project	30%
6. Sentencing Circle	5%
7. Participation and Attendance	10%

### 1. Quiz

#### Quiz – Oct 12

**20%**

There will be one 'in class' quiz scheduled after the first month of term. The quiz will be comprised of a number of multiple choices, short essay type answers and true/ false questions and will be based on class lecture material.

The quiz must be written on the date it is assigned. No provision will be made to write a quiz earlier and a student will only be allowed to write a missed quiz on provision of a valid medical certificate attesting to the fact that he/ she was ill on the date in question. In addition, the student who misses the quiz due to illness must inform the instructor prior to the date of the quiz of the reason of his/ her absence by e-mail.

### 2. Outline of Indigenous Justice project

**10%**

Prior to the end of September, the instructor will give students guidelines. Outline is due no later than October 19. It is highly recommended that students visit with the instructor during office hours to discuss the scope of this project. Essentially, this is a presentation which has an Indigenous led policy/initiative based on a designated theme i.e. Tribal Policing, Circle sentencing, analysis of Gladue principles etc. See above for possible topics.

**Outline due – October 19**

### 3. Court Report

20%

Each student is required to attend and observe a criminal case in Provincial or Supreme Court at 850 Burdette Avenue in Victoria. Your written report will summarize the proceedings observed, provide any insights given by a judge, the prosecutor and the native Courtworker, and provide a critical analysis of the court proceedings from a critical or Indigenous perspective. This written report must be 6 – 7 pages in length and double-spaced. **Note: One class during the semester will be given for completion of Court Visit. It is essential you are there in order to maximize potential for marks or you will have to attend on your own.** You will be provided with an example and guidelines for this paper. Please ensure you include 2 citations and references from outside readings or the Goff text.

**\*\*Due Date of Court Report: Nov 9 on D2L**

### 4. Mock Trial

5%

All students are expected to participate in mock trial, which is based on a case presented to students. Students will sign up for roles in the mock trial, everyone will have a role to play. Bonus marks available for those who play the lawyers-2 % and other characters-1%

**Date of Mock Trial: November 16 at UVIC Fraser building room 150**

### 5. Indigenous Justice Project

30%

Students are expected to form groups of 4-5 and research an Indigenous Justice theme. Students are expected to facilitate a 35-40 minute presentation in class on their topic. All presentations should include a background of the topic; a clear understanding of the topic; pros and cons of the topic (critical analysis), and what could/ should be done in the future (from an Indigenous lens) to ensure the success of the topic chosen. Students will be graded on their presentation- 20% and their group written summary- 10%. Point form summary is okay and references are essential. Powerpoint presentation must also be handed in through D2L. Those choosing to do a paper will be graded on a 8-10 page paper. More info in class.

**Due date/ Presentation date: November 23 AND 30**

### 6. Sentencing Circle

5%

All students are expected to participate in the sentencing circle which is based on the same case presented to students at the mock trial. Students will be assigned to similar or same roles as the mock trial, everyone will have a role to play. The purpose of this scenario is to show the differences between western justice and Indigenous justice.

**Date of Sentencing circle: Nov 30 in Wilna Thomas room 234**

### 7. Attendance and participation

10%

Attendance is important in order to successfully complete this course. **You must attend 80% of classes** to successfully complete this course. As this is an experiential based course, attendance will be taken at the BEGINNING of classes. Please ensure you connect with me prior to class if you cannot be there by e-mail.

## 6. Course Grading System:

%	Grade	Grade Point Equivalent
90-100	A+	9
85-89	A	8
80-84	A-	7
77-79	B+	6
73-76	B	5
70-72	B-	4
65-69	C+	3
60-64	C	2
50-59	D	1

Minimum Level of achievement for which credit is granted; a course with a "D" grade cannot be used as a prerequisite.

## 7. Recommended Materials or Services to Assist Students to Succeed Throughout the Course:

The Indigenous Education and Community Connections Department, located in Ewing 272, is a valuable resource for you. If you are having difficulty with course content, registration, course selection, funding issues or anything that would get in the way of you being successful in this program, there are Indigenous advisors and support people there for you to talk with. Please stop by the office or call our receptionist, to make an appointment, at 370-3299.

### Learning Support And Services For Students

There are a variety of services available for students to assist them throughout their learning. This information is available in the College Calendar, Registrar's Office or the College web site at <http://www.camosun.bc.ca>

## Instructional Policies

### 1. Late Penalty

All assignments must be completed and submitted on the date assigned. All late written work will be penalized by 5% per day unless an extension is legitimately warranted and approved by the instructor in advance of the assignment due date.

## **2. Written Assignment Requirements**

All assignments must be handed IN BY 12:00 MIDNIGHT on the date due.

Assignments should be turned in through D2L. If the submission of an assignment is problematic, come see me well in advance of the submission date.

Written assignments for this course must be typewritten, double-spaced and meet the basic requirements set out in the APA Reference Manual.

## **3. Plagiarism, Cheating and Academic Dishonesty**

If plagiarism, cheating or academic dishonesty can be documented, the penalty will be an automatic “zero” on the assignment in question. APA Citations and referencing must be used for papers in this class.

## **4. Course Withdrawal**

The last day to withdraw from this course without receiving a failing grade or academic penalty is November 8, 2017.

## **5. Course Completion Requirements**

Students must complete all evaluative requirements to receive a passing grade for this course. Unless granted prior instructor approval, students who fail to complete any one of the evaluative requirements will automatically receive an “F” grade.

## **6. Student Responsibility**

It is each student’s responsibility to familiarize her/himself with course and college policies. Students experiencing any difficulties during the term are encouraged to talk to the instructor and/or the Indigenous Student Advisor at the earliest opportunity.