

Senate Curriculum Committee Meeting

August 29, 2016 10:00 am in DDH

1. Welcome and decision regarding dates for monthly Senate Curriculum Committee meetings – 2016-2017.

2. SCC 'Handover Items'

Materials:

3. Human Rights Program

3.1 Cross Listed Courses for Human Rights. The following list of courses, which are to be cross-listed with Human Rights, was considered at the April 2, 2016 SCC Meeting. The list was sent to Jeffrey Carleton's Communications office before cross-listing for the proposed courses was approved by SCC. The proposed cross-listed courses are now in the 2016-17 Calendar without having received SCC approval.

The following list was submitted by Dr. Amanda Dipaolo to Dr. Carey Watt. Message from A. Dipaolo: "The following courses have received approval to be cross listed with the Human Rights Program. Emails from chairs of departments are included as confirmation of approval. "

CRIM 2223 Young Offenders and Juvenile Justice
CRIM 2743 Social Protest in Canada
CRIM 4143 Hate Crime
CRIM 4403 Feminist Legal Studies
CRIM 3003 Government and the Criminal Justice System
CRIM 2253 Crime and Society in Historical Perspective
HIST 2413 Historical Roots of Contemporary Canada
HIST 3563 History of Western Feminism
NATI 3223 Native Environmental Ethics and Ecology
NATI 3813 Native Cultural Identity
NATI 3823 Native Peoples and Racism
NATI 3813 Native Cultural Identity
NATI 3823 Native Peoples and Racism
NATI 3933 Aboriginal Peoples and International Law
PHIL 2253 Ethics of Sustainability
POLS 2803 Western Tradition of Political Philosophy I
POLS 2813 Western Tradition of Political Philosophy II
STS 2603 - Animals: Rights, Consciousness, and Experimentation

The human rights program classifies courses in four separate categories. Below is a list of the proposed cross listed courses in their appropriately designated section to fit the requirements for the major. Also included is the course description of each class to show its relevance to human rights.

Social Issues

CRIM 2743 Social Protest in Canada

This course will explore, from an historical and contemporary perspective, social protest in Canada. Some of the topics that will be studied in this course include: Strikes and Riots; The Women's Liberation Movement; The Gay Liberation Movement; The Environmental Movement; the Counter-Culture Movement of the 1960s and 1970s and Student Protests; The Civil Rights Movement; Anti-War Demonstrations; and First Nations Protests. It will explain the reasons for and the nature of social protest and discuss how social protest groups have shaped the law, politics and popular culture in Canada. Prerequisites: CRIM 1013 and 1023 or CRIM 1006.

CRIM 2253 Crime and Society in Historical Perspective

This course examines how definitions of crime and the criminal have changed over time in Canada, and how the criminal justice system has dealt with crime and criminals. The course will also highlight the role that the State, criminal justice officials, and the media have played in defining crime and the criminal. From arson to zealots, the emphasis is on an examination of class, race, age, and gender as relations of power. Prerequisites: CRIM 1013 and 1023 or CRIM 1006.

CRIM 4143 Hate Crime

This course will encourage students to critically evaluate social and legal positions and theories about hate crime, including research on victimization and offences. Possible topics include how hate crime is conceptualized, the organization and impact of hate movements, victim resistance, and social activism. Prerequisite: A minimum of 75 credit hours, which includes CRIM 1013 and 1023 or CRIM 1006, or permission of the instructor.

HIST 2413 Historical Roots of Contemporary Canada

This course examines the historical roots of many of the key issues in contemporary Canadian society. In addition to providing students with a narrative framework of Canadian history since the mid-19th century, the course will emphasize the historical dimensions of many of the most controversial issues facing Canada today, such as Quebec separatism, Aboriginal Land Claims, Western Alienation, Canada-US relations, etc. Students who have taken HIST 2806 (1806) or HIST 2823 (1823) are excluded from this course.

HIST 3563 History of Western Feminism

This course will examine the development of feminism and movements for women's rights and/or liberation in western countries from the 19th century to the present. The course will compare feminism in the United States with movements in Canada, Britain, and western continental Europe, and will question why feminism has taken on different characteristics in different nations and regions, and among different races and classes. Students who have taken HIST 3566 are excluded from this course.

NATI 3813 Native Cultural Identity

Considers cultural identity and survival within the context of inequality (power, wealth and status). Focuses on the ways in which Native language, group solidarity and community offer cultural completeness, acting as barriers to assimilation. Historic and contemporary Native cultures are presented as dynamic and flexible. Prerequisite NATI 1006 or SOCI 1006.

NATI 3823 Native Peoples and Racism

The indigenous peoples of Canada are often included as an afterthought in academic works on racism, which tend to focus on Black-White relations. However, rather than being marginal to understanding the issues of race and racism, the early encounters between European and Native Americans are central to its proper understanding. The issues which arose from Columbus' explorations remain as central to understanding modern racism as they were to the creation of racist ideology in the first place, and the treatment of indigenous peoples in Canada today is shown to be a direct intellectual descendent of the material need to deny the humanity of other human beings.

Law

CRIM 2223 Young Offenders and Juvenile Justice

This course will examine theories of juvenile delinquency in historical and contemporary perspectives. A review of Canadian legislation concerning young offenders will be done to illuminate the official response to juvenile delinquency in light of the theories noted above. Special attention will be given to the Young Offenders Act, juvenile justice in Canada, the disposition of young offenders, and the rights of young adults. Prerequisites: CRIM 1013 and 1023 or CRIM 1006.

CRIM 4403 Feminist Legal Studies

In this course, students will be exposed to a critical evaluation of women and criminology. Possible topics include social and legal responses to the victimization of women, social and legal intervention strategies, criminological discourses on women's criminalized behaviour, offence patterns, and women in criminology. Prerequisite: A minimum of 75 credit hours, which includes CRIM 1006, or permission of the instructor

NATI 3933 Aboriginal Peoples and International Law

The goal of this course is to familiarize the student with international legal norms and instruments as they relate to Aboriginal peoples. Various United Nations instruments will be studied. As well, this course will look at the history and law of various locations outside Canada such as: Africa, India, Australia, New Zealand, the United States of America, Norway, central and south America and southeast Asia. This course is designed as an upper year survey course.

Philosophical Foundations

PHIL 2253 Ethics of Sustainability

An historically-conscious analysis of various normative stances in environmental ethics integrated with a sustained consideration of how to apply this ethical theory to modern life. Topics may include deep and shallow ecology, biocentrism, eco-feminism, environmental justice, environmental virtue ethics, the ambiguous role of technology in the environmental crisis, the ethics of the green economy, the ethics of green public policy, a survey of various locally-employed environmental initiatives. Recommended preparation: PHIL 2213.

NATI 3223 Native Environmental Ethics and Ecology

Examines traditional and contemporary environmental values and practices of Indigenous peoples in North America. Considers the impact of Western values, practices, and ecological theories on Indigenous peoples and their environments. Particular attention will be given to the ways in which traditional environmental ethics remain viable in contemporary societies.

3.2 New Course Proposal in Human Rights: HMRT 3803: Human Rights of the Child

The following new course proposal (revised 26/08/16) was submitted by the Director of the Human Rights Program:

1. Type of proposal. The intended outcome of this proposal is to create a regular offering out of the proposed course. This would be a new course, not one that is simply being revised. It is not a course that will replace another course. It will allow the Human Rights Program to offer their own course on Child and Youth Rights rather than telling students to take another department's course (and one that is not offered on a regular basis).

2. Course name and proposed number. Human Rights of the Child – HMRT 3803.

3. Calendar description. This course examines the legal human rights structures in Canada and internationally, as they apply to children and adolescents in unique and rapidly evolving ways. The primary focus is on domestic human rights legislation under provincial and federal human rights Acts. Various legal regimes, both local and international, related to immigration/refugee law, privacy law, health law, criminal law, education law, Aboriginal law, child welfare law, and other areas will be surveyed. Prerequisites: HMRT 1006; or by permission of the Instructor.

4. Theme or category grouping. In the calendar, Human Rights of the Child would be listed under human rights as an elective under section a, the social issues section of the elective groups students may choose in the human rights program.

5. Impact on program requirements. Other than being an elective for students to choose, there is no impact on the program requirements in human rights by offering Human Rights of the Child. It is a course that students have asked for repeatedly. The addition of the course is likely to have a positive impact on course enrollment.

6. Cross listing. This course is currently not cross-listed with any other department. We do have the criminology course on Youth Rights cross-listed, but believe it is time to offer our own course with topics more geared towards our students needs.

7. Rationale for the course. Since arriving at STU, students have been requesting a course from the human rights program on child and youth rights that would be offered on a regular basis. The need is for a course that would look at the specific articles of the UN's Convention on the Rights of the Child, but would go much further, also looking at legal regimes in place domestically to allow for our students to become advocates for youth rights. Furthermore, human rights students want to take human rights courses. Currently, however, there is only one survey course for human rights social issues directly under the program. This course would help fill a void often complained about.

8. Instructor's name. There are two instructors who could teach the course. Mr. Gavin Kotze is a part time instructor in the program. Kotze works for the Office of the Child and Youth Advocate for the province of New Brunswick and is an expert in the topics to be covered. Dr. Christina Szurlej recently took a summer course on Child and Youth Rights (that Mr. Kotze was involved in putting together). In years where a instructor was unavailable, Dr. Szurlej would be able to step in to teach the course.

9. Course description. This course focuses on the rights of children and youth. Minors are greatly protected with a plethora of rights guaranteed by the United Nations Convention on the Rights of the Child that are usually granted to only those who have reached the age of maturity in their home countries. Through a series of articles, books, legal documents, and case studies, students will learn during the course of the semester how Canada is doing in meeting its legal obligations to minors under international law. Foreign jurisdictions for comparisons will also be examined.

This course will also provide students critical thinking skills by looking at current policies and obligations and determining how to make the policies more effective in helping the youth they are designed to protect. This hands-on work will provide students with advocacy skills that will better prepare students to enter fields where protecting the youth may be the focus of the job.

While the content of the course will change depending on the year and the instructor, some issues that will be included each time the course is offered will include immigration/refugee law, privacy law, health law, criminal law, education law, Aboriginal law, and child welfare law.

10. Evaluation system.

*This is flexible:

4 Essays (15% each = 60%). Students will be required to write four short essays based on case studies handed out. Students will need to research the case, the issue at hand, and provide real solutions to the problems at play.

Attendance and participation (10%). The class will be largely discussion based, student participation will be required and assigned a value of 10% of the course grade.

Final Exam (30%). Students will be given a final exam that will be essay questioned based and will ask students to connect themes between the works.

11. Possible course texts and other materials.

All legal documents, book chapters, and articles used will be made available online via moodle.

Possible Textbooks (These texts that are currently under consideration for the course are all available at the HIL or Law Library. If a title currently not available at the HIL were to be chosen, the copy would be given to the HIL to be put on reserve for students):

Anand, Sanjeev, ed. Children and the Law: Essays in Honour of Professor Nicholas Bala. Toronto: Irwin Law, Inc., 2011. **LAW LIBRARY**

Blackstock, C., Clarke, S., Cullen, J., D'Hondt, J., & Formsma, J. (2004). Keeping the promise: The Convention on the Rights of the Child and the lived experiences of First Nations children and youth. Ottawa, ON: First Nations Child & Family Caring Society of Canada. **E-Book HIL**

Katherine Covell and R. Brian Howe, eds. A Question of Commitment: Children's Rights in Canada, Waterloo: Wilfred Laurier University Press, 2007. **HIL**

Manley-Casimir, Michael and Kirsten Manley-Casimir, eds. The Courts, the Charter and the Schools: The Impact of the Charter of Rights and Freedoms on Educational Policy and Practice, 1982-2007. Toronto: University of Toronto Press, 2009. **E-Book HIL**

Zuker, Marvin, Randolph Hammond and Roderick Flynn. Children's Law Handbook. Toronto: Thomson Canada Limited, 2005. **LAW**

Articles, Book Chapters and Proceedings (Will be made available online via Moodle)

Canadian Foundation for Children, Youth & the Law. "Children's Right to be Heard in Canadian Judicial and Administrative Proceedings,"

Corrado, Ray, Lauren F. Freedman and Catherine Blatier. "The Over-Representation of Children in Care in the Youth Criminal Justice System in British Columbia: Theory and Policy Issues," *International Journal of Child, Youth and Family Studies*, 2011.

Nicholls, Brian Jay. "Justice in the Darkness: Mental Health and the Juvenile Justice System," *Utah Law Review*, Vol. 11, No. 2, 2009.

Nolan, Scott. "Adolescent Mental health and Justice for Juveniles," *Whittier Journal of Child and Family Advocacy*, Vol. 7:2, 2007-2008.

van Daalen-Smith, C. (2007). A right to health: Children's health and health care through a child rights lens. In *The rights of the child in Canada: A retrospective*, K. Covell & B. Howe (eds.), pp. 73-98. Waterloo, ON: Wilfrid Laurier University Press.

Canadian Law Sources (Will be made available online via Moodle)

The Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK), 1982, c 11

New Brunswick *Human Rights Act*, RSNB 1973, c H-11

New Brunswick *Family Services Act*, SNB 1980, c F-2.2

New Brunswick *Education Act*, SNB 1997, c E-1.12, s. 23

New Brunswick *Mental Health Act*, RSNB 1973, c M-10

Immigration and Refugee Protection Act, S.C. 2001, c. 27.

Youth Criminal Justice Act, SC 2002, c 1.

Baker v. Canada (Ministry of Citizenship and Immigration), [1999] 2 S.C.R. 817.

R. v. D.B., [2008] 2 S.C.R. 3, at para. 68.

Canadian Foundation for Children, Youth and the Law c. Canada (Procureur général), [2004] A.C.S. no 6.

International Law Instruments and United Nations Documents (Will be made available online via Moodle)

Committee on the Rights of the Child, General Comment No. 4, “Adolescent Health and Development in the Context of the Convention on the Rights of the Child,” CRC/GC/2003/4, 2003.

Committee on the Rights of the Child, General Comment No. 5: General Measures of Implementation for the Convention on the Rights of The Child, UN Doc. CRC/GC/2003/5, 2003.

Committee on the Rights of the Child, General Comment No. 7, “Implementing Child Rights in Early Childhood,” CRC/C/GC/7/Rev.1, 2005.

Committee on the Rights of the Child, General Comment No. 8 (2006): The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment (Arts. 19; 28, Para. 2; and 37, inter alia), CRC/C/GC/8, 2 March 2007.

Committee on the Rights of the Child, General Comment No. 9, “The Rights of Children with Disabilities”, CRC/C/GC/9, 2006

International Labor Organization *Ending child labour in domestic work and protecting young workers from abusive working conditions* / International Labour Office, International Programme on the Elimination of Child Labour (IPEC) - Geneva: ILO, 2013

UN Committee on the Rights of the Child (CRC), *UN Committee on the Rights of the Child: Concluding Observations: Canada*, 05, October, 2012, CRC/C/CAN/CO/3-4.

UN General Assembly, *Convention on the Rights of Persons with Disabilities : resolution / adopted by the General Assembly*, 24 January 2007, A/RES/61/106.

UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577

UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171.

UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3.

UN Human Rights Council, *Rights of the child: a holistic approach to the protection and promotion of the rights of children working and/or living on the street: resolution / adopted by the Human Rights Council*, 3 May 2011, A/HRC/RES/16/12

UNICEF Innocenti Research Centre, United Nations Children's Fund (UNICEF), "Innocenti Report Card 10 – Measuring child poverty: New league tables of child poverty in the world's rich countries," Florence, Italy: May 2012.

12. Bibliography

Child and Youth Rights Publications

(**Please note:** Not all the publications that are listed below are available at the HIL. These are resources that have been or may be consulted by the professors who have expressed interest in the course. Furthermore, the list is not exhaustive. There may be other resources used as reference. All texts under section 11 that will be or may be assigned for student use are at the HIL or Law Library).

Anand, Sanjeev, ed. Children and the Law: Essays in Honour of Professor Nicholas Bala. Toronto: Irwin Law, Inc., 2011.

Bennett, M. (2007). Aboriginal children's rights: Is Canada keeping its promise? In *The rights of the child in Canada: A retrospective*, K. Covell & B. Howe (eds.), pp. 265-286. Waterloo, ON: Wilfrid Laurier University Press.

Birdsell, Mary, James Brock and Emma Rhodes. *Prosecuting and defending Youth Criminal Justice Cases: A Practitioner's Handbook*. Vincenzo Rondinelli and Brian Greenspan, eds. Toronto: Emond Montgomery Publications Limited, 2016.

Blackstock, C. (2003). First Nations child and family services: Restoring peace and harmony in First Nations communities. In *Child welfare: Connecting research policy and practice*, K. Kufeldt & B. McKenzie (eds.), pp. 331-342. Waterloo, ON: Wilfrid Laurier University Press.

Blackstock, C., Clarke, S., Cullen, J., D'Hondt, J., & Formsma, J. (2004). *Keeping the promise: The Convention on the Rights of the Child and the lived experiences of First Nations children and youth*. Ottawa, ON: First Nations Child & Family Caring Society of Canada.

Canadian Coalition for the Rights of Children, "Right in Principle, Right in Practice: Implementation of the Convention on the Rights of the Child in Canada," 2011

Canadian Foundation for Children, Youth & the Law (Justice for Children and Youth). "Children's Right to be Heard in Canadian Judicial and Administrative Proceedings: Submission for the United Nations Committee on the Rights of the Child."

Canadian Foundation for Children, Youth & the Law. "Children's Right to be Heard in Canadian Judicial and Administrative Proceedings,"

Corrado, Ray, Lauren F. Freedman and Catherine Blatier. "The Over-Representation of Children in Care in the Youth Criminal Justice System in British Columbia: Theory and Policy Issues," *International Journal of Child, Youth and Family Studies*, 2011.

Davis-Barron, Sherri. *Canadian Youth & the Criminal Law: One Hundred Years of Youth Justice Legislation in Canada*. Markham, Ont: LexisNexis Canada Inc., 2009.

Flood, Jen. "Children's Rights in the Canadian Legal System," Society for Children and Youth of BC, 2013.

Friendly, Martha. "Canadian early learning and child care and the Convention on the Rights of the Child." University of Toronto Childcare Resource and Research Unit, 2006.

Hodgkin, Rachel and Peter Newell. Implementation Handbook for the Convention on the Rights of the Child: Fully Revised Third Edition. UNICEF, United Nations Publications, 2007.

Jetha, Michelle and Sidney Segalowitz. Adolescent Brain Development: Implications for Behavior. Oxford: Academic Press, 2012, esp. pp. 20-21.

Katherine Covell and R. Brian Howe, eds. A Question of Commitment: Children's Rights in Canada. Waterloo: Wilfred Laurier University Press, 2007.

Korczak, Janusz. When I am Little Again; and, The Child's Right to Respect. Lanham, Maryland: University Press, 1992.

Kufeldt, Kathleen & Brad McKenzie, eds. Child Welfare: Connecting Research, Policy, and Practice, 2nd ed. Waterloo, Ont., Wildred Laurier University Press, 2011.

Losen, Daniel J. Closing the School Discipline Gap: Equitable remedies for Excessive Exclusion. New York: Teachers College Press, 2015.

Lovinsky, Debra and Jessica Gagne. "Legal Representation of Children in Canada," Ottawa: Department of Justice Canada – Family, Children and Youth Section, 2015.

Manley-Casimir, Michael and Kirsten Manley-Casimir, eds. The Courts, the Charter and the Schools: The Impact of the Charter of Rights and Freedoms on Educational Policy and Practice, 1982-2007. Toronto: University of Toronto Press, 2009.

McKay, Wayne, et al. Teachers and the Law, 3rd ed. Toronto: Emond Montgomery Publications Limited, 2013.

Nicholls, Brian Jay. "Justice in the Darkness: Mental Health and the Juvenile Justice System," *Utah Law Review*, Vol. 11, No. 2, 2009.

Nolan, Scott. "Adolescent Mental health and Justice for Juveniles," *Whittier Journal of Child and Family Advocacy*, Vol. 7:2, 2007-2008.

Office of the Child and Youth Advocate, "More Care Less Court: Keeping Youth out of the Criminal Justice System," New Brunswick: July, 2015.

Office of the Child and Youth Advocate, State of the Child Report 2014: 25 Years of Children's Rights, November 2014.

Parliament of Canada. "Children: The Silenced Citizens – Effective Implementation of Canada's International Obligations with Respect to the Rights of Children – Final Report of the Standing Senate Committee on Human Rights," April, 2007.

Rae, Judith. "Indigenous Children: Rights and Reality – A Report on Indigenous Children and the U.N. Convention on the Rights of the Child." UN Sub-Group on Indigenous Children and Young People, August 2006.

Representative for Children and Youth British Columbia. "Aboriginal Children: Human Rights as a Lens to Break the Intergenerational Legacy of Residential Schools." July 2012.

Shelman, Eric A. and Stephen Lazowitz, Out of the Darkness: the Story of Mary Ellen Wilson, Dolphin Moon publishing, Cape Coral, Florida, 2003.

UNICEF Canada and UNICEF Innocenti Research Centre. "Not There Yet: Canada's Implementation of the General Measures of the Convention on the Rights of the Child. Florence, Italy: 2009.

UNICEF Innocenti Research Centre. "Law Reform and the Implementation of the Convention on the Rights of the Child." Florence, Italy: The United Nations Children's Fund (UNICEF), 2007.

UNICEF. "The State of the World's Children 2009, Special Edition: Celebrating 20 Years of the Convention on the Rights of the Child," 2009.

United Nations General Assembly, "A World Fit for Children", Report of the Ad Hoc Committee of the Whole of the twenty-seventh special session of the General Assembly, A/S-27/19/Rev.1, 2002

van Daalen-Smith, C. (2007). A right to health: Children's health and health care through a child rights lens. In *The rights of the child in Canada: A retrospective*, K. Covell & B. Howe (eds.), pp. 73-98. Waterloo, ON: Wilfrid Laurier University Press.

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New Brunswick *Education Act*, SNB 1997, c E-1.12, s. 23

New Brunswick *Mental Health Act*, RSNB 1973, c M-10

Immigration and Refugee Protection Act, S.C. 2001, c. 27.

Youth Criminal Justice Act, SC 2002, c 1.

Baker v. Canada (Ministry of Citizenship and Immigration), [1999] 2 S.C.R. 817.

R. v. D.B., [2008] 2 S.C.R. 3, at para. 68.

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Committee on the Rights of the Child, General Comment No. 5: General Measures of Implementation for the Convention on the Rights of The Child, UN Doc. CRC/GC/2003/5, 2003.

Committee on the Rights of the Child, General Comment No. 7, "Implementing Child Rights in Early Childhood," CRC/C/GC/7/Rev.1, 2005.

Committee on the Rights of the Child, General Comment No. 8 (2006): The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment (Arts. 19; 28, Para. 2; and 37, inter alia), CRC/C/GC/8, 2 March 2007.

Committee on the Rights of the Child, General Comment No. 9, "The Rights of Children with Disabilities", CRC/C/GC/9, 2006

International Labor Organization *Ending child labour in domestic work and protecting young workers from abusive working conditions* / International Labour Office, International Programme on the Elimination of Child Labour (IPEC) - Geneva: ILO, 2013

UN Committee on the Rights of the Child (CRC), *UN Committee on the Rights of the Child: Concluding Observations: Canada*, 05, October, 2012, CRC/C/CAN/CO/3-4.

UN General Assembly, *Convention on the Rights of Persons with Disabilities : resolution / adopted by the General Assembly*, 24 January 2007, A/RES/61/106.

UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577

UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171.

UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3.

UN Human Rights Council, *Rights of the child: a holistic approach to the protection and promotion of the rights of children working and/or living on the street: resolution / adopted by the Human Rights Council*, 3 May 2011, A/HRC/RES/16/12

UNICEF Innocenti Research Centre, United Nations Children's Fund (UNICEF), "Innocenti Report Card 10 – Measuring child poverty: New league tables of child poverty in the world's rich countries," Florence, Italy: May 2012.

4. Department of Criminology and Criminal Justice

4.1. Request for changes to the requirements for a Major in Criminology & Criminal Justice

The DCCJ is requesting that the requirements for the Major include the following:

CRIM 1013: Introduction to Criminology

AND

CRIM 1023: Introduction to Criminal Justice

CRIM 2013: Early Criminological Theory

OR

CRIM 3013: Contemporary Criminological Theory

CRIM 2103: Introduction to Qualitative Research Methods

OR

CRIM 2113: Introduction to Quantitative Research Methods

This request comes as a result of the repercussions of a 2012 DCCJ decision to remove all requirements for the Major *except* the two introductory level courses. While the decision was made with the best of intentions, the result has been that our students are graduating from our programme without having taken courses in theory and/or research methods. As this is contrary to the objectives of the Criminology & Criminal Justice program, we believe that the requirements for the Major must include at least one course in criminological theory and research methods.

These requirement changes are in addition to our recent SCC submission where the DCCJ requested that students we required to take one 3 credit hour course from each of our course streams.

4.2 Request for a course number change: CRIM 4123 to be converted to CRIM 3123

The Chair has requested that for the 2017-2018 academic year, CRIM 4123: Peacemaking Criminology and Restorative Justice be converted to a third year course offering, CRIM 3123: Peacemaking Criminology and Restorative Justice. The 4th year seminar course has been offered through the Department of Criminology & Criminal Justice since 2002, and been among the most popular of our course offerings. Converting the course into a third year offering would bolster our third year course offerings and allow more students to take the course.

4.3 Request for a change to a course name: CRIM 2223

That the course CRIM 2223: Young Offenders and Juvenile Justice be changed to CRIM 2223: "Youth Justice". The rationale is that the old name reflects previous legislation and the broader term youth justice will include historical terms such as juvenile delinquent and young offender. The new legislation is referred to as Youth Criminal Justice Act, but the name change will allow for a broader discussion than simply criminal justice.

4.4 Special Topics Course Syllabus: CRIM-4003 Prison Industrial Complex

A Special Topics Course syllabus was submitted by the Chair of Criminology & Criminal Justice. This Special Topics course will be taught by the incoming Criminology & Criminal Justice Endowed Chair, Dr. Joshua Price.

CRIM-4003. Special Topics: Prison Industrial Complex

Instructor: Joshua Price

Email: jmprice@binghamton.edu

Office Hours: Mondays 12 – 2 & by appt.

We will spend the semester investigating the roots and implications of incarceration and the disproportionate number of people of color in Canadian prisons and jails. We will pay attention to the consequences of these rates of incarceration on poor women and children, on immigrants, indigenous peoples and on other communities of color. It is crucial to study the history of the modern penitentiary, including its ties to settler colonialism. In so doing, we will attempt to understand not only the complex nature of violence and the role of the state in perpetrating and perpetuating violence, but also how we can contribute to developing analyses, strategies, and movements that address both interpersonal violence and the violence of state institutions.

Learning Objectives:

1. Students will achieve a better understanding of prisons, the history of prisons, the criminal justice system and their impact on the society.
2. Students will define the social and economic causes and consequences of the rate of incarceration.
3. Students will be able to discuss the consequences of incarceration on poor communities and communities of color.
4. Students will gain a familiarity with the language of human rights.
5. Students will develop their skills in expressing their ideas in oral and written form.

6. Students will develop their skills in conducting research.

Accommodations

If you are a student with a disability and wish to request accommodations, please notify the instructor by the second week of class. Information regarding disabilities is treated in a confidential manner.

Child Care

If you have children in your care and cannot find alternative childcare, you may bring your children to class.

Academic Honesty

All members of the university community have the responsibility to maintain and foster a condition and an atmosphere of academic integrity. Specifically, this requires that all classroom and written work for which a person claims credit is in fact that person's own work.

Students assume responsibility of the content and integrity of the academic work they submit. Students are in violation of academic honesty if they incorporate into their written or oral reports any unacknowledged published or unpublished or oral material from the work of another (plagiarism); or if they use, request, or give unauthorized assistance in any academic work.

Neither plagiarism nor cheating will be tolerated in this class. Incidents of either will result in a failing grade for the assignment in question, and may result in a failing grade overall. If you have any questions about what constitutes plagiarism or cheating, please ask me.

Course Requirements (summary):

Class Participation & Attendance: 10%.

Motivated questions: 16%

Short human rights paper 14%

Final paper proposal and Annotated bibliography DUE: (10%)

Final paper: 30%. Due last day of classes.

What functions does incarceration serve in Canada today? 20%:

1. First draft: (5%)
2. Final draft: (15%)

Course Requirements (explanation)

Class Participation & Attendance: 10%. You are required to participate in class discussions, both small and large group. This is a discussion-oriented class. All students are expected to attend each class session, to read all readings materials and demonstrate their preparedness. This includes sharing insights into the reading material, raising critical questions, responding to questions raised, and advancing the discussion. You will be able to raise your final mark if you participate fully and constructively throughout the term. Please turn off cellphones, etc. before class. Texting, updating Facebook, etc. will result in deductions in class participation.

Attendance is required. You will be excused for compelling personal reasons (e.g. sickness, death in the family). If you miss more than four classes this will not be a useful educational experience and you will have to drop the class. Students are also expected to arrive promptly and to stay until the

end of the class. Arriving late or leaving early is disruptive. In any case, I will count attendance based on who is present when attendance is taken. *Please do not approach me if you have to miss class, leave early, or arrive late.*

Motivated questions: 16%. Four motivated questions over the course of the semester; *only one per day*. Each is worth 4 points. You do *not* have to do a question every week. You pick which days you want to do one; however, *no motivated questions will be accepted on the last day of class or thereafter*. In other words, you need to time them so that you get them all done by the penultimate class. Plan ahead! The motivated questions are due the day of the reading to which they correspond. To get credit, you will have to turn in a typed copy in class. *Motivated questions will not be accepted late.*

You will pose a thoughtful question of the week's reading, any issues it raises or challenges it poses. In your question, you may put texts in conversation with one another, point out contradictions or flaws you see in the readings, etc. You will then write 1-2 pages on why the question you are posing is an important question and what motivates you to ask it. Provide enough summary of the readings to contextualize your question. It will be important to support the points you make with quotations, statistics, or other evidence from the readings. What's the thesis of the reading? What evidence supports the thesis? Asking a question and articulating your motivation will push you to reflect critically on the readings. Please take your time and think of a good question. These questions will sometimes serve as the basis for discussion in class, so be prepared to share your question in class.

Short paper on human rights: 14%. See explanation below.

Final paper: 30%. Please write a 8-15 page argument on the Canadian criminal justice system. You are free to take any position on the topic you choose, but you must provide an argument and evidence for your position. You *must* engage the issues we have raised in class, even if you end up disagreeing with the pertinent readings: you must show you have read and understood the readings. Your bibliography should include at least three academic sources that we did not use in class. (Questions on particular sources? Ask in advance). You can make your paper comparative; you might consider focusing on your home community (province, town, city, or group). Your "community" might not be a geographic community. Here are some other ideas:

1. Incarcerating transgender people as well as those who do not conform to gender norms raises a variety of thorny legal, ethical, and practical questions.
2. The detention and deportation of immigrants. To what extent is confining and deporting immigrants convicted of crimes necessary for Canada's security? Is detaining and deporting immigrants represents a violation of due process or migrant's human rights?
3. Offer a critical review of human rights issues in Canadian prisons.
4. Prison Abolition: Some argue that the fighting for the abolition of prisons is really the historical legacy of fighting for the abolition of slavery. Critics of this position – on both the left and the right, including prison reformers, argue that prison abolition is utopian, unrealistic, and ultimately a distraction. Please exam this debate and carve out a position for yourself.
5. Solutions: Write a paper where you propose solutions to some of the social problems, including the problems with the criminal justice system, we have found in class. The solutions should be compelling. Although your solutions may be original, they do not have to be, in the sense that you are encouraged to find examples of solutions that have already been tested or implemented (e.g. community-based courts, alternative sentencing, etc.). Please provide an honest, balanced evaluation of the solutions you find.

6. A majority of incarcerated women have suffered severe violence at the hands of an intimate partner during adulthood, and many of the women convicted of killing an intimate partner were abused by an intimate partner in the past. Your paper will be an effort to address the issues this raises for prosecuting and incarcerating survivor-defendants.
7. An ongoing problem in prisons and jails is sexual assault, both by correctional staff and by other incarcerated people. Review the issues at stake, including legal issues and human rights questions.
8. Formerly incarcerated people face an array of challenges to re-enter the community and society successfully after incarceration. You will review some of these challenges.
9. The “school-to-prison-pipeline” names the mechanisms by which children are funneled out of public schools and into the juvenile and criminal justice system.
10. Recent hunger strikes in Canadian jails, especially in Ontario – causes and consequences.
11. What insight does the Black Lives Matter movement give us into criminal justice system?
12. Provide an analysis of the purposes of the prison system based on the analyses of people in prison. Use writings by prisoners. You must draw on at least two books or five articles/essays by a currently or formerly incarcerated person.

This paper is due the last day of class.

Proposal with Annotated bibliography DUE: (10%)

Indicate which issue you will write your final paper on. Please include an *annotated* bibliography of *at least four sources that we have not covered in class*. You will summarize your argument in at least one paragraph. Please give as best a sense as you can what you will argue in your final paper. *Note, you must turn in an annotated bibliography on time to get credit. But in any case, you must turn in a proposal a week before you turn in your final paper. If you do not, your paper will not be accepted.*

What functions does imprisonment serve today? We will explore many of the social consequences throughout the semester, as well as components of what might be a prison-industrial complex. Now it is up to you to come up with your own account. You must provide evidence for your position. You will turn it in twice, with ample time to revise. **First draft: (5%); Final draft: (15%)**

You may choose to represent it graphically, in part, but you must also provide a textual representation.

Aspects to consider: The role of economic factors, including the profit motive, gender analysis of prisons, transgendered people in prison, race, communities of color, private prisons, poor communities, prison health care, premature death, violence against women, immigrant detention and deportation, the “war on drugs,” parole and post-incarceration, voting rights of prisoners/formerly incarcerated. etc.

The only new (ungraded) work that you may turn in for a grade the final day of class is the FINAL PAPER. But prepare and turn in a portfolio of your work. The portfolio will include all graded papers for the semester. Keep work once I hand it back to you, in other words.

We practice a conservative policy of granting incompletes. An incomplete (INC) is a temporary notation and as such will not remain on the student’s academic record beyond the date set for completion of the course work. Students are expected to complete all course work by the deadlines prescribed by the instructor. There may be special circumstances (e.g. a serious illness of the student or the death of a close relative) in which the instructor has agreed to allow late work.

Required readings will be available online.

Please note that schedule of readings is tentative. We may alter our pace depending on classroom discussions. In any case, we will announce in class the subsequent week's readings.

Please also note that some of the readings treat disturbing subjects; on occasion, the readings include descriptions of violence, including violence against women. In every case, the readings serve a pedagogical goal, but I would like you to be forewarned.

Sept 9. Review Syllabus and assignments. In class exercise.

Sept 12. Premises. Let's start with a sobering line from the 2014-2015 report from the Office of the Correctional Investigator, Howard Sapers. (March, 2016). "In the ten year period between 2005 and 2015 the federal inmate population grew by 10%. Most of this growth is attributed to steady year-on-year increases in admissions of Aboriginal people, visible minorities and women. During this period, the Aboriginal inmate population has grown by more than 50%. The population of women behind bars increased by over 50% while the number of Aboriginal women inmates almost doubled. Though representing 4.3% of Canadian society, 24.6% of the current total inmate population is Aboriginal; Aboriginal women now comprise 35.5% of the women in-custody population. Over the same period, the Black inmate population grew by 69%. The federal incarceration rate for Blacks is three times their representation rate in general society. These increases continue despite public inquiries and commissions calling for change and Supreme Court of Canada decisions urging restraint." Indeed, one of the first things a visitor from the United States notices about the prison system in Canada is the high proportion of First Nations, Metis, and Inuit who are under the thumb of the criminal justice system. Let's exam this question together. This week we'll focus on First Nations, Metis, and Inuit people and how to understand their presence in the criminal justice system. **Read** Nancy Macdonald. "Canada's prisons are the 'new residential schools,'" February 18, 2016 issue of MacLean's. (<http://www.macleans.ca/news/canada/canadas-prisons-are-the-new-residential-schools/>).

Read Background data from Correctional Service Canada

<http://www.csc-scc.gc.ca/research/forum/e121/e121j-eng.shtml>

<http://www.theglobeandmail.com/opinion/the-national-shame-of-aboriginal-incarceration/article587566/>

<http://www.oci-bec.gc.ca/cnt/rpt/oth-aut/oth-aut20121022info-eng.aspx>

<http://www.csc-scc.gc.ca/aboriginal/002003-1008-eng.shtml>

Sept 19. We'll continue this week with taking up themes from the Correctional Inspector's report. Zane Schwartz. "How a Black Lives Matter Toronto co-founder sees Canada."

<http://www.macleans.ca/news/canada/how-black-lives-matter-co-founder-janaya-khan-sees-canada/>. July, 2016.

Catherine McIntyre. "Canada Has a Black Incarceration Problem." There are 70 per cent more Black Canadians in federal prison than there were 10 years ago. What are we doing about it? *Torontoist*, April, 2016. <http://torontoist.com/2016/04/african-canadian-prison-population/>

Recommended:

Howard Sapers. Annual Report of the Correctional Investigator 2014-2015

<http://www.oci-bec.gc.ca/cnt/rpt/pdf/annrpt/annrpt20142015-eng.pdf>

Sept 26. History of Canadian prisons. Michael Jackson. "Justice Behind Walls" Sector One, Chapter One (recommended: chs2-4) <http://www.justicebehindthewalls.net/book.asp?cid=6>

Kelly Hannah-Moffat and Margaret Shaw
"Introduction" *Prisons for Women—Theory, Reform, Ideals*.
http://brunswickbooks.ca/website_pdfs/anidealconcept.pdf

Institutional self-description: History of the Canadian Correctional System: <http://www.csc-scc.gc.ca/educational-resources/092/ha-student-etudiant-eng.pdf>

Oct 3 "Prison Industrial Complex" Readings: *Eric Schlosser. "The Prison Industrial Complex" *The Atlantic Magazine*, December, 1998. <http://www.theatlantic.com/magazine/archive/1998/12/the-prison-industrial-complex/4669/>

Interview with Eric Schlosser:

<http://www.pbs.org/wgbh/pages/frontline/shows/dope/interviews/schlosser.html>

Angela Davis. "Masked Racism: Reflections on the Prison Industrial Complex." *ColorLines* #2, Fall, 1998.

Be ready to discuss the argument of Schlosser's article, especially the factors that contribute to prison growth. What does he mean by "complex"? Note that Schlosser's essay was written in the 1990s and the statistics he cites bear that out; if anything, the situation is more extreme now.

Oct 10. Thanksgiving: No class

Oct 17. Other Genealogies of the Prison. Afua Cooper. *The Hanging of Angelique: The Untold Story of Canadian Slavery and the Burning of Old Montreal*. Athens: University of Georgia Press, 2007. 1-13 & excerpts. Angela Davis. Ch. 3 & 4. *Are Prisons Obsolete?*

<http://www.feministes-radicales.org/wp-content/uploads/2010/11/Angela-Davis-Are-Prisons-Obsolete.pdf>. Follow Davis in her polemical essay on whether prisons are useful. She asks fundamental questions that we will want to take up in class. She also frames the history of the prison for us. Davis also gives an account of the beginning of solitary confinement.

*Charles Dickens, "Philadelphia, and its Solitary Prison" *American Notes for General Circulation* <http://www.victorianweb.org/authors/dickens/pva/pva344.html>

October 24. More nuts and bolts of the Canadian system. Lee Steven Chapelle. *Hard Time in Canada. Chs. 6-10.* Canadian Civil Liberties Association "Set Up to Fail: Bail and the Revolving Door of Pre-trial Detention." July, 2014. https://ccla.org/dev/v5/doc/CCLA_set_up_to_fail.pdf
Executive summary & ch. 1.

Due: First draft: Function of incarceration in Canada.

Oct 31. Andre Marin, Ontario Ombudsman. 2013. "The Code: Investigation into the Ministry of Community Safety and Correctional Services' response to allegations of excessive use of force against inmates." <https://www.ombudsman.on.ca/Files/sitemedia/Documents/Investigations/SORT%20Investigations/The-Code-EN.pdf>

Nov 7. R. v Gladue. **Read** Graeme Hamilton. "Twenty years after federal government changed sentencing, aboriginals still disproportionately fill our prisons." National Post. June 22, 2016 <http://news.nationalpost.com/news/canada/sentence-enough-twenty-years-after-gladue-aboriginals-still-disproportionately-fill-canadian-prisons>

Read decision: <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1695/index.do>

Chad Kicknosway. "Gladue Reports: not just a sentencing report."
<http://blog.legalaid.on.ca/2015/03/13/gladue-reports-not-just-a-sentencing-report/>
Look over resources at: <http://ncsa.libguides.com/gladue>

Nov 14. Botsford Fraser, M. (2012). Life on the Installment Plan: Is Canada's Penal System Making or Breaking Renee Acoby? Walrus Magazine. 12 September. Last retrieved 27 May 2014 from <http://thewalrus.ca/life-on-the-installment-plan/>.
<http://thewalrus.ca/life-on-the-installment-plan/>
Acoby, Renée (2011) "On Segregation", Journal of Prisoners on Prisons, 20(1): 89-93.
Readings: *Angela Davis. *Are Prisons Obsolete?* Ch 4.

Canadian Human Rights Commission. (2003). *Protecting Their Rights: A Systemic Review of Human Rights in Correctional Services for Federally Sentenced Women*. Ottawa: Canadian Human Rights Commission. Last retrieved 5 August 2014 from <http://www.chrc-ccdp.ca/sites/default/files/fswen.pdf>.

Nov 21. Human Rights & Incarceration. For this section of the class, please familiarize yourself with the human rights conventions that set up what we conventionally refer to as the actual concrete protections of human rights (recommended reading):
Standard Minimum Rules for the Treatment of Prisoners
<http://www1.umn.edu/humanrts/instrree/g1smr.htm>
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)
<http://www2.ohchr.org/english/law/cerd.htm>
International Covenant on Civil and Political Rights (ICCPR)
<http://www2.ohchr.org/english/law/ccpr.htm>
Canadian Charter of Rights and Freedoms: <http://laws-lois.justice.gc.ca/eng/const/page-15.html>

Assignment: Go through list of rules for "standard minimum rules for treatment of prisoners." Also review CERD & ICCPR. Can you come up with any examples of violations in Canada's prisons and jails, including immigrant detention? Bring to class: Human rights assignment (14%). Go through the human rights covenants and treaties that are assigned. Make a list of at least fifteen (15) human rights as set out by one or another of the conventions. After each, describe any particular practice, policy or condition that seems to be in violation of that right. Be sure to include what it is in the treatment that seems to violate detainees' rights.

Nov 28 Human Rights and Incarceration, cont'd. Immigration detention:
<https://endimmigrationdetention.com>
<https://endimmigrationdetention.com/2015/06/19/hunger-striking-friends-of-man-who-died-in-immigration-custody-speak-out/>
<https://www.thestar.com/news/immigration/2015/07/22/detainees-demand-answers-in-death-of-man-in-immigration-custody.html>

<https://www.thestar.com/news/immigration/2015/07/22/detainees-demand-answers-in-death-of-man-in-immigration-custody.html>

Hanna Gros, Paloma van Groll “We Have No Rights”: Arbitrary Imprisonment and Cruel Treatment of Migrants with Mental Health Issues in Canada”
http://ihrp.law.utoronto.ca/utfl_file/count/PUBLICATIONS/IHRP%20We%20Have%20No%20Rights%20Report%20web%20170615.pdf

Recommended: Gaucher, Bob (1991) “Organizing Inside: Prison Justice Day (August 10th) A Non-Violent Response to Penal Repression”, *Journal of Prisoners on Prisons*, 3(1&2): 93-110.
<http://www.jpp.org/documents/back%20issues/Gaucher-JPP-1991.pdf>

Picturing the PIC: Class Exercise.

Bring in draft of your final definition and explanation of the function of incarceration today. I will split you into pairs to review in class. In order to revise your definition, I recommend you review chapter 4 from Davis “The Prison-Industrial Complex.” Begin discussion of solutions to problems with prisons and incarceration we’ve uncovered over the course of the term.

LAST DAY TO TURN IN MOTIVATED QUESTIONS. Solutions discussion cont’d.

Dec 5. LAST DAY OF CLASS. FINAL PAPERS DUE. Portfolio due. Conclusion, Evaluation.

Recommended: “Prison Abolition in Canada” Upping the Anti #4.
<http://uppingtheanti.org/journal/article/04-prison-abolition-in-canada/>

Angela Davis Chapter 5, “Abolitionist Alternatives” *Are Prisons Obsolete?* p. 105-115;

5. Department of Philosophy

5.1 A request by the Chair of the Department has been submitted to SCC in order to have a course title renamed (shorten title).

Request to shorten title of a Philosophy course:

Current title: PHIL-3683. Topics in Epistemology
Proposed title: PHIL-3683. Epistemology

The above change should be made on page 306; the change should also be made on page 299 under ‘Honours’ and on page 300 under ‘Major’.

The Chair indicated that the change would have *no* effect on course content.

6. Department of Romance Languages

6.1 A request by the Chair of the Department of Romance Languages has been submitted to SCC for minor changes to a course calendar description.

Course title: FREN 3623. Civilisation francophone 3 : Maghreb

Rationale: the following minor changes to the current Calendar course description reflect slight adjustments that have been made to course content and pedagogical course delivery.

Current Calendar description:

FREN-3623. Civilisation francophone 3: Maghreb

Dans ce cours, il s'agira de se familiariser avec le Maghreb par la lecture d'un choix de textes (roman, nouvelle, poésie, etc.) représentatifs d'une littérature née dans le contexte de la colonisation et qui s'est approprié la langue de l'autre pour exprimer les multiples facettes de son imaginaire propre. Cet imaginaire porte les traces d'une culture orale pré-islamique (celle des Mille et une nuits), de la rencontre des peuples berbères avec les peuples arabomusulmans, et de ceux-ci avec l'Occident. En adoptant une approche chronologique, on examinera l'évolution de l'esthétique et des principaux thèmes qui font l'originalité de la littérature des pays du Maghreb. Cours préalable: FREN 2306 ou FREN 2113/2123 ou la permission du professeur

Revised Calendar description:

FREN-3623. Civilisation francophone 3: Maghreb

Dans ce cours, il s'agira de se familiariser avec le Maghreb par la lecture d'un choix de textes (roman, nouvelle, poésie, etc.) représentatifs d'une littérature née dans le contexte de la colonisation. ~~et qui s'est approprié la langue de l'autre pour exprimer les multiples facettes de son imaginaire propre. Cet~~ L'imaginaire de cette littérature porte les traces d'une culture orale, pré-islamique (~~celle des Mille et une nuits~~), de la rencontre des peuples berbères avec les peuples arabomusulmans, et de ceux-ci avec l'Occident. En adoptant une approche culturelle, ~~chronologique~~, on examinera l'évolution de l'esthétique et des principaux thèmes qui font l'originalité de la littérature des pays du Maghreb. Cours préalable: FREN 2306 ou FREN 2113/2123 ou la permission du professeur.