

RESTORATIVE JUSTICE: THEORY AND PRACTICE

WINTER TERM 2019

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COURSE DESCRIPTION

This seminar will introduce students to the theory and practice of restorative justice. Students will become familiar with the principles of a restorative approach to justice as compared with other theories of justice. Significant issues of principle and practice will be examined including an exploration of the role of victims, wrongdoers, communities and facilitators. The implication of a restorative approach to justice will be explored within the formal justice system and beyond to other social services and institutions. A number of “restorative” process models will be considered within the criminal realm and beyond. The course will explore a range of critical issues in the development and implementation of a restorative approach to justice.

FORMAT: 2 hours per week, 3 credits

GENERAL INFORMATION

The class meets 3:00pm-4:50pm Mondays in room 411.

The required materials for this course will be posted on the course website. You are permitted to make one copy for personal use of these materials. The readings for each week are indicated in the table of contents posted on the class webpage. Some weeks I will indicate particular readings to focus on.

COURSE REQUIREMENTS

15% class participation

20% conference presentation

65% paper (5% of which is for the paper proposal) included within your paper grade is your responsiveness to the paper topic and issue as presented by your community partner.

Class participation: This class is structured as a seminar class and as such is largely focused on class discussion of the topics, readings and the issues raised by them. You are expected to come to class prepared to participate in the discussion. To that end, you are required to have read the assigned materials. In addition, for each of the weeks marked with a “*” on the course reading list you must **find and read one additional piece on the topic** before coming to class. You are responsible to post the title and full cite for the piece along with a paragraph describing the main focus, argument or finding of the piece on the course website before class. You must be prepared to discuss the contents of the article in class as part of the class discussion on the topic. Your discussion should be *substantive* in

nature and intended to advance and assist the understanding of the class. They should not be simply describing the content of the readings. The posts and discussion will contribute and be assessed as part of your general participation in the class and will form 15% of your final grade.

Conference Presentation: As part of the course we will hold a one-day conference at which you will present your final paper. 20% of your final grade will be based upon your presentation at the course conference. The conference will be attended by members of the restorative community in Nova Scotia and those involved in the Nova Scotia Restorative Justice Programme (including staff and volunteers of the community justice agencies) and your community partners you worked with to discern and shape your paper topics and research. You will be expected to give a 10 min. presentation based on your paper. You will be expected to respond to questions following your presentation. The date for the conference will be announced early in the term it will likely be on a Friday in March. Please let me know if you have course conflicts during this time.

Paper: The final paper is worth 65% of your final grade. Your paper must be a scholarly research paper. Your paper topics must be approved by the Professor in consultation with community partners. You are required to submit a one page outline of your paper with a preliminary list of 6 sources attached to the outline by **Monday, February 11th, 2019**. This outline must do more than simply identify the topic. You must identify and discuss the thesis of your paper and outline the issues you anticipate covering. Prior to submitting the outline you must have met to discuss the topic with your community partner. This outline will count for 5% of your final paper grade. Late submission will result in penalties assessed by the studies committee. Failure to submit will result in a deduction of 5% from your final paper grade.

You must complete a draft of your paper in advance of the course conference. You will have an opportunity to refine the paper in light of the feedback and comments from the conference before submitting the final version on **Monday, April 8, 2019 at 3:00pm**. The papers must be submitted to the reception desk, time and date stamped. The **maximum** word limit for the paper is 6000 words (including footnotes/endnotes). Failure to submit your draft paper on time will result in a penalty assessed against the final grade for the paper.

STUDENT REQUESTS FOR ACCOMMODATION:

Requests for special accommodation for reasons such as illness, injury or personal circumstances will require an application to the Law School Studies Committee. Such requests must be made to Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes as soon as possible, before a scheduled exam or a deadline for an assignment. Retroactive accommodation will not be provided. Please note that individual professors cannot entertain accommodation requests.

Students may request accommodation as a result of barriers related to disability, religious obligation, or any characteristic under the Nova Scotia *Human Rights Act*. Students who

require academic accommodation for either classroom participation or the writing of tests and exams should make their request to the Advising and Access Services Center (AASC) prior to or at the outset of the regular academic year. Please visit www.dal.ca/access for more information and to obtain the Request for Accommodation – Form A. Students may also contact the Advising and Access Services Centre directly at 494-2836, or they may contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes for more information.

PLAGIARISM:

All students in this course must read the University policies on plagiarism and academic honesty referenced in the Policies and Student Resources sections of the <http://academicintegrity.dal.ca/> website, and the Law School policy on plagiarism, available online at <http://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>. Any paper or assignment submitted by a student at the Schulich School of Law may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above and should consult with the instructor if they have any questions. Ignorance of the policies on plagiarism will not excuse any violation of those policies.

INCLUSIVITY:

Dalhousie University is committed to a welcoming and respectful working and learning environment that is free from harassment and discrimination. We encourage open dialogue, however members of the class are expected to refrain from speaking or behaving in ways that are harmful to others, through racism, homophobia, sexism, or other derogatory treatment based on characteristics protected under the Nova Scotia *Human Rights Act*. Please do not hesitate to speak with me if you have questions or concerns, or see www.dalrespect.dal.ca for further information on resources and supports.