



**UNSW**

## UNSW Course Outline

# CRIM2031 Indigenous Perspective in Criminal Justice - 2024

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## General Course Information

**Course Code :** CRIM2031

**Year :** 2024

**Term :** Term 2

**Teaching Period :** T2

**Is a multi-term course? :** No

**Faculty :** Faculty of Law and Justice

**Academic Unit :** School of Law, Society and Criminology

**Delivery Mode :** In Person

**Delivery Format :** Standard

**Delivery Location :** Kensington

**Campus :** Sydney

**Study Level :** Undergraduate

**Units of Credit :** 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

This course traces the use of the criminal justice system in Australia to control Aboriginal people, from the period of colonial dispossession to contemporary times. Looking at crime and criminal justice through a post-colonial lens, we will hear from Aboriginal voices about experiences of

crime and criminal justice, identify emerging trends in Indigenous justice from Australia and elsewhere, and consider the possible role of self determination and reconciliation in the 'decolonisation' of criminal justice.

## Course Aims

The course examines the operation of the criminal justice system through the lens of critical theory and, as far as possible, from the perspective of Indigenous Australians. Throughout the semester we will:

1. trace the historical use of European law and criminal justice processes to dispossess and control Aboriginal people
2. consider the implications of this colonial legacy for mainstream approaches to crime prevention and criminal justice
3. identify promising directions in culturally appropriate and Indigenous-led alternatives

# Course Learning Outcomes

| Course Learning Outcomes   |
|--|
| CLO1 : Describe the significance of human rights protection, self-determination, and decolonization in reducing Indigenous crime and criminalization. (PLOs 1, 2, 4, 5, 6, 7)              |
| CLO2 : Explain historical applications of law and criminal justice in dispossessing, segregating, and controlling Aboriginal people. (PLOs 2, 3, 4, 5, 6, 7)                               |
| CLO3 : Evaluate current criminal justice practices critically and from a historically informed standpoint. (PLOs 1, 2, 3, 5, 7)  |
| CLO4 : Identify and evaluate culturally appropriate, historically informed strategies for mitigating crime and addressing social issues in Indigenous communities. (PLOs 1, 2, 3, 5, 6, 7) |

| Course Learning Outcomes   | Assessment Item   |
|--|---|
| CLO1 : Describe the significance of human rights protection, self-determination, and decolonization in reducing Indigenous crime and criminalization. (PLOs 1, 2, 4, 5, 6, 7)              | <ul style="list-style-type: none"><li>• Class Participation</li><li>• Group Presentation</li><li>• Assignment</li></ul> |
| CLO2 : Explain historical applications of law and criminal justice in dispossessing, segregating, and controlling Aboriginal people. (PLOs 2, 3, 4, 5, 6, 7)                               | <ul style="list-style-type: none"><li>• Class Participation</li><li>• Assignment</li></ul>                              |
| CLO3 : Evaluate current criminal justice practices critically and from a historically informed standpoint. (PLOs 1, 2, 3, 5, 7)  | <ul style="list-style-type: none"><li>• Group Presentation</li><li>• Class Participation</li></ul>                      |
| CLO4 : Identify and evaluate culturally appropriate, historically informed strategies for mitigating crime and addressing social issues in Indigenous communities. (PLOs 1, 2, 3, 5, 6, 7) | <ul style="list-style-type: none"><li>• Group Presentation</li><li>• Assignment</li><li>• Class Participation</li></ul> |

## Learning and Teaching Technologies

Moodle - Learning Management System

# Assessments

## Assessment Structure

| Assessment Item                                      | Weight | Relevant Dates  |
|--|--------|---|
| Class Participation<br>Assessment Format: Individual | 20%    |   |
| Group Presentation<br>Assessment Format: Group       | 30%    |   |
| Assignment<br>Assessment Format: Individual          | 50%    | Start Date: Not Applicable<br>Due Date: 26/07/2024 11:59 PM |

## Assessment Details

### Class Participation

#### Assessment Overview

This assessment requires you to prepare for and actively engage in class-based discussions and activities.

#### Course Learning Outcomes

- CLO1 : Describe the significance of human rights protection, self-determination, and decolonization in reducing Indigenous crime and criminalization. (PLOs 1, 2, 4, 5, 6, 7)
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- CLO3 : Evaluate current criminal justice practices critically and from a historically informed standpoint. (PLOs 1, 2, 3, 5, 7)
- CLO4 : Identify and evaluate culturally appropriate, historically informed strategies for mitigating crime and addressing social issues in Indigenous communities. (PLOs 1, 2, 3, 5, 6, 7)

#### Detailed Assessment Description

Yarning circles are an important process within Aboriginal culture. It has been used by Indigenous peoples from around the world for centuries to learn collectively, build respectful relationships, and to preserve and pass on cultural knowledge.

A yarning circle is a harmonious, creative, and collaborative way of communicating to:

- encourage responsible, respectful, and honest interactions between students, building trusting relationships
- foster accountability and provide a safe place to be heard, learn and to respond
- promote student–student interactions and student–teacher connectedness
- enrich learning experiences for students.

## **Assessment Overview:**

- Weight 20%.
- Yarning circles is assessed as class participation and is on-going throughout the term.
- Yarning circles will be conducted inside or outside of the classroom during each lecture/tutorial.
- Based on the week's reading, video, nominated topic, online activity etc.

More information will be provided on the course page.

- Each student's participation can be assessed weekly based on the rubric criteria.

## **Yarning circle structure:**

1.

1. **Sit in a circle:** students sit in a circle and are encouraged to actively listen to others' views. Students should understand that they are all considered equal within the circle and that there is no hierarchy.
2. **Introduce focus questions:** Yarning circles can be undertaken for many reasons. The teacher introduces the purpose of the yarning circle or the focus question to students.
3. **Share ideas and thoughts:** The teacher or facilitator encourages students to take turns to talk and to promote reciprocal sharing and learning. Time can be allocated for participants to write or draw their thoughts after each person speaks.

The teacher or facilitator could provide butcher's paper in the middle of the circle for students to record their thoughts or hold the circle outside so participants can draw their thoughts in the ground.

1.

1. **Reflect:** Resolve any identified actions or issues or agree to follow up in future yarning circles.

## **Resources**

- What is a yarning circle?

<https://www.evolves.com.au/yarning-circle-meaning-and-importance-for-australian-indigenous-culture/>

- Yarning circles

<https://slli.cass.anu.edu.au/centres/andc/yarning-circle>

- ABC News Australia- Yarning Circles

<https://www.youtube.com/watch?v=saOR4XPqj4s>

- Anglicare Southern Queensland- What is a yarning circle?

[https://www.youtube.com/watch?v=N-CAFK\\_IUlw](https://www.youtube.com/watch?v=N-CAFK_IUlw)

#### Assessment Length

n/a

#### Assignment submission Turnitin type

Not Applicable

### **Group Presentation**

#### Assessment Overview

This assessment requires you to work collaboratively to prepare for and deliver a presentation. ☺

#### Course Learning Outcomes

- CLO1 : Describe the significance of human rights protection, self-determination, and decolonization in reducing Indigenous crime and criminalization. (PLOs 1, 2, 4, 5, 6, 7)
- CLO3 : Evaluate current criminal justice practices critically and from a historically informed standpoint. (PLOs 1, 2, 3, 5, 7)
- CLO4 : Identify and evaluate culturally appropriate, historically informed strategies for mitigating crime and addressing social issues in Indigenous communities. (PLOs 1, 2, 3, 5, 6, 7)

#### Detailed Assessment Description

##### **Assessment Details:**

*Your task is to*

1. Present in-class, with a partner, a 10-minute presentation where you are expected to propose a plan or strategy to address two key issues:
  1. **Closing the Gap in Imprisonment Rates:** Students should focus on a strategy/s to reduce the disproportionate imprisonment rates of Aboriginal and Torres Strait Islander people. This could include proposals for reform in the criminal justice system, community-based

interventions, or legislative changes.

**2. Reducing Violence Against Aboriginal and Torres Strait Islander People:** Students need to develop a strategy/s to cut the disproportionate rates of violence experienced by Aboriginal and Torres Strait Islander people, especially women and children. Proposals might include community-led initiatives, policy reforms, or educational programs.

1. Overview handout: prepare a one-pager overview handout for the class that succinctly details the main points of your presentation and the strategy/s to address the key issues. Think about how best to format the handout, the use of visuals and its layout to maximise engagement and support the audience's understanding.

1. Respond to a Q&A session (approximately 5 minutes) from your peers and teacher at the conclusion of your presentation.

Each pair's presentation should be well-researched and grounded in the principles and recommendations outlined in the "Blueprint for Change" document.

Students are expected to demonstrate a deep understanding of the issues, articulate their proposed solutions clearly, and show how these solution/s are aligned with the needs and values of Aboriginal and Torres Strait Islander communities.

Your teacher will inform you how pairs will be formed and when you and your partner will be presenting.

More information is provided on the Moodle course page.

#### **Assessment Length**

10 minutes

#### **Submission notes**

Word document (notes/transcript of presentation) and/or slide deck (PowerPoint or Google Slides) via Assignment 2 Turnitin submission on course page One-pager handout on the day of presentation.

#### **Assignment submission Turnitin type**

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

# Assignment

## Assessment Overview

This assessment requires you to prepare a written response to an assignment.

## Course Learning Outcomes

- CLO1 : Describe the significance of human rights protection, self-determination, and decolonization in reducing Indigenous crime and criminalization. (PLOs 1, 2, 4, 5, 6, 7)
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- CLO4 : Identify and evaluate culturally appropriate, historically informed strategies for mitigating crime and addressing social issues in Indigenous communities. (PLOs 1, 2, 3, 5, 6, 7)

## Detailed Assessment Description

### Assessment Details

Write an essay on the following topic:

*The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) reported thirty years ago on endemic problems in Aboriginal people's involvement with the criminal justice system.*

*The Report of the Commission made a number of recommendations to reduce the toll of Aboriginal people in custody. While there are differences of opinion on the matter, there is some consensus that the majority of recommendations have not been adequately implemented.*

*Part of the Report is an analysis of each individual death of an Aboriginal person in the Commission's terms of reference ([RCIADIC - Individual Death Reports \(austlii.edu.au\)](#)).*

For this assessment, you should choose **one** of these cases and discuss how implementation of the recommendations of the Commission, or other policy implementation, would have prevented or helped prevent that specific loss.

## Resources

- Analysis of each individual death of an Aboriginal person in the Commission's terms of reference

<https://www.austlii.edu.au/au/other/IndigLRes/raciadic/individual/>

- National Archives of Australia- Royal Commission into Aboriginal Deaths in Custody

<https://www.naa.gov.au/explore-collection/first-australians/royal-commission-aboriginal-deaths-custody#:~:text=The%20Royal%20Commission%20was%20established,General%20on%2016%20October%201987>.

- Royal Commission into Aboriginal Deaths in Custody- reports

<https://www.austlii.edu.au/au/other/IndigLRes/rciadic/>

- Review of the Implementation of the Royal Commission into Aboriginal Deaths in Custody

<https://www.niaa.gov.au/resource-centre/indigenous-affairs/review-implementation-royal-commission-aboriginal-deaths-custody>

- Recommendations

<https://www.austlii.edu.au/au/other/IndigLRes/rciadic/national/vol5/5.html>

#### **Assessment Length**

2000 words +/- 10%

#### **Submission notes**

Word document or PDF via Assignment 3 Turnitin submission on course page.

#### **Assignment submission Turnitin type**

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

## **General Assessment Information**

#### **Grading Basis**

Standard

# Course Schedule

| Teaching Week/Module         | Activity Type | Content   |
|------------------------------|---------------|---|
| Week 0 : 20 May - 26 May     | Other         | There are no set activities this week, but it is a good opportunity to familiarise yourself with the course Moodle page, weekly content and course structure. |
| Week 1 : 27 May - 2 June     | Seminar       | Introductions   |
| Week 2 : 3 June - 9 June     | Seminar       | Colonisation - Phase 1: The legacy of violence  |
| Week 3 : 10 June - 16 June   | Seminar       | Colonisation - Phase 2: Aboriginal Protection, missions and reserves. The legacy of child removal   |
| Week 4 : 17 June - 23 June   | Seminar       | Colonial history: Urbanisation, assimilation, criminalisation. The legacy of alcohol and other drugs  |
| Week 5 : 24 June - 30 June   | Seminar       | A criminological and Aboriginal geography of Redfern  |
| Week 6 : 1 July - 7 July     | Other         | Flexibility Week: There are no classes this week  |
| Week 7 : 8 July - 14 July    | Seminar       | Women's experiences, and the role of housing in the criminalisation of Aboriginal people  |
| Week 8 : 15 July - 21 July   | Seminar       | Young Indigenous people and incarceration. Alternatives: restorative justice and bush camps   |
| Week 9 : 22 July - 28 July   | Seminar       | Policing and the courts. Alternatives: Circle courts  |
| Week 10 : 29 July - 4 August | Seminar       | Where to from here?   |

## Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

## Staff Details

| Position | Name          | Email | Location | Phone | Availability | Equitable Learning Services Contact | Primary Contact |
|----------|---------------|-------|----------|-------|--------------|-------------------------------------|-----------------|
|          | Phillip Wadds |       |          |       |              | Yes                                 | No              |
| Lecturer | Carly Stanley |       |          |       |              | No                                  | Yes             |

## Other Useful Information

### Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

### **UNSW Law & Justice Assessment Policy**

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

### **Academic Honesty and Plagiarism**

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

# Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

## Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

## Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

## Faculty-specific Information

### Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>

- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

## Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.