



**UNSW**  
SYDNEY

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# CRIM2031

Indigenous Perspective in Criminal Justice

Term Two // 2019

## Course Overview

### Staff Contact Details

#### Convenors

Name	Email	Availability	Location	Phone
Howard Sercombe	<a href="mailto:h.sercombe@unsw.edu.au">h.sercombe@unsw.edu.au</a>	Tuesday 12-2	MB G38	0402093106

### School Contact Information

School of Social Sciences

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## Course Details

### Credit Points 6

### Summary of the Course

Subject Area: *Criminology*

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 Learning Outcomes

1. Appreciate the historical use of law and criminal justice to dispossess, segregate and control Aboriginal people
2. Assess contemporary criminal justice practices from a critical and historically informed perspective
3. Identify and assess culturally appropriate and historically informed strategies to reduce crime and social problems faced by Indigenous communities
4. Understand the relevance of human rights protection, self determination and decolonisation to reducing Indigenous crime and criminalization

### Teaching Strategies

Students participating in this course will be encouraged to engage with specialized knowledge from Indigenous and non-Indigenous sources through private reading and research, critical class discussion, and interaction with leading practitioners in Indigenous justice fields. These learning activities will be contextualized within an historical understanding of the dynamics of colonialism, and will be conducted in a manner, which promotes respect for and recognition of Indigenous Australians as the First Peoples of Australia.

Note that this is not a course on Aboriginal history, identity or culture. We encourage interested students to pursue further studies on these specialized topics through the Nura Gili Indigenous Centre

[www.nuragili.unsw.edu.au](http://www.nuragili.unsw.edu.au)

Students are expected to play a key part in all classes. Workshop formats will be varied as much as possible, including open discussion, structured exercises, use of audio-visual material. Students will be expected to attend field visits. Student-led discussion and debate will be encouraged and expected. The views of Indigenous commentators and practitioners will be given a prominent place in the learning strategies, expressed through written and audio visual material and guest presentations, reflecting the central value placed on Indigenous self-determination and Indigenous-led learning. Completion of weekly readings will greatly enhance the learning environment for all participants, and both Indigenous and non-Indigenous students are encouraged to share relevant observations from their other studies and personal experience.

# Assessment

## Assessment Tasks

Assessment task	Weight	Due Date	Student Learning Outcomes Assessed
Reflective journal	10%	08/07/2019 11:59 PM	1,3
Essay	35%	22/07/2019 11:59 PM	2
Policy Evaluation	55%	19/08/2019 11:59 PM	1,2,4

## Assessment Details

### Assessment 1: Reflective journal

**Start date:**

**Length:** 500 words

**Details:** Word Length: 500 words +/- 10% Description: For the first five weeks of the semester, you must write a 500 word reflective journal about your own learning and insights in understanding Indigenous perspectives on crime and the criminal justice system. Each entry will be peer-reviewed in class, before you select one weekly entry to be submitted for formal assessment. You will receive written feedback within two weeks of submission.

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

### Assessment 2: Essay

**Start date:**

**Length:** 1200

**Details:** Length: 1,200 words +/- 10% Description: Select a film, novel, biography or television miniseries which has a credible claim to have been presented from an Indigenous perspective. Write an essay about Indigenous peoples' interaction with criminal law and the criminal justice system, using the work as your primary source. You will receive written feedback within two weeks of submission.

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

### Assessment 3: Policy Evaluation

**Start date:**

**Length:** 2000

**Details:** Length: 2,000 words Description: The 2007 Northern Territory Intervention (and its successor, the 2012 "Stronger Futures in the Northern Territory" policy) was undertaken explicitly by the

Commonwealth Government as a response to alleged criminal activity. Evaluate the Intervention, including both immediate impacts on crime levels and Indigenous people's interaction with the criminal justice system, and expected long-term impacts from aspects of the policy which (arguably) reimpose colonial practices. You will receive written feedback within two weeks of submission. This is the final assessment for the course.

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

## Attendance Requirements

This course is grounded in encounter with Indigenous perspectives on criminology. We are not convinced that this learning can be accessed remotely, and the university has been persistent, in the face of some difficult resource constraints, in making sure that an Indigenous point of view is presented in person. We think it appropriate that students attend the seminar. An 85% attendance rule is therefore in place and attendance will be recorded.

## Course Schedule

[View class timetable](#)

### Timetable

Date	Type	Content
Week 1: 3 June - 7 June	Seminar	Introductions: Howard, Carly. The nature of knowledge and the knowledge exchange process. Language and register. The unit outline and assessments. Setting out the problem: the capture of Aboriginal people by the Criminal Justice System.
	Homework	The Royal Commission into Aboriginal Deaths in Custody (1991) was and remains a landmark in the sense of pulling together the sociological, criminal and personal stories of how Aboriginal people came to be so captured by the criminal justice system. The task for this structured activity is to get across the RCIADIC as a way of orienting yourself to this field. We will set out a series of guided learning experiences for you to get to the heart of this extensive body of work.
Week 2: 10 June - 14 June	Seminar	Film: Prison Songs The inmates of a Darwin prison share their histories, thoughts and feelings through song. We will follow this screening with a criminological reading of the film, and share some personal experiences relevant to the insights generated by it.
Week 3: 17 June - 21 June	Seminar	Colonial history:  Phase 1: invasion, conflict and the law. Criminological consequences.
Week 4: 24 June - 28 June	Seminar	Violence  Contemporary experience of violence: victims and defenders. Theories of violence; violence cycles. Cultural perspectives on violence. Violence and the law. State sponsored violence.

Week 5: 1 July - 5 July	Fieldwork	A criminological geography of Redfern: walking tour Carly will take us on a walking tour of the Block, in Redfern. Rendezvous details to be confirmed
Week 6: 8 July - 12 July	Seminar	Colonial history: Phase 2: Aboriginal protection, reserves and missions. And the criminological consequences. A note on the NT Intervention.
Week 7: 15 July - 19 July	Seminar	Women's experience: as victims of crime, perpetrators of crime The criminological consequences of child removal
Week 8: 22 July - 26 July	Seminar	Colonial History: Phase 3: Urbanisation, assimilation and criminalisation. Contemporary experience: Alcohol
	Homework	Alternatives: restorative justice, circle courts, bush camps. This week the Structured Learning exercise will lead you through Aboriginal people's experience of some of the alternatives to incarceration.
Week 9: 29 July - 2 August	Seminar	Being young, Aboriginal, and in the criminalized space.
Week 10: 5 August - 9 August	Seminar	The Uluru Statement from the Heart: what is the criminological impact? Where does the Statement lead policy? What should we do?

## Resources

### Prescribed Resources

J.H. Wootten, AC, QC. 1991. The Report of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC). Regional report of inquiry in New South Wales, Victoria and Tasmania. 30 March 1991

Human Rights Commission, 1997. *Bringing them Home*. Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families April.

Cunneen, C. and Tauri, J., 2016. *Indigenous criminology*. Bristol, Policy Press.

Blagg, H. 2008. *Crime, Aboriginality, and the decolonisation of justice*. Annandale, Federation Press.

### Recommended Resources

Week by week resources will be listed on the relevant Moodle page.

### Course Evaluation and Development

This is the second iteration of this course in its current form. Towards the end of the course, detailed feedback will be elicited from students, along with online opportunities for feedback. This material will be analysed and communicated to future course convenors.



## **Submission of Assessment Tasks**

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### **Turnitin Submission**

If you encounter a problem when attempting to submit your assignment through Turnitin, please telephone External Support on 9385 3331 or email them on [externalteltsupport@unsw.edu.au](mailto:externalteltsupport@unsw.edu.au) . Support hours are 8:00am – 10:00pm on weekdays and 9:00am – 5:00pm on weekends (365 days a year). If you are unable to submit your assignment due to a fault with Turnitin you may apply for an extension, but you must retain your ticket number from External Support (along with any other relevant documents) to include as evidence to support your extension application. If you email External Support you will automatically receive a ticket number, but if you telephone you will need to specifically ask for one. Turnitin also provides updates on their system status on Twitter.

Generally, assessment tasks must be submitted electronically via either Turnitin or a Moodle assignment. In instances where this is not possible, it will be stated on your course's Moodle site with alternative submission details.

For information on how to submit assignments online via Moodle: <https://student.unsw.edu.au/how-submit-assignment-moodle>

## Academic Honesty and Plagiarism

Plagiarism is using the words or ideas of others and presenting them as your own. It can take many forms, from deliberate cheating to accidentally copying from a source without acknowledgement.

UNSW groups plagiarism into the following categories:

**Copying:** using the same or very similar words to the original text or idea without acknowledging the source or using quotation marks. This also applies to images, art and design projects, as well as presentations where someone presents another's ideas or words without credit.

**Inappropriate paraphrasing:** Changing a few words and phrases while mostly retaining the original structure and/or progression of ideas of the original, and information without acknowledgement. This also applies in presentations where someone paraphrases another's ideas or words without credit and to piecing together quotes and paraphrases into a new whole, without appropriate referencing.

**Collusion:** working with others but passing off the work as a person's individual work. Collusion also includes providing your work to another student before the due date, or for the purpose of them plagiarising at any time, paying another person to perform an academic task, stealing or acquiring another person's academic work and copying it, offering to complete another person's work or seeking payment for completing academic work.

**Inappropriate citation:** Citing sources which have not been read, without acknowledging the "secondary" source from which knowledge of them has been obtained.

**Duplication ("self-plagiarism"):** submitting your own work, in whole or in part, where it has previously been prepared or submitted for another assessment or course at UNSW or another university.

Correct referencing practices:

- Paraphrasing, summarising, essay writing and time management
- Appropriate use of and attribution for a range of materials including text, images, formulae and concepts.

Individual assistance is available on request from The Learning Centre (<http://www.lc.unsw.edu.au/>). Students are also reminded that careful time management is an important part of study and one of the identified causes of plagiarism is poor time management. Students should allow sufficient time for research, drafting and proper referencing of sources in preparing all assessment items.

UNSW Library also has the ELISE tool available to assist you with your study at UNSW. ELISE is designed to introduce new students to studying at UNSW but it can also be a great refresher during your study.

Completing the ELISE tutorial and quiz will enable you to:

- analyse topics, plan responses and organise research for academic writing and other assessment tasks
- effectively and efficiently find appropriate information sources and evaluate relevance to your needs
- use and manage information effectively to accomplish a specific purpose
- better manage your time

- understand your rights and responsibilities as a student at UNSW
- be aware of plagiarism, copyright, UNSW Student Code of Conduct and Acceptable Use of UNSW ICT Resources Policy
- be aware of the standards of behaviour expected of everyone in the UNSW community
- locate services and information about UNSW and UNSW Library

Some of these areas will be familiar to you, others will be new. Gaining a solid understanding of all the related aspects of ELISE will help you make the most of your studies at UNSW.

<http://subjectguides.library.unsw.edu.au/elise/aboutelise>

## **Academic Information**

For essential student information relating to:

- requests for extension;
- late submissions guidelines;
- review of marks;
- UNSW Health and Safety policies;
- examination procedures;
- special consideration in the event of illness or misadventure;
- student equity and disability;
- and other essential academic information, see

<https://www.arts.unsw.edu.au/current-students/academic-information/protocols-guidelines/>

## **Image Credit**

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