A. Goal of the lesson
- This lesson aims to give students a working familiarity with basic reasoning in criminal justice;
- This lesson aims to give students the ability to find solutions to gaps in their knowledge, including research and critical thinking skills.

B. Activities

1. Lecture (15 min)

Explain some basic concepts and its application of debates. See the **provided theory** for an overview you could use for your presentation. See if the class has questions about criminal justice dilemma's. If they do, try to reason with your class what the answer could be. If that does not work, use Exercise 1 to come up with an answer. If the class has no questions, use Exercise 2 to apply the material.

2. Exercise 1: Class Research (40 min)

If the students come up with questions that you don't find a quick answer to in class, write the question on the board. After the Lecture is over, divide the class in groups equivalent to the number of questions on the board. Each group gets 5 minutes to brainstorm their answers, then 15 minutes to look up additional information on the internet (if possible in your classroom setting), and then 5 minutes to formulate an answer to the question. The students give a short 2-minute presentation per group on their findings.

3. Exercise 2: Class Debate (40 min)

Provide the class with a motion on the topic. Discuss the knowledge needed with the class as a whole (10 minutes).

Then divide the class in 2 groups (or more if the class size is over 16, as long as the number is divisible by 2). Give the groups a side to prepare. The groups need to come up with a case in favour or against a motion, and have one member prepare a 3-minute Prime Minister or Leader of Opposition speech (5 minutes if the students can fill 5 minutes during practice debates) (15 minutes). The Prime Minister and Leader of Opposition deliver their speechesIf multiple group exists, you can either select at random the Prime Minister and Leader of Opposition, or split up the group in two if you have a second trainer present to evaluate the other group. [10 minutes]

The whole class offers feedback on the delivered speeches. [5 minutes].

C. Preparation

- Read the **provided theory** if you feel you don't have an handle on this topic. An additional entry into the field can be found here: http://open.lib.umn.edu/criminallaw/chapter/1-5-the-purposes-of-punishment/ If you have more time on your hands and have a basic understanding of philosophy texts you can read the Stanford Encyclopedia entries on Justice (through http://plato.stanford.edu/). The Blackstone School of Law offers a great introductory series of videos on criminal law and justice for those inclined to audiovisual learning
(https://www.youtube.com/watch?v=6Gc6La918aA&list=PLnniUjV8pf5-zcopCpkS0aNYqfJVLNajG).
- Prepare three motions on the topic. See www.hellomotions.com and check out their spreadsheet to have a good overview of relevant motions. Pick motions that were used for preliminary rounds, as they are often more accessible.
- You can ask students to provide you with questions they have in advance in order to help structure your lecture.

D. Hints

- Lectures can be dry and take a while. Make sure to apply the principles of Action-Based-Learning in your lectures. Have students identify which questions are most relevant to them, and test the students during your explanations, so that students create ownership over their learning process. This also avoids the pitfall of overestimating or lowballing your students' prior knowledge on the subject.
- You as a teacher may not know everything about this content lecture. The lecture is written such that students themselves explore these topics. Feel free to guide them towards finding their own answers.
- You as a teacher may know a lot about this topic. Be sure that you tailor your knowledge to your students' knowledge level and needs. Be sure to explain difficult jargon or concepts.

E. Verification

- Ask students what questions they have on the topic at the start of the class. Ask students at the end of the class if they feel their questions have answered.
- As a teacher, assess after the class what the problems were when students' questions were not answered. How could you have facilitated their search for answers better? Did the choice in elective exercise make sense for the level of your students?

F. Theory

Criminal Justice concerns itself with questions surrounding law and punishment. We try to settle debates surrounding why we punish and how we should punish people.

In many ways criminal justice debates are applicable to personal settings. Should parents hit their children? Can a teacher take away their smartphone? Looking at

discussions surrounding these questions can prove illuminating when applied through the prism of criminal justice.

Criminal Justice is a role of the State. This is done to avoid **vigilante justice**, where individuals take the law in their own hands, for instance through forming an organised mob to hang someone suspected of killing a friend or family member. The state opposes vigilante justice because its punishments may not fit the crime, because the vigilantes may have misidentified who committed the criminal act, or because the process of vigilante justice makes society a less safe place.

The State uses its **monopoly of violence** to enforce criminal justice. This means that the State is the only actor who is allowed to use force for legitimate reasons. As the State has this awesome power, it needs to have a lot of controls. In order to make sure that the force is legitimately and proportionately used the **police** needs to be controlled, and the **courts** need to be independently able to assess who committed a criminal act and whether a just amount of force was used in finding and capturing the criminal.

The State defines what a **criminal act** is. It does so through its usual decision-making process. For instance, a democratic state has democratically elected representatives who vote on laws that criminalises or decriminalises an act. In doing so, it looks at the **morality** of the act and the **damage** it causes to others in society. Sometimes controversies arise over whether something is moral. Discuss for instance:

Should we criminalise the use of drugs? What about its production?
Should a starving beggar be punished for stealing a loaf of bread?
Should adultery be made a criminal act?

The state tries to balance four **purposes of criminal justice**.
1. **Deterrence** We try to deter people from committing criminal acts. Knowing that you can be punished and that an act is immoral can stop people from committing a crime. This is of course dependant on whether the punishment fits the crime and whether the police can capture wrongdoers.
2. **Incapication** by placing people in prison, under house arrest, or giving a restraining order, we ensure that someone who has committed a crime does not have the ability to commit future crimes.
3. **Retribution and Restitution** to correct the wrong that is done to society and to victims, we punish to give a sense of retribution. To correct wrongs, where possible, we ask criminals to restitute (roughly: pay back) the damage done.
4. **Rehabilitation** in order to avoid future crimes done by a criminal we build a system that tries to rehabilitate a criminal back into society.

Sometimes tensions can exist between these purposes. This is often where a lot of debates on criminal justice takes place. For instance: does punishing a murderer

for 20 years reduce the chance that he is succesfully rehabilitated? And if so, should we lower the punishment for the murderer to 10 years?
Incapicating a criminal removes their ability to work. Can they then effectively restitute someone for a crime?

Criminal Justice debates are fundamentally dilemma's about the role and aims of criminal justice. Can we effectively make true on its promises? And if we have to chose one purpose, which is most important in this specific case? Being able to reason their way through such dilemma's ensures a student can become an expert in criminal justice debates.