

Joint Professionalism Training Evaluation:

Please choose one of the following four questions to answer in an essay of 250 to 350 words. Responses are due in the Records Office, via assignments.law@utoronto.ca on Friday, February 12. Students may extend this deadline to the Monday after reading week (Monday, February 22) if they wish.

Question 1:

In presenting to the first-year class, Justice Nakatsuru identified inequality as the root of most crime. He said, “I believe in moral autonomy, people choose, but choice is constrained by the realities of that person’s life.” He also acknowledged that the criminal justice system has a limited ability to fix social problems and, in *R v Jackson*, he both acknowledged that jail time contributed to Mr. Jackson’s criminal behaviour and yet, in that case, Justice Nakatsuru said “jail is the only tool I have today.” Given what we know about the way the criminal justice system operates – specifically to disempower people BIPOC folks in Canada – and the limits of therapeutic jurisprudence and courts, what ethical responsibility do you think law students, lawyers and judges have to think about, advocate for and affect more radical change?

Question 2:

What are the current day impacts of historical racism in the legal education system?

Question 3:

In their teach-in on Racial Justice and the Law (cited by Jodie Glean, and available at <https://www.youtube.com/watch?v=AfGO-WPpqHo>), Angela Onwuachi-Willig, Dean and Professor of Law; Karen Pita Loor, Associate Dean for Experiential Education and Clinical Associate Professor of Law, and Jasmine Gonzales Rose (Professor of Law) list a series of questions they advise students to ask when analysing cases:

Questions to Ask When Reading Cases

- What are the identity characteristics of the opinion author? From whose lens are we seeing the case? What are the unexamined cultural beliefs that are underlying their understanding and narration of the facts?
- Who participated in the creation of the narrative in the opinion? In telling the parts?
- Whose voices/perspective are missing in this narrative? Why?
- What other questions should have been asked?
- Would critical issues or evidence have been defined differently if the missing voices had been included? Would points of comparison in the case be identified differently?
- Is one narrative being used to trivialize or overcome another?

Please discuss how Justice Nakatsuru’s opinions in *R v Jackson* or *R v Morris* reflects the analysis recommended by these scholars. If you prefer, choose another case from your first-year curriculum and apply these questions to that case.

Question 4:

Choose either the January 13 presentation or the January 20 presentation. Discuss the following. What did you disagree with in the presentation? Identify one action you will commit to based on the principles shared in the presentation.