

# CULT 2019 FIRST PEOPLES AND CRIMINAL JUSTICE

**Credit Points** 10

**Legacy Code** 102712

**Coordinator** Robyn Newitt (<https://directory.westernsydney.edu.au/search/name/Robyn Newitt/>)

**Description** In 2022 this subject replaced by HUMN 2070 First Peoples and Criminal Justice. How does colonialism underscore the foundational narratives, knowledges and operation of the legal and criminal justice institutions of colonised nations? Focusing primarily on the Australian context of colonial invasion and settlement, this subject explores the plight of Indigenous peoples and their severe over-representation in the Australian criminal justice system. Studying the impact of colonisation and exploring Indigenous narratives, students will critically examine issues faced by Aboriginal and/or Torres Strait Islander people and their experience of criminal justice in Australia. Overall, the subject will equip students with an understanding of the relationship between dominant colonial narratives of race and institutional racism, while considering how Indigenous knowledge can inform better social and criminal justice outcomes for Indigenous populations. Comparative examples of criminal (in)justice for Indigenous populations in other colonised nations will also be considered.

**School** Social Sciences

**Student Contribution Band** HECS Band 4 10cp

Check your fees via the Fees ([https://www.westernsydney.edu.au/currentstudents/current\\_students/fees/](https://www.westernsydney.edu.au/currentstudents/current_students/fees/)) page.

**Level** Undergraduate Level 2 subject

**Incompatible Subjects** WELF 2008 - Human Rights Human Services and the Law

## Learning Outcomes

After successful completion of this subject, students will be able to:

1. Understand the enduring social and criminal justice impact of colonisation on Indigenous populations.
2. Develop a critical appreciation of the colonial underpinnings of our legal and criminal justice systems and the notion of institutional racism.
3. Demonstrate a robust understanding of intersectional disadvantage as it impacts Australia's First Peoples.
4. Apply decolonial and critical postcolonial texts and knowledges to contemporary criminal justice interventions.

## Subject Content

- Invasion and settlement: the history of colonisation in Australia
- Colonialism, racialisation and criminalisation of Indigenous peoples
- Liberalism and the imposition of white man's law
- The 'welfare' state, protectionism and Stolen Generations
- The legacies of colonialism: are we post-colonial?
- Contemporary social and criminal justice issues affecting remote and urban Indigenous populations in Australia:
  - Intersectional disadvantages affecting Indigenous populations: race, gender, class, disability
  - Institutional racism and over-intervention
  - Over-policing and deaths in custody
  - Indigenous over-representation in prisons

- Decolonising criminal justice: Indigenous knowledges informing social and criminal justice outcomes

## Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/ Group Task	Mandatory
Case Study: Critical analysis of a recent justice related issue for Indigenous populations (eg Ms Dhu's death in custody case)	900 words	30	N	Individual	
Professional Task: Report to be submitted to the relevant Criminal Justice organisation (eg coroner, police etc) on the same case study chosen for Assessment 1	900 words	30	N	Individual	
Critical Review: Analysis of a criminal justice narrative from a decolonial/postcolonial perspective	1,200 words	40	N	Individual	