



Justice and Ghomeshi Free Response Essay Rubric

AP PSYCHOLOGY FREE-RESPONSE QUESTION

1. The media proclaims the justice system is “broken” and allows “bad people to get off”. Refer to the Ontario Courts Judgment of *Her Majesty and Jian Ghomeshi* (16.03.24). Apply the psychological terms to this judgment. (Definitions without application do not score.)

- Motivation
- Bias
- Proactive interference
- Framing
- Divergent thinking
- Rationalization

Givens:

- Ensure you have ONE topic sentence; it should not reiterate the question.
- **Answer the question in the order in which the question is set up**
- **Free Response answer system: a) Term b) Definition c) Explain how the term ties to and applies to the question**
- Do not use any transitional sentences or paragraphs.
- Write ONE concise concluding sentence.

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|---|----|
| •What might be the <i>Motivation</i> of those giving the testimony?
____ a) Term – b) Definition – c) Explain how the term ties to and applies to the question | /1 |
| •Identify a possible <i>Bias</i> in the testimony or perspective of the media.
____ a) Term – b) Definition – c) Explain how the term ties to and applies to the question | /1 |
| •Explain how <i>Proactive Interference</i> might affect the testimony.
____ a) Term – b) Definition – c) Explain how the term ties to and applies to the question | /1 |
| •Explain how <i>Framing</i> might affect the questioning or court judgment.
____ a) Term – b) Definition – c) Explain how the term ties to and applies to the question | /1 |
| •What effect might <i>Divergent Thinking</i> have on the questioning or court judgment?
____ a) Term – b) Definition – c) Explain how the term ties to and applies to the question | /1 |
| •How might <i>Rationalization</i> affect the testimony or media?
____ a) Term – b) Definition – c) Explain how the term ties to and applies to the question | /1 |

TOTAL

/6

Comments:



AP Psychology 12 – Justice & J.Ghomeshi FR

Excerpts from the Ontario Court of Justice R v Ghomeshi 2016.03.24

Motivation:

- media attention, the need to justify a bad relationship
- Ms LD gave 19 media interviews and received massive attention for her role in this sexual assault charge/case. Hashtag “ibelelucy” became very popular on Twitter and she was very excited when the actor Mia Farrow tweeted support and joined what Ms. DC referred to as the “team”. In an interview with CTV news, Ms. DC even analogized her role in this whole matter to David Beckham’s role as a spokesperson with Armani.
- Ms. L DC felt that she had invested so much in being a “heroine” for the cause that this may have been additional motivation to suppress any information that, in her mind, might be interpreted negatively.

Bias:

- Mr. JG is seen as a well-liked celebrity making his conviction less likely, the only evidence is the stories of the witnesses, the women seem to have a very determined and personal vendetta against Mr. JG
- the judgment of this Court depends entirely on an assessment of the credibility and the reliability of each complainant as a witness. (11)
- Ms. LD’s credibility and reliability as a witness were vigorously challenged in cross-examination, revealing serious problems with accepting her evidence at full value.
- The extreme dedication to bringing down Mr. JG is evidenced vividly in the email correspondence between S.D. and Ms. LD. Between October 29, 2014 and September 2015, S.D. and Ms. LD exchanged approximately 5,000 messages. While this anger and this animus may simply reflect the legitimate feelings of victims of abuse, it also raises the need for the Court to proceed with caution. Ms. LD and S.D. considered themselves to be a “team” and the goal was to bring down Mr. JG.
- The primary and overarching principle in every criminal trial is the presumption of innocence. This is the most fundamental principle of our criminal justice system.
- Mr. JG was the host of a CBC television show called “PLAY”. Subsequently, and for several years prior to when these complainants came forward in 2014, he was the host of a CBC radio show called Q. Q is a show which features interviews with prominent cultural and entertainment figures. With Mr. JG as the host, Q enjoyed a large and dedicated following

Proactive Interference:

- When pressed about the shifting facts in her version of the events, L.R. explained that while she was giving the media interviews, she was unsure of the sequencing of events and "therefore ... didn't put it in".
- L.R. emailed the police to explain that she was then beginning to remember that during the car incident, Mr. JG smashed her head into the window. In her previous four accounts of the incident, provided to police and the media, she had never claimed that her head had been smashed into the car window.
- She felt that they made a connection. They flirted with each other and she found Mr. JG to be charming and charismatic. When speaking of this first meeting, she reported: "He was smitten with me".
- L.R. suddenly remembered not just attempting to contact Mr. JG but also that it was part of a plan. She said that her emails were sent as “bait” to try to draw out Mr. JG to contact her directly so that she could confront him with what he had done to her (could be viewed as *retro interference*, the opposite of proactive)

Framing:

- the different ways the women word their stories change the implications of their evidence

- She told the Toronto Star and CBC TV that she was pulled down to the floor prior to being assaulted at the house. She told CBC Radio that she was thrown down to the ground. Then she told the police that the events were "blurry" and did not know how she got to the ground.

Divergent Thinking:

- the judge considered all the possibilities and chose not to immediately accept the witnesses' stories?
- The factual inconsistencies in her evidence cause me [the judge] to approach her evidence with great scepticism.

Rationalization:

- the women come up with many reasons why they did not come forth with evidence right away, why they withheld information from the judge, why they continued to maintain relationships with Mr. JG after he allegedly assaulted them
- L.R. suddenly remembered not just attempting to contact Mr. JG but also that it was part of a plan. She said that her emails were sent as "bait" to try to draw out Mr. JG to contact her directly so that she could confront him with what he had done to her. (could be viewed as *retro interference* opposite to proactive)
- She thought that the assault might have been a mistake or a "one off" of some sort.
- she simply said "nothing stuck" in her memory. Trying to explain this inconsistency, she testified that she did not think kissing with her assailant after the alleged assault was very "consequential".
- She was polite to him, only because she did not want to jeopardize her future professional prospects.