

Course Outline

COURSE:	LAWS 3501A – Law in the Information Society
TERM:	Winter 2017
PREREQUISITES:	Prerequisite(s): fourth-year Honours standing and LAWS 2301, LAWS 2302.
CLASS:	Day & Time: Wednesdays 18:05-20:55
	Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Dr. Amy Conroy
CONTACT:	Office: Loeb B442 Office Hrs: By appointment
	Email: Amy.Conroy@carleton.ca

Academic Accommodations:

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://carleton.ca/equity/>

The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website (www.carleton.ca/pmc) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*).

You can visit the Equity Services website to view the policies and to obtain more detailed information on

academic accommodation at <http://carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at: <http://carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>

COURSE DESCRIPTION

This course examines legal responses to legal and ethical challenges in the information society. Topics include privacy, surveillance and monitoring, national security, access to information, pornography and the control of objectionable content, and copyright. The course will be delivered through lectures and seminar discussions. Regular attendance and participation are crucial to success in this course.

REQUIRED TEXTS

There is no required textbook. Course readings will be available online and/or through CuLearn. Cases can be accessed on CanLii or through Carleton's library resources.

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

Case Brief	A case will be identified in class on February 1 st . A brief for that case (written according to instructions that will also be outlined in class) will be due in hardcopy at the beginning of class (i.e. by 6:10pm at the latest) on February 15 th . Late submissions will receive a deduction of 5% per day, including weekends. Please note that no email submissions will be accepted.	20%
------------	---	-----

Midterm	Administered in class on March 8 st . The midterm will consist of multiple choice and short answer questions testing your knowledge of all readings, lecture discussions, and course material up to the date of the exam. The exam will last 1.5 hrs.	35%
Take Home Examination	Instructions for this exam will be provided in the final class on April 5 th . Responses are due April 25 th in the drop box at the Department of Law and Legal Studies. Late submissions will receive a deduction of 5% per day, including weekends. All deferrals beyond the due date must be supported by a formal extension (for which you must contact the University Registrar). Please note that no email submissions will be accepted.	45%

Please note:

*You are responsible for checking our course website on a regular basis. Any updates to be communicated outside of class hours will be posted on CuLearn; however, attendance is crucial to success in this course, as not all course content reviewed in class will be posted online. Students are individually responsible for catching up on missed classes.

**The final exam period will be April 10 – 25, 2017.

SCHEDULE

Date	Topic	Readings
Jan. 11 th	Introduction / Course overview	N/A
Jan 18 th	The Origins of the Right to Privacy	S. Warren & L. Brandeis. "The Right to Privacy" (1890) 4 Harv. L. Rev 193.
Jan. 25 th	State Surveillance and International Legal Order in a Post-9/11 World	Christopher Parsons, "Beyond Privacy: Articulating the Broader Harms of Pervasive Mass Surveillance" (2015) 3:3 Media and Communications 1.
Feb. 1 st	Transparency and the Emerging Open Government Era	Amy Conroy and Teresa Scassa, "Promoting Transparency While Protecting Privacy in Open Government in Canada" (2015) Alberta L. Rev. 53:1.
Feb. 8 th	Copyright in the Age of the Internet	Please read through the information on copyright made available by the Canadian Intellectual Property Office: http://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr02281.html?Open&wt_src=cipo-cpyrght-main&wt_cxt=learn#part1.7 .
Feb. 15 th	Internet Pornography and its Impact on Gender-Based Sexual Violence	Megan S.C. Lim, Elise R. Carotte, Margaret E Hellard, "The Impact of Pornography on Gender-Based Violence, Sexual Health and Well-being: What do we Know?" (2016) 70:1 Journ. of Epidemiology and Community Health 3. Amy Conroy and Teresa Scassa, "Balancing Transparency and Accountability with Privacy in Improving the Police Handling of Sexual Assaults" (forthcoming in the Canadian Journal of Women and the Law), available online at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2696120 .

Feb. 22 nd	Reading Week – no classes	
Mar. 1 st	Midterm review	
Mar. 8 th	Midterm	
Mar. 15 th	Personality Rights in Canada and Ontario's Developing Privacy Tort	<p>Conrad Nest, "From 'Abba' to Gould: A Closer Look at the Development of Personality Rights in Canada" (1999) 5 Appeal Rev. Current L. & L. Reform 12.</p> <p>Please familiarize yourself with the case of <i>Aubry v Editions Vice-Versa</i> [1998] 1 S.C.R. 591.</p>
Mar. 22 nd	Catching 'Snoopers' in the Healthcare field: Changes to Ontario's <i>Personal Health Information Protection Act</i>	Information and Privacy Commissioner of Ontario, "Detecting and Deterring Unauthorized Access to Personal Health Information" available online: https://www.ipc.on.ca/wp-content/uploads/Resources/Detect_Deter.pdf .
Mar. 29 th	Media Coverage of Legal Issues	<p>Please familiarize yourself with media coverage of the following (i.e. find and read 1 or 2 media articles on each case/development):</p> <ol style="list-style-type: none"> 1. The Supreme Court of Canada's decision in <i>Ministry of Community Safety and Correctional Services v Information and Privacy Commissioner (Ontario)</i> 2014 SCC 31; 2. The controversy that followed the release of information requested in an access to information request for location data on registered gun owners in New York; 3. The "hate map" that was created through analysis of hateful 'tweets' across the United States; and 4. The influence of fake news and media bias in the 2016 American Presidential election.
Apr. 5 th	Course Wrap-up and Distribution of Final Exam Guidelines	N/A