

Course Outline

COURSE:	LAWS 3501 A – Law in the Information Society
TERM:	Winter 2007-08
PREREQUISITES:	Any two of LAWS 2003, LAWS 2004, or LAWS 2005 and Honours standing
CLASS:	Day & Time: Tuesday 8:35 Room: SA 520 (Southam Hall)
INSTRUCTOR: (CONTRACT)	Michelle DeVidi
CONTACT:	Office: Carleton Library Room 206 Office Hrs: Monday 3:00 - 5:00 Telephone: (613) 520-2600 ext. 2922 Email: Michelle_devidi@carleton.ca

Students with disabilities needing academic accommodations in this course are required to contact a coordinator at the Paul Menton Centre to complete the necessary *letters of accommodation*. The student must then make an appointment to discuss their needs with the instructor at least two weeks prior to the first class or ITV test. This is to ensure sufficient time is available to make the necessary accommodation arrangement. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is March 14, 2008 for April examinations. For further information, please see, http://www.carleton.ca/pmc/students/accom_policy.html

Course Overview:

This course will serve as an introduction to some of the legal challenges of living in an information society. Topics include: privacy, access to information, freedom of expression, control of objectionable content, Charter and human rights issues, and security in a Canadian context.

Evaluation:

- **Class Participation: 15%**
- **Research Team**
 - **Statement of Problem: 5%**
 - **Draft Report Outline with Individual Task Responsibilities: 10%**
 - **Presentation: 10%**
 - **Final Report: 25% (Due in class March 22)**
- **Final Exam: 35%**

Group members will be assigned to work as part of a Research Team investigating a particular issue. The Research Team will work to produce a background report with policy recommendations for their respective Minister. The backgrounder will look at what the challenges are facing the Federal Government on this issue, a summary of relevant legislation and cases to be considered, relevant scholarly literature, government documents, public opinion, and finally what policy options are open to the government (i.e. need for new legislation, establishment of a joint committee to review the issue, development of an action plan, etc.). Late assignments will be penalized at the rate of one letter grade per day (A to A-, A- to B+, and so on).

Required Texts:

Weekly readings are available online through the library's electronic resources.

Week Course Schedule:

- I. January 8 **Introduction to Law and the Information Society: Course Overview**
- II. January 15 **Information Ethics: A Theoretical Approach to Challenges of the Information Society**
- * Assignment of Weekly Discussion Questions*
- III. January 22 **Charter Rights in the Post 9/11 Period**
- Workshop: Introduction to Legal Research
- Readings: Kent Roach, "Making Progress on Understanding and Remediating Racial Profiling," (2004) 41 Alta. L. Rev. 895 – 903
David M. Tanovich, "E-Racing Racial Profiling," (2004) 41 Alta. L. Rev. 905-933
- * Research Team & Topic Assignment*
- IV. January 29 **Access to Information and Protection of Privacy**
- Workshop: Introduction to Government Information
- Readings: Wayne N. Renke, "Who Controls the Past Now Controls the Future: Counter-Terrorism, Data Mining and Privacy" (2006) 43 Alta. L. Rev. 779 – 823
Bijon Roy, "A case Against Biometric National Identification Systems (NIDS): Trading-off Privacy without getting Security" (March, 2005) 19 W.R.L.S.I. 45
David Lyon, "Airport Screening, Surveillance, and Social Sorting: Canadian Responses to 9/11 in Context," (2006) 48:3 Canadian Journal of Criminology and Criminal Justice 397. (**Article available online through Library Catalogue**)
- V. February 5 **National Security and the Threat of Terrorism**
- Research Team: Team Planning Session
- Readings: Craig Forcese, "Through a Glass Darkly: The Role and Review of "National Security" Concepts in Canadian Law," (2006) 43 Alta. L. Rev. 963 – 1000
Library of Parliament, *The USA PATRIOT Act and Canada's Anti-terrorism Act: Key Differences in Legislative Approach* by Jennifer Wispinski (Ottawa: Research Branch, 2006) online:
<http://www.parl.gc.ca/information/library/PRBpubs/prb0583-e.htm>
- *Statement of the Problem Due: 5%*
- VI. February 12 **Global Challenges Post September 11th**
- Readings: Ikechi Mgbeoji. "The Bearded Bandit, the Outlaw Cop, and the Naked Emperor: Towards a North-south (De)construction of the Texts and Contexts of International Law's (Dis)engagement with Terrorism" (2005) 43 Osgoode Hall L.J. 105 – 135.

*** Draft Report Outline with Individual Task Responsibilities Due: 10%**

VII. February 19 – No class Winter Break

VIII. February 26 Bridging the Digital Divide

Workshop: Writing Government Briefings

Readings: Helen V. Milner. "The Digital Divide: The Role of Political Institutions in Technology Diffusion" (2006) 39:2 Comparative Political Studies 176 -199. **(Article available online through Library Catalogue)**
How to create superior briefings / by Roderick G. Quiney. (Ottawa: Canadian Centre for Management Development, 1992). Online: <http://dsp-psd.pwgsc.gc.ca/Collection/SC94-55-1991E.pdf>

IX. March 4 Presentations: Groups 1 – 4

*** Presentations are worth 10%. Each presentation will be 30 minutes in length.**

X. March 11 Presentations: Groups 5 – 9

XI. March 18 Presentations: Groups 10 – 13

XII. March 25 Law and the Information Society: National and Global Implications

*** Final Report Due in Class: 25%**

XIII. April 1 Exam Review

April 11-29 Exam Period – Final Exam Date TBA