

## Course Outline

<b>COURSE:</b>	<b>LAWS 3501 A – Administrative Law</b>
<b>TERM:</b>	<b>Winter 2009</b>
<b>PREREQUISITES:</b>	<b>Any two of LAWS 2003, LAWS 2004, or LAWS 2005 and Honours standing</b>
<b>CLASS:</b>	<b>Day &amp; Time: Monday 1135-1425</b> <b>Room: 3165 ME (Mackenzie Building)</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>Michelle DeVidi</b>
<b>CONTACT:</b>	<b>Office: Carleton Library Room 206</b> <b>Office Hrs: Monday 3:00 - 5:00</b> <b>Telephone: (613) 520-2600 ext. 2922</b> <b>Email: <a href="mailto:Michelle_devidi@carleton.ca">Michelle_devidi@carleton.ca</a></b>

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“Students with documented disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities (PMC) for a formal evaluation of disability-related needs. Documented disabilities include physical, mental, and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, as well as other conditions. Registered PMC students are required to contact the PMC at 613-520-6608, early each term to ensure that your Instructor receives your Letter of Accommodation no later than two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations. If you require accommodations for your formally scheduled exam(s) in this course, please submit your request for accommodations to PMC by March 6, 2009 for April exams.” Also available at [http://www.carleton.ca/pmc/faculty/acom\\_statement.html](http://www.carleton.ca/pmc/faculty/acom_statement.html) . For Religious and Pregnancy accommodations, please contact Equity Services, 613-520-2600 x. 5622 or their website: [www.carleton.ca/equity](http://www.carleton.ca/equity)

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**COURSE DESCRIPTION**

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.

**REQUIRED TEXTS**

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

**EVALUATION - All components must be competed in order to pass this course**

- ***Class Participation: 10%***
- ***Research Team***
  - **Statement of Problem: 5%**
  - **Draft Report Outline with Individual Task Responsibilities: 10%**
  - **Presentation: 20%**
  - **Final Report: 25% (Due in class March 23)**
- ***Final Exam: 30%***

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).

**SCHEDULE****Week****I. January 5**Lecture:

Introduction to Law and the Information Society: Course Overview

**II. January 12**Lecture:

Information Ethics: A Theoretical Approach to Challenges of the Information Society

**\* Assignment of Weekly Discussion Questions**

**III. January 19**Lecture:

Racial Profiling

Workshop:

Introduction to Legal Research

Readings:

Kent Roach, "Making Progress on Understanding and Remediating Racial Profiling," (2004) 41 Alta. L. Rev. 895.

David M. Tanovich, "E-Racing Racial Profiling," (2004) 41 Alta. L. Rev. 905.

**\* Research Team & Topic Assignment**

**IV. January 26**Lecture:

Biometric Data

Workshop:

Introduction to Government Information

Readings:

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 2**Lecture:

Surveillance

Research Team:

Team Planning Session

Readings:

Steven Penney, "Updating Canada's Communications Surveillance Laws: Privacy and Security in the Digital Age," (2008) 12 Can. Crim. L. Rev. 115.

**\*Statement of the Problem Due: 5%**

**VI. February 9**Lecture:

Security Certificates

Research Team:

Team Planning Session

Readings:

Kent Roach, "The Role and Capacities of Courts and Legislatures in Reviewing Canada's Anti-Terrorism Law" (2008) 24 W.R.L.S.I. 5.

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

**VII. February 16 – 20 No class Winter Break****VIII. February 23**Lecture:

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)**

Keith Culver, "How the New ICTs Matter to the Theory of Law" (2004) 17 Can. J.L. & Juris. 255.  
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 2**Presentations:

Groups 1 – 4

**\*Presentations are worth 20%. Each presentation will be 30 minutes in length.**

**Students must arrive on time for class. Please be respectful of student presenters.**

**X. March 9**Presentations:

Groups 5 - 9

**XI. March 16**Presentations:

Groups 10 - 13

**XII. March 23**Lecture:

Law and the Information Society: National and Global Implications

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

**XIII. March 30**

Exam Review Class

**April 8-27 Exam Period – Final Exam Date TBA**