Carleton University   **Department of Law**

Course Outline

COURSE:		**LAWS 3501 A – Administrative Law**
TERM:		**Winter 2009**
PREREQUISITES:		**Any two of LAWS 2003, LAWS 2004, or LAWS 2005 and Honours standing**
CLASS:	**Day & Time:**	**Monday 1135-1425**
	Room:	**3165 ME (Mackenzie Building)**
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**

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
<u>Lecture</u>:
Introduction to Law and the Information Society: Course Overview

II.   January 12
<u>Lecture</u>:
Information Ethics: A Theoretical Approach to Challenges of the Information Society

* Assignment of Weekly Discussion Questions

III.   January 19
<u>Lecture</u>:
Racial Profiling

<u>Workshop</u>:
Introduction to Legal Research

<u>Readings</u>:
Kent Roach, "Making Progress on Understanding and Remedying 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
<u>Lecture</u>:
Biometric Data

<u>Workshop</u>:
Introduction to Government Information

<u>Readings</u>:
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
<u>Lecture</u>:
Surveillance

<u>Research Team</u>:
Team Planning Session

<u>Readings</u>:
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**