



**EFFECTIVE: JANUARY 2010**  
**CURRICULUM GUIDELINES**

**A:** Division: **EDUCATION** Effective Date: **JANUARY 2010**

**B:** Department / **CRIMINOLOGY** Revision  New Course   
 Program Area: **FACULTY OF HUMANITIES & SOCIAL SCIENCES**

If Revision, Section(s) Revised: **A, N, P, R**

Date of Previous Revision: **APRIL 2004**

Date of Current Revision: **OCTOBER 2009**

**C: CRIM 2261 D: ADMINISTRATION OF JUSTICE E: 3**

Subject & Course No.	Descriptive Title	Semester Credits						
<b>F:</b> Calendar Description:	<p>This course introduces students to an overview of the study of law, politics, and the administration of justice in Canada. The first part the course examines elements of governmental structures and processes impacting on justice policy making and administration. Topics covered in the second part of the course include the roles of and interplay between judges, legislators, and government and justice system agencies in creation and implementation of policy. The third part of the course will deal with the application of the understanding developed in parts one and two to a variety of significant current issues in the administration of justice.</p>							
<b>G:</b> Allocation of Contact Hours to Type of Instruction / Learning Settings	<b>H:</b> Course Prerequisites:	<b>CRIM 1160</b>						
	<b>I:</b> Course Corequisites:	<b>NONE</b>						
	<b>J:</b> Course for which this Course is a Prerequisite:	<b>NONE</b>						
	<b>K:</b> Maximum Class Size:	<b>35</b>						
<p><b>G:</b> Primary Methods of Instructional Delivery and/or Learning Settings:</p> <p><b>Lecture</b></p> <p>Number of Contact Hours: (per week /semester for each descriptor)</p> <p><b>Lecture: 4 hrs. per week / semester</b></p> <p>Number of Weeks per Semester: <b>15</b></p>								
<p><b>L:</b> PLEASE INDICATE:</p> <table border="1"> <tr> <td><input type="checkbox"/></td> <td>Non-Credit</td> </tr> <tr> <td><input type="checkbox"/></td> <td>College Credit Non-Transfer</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>College Credit Transfer:</td> </tr> </table> <p>SEE BC TRANSFER GUIDE FOR TRANSFER DETAILS (<a href="http://www.bctransferguide.ca">www.bctransferguide.ca</a>)</p>			<input type="checkbox"/>	Non-Credit	<input type="checkbox"/>	College Credit Non-Transfer	<input checked="" type="checkbox"/>	College Credit Transfer:
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**M: Course Objectives / Learning Outcomes:**

At the conclusion of the course the successful student will be able to:

1. Locate sources of political authority/responsibility for the operations of the various components of the system and discuss the effects of the division of powers and the fragmented nature of the system on the implementation of policy.
2. Discuss the effect of the introduction of The Canadian Charter of Rights and Freedoms, the limits to parliamentary sovereignty, the expanded scope of judicial review and the policy dialogue between courts and legislators under The Charter.
3. Critically analyze the roles of and interplay between legislators, government, the media, interest groups and the public in development and implementation of justice policy.
4. Explain the concepts of the separation of powers, judicial selection, control and discipline, independence of the judiciary and the effects of different judicial orientations to decision making on the administration of justice.
5. Discuss the development and current status of policy initiatives and judicial decisions on a variety of significant current issues in the administration of justice.

**N: Course Content:**

I. Legal, Political and Constitutional Framework for the Administration of Justice in Canada

1. Concepts and definitions of public law, politics, policy and the administration of justice in Canada
2. The effects of the division of legislative powers in Canada on the administration of justice
3. Concepts of parliamentary sovereignty, constitutional supremacy and the limits to legislative power
4. The effect of the introduction of The Canadian Charter of Rights and Freedoms as the supreme law of Canada
5. Expanding roles of the judiciary and the developing interplay between courts and legislatures
6. Legislative options
  - The non-obstante clause
  - Past and potential applications.

II. Government and Private Sector Agencies' Processes and their Impact on Judicial Policy Making and Administration

1. The separation of powers in Canada and the roles of the executive, legislative and judicial branches of government in policy making and implementation
2. Interest groups and the administration of justice
3. The role of the media
4. The Judiciary: judicial selection, control and independence of the judiciary and proposals for reform.
5. Judicial orientations to decision making; the Supreme Court of Canada and The Canadian Charter of Rights and Freedoms, activism and judicial self restraint.

**Course Content Cont'd.**

6. Police and prosecutorial discretion, plea bargaining, legal aid, work load and compensation issues.

**III. Current Issues in the Administration of Justice**

This part of the course covers case studies on a number of current issues. The number and kinds of cases covered will vary over time to maintain currency in the course. Issues to be considered could include some of the following:

1. Ethical/policy issues in developing reproductive and new medical technologies, such as:
  - Abortion
  - Euthanasia
  - Assisted suicide
  - Legal issues in control of reproductive technologies
2. Developing civil liberties--the impact of The Canadian Charter of Rights and Freedoms
  - Legal rights and exclusion of evidence in criminal cases
  - Fundamental freedoms--balancing individual/collective interests
3. Issues in sentencing and victims' rights, such as:
  - Faint hope provisions
  - Conditional sentences
  - Sentencing aboriginals
  - Initiatives in restorative justice
4. Dangerous offenders
5. Criminal organizations
6. Terrorism and the administration of justice
7. Aboriginals and the administration of justice.

**O: Methods of Instruction:**

The course will employ a variety of instructional methods to accomplish its objectives, including some of the following: lectures, presentations, audio-visual material, small group discussions and research papers.

**P: Textbooks and Materials to be Purchased by Students:**

Mellon, H., & Westmacott, M. (Eds.). (2000). Political Dispute and Judicial Review. Scarborough: Nelson Thomson Learning.

A Coursepack of relevant selected readings will be available. Subject to copyright approval, the Coursepack may include readings from:

Hausegger, L., Hennigar, M., and Riddell, T. (2009) Canadian Courts: Law, Politics and Process. Don Mills: Oxford University Press.

Macivor, Heather. (2006). Canadian Politics and Government in the Charter Era. Toronto: Nelson. Canada.

Decisions of the Supreme Court of Canada.

**Q: Means of Assessment:**

Evaluation will be based on course objectives and carried out in accordance with Douglas College policy. The instructor will provide a written course outline with specific evaluation criteria at the beginning of the semester. Evaluation will be based on some of the following:

1. Exams
2. Research project / term paper
3. Oral presentations
4. Class participation

An example of one possible evaluation scheme would be:

Seminar Attendance and Participation	10%
Term Paper	25%
Oral Presentation	10%
Midterm Exam	25%
Final Exam	30%
	100%

**R: Prior Learning Assessment and Recognition: specify whether course is open for PLAR**

No.

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Course Designer: Cynthia Fulton

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Education Council / Curriculum Committee Representative

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Dean / Director: Kathy Denton, Ph.D.

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Acting Registrar: Brenda Walton