



**EFFECTIVE: SEPTEMBER 2002**  
**CURRICULUM GUIDELINES**

**A:** Division: **INSTRUCTIONAL** Date: **MAY 2002**

**B:** Department/ **CRIMINOLOGY** New Course | | Revision | **X** |

Program Area: **HUMANITIES & SOCIAL SCIENCES**

If Revision, Section(s) Revised: **F, L, M, Q, R**

Date Last Revised: **NOVEMBER 1984**

**C: CRIM 180 D: INTRODUCTION TO ENVIRONMENTAL LAW E: 3**

Subject & Course No. Descriptive Title Semester Credits

**F:** Calendar Description: This course provides an overview of environmental law. Topics examined include: the history and process of enactment of environmental laws; existing legislation at municipal, provincial and federal levels of government; development of common law through civil litigation; and the importance of criminal law and enforcement. The evolving environmental assessment process at federal and provincial levels of government will also be examined. The impact of international law will also be introduced.

**G:** Allocation of Contact Hours to Types of Instruction/Learning Settings

Primary Methods of Instructional Delivery and/or Learning Settings:

**Lecture**

Number of Contact Hours: (per week / semester for each descriptor)

**Lecture 4 Hrs.**

Number of Weeks per Semester: **14**

**H:** Course Prerequisites:  
**NONE**

**I:** Course Corequisites:  
**NONE**

**J:** Course for which this Course is a Prerequisite:  
**NONE**

**K:** Maximum Class Size:  
**35**

**L:** PLEASE INDICATE:

Non-Credit

College Credit Non-Transfer

College Credit Transfer:

Requested

Granted

SEE BC TRANSFER GUIDE FOR TRANSFER DETAILS ([www.bccat.bc.ca](http://www.bccat.bc.ca))

**M: Course Objectives/Learning Outcomes**

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

1. Describe how environmental laws are developed at the various levels of government.
2. Research environmental case and statute law.
3. Explain the constitutional and jurisdictional issues involved in creating environmental legislation.
4. Identify the major environmental statutes in Canada.
5. Identify the major environmental statutes in British Columbia.
6. Discuss the permitting and appeal process in British Columbia.
7. Describe the civil litigation process and the common law on environmental issues.
8. Explain the significant enforcement issues and the importance of criminal law.
9. Explain the environmental assessment process.
10. Discuss the impact of international environmental law.

**N: Course Content**

1. Development of Legislation:
  - Federal, provincial and municipal legislation
  - Legislation drafting, revisions, committee stages and first and second readings
  - Role of lobbying
2. Environmental Legislation:
  - Review of statutes and regulations
    - finding and interpreting legislation
  - Overview of Canadian constitutional and jurisdictional issues
    - s.91 and s.92 of the Constitution Act, 1867, introduction to Charter of Rights and Freedoms
3. Environmental Jurisdictional Issues:
  - Review of Canadian constitution and current cases regarding which levels of government control different environmental areas
4. Permitting and Appeal Process in British Columbia:
  - Park Act
  - Agricultural Land Commission Act
5. Federal Legislation:
  - Canadian Environmental Assessment Act
  - Fisheries Act
  - Access to Information Act
  - Privacy Act

6. Provincial Legislation-British Columbia:
  - Waste Management Act
  - Regulations to the Waste Management Act
  - Other British Columbia Acts such as Pesticide and Wildlife Acts
  
7. Common Law/Civil Litigation:
  - Review of civil proceedings
    - court processes, standing, costs and liabilities
  - Environmental common law torts
  - Statutory environmental torts
  - Damages
  - New developments
  - Administrative law
    - methods to challenge various levels of government and other administrative decision makers
  
8. Enforcement Issues:
  - Criminal law
    - applicable statutes, rights pursuant to the Charter of Rights and Freedoms, Criminal Code, absolute liability, strict liability and due diligence
  - Federal and provincial statutes containing enforcement sections
  - The enforcement system
  - British Columbia waste management, Department of Environment and Department of Fisheries and Oceans
  - Trial process
    - use of experts, preparing for court, leading evidence
  - Current amounts and future trends
  - Charging the government
    - private informations
    - one level of government enforcing against another level of government
  
9. Environmental Assessment Process:
  - Federal requirements
  - British Columbia requirements
  - Environmental impact statements
  - Permitting process

**O: Methods of Instruction**

This course will employ a number of methods to accomplish its objectives and will include some of the following:

- lecture
- seminar presentations
- guest speakers
- group work
- audio visual materials
- research projects

A high degree of class participation will be expected.

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

An in-house course manual containing relevant legislation, case law and articles.

**Q: Means of Assessment**

The evaluation will be based on the course objectives and in keeping with the Douglas College five factor policy. Students may be required to complete in class examinations, student presentations, essays, term papers, and comprehensive final examinations.

The instructor will provide a written course outline with specific evaluation requirements to the student at the beginning of the semester.

An example of one evaluation scheme:

|                              |             |
|------------------------------|-------------|
| Exam 1                       | 20%         |
| Exam 2                       | 20%         |
| Term Paper                   | 20%         |
| Participation and Attendance | 10%         |
| Final Exam                   | <u>30%</u>  |
|                              | <u>100%</u> |

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

No.

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Course Designer(s): Sussan Thomson

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Education Council/Curriculum Committee Representative

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Dean/Director

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Registrar