



A: Division: ACADEMIC DATE: NOVEMBER 7, 1994

B: Department: SOCIAL SCIENCES New Course: X

Revision of Course
information form: _____

DATED: _____

C: <u>CRIMINOLOGY 180</u>	D: <u>INTRODUCTION TO ENVIRONMENTAL LAW</u>	E: <u>3</u>
Subject & Course No.	Descriptive Title	Semester Credit

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.

Summary of Revision:
(Enter date & section)

G: Type of Instruction: Hours Per Week/

Lecture	<u>4</u>	Hrs.
Laboratory	_____	Hrs.
Seminar	_____	Hrs.
Clinical Experience	_____	Hrs.
Field Experience	_____	Hrs.
Practicum	_____	Hrs.
Shop	_____	Hrs.
Studio	_____	Hrs.
Student Directed Learning	_____	Hrs.
Other	_____	Hrs.
TOTAL	4	HOURS

H: Course Prerequisites:
NONE

I: Course Corequisites
NONE

J: Course for which this course is a pre-requisite:
NONE

K: Maximum Class Size:
35

L: College Credit Transfer X

College Credit Non-Transfer _____

M: Transfer Credit:
Requested X
Granted _____
Specify Course Equivalents or Unassigned Credit as Appropriate

U.B.C. UNASSIGNED CREDIT
S.F.U. CRIM (3) 100 lev.
U. Vic.
U.C.F.V. CRIM (3) 100 lev.

Jan Th...
COURSE DESIGNERS
Elizabeth Peeler
DIRECTOR/CHAIRPERSON

Bill Wilson
DIVISIONAL DEAN
P. H. Ong
REGISTRAR

Textbooks and materials to be purchased by students
(Use Bibliographic Form):

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

Text will be updated periodically.

Complete Form with Entries Under the Following Headings:

- O. Course Objectives; P. Course Content; Q. Method of Instruction;
R. Course Evaluation

O. Course Objectives

At the conclusion of the course the 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. Discuss the significant enforcement issues and the importance of criminal law.
9. Discuss the environmental assessment process.

P. 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

Q. Method of Instruction

This course will be conducted in a variety of modes including:

- seminar, presentations
- lecture
- guest speakers
- group work

A high degree of class participation will be expected.

R. Course Evaluation

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 specific evaluation requirements to the student at the beginning of the semester.

An example of one evaluation scheme:

Midterm 1	20%
Midterm 2	20%
Term paper	20%
Participation and Attendance	10%
Final exam	<u>30%</u>
	<u>100%</u>