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|  | <p>School of Arts & Science CRIMINAL JUSTICE DEPARTMENT</p> <p>CRIM 150-01 Administration of Justice 2007F</p> |
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COURSE OUTLINE

The Approved Course Description is available on the web @ _____

Ω Please note: this outline will be electronically stored for five (5) years only.
It is strongly recommended students keep this outline for your records.

1. Instructor Information

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|-----|---------------|---|--------------------|--|
| (a) | Instructor: | Kelli Moorhouse | | |
| (b) | Office Hours: | Monday 11:30 to 2:30; Tuesday and Thursday 10:30 to 12:30 | | |
| (c) | Location: | Young 200 | | |
| (d) | Phone: | 370-3431 | Alternative Phone: | |
| (e) | Email: | Moorhouse@camosun.bc.ca | | |
| (f) | Website: | Moorhouse.disted.camosun.bc.ca | | |

2. Intended Learning Outcomes

(No changes are to be made to this section, unless the Approved Course Description has been forwarded through EDCO for approval.)

Upon completion of this course the student will be able to:

1. Describe the political and administrative systems which provide the environment within which the criminal justice system in Canada operates and the policy and law-making processes.
2. Articulate awareness of the interaction between politics and the criminal justice system in Canada.
3. Identify the key players in the criminal justice system.
4. Identify and assess important issues in Canadian government and politics that have an impact on the operation of the criminal justice system.

3. Required Materials

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|-----|-------|--|
| (a) | Texts | Rand Dyck. <u>Canadian Politics</u> . Concise Third Edition. Toronto: Nelson Canada, 2006. Randall Garrison, ed. <u>Readings for Criminal Justice 150</u> . Toronto: Nelson Canada, 2007. |
| (b) | Other | |

4. Course Content and Schedule

CLASS SCHEDULE of Topics, Readings and Activities

(subject to revision)

Sept. 5th **INTRODUCTION TO THE COURSE
CONFLICT, POWER AND LAW**

Activity: Post #1: Week of September 10th

Sept. 10th **ADMINISTRATION OF JUSTICE
CANADIAN POLICY MAKING PROCESS**

“Understanding Government” (video 20 minutes)
Our political system
Our Political Culture
The Canadian Policy Making Process

Read:

Introduction pp. 2-8; 32-4; 269; 312-15

Sept. 12th **ADMINISTRATION OF JUSTICE
CANADIAN POLICY MAKING PROCESS**

“History of the Charter” (video 13 minutes)
Division of Powers and the Administration of Justice
Charter S. 32
Charter overview as it impacts on the administration of justice

Read:

pp. 284-88; 289-90; 298-300; 274; 263-65;

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| PART ONE THE FAMILY VIOLENCE INITIATIVE |
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Sept. 17th **INITIATION (History)**

Role of: Pressure Groups, Mass Media, Bureaucracy, Prime Minister
Royal Commission (Special Committees)

Read:

Canada’s Aboriginal Peoples pp. 72 -75
Other Visible Minorities pp. 82-88
Women’s Movement and Gender Issues pp. 88 - 91; 91-93; 95-97
Nonelectoral Participation pp. 149-150
Democracy pp. 133-34
Agents and Political Socialization pp. 144-46

Sept. 19th **INITIATION and PRIORITY SETTING (1988)**

Prime Minister and Cabinet
Bureaucracy

Read:

Review: Policy Making Process pp. 312-15
Privy council p. 318, pp. 329
Party Organization / Ideology pp. 215-25
Speech from the Throne pp. 319
Prime Minister powers pp. 320-24
Composition of Cabinet / Operation of Cabinet pp. 324-31
"Committees" pp. 329
Cabinet Support Agencies pp. 331-33

Sept. 24th **POLICY FORMULATION and LEGITIMATION (1988)**

Chatter in the House of Commons
Media Release
Overview of the Family Violence Initiative (objectives, priorities)

Read:

The media and the public pp. 161-63
The media and politicians pp. 164-66

Activity: Post #2: Week of September 24th

Sept. 26th **IMPLEMENTATION: BUREAUCRACY**

"Red Tape" (video 30 minutes)
Administration of Justice: "The Family Violence Initiative Intervention Model"
1. Federal Departments, Agencies, and Corporations
2. Effective, efficient, and coordinated Federal policy development and programming on family violence issues

Read:

Bureaucracy: Function and Powers pp. 339-44
Governmental Departments pp. 339 - 44
Relations with Other Departments pp. 347-49, 344

Oct. 1st **IMPLEMENTATION: BUREAUCRACY**

Administration of Justice: "The Family Violence Initiative Intervention Model"
continued
3. Enhanced Prevention and Improved Community Response
4. Development and Implementation of Community Activities

Read:

Policing and Correctional System in Canada pp. 412-14

Oct 3rd **IMPLEMENTATION: BUREAUCRACY**

Administration of Justice: A Closer Look at the Department of Justice

Oct. 8th *THANKSGIVING (NO Class)*

Activity: ON LINE EXAM #1 This exam will be made available October 9th (9 am) through October 11th (9pm).

Oct. 10th **UVIC Law Library Orientation. Further Details TBA**

Oct. 15th **IMPLEMENTATION: BUREAUCRACY**

Administration of Justice - The British Columbia Experience

1. Government (Attorney General; Community Services; Public Safety and Solicitor General)
2. Policing (municipal)
3. Courts (victim services; crown counsel policies)
4. Corrections (BC Corrections programs)
5. Research Centres (SFU; BC Association against Family Violence; The FREDA Centre for Research on Violence against Women and Children)
6. Non-profit Associations/ Non-governmental Organizations (shelters; sexual assault centres; John Howard society; hospitals; First Nations; Family Violence project)

Read: Interaction with Provinces and Pressure Groups pp. 349
Controlling the Bureaucracy pp. 354-57

Activity: Research any of the areas noted above. If there is something else you want to examine that is not listed here, go ahead. Your purpose is to gain an awareness of how the Family Violence Initiative is being administered in British Columbia (and even more specifically in Victoria). You are to write a summary (no more than 1 page) of how the organization/ association/ government department is addressing Family Violence.

Oct. 17th **IMPLEMENTATION: BUREAUCRACY**

Administration of Justice: "The Family Violence Initiative Intervention Model"
continued

5. Increased Public Awareness and reduced tolerance for family violence

Read:

Measuring Public Opinion pp. 166-68
Impact of Polls on Public and on Authorities pp. 169-71

PART TWO SHARPE CASE

Oct. 22nd Legitimation: CCC - Child Pornography Law
Sharpe's Offence
Judiciary: Structure, functions, powers of Courts
Interpretation: BC Supreme Court

Read:

Functions and powers of Courts pp. 396-97; 399
Structure of Courts pp. 400-04
"Crown" pp. 315

Distinguishing between American and Canadian values, and changing political culture pp. 134-41

Activity: Review the first Activity for October 29. You might want to start it now. The Reading is lengthy and you have questions to answer and bring to class. This assignment is worth 8% of your final grade! Notice that you also have a second activity for this week.

Oct. 24th “Fundamental Freedoms” (video 10 minutes)
Access and cost of justice
Interpretation: The Charter Challenge – Fundamental Freedoms
The Charter S. 1 and S. 33
The Charter - Legal Rights

Read:

Access / Cost of justice pp. 398
Judicial review pp. 366
Fundamental freedoms and legal rights pp. 267-68
Constitution pp. 256-59
Review: CCRF pp. 263-65

Activity: Post #3: Week of October 29th

Oct. 29th “Child Porn” (video 13 minutes)
Bureaucracy: Attorney General BC
The Charter: Notwithstanding clause
Legitimation: House of Commons
The Charter: Reasonable limits

Read:

Reasonable limits pp. 266
Notwithstanding clause pp. 274
Function of Political Parties pp. 204-05
Review: Party Organization pp. 215-21
Review: Party Ideology pp. 221-24
Party Discipline and the Caucus pp. 372-74

Activity: The House of Commons Debate on the Notwithstanding Clause

<http://www2.parl.gc.ca/content/hoc/House/361/Debates/172/han172-e.pdf>

A condensed version of this debate will be made available if requested. I will email you a copy.

Questions:

1. Examine the positions taken by the British Columbia MP's. There were 13 Reform, 1 NDP, and 1 Liberal MP from BC who voiced their opinions and those of their constituents during the debate on February 2nd, 1999. Which one (or two) of the BC MP's best represents your interests and beliefs?
Think critically about the notwithstanding clause, the arguments raised by Anne McLellan, Minister of Justice in the debate, and what you know about

the functions, powers, and structure of courts in Canada. To better help you out, your choices of MP's are as follows:

| | | |
|------------------------------|---|---|
| (Reform) | T. McWhinney, Vancouver – Quadra (Liberal) R. White, Langley – Abbotsford (Reform) | S. Robinson, Burnaby –Douglas (NDP) J. Duncan, Vancouver Island North |
| Vancouver, Sunshine (Reform) | Strahl, Fraser Valley (Reform) | J. Reynolds, West |
| (Reform) | R. Elley, Nanaimo-Cowichan (Reform) | G. Lunn, Saanich – Gulf Islands |
| (Reform) | G. Grewal, Surrey Central (Reform) P. Forseth, New West – Coq – Burnaby (Reform) | Chuck Cadman, Surrey North (Reform) J. Hill, Prince George – Peace River |
| (Reform) | Val Meredith, South Surrey – W R – Langley (Reform) | D. Stinson, Okanagan – Shuswap |
| | J. Abbott, Kootenay – Columbia (Reform) | |

2. Examine the motion raised by Reform MP Randy White of Langley / Abbotsford (BC). Based on what you have read in the debate, do you think the motion is valid? Why or why not?

Suggestion: you might want to tie in the 'fear mongering' argument raised in the debate, or you might want to raise some of the legal arguments identified by various Liberal MP's.

3. There are 3 Parliamentary Secretaries who spoke during this debate. One was Eleni Bakopanos, Parliamentary secretary of the Minister of Justice and Attorney General; one was P. Adam, Parliamentary Secretary to the Leader of Government in the House of Commons; and one was R. Alcock, Parliamentary Secretary to President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs.

What is the role of the 'parliamentary secretary'? You will have noticed in the debates that Anne McLellan the Minister of Justice and AG spoke as well at the debate. Why would this be necessary?

Is the "Leader of Government in the House of Commons" an MP? What is the function of this leader?

What is the function of the "President of the Queen's Privy Council for Canada?"

Oct 31st Interpretation: BC Court of Appeal
Interest Groups: Intervener Status
Legitimation: Federal Government Response

Read:

The Array of Pressure Groups pp. 230-36
Review: Interactions with Provinces and Pressure groups p. 349
Targets and Methods of Pressure Group Activity pp. 236-43

Reference Link: BC Court Of Appeal

<http://www.canlii.org/en/bc/bcca/doc/1999/1999bcca416/1999bcca416.html>

Activity: Research any one of the groups given "intervener status" in the above reference link to the BC Court of Appeal. You will see on the first page of this document "counsel for the intervener" and then the name of the group(s) Find

out what you can about the group / organization such as their mandate or goals, whose interests they support, and what they have published and then write a paragraph summary on what you have found. Finally, answer this question: Would this group represent your personal and / or future professional interests?

Activity: Post #4: Week of November 5th

Nov. 5th Interpretation: Supreme court of Canada
Judges and Decision Making
Interest Groups: Factums

Read:

Supreme Court of Canada pp. 404-06
Appointment of Judges pp. 406-410
Judicial Independence pp. 410-11
Implications of Charter pp. 275-77
Review: Judicial Review pp 366

Activity:

Read the Factum submitted on behalf of the Canadian Civil Liberties Association.

<http://www.ccla.org/pos/legal/SharpeFactumasFiled.pdf>

Do you think the Supreme Court of Canada, as compared to the Provincial appellate courts (e.g. BC Court of Appeal), must consider factums such as this one considering constitutional matters? Why or why not?

Nov. 7th Media
"Porn Talk" (video 10 minutes)

Read:

Mass media pp. 156-66

Nov 12th *Remembrance Day (no class)*

Activity: ON LINE EXAM #2 This exam will be made available November 13th (9 am) through November 15th (9pm).

Nov. 14th Media
Interpretation - initiation - priority setting - policy formulation - legitimation
- implementation

Read: ?

Activity: Media Assignment. The assignment will be handed out to you a few weeks in advance of this date.

PART THREE BILL C-2 (C-20, C-12)

Nov. 19th **INTERPRETATION / INITIATION
PRIORITY SETTING**

Read:

Review: Implications of the Charter for the Political System pp. 275-78

Nov. 21st **POLICY FORMULATION**
How to Find a Bill

Read:

Review: Division of Powers pp. 289-91
Review: Canadian Federalism Today pp. 298-304
Review the Policy Making Process pp. 312-15

Activity: Post #5: Week of November 26th

Nov. 26th **LEGITIMATION**

Bill C-20 (December 5, 2002 through November 6, 2003)
Bill C-12 ((February 4, 2004 through May 13, 2004)
Bill C-2 (October 8, 2004 through July 20, 2005)

Read:

Functions / Powers of the House of Commons pp. 366-68
Parliamentary Timetable pp. 368-71
Review: Function of Political Parties pp. 204-05
 Party Organization pp. 215-21
 Party Ideology pp. 221-24
Stages and Kinds of Legislation pp. 374-77
House Leaders, Whips, Clerks p 378

Activity: Download the “Status of the Bill” for Bill C-20, Bill C-12, and Bill C-2. While in LEGISinfo for Bill C-20, click on “Major Speeches in Parliament” and read them. Would you say that these speeches differ by “party ideology”? Why or why not?

Nov. 28th **LEGITIMATION BILL C-2 - HOUSE OF COMMONS**

“An Introduction to the House of Commons” (video 10 minutes)
Justice, Human Rights, Public Safety and Emergency Preparedness Committee
Committee Members / Mandate
Pressure Groups
Committee Report
Second and Third Readings

Read:

Procedures in the Commons p 378
Committee System pp 380-81
Review: Targets and Methods of Pressure Group Activity pp. 236-43
Group Resources pp. 243-44
Function of Pressure groups p. 230

Dec. 3rd **LEGITIMATION BILL C-2 - SENATE**

“The Senate of Canada” (video 22 minutes)

First and Second Readings
Legal and Constitutional Affairs Committee
Committee Members / Mandate
Pressure Groups
Committee Report
Third Reading / Royal Assent / Governor General / Order in Council

Read:

Purpose and Powers pp. 385-86
Composition of the Senate pp. 386-87
Operation of the Senate pp 387-89

Dec. 5th **IMPLEMENTATION**

The Criminal Code of Canada
The Department of Justice
How will this Bill Impact the Administration of Justice? (Police, Courts, Corrections)

Read: ?

FINAL EXAM Date and Time TBA

5. Basis of Student Assessment (Weighting)

1. Examinations (50% of your final grade)

Exam #1 12.5% of your final grade

ON LINE This exam will be made available October 9th (9 am) through October 11th (9pm). You can write it only once. It is time limited.

Format is true false, fill in the blank, multiple choice, short answer. You will have 1 hour to complete this exam. It is an open book exam and is based on all required readings from your textbook.

Exam #2 12.5% of your final grade

ON LINE This exam will be made available November 13th (9 am) through November 15th (9pm). You can write it only once. It is time limited

Format is the same as for exam #1 and is based on all required readings from your textbook.

Final Exam - During final exam week. 25% of your final grade

Format is the same as you had for the first two exams. You will have an open book exam for the first part of the final exam. For the second part, you will be given questions directly related to the units on the Family Violence Initiative, the Sharpe Case, and the Bill(s).

2. Discussion Posts (20% of your final grade - each post is valued at 4%)

You are required to read five of the ‘readings’ found in “Readings for Criminal Justice 150” (by Randall Garrison) and then post your response to a discussion platform for this course. This activity will give you the opportunity to develop and share your ideas with other students.

Post #1: Week of September 10th

- post by September 13th, midnight; respond to classmates by September 15th, midnight; Read “Classical Liberalism and Civil Society”
Post your responses to questions #3 and #6 found at the end of the reading.

Post #2: Week of September 24th

- post by September 27th, midnight, respond to classmates by September 29th, midnight; Read: “Is the Prime Minister Too Powerful?”
Post your response to this question (i.e. take a position, yes, too powerful or no, not too powerful).

Post #3: Week of October 29th

- post by November 1st, midnight, respond to classmates by November 3rd, midnight; Read: “Should Party Discipline be Relaxed?”
Post your response to this question (i.e. take a position, yes, it should be relaxed, or no, it does not need to be relaxed).

Post #4: Week of November 5th

- post by November 8th, midnight, respond to classmates by November 10th, midnight
Read: “Should Parliament Review Supreme Court Appointments?”
Post your response to this question (i.e. take a position, yes or no).

Post #5: Week of November 26th

- post by November 29th, midnight, respond to classmates by December 1st, midnight
Read: Parliament and Political Success in Canada. The question(s) you will answer are TBA at this time.

Marking Matrix: Marking for this activity is clearly spelled out. Pay particular attention to your content, your language, the length of your post, and the timeliness of your entry. Note that not only are you required to post your own response but also to comment on two other classmates responses (minimum).

| Criteria used to grade your discussion questions: | Marks / 10 |
|--|-------------------|
| <ul style="list-style-type: none"> • responds appropriately to the question(s) • response is within 10 to 25 lines • discussion thoroughly relates to the discussion question • responds to two classmates’ notes in the thread • always demonstrates proper online etiquette | 8 – 10 points |
| <ul style="list-style-type: none"> • responds appropriately to the question(s) • response is approximately 10 to 25 lines • discussion mostly relates to the discussion question • responds to two classmates’ notes in the thread • often demonstrates proper online etiquette | 7 – 7.5 points |
| | |

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|---|-----------------|
| <ul style="list-style-type: none"> • responds appropriately to the question(s) • response is between 5 and 10 lines • discussion somewhat relates to the discussion question • responds to one classmates' note in the thread • sometimes demonstrates proper online etiquette | 6 – 6.5 marks |
| <ul style="list-style-type: none"> • responds appropriately to the question(s) • response is between 5 and 10 lines • discussion loosely relates to the discussion question • does not respond to another classmates' note in the thread • rarely demonstrates proper online etiquette | 5 – 5.5 marks |
| <ul style="list-style-type: none"> • does not respond appropriately to the question(s) • response is less than 5 lines • discussion not related to the discussion question • does not respond to another classmates' note in the thread • does not demonstrate proper online etiquette | 4 marks maximum |

3. Orientation to the UVIC Law Library and Macpherson Library. **(3% of your final grade)** The date is October 10th (Wednesday). More details will be forthcoming.

4. Homework Activities (28% of final grade)

These assignments form the basis of classroom discussion. You will be sharing your findings in small groups during class time. They must be completed, printed out, and physically brought to class on the due date. Notice that the value for each activity differs based on my perception of time and effort required to satisfactorily complete the assignment. Assignments emailed will not be graded (exception: Doctor's note for missing class).

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| October 15 th Columbia (2%) | Research on the FVI – Administration of Justice in British Columbia (2%) |
| October 29 th | House of Commons Debate on the Notwithstanding Clause (8%) |
| October 31 st | Research of a group given “intervener status” (3%) |
| November 5 th | Examine the CCLA Position (2%) |
| November 14 th | Media assignment (8%) |
| November 26 th (5%) | Download status of bill; analyze the Major Speeches in Parliament (5%) |

Marking of these homework activities is subjective. I am evaluating clarity, my perception of your effort, and the amount of detail (not brevity) to your response(s).

Marking is as follows:

- Excellent (10 marks)
- Very Good (9 marks)
- Good (8 marks)
- Above Satisfactory (7 marks)
- Satisfactory (6 marks)
- Needs some Attention (5 marks)
- Vague and unclear (4 marks or less)

Standard Grading System (GPA)

| Percentage | Grade | Description | Grade Point Equivalency |
|------------|-------|---|-------------------------|
| 90-100 | A+ | | 9 |
| 85-89 | A | | 8 |
| 80-84 | A- | | 7 |
| 77-79 | B+ | | 6 |
| 73-76 | B | | 5 |
| 70-72 | B- | | 4 |
| 65-69 | C+ | | 3 |
| 60-64 | C | | 2 |
| 50-59 | D | Minimum level of achievement for which credit is granted; a course with a "D" grade cannot be used as a prerequisite. | 1 |
| 0-49 | F | Minimum level has not been achieved. | 0 |

Temporary Grades

Temporary grades are assigned for specific circumstances and will convert to a final grade according to the grading scheme being used in the course. See Grading Policy E-1.5 at camosun.ca for information on conversion to final grades, and for additional information on student record and transcript notations.

| Temporary Grade | Description |
|-----------------|--|
| I | <i>Incomplete:</i> A temporary grade assigned when the requirements of a course have not yet been completed due to hardship or extenuating circumstances, such as illness or death in the family. |
| IP | <i>In progress:</i> A temporary grade assigned for courses that, due to design may require a further enrollment in the same course. No more than two IP grades will be assigned for the same course. (<i>For these courses a final grade will be assigned to either the 3rd course attempt or at the point of course completion.</i>) |
| CW | <i>Compulsory Withdrawal:</i> A temporary grade assigned by a Dean when an instructor, after documenting the prescriptive strategies applied and consulting with peers, deems that a student is unsafe to self or others and must be removed from the lab, practicum, worksite, or field placement. |

7. Recommended Materials or Services to Assist Students to Succeed Throughout the Course

LEARNING SUPPORT AND SERVICES FOR STUDENTS

There are a variety of services available for students to assist them throughout their learning. This information is available in the College calendar, at Student Services or the College web site at camosun.ca.

STUDENT CONDUCT POLICY

There is a Student Conduct Policy **which includes plagiarism**. It is the student's responsibility to become familiar with the content of this policy. The policy is available in each School Administration Office, at Student Services and on the College web site in the Policy Section.