Douglas College

A:	Division:	**INSTRUCTIONAL**		Effective Date:	**SEPTEMBER 2004**

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

Revision [**X**]   New Course [ ]

If Revision, Section(s) Revised: **C, J, O, P, Q**

Date of Previous Revision: **SEPTEMBER 1999**

Date of Current Revision: **APRIL 2004**

C:	**CRIM 1160**	**D**:	**THE CANADIAN LEGAL SYSTEM**	**E:**	**3**

Subject & Course No.	Descriptive Title	Semester Credits

F: Calendar Description: This course focuses on the history, development, and present day operation of the Canadian legal system. The topics that will be examined include: constitutional law; criminal, contract, and tort law; human rights; administrative law; the court system; the functions of judges and lawyers; and the basic elements of legal reasoning.

G: Allocation of Contact Hours to Type 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. per week / semester

Number of Weeks per Semester: **15**

H: Course Prerequisites:

NONE

I: Course Corequisites:

NONE

J: Course for which this Course is a Prerequisite

CRIM 2260, CRIM 2261, CRIM 2262

K: Maximum Class Size:

35

L: PLEASE INDICATE**:**

[ ] Non-Credit

[ ] College Credit Non-Transfer

[**X**] College Credit Transfer:

SEE BC TRANSFER GUIDE FOR TRANSFER DETAILS (www.bccat.bc.ca)

M: **Course Objectives / Learning Outcomes:**

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

1. Define the major philosophies of law.
2. Identify how the legal system derives its authority and legitimacy.
3. Describe the historical development of Canadian law.
4. Discuss the Canadian Constitution, Canadian legal institutions and the role of judges and lawyers.
5. Describe how law is made and changed.
6. Describe administrative law, tort law, and contract law.
7. Conduct legal research.
8. Discuss the basic elements of legal reasoning.

N: **Course Content:**

1. The Nature of Law
   - Why we have laws, legal philosophy

2. Introduction to the Legal System
   - Main divisions of law, how to read and cite cases and statutes, the court structures

3. Sources of Law
   - Historical sources, legal sources, constitutional sources, the legislative process

4. British Legal Tradition
   - The Canadian acceptance of this tradition, the basis of our constitutional system, the rule of law, parliamentary sovereignty, common law and equity.

5. The Constitution
   - BNA Act, Statue of Westminster, The Canada Act, The Constitution Act of 1982, Quebec Legal System.
   - Constitutional change, Meech Lake Accord, Charlottetown Accord, Quebec Referendum, First Nations Treaties

6. Canadian Legal Institutions
   - The courts, the role of judges and lawyers

7. The Basic Elements of Legal Reasoning
   - Precedent and Stare Decisis
   - The process of distinguishing
   - Statutory interpretation

8. Introduction to Administrative Law
   - Tribunals, principles of natural justice and fairness, federal and provincial rule making agencies

9. The Nature of Tort Law
   - Definition of torts, distinction between tort and crime, categories of torts, the principle of vicarious liability, remedies for tort actions.

10. The Law of Contract
    - Elements of a contract, remedies for breach of contract

11. Law Reform

O: **Methods of Instruction**

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

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

Texts will be updated periodically. Typical examples are:

Boyd, Neil. (2002). Canadian Law, An Introduction, (3rd ed.). Toronto: Nelson Thomson Learning.

Gall, G. (1995). The Canadian Legal System, (4th ed.). Toronto: Carswell.

Yates, Richard, Yates, Ruth & Bain, Penny. (1999). Introduction to Law in Canada, (2nd ed.). Scarborough: Prentice-Hall Canada Inc.

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 include some of the following:

1. Quizzes
2. Mixed format exams (e.g. multiple choice, essay)
3. Term papers
4. Research project
5. Class participation
6. Oral presentations

An example of an evaluation scheme would be:

Legal Research Assignment	10%
Midterm Exam	30%
Term Paper	30%
Final Exam	30%
	100%

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

Under review.

Course Designer(s): Cynthia Fulton

Education Council / Curriculum Committee Representative

Dean / Director

Registrar