

The UBC School of Social Work acknowledges that we are located on the traditional, ancestral, and unceded territory of the x<sup>w</sup>məθk<sup>w</sup>əỷəm (Musqueam) people. The School logo designed by Ray Sims, a member of the Musqueam Nation, depicts Raven transforming into a human child. Raven is seen to be the most magical of all beings with the ability to shapeshift into anything at will. The most frequent form Raven takes is that of a human. Through adventures, Raven creates much of what we have around us. Humans learn much and acquire much knowledge of life and living through learning the orals associated with Raven's adventures and misadventures, for Raven intentionally, as well as inadvertently, has created much by making mistakes.

**School Vision**: Building upon a foundation of social justice and an ethic of care, we are a community of learners actively engaged in the development of critical, transformative knowledge for social work practice.

### **BSW Mission**

The Bachelor of Social Work (BSW) program addresses issues of power and issues of discrimination based on age, race, gender, sexual orientation, class and culture. The educational objective of the BSW curriculum is to provide students with the knowledge, values and skills necessary for an initial level of professional practice, focusing on the interface between personal problems and public issues. Critical thinking and structural analysis are central to the learning experience offered by the School and to the promotion of social justice and human well-being.

## **COURSE INFORMATION**

Year/Term/Dates	Summer 2022, Term 1, May 16–June 1, 2022
Course Title	SOWK 440H: Social Work and the Law
Course Schedule	Mondays & Wednesdays, 5-8pm
Course Location	Jack Bell Building, Room 124

Instructor	Office Location	Office Phone	Email Address
Simon Davis, MSW, PhD		604.877.0340	Simon.davis@ubc.ca
Office Hours	Please e-mail instructo to meet before and afte	r with any questions/con er class.	cerns. Can also arrange

## **About the Instructor**

Simon Davis is an adjunct professor at the UBC School of Social Work and an instructor at the Douglas College Post-Degree Program in Psychosocial Rehabilitation. He holds an MSW from UBC and a PhD in criminology from Simon Fraser University. His professional career has been as a clinician, researcher and administrator in the field of mental health and addictions. At the School he has taught courses in mental health (450 and 525), legal issues (440H) and research methods (320, 553, 554C and 570Z).

## **Prerequisite and/or Corequisite**

There are no prerequisites for this course.

## **Course Description**

This course provides an introduction to Canadian and British Columbia Law as it intersects with the practice of Social Work. We will exam some of the many critical perspectives on law, the legal system and the legal processes that interact with our professional practice. Students will critically examine the interaction of ethics, laws, the culture of law, and the culture of social work. Since this course is an introduction to these concepts, only a few areas of law will be examined. These will include freedom of information; human rights; criminal and youth justice; drug laws; child welfare; mental health; disability; health care consent, and adult guardianship.

### **Course Structure and Learning Activities**

Online lectures. Because of the switch to online from in-class some adjustments are still being made – for example guest speakers - and **this outline is subject to change**.

#### **Required Textbook(s) and Learning Materials**

<u>Required</u> text: Regehr, C., Kanani, K., McFadden, J. and Saini, M. (2016). *Essential Law for Social Work Practice in Canada. 3rd. Edition*. Toronto: Oxford University Press.

Links to other readings and resources will be given at the course Canvas website, and through hyperlinks on the course outline.

## **Course Schedule**

(Note that this is subject to change; updates will be announced in class and by e-mail.)

Session 1:	Monday, May 16, 2022		
Topic:	<ul> <li><u>Course introduction &amp; overview.</u></li> <li>Brief introduction to the law, the <i>Charter of Rights</i>, and Canadian legal systems.</li> <li>Professional and ethical obligations and duties.</li> </ul>		

	Freedom of information and protection of privacy.		
Readings:	<ul> <li>Required readings:</li> <li>Course text (Regehr) Ch. 1, pp. 1-8, Ch. 6, pp. 149-152, and Ch. 12.</li> <li>Other resources (Click on hyperlink to access material):</li> <li>Article on the s. 1 limitations to the <i>Charter of Rights</i> and the <i>Oakes</i> test: http://ojen.ca/wp-content/uploads/In-Brief STUDENT Section-1-and-Oakes 0.pdf</li> <li>CASW Code of Ethics: https://casw-acts.ca/en/what-social-work/casw-code- ethics/code-ethics</li> <li>Young, J. and Everett, B. (2018). When patients choose to live at risk: What is an ethical approach to intervention? https://bcmj.org/sites/default/files/public/BCMJ_Vol60_No6_living_at_risk.pdf</li> <li>BC <i>Freedom of Information &amp; Protection of Privacy Act:</i> http://www.bclaws.ca/Recon/document/ID/freeside/96165_07</li> <li>Vancouver Coastal Health policies: http://www.vch.ca/about- us/accountability/policies</li> </ul>		
Session 2:	Wednesday, May 18, 2022		
Topic:	Mental health law, part 1: Involuntary hospitalization and treatment		
Readings:	<ul> <li>Required readings:</li> <li>Course text (Regehr) Ch. 7, pp. 161-172.</li> <li>Other resources:</li> <li>A report from the Community Legal Assistance Society of BC on the loss of freedoms experienced by persons being held under the BC Mental Health Act: <u>https://d3n8a8pro7vhmx.cloudfront.net/clastest/pages/1794/attachments/original/</u><u>1527278723/CLAS_Operating_in_Darkness_November_2017.pdf?1527278723</u></li> <li>2019 BC Ombudspersons report on poor documentation with involuntary MH patients, for example not giving them rights information: <u>https://www.bcmhrb.ca/app/uploads/sites/431/2019/03/OMB-Committed-to-Change-FINAL-web.pdf</u></li> <li>A 2021 report from the BC Representative for Children and Youth on the involuntary detention of young persons under the MH Act: <u>RCY_Detained-Jan2021.FINAL_pdf (rcybc.ca)</u></li> <li>Article (opinion piece) on the use of restraint in hospital emergency departments in the U.S.: <u>https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2759272</u></li> <li>2016 review article on involuntary psychiatric patients subsequently agreeing that certification was in their best interests: <u>Perceptions and Attitudes towards Involuntary Hospital Admissions of Psychiatric Patient (ucalgary.ca)</u></li> <li>Article on Bill 22, proposed BC legislation permitting the involuntary detention of young persons following a drug overdose: <u>BC Pauses Bill that Would Permit</u></li> </ul>		

	https://www.health.gov.bc.ca/library/publications/year/2005/MentalHealthGuide.p			
	NO CLASS MAY 23, 2022: STAT HOLIDAY			
Session 3:	Wednesday, May 25, 2022			
Topic:	• Mental health law, part 2: Interface between the MH and criminal justice systems			
Readings:	<ul> <li>Required readings:</li> <li>Course text (Regehr) Ch. 7, pp. 172 - 176.</li> <li>CMHA report on criminalization of mental illness (just first four pages): https://cmha.bc.ca/wp-content/uploads/2016/07/policesheets all.pdf</li> <li>CBC report on the police use of lethal force with mentally ill persons: https://www.cbc.ca/news/investigates/what-an-examination-of-every-canadian-police-involved-fatality-since-2000-tells-us-1.4602916</li> <li>Other resources:</li> <li>CBC news editorial on controversial NCRMD case: https://www.cbc.ca/news/opinion/vince-li-discharge-1.3979861</li> <li>Article on the link between mental illness and criminality: https://www.ncbi.nlm.nih.gov/books/NBK537064/</li> <li>"Hold Your Fire" – CBC documentary on the use of police force with mentally ill persons: https://www.cbc.ca/firsthand/episodes/hold-your-fire</li> </ul>			
Session 4:	Monday, May 30, 2022			
Topic:	<ul> <li>Laws concerning vulnerable adults, part 1: Adult guardianship</li> <li><u>Guest speaker</u>: Amanda Brown, RSW, Director, Re:Act Adult Protection Program, Vancouver Coastal Health.</li> </ul>			
Readings:	<ul> <li>Required readings:</li> <li>Marshall, J. et al. (2017). Protection of the vulnerable older adult: A review of the legislation, relevant case law, and common clinical practice. <i>B. C. Medical Journal</i>, 59(7), 356-361. <u>https://www.bcmj.org/articles/protection-vulnerable-older-adult-review-legislation-relevant-case-law-and-common-clinical</u></li> <li>Other resources:</li> <li>Health authority manual for responding to abuse and neglect: <u>Adult Abuse Reporting &amp; Resources - VCH Re:act - Vancouver Coastal Health</u></li> <li>A Guide to the Certificate of Incapability Process Under the Adult Guardianship Act (Public Guardian &amp; Trustee, 2016): <u>http://www.trustee.bc.ca/reports-and-publications/Documents/A%20Guide%20to%20the%20Certificate%20of%20Inca pability%20Process%20under%20the%20Adult%20Guardianship%20Act.pdf</u></li> </ul>			
Session 5:	Wednesday, June 1, 2022			

	Topic:	<ul> <li>Laws concerning vulnerable adults, part 2: Consent &amp; capacity in health care</li> <li><u>Guest speaker</u>: Katherine Arnold, lawyer and consultant at Vancouver Coastal Health.</li> </ul>			
Topic:       • Human rights law         Required reading:       • Course text (Regehr) Ch. 2         Other resources:       • A report from the Mental Health Commission of Canada on structural stigma (Livingston, 2013): https://www.mentalhealthcommission.ca/sites/default/files/MHCC_OpeningMinds_Mentallllness-RelatedSructuralStigmaReport_ENG_0_0.pdf         • Convention on the Rights of Persons with Disabilities (2006) from the UN website: https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html         • News release (2018): "Canada accedes to the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities." https://www.newswire.ca/news-releases/canada-accedes-to-the-optional-protocol-to-the-united-nations-convention-on-the-rights-of-persons-with-disabilities-701804101.html         • Mendez, J. (2013). United Nation Special Assembly: Report of the Special Rapporteur on Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. Retrieved from: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session2	Readings:	<ul> <li>Required readings:</li> <li>Course text (Regehr) Ch. 6.</li> <li>Article on transgender court case concerning a minor's right to undergo hormone therapy: <u>https://nationalpost.com/news/b-c-s-top-court-to-hear-fathers-case-against-totalitarian-interference-in-childs-gender-transition</u> Article by UBC Social Work professor on having disabled persons eligible for medically assisted death: <u>Social Justice's Poor Cousin: Disability, MAiD and Social Work - School of Social Work (ubc.ca)</u></li> <li>Read, J. (2022). How important are informed consent, informed choice, and patient-doctor relationships when prescribing antipsychotic medication? <i>Journal of Mental Health</i>: <u>Antipsychotics Often Prescribed Without Informed Consent (madinamerica.com)</u></li> <li>Other resources:</li> <li>BC Government document on advance care planning: <u>http://www.health.gov.bc.ca/library/publications/year/2013/MyVoice-</u></li> </ul>			
Required reading:         • Course text (Regehr) Ch. 2         Other resources:         • A report from the Mental Health Commission of Canada on structural stigma (Livingston, 2013): https://www.mentalhealthcommission.ca/sites/default/files/MHCC_OpeningMinds MentallIlness-RelatedSructuralStigmaReport_ENG_0_0.pdf         • Convention on the Rights of Persons with Disabilities (2006) from the UN website: https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html         • News release (2018): "Canada accedes to the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities." https://www.newswire.ca/news-releases/canada-accedes-to-the-optional-protocol-to-the-united-nations-convention-on-the-rights-of-persons-with-disabilities-701804101.html         • Mendez, J. (2013). United Nation Special Assembly: Report of the Special Rapporteur on Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. Retrieved from: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session2	Session 6:	Monday, June 6, 2022			
<ul> <li>Course text (Regehr) Ch. 2</li> <li>Other resources:         <ul> <li>A report from the Mental Health Commission of Canada on structural stigma (Livingston, 2013): https://www.mentalhealthcommission.ca/sites/default/files/MHCC_OpeningMinds MentallIlness-RelatedSructuralStigmaReport_ENG_0_0.pdf</li> <li>Convention on the Rights of Persons with Disabilities (2006) from the UN website: https://www.un.org/development/desa/disabilities/convention-on-the- rights-of-persons-with-disabilities.html</li> <li>News release (2018): "Canada accedes to the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities." https://www.newswire.ca/news-releases/canada-accedes-to-the-optional- protocol-to-the-united-nations-convention-on-the-rights-of-persons-with- disabilities-701804101.html</li> <li>Mendez, J. (2013). United Nation Special Assembly: Report of the Special Rapporteur on Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. Retrieved from: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session2</li> </ul> </li> </ul>	Торіс:				
	Readings:	<ul> <li>Course text (Regehr) Ch. 2</li> <li>Other resources:         <ul> <li>A report from the Mental Health Commission of Canada on structural stigma (Livingston, 2013): <u>https://www.mentalhealthcommission.ca/sites/default/files/MHCC_OpeningMinds</u> <u>MentallIlness-RelatedSructuralStigmaReport_ENG_0_0.pdf</u></li> <li>Convention on the Rights of Persons with Disabilities (2006) from the UN website: <u>https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html</u></li> <li>News release (2018): "Canada accedes to the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities." <u>https://www.newswire.ca/news-releases/canada-accedes-to-the-optional-protocol-to-the-united-nations-convention-on-the-rights-of-persons-with- disabilities-701804101.html</u></li> <li>Mendez, J. (2013). United Nation Special Assembly: Report of the Special Rapporteur on Torture and Other Cruel, Inhuman, or Degrading Treatment or</li> </ul> </li> </ul>			

	<ul> <li>action authored by a UBC philosophy professor: <u>http://www.safs.ca/meritdiversity/employmentequity.pdf</u></li> <li>"It's not just the RCMP: Police culture is toxic": op/ed by Lesly Bikos, PhD student and former Canadian police officer: <u>https://www.theglobeandmail.com/opinion/its- not-just-the-rcmp-police-culture-is-toxic/article35014971/</u></li> <li>Website for the Disability Alliance of BC, containing various resources &amp; publications, including tip sheets for disability income assistance applications: <u>http://disabilityalliancebc.org/</u></li> <li>Vancouver Coastal Health Respectful Workplace &amp; Human Rights Policy: <u>http://vchnews.ca/wp-content/uploads/2014/02/Respectful-Workplace-Policy- Final-Effective-Feb-26-2014.pdf</u></li> <li>Article on US Supreme Court ruling on discrimination by sexual orientation: <u>https://www.buzzfeednews.com/article/emaoconnor/supreme-court- discrimination-lgbt-title-vii</u></li> </ul>
Session 7:	Wednesday, June 8, 2022
Торіс:	<ul> <li>Child protection laws</li> <li><u>Guest speaker</u>: Katie Diehl, Legal Counsel for MCFD, and Jasvinder Gill, Team Lead, MCFD.</li> </ul>
Readings:	<ul> <li>Required readings:</li> <li>Course text (Regehr) Ch 4</li> <li>Other resources:</li> <li>Article on U.S. legal challenge to system of placing indigenous children into care: <u>https://www.msn.com/en-ca/news/world/native-american-child-welfare-case-heads-to-appeals-court/ar-BBUENNw?ocid=spartanntp</u></li> <li>Representative for Child and Youth (BC), reports and publications: https://www.rcybc.ca/reports-and publications?keywords=&amp;field_event_date_value%5Bvalue%5D%5Byear%5D=&amp;t id=All</li> <li>The "Paige Report" from the Representative for Child and Youth (BC), concerning a young Indigenous woman living at risk in the Downtown Eastside: <u>https://www.rcybc.ca/sites/default/files/documents/pdf/reports_publications/rcy- pg-report-final.pdf</u></li> <li>"Eligibility Spectrum (2016)," risk assessment instrument used in Ontario: <u>http://www.oacas.org/wp-content/uploads/2016/04/Eligibility-Spectrum-2016-6.75- x-8.5-EN.pdf</u></li> </ul>
Session 8:	Monday, June 13, 2022
Topics:	<ul> <li>Criminal law &amp; justice issues part 1</li> <li>Basic principles of criminal law and prosecution</li> <li>Youth criminal justice</li> </ul>

Course text (Regehr) ch.8     Other resources:         Department of Justice, (2013), The Youth Criminal Justice Act: Summary and Background. <u>http://www.iustice.gc.ca/eng/cj-j0/j-j1/tolos-outils/back-hist.html</u> Makarenko, J. (2007). Youth Justice in Canada: History and Debates. <u>https://www.mapleleafweb.com/features/youth-justice-canada-history-debates.html</u> Cook, A and Roesch, R. (2012). "Tough on Crime" Reforms: What Psychology Has to Say about the Recent and Proposed Justice Policy in Canada. <u>http://www.apa.org/pubs/journals/features/cap-53-3-217.pdf</u> Session 9: Wednesday, June 15, 2022     Topics:         Criminal law & justice issues part 2         Victims of crime         Required readings:         Course text (Regehr) ch. 9         Other resources:         Statistics Canada Criminal Victimization Survey (2014): <u>http://www.statcan.gc.ca/pub/85-002-w/2015001/article/14241-eng.htm</u> Disability Alliance Help Sheets for people with disabilities, to increase their understanding of the procedures and processes they will go through if they have been a victim of a crime: <u>http://losabilityalliancebe.org/category/publications/violence-prevention/</u> The Canadian Resource Centre for Victims of Crime: <u>https://crcvc.ca/</u> - see also the Canadian Victims' Bill of Rights: <u>https://crcvc.ca/</u> - see also the Canadian Victims' Bill of Rights: <u>https://drcvw.eagther': https://www.theguardian.com/world/2017/mar/10/canada-judge-resigns-keep-vour-knees-together': https://www.theguardian.com/world/2017/mar/10/canada-judge-resigns-keep-vour-knees-together': https://www.taga.ong/the-law-of-sexual-assault-inclamada/         Summary of R. v. Ewanchuk (SCC decision in sexual assault case): <u>http://www.lawa.org/the-law-of-sexual-assault-inclamada/</u>         Summary of R. v. Ewanchuk (SCC decision in sexual assault case): <u>http://www.lawa.org/the-law-of-sexual-assault-inclamada/</u>         Summary of R. v. Ewanchuk (SCC decision in sexual assault case): <u>http://www.lawa.org/the-law-of-se</u></u>		Required readings:
Other resources:         • Department of Justice (2013). The Youth Criminal Justice Act: Summary and Background. http://www.justice.inc.anada: History and Debates. https://www.mapleleafweb.com/features/youth-justice-canada-history-debates.html         • Makarenko, J. (2007). Youth Justice in Canada: History and Debates. https://www.mapleleafweb.com/features/youth-justice-canada-history-debates.html         • Cook, A and Roesch, R. (2012). "Tough on Crime" Reforms: What Psychology Has to Say about the Recent and Proposed Justice Policy in Canada. http://www.apa.org/pubs/journals/features/cap-53-3-217.pdf         Session 9:       Wednesday, June 15, 2022         Topics:       • Criminal law & justice issues part 2         • Victims of crime       Required readings:         • Course text (Regehr) ch. 9         Other resources:       • Statistics Canada Criminal Victimization Survey (2014): https://www.statcan.gc.ca/pub/85-002-x/2015001/article/14241-eng.htm         • Disability Alliance Help Sheets for people with disabilities, to increase their understanding of the procedures and processes they will go through if they have been a victim of a crime: http://disabilityalliancebc.org/category/publications/violence-prevention/         • Case of Calgary judge telling assault victim to 'Keep your knees together': https://www.theguardian.com/world/2017/mar/10/canada-ludge-resigns-keep- your-knees-together-comment-rage-trial         • "The trouble with save savault trives' from Canadian Lawyer magazine (2016): reviews court rulings on this matter and ongoing tensions: http://www.lawnow.org/dife_leav_of-sexual-assault-in-canada/         • Davison, C.		
<ul> <li>Department of Justice, (2013). The Youth Criminal Justice Act: Summary and Background. <u>http://www.lustice.acc.ac/eng/ci-jo/yi-ji/tools-outils/back-hist.html</u></li> <li>Makarenko, J. (2007). Youth Justice in Canada: History and Debates. <u>https://www.mapleleafweb.com/features/youth-justice-canada-history-debates.html</u></li> <li>Cook, A. and Roesch, R. (2012). "Tough on Crime" Reforms: What Psychology Has to Say about the Recent and Proposed Justice Policy in Canada. <u>http://www.apa.org/pubs/journals/features/cap-53-3-217.pdf</u></li> <li>Session 9: Wednesday, June 15, 2022</li> <li>Topics: Criminal law &amp; justice issues part 2</li> <li>Victims of crime</li> <li>Required readings:</li> <li>Course text (Regehr) ch. 9</li> <li>Other resources:</li> <li>Statistics Canada Criminal Victimization Survey (2014): <u>https://www.statcan.gc.ca/pub/85-002-x/2015001/article/14241-eng.htm</u></li> <li>Disability Aliance Help Sheets for people with disabilities, to increase their understanding of the procedures and processes they will go through if they have been a victim of a crime: <u>http://disabilityalliancebc.org/category/publications/violence-prevention/</u></li> <li>The Canadian Nictims' Bill of Rights: <u>https://crvc.cafl-sce</u>also the Canadian Victims' Bill of Rights: <u>https://www.lanes-together': https://www.laneuradian.com/world/2017/mar/10/canada-judge-resigns-keep-your-knees-together-comment-rape-trial</u></li> <li>"The trouble with sex assault trials' from Canadia-Lidge-resigns-keep-your-knees-together-comment-rape-trial</li> <li>"The trouble with sex assault trials' from Canada: <u>http://www.lanadainawyermag.com/author/shannon-kari/the-trouble-with-sexassault-trial-s2611</u></li> <li>Davison, C. (2016) The law </li></ul>		
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Readings:       Makarenko, J. (2007). Youth Justice in Canada: History and Debates. https://www.maplelea/web.com/features/youth-justice-canada-history: debates.html         Cook, A and Roesch, R. (2012). "Tough on Crime" Reforms: What Psychology Has to Say about the Recent and Proposed Justice Policy in Canada. http://www.apa.org/pubs/journals/features/cap-53-3-217.pdf         Session 9:       Wednesday, June 15, 2022         Topics:       • Criminal law & justice issues part 2 • Victims of crime         Required readings: • Course text (Regehr) ch. 9         Other resources: • Statistics Canada Criminal Victimization Survey (2014): https://www.stacan.gc.ca/pub/85-002-x/2015001/article/14241-eng.htm         • Disability Alliance Help Sheets for people with disabilities, to increase their understanding of the procedures and processes they will go through if they have been a victim of a crime: http://disabilityalliancebc.org/category/publications/violence-prevention/         • The Canadian Resource Centre for Victims of Crime: https://crvc.ca/ - see also the Canadian Nictims' Bill of Rights: https://crvc.ca/for-victims/rights/         • Case of Calgary judge telling assault victim to "keep your knees together": https://www.theguardian.com/world/2017/mar/locanada-judge-resigns-keep- your-knees-together-comment-rape-trial         • "The trouble with sex assault trials" from Canadian Lawyer magazine (2016); reviews court rulings on this matter and ongoing tensions: http://www.lawnow.org/the-law-of-sexual-assault-in-canada/         • Summary of R. v. Ewanchuk (SCC decision in sexual assault case); https://www.lawnow.org/the-law-of-sexual-assault-in-canada/         • Summary of R.		
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Monday, June 20, 2022	Session	Monday, June 20, 2022
Page 7 of 15	10.	Page 7 of 15

Торіс:	Course wrap-up, topics TBA	
Session 11:	Wednesday, June 22, 2022	
Topic: FINAL EXAM		

### Assignments

- Term paper: 45%, due on last class, June 22.
- Final exam: 45%, 5:30-8:30pm, June 22.
- Discussion: 10%

More details on these are given below.

#### 1. Term paper (45%)

For this paper you are to take a closer, critical look at an area of law and/or the legal system in Canada. Here are examples of possible topics:

- Medically assisted death
- Legalization of marijuana
- "Safe care" act(s) (short-term involuntary detention of at-risk youth)
- Bill 22 in BC, proposed law that would permit involuntary detention following drug overdose.
- The over-representation of Indigenous persons in the criminal justice system
- The criminalization of mental illness
- Involuntary treatment in psychiatry
- Safe injection sites
- The Youth Criminal Justice Act
- End-of-life decision-making
- Diversion programs in the criminal justice system
- Laws concerning the sex trade
- Professional duties and obligations in social work practice.
- Structural discrimination and stigma, for example affecting mental health clients.
- Reconciling competing ethical/legal directives in child welfare
- Disability rights
- Laws & policies concerning gender identification

• Balancing victims' rights and restorative justice approaches.

You may choose other topics, however before starting the paper please <u>confirm the topic</u> with the instructor either in class or by e-mail.

For your topic try to address the following points (not all will be salient):

- What is the social relevance and importance of this issue? What are the philosophical and/or ethical issues involved?
- Summarize the legislation and case law bearing on this issue, including how the law(s) may have changed or been amended over time (i.e. provide a historical context). Were there instances where the law was not enacted/blocked/repealed? How is it similar or different to laws in other jurisdictions? Are there any *Charter of Rights* issues (challenges or potential challenges)?
- What has the media been tending to say on the topic (if anything), i.e. how has it been "shaped?"
- What groups are most affected (referring to age, gender, ethnicity and other intersections)? Are there groups left out (for example re medically assisted death should psychiatric illness qualify?)
- What are the current key debates, and possible controversies or disagreements? For example, you could consider arguments *in favor* of marijuana legalization from a harm reduction perspective, and *against* it from a public health view that considers vulnerable young persons.
- Are there practical or clinical aspects of the administration of the law that are, or will be, problematic? In considering this you may draw on your own experience, or interview a social worker working within this legal context.
- What is the relevance of this issue to social work practice? In considering this you may use a case-based analysis, that is, describe a hypothetical (or actual, anonymized) client scenario where you are the worker involved, and speak about how the law is interpreted, ethical dilemmas you would face, and practical or clinical implications.
- Length: 13-15 double-spaced pages (check with me if you are worried about being too "over or under").

Due date: last class, June 16

Marking guidelines and rubric: Did you:

- Address the bulleted points above that apply.
- Integrate course material, and include references outside of this a minimum of six published sources, cited as per APA.
- Write in a clear, coherent fashion, where there is a logical flow, and where attention is paid to grammar. (<u>Tip</u>: consider breaking the paper up under sub-headings). <u>Note</u> that 10 of the 45 marks are given for style points (grammar, spelling, sentence structure, clarity, cogency).

Mark breakdown:

- Social relevance 5 points
- Relevance to social work 5 points
- Groups most affected/excluded/discriminated 5 points
- Legislation reference to relevant legislation (case and statutory law) 10 points
- Current debates 10 points
- Grammar and composition 10 points
- A. To submit your final paper, go to the "Assignments" link in Canvas, then scroll to and click "Final Paper," then click "Submit Assignment," then upload your Word file into Canvas.
- B. Please also send a copy by email.
- C. Comments will be written electronically on the document in the Canvas site.

#### 2. Final exam (45%)

The final exam will be open-book, held on the last class, June 16. Students will be given several case summaries, and are asked to apply elements of the law that have been covered in class to each case. For example, in a case describing the possible abuse of an older adult, students will be asked about applying the *Adult Guardianship Act*, what steps they would follow, and what information would be needed to be gathered to support an investigation. More details on this will be given in class.

#### 3. Discussions (10%)

For each class in the Canvas module there is a corresponding section in the <u>discussions</u> link (see menu on left side of page). The purpose here is for students to make comments on the course material pertaining to that class; this could include anything that may have surprised you, or that you might have found problematic, or other questions that you may have thought of that were not addressed in the class. You may also share resources, or speak about experiences from your own life, including work life, that may have some applicability. This is a relatively unstructured exercise, where the *length* of each post would be a couple of paragraphs, or about 200 - 300 words. The discussions for each week (Monday to Sunday) should be completed by the end of the week, Sunday midnight, relating to the two classes held that week.

# SCHOOL/COURSE POLICIES

## **UBC COVID-19 Protocols for in-class learning**

**COVID-19 Safety:** You are required to wear a non-medical mask during our class meetings, for your own protection and the safety and comfort of everyone else in the class. For our in-person meetings in this class, it is important that all of us feel as comfortable as possible engaging in class activities while sharing an indoor space. Non-medical masks that cover our noses and mouths are a primary tool for combating the spread of COVID-19. Further, according to the provincial mandate, masks are required in all indoor public spaces including lobbies, hallways, stairwells, elevators, classrooms and labs. There may be students who have medical accommodations for not wearing a mask. Please maintain a respectful environment.

#### If you are sick, it is important that you stay home.

#### If you miss class because of illness:

- You are encouraged to find a "buddy" in class who can update you on any discussion you might have missed.
- Be sure to consult the class resources on Canvas.
- If you are concerned that you will miss a key activity due to illness, contact the instructor to discuss.

**If I (the instructor) am feeling ill:** If I am unwell, I will not come to class. I will make every reasonable attempt to communicate plans for class as soon as possible by email. Our classroom will still be available for you to sit in and attend an online session. In this instance:

- If I am well enough to teach, but am taking precautions to avoid infecting others, we may hold the class online. If this happens, you will receive an email informing you how to join the class.
- If I am not well enough to teach I may ask you to do an activity or read something in place of class time

#### **Course Policies**

- Last day to withdraw without a W standing: May 20, 2022
- Students who miss more than 3 classes may be refused the right to hand in a final assignment. Attendance sheets must be signed during each class.
- Academic Dishonesty: Please read the UBC Calendar on the subject of academic regulations and the University's policies on plagiarism: http://www.calendar.ubc.ca/Vancouver/index.cfm?tree=3,54,111,959
- Students with ability/disability issues are encouraged to inform the instructor of these issues at the beginning of the course so that appropriate accommodations can be made

for them. The University accommodates students with disabilities who have registered with the Disability Resource Centre. Please let your instructor know in advance, preferably in the first week of class, if you will require any accommodation on these grounds.

- Students who plan to be absent for varsity athletics, family obligations, or other similar commitments, cannot assume they will be accommodated, and should discuss their commitments with the instructor before the drop date.
- Late Assignments: Extensions are granted only in cases of personal illness or family issues and not because of academic workload or conflicts. Extensions must be requested in advance of the due date of the assignment
- Participation is expected of all students beyond simple attendance. Students are expected to come to class prepared to discuss the material.
- Students should not be accessing the internet while in class and cell phones should be turned off.

#### **Attendance**

The attendance policy is in the student handbook on page 8. You can find the student handbook on the Advising page of our website: <u>https://socialwork.ubc.ca/undergraduate/advising/</u>

"Regular attendance is expected of students in all their classes (including lectures, laboratories, tutorials, seminars, etc.). Students who neglect their academic work and assignments may be excluded from the final examinations. Students who are unavoidably absent because of illness or disability should report to their instructors on return to classes." (UBC Calendar)

The School considers class attendance to be an essential component of integrated learning in professional social work education. Therefore, regular attendance is required in all social work courses. Instructors may count repeated late arrivals or early departures as an absence, and a meeting should be setup to discuss this with the student. If students miss three or more classes, they may be considered to have not met the requirements of the course. If students have valid reasons, they could be withdrawn from the course with the approval of the instructor – otherwise, they would fail the course.

Other school policies can be accessed through the School of Social Work student handbook.

## Accommodations

The University accommodates students with disabilities who have registered with Access and Diversity. Students, who will require accommodation for attendance due to disability, are encouraged to inform the instructor, and if necessary, to contact Access and Diversity preferably not later than the first week of class. The School will also accommodate religious observance, according to University Policy 65, and students are expected to inform the instructor. Students who wish to be accommodated for unavoidable absences due to varsity athletics, family obligations, or other similar commitments, must notify their instructors in writing at least two weeks in advance, and preferably earlier. This reflects expectations for professional social workers in their place of employment.

## **Learning Resources**

UBC Learning Commons has a variety of tools and information such as; borrowing equipment, academic integrity **(APA Citation Guide)**, writing support, skills for class, skills for life and academic support to assist students in their learning. <u>https://learningcommons.ubc.ca/</u>

#### Library resources:

Contact for UBC Law Library reference staff: https://law.library.ubc.ca/refstaff/

Contact for UBC Social Work librarian: http://directory.library.ubc.ca/people/view/709

## **University Policies**

**Support:** UBC provides resources to support student learning and to maintain healthy lifestyles but recognizes that sometimes crises arise and so there are additional resources to access including those for survivors of sexual violence. UBC values respect for the person and ideas of all members of the academic community. Harassment and discrimination are not tolerated nor is suppression of academic freedom. UBC provides appropriate accommodation for students with disabilities and for religious observances. UBC values academic honesty and students are expected to acknowledge the ideas generated by others and to uphold the highest academic standards in all of their actions.

Details of the policies and how to access support are available at: <u>https://senate.ubc.ca/policies-resources-support-student-success</u>

During the term, I will do my best to offer support if I am concerned about your academic performance or wellbeing. I also encourage you to contact me or your academic advisor if you need assistance. In addition, I may identify concerns using the UBC <u>Early Alert</u> system which provides students with the earliest possible connection to resources like academic advising, financial advising, counseling, or other support services to help you get back on track. Any information transmitted through early alert is treated as confidential (see earlyalert.ubc.ca).

**Academic Dishonesty:** Please review the UBC Calendar "Academic regulations" for the university policy on cheating, plagiarism, and other forms of academic dishonesty. Also visit www.arts.ubc.ca and go to the students' section for useful information on avoiding plagiarism and on correct documentation.

#### **Learning Analytics**

Learning analytics includes the collection and analysis of data about learners to improve teaching and learning. No learning analytics are being used in this course.

# Copyright

All materials of this course (course handouts, lecture slides, assessments, course readings, etc.) are the intellectual property of the Course Instructor or licensed to be used in this course by the copyright owner. Redistribution of these materials by any means without permission of the copyright holder(s) constitutes a breach of copyright and may lead to academic discipline.

## **GRADING CRITERIA**

Letter	Percent	Mid-	
Grade	Range	Point	
A+	90-100	95	Represents work of exceptional quality. Content, organization and style are all at a high level. Student demonstrates excellent
A	85-89	87	research and reference to literature where appropriate. Also, student uses sound critical thinking, has innovative ideas on the
A-	80-84	82	subject and shows personal engagement with the topic.
B+	76-79	77.5	Represents work of good quality with no major weaknesses. Writing is clear and explicit and topic coverage and
В	72-75	83.5	comprehension is more than adequate. Shows some degree of critical thinking and personal involvement in the work. Good use
В-	68-71	69.5	of existing knowledge on the subject.
C+	64-67	65.5	Adequate and average work. Shows fair comprehension of the subject, but has some weaknesses in content, style and/or
С	60-63	62.5	organization of the paper. Minimal critical awareness or personal involvement in the work. Adequate use of literature.
C-	55-59	57	
D	50-54	52	Minimally adequate work, barely at a passing level. Serious flaws in content, organization and/or style. Poor comprehension of the subject, and minimal involvement in the paper. Poor use of research and existing literature.
F	0-49		Failing work. Inadequate for successful completion of the course or submitted beyond final date of acceptance for paper.