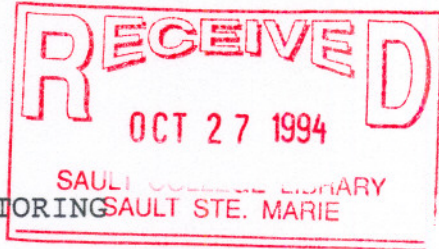


SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY

SAULT STE. MARIE, ONTARIO

COURSE OUTLINE



COURSE TITLE: ENFORCEMENT AND COMPLIANCE MONITORING

CODE NO.: FOR 340-4 SEMESTER: VI

PROGRAM: INTEGRATED RESOURCE MANAGEMENT/FISH & WILDLIFE TECHNOLOGY

AUTHOR: H. COOPER/W. ROBERTSON

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APPROVED: *A. Cook* 94-10-25  
 DEAN, SCHOOL OF SCIENCES & NATURAL RESOURCES DATE

ENFORCEMENT AND COMPLIANCE MONITORING FOR 340-4

COURSE NAME

COURSE NUMBER

TOTAL CREDIT HOURS: 64

PREREQUISITE(S): FOR 240-3 (NATURAL RESOURCES LAW)

**I. PHILOSOPHY/GOALS:**

This course includes a comprehensive study of major statutes, regulations and policies that affect management of wildlife, fisheries, Provincial and National parks, and other natural resource-related activities.

Enforcement procedures for investigating offences, collecting evidence and laying charges will be discussed. The emphasis will be on case studies, scenarios and role-playing activities. Guest speakers will assist in interpretation of key legislation.

**II. STUDENT PERFORMANCE OBJECTIVES:**

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

1. Describe the levels of court in Ontario and the significance of each to natural resource enforcement.
2. Describe enforcement officer power and procedures for major types of provincial or federal legislation.
3. Describe proper procedure for investigating offences and collecting evidence.
4. Discuss similarities and differences between major wildlife-related acts and other acts and regulations.
5. Discuss and solve sample case studies and scenarios dealing with natural resource law (especially for fish, wildlife, parks, and lands).
6. Explain the role of compliance monitoring in integrated resource management.
7. Discuss the future of aboriginal use of natural resources and case law resulting from key cases in the past and present.

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III. TOPICS TO BE COVERED:

1. Introduction and Review
2. Historical Aspects of Law Enforcement
3. Powers of Enforcement Officers
4. Procedures for Investigating and Prosecuting Natural Resource Offences
5. The Game and Fish Act
6. The Fisheries Act and Ontario Fishery Regulations
7. The Migratory Birds Convention Act and Migratory Bird Regulations
8. The Provincial Parks Act and Regulations
9. The National Parks Act
10. Environmental Field Monitoring and Compliance Monitoring

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IV. LEARNING ACTIVITIES:

REQUIRED RESOURCES:

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TOPIC 1:

INTRODUCTION & REVIEW

At the completion of this unit, the student will:

- |     |   |                        |
|-----|---|------------------------|
| 1.0 | State the levels of Courts in Ontario and describe types of cases handled in each.                | Law Enforcement Manual |
| 1.1 | Describe the levels of jurisdiction of law and persons responsible for enforcement at each level. | Assigned Reading #1    |
| 1.2 | Distinguish between the types of offences.  |                        |

TOPIC 2:

HISTORICAL ASPECTS

Upon completion of this unit, the student will be able to:

- |     |  |                                   |
|-----|--|-----------------------------------|
| 2.0 | Describe the significance of the BNA and the Constitution Act to Natural Resource Law. | Assigned Reading #2               |
| 2.1 | Describe the historical basis for native claims on hunting/fishing/trapping rights.    | The Charter of Rights and Freedom |

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IV. LEARNING ACTIVITIES:

REQUIRED RESOURCES:

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TOPIC 2: CONTINUED

- 2.2 Distinguish between aboriginal rights and treaty rights as they apply to provincial and federal law.
- 2.3 Describe case law dealing with aboriginal or treaty rights to game and fish.

TOPIC 3:

POWERS OF OFFICERS

At the completion of this unit, the student will be able to:

- 3.0 State the authority and conditions under which officers and citizens may perform arrests.
- 3.1 State the authority and conditions under which officers may perform searches.
- 3.2 Describe procedures for proper arrests, searches and seizures for any offence.

Assigned Reading #3

Case studies and scenarios,  
role playing

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IV. LEARNING ACTIVITIES:

REQUIRED RESOURCES:

TOPIC 4:

PROCEDURES

At the completion of this unit, the student will be able to:

- |     |  |                            |
|-----|--|----------------------------|
| 4.0 | Describe the procedure for field note-taking and evidence collection, including seizures.                | Assigned Reading #4        |
| 4.1 | State which enforcement forms are used to commence legal proceedings for:                                | Case studies and scenarios |
| a)  | Provincial Part I Offences   | Evidence Lab               |
| b)  | Provincial Part III Offences   |                            |
| c)  | Federal Summary Conviction Offences  |                            |
| d)  | Federal Indictable or Dual Offences  |                            |
| e)  | Federal Fishery Tickets  |                            |
| 4.2 | Describe how other enforcement documents, including Crown Briefs and seizure receipts are used properly. | Courtroom Scenario         |
| 4.3 | State guidelines for courtroom behaviour for officers.   | Courtroom Scenario         |

COURSE NAME

COURSE NUMBER

IV. LEARNING ACTIVITIES:

REQUIRED RESOURCES:

TOPIC 5:

THE GAME & FISH ACT

Upon the completion of this unit, the student will be able to:

- 5.0 Demonstrate mastery of the contents of the Game and Fish Act by stating:
- a) The intent of the Act and key sections.
  - b) What offences occur or do not occur in case studies.
  - c) Powers of officers under this Act.
  - d) Procedures for prosecuting offences under this Act.

The Game and Fish Act R.S.O. 1990  
and  
Pertinent revised regulations  
  
Scenario package

TOPIC 6:

THE FISHERIES ACT & ONTARIO FISHERY REGULATIONS (O.F.R.)

Upon completion of this unit, the student will be able to:

- 6.0 Demonstrate mastery of the contents of The Fisheries Act and O.F.R. by stating:
- a) The intent of the Act and key sections.
  - b) What offences occur or do not occur in case studies.
  - c) Powers of officers under this Act.
  - d) Procedures for prosecuting offences under this Act.

The Fisheries Act and Ontario Fisheries Regulations  
  
Scenario package

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IV. LEARNING ACTIVITIES:

REQUIRED RESOURCES:

TOPIC 7:

THE MIGRATORY BIRDS  
CONVENTION ACT AND  
MIGRATORY BIRD  
REGULATIONS (M.B.R.)

At the completion of this unit, the student will be able to:

The Migratory Birds Convention Act and Regulations

7.0 Demonstrate mastery of the contents of The Migratory Birds Convention Act and M.B.R. by stating:

Scenario package

- a) The intent of the Act and key sections.
- b) What offences occur or do not occur in case studies.
- c) Powers of officers under this Act.
- d) Procedures for prosecuting offences under this Act

TOPIC 8:

THE PROVINCIAL PARKS ACT  
AND REGULATIONS

Upon completion of this unit, the student will be able to:

8.0 Demonstrate mastery of the contents of The Provincial Parks Act and Regulations by stating:

The Provincial Parks Act and R.R.O 952

- a) The intent of the Act and key sections.
- b) What offences occur or do not occur in case studies.
- c) Powers of officers under this Act.
- d) Procedures for prosecuting offences under this Act.

Scenario package



IV. LEARNING ACTIVITIES:

REQUIRED RESOURCES:

TOPIC 9:

THE NATIONAL PARKS ACT

Upon completion of this unit, the student will be able to:

- |     |   |                                    |
|-----|---|------------------------------------|
| 9.0 | Demonstrate mastery of the contents of The National Parks Act by stating: | The National Parks Act R.S.C. 1985 |
| a)  | The intent of the Act and key sections.                                   |                                    |
| b)  | What offences occur or do not occur in case studies.                      |                                    |
| c)  | Powers of officers under this Act.  |                                    |
| d)  | Procedures for prosecuting offences under this Act.                       |                                    |

TOPIC 10:

ENVIRONMENTAL FIELD MONITORING

At the completion of this unit, the student will be able to:

- |      |   |  |
|------|---|--|
| 10.0 | State the relationship between integrated resource management and enforcement.                                      | Lakes and Rivers Improvement Act R.S.O. 1990                               |
| 10.1 | Describe procedures and major infractions to search out in environmental field monitoring or compliance monitoring. | Public Lands Act R.S.O. 1990<br>Fisheries Act R.S.C. 1985<br><br>Scenarios |