

ENFORCEMENT AND
COMPLIANCE MONITORING

FOR340-4

COURSE NAME

CODE NO.

I. COURSE DESCRIPTION:

This course is a more advanced study of major statutes, regulations and policy that affect management of wildlife and fish and their habitats, as well as parks, forestlands and related natural resources. Students will learn enforcement procedures for compliance monitoring, investigating offences and collecting evidence, and laying charges for Provincial and Federal violations. The emphasis will be on role-playing, case studies and actual scenarios. Guest speakers will assist in interpreting legislation and mock court situations.

II. LEARNING OUTCOMES AN ELEMENTS OF THE PERFORMANCE:

A. Learning Outcomes:

1. Prepare a historical review of law enforcement powers and procedures in Canada in a chart format.
2. Access the most current editions of key Federal and Provincial legislation and interpret their intent and significant sections.
3. Demonstrate the ability to interpret and solve simple case studies and scenarios dealing with natural resource law and compliance monitoring.
4. Demonstrate the ability to successfully perform all the duties of a natural resources enforcement officer by preparing a solid case against a violator of natural resource legislation
5. Perform a field investigation and report dealing with compliance with regulations pertaining to forestry operations impacting on fisheries in a watershed.

B. Potential elements of the performance for each learning outcome:

1. Prepare a historical review of law enforcement powers and procedures in Canada in a chart format.

POTENTIAL ELEMENTS OF PERFORMANCE:

- Collect information from libraries, provided reference material
- Summarize the following information in a chart:
 - Federal and Provincial jurisdiction in natural resources
 - Powers of officers under each jurisdiction
 - Officer procedures and responsibilities
 - Levels of court frequently utilized

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- Describe the historical basis for native natural resource rights and land claims
- Complete an assignment based on aboriginal rights, treaty rights and case law related to these issues

(This outcome will constitute 10% of the course grade)

2. **Access the most current editions of assigned Federal and Provincial legislation and interpret their intent and significant sections**

POTENTIAL ELEMENTS OF PERFORMANCE:

- Use Media services, the LRC , Federal or Provincial libraries or Internet search to locate and retrieve the most recent updates to statutes, revised regulations and policies
Investigate the intent and key sections from the following:
 - The Fish and Wildlife Conservation Act/Game and Fish Act and revised Regulations
 - The Fisheries Act and Ontario Fisheries Regulations
 - The Migratory Birds convention Act and regulations
 - The Provincial Parks Act and regulations
 - The National Parks Act
 - Sections of the following that are related to compliance monitoring:
 - The Lakes and Rivers Improvement Act
 - The Public Lands Act
 - The Forest Fires Prevention Act
 - The Crown Forests Sustainability Act

(This outcome will constitute 30 % of the course grade)

3. **Demonstrate the ability to interpret and solve simple case studies and scenarios dealing with natural resource law and compliance monitoring.**

POTENTIAL ELEMENTS OF PERFORMANCE:

- Read scenarios and case studies assigned for each statute or revised regulation
- Summarize elements of the offence and facts in issue
- Using legislation, lecture notes, study guide or advice from legal advisors, identify violations and summarize the correct course of action for an officer.

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- Read the Canadian Wildlife Federation book "*Poaching and Illegal Trade in Wildlife*" and complete a written assignment based on its content.

(This outcome will constitute 20% of the course grade)

4. **Demonstrate the ability to successfully perform all duties of a natural resource enforcement officer by preparing a solid case against a violator of natural resource legislation.**

POTENTIAL ELEMENTS OF PERFORMANCE:

- Review officer procedures to initiate charges.
- Prepare a complete case for a mock trial exercise, based on a scenario drawn at random. For this mock trial, students must
 - Collect and preserve evidence of the offence, and ensure continuity is established
 - Select and complete correctly the proper legal forms and documents such as the Certificate of Offence, Information, Summons, or Appearance Notice.
 - Complete comprehensive field notes to assist the officer in Court
 - Complete a Crown Brief to be used by a Crown prosecutor in Court
 - Participate in the mock court to present your case (as the officer) with guest attorneys and justice of peace to judge your case.

(This outcome will constitute 25% of the course grade)

5. **Perform a field investigation and field report dealing with compliance with regulations pertaining to forestry practices impacting on fisheries in a watershed.**

POTENTIAL ELEMENTS OF PERFORMANCE:

- As part of a field exercise, examine a watershed site where logging may have impacted fisheries in a stream
- Complete the required compliance inspection report
- Make a comprehensive verbal report to your supervisor regarding your findings
- Recommend actions based on the field inspection.

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(This outcome will constitute 15% of the course grade)

III. TOPICS TO BE COVERED:

1. Introduction to the Course and review of law concepts
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 and regulations
6. The Fisheries Act and Ontario Fishery Regulations
7. The Migratory Birds Convention Act and regulations
8. The Provincial Parks Act and regulations and The National Parks Act
9. The Occupiers Liability Act , Trespass to Property Act
10. Environmental Field Monitoring and Compliance.

IV. REQUIRED RESOURCES/ TEXTS/ MATERIALS:

1. The Enforcement Training Guide* - OMNR
2. FOR340 Study Guide /Lab manual*
3. Compendium of selected statutes
 - The Fish & Wildlife Conservation Act and Regulations
 - The Fisheries Act and Ontario Fishery Regulations
 - The Mig. Birds Convention Act and Migratory Bird regulations
 - The Provincial Parks Act and regulations*
4. Regulations binder*
5. Officer notebook*
6. Book "Poaching and Illegal Trade in Wildlife " -C.N.F.
(hand-out)

*Available at College Campus Shop

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V. EVALUATION PROCESS/ GRADING SYSTEM:

Assignments:

1. Career profile interview (5%)
2. Regulation review (4%)
3. Native Law (5%)
4. Poaching book, WAPPRIITA and CITES assignment (5%)
5. Scenario and case studies - FWCA, MBCA, Fisheries Act, Prov. Parks Act and Trespass to Property Act (16%)

Assignments Total Value **35%**

Mock trial

1. Proper paperwork, forms (10%)
2. Presentation in court before a guest panel (10%)

Mock Trial Total Value **20%**

Quizzes and tests

1. Firearm quiz (4%)
2. Canine Detection Unit (3%)
3. Stop, search and arrest quiz (4%)
4. Evidence collection and forensics (3%)
5. Ticket test (4%)
6. Compliance quiz (3%)
7. Final test (24%)

Total test/quiz Value **45%**

All assignments must be completed to pass the course. Late assignments will be devalued at the rate of 10% per school day late. Attendance is expected at each class. There will be no rewrites for quizzes, tests missed without valid excuse. Students in good academic standing and with excellent attendance records may be excused from the final test for early leaving for related employment or training courses.

The following semester grades will be assigned to students in postsecondary courses:

<u>Grade</u>	<u>Definition</u>	<u>Grade Point Equivalent</u>
A+	90 - 100%	4.00
A	80 - 89%	3.75
B	70 - 79%	3.00
C	60 - 69%	2.00
R (Repeat)	59% or below	0.00
CR (Credit)	Credit for diploma requirements has been awarded.	
S	Satisfactory achievement in field placement or non-graded subject areas.	

U	Unsatisfactory achievement in field placement or non-graded subject areas.
X	A temporary grade. This is used in limited situations with extenuating circumstances giving a student additional time to complete the requirements for a course (see <i>Policies & Procedures Manual - Deferred Grades and Make-up</i>).
NR	Grade not reported to Registrar's office. This is used to facilitate transcript preparation when, for extenuating circumstances, it has been impossible for the faculty member to report grades.

VI. SPECIAL NOTES:

Special Needs:

If you are a student with special needs (e.g. Physical limitations, visual impairments, hearing impairments, learning disabilities), you are encouraged to discuss required accommodations with the instructor and/or contact the Special Needs Office, Room E1204, Ext. 493, 717 or 491 so that support services can be arranged for you.

Plagiarism:

Students should refer to the definition of "academic dishonesty" in the "Statement of Students Rights and Responsibilities."

Students who engage in "academic dishonesty" will receive an automatic failure for that submission and/or such other penalty, up to and including expulsion from the course, as may be decided by the professor.

In order to protect students from inadvertent plagiarism, to protect the copyright of the material referenced and to credit the author of the material, it is the policy of the department to employ a documentation format for referencing source material.

Advanced Standing

Students who have completed an equivalent post-secondary course should bring relevant documents to the Coordinator, Natural Resources Programs.

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Retention of Course Outlines

It is the responsibility of the student to retain all course outlines for possible future use in gaining advanced standing at other post-secondary institutions.

Substitute course information is available at the Registrar's Office.

VII. PRIOR LEARNING ASSESSMENT:

Please contact the Prior Learning Assessment Office (H0240) for further information.