

**FACULTY OF LAW, UNIVERSITY OF VICTORIA**  
**2010-11 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION<sup>1</sup>**

<b>COURSE</b>	Law 333 Social Welfare Law
<b>UNIT VALUE</b>	1.5 Units (3 hours per week)
<b>INSTRUCTOR</b>	Tim Richards
<b>TERM OFFERED</b>	Fall 2010
<b>CLASS TIMES</b>	See Schedule
<b>PREREQUISITES/CO-REQUISITES</b>	None

## **COURSE DESCRIPTION AND OBJECTIVES**

Is law an effective means or instrument to address social, economic or other disadvantage experienced by members of Canadian society? Are the aims of social welfare law broader than this? If it is an effective means or instrument to achieve these goals, in what manner and are there limitations to this?

These questions form the backdrop to Law 333, and the course is relevant both to those with a passion for social justice and those who wish to simply deepen their understanding of this area of law.

The course addresses the following themes.

- (1) The conceptual parameters of social welfare law.
- (2) A general historical overview of social welfare law in Canada from Confederation to the present.
- (3) How social welfare law and social welfare programs are shaped by the historical and cultural context in which they arise.
- (4) The distinction between social welfare law and social welfare programs in their stages of creation and implementation and how these can diverge.
- (5) Understanding the role of discretion in the implementation of social welfare law programs in achieving their goals.
- (6) The role of both legislation and court decisions in constituting social welfare law.

A key theme of the course is that social welfare law must be understood as a product of cultural values and the social, political and economic context in which it originates and evolves. It reflects both cooperative and conflictual forces and tensions in society.

Studying social welfare law requires understanding how it operates in practice. For this reason, the course includes various case studies as concrete examples of the general characteristics of social welfare law. These will include:

- (1) how the social and economic context in which the workers' compensation program in B.C. emerged shaped this program,
- (2) the nature of employment insurance as a social welfare program as indicated by its consequences,
- (3) income assistance as a specific example of an economic security program,
- (4) the structure of our health care system as determined by the constitutional and legislation, and
- (5) the contributions of the courts to expanding or limiting social welfare law through examining court decisions.

## **METHODOLOGY**

Social Welfare Law is a participative endeavour. While the course will follow both a lecture and seminar format, learning the content of the course requires participation, and this will be structured into the classes. The course will also include presentations on areas of social welfare law by guest presenters and student presentations and facilitated discussions.

## **EXPECTED EVALUATION METHODOLOGY**

Mid term assignment:	15%
Research paper	85%

*April 12, 2010*

<sup>1</sup> The information in this document is provided for course registration purposes only and is *subject to change*. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services ([lawmaass@uvic.ca](mailto:lawmaass@uvic.ca)).