

LEGAL RIGHTS IN CRIMINAL PROCEEDINGS: FINAL TAKE-HOME EXAM

You have to complete **ALL** tasks. This take-home exam evaluates your ability to apply the theories, methods, and principles that we discussed. Clarity and precision are essential. If you answer in essay format, please make sure that you **precede every argument or idea by its corresponding heading**. In all your answers, you must refer only to sources (topics, theories, elements, examples, readings, cases, etc.) that we discussed in class (or that are in the class notes and slides if you missed class). **No outside sources may be referred to or included in your answers**. You are not permitted to consult with anyone about this test. Please do not ask me questions about the test once this test is posted online. As a matter of fairness, I do not want to give answers to some students that others do not have the benefit (or detriment) of hearing. You will simply have to use your own judgment about how to handle any possible difficulties, including the interpretation of the questions and tasks. **Submission:** You need to **submit this evaluation to the Algoma University Moodle platform for this course in a MS Word document by the deadline, i.e., April 14, 2021 by 5.30 pm EST**.

1. Choose one Charter legal right and explain it in detail. Find a Supreme Court case discussing it and comment it. Find a news article or video about the selected legal right and discuss it.
2. Analyze the following hypothetical federal norm in light of the Charter legal rights.

Ban on international flights due to the Covid-19 pandemic.

Under the Quarantine Act, the Canadian federal government has issued a new measure prohibiting all flights to and from Canada for, at least, 30 days in order to stop the spread of Covid-19 in Canada. During this time, there will only be 1 special flight per week from Toronto to Newark, New Jersey. Only those individuals who can justify their need to fly abroad for essential, urgent, and compelling reasons will be permitted to take those special flights. Tourism, work, family reunification, and business are not considered essential reasons. Anyone who is in contravention of this measure is subject to fines of up to \$1,000,000 and/or imprisonment of up to 3 years.

3. Read the article entitled “Defund the Police: Demands” from the course website and discuss it. Do you agree with the idea of defunding the police in Canada? Why or why not? What criminal justice model predominates in the Defund the Police movement? Why?

4. Find a Supreme Court case discussing the exclusion of evidence regime (section 24.2 of the Charter) and comment it. Find a news article or video about exclusion of evidence in Canada and discuss it.
5. Find a Supreme Court case discussing the search and seizure of cellular phones in Canada and comment it. Find a news article or video about the search and seizure of cellular phones in Canada and discuss it.