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| 1. Laws are created to protect society, and procedural safeguards are created to protect which of the following?   |  |  |  | | --- | --- | --- | |  | a. | the police | |  | b. | the courts | |  | c. | the criminal | |  | d. | the government |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 2. In which of the following processes is a person’s behaviour identified as problematic, defined as criminal, regulated through law enforcement, and punished through the court if found guilty?   |  |  |  | | --- | --- | --- | |  | a. | justification | |  | b. | illegalization | |  | c. | legalization | |  | d. | criminalization |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 3. Allen commits a crime by selling drugs to a group of youth behind the school gym. What is the body of legislative actions that determines Allen’s conduct is punishable by the state?   |  |  |  | | --- | --- | --- | |  | a. | procedural criminal law | |  | b. | the Charter of Rights and Freedoms | |  | c. | substantive criminal law | |  | d. | the rule of law |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 4. When the police detain and/or arrest an accused offender, what type of law focuses on the importance of how the rights and duties of individuals can be enforced?   |  |  |  | | --- | --- | --- | |  | a. | substantive criminal law | |  | b. | the rule of law | |  | c. | statute law | |  | d. | procedural criminal law |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 5. Which of the following enacts the majority of Canada’s criminal laws?   |  |  |  | | --- | --- | --- | |  | a. | the police | |  | b. | the courts | |  | c. | Parliament | |  | d. | society |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 6. What type of law does “principles of fundamental justice” refer to?   |  |  |  | | --- | --- | --- | |  | a. | civil law | |  | b. | substantive law | |  | c. | criminal law | |  | d. | procedural law |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 7. When a criminal act is committed and the accused must be tried in a court of law, the accused is guaranteed a speedy trial under which of the following?   |  |  |  | | --- | --- | --- | |  | a. | criminal law | |  | b. | principles of fundamental justice | |  | c. | substantive law | |  | d. | the rule of law |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 8. Which of the following was a new provision included in the sexual assault legislation (Bill C-127) introduced in January 1983?   |  |  |  | | --- | --- | --- | |  | a. | a reclassification of the right to silence | |  | b. | the right of disclosure of all relevant records pertaining to the victim | |  | c. | spouses could be charged with sexual assault | |  | d. | increased protections for the accused during cross-examination, particularly about their prior sexual history |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 9. What is reflected in the three levels of harm found in Bill C-127?   |  |  |  | | --- | --- | --- | |  | a. | the type of perpetrator | |  | b. | the seriousness of the incident | |  | c. | the relationship between the perpetrator and complainant | |  | d. | the location of the incident |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 10. What is the maximum punishment for Level 2 sexual assault?   |  |  |  | | --- | --- | --- | |  | a. | 10 years’ imprisonment | |  | b. | 14 years’ imprisonment | |  | c. | 20 years’ imprisonment | |  | d. | life imprisonment |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 11. Which action is involved in a Level 3 sexual assault (s. 273 of the Criminal Code)?   |  |  |  | | --- | --- | --- | |  | a. | endangering the life of the victim | |  | b. | the use of a weapon | |  | c. | the threat to use a weapon | |  | d. | a minor physical assault |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 12. If a sexual assault case proceeds by way of summary conviction, what is the maximum punishment upon conviction?   |  |  |  | | --- | --- | --- | |  | a. | 6 months’ incarceration | |  | b. | 12 months’ incarceration | |  | c. | 18 months’ incarceration | |  | d. | 24 months’ incarceration |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 13. What percentage of all sexual assaults are unreported?   |  |  |  | | --- | --- | --- | |  | a. | 80 percent | |  | b. | 85 percent | |  | c. | 90 percent | |  | d. | 95 percent |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 14. According to the text, what was the most controversial aspect of the sexual assault law introduced in 1983?   |  |  |  | | --- | --- | --- | |  | a. | that the maximum punishment for Level 3 sexual assault was life imprisonment | |  | b. | the provisions restricting the ability of the accused to introduce evidence concerning the victim’s past sexual conduct | |  | c. | that the victim could only be female | |  | d. | the marital relationship between the complainant and accused |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 15. In which of the following cases did the Supreme Court of Canada rule that a woman’s records had to be given to the judge if the defence could persuade the judge that the records may contain information useful to the defendant?   |  |  |  | | --- | --- | --- | |  | a. | *R. v. Daviault* | |  | b. | *R. v. Gayme* | |  | c. | *R. v. Darrach* | |  | d. | *R. v. O’Connor* |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 16. In which case did the Supreme Court of Canada reject the defence of implied consent?   |  |  |  | | --- | --- | --- | |  | a. | *R. v. Mills* | |  | b. | *R. v. Seaboyer* | |  | c. | *R. v. O’Connor* | |  | d. | *R. v. Ewanchuk* |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 17. Based on the Supreme Court of Canada ruling in *O’Connor*, what is the first element a judge has to consider when determining if a victim’s counselling records can be accessed by the defence?   |  |  |  | | --- | --- | --- | |  | a. | whether the counselling records are likely to be of sufficient relevance to the defence | |  | b. | whether access is necessary to achieve the goal of justice | |  | c. | whether the counselling records balance the interests of the defence with the impact such information might have upon the complainant’s right to privacy, dignity, and security | |  | d. | whether access is necessary to resolve a substantive criminal law issue |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 18. What was demonstrated in Gotell’s study of 16 sexual assault cases where judges had been asked by the defence for records about the complainants?   |  |  |  | | --- | --- | --- | |  | a. | that records are disclosed to the accused on the basis of discriminatory rationales | |  | b. | that judges varied in their emphases about the relevant factors found in the Criminal Code | |  | c. | that judges interpret the law consistently | |  | d. | that judges are most concerned about equality when they make their decisions |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 19. What is required for an act to be determined as legally criminal?   |  |  |  | | --- | --- | --- | |  | a. | society determines the act to be criminal | |  | b. | the courts determine the act to be criminal | |  | c. | a law determines the act to be criminal | |  | d. | the police determine the act to be criminal |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 20. What two elements are required for an offender to be found guilty in a court of law?   |  |  |  | | --- | --- | --- | |  | a. | act and offence | |  | b. | *actus rea* and *mens reus* | |  | c. | *mens rea* and offence | |  | d. | *actus reus* and *mens rea* |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 21. Which of the following requires that the prosecution prove beyond a reasonable doubt the intent specified in the statute’s definition of the elements of a crime?   |  |  |  | | --- | --- | --- | |  | a. | general intent | |  | b. | procedural criminal law | |  | c. | substantive criminal law | |  | d. | specific intent |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 22. Which type of criminal offence does not require the prosecution to prove through an independent investigation the state of the defendant’s mind at the time of the offence?   |  |  |  | | --- | --- | --- | |  | a. | specific intent | |  | b. | administrative | |  | c. | general intent | |  | d. | habeas corpus |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 23. Which of the following is a specific intent offence?   |  |  |  | | --- | --- | --- | |  | a. | arson | |  | b. | robbery | |  | c. | aggravated assault | |  | d. | receiving stolen property |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 24. Which of the following is a general intent offence?   |  |  |  | | --- | --- | --- | |  | a. | assault causing bodily harm | |  | b. | unlawful confinement | |  | c. | incest | |  | d. | assaulting a police officer |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 25. Why do Barnhorst and Barnhorst (2004) contend that motive is relevant to the criminal justice system?   |  |  |  | | --- | --- | --- | |  | a. | it provides a reason why the person committed the crime | |  | b. | it defines the intent of the crime | |  | c. | it stops the judge from sentencing differently | |  | d. | it stops the police from charging the offender |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 26. What type of culpability is being displayed when an individual violates the law by not taking the appropriate care and attention?   |  |  |  | | --- | --- | --- | |  | a. | knowledge | |  | b. | procedural justice | |  | c. | intent | |  | d. | recklessness |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 27. Which term refers to the prohibited act of a criminal offence?   |  |  |  | | --- | --- | --- | |  | a. | *mens rea* | |  | b. | intent | |  | c. | *actus reus* | |  | d. | motive |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 28. What is missing when people commit a crime in self-defence or while under duress?   |  |  |  | | --- | --- | --- | |  | a. | *actus reus* | |  | b. | *mens rea* | |  | c. | motive | |  | d. | intent |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 29. A person purchases a stereo from the trunk of another person’s car. When charged with a criminal act, they could attempt to use which level of culpability?   |  |  |  | | --- | --- | --- | |  | a. | purposeful | |  | b. | knowledge | |  | c. | recklessness | |  | d. | negligence |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 30. In which case did the Supreme Court of Canada hold that the laws surrounding prostitution cause grossly disproportionate harms to prostitutes?   |  |  |  | | --- | --- | --- | |  | a. | *Canada (Attorney General) v. Bedford* | |  | b. | *Canada (Attorney General) v. Hunter* | |  | c. | *Canada (Attorney General) v. Bloomfield* | |  | d. | *Canada (Attorney General) v. Pickford* |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 31. For which of the following reasons did prostitutes believe the law was a violation of s. 7 of the Charter of Rights and Freedoms?   |  |  |  | | --- | --- | --- | |  | a. | they were unable to earn a living | |  | b. | it forced them into situations that often resulted in severe violence | |  | c. | they wanted to be free to solicit in a location of their choice | |  | d. | responsibility should be equal between the solicitor and their client |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 32. Which of the following requires that intent both precede and be related to the specific prohibited action or inaction that was or was not taken?   |  |  |  | | --- | --- | --- | |  | a. | causation | |  | b. | harm | |  | c. | concurrence | |  | d. | *corpus delecti* |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 33. Which term refers to those crimes requiring that the conduct of the accused produce a specific result?   |  |  |  | | --- | --- | --- | |  | a. | concurrence | |  | b. | harm | |  | c. | causation | |  | d. | *mens rea* |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 34. Larry’s spouse Cindy was killed while sleeping in her home in Toronto. When charged with Cindy’s murder, Larry was able to use which of the following excuses due to his tendency to sleepwalk?   |  |  |  | | --- | --- | --- | |  | a. | self-defence | |  | b. | automatism | |  | c. | duress | |  | d. | necessity |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 35. John committed a crime two days prior to his 18th birthday. One month later, he was charged in adult criminal court with committing the offence. What type of excuse defence will he be able to use?   |  |  |  | | --- | --- | --- | |  | a. | age | |  | b. | mistake of fact | |  | c. | mistake of law | |  | d. | necessity |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 36. Kim was suffering from a mental disorder when she commited an offence. What was missing from the act?   |  |  |  | | --- | --- | --- | |  | a. | *actus rea* | |  | b. | *mens reus* | |  | c. | intent | |  | d. | concurrence |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 37. When a person is found not criminally responsible due to a mental disorder, what is one of the dispositions available to the court or review board?   |  |  |  | | --- | --- | --- | |  | a. | acquittal | |  | b. | guilty | |  | c. | conditional discharge | |  | d. | release |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 38. Which term refers to unconscious or involuntary behaviour?   |  |  |  | | --- | --- | --- | |  | a. | automatism | |  | b. | duress | |  | c. | necessity | |  | d. | mistake of fact |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 39. What defence could be used by someone who commits an illegal act while believing that certain circumstances exist?   |  |  |  | | --- | --- | --- | |  | a. | justification | |  | b. | duress | |  | c. | mistake of fact | |  | d. | mistake of law |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 40. Which of the following justification defences, if accepted by the court, results in an acquittal?   |  |  |  | | --- | --- | --- | |  | a. | mistake of law | |  | b. | mistake of fact | |  | c. | duress | |  | d. | provocation |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 41. When a criminal act is caused by forces of nature or human conduct other than the intentional threats of bodily harm, what legal defence can be used?   |  |  |  | | --- | --- | --- | |  | a. | mistake of law | |  | b. | necessity | |  | c. | duress | |  | d. | mistake of fact |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 42. Which case was successfully used to acquit a woman who used force to protect herself from an aggressor, also known as “battered woman syndrome”?   |  |  |  | | --- | --- | --- | |  | a. | *R. v. Lavallee* | |  | b. | *R. v. Stevenson* | |  | c. | *R. v. Long* | |  | d. | *R. v. Sherren* |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 43. What was the revision regarding self-defence in Bill C-26, The Citizen’s Arrest and Self-defence Act?   |  |  |  | | --- | --- | --- | |  | a. | self-defence can now be used only in violent crimes | |  | b. | self-defence can now be used for any offence | |  | c. | self-defence is not available when protecting your home or business | |  | d. | self-defence is unreasonable in any circumstance |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 44. When living in Canada, you are responsible for knowing the current laws. As such, if you did commit a crime, why would you be held accountable?   |  |  |  | | --- | --- | --- | |  | a. | everyone is accountable in Canada | |  | b. | ignorance of the law is not a defence | |  | c. | you are considered an accessory | |  | d. | you had previously committed the same crime |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 45. When an agent of the state (e.g., a police officer) offers to an individual the opportunity to commit a crime, which of the following has occurred?   |  |  |  | | --- | --- | --- | |  | a. | mistake of law | |  | b. | self-defence | |  | c. | entrapment | |  | d. | provocation |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 46. What is the legal defence that can be applied when there is a wrongful act or insult that deprives an ordinary person of the power of self-control?   |  |  |  | | --- | --- | --- | |  | a. | provocation | |  | b. | entrapment | |  | c. | duress | |  | d. | necessity |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 47. In which of the following does a judge follow previous decisions (i.e., precedent) in similar cases?   |  |  |  | | --- | --- | --- | |  | a. | case law | |  | b. | administrative law | |  | c. | *stare decisis* | |  | d. | *corpus delecti* |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 48. What do judges in Canada typically do when following precedents in deciding a case?   |  |  |  | | --- | --- | --- | |  | a. | follow only what other judges in their courts decide | |  | b. | follow the decisions of higher and equal courts | |  | c. | follow only those decisions of higher courts | |  | d. | follow what the statute states |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 49. What is the main difference between summary and indictable offences?   |  |  |  | | --- | --- | --- | |  | a. | summary offences fall under the jurisdiction of the civil courts | |  | b. | summary offences are more serious crimes than indictable offences | |  | c. | indictable offences involve sums of money over $4,000 | |  | d. | indictable offences carry more serious consequences than summary offences |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 50. Which of the following contains the fundamental principles guiding the enactment of laws and the application of those laws by the courts in Canada?   |  |  |  | | --- | --- | --- | |  | a. | statute law | |  | b. | case law | |  | c. | the Constitution | |  | d. | administrative law |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 51. What type of laws prohibit or mandate certain acts?   |  |  |  | | --- | --- | --- | |  | a. | administrative laws | |  | b. | the rule of law | |  | c. | case laws | |  | d. | statute laws |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 52. What always overrules case law, except in conflicts over the Canadian Charter of Rights and Freedoms?   |  |  |  | | --- | --- | --- | |  | a. | the scope of the law | |  | b. | administrative law | |  | c. | the Constitution | |  | d. | statute law |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 53. What is the most important source of laws in Canada today?   |  |  |  | | --- | --- | --- | |  | a. | the constitution | |  | b. | statute law | |  | c. | case law | |  | d. | the common law |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 54. Which type of offence is a violation of an administrative law?   |  |  |  | | --- | --- | --- | |  | a. | regulatory | |  | b. | *actus reus* | |  | c. | procedures | |  | d. | criminal liability |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 55. Statutes in Canada are codified. How often are the statutes consolidated?   |  |  |  | | --- | --- | --- | |  | a. | about every 7 years | |  | b. | about every 10 years | |  | c. | about every 12 years | |  | d. | about every 15 years |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 56. Which of the following involves the judicial application and interpretation of laws as they apply in any particular case?   |  |  |  | | --- | --- | --- | |  | a. | the Charter of Rights and Freedoms | |  | b. | substantive criminal law | |  | c. | statute law | |  | d. | case law |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 57. In the case *Canada (Attorney General) v. Bedford* (2013), the justice held that the current prostitution laws violated s. 7 of the Charter of Rights and Freedoms. Previous cases had not come to that conclusion; therefore, what practice did this judge NOT follow?   |  |  |  | | --- | --- | --- | |  | a. | precedent | |  | b. | the rule of law | |  | c. | principles of fundamental justice | |  | d. | common law |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 58. What type of law is competition policy law?   |  |  |  | | --- | --- | --- | |  | a. | administrative | |  | b. | case | |  | c. | statute | |  | d. | civil |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 59. A citizen discovers that a company has been illegally dumping toxic chemicals in the area where she lives. She approaches her municipal government, informing of them of what she has found and demanding action. Which type of law is applicable to this case?   |  |  |  | | --- | --- | --- | |  | a. | case law | |  | b. | the constitution | |  | c. | administrative law | |  | d. | statute law |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 60. In the event of a threat to the Canadian people, the government could place a curfew on residents through which section of the Charter of Rights and Freedoms?   |  |  |  | | --- | --- | --- | |  | a. | Section 1 | |  | b. | Section 7 | |  | c. | Section 11 | |  | d. | Section 24 |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 61. Which section of the *Charter of Rights and Freedoms* is considered to be the most general in its orientation?   |  |  |  | | --- | --- | --- | |  | a. | Section 7 | |  | b. | Section 8 | |  | c. | Section 11 | |  | d. | Section 24 |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 62. Which case led to the Supreme Court of Canada determining the basic framework for search and seizures by the police?   |  |  |  | | --- | --- | --- | |  | a. | *R. v. Wong* | |  | b. | *Hunter v. Southam, Inc.* | |  | c. | *R. v. O’Connor* | |  | d. | *R. v. Hufsky* |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 63. What is the intention of Section 8 of the *Charter of Rights and Freedoms*?   |  |  |  | | --- | --- | --- | |  | a. | to protect people from arbitrary detention | |  | b. | to protect people’s reasonable expectations of privacy | |  | c. | to give people specific rights after they are detained by the police | |  | d. | to provide people with procedural rights as they proceed through the criminal courts. |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 64. What is the common-law remedy against the unlawful detention of a suspect?   |  |  |  | | --- | --- | --- | |  | a. | *corpus delecti* | |  | b. | habeas corpus | |  | c. | *stare decisis* | |  | d. | *nolo contendre* |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 65. Which case resulted in the detention of an individual by the police on a sidewalk being deemed arbitrary and in violation of s. 9 of the Charter of Rights and Freedoms?   |  |  |  | | --- | --- | --- | |  | a. | *R. v. Lee* | |  | b. | *R. v. Grant* | |  | c. | *R. v. Gomez* | |  | d. | *R. v. Langley* |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 66. What is the main concern of s. 10 of the *Charter of Rights and Freedoms*?   |  |  |  | | --- | --- | --- | |  | a. | controlling police conduct after initial charges have been laid against a suspect | |  | b. | the right of the Crown prosecutor to be informed as soon as possible for the reasons of the arrest | |  | c. | the lawful detention of the accused | |  | d. | the right to life, liberty, and security |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 67. What is the main focus of s. 11 of the *Charter of Rights and Freedoms?*   |  |  |  | | --- | --- | --- | |  | a. | outlines the rights of individuals charged with a criminal offence as they are processed through the criminal courts | |  | b. | guarantees that everyone has the right to be free from arbitrary detention or imprisonment | |  | c. | ensures that people have to testify during their trial | |  | d. | guarantees that there will be no successful challenges concerning unreasonable delays in the defendant’s trial |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 68. Why was the decision in *R. v. Askov* dismissed?   |  |  |  | | --- | --- | --- | |  | a. | the case took too long to get to trial | |  | b. | the accused could not afford a lawyer | |  | c. | the accused was not read his rights when he was arrested | |  | d. | the allegations threatened the “life, liberty and security” of the accused |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 69. What is the purpose of s. 24(2) of the Charter of Rights and Freedoms?   |  |  |  | | --- | --- | --- | |  | a. | to allow for a stay of proceedings | |  | b. | to protect the integrity of the judicial system | |  | c. | to control the conduct of the police | |  | d. | to ensure the accused has a speedy trial |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 70. Rebecca claims that evidence used to convict her was collected illegally by the police and therefore her Charter rights have been violated. What section of the Charter will she be using in her appeal?   |  |  |  | | --- | --- | --- | |  | a. | Section 7 | |  | b. | Section 8 | |  | c. | Section 11(b) | |  | d. | Section 24(2) |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 71. Which of the following is a procedural right NOT specifically guaranteed by ss. 8 through 14 of the Charter of Rights and Freedoms?   |  |  |  | | --- | --- | --- | |  | a. | the right not to be subjected to cruel and unusual punishment or treatment | |  | b. | the right to be free from arbitrary detention or imprisonment | |  | c. | the right to silence | |  | d. | the right to a lawyer |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 72. What did the Supreme Court of Canada decide about the right to silence in *R. v. Singh* (2007)?   |  |  |  | | --- | --- | --- | |  | a. | the police have to stop questioning suspects when they ask the officers to stop | |  | b. | the police can use legitimate means of persuasion in order to get a suspect to talk | |  | c. | the right to silence occurs at both the pre-trial and post-trial stages of a criminal case | |  | d. | the suspect has the right not to give full answers to the police |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 73. Which of the following refers to the duty imposed upon the prosecution to give to the defence all the evidence it will use in the trial?   |  |  |  | | --- | --- | --- | |  | a. | disclosure | |  | b. | detention | |  | c. | equality | |  | d. | the right to make full answer and defence |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 74. In which case were the guidelines concerning disclosure originally introduced by the Supreme Court of Canada?   |  |  |  | | --- | --- | --- | |  | a. | *R. v. Askov* | |  | b. | *R. v. Marshall* | |  | c. | *R. v. Murray* | |  | d. | *R. v. Stinchcombe* |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 75. Which judge and/or jury would hear a summary conviction trial?   |  |  |  | | --- | --- | --- | |  | a. | provincial court judge | |  | b. | justice of the peace | |  | c. | federal court judge | |  | d. | federal court judge and jury |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 76. Which type of offence gives prosecutors the discretion to decide whether they wish to proceed with a case as either a summary conviction offence or an indictable offence?   |  |  |  | | --- | --- | --- | |  | a. | provincial | |  | b. | less serious indictable | |  | c. | municipal | |  | d. | hybrid |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 77. Which of the following are the least serious indictable offences, for example theft under $5,000?   |  |  |  | | --- | --- | --- | |  | a. | hybrid | |  | b. | general intent | |  | c. | absolute jurisdiction indictable | |  | d. | election indictable |  |  |  | | --- | --- | | *ANSWER:* | c | |

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| 78. Which of the following are the most serious crimes, for example first and second degree murder?   |  |  |  | | --- | --- | --- | |  | a. | hybrid offences | |  | b. | Supreme Court exclusive indictable offences | |  | c. | absolute jurisdiction indictable offences | |  | d. | summary conviction offences |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 79. Advocates for decriminalizing marijuana argue that the use of marijuana is not inherently bad. How would these advocates classify this criminal offence?   |  |  |  | | --- | --- | --- | |  | a. | *mala in se* | |  | b. | *stare decisis* | |  | c. | *corpus delecti* | |  | d. | *mala prohibita* |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 80. John broke into a convenience store in town and stole approximately $3,500. The police were able to show witnesses pictures of John’s features and quickly arrested him on the theft charges. Once the Crown looked over John’s history, it was discovered that this was not his first offence of theft. This gave the prosecutors the option to decide whether to proceed as a summary conviction or an indictable one. How is John’s offence classified?   |  |  |  | | --- | --- | --- | |  | a. | indictable offence | |  | b. | summary offence | |  | c. | absolute jurisdiction offence | |  | d. | hybrid offence |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 81. Whose role is it to decide whether an offence will proceed as a summary conviction offence or an indictable offence?   |  |  |  | | --- | --- | --- | |  | a. | defence attorney | |  | b. | offender | |  | c. | arresting officer | |  | d. | Crown attorney |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 82. Susan has committed an indictable offence. She has the option to have a trial either by a provincially appointed judge without a jury or by a federally appointed judge with or without a jury. What type of indictable offence gives Susan these options?   |  |  |  | | --- | --- | --- | |  | a. | absolute jurisdiction indictable offence | |  | b. | election indictable offence | |  | c. | Supreme Court exclusive indictable offence | |  | d. | hybrid offence |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 83. Which of the following best summarizes the purpose of the Tackling Violent Crime Act in 2007 and the Safe Streets and Communities Act in 2012?   |  |  |  | | --- | --- | --- | |  | a. | offenders’ rights were lacking and needed amending | |  | b. | standing up for victims | |  | c. | enabled more control of offenders | |  | d. | victims are able to rely on police services more |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 84. Which section of the Charter of Rights and Freedoms did the case of *R. v. Whaling* argue was a violation to Mr. Whaling’s rights?   |  |  |  | | --- | --- | --- | |  | a. | Section 7 | |  | b. | Section 8 | |  | c. | Section 10 | |  | d. | Section 11 |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 85. Which of the following concerns in the Safe Streets and Communities Act is like the “broken windows” theory of 1982?   |  |  |  | | --- | --- | --- | |  | a. | disorganized conduct | |  | b. | aggressive conduct | |  | c. | violent conduct | |  | d. | disorderly conduct |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 86. Which group do critics argue the Safe Streets and Communities Act discriminates against?   |  |  |  | | --- | --- | --- | |  | a. | the youth | |  | b. | the poor | |  | c. | prostitutes | |  | d. | gangs |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 87. Which of the following occurs when governments decide to remove a crime from the Criminal Code to the civil law?   |  |  |  | | --- | --- | --- | |  | a. | deinstitutionalization | |  | b. | decriminalization | |  | c. | due process | |  | d. | decarceration |  |  |  | | --- | --- | | *ANSWER:* | b | |

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| 88. Which case marked the first time someone in Canada was convicted for spreading the virus that causes HIV/AIDS?   |  |  |  | | --- | --- | --- | |  | a. | *R. v. Aziga* | |  | b. | *R. v. Currier* | |  | c. | *R. v. Sumner* | |  | d. | *R. v. Leone* |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 89. According to the HIV/AIDS Legal Network, which approach to disclosure trivializes the criminal process through a proliferation of prosecutions where the risk of harm is negligible?   |  |  |  | | --- | --- | --- | |  | a. | stigmatization | |  | b. | reductionist | |  | c. | nondisclosure | |  | d. | absolutist |  |  |  | | --- | --- | | *ANSWER:* | d | |

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| 90. Which of the following is a purpose of criminalizing HIV-nondisclosure, according to those who support such measures?   |  |  |  | | --- | --- | --- | |  | a. | retribution | |  | b. | rehabilitation | |  | c. | harm | |  | d. | stigmatization |  |  |  | | --- | --- | | *ANSWER:* | a | |

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| 91. Criminal law gives the legislation the powers to regulate criminal behaviour.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 92. Although a person commits a crime, they have certain legal rights.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 93. Procedural safeguards ensure the police and courts are protected from criminals.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 94. In essence, substantive criminal law is what legally defines crime in our society.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 95. Procedural criminal law is defined as the way in which the rights and duties of individuals may be enforced.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 96. Criminal liability is attributed to the government.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 97. The rules of evidence and the laws covering search and seizure are examples of substantive criminal law in our society.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 98. Bill C-127 recognized that a spouse could not be charged with sexual assault.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 99. Police-recorded rate of sexual assault has increased over the years.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 100. Bill C-49 outlined the legal parameters for determining the admissibility of a victim’s past sexual history as evidence in sexual assault trials.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 101. *R. v. Seaboyer* and *R. v. Gayme* were cases involving a legal defence based largely on their extreme drunkenness.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 102. Criminal liability is organized so rules surrounding the act of stealing differ from the rules surrounding the act of sexual assault.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 103. A criminal act is determined to be criminal only if the act is forbidden by a penal law.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 104. *Mens rea* is based upon the idea that individuals have the capacity to control their behaviour as well as the ability to choose among different courses of action.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 105. Intent and motive are virtually the same.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 106. The Criminal Code specifies that in certain circumstances the mere act of talking (or speech) can be interpreted as a physical act.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 107. Currently, children under the age of 12 cannot be charged with a criminal offence in Canada.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 108. *Actus reus* refers to the mental act of a crime.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 109. *Actus reus* refers to the failure to do something.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 110. Victimless crimes violate morality and the law.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 111. Legal defences have three categories: excuse defences, justification defences, and plea defences.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 112. With excuse defences, the criminal act is not admitted to and there is no criminal intent due to the excuse defence.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 113. The defence of mental disorder is highly successful.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 114. Automatism is classified as a defence because the behaviour is involuntary.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 115. A mistake of fact is a defence to a criminal charge if the mistake was an honest one and no offence would have been committed if the circumstances had been as the accused believed them to be.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 116. As seen in the text, in justification defences the burden of proof is on the Crown to prove guilt beyond a reasonable doubt.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 117. Duress occurs when the wrongful threat of one person makes another person commit a crime they would not otherwise have committed.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 118. In a case of self-defence, only as much force as is necessary can be used.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 119. The defence of provocation can be used in any offence.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 120. Statute law involves the judicial application and interpretation of laws as they apply in any particular case.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 121. The Canadian Charter of Rights and Freedoms differs from the common law since it applies mostly to the protection of the legal rights of criminal suspects and convicted persons.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 122. The Charter of Rights and Freedoms has not had an impact on criminal procedures in Canada.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 123. Prior to the Charter of Rights and Freedoms, criminal courts were concerned about the legal rights of those being investigated or charged by the police.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 124. Section 7 of the Charter of Rights and Freedoms guarantees that no individual will be denied their basic rights in Canadian society except in accordance with the principles of fundamental justice as specified by s. 1 of the Charter.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 125. Section 8 of the Charter of Rights and Freedoms is designed to protect all reasonable expectations of privacy.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 126. A breath sample from an individual by a law enforcement official is considered a “detention” of said individual.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 127. Educated guesses by the police about possible wrongdoing form the basis of reasonable grounds to arrest someone.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 128. According to the Supreme Court of Canada, Section 10(b) of the Charter of Rights and Freedoms ensures the absolute right of the accused to obtain legal counsel.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 129. The Charter of Rights and Freedoms is not concerned with the activities of the courts.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 130. The most common remedy for a violation of a right found in the Charter of Rights and Freedoms in the criminal process is found in s. 24(1).   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 131. The principles of fundamental justice apply only at the pre-charge stages of the criminal justice system.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 132. An “election indictable offence” means that the accused has to be tried by a provincial court judge alone.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | False | |

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| 133. The most serious crimes in Canada are referred to as Supreme Court exclusive indictable offences.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 134. The first HIV-related case the Supreme Court of Canada decided to hear was *R. v. Currier*.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 135. The basis of the Canadian criminal justice system is the protection of law-abiding citizens through the operation of the law.   |  |  |  | | --- | --- | --- | |  | a. | True | |  | b. | False |  |  |  | | --- | --- | | *ANSWER:* | True | |

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| 136. Define and then explain the differences between constitutional law, statute law, case law, and administrative law. Then discuss why each of these four branches of law is significant.   |  |  | | --- | --- | | *ANSWER:* | Answers will vary. | |

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| 137. Why is the *Canadian Charter of Rights and Freedoms* significant for the functioning of a democracy? Focus on Section 7 of the Charter and give two examples of cases which are applicable to this section.   |  |  | | --- | --- | | *ANSWER:* | Answers will vary. | |

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| 138. Discuss in detail *R v. Singh* (2007). Discuss the importance of this case for the right to silence in Canada.   |  |  | | --- | --- | | *ANSWER:* | Answers will vary. | |

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| 139. Identify and discuss in detail any three of the excuse legal defences found in Canadian law.   |  |  | | --- | --- | | *ANSWER:* | Answers will vary. | |

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| 140. Describe the decision of the lower court in the case involving Mr. Wang David Chan and how he had attempted to protect his property. Then detail the reasons for the federal government changing the approach to self defence and the defence of property in Canada.   |  |  | | --- | --- | | *ANSWER:* | Answers will vary. | |

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| 141. In the Supreme Court of Canada case *Canada (Attorney General) v. Bedford,* the court held that certain criminal offences surrounding prostitution were too restrictive. Describe these offences and what section of the Charter of Rights and Freedom is referenced. Comment on whether you agree or disagree with the decision of the Court.   |  |  | | --- | --- | | *ANSWER:* | Answers will vary.  PTS 1 | |

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| 142. Laws have changed over time as society’s outlook surrounding issues alters, for example changes to the prostitution laws or the non-disclosure of HIV-positive status. Discuss some current issues that society has altered their views on and discuss how the law needs to be changed, reformed, repealed, or created.   |  |  | | --- | --- | | *ANSWER:* | Answers will vary.  PTS 1 | |

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| 143. Do you agree with the defence of entrapment? Why or why not?   |  |  | | --- | --- | | *ANSWER:* | Answers will vary.  PTS 1 | |

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| 144. Describe some details or examples of how the Charter of Rights and Freedoms has changed the way police conduct their duties?   |  |  | | --- | --- | | *ANSWER:* | Answers will vary.  PTS 1 | |

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| 145. Discuss a contemporary issue that you believe the government needs to introduce substantive criminal law for. Explain what the statute should include.   |  |  | | --- | --- | | *ANSWER:* | Answers will vary.  PTS 1 | |