Go to the Library’s subject guide for Law: http://libguides.kpu.ca/law

From the ‘Start Here’ tab on the Law guide:

1. In the box labeled ‘Tools for background info’, under the ‘Dictionaries’ tab, click on the Canadian Online Legal Dictionary. Look up the term division of powers and write down the second definition:

_________________________________________________________________________

_________________________________________________________________________

2. Which book did this definition come from? Write the title below:

_________________________________________________________________________

From the ‘Start Here’ tab on the Law guide:

3. In the box labeled ‘Key legal resources’, click on the Canadian Encyclopedic Digest (CED). Search for the terms hypothetical questions expert witnesses.

Which paragraph(s) in the CED chapter on Evidence discusses whether an expert witness can answer hypothetical questions?

_________________________________________________________________________

4. Provide the name of a Supreme Court of Canada case listed in the CED that relates to the issue of putting hypothetical questions to expert witnesses.

_________________________________________________________________________

From the ‘Books and E-books’ tab on the Law guide:


   a. What is the library call number for this book? ________________________________

   b. Is it available at the Richmond campus library? Yes or No
6. In the box labeled ‘About legislation’, click on the ‘Division of Powers’ tab. Then click on the link to the *Constitution Act, 1867* and scroll to sections 91 and 92 to answer these questions:

   a. Which level(s) of government is/are responsible for making laws about PENITENTIARIES and PRISONS?
   b. Provide the *section(s) and subsection(s)* which indicate this.

   **NOTE:** If **both** federal and provincial, put your answers for each one in the spaces below.

<table>
<thead>
<tr>
<th>Level of government</th>
<th>a. What can they make laws about? (i.e. penitentiaries and/or prisons)</th>
<th>b. Section and subsection of the Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provincial</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7. In the box labeled ‘Tools to locate legislation’, click on the ‘Federal’ tab. Then click on the link to the [Justice Laws Website](#), and open the *Youth Criminal Justice Act*. [Tip: it is one of the most frequently-accessed acts.] Search for the keyword **FINGERPRINTS** and answer these questions:

   a. Who can retain fingerprints or photographs of a youth alleged to have committed a crime?

   ____________________________________________________________
   ____________________________________________________________

   b. Which section of the Act gives you the answer? _________________

   c. How would you cite this section of the Act?

   ____________________________________________________________

8. In the box labeled ‘Tools to locate legislation’, click on the ‘Federal-Annotated Statutes’ tab. Then click on the link to [Charterpedia](#). Scroll down to section 11(b) ‘Trial within a Reasonable Period of Time’.

   In the subsection labeled ‘Purpose’, Charterpedia states that one of the purposes of section 11(b) of the Charter is to protect an accused person’s right to a fair trial.

   a. Which recent case does it cite on this point? ____________________________

   b. Which site do you go to when you click on the link to this case? [the name of the site, not the URL] ____________________________
   a. Provide a complete **neutral citation** for the decision:

   ____________________________________________________________

   b. Look at the **second headnote** summary in the headnote from the SCC. Write down the first four catchphrases in this headnote (each one is separated by a hyphen):

   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________

   c. How many SCC judges heard this case? ________________

   d. Was the decision unanimous? **Yes** or **No**

10. Look at this set of parallel citations for the SCC’s *Carter* decision and answer these questions:


   a. Underline, circle or highlight each separate legal citation. How many are there? _____

   b. Write out the full name for one of the print law reporters that includes this decision (other than the Supreme Court Reports): [hint: look at the ‘Cite your Sources’ section of the Law guide]

   ____________________________________________________________

11. Again in the box labeled ‘Tools for locating case law’, click on LawSource and search for this case citation: **266 DLR (4th) 257**

   a. What is the **name** of this case? ___________________________________________

   b. What is the **neutral citation** for this case? ________________________________

   c. Write down the **name and neutral citation** for the **most recent** case which has explicitly **distinguished** itself from the precedent set in this case:

   ____________________________________________________________

12. Go to Lawsource and search for **assisted suicide**. Click on the first decision that appears in your ‘Overview’ results and then click on **History** to view the progress of this case through the courts.

   a. Was this decision appealed to a higher court? **Yes** or **No**
Answer Key

1. The manner in which legislative jurisdiction is divided between the federal and provincial
governments in accordance with sections 91 and 92 of the Constitution Act, 1867.

2. Criminal Procedure 3rd edition (by Coughlan)

3. Paragraph 495 (which is in section IX.3.(g): “Opinion Evidence: Expert Witness Opinion:
Factual Foundation” in the Chapter on Evidence)

4. Could be either of these cases

5. 

5. a. KE 4381.5 S52 2017
   b. yes

6. | Level of government | What can they make laws about? (i.e. penitentiaries and/or prisons) | Section and subsection of the Act |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
<td>penitentiaries</td>
<td>91(28)</td>
</tr>
<tr>
<td>Provincial</td>
<td>“public and reformatory prisons in and for the province”</td>
<td>92(6)</td>
</tr>
</tbody>
</table>

7. a. A record relating to any offence alleged to have been committed by a young person, including
the original or a copy of any fingerprints or photographs of the young person, may be kept by any
police force responsible for or participating in the investigation of the offence.
b. 115(1)
c. Youth Criminal Justice Act, SC 2002, c 1, s 115(1)

   b. Judgments of the Supreme Court of Canada (by Lexum)

9. a. 2015 SCC 5
   b. Constitutional law — Charter of Rights — Right to life, liberty and security of the person —
Fundamental justice
c. 9
d. Yes

10. a. There are 5 citations: 2015 SCC 5, [2015] 1 SCR 331, 17 CR (7th) 1, 320 CCC (3d) 4, 384 DLR (4th) 14
   b. CR = Criminal Reports; CCC= Canadian Criminal Cases; DLR = Dominion Law Reports

11. a. Childs v Desormeaux
   b. 2006 SCC 18

12. yes