

Name _____

MULTIPLE CHOICE. Choose the one alternative that best completes the statement or answers the question.

- 1) All of the following statements are true except one. Select the one that does not belong. 1) _____
A) Laws reflect society's values and standards.
B) Laws regulate every component of our lives.
C) Laws are made by government for the purpose of maintaining power.
D) Laws tend to change with time and location.
- 2) The rule of law is the cornerstone of our legal system. Its basic premise is that 2) _____
A) all men are created equal.
B) without law, we have nothing.
C) no man is above the law.
D) everyone is entitled to their day in court.
- 3) French archeologists discovered one of the earliest-known sets of written laws in 1901. It was called 3) _____
A) the *Code of Hammurabi*. B) the Code of Justinian.
C) the Code of Li k'vei. D) the Great Laws of Manu.
- 4) All of the following are true except one. Select the **incorrect** answer. 4) _____
A) The *Code of Hammurabi* is based on retribution.
B) The *Code of Hammurabi* is based on "an eye for an eye" type of justice.
C) The *Code of Hammurabi* is based on forgiveness.
D) The *Code of Hammurabi* is based on vengeance.
- 5) The jury system can be traced to 5) _____
A) Susa, Iran. B) Babylon, Mesopotamia.
C) Rome, Italy. D) Athens, Greece.
- 6) Which of the following has historically had the greatest influence on the development of Canadian law? 6) _____
A) Mosaic law B) Roman law C) French law D) British law
- 7) Canada can trace its historical legal roots primarily to which two European civilizations? 7) _____
A) Greek and Roman B) British and French
C) French and Roman D) British and Roman
- 8) Common law is 8) _____
A) constantly evolving as judges decide new cases based on earlier judicial decisions.
B) also called case law because it is based on rulings in previous, similar cases.
C) sometimes referred to as English Common Law.
D) all of the above.

- 9) Statute law consists of laws that _____
A) are passed by elected representatives in the form of acts.
B) are determined by local governments.
C) are judge-made laws.
D) are determined by the rule of precedent.
- 10) In a civil action, which of the following must prove the merits of the case? _____
A) the defendant B) the plaintiff C) the jury D) the judge
- 11) All laws in Canada are subject to _____
A) statute law. B) common law.
C) British law. D) constitutional law.
- 12) Canada's Constitution _____
A) limits the law-making power of government by setting out basic laws, principles, and standards that all other law must adhere to.
B) divides law-making power between the federal and provincial governments.
C) determines the structure of the federal government.
D) all of the above
- 13) When you travel outside of Canada you _____
A) can seek the assistance of the Canadian government to get you out of trouble.
B) can be extradited back to Canada if you break the law in another country.
C) are still subject to the laws of Canada.
D) do not have the protection of Canadian law.
- 14) The steps used by the police when arresting someone are determined by _____
A) administrative law. B) procedural law.
C) substantive law. D) all of the above
- 15) The *Charter of Rights and Freedoms* is entrenched in our Constitution. This means that _____
A) the contents of the Charter have constitutional status.
B) Canadian Charter rights are as close to a legal guarantee as is possible.
C) any law or government action violating these rights and freedoms can be struck down.
D) all of the above
- 16) The main function of the Judiciary of Canada is _____
A) to oversee proceedings of all provincial courts.
B) to adjudicate disputes, interpret the law, and decide on punishments.
C) to make and change laws as society changes.
D) to ensure the even application of the *Charter of Rights and Freedoms*.
- 17) The power to make and pass laws lies solely in the hands of _____
A) the Upper and the Lower Houses of Parliament.
B) the government in power.
C) the Prime Minister or the Premier.
D) the government and the opposition.

- 18) If an existing law is found to conflict with the *Canadian Charter of Rights and Freedoms* 18) _____
 A) the law may be struck down.
 B) that section of the Charter is overridden.
 C) the law must be changed after the next federal election.
 D) the amending formula is used to change the law.
- 19) To which of the following situations would the Charter **not** apply? 19) _____
 A) a post office with no service in French
 B) a homeless person being prevented from voting
 C) a school principal's refusal to allow a Sikh student to wear his ceremonial dagger
 D) a shopping mall with no wheelchair access
- 20) To be classified as a riot, an unlawful assembly must consist of 20) _____
 A) 10 or more persons. B) 12 or more persons.
 C) 20 or more persons. D) 15 or more persons.
- 21) Section 4 of the Charter provides that, under normal circumstances, Canadians are assured the 21) _____
 opportunity to elect a new federal and provincial government every
 A) three years. B) five years. C) two years. D) four years.
- 22) On July 30, 2001, which of the following became the first country in the world to legalize 22) _____
 doctor-prescribed marijuana for people suffering from terminal illnesses or severe, chronic
 pain?
 A) the Netherlands B) Sweden
 C) Australia D) Canada
- 23) Which of the following is **not** a Charter-protected right upon being charged with a criminal 23) _____
 offence?
 A) the right to be told promptly what he or she is charged with
 B) the right to be presumed innocent until proven guilty beyond a reasonable doubt
 C) the right to be informed without delay that he or she may obtain the assistance of a lawyer
 D) the right to be tried within a reasonable time
- 24) Canada's most important rights document is the 24) _____
 A) *Canadian Human Rights Act*. B) *Bill of Rights*.
 C) Charter. D) *Constitution Act, 1867*.
- 25) Areas of protection generally included in provincial human rights codes are 25) _____
 A) religion. B) sexual orientation.
 C) marital status. D) all of the above.
- 26) Human rights legislation is used 26) _____
 A) to control prejudice. B) to prevent stereotyping.
 C) to prevent discrimination. D) to make people equal.
- 27) Initially, the accuser must prove his or her own human rights case 27) _____
 A) on a balance of probabilities. B) by a preponderance of evidence.
 C) on a *prima facie* basis. D) beyond a reasonable doubt.

- 28) When discrimination has occurred, the tribunal may order 28) _____
 A) the respondent to pay the complainant for mental anguish.
 B) an employer to provide human rights training for all employees.
 C) a letter of apology from the respondent.
 D) all of the above.
- 29) Which of the following is an example of sexual harassment? 29) _____
 A) remarks
 B) demands for dates
 C) leering
 D) all of the above
- 30) Where it is impossible for employers to remove barriers without undue hardship in order to 30) _____
 accommodate workers with disabilities, they must
 A) provide monetary compensation to those affected in lieu of modifying the workplace.
 B) be able to secure comparable work elsewhere for those affected.
 C) provide an alternate location from which those affected may work.
 D) make special arrangements to allow those affected to participate.
- 31) Select the answer that does **not** properly complete the following sentence. The purpose of the 31) _____
 criminal law is
 A) to punish the offender.
 B) the protection of society.
 C) to compensate the victim.
 D) to maintain order.
- 32) This term refers to a situation where the offender knew that a particular course of action was 32) _____
 wrong, but chose to do it anyway.
 A) *mens rea*
 B) *actus reus*
 C) wilful blindness
 D) motive
- 33) Someone who persuades another person to commit a crime is called a(n) 33) _____
 A) aider.
 B) perpetrator.
 C) abettor.
 D) counsellor.
- 34) The driver of the getaway car at a botched bank robbery is considered to be a(n) 34) _____
 A) accessory after the fact.
 B) principal actor.
 C) assistant.
 D) partner in crime.
- 35) A crime is defined as 35) _____
 A) an act or omission prohibited and punishable by provincial statute.
 B) an act prohibited and punishable by federal statute.
 C) an act or omission prohibited and punishable by federal statute.
 D) an act prohibited and punishable by provincial statute.
- 36) All of the following are true except one. Select the **incorrect** answer. The criminal law is reflective 36) _____
 of
 A) society's morals.
 B) society's values.
 C) society's standards.
 D) society's biases.

- 37) Someone who commits a crime while sleepwalking would not be convicted because 37) _____
 A) they did not mean to commit the offence.
 B) this is a mental health issue.
 C) they did not have the requisite *mens rea*.
 D) their actions lacked a voluntary component.
- 38) Due diligence is a defence where the accused pleads that he 38) _____
 A) did everything within reason to prevent the harm from occurring.
 B) did not intend to do any harm by his actions.
 C) was unaware of any harm caused by his actions.
 D) did everything within reason short of suffering a financial loss.
- 39) Which party to the offence must be present at the scene of the crime in order to be charged? 39) _____
 A) counsellor
 B) abettor
 C) co-perpetrator
 D) aider
- 40) A robbery that results in the death of a security guard is the responsibility of 40) _____
 A) the aider.
 B) the counsellor.
 C) the perpetrator only.
 D) all of the above.
- 41) Under current Canadian law, young people under 12 years of age are 41) _____
 A) the responsibility of their parents who are criminally liable for the actions of their children.
 B) not criminally responsible for their actions.
 C) sometimes criminally responsible for their actions.
 D) criminally responsible for their actions.
- 42) The Supreme Court of Canada 42) _____
 A) is comprised of federally appointed justices.
 B) is the highest court in the country.
 C) consists of eight Justices and a Chief Justice.
 D) all of the above
- 43) A Justice of the Peace 43) _____
 A) has the same authority as a judge, but usually issues warrants and performs marriages.
 B) is a court position that exists only in the American court system.
 C) is a court official appointed to hear minor, summary conviction offences.
 D) has less authority than a judge, but can issue arrest and search warrants and hear bail applications.
- 44) At trial, it is the Crown's responsibility to 44) _____
 A) take statements from witnesses.
 B) assemble the evidence for trial and review the exhibits.
 C) prepare the government's case by researching the law.
 D) all of the above

- 45) Witnesses commit perjury if they 45) _____
A) become belligerent and are declared a hostile witness.
B) knowingly make false statements under oath.
C) fail to respond to a subpoena.
D) refuse to answer questions of the court.
- 46) The jury is selected from the 46) _____
A) voters list.
B) most recent city records of property owners.
C) telephone directory.
D) income tax records of the provincial government.
- 47) To be eligible for jury duty, an individual must 47) _____
A) be a resident who owns property.
B) be a person who has no prior criminal record.
C) have knowledge of how our judicial system works.
D) be a Canadian citizen, 18 or older, and a resident of the province for at least 1 year.
- 48) The primary burden of proof is 48) _____
A) evidence given in court that must be believed by the jury.
B) on the Defence has to prove their client is innocent on a balance of probabilities.
C) on the Crown has to prove the guilt of the accused beyond a reasonable doubt.
D) all of the above
- 49) The Crown's opening statement 49) _____
A) outlines the way the Crown will present its case.
B) identifies the offence committed.
C) summarizes the evidence against the accused.
D) all of the above
- 50) Direct examination is 50) _____
A) part of the opening statement.
B) the first examination by the Crown.
C) what follows cross-examination of the "other side's" witnesses.
D) defence counsel asking direct questions to the defendant.
- 51) The purpose of cross-examination is to 51) _____
A) test the accuracy of evidence given in witness's testimony.
B) conclude testimony from the last witness to be called.
C) show the jury that the witness is unreliable.
D) establish the credibility of the charges.
- 52) Direct evidence is 52) _____
A) incontrovertible -- it cannot be challenged or refuted.
B) the most reliable type of evidence at trial.
C) testimony given by a witness to prove an alleged fact.
D) presented only by the defence to prove innocence.

- 63) The police can never compel a person to submit to a breath, blood, or urine analysis without a warrant, **unless** 63) _____
 A) they are suspected of impaired driving.
 B) they have first consulted with a lawyer.
 C) they are suspected of having committed a certain designated offence like murder.
 D) they are suspected of having committed a serious indictable offence.
- 64) Strip searches are carried out 64) _____
 A) far less often now as a result of a recent Supreme Court of Canada decision.
 B) only by qualified medical personnel.
 C) as a matter of routine police department policy.
 D) by officers of the same sex.
- 65) A search warrant is 65) _____
 A) usually required to search a private residence.
 B) sometimes required to search a private residence.
 C) often required to search a private residence.
 D) almost always required to search a private residence.
- 66) The type of criminal offence an accused is charged with has a bearing on 66) _____
 A) bail requirements. B) trial procedures.
 C) custody issues. D) all of the above.
- 67) An example of a summary conviction offence is 67) _____
 A) mischief. B) joyriding. C) burglary. D) theft over.
- 68) The most serious indictable offences are usually tried 68) _____
 A) before a judge alone. B) in the Appeal Court of the province.
 C) in the Provincial Court of the province. D) before a judge and jury.
- 69) An example of a hybrid offence is 69) _____
 A) sexual assault. B) impaired driving.
 C) neither of the above D) both A and B
- 70) Which of the following is considered culpable homicide? 70) _____
 A) a third party who witnesses a mugging and kills the perpetrator in his attempt to assist the victim
 B) a soldier who kills in the line of duty
 C) a home owner who kills an armed intruder at night
 D) a husband who kills his wife's lover after unexpectedly walking in on them in the bedroom
- 71) An offender convicted of second degree murder is eligible for parole after serving 71) _____
 A) 20 years. B) 10 years. C) 15 years. D) 5 years.
- 72) The maximum punishment for infanticide is 72) _____
 A) 14 years' imprisonment. B) a life sentence.
 C) 5 years' imprisonment. D) 10 years' imprisonment.

- 82) Which of the following is an example of fraud? 82) _____
 A) manipulating the stock market
 B) adding precious minerals to a mine to increase its value
 C) both A and B
 D) neither of the above
- 83) The *Criminal Code* specifies that the following can be charged with the offence of soliciting 83) _____
 A) the procurer, the prostitute, and the client.
 B) the client.
 C) the prostitute and the client.
 D) the prostitute.
- 84) An accused who suffered from a mental disorder at the time the offence was committed cannot 84) _____
 be held criminally responsible because
 A) they would have been unable to form the *actus reus* of the offence.
 B) they would not be able to understand the proceedings.
 C) they would have been unable to form the *mens rea* of the offence.
 D) they would be suffering from a disease of the mind.
- 85) The burden of proof for the defence of mental disorder is shouldered by the 85) _____
 A) defence. B) accused.
 C) party that first raises it. D) Crown.
- 86) Generally speaking, the defence of mental disorder is only used for 86) _____
 A) the most serious summary conviction offences.
 B) indictable offences.
 C) the most serious indictable offences.
 D) summary conviction offences.
- 87) A classic example of non-insane automatism is 87) _____
 A) sleepwalking. B) schizophrenia.
 C) clinical depression. D) manic-depression.
- 88) Intoxication can be used as a defence only for 88) _____
 A) summary conviction offences. B) hybrid offences.
 C) crimes of specific intent. D) crimes of general intent.
- 89) Violence may be used by the accused to defend himself provided that 89) _____
 A) only reasonable force was used.
 B) it was required in order to prevent the party from escaping before the police arrived.
 C) it was the fastest way to take control of the situation.
 D) the accused does no serious harm to the other party.
- 90) The Supreme Court of Canada stated that in cases involving battered woman's syndrome, the 90) _____
 jury should be instructed on
 A) the defendant's ability to sense danger from her abuser.
 B) the nature and extent of the violence that may exist in a battering relationship.
 C) why an abused woman might remain in an abusive relationship.
 D) all of the above

- 91) For the defence of necessity to succeed, the court must be convinced that 91) _____
 A) the act did not cause any serious harm.
 B) the act was done to avoid a greater harm.
 C) the act was not a serious violation.
 D) all of the above
- 92) A mistake of law 92) _____
 A) may be used as a defence against certain indictable offences only.
 B) is rarely used successfully as a defence.
 C) may be used as a defence against regulatory offences only.
 D) may never be used as a defence for committing a criminal act.
- 93) An accused who advances the defence of alibi 93) _____
 A) must be acquitted if the Crown cannot disprove it on a balance of probabilities.
 B) need do no more than simply raise the defence supported by some evidence.
 C) must prove their assertion on a balance of probabilities.
 D) must prove their assertion beyond a reasonable doubt.
- 94) The term "entrapment" refers to 94) _____
 A) a situation whereby an accused has been provided with an opportunity to break the law.
 B) a legal police undercover operation.
 C) a police "sting" operation.
 D) illegal police conduct.
- 95) In society, the main goal of sentencing is 95) _____
 A) offender retraining. B) punishment.
 C) compensation. D) public protection.
- 96) Retribution refers to 96) _____
 A) an offender treatment program that helps bring about a smooth transition back into society.
 B) compensation of the victims of crime.
 C) punishment to avenge a crime.
 D) a return to criminal behaviour after the offender has been released from prison.
- 97) Imposing a penalty that discourages others from committing crimes is called 97) _____
 A) rescission. B) deterrence.
 C) recidivism. D) negative reinforcement.
- 98) Punishment which is designed to condemn the conduct of an offender is called 98) _____
 A) ostracism. B) deterrence. C) denunciation. D) recidivism.
- 99) Three perspectives must be considered in the sentencing process. Choose the one that does not 99) _____
 apply.
 A) the court B) the offender C) the victim D) society

- 100) A pre-sentence report includes information 100) _____
 A) from the police about the arrest of the offender.
 B) about the accused's motives and the consequences of his or her crime.
 C) specific information about the offender's background.
 D) about the effect the crime has had on the victim(s).
- 101) When determining the appropriate sentence, a judge must take into account 101) _____
 A) precedents for similar crimes.
 B) the minimum and maximum limits specified by law.
 C) any aggravating or mitigating factors.
 D) all of the above.
- 102) The most lenient sentence is 102) _____
 A) a discharge. B) binding-over. C) an acquittal. D) probation.
- 103) A sentence that allows an offender an opportunity to prove that he or she is can live in the 103) _____
 community without committing another offence is called
 A) discharge. B) an unconditional release.
 C) suspended sentence. D) probation.
- 104) Performing community service or seeking treatment for drug addiction may form part of a(n) 104) _____
 A) suspended sentence. B) intermittent sentence.
 C) monitoring program. D) conditional sentence.
- 105) The length of a prison sentence depends on 105) _____
 A) whether multiple sentences should be served.
 B) the penalty called for in the *Criminal Code*.
 C) the nature of the crime and the offender.
 D) all of the above
- 106) If a gang is responsible for a violent or criminal act, members of the gang 106) _____
 A) will be charged with a different offence from that of the "ring leader."
 B) can only be charged if they actually committed some criminal act themselves.
 C) are all considered equally responsible.
 D) cannot be forced to testify against the "ring leader."
- 107) The *Young Offenders Act* directed that young persons were to be held accountable for their 107) _____
 crimes,
 A) but were to be held to a lower level of accountability than adult offenders.
 B) and were to be treated as misdirected youth.
 C) and that judges and police had broader powers when dealing with youth.
 D) but the Act still did not recognize the legal rights of children.
- 108) Police are permitted to search a young person without a warrant if 108) _____
 A) they already have an existing police record.
 B) they have reasonable grounds to believe the search will uncover evidence that might
 otherwise be lost.
 C) the offender's parents are present.
 D) all of the above

109) A youth, who has passed his or her eighteenth birthday, but committed the alleged offence before turning eighteen

- A) can still be tried in youth justice court.
- B) would qualify for alternate justice programs.
- C) will automatically be raised to adult court.
- D) will face adult sentencing if convicted.

109) _____