

Write Your Exam Code Here: _____

Return this exam question paper to your invigilator at the end of the exam before you leave the classroom.

THIS EXAMINATION CONSISTS OF TWO (2) PAGES (INCLUDING THIS PAGE)
PLEASE ENSURE THAT YOU HAVE A COMPLETE PAPER

THE UNIVERSITY OF BRITISH COLUMBIA
ALLARD SCHOOL OF LAW

FINAL EXAMINATION – DECEMBER 2019

LAW 251 | Public Law

Section 3
Professor Arbel

TOTAL MARKS: 100

TOTAL TIME ALLOWED: 75 MINUTES

1 HOUR WRITING TIME + 15 MINUTES READING TIME

1. This is an open book examination. You may bring whatever course materials you choose into the exam such as: the casebook, materials posted on the course website, and your own notes. Laptops are only permitted for the use of ExamSoft.
2. Use of communication devices such as mobile phones, tablets, smartwatches, etc. are not permitted. Please ensure that your phone is turned off.
3. The reading time may not be used to write the exam. You may use this time to take notes on scrap paper or on your exam paper. You are advised to use this time to read through the exam and think about your answers.
4. Read the questions carefully and make sure you understand what you are being asked to do before you begin your answer.
5. You may refer to cases in short form (e.g. *Baker, Scotland*).

THIS EXAMINATION CONSISTS OF THREE (3) PARTS

PARTS ONE & TWO ARE MANDATORY FOR ALL STUDENTS

**PART THREE IS MANDATORY FOR STUDENTS WHO DID NOT COMPLETE THE TAKE
HOME ASSIGNMENT**

Please write short essay answers in response to the following questions. You will be assessed on the clarity and organization of your writing, how you understand the doctrines and case law, and the quality of the arguments you make. Make sure that you do not simply summarize the material, but rather, that you provide a reasoned argument in your answer. Please use complete sentences, points will be deducted for note form.

PART I: 40 MARKS (suggested time: 25 minutes)

The court's decision in *Scotland v Canada (Attorney General)* raises several public law issues. Discuss any issues you identify, focusing on the duty of procedural fairness.

PART II: 25 MARKS (suggested time: 15 minutes)

The Truth and Reconciliation Commission concludes its final report by making numerous calls to action, in order to "advance the process of Canadian reconciliation". Select one call to action of your choosing and discuss whether – and to what extent – the public law principles you learned this term may assist in its implementation (or not).

PART III: 35 MARKS (suggested time: 20 minutes).

Please write a short essay on whether the rules of statutory interpretation give the same priority and emphasis to the various methods used to determine the proper meaning of a legislative provision. Please include in your answer the reasons why or why not certain methods of statutory interpretation are given lesser priority and emphasis, and whether the cases we study in class have taken a consistent approach to this issue.

***** END OF EXAMINATION *****