

## Page 110, Building Your Understanding

2. a) **Why have opposite rulings been made with regard to extraditing suspects to face trial outside Canada?**

The Supreme Court has ruled that accused persons can be sent to other countries to face trial. However, if accused of a capital offence, a person may not be returned to a jurisdiction where the death penalty is legal.

- b) **Identify the factors considered in each ruling.**

The courts have ruled that it is a reasonable limit on mobility rights to send an accused person to another country to face trial. The suppression of crime is considered to be of sufficient importance to justify this measure. However, the courts will also consider whether the accused will face the death penalty which would violate the right to life.

3. **Why would provincial governments want the power to restrict the movement of Canadian citizens from one province to another?**

- provinces provide health care and education paid for by residents' taxes
- a province could be overwhelmed by an influx of people from other provinces seeking services to which they have not contributed
- a province with low unemployment may be concerned that residents from provinces with high unemployment would move in and take away jobs from permanent residents

4. **Should subsections (3) and (4) of the Mobility Rights section be removed? Why or why not?**

Students opposed to mobility restrictions may suggest

- limiting mobility discriminates against newcomers to the province and favours residents who have lived in the province for a certain period
- violates the equality sections of the *Charter*.

Students who support mobility restrictions may suggest

- ss. (3) and (4) are necessary to protect permanent residents who have contributed to provincial taxes
- the restrictions are limited—for the most part, Canadians can move freely from province to province and set up residence.