



The Wilson Moot 2015

Claudette Tinio on her own behalf and as litigation guardian of Lily Tinio v.
Canada (Attorney General)

Clarifications to the Official Problem

1. The facts are as found by Justice Lazier. Mooters may conduct any research they see fit in the course of developing their arguments. Mooters are also permitted to refer to foreign law in their written and/or oral arguments. However, no reference shall be made, in written or oral arguments, to any facts (legislative or adjudicative) beyond those found by Justice Lazier.
2. The High Court of the Dominion of Canada will not entertain submissions on any constitutional questions other than the four for which the Court granted leave. However, mooters may rely on any enumerated or analogous ground under section 15(1) of the *Charter* for the purposes of questions 1 and 2.
3. There is typographical error in paragraph 19 of the Official Problem. The reference to the “Mother-Baby Program” should read “Mother-Child Program.”
4. The term “crime of violence” is not defined in the Commissioner’s Directive. The parties are agreed that a common-sense approach can be taken to determining whether a criminal offence is a violent crime or not. There is no dispute that Claudette’s conviction is for a “crime of violence.”
5. Lily’s father is not an aboriginal person.
6. The housing arrangements for women and children enrolled in the Mother-Child Program vary from institution to institution depending on the institution’s infrastructure, resources, and particular needs. At Maplehurst, children are housed in rooms attached to the mothers’ cells. These modified cells are all located within the same wing of the prison, but are not formally segregated from the general population.