

R v. Chaudhry

1. The facts are as found by Justice Hooper, as stated in the Official Problem. Mooters may conduct any research they see fit in the course of developing their arguments. Mooters are also permitted to refer to any domestic or foreign law in their written and/or oral arguments. However, no reference shall be made, in written or oral arguments, to any legislative, social or adjudicative facts beyond those found by Justice Hooper.
2. The High Court of the Dominion of Canada will not entertain submissions on any issues other than the three constitutional questions for which the Court granted leave.
3. There are two typographical errors in the Official Problem:
  - a. Paragraph 1 of the Official Problem should read: “In October 2019, Allan was arrested and charged under section 145(5) of the *Criminal Code* (the “Code”) for failing, without lawful excuse, to comply with a condition of a release order.”
  - b. At paragraph 20 of the Official Problem, Justice Krelborn’s dissent should read: “However, I part with my colleagues on the issue of equality rights. I am prepared to accept that alcohol use disorder is a disability.”
4. The charge laid against Allan under section 320.14(1) of the Code was also withdrawn in December 2019.
5. The justice of the peace who set the conditions of Allan’s release did not provide detailed reasons for her decision beyond stating that she was satisfied that the conditions imposed the least onerous form of release possible for the accused in the circumstances, in while furthering the objectives of interim judicial release. Allan sought review of the conditions of the release under section 520 of the Code; the judge hearing the bail review found that Allan had not shown cause to set aside the conditions of his release.
6. Allan identifies as a cisgender gay man of South Asian descent. He was born in Canada.
7. Justice Hooper did not make any specific findings of fact with respect to Allan’s involvement in alcohol rehabilitation programs, other than as set out in paragraph 12(m) of the Official Problem.
8. Circumstances related to or arising from the ongoing COVID-19 pandemic should not be considered or referred to for the purposes of the Wilson Moot.