

Rodriguez v. British columbia attorney general

Student's Name

Course

Date



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Rodriguez v. British Columbia Attorney General

The paper will be title Rodriguez v. British Columbia (Attorney General). The selection of the topic for the paper is guided by the fact that the appellant, in this case a woman known as Ms. Sue Rodriguez, is involved in a court case that pits her against the respondents, the Attorney General of British Columbia and the Attorney General of Canada. It is, therefore, a case of Ms. Rodriguez versus the Attorney Generals of the two countries.

Rationale for Choosing the Topic

The particulars regarded the case informed the choice of the topic. The writers want to determine whether the appellant was given a fair judgement regarding her situation and whether her rights were violated during the delivery of the judgement. There is a need to determine whether the decision arrived at by the judges responsible for handling the case could have been erroneous. It is imperative that the author established the conditions under which the judgement was made and the impartiality of the judges so that in the event that the decision made was erroneous, future appellants will be accorded the right hearing. The topic captures the frustration of the appellant considering her argument.

Objective

The objective of the assignment is to study the specific details of the case involving Ms. Rodriguez and the Attorney Generals of British Columbia and Canada and the final judgements made by the presiding judges. The judges who dissented to the judgement included Sopinka, Dube, McLachlin and Lamer out of the nine judges presiding over the case. The details of the appeal are as follows.

Ms Rodriguez, the appellant, is a forty-year-old mother diagnosed with amyotrophic lateral sclerosis. As her physical condition continues to deteriorate, she is increasingly losing the capability to gulp food, talk,



and stroll and will require help with moving herself. Additionally, she will be dependent on a respirator to assist with breathing, a gastrostomy to enable her take her food and will eventually be unable to leave her bed. With a maximum of 14 months to live, she does not wish to spend a long time on her deathbed. Ms Rodriguez wants to be allowed to procure the services of a competent physician to arrange for a procedure through which she might, towards the conclusion of her life, and through her initiation, at a time suitable for her, take away her life. Ms. Rodriguez filed an appeal with the Supreme Court of British Columbia requiring that s. 241(b)¹ of the Criminal Code forbidding the offering of assistance to facilitate suicide, be overruled since the section violates her rights. However, after taking all imperative sections of the Constitution into consideration, her appeal was dismissed. The writer needs to investigate the reasons offered by the judges that informed their final decision².

Sources to be Used

The writer plans to make use of both internet sources, as well as secondary sources in the writing of the proposal. Using secondary sources will offer the writer an in-depth understanding of both the topic of choice as well as the approach taken by previous researches on the topic, thus offering the writer a clear sense of direction. To find internet documents and articles regarding the topic, the writer will make use of Google Scholar, and the Books search engine included in Google browsers. Secondary sources will be picked from the library with the assistance of the librarian.

¹ Nemec, James M, and Jaymie M. Matthews. *New Perspectives on Stellar Pulsation and Pulsating Variable Stars: Proceedings of IAU Colloquium No. 139, Victoria, British Columbia, 15-18, July 1992*. Cambridge: Cambridge University Press, 1993. Print. Penrose, Mary Margaret. "Assisted Suicide: A Tough Pill to Swallow" (1993), 20 *Pepp. L. Rev.* 689.

² Penrose, Mary Margaret. "Assisted Suicide: A Tough Pill to Swallow" (1993), 20 *Pepp. L. Rev.* 689.



Bibliography

Nemec, James M, and Jaymie M. Matthews. *New Perspectives on Stellar Pulsation and Pulsating Variable Stars: Proceedings of IAU Colloquium No. 139, Victoria, British Columbia, 15-18, July 1992*. Cambridge: Cambridge University Press, 1993. Print. Penrose, Mary Margaret. "Assisted Suicide: A Tough Pill to Swallow" (1993), 20 *Pepp. L. Rev.* 689.

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