### THE CHARTER OF RIGHTS AND FREEDOMS

AKA: The Rulebook

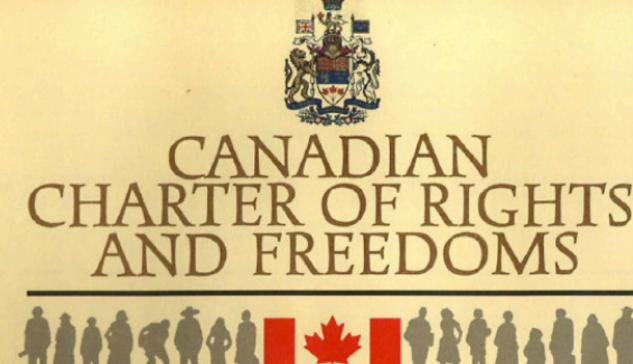
#### WHAT RIGHTS DO YOU HAVE?

What's an example of "using" those rights? (try to come up with at least 5)



#### THE RULES THAT RULE THEM ALL

- The Charter of Rights and Freedoms is part of Canada's constitution. The constitution sets out the framework for how Canada is to be governed.
- The constitution is the highest law of Canada. All other laws must be consistent with it.



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found guilty on account of any act or omission unless, at the time of the act or omission, it constituted an offence under Canadian or international law or was criminal according to the general principles of law recognized by the community of nations; (s) if finally acquitted of the offence, not to be tried for it again and, if finally found guilty and punished for the offence, not to be tried or punished for it again; and (i) if found guilty of the offence and if the punishment for the offence has been varied between the time of commission and the time of sentencing, to the benefit of the lesser punishment, 12. Everyone has the right not to be subjected to any cruel and unusual treatment or punishment. 13. A witness who testifies in any proceedings has the right not to have any incriminating evidence so give used to incriminate that witness in any other proceedings, except in a prosecution for perjury or for the giving of contradictory evidence. 14. A language in which the proceedings are conducted or who is deaf has the right to the assistance of an interpreter.

------ 15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race. national or ethnic origin, colour, religion, sex, age or mental or physical disability. (2) Subsection (3.) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of sace, national or ethnic origin, colour, religion, sex, age or mental or

Official Languages of Canada ==== 16. (a) English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada. (2) English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in all institutions of the legislature and government of New Brunswick. (s) Nothing in this Charter limits the authority of Parliament or a legislature to advance the equality of status or use of English and French. 17. [1] Everyone has the right to use English or French in any debates and other proceedings of Parliament, (2) Everyone has the right to use English or French in any debates and other proceedings of the legislature of New Brunswick, 18. (1) The statutes. shall be printed and published in English and French and both language versions are equally authoritative. (2) The statutes,

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French and both language versions are equally authoritative, 19. [1] Either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by Parliament. (2) Either English or French may be used by any person in, or in any pleading in or process issuing from, any court of New Brurswick. 20. (1) Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parlament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where (a) there is a significant demand for communications with and services from that office in such language; or [f] due to the nature of the office, it is reasonable that communications with and services from that office be available in both English and French. (2) Any member of the public in New Brunswick has the right to communicate with, and to receive available services from, any office of an institution of the legislature or government of New Brunswick in English or French. 21. Nothing in sections 16 to 20 absogates or derogate from any right, privilege or obligation with respect to the English and French languages, or either of them, that exists or is continued by virtue of any other provision of the Constitution of Canada. 22. Nothing in sections ab to an abrogates or derogates from any legal or customary right or privilege acquired or enjoyed either before or after the coming into force of this Charter with respect to any language that is not English or French.

Minority Language Educational Rights 23. (1) Citizens of Canada (4) whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or jill who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province. have the right to have their children receive primary and secondary school instruction in that language in that province. (2) Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary school instruction in the same language. (3) The right of citizens of Canada under subsections (1) and (2) to have their children receive primary and secondary school instruction in the language of the English or French linguistic minority population of a province (al applies wherever in the province the number of children of citizens who have such a right is sufficient to warrant the provision to them out of public funds of minority language instruction; and (b) includes, where the number of those

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- · Canada's constitution is in two parts:
- British North America Act 1867 (Now called the Constitution Act)
- Charter of Rights and Freedoms 1982



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HUMAN DIGNITY
IS THE MOST
IMPORTANT HUMAN RIGHT
FROM WHICH
ALL OTHER
FUNDAMENTAL RIGHTS
DERIVE

Think back to our previous conversation

## WHAT RIGHT OR FREEDOM IS THE MOST IMPORTANT?

#### FUNDAMENTAL FREEDOMS

- · The freedom to express your opinions.
- The freedom to choose your own religion.
- · The freedom to organize peaceful meetings and demonstrations.
- The freedom to associate with any person or group.

Any exceptions or special cases with each?

#### DEMOCRATIC RIGHTS

- The right to vote for members of the House of Commons and of provincial legislatures.
- · The right to vote for a new government at least every five years.

Why every 5 years?

#### MOBILITY RIGHTS

- · The right to move anywhere within Canada and to earn living there.
- The right to enter, stay in, or leave Canada.

Can they be absolutely guaranteed?

#### LEGAL RIGHTS

- The right to be free of imprisonment, search and seizure without reasons backed by law and evidence.
- The right to a fair and quick public trial by an impartial court that assumes that you are innocent until proven guilty.

Why would a trial need to be "fair and quick" and "public"?

#### EQUALITY RIGHTS

• The right to be free of discrimination because of race, national or ethnic origin, religion, gender, age, or mental or physical disability.

Of the rights discussed



# WHICH RIGHTS ARE ONLY AVAILABLE TO CANADIAN CITIZENS?