

The Charter is for Everybody: A Guide to Understanding your Rights

Video #1

Introduction to *The Canadian Charter of Rights and Freedoms*

Before embarking on any discussion

- As newcomers arrive from many different realities it is important to be mindful of cultural differences and sensitivities that may affect their understanding or interpretation of rights and freedoms.
- It is important to foster an open and respectful environment where participants feel comfortable asking questions or sharing perspectives.
- Use the document *Before Watching the Videos: important information on using the videos*. This document will guide you on how to use the following videos and documents. It will also offer suggestions on introductory questions and discussions to determine what your audience already knows about the *Charter*.

Objective

This workshop looks to help newcomers to Canada draw personal connections from the videos to their own lives and to understand the relevance of the content in their own lives. Also, participants can compare their personal experiences in their home countries (for e.g. regarding freedom of expression, freedom of religion, equality, etc.) to the Canadian experience.

By the end of this workshop, newcomers should be able to:

- understand the purpose of the *Canadian Charter of Rights and Freedoms*
- be able to identify key rights and freedoms the *Charter* guarantees
- discuss its role in Canadian society and its significance in their lives

Materials Needed

- Document: **Before Watching the Videos: important information on using the videos.**
- Computer for showing video #1
- Document: **Infographic on the Charter of Rights and Freedoms**
- Document: **Possible Cases to Discuss**
- Document: **Statue #1: The Rule of Law is a Reflection of Us All**
- Document: **Various Organizations**

Leading the Workshop

1. For Video #1, it is recommended to begin with the **Infographic on the Charter of Rights and Freedoms** as a means of introducing the *Canadian Charter of Rights and Freedoms*. This will also allow for an idea of how comfortable the participants are with the concept. Give them a copy of the infographic and briefly go over the information within.
2. Next give a brief description of the following video:
Video #1: The Canadian Charter of Rights and Freedoms is an introduction to the *Canadian Charter of Rights and Freedoms*. This video breaks down the key points of the Charter and its overall importance in Canadian democracy.
3. Play **Video #1: Introduction to The Canadian Charter of Rights and Freedoms**
4. Once the video is over, take the time to go over the key points of the video (the overview provided below can help with this). Ask if there are any questions, or elements that need to be reexplained or clarified. If needed, you can re-read what the *Charter* states in **Section 1 (see below)**.
5. Continue by exploring the provided discussion questions and activities. It is not necessary to explore each question or activity, you can make choices based on the needs and interests of your participants. For each there are provided discussion points, important considerations and information to help lead the conversation.
Important: Remember that participants are invited to share personal experiences. Remind them that this participation is on a voluntary basis, and that the workshop is a safe place to share, free from judgement.

Overview

Video #1: The Canadian Charter of Rights and Freedoms provides a broad overview of the *Canadian Charter of Rights and Freedoms*. This video breaks down the key points of the *Charter* and its overall importance in Canadian democracy.

Key points:

- ❖ The *Charter* offers protection in the court system, including against the government
- ❖ Rights are not absolutely protected; the *Charter* allows for reasonable limits
- ❖ Individual rights are balanced with the needs of our democratic society
- ❖ The rule of law: no one is above the law, all are equal before and subject to the law, and all in Canada are protected equally by the rule of law
- ❖ Even if one does not have specific grievances, the *Charter* protects all as the government must consider and comply with the *Charter* when making legislation

What the *Charter* says

Section 1 of the *Canadian Charter of Rights and Freedoms* states:

The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Possible discussion questions	Information and ideas to guide the discussion
<p>Each video begins with the following disclaimer: <i>“This video series explores the Canadian Charter of Rights and Freedoms and the vital role it plays - and should play - in the promise for a better Canada. However, we know that Canada is not perfect, does not always live up to the values and vision of the Charter, and that we can all work together to make Canada better for everyone.”</i></p> <p>Why is it important that this be included at the beginning of each video? As a newcomer how does this statement make you feel?</p>	<p>It is important for newcomers to understand that no system is perfect, including Canada’s justice system. This statement is important as it recognizes this imperfection and that the Canadian justice system, and Canadian society more broadly, is continuously evolving.</p> <p>The <i>Charter</i> sets an important foundation for the rights and freedoms of all in Canada and offers protection for citizens and newcomers alike.</p>
<p>Is there a difference between the <i>Canadian Charter of Rights and Freedoms</i> and human right laws in each province and territory? How do I know where to get help or file a complaint?</p>	<p>The Canadian legal system is vast and complicated, even more so for newcomers. It is important that newcomers understand there is a difference between federal, provincial and territorial laws and that there are many agencies and resources that can help one figure out where to get help.</p> <p>Let them know that the <i>Charter</i> shares many similarities with provincial and territorial human rights laws.</p> <p>Give them access to the document Various Organizations if they feel this could be a helpful resource.</p>
<p>Do you think it is reasonable for the government to limit a person’s rights? In what types of cases may we see these limits?</p>	<p>What is a reasonable limit? <i>Charter</i> rights are not absolute. However, they can only be limited where it is determined that the infringement of the right is reasonably justified. Example: Freedom of speech and section 300 of the Criminal Code (<i>Everyone who publishes a defamatory libel that he knows is false is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years.</i>) Freedom of expression can be limited in cases of hate propaganda and child pornography</p> <p>Case study: <u>R. v. Keegstra, [1990] 3 SCR 697</u></p>
<p>In Video #1, they introduced the statue The Rule of Law is a Reflection of Us All found in the McMurtry Gardens of Justice in Toronto. What is the rule of law and how does it play an important role in the Canadian justice system? What protections does the rule of law offer Canadian citizens?</p>	<p>Reflect on Jamie Cameron’s explanation that no one is above the law; we’re all equal under the law; we are all subject to the same law; and the rule of law belongs to all of us.</p> <p>Refer also to the document Statue #1: The Rule of Law is a Reflection of Us All</p> <p>The guide includes a picture of the statue; participants can reflect on their own interpretations of the statue.</p>

Possible activities

This section offers ideas for further exploration of Section 1 of the *Charter*. The goal of these activities is to allow for the workshop to be more interactive.

1. Using chart paper, write the following questions at the top of the sheets (one question per sheet). You can modify the questions or create different ones as well.
 - What are words I would use to describe Canada?
 - What do I know about the *Canadian Charter of Rights and Freedoms*?
 - What worries do I have as a newcomer to Canada?

Give each participant a marker and have them circulate answering each question or work in small groups. This can be done with sentences, one word answers or images. (This can also be done with sticky notes). Use the answers as a starting point for further discussion.

Note: This activity can be done at any moment, however it can be a great icebreaker activity. The sheets can be left up during the workshop and referred to as you move forward.

2. Explore the statue The Rule of Law is a Reflection of Us All and the McMurtry Gardens of Justice through a virtual tour <https://artandthecourts.ca/en/garden/rule-of-law/>.