

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

Video #3

Right to Life, Liberty and Security of the Person

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 #3
- Document: **Possible Cases to Discuss**
- Document: **Statue #3: Pillars of Justice**
- Document: **Role Play Scenario Brainstorm**

Leading the Workshop

1. Begin by giving a brief description of the following video:
Video #3: Right to Life, Liberty and Security of the Person discusses the importance of Section 7 of the Charter and how administrative law (the law that regulates the operation and procedures of government agencies) plays an important role in day-to-day life.
2. Play **Video #3: Right to Life, Liberty and Security of the Person**
3. 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 7 (see below)**.
4. 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.
5. *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 #3: Right to Life, Liberty and Security of the Person discusses the importance of Section 7 of the *Charter* and how administrative law plays an important role in day-to-day life.

Key points:

- ❖ Broadly speaking, the government does not have the right to interfere with decisions you make about your life.
- ❖ Administrative law is the law that regulates how government policy-makers make decisions everyday; these decisions play an important role in your day-to-day life in Canada. Some examples include who receives unemployment benefits, and how you get (or do not get) your driver's license.
- ❖ For many, immigration law will be the first law they encounter when settling in Canada; newcomers are often subject to an administrative decision about their immigration/refugee status.
- ❖ Section 7 guarantees procedural fairness (procedural fairness protections include, but are not limited to, unbiased decision-makers, timeliness, the right to be heard, and being given sufficient notice and information about the matter being considered).
- ❖ Section 7 is continuously changing and evolving.

What the *Charter* says

Section 7 of the *Canadian Charter of Rights and Freedoms* states:

Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

Possible discussion questions	Information and ideas to guide the discussion
<p>Why is Section 7 of the <i>Charter</i> so important for newcomers to Canada?</p>	<p>Moving to a new country can be daunting, and Section 7 provides reassurance that, as newcomers, they are protected by Canadian laws that prioritize their fundamental rights and safety.</p> <p>Also, understanding that their rights to life, liberty, and security are safeguarded helps newcomers build confidence in the Canadian legal system, fostering trust in the fairness and integrity of their new home.</p>
<p>As a newcomer, how has administrative law played a role in your arrival in Canada? What challenges have you encountered?</p>	<p>Administrative Law / Immigration Law When presenting, it is important to realize that some newcomers may be particularly concerned with and/or interested in immigration and refugee cases. Some of their concerns may relate to the following:</p> <ul style="list-style-type: none"> - Immigration or refugee status - Deportation concerns for themselves or family members - Do they have family they are trying to bring over (reunification concerns) - How to appeal decisions - Sponsorship issues
<p>In many of the cases discussed in the videos, there is mention of the Supreme Court of Canada. What is the role of the Supreme Court of Canada, and how is it organized?</p>	<p>The Supreme Court of Canada is the highest court in the country. It makes final decisions on legal matters of public significance, and on important issues of law and fact in Canada.</p> <p>The court is made up of nine judges who review cases and decide how the law should be applied. Their decisions are final and must be followed by everyone in Canada. The Supreme Court plays an important role in ensuring that legislation and government actions comply with the <i>Charter</i>.</p>
<p>In Video #3, they introduced the statue <i>Pillars of Justice</i> found in the McMurtry Gardens of Justice in Toronto. Discuss what you believe the missing figure in the statue represents. Does this hold any significance for you? How does this statue represent your new role within Canadian society?</p>	<p>Document: Statue #3 - Pillars of Justice 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 7 of the *Charter*. The goal of these activities is to allow for the workshop to be more interactive.

1. Participants can create and prepare a short role play scenario (see the **Role Play Scenario Brainstorm** template) of a conflict related to section 7 of the *Canadian Charter of Rights and Freedoms* such as:

- A case where an individual's liberty is restricted due to new government policies
- A scenario where someone has experienced allegedly unfair treatment by a government decision-maker (for instance in an immigration-related matter, in obtaining their driver's license, in obtaining government benefits, etc.)

Participants should discuss how the conflict relates to Section 7 and how it might be resolved according to principles of fundamental justice (the principles of fundamental justice include protections against arbitrariness, overbreadth, vagueness, and gross disproportionality.)

2. Statue #3: Pillars of Justice - explore the statue and the McMurtry Gardens of Justice through a virtual tour <https://artandthecourts.ca/en/garden/pillars-of-justice/>