

Canadian Charter of Human Rights and Freedoms

Schedule B to the *Canada Act 1982* (U.K.) 1982, c. 11

Table of Contents

1. What is the Charter?.....	1
2. What are your equality rights?.....	1
3. What are your legal rights?.....	1
4. What are your fundamental freedoms?.....	2
5. What are your mobility rights?.....	3
6. What are your democratic rights?.....	3
7. What are your language rights?.....	3
8. Disclaimer – PLEASE READ!.....	4

1. What is the Charter?

1.1. The Charter is meant to protect your basic rights and freedoms from the actions of the government. If the government passes a law, or runs a program or acts in any way that infringes your rights, the Charter protects you.

2. What are your equality rights?

2.1. Laws and government programs must apply to you in the same way that they apply to other people. You may not be treated differently because of your race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability. Programs that treat people differently to help people in disadvantaged groups achieve equality are allowed (s.15).

3. What are your legal rights?

3.1. If you speak a different language, or you are deaf, you must be allowed to have an interpreter when you are involved in a legal proceeding (s. 14).

3.2. The government cannot threaten your life, liberty or security of the person (s. 7).

3.3. No one can search or take your property without good reason to do so (s. 8).

3.4. No one can put you in prison without good reason (s. 9).

3.5. If you are arrested or put in jail (s. 10)...

- 3.5.1. ...the police must tell you why you have been arrested or put in jail.
- 3.5.2. ...you are allowed to talk to a lawyer immediately.
- 3.5.3. ...you are allowed to have a Court decide if you should be released.
- 3.6. If you are charged with an offence (s. 11)...
 - 3.6.1. ...the police must tell you why you have been charged immediately.
 - 3.6.2. ...you don't have to wait a long time for a trial.
 - 3.6.3. ...you don't need to speak at your own trial.
 - 3.6.4. ...you are innocent until the Court says that you are guilty.
 - 3.6.5. ...you may not be denied bail without cause.
 - 3.6.6. ...you may go to trial in front of a jury if the punishment you are facing is five years or more.
 - 3.6.7. ...you are innocent if the thing you are accused of was not illegal when you did it.
 - 3.6.8. ...once a court decides that you are innocent or guilty, you cannot be charged for the same act again.
- 3.7. The Government cannot treat or punish you in a cruel or unusual way (s. 12).
- 3.8. If you are a witness at a trial, nothing you say can be used against you by the government unless you have lied (s. 13).

4. What are your fundamental freedoms?

- 4.1. You are free to practice any religion that you choose, or not to practice a religion at all. The government may not interfere with your choice (s. 2(a)).

- 4.2. You are free to form your own opinions and express them to others, unless the way that you express yourself is harmful to other people (s. 2(b)).
- 4.3. People are free to report the news, or express an opinion on television or in newspapers and magazines without being told what to say or not to say, as long as they are nothing harming other people (s. 2(b)).
- 4.4. You are free to hold peaceful meetings, marches or rallies in private or public places, as long as no laws are broken in doing so (s. 2(c)).
- 4.5. You are free to belong to a group of your choice, such as a trade union or a political party (s. 2(d)).

5. What are your mobility rights?

- 5.1. If you are a Canadian citizen, you may enter, remain in, or leave the country as you choose.
- 5.2. If you are a Canadian citizen, you also have the right to live and work in any province of your choice as long as you follow that province's laws. Some residency requirements will apply for some government programs, for example New Brunswick social services would not be available to a person living in Nova Scotia.

6. What are your democratic rights?

- 6.1. If you are eighteen years old or older and a Canadian citizen, you have the right to vote in elections.

7. What are your language rights?

- 7.1. If you are receiving any information or services from the Government of Canada, or the Government of New Brunswick, you may receive them in French or in English.

8. Disclaimer – PLEASE READ!

The law is described here in plain language to make it more accessible for persons with disabilities. We provide this service to help our consumers begin to understand the law as it applies to them and alert themselves to legal issues as a first step of advocating for themselves and their peers. reachAbility does not present this information as an accurate statement of the law and it should not be taken as such. More authoritative statements of the law can be found at <http://www.gov.ns.ca/legislature/legc/> and <http://laws.justice.gc.ca/en/>.

If you think your rights under the law presented above have been infringed, you should seek licensed legal counsel to discuss that problem. Legal referrals can be made through any of the following:

<u>Organization</u>	<u>Website</u>	<u>Phone</u>
reachAbility	http://www.reachability.org	429-5878
Legal Information Society of Nova Scotia	http://www.legalinfo.org/referral.html	455-3135 (Metro) 1-800-665-9779 (toll free in NS)