**North East School Division**

**Unpacking Outcomes – Law 30 – FL3**

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| **Unpacking the Outcome**  |
| Assess --> Charter of Rights and Freedoms |
| **Outcome**(circle the verb and underline the qualifiers)  |
| Assess the importance of the Canadian Charter of Rights and Freedoms. |
| **KNOW**  | **UNDERSTAND**  | **BE ABLE TO DO**  |
| **Vocabulary**: * Historical context/perspective, rights, freedoms, society, amend, inherit Indigenous rights, reasonable limits, notwithstanding, constitution, breach, minority, gender and linguistic rights

**Examples of Legislation to support breaches of rights and freedoms \*:** * Charter of Rights and Freedoms

• the Canadian Human Rights Act (1985);• the Saskatchewan Human Rights Code;• the Saskatchewan Human Rights Commission;• the Ombudsman Saskatchewan Office;• the Saskatchewan Children and Youth Advocate;• the Official Language Commissioner; and,• the Office of the Treaty Commissioner. | * That historical contexts have and continue to influence Indigenous, minority, gender and linguistic rights and freedoms
* That in any society there are two competing forces – rights and freedoms
* That the Charter gives both rights and freedoms to individuals and groups and seeks a balance between the two
* That rights and freedoms have historically not applied to all peoples in society and Canada has created these clauses to try to address historical inequities
* That as overarching as the Charter is it applies to the relationship between the state and it’s citizens
* That there are exceptions to every rule and that is why the reasonable limits clause and notwithstanding clauses exist
* That a process exists to amend or change the constitution
* That all other legislation must fall within the charter these are interpreted by courts deciding cases
* That we are fortunate to have steps to follow if we feel our rights have been violated
 | 1. Investigate the historical context for the inclusion of the Canadian Charter of Rights and Freedoms (Charter) (1982) in the new Canadian Constitution Act (1982).
2. Evaluate how the Charter attempts to seek balance between the rights of the individual versus those of society and apply to specific scenarios and case studies.
3. Examine the structure and content of the Charter, including its jurisdiction, its enforcement, how it can be amended and the difference between Charter rights and Charter freedoms.
4. Discuss the limits of the Charter’s jurisdiction as it only applies to the relationship between the state and the citizens.
5. Explain why the “reasonable limits clause” and the “notwithstanding clause” exist and justify situations when they can be applied.
6. Justify how the Constitution and the Charter protect existing rights, inherent Indigenous rights and minority language educational rights.
7. Examine processes and supports available to offer protection against breaches of rights and freedoms such as (\*)
8. Assess scenarios and case studies that illustrate how courts interpret laws in light of the Charter to shape and inform current laws.

*Page 1 of 2*1. Examine how groups or individuals (e.g., Indigenous people, treaty rights holder, gender and/or sexually diverse, minority languages) struggle to have their rights recognized and protected.
2. Explore the steps one might take if they believe their Charter rights have been violated.
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| **ESSENTIAL QUESTIONS**  |
| How do past legal influences shape our rights and freedoms?How do rights and freedoms interact with each other in the Charter? When or is it ever appropriate to override a person’s freedoms?Why was the Charter of Rights and Freedoms included in the new Canadian Constitution Act (1982)?Why does the Charter have jurisdictional limits?Why do certain groups of people continue to struggle to have equitable rights?How does the Charter connect to and influence other legislation?What happens if I believe my rights as a Canadian citizen have been violated? |

 **Possible Discussion Ideas:**
Is mask wearing a reasonable limit?

How did Covid laws work with the Charter?