

Mobility Rights

Guaranteed Freedom to Move and Travel

Charter - Section 6 – Mobility Rights Provision

- (1) Every citizen of Canada has the right to enter, remain in and leave Canada.
- (2) Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right:
 - a) to move to and take up residence in any province; and
 - b) to pursue the gaining of a livelihood in any province.

Guaranteed Right to not be Prohibited, Harassed or Detained in Doing So

Charter - Section 7 – Legal Rights

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

Charter - Section 8

Everyone has the right to be secure against unreasonable search and seizure.

Charter - Section 9

Everyone has the right not to be arbitrarily detained or imprisoned.

Guaranteed Right to Privacy

Section 8 also covers the right to personal and medical privacy.

The values underlying the privacy interest protected by Section 8 are dignity, integrity and autonomy (R. v. Plant, [1993] 3 S.C.R. 281 at page 292). The protection Section 8 provides for privacy — personal, territorial and informational — is essential not only to human dignity, but also to the functioning of our democratic society. As such, section 8 protects a sphere of individual autonomy within which people have the right “to be let alone” and on which the state cannot intrude without permission. <https://www.justice.gc.ca/eng/csj-sjc/rfc-dlc/ccrf-ccd/check/art8.html>

If you are stopped by the police, always be polite but know your rights.

Recommended Response:

Ask the question: Why have I been pulled over?

If you are questioned about where you are going or why you are not at home, state the following:

“I am performing an essential service. The Charter of Rights, our Foundational Law, provides the Right to Travel free of harassment - your Oath and the Police Services Act agree and the Charter also gives me the right to remain silent.”

Following this statement, say nothing further or if need be, repeat the statement.

If you are questioned about your personal medical information, such as requesting vaccination status, refer to section on Guaranteed Right to Privacy above and remind them of their oath to uphold the Constitution and the Charter of Rights and Freedoms.

If asked to provide your identification and insurance: Provide your driver licence, insurance card and vehicle registration ... **only if asked** ... but remain silent.

If issued a ticket: Accept the ticket and immediately file to dispute it.

As long as you identify yourself with documents or verbally when requested, the police have no arrest authority.

If police show up at your home do not answer the door, do not invite them in. They require a Crown Warrant to enter and would need reasonable cause to do so.

Source: **action4canada.com**