

# Canada's charter of rights and freedoms

[Philosophy](#), [Freedom](#)



## Canada's Charter of Rights and Freedoms Section 8: Search or seizure

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

The first part of the Canadian Charter of Rights and Freedoms that we choose for our project is section 8: Search and Seizure. This section guarantees that everyone has the right to be secure against unreasonable search and seizure. There are two parts to this section, one being unreasonable search and the other being unreasonable seizure.

Unreasonable search is when your property, belongings, body, is searched without a warrant or without a probable reasoning to believe that the person would need to be searched. Unreasonable seizure is different; it implies that a person's belongings have been taken from them by a public authority without the person's consent. Many government activities fall under this law, in all the law helps to secure people's rights to privacy and it keeps government officials from abusing their power. Many may wonder why search and seizure are under the same section.

The reason why they are is because they often fall hand and hand. Seizure often only occurs following a search, and searches only occur for the reasoning of wanting to seize the person's illegal belongings. There are many cases of unreasonable search and seizures which exist. For example, if government officials were to go into a man's house, whom they suspected of dealing Marijuana, but didn't have a good reason to believe so or a warrant, and had taken his illegal Marijuana plants then that would be an example of unreasonable search and seizure.

Another example of unreasonable search and seizure would be if police officers were to inspect a person's car at a traffic stop and take belonging

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inside because they believe they were illegal possessions; this is unreasonable search and seizure because they did not have a good reason to search. Many argue about this right of protection against unreasonable search and seizure because the possessions, whether found reasonable or not, are illegal. Some think that it is the government's right to search belongings of its citizens.

An example of this opposition to the rights of Canadians currently occurring in Canada is Bill C-30. Bill C-30 would force Internet Service Providers to give Government Officials your name, address, IP address and a lot of other personal information, without a warrant. With all this information, the government would be empowered with the ability to monitor every action that you make online and use it to catch any illegal activity. This is a complete compromise to the rights of Canadians to protection against unreasonable search and seizure.