

# THE CHARTER IN ACTION

**Beverley McLachlin saw a lot of changes after being appointed to the Supreme Court of Canada in 1989. She was the court's Chief Justice — the top judge — from 2000 to 2017.**



## **What was it like being part of those early Charter decisions?**

The first cases started coming through and it was clear the Supreme Court had said that rights and freedoms had to be interpreted broadly. It became apparent that the Supreme Court was going to adopt a very progressive approach to the Charter.

## **How did the judges on the Supreme Court make their decisions about Charter cases?**

The most important thing was the evidence — the submissions of the parties involved and the lower court decisions. But each judge brings their own life experience and their own perspectives. That's one of the reasons why I think it's good to have a diverse court — with women, with people from different backgrounds — because they will have different perspectives and life experiences.

## **What makes the Charter distinctly Canadian?**

The fact that we did this as a democracy is unique. I'm still very proud of that. We were pretty gutsy. The great Canadian way is that we fuss

and we're angry but, in the end, we get along and we resolve our differences to the extent that we can. We move forward. We have a peaceful approach to problem solving. Parliament itself has to abide by the Constitution, which includes the Charter. So if it passes a law that harms a particular group or doesn't include a particular group that arguably should have been included, it has to justify that under the Charter.

## **What don't people understand about the Charter?**

The Charter guarantees rights and freedoms, yes, but it also allows the government to limit those. So that doesn't mean you have absolute freedom to do anything you want. You have to limit yourself a little bit so you don't hurt other people. That's what people don't understand. We are all in a society together.

## **What should kids know about the Charter?**

It is the guarantee of their rights and freedoms, but it balances those freedoms with the public good and other people's interests. And they're lucky to have it!