

The Right to Privacy

Student Workbook

Name: _____





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Summary of the Activity

In this workbook, you'll learn about the right to privacy. Then, you'll analyze a scenario and participate in a debate. Finally, you'll discover what the law has to say about the right to privacy.

The Right to Privacy

Definition



Right to privacy: The right to keep some information or aspects of one's life to oneself, without others interfering without permission, whether by looking at or controlling that information or those aspects.

This right is recognized in several laws, such as the *Civil Code of Québec* and the *Charter of Human Rights and Freedoms*.

But the right to privacy is not absolute. The law sometimes allows people or organizations to infringe on it in a minimal way for clearly defined reasons.

For example, in the context of a police investigation, taking a person's photograph for police records is permitted.

Examples

Write a few examples of situations involving the right to privacy.

Scenario: Searches at School

Definition



Search: The act of inspecting a person (body, clothing, etc.) or their personal belongings (bags, car, etc.) to look for evidence relating to an offence or a violation of rules.

Context



There are rumours circulating that some students are bringing drugs to school with them. In some instances, it's for personal use, but some of the students are selling drugs. The school administration has become aware of the situation.

Now, there are new rumours circulating that all of the students' lockers will be searched and there will be sniffer dogs in the hallways and the cafeteria at lunchtime to find the guilty parties. There's growing protest against these possible measures.



DEBATE QUESTION

Should the school administration have the right to search the contents of all the students' lockers and bags at any time?



Reflection questions

Before the debate

- 1) Do you think the school administration should have this right? Explain your answer.

- 2) Find at least three arguments supporting that the school administration should be allowed to search the students' lockers and schoolbags.

- 3) Find at least three arguments supporting that the school administration should not be allowed to search the students' lockers and schoolbags.

- 4) Do you think searching your locker or bag violates your right to privacy? Why?



- 5) Assuming the school administration has the right to search students' lockers and bags, do you think it should have the right to search them at all times? If not, under what conditions should it be allowed to conduct a search? Explain your answer.

- 6) Do you think the use of sniffer dogs in a school's hallways to detect the presence of drugs violates students' right to privacy? Explain your answer.

- 7) If, instead, there were rumours that some students had weapons, not drugs, do you still think the school administration should – or should not – have the right to search lockers and bags? If so, under what conditions?

- 8) Below, write any other ideas you may have to help prepare for the debate.

After the debate

- 1) Now that the debate is over, is your answer to the first question still the same? If not, which arguments influenced you to change your opinion? Explain your answer.

What the law says

Write down the main legal information related to searches.



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The Right to Privacy

Definition



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But the right to privacy is not absolute. The law sometimes allows people or organizations to infringe on it in a minimal way for clearly defined reasons.

For example, in the context of a police investigation, taking a person's photograph for police records is permitted.

Examples

Write a few examples of situations involving the right to privacy.

Scenario: Camera Surveillance of Employees

Definition

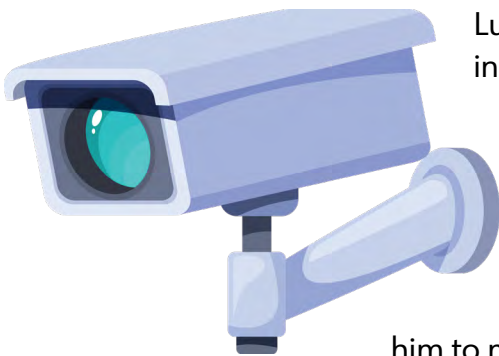
Time theft can take various forms. It can be:

- time spent on personal activities during work hours,
- longer breaks than provided for,
- falsification of timesheets.



Time theft: A term sometimes used in the workplace to refer to a situation where an employee is paid for time not actually worked.

Context



Ludovic works as a salesperson in a store. Cameras are installed throughout the store to ensure security and reduce theft.

After three months on the job, Ludovic is called in by his supervisor for a first job evaluation.

While the supervisor's comments about him are generally positive, she has some criticisms. She tells him to make sure he does not commit time theft. Some of his breaks are too long, he sometimes uses his cell phone during work time, and he talks about personal matters with other employees when he's supposed to be working. These incidents were carefully recorded and dated.

Ludovic is shocked by these criticisms. The supervisor explains to him that she regularly looks at the cameras to check if her employees are working properly. She warns him to turn things around quickly and that she'll be keeping a close eye on his work.



DEBATE QUESTION

Can an employer use security cameras to regularly monitor their employees' work?



Reflection questions

Before the debate

- 1) Do you think that employers and their representatives, like supervisors, should have the right to use cameras to monitor their employees? Explain your answer.

- 2) Find at least three arguments supporting that employers should be allowed to use security cameras to monitor their employees.

- 3) Find at least three arguments supporting that employers should not be allowed to use security cameras to monitor their employees.

- 4) Do you think that camera surveillance in the workplace violates employees' right to privacy? Explain your answer.



- 5) Assuming the employer does have the right to use cameras to monitor an employee, do you think they should be allowed to monitor them all the time? If not, under what conditions should they be able to use cameras to monitor them? Explain your answer.

- 6) Under what circumstances do you think the use of cameras to monitor an employee would be acceptable?

- 7) Under what circumstances do you think the use of cameras to monitor an employee would not be acceptable?

- 8) Below, write any other ideas you may have to help prepare for the debate.

After the debate

- 1) Now that the debate is over, is your answer to the first question still the same? If not, which arguments influenced you to change your opinion? Explain your answer.

What the law says

Write down the main legal information related to the use of surveillance cameras to monitor employees.



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For example, in the context of a police investigation, taking a person's photograph for police records is permitted.

Examples

Write a few examples of situations involving the right to privacy.

Video of an Act of Vandalism

Definitions

Damaging a bus shelter or writing graffiti on a wall is considered vandalism. Sometimes, vandalism is deemed a crime.



Vandalism: Destruction or defacement of objects, generally works of art or objects in public spaces.



Hate crime or incident: A crime or a non-criminal incident motivated in part or in whole by hate or prejudice regarding:

- race
- national or ethnic origin
- religion
- sex
- sexual orientation
- gender identity or expression
- etc.



Search: The act of inspecting a person (body, clothing, etc.) or their personal belongings (backpack, car, etc.) to look for evidence relating to an offence or a violation of rules.

Context



When you get to school in the morning, you notice that members of the school administration are inspecting a locker. A homophobic message has been written on it with a permanent marker.

Unfortunately, the student using this locker is often the target

of insults. The rumour circulating is that some students found it very funny and filmed themselves writing the message.

However, nothing was posted on social media. Of course, the rumour has made its way to the principal's office, and she has called this group of friends into her office. The principal wants the video evidence of this act of vandalism.



DEBATE QUESTION

Should the school administration have the right to search the students' cell phones?

Reflection questions

Before the debate

1) Do you think the school administration should have this right? Explain your answer.



- 2) Find at least three arguments supporting that the school administration should be allowed to search students' cell phones.

- 3) Find at least three arguments supporting that the school administration should not be allowed to search students' cell phones.

- 4) Do you think that the search of your cell phone is a violation of your right to privacy? Why? What's private on your cell phone?

- 5) Assuming the school administration does have the right to search a cell phone, do you think it should be allowed to search it at any time? If not, under what conditions should it be allowed to do so? Explain your answer.

- 6) If the message was racist, violent, or threatening, would you be open to a phone being searched? If yes, under what conditions?



- 7) If an act of vandalism was filmed on the street, should the police be able to search citizens' cell phones? Explain your answer.

- 8) Below, write any other ideas you may have to help prepare for the debate.

After the debate

- 1) Now that the debate is over, is your answer to the first question still the same? If not, which arguments influenced you to change your opinion? Explain your answer.

What the law says

Write down the main legal information related to searching a cell phone.
