

Time Warp at the BC Court of Appeal

SCENARIO

The judges who in 1914 heard the case of Munshi Singh, a passenger on the *Komagata Maru*, have slipped through a time warp and find themselves sitting in today's Court of Appeal.

They are profoundly amazed by many things, including (a) the 2008 apology made by the government for the *Komagata Maru* incident; (b) the fact that the Court of Appeal now includes women judges; and (c) the fact that there has been an Indo-Canadian judge on the Court of Appeal.



However, the 1914 Court of Appeal judges understand that courts operate in the context of their own time. They realize they need to be brought up to speed on contemporary British Columbia so that they can fulfill their duties in today's Court of Appeal.

STUDENT TASK

You have the task of respectfully briefing the 1914 Court of Appeal judges. What would the judges need to know about today's society?

1. What social values and attitudes should the judges be aware of?
2. What major legal developments do the judges need to know about?
3. What issues might today's Court of Appeal cases deal with?

Consider the following issues and try to provide your own examples:

- multicultural society (consider who lives in your community)
- respect for diversity as a contemporary Canadian value
- contemporary attitudes and values (social relations/work/lifestyles/beliefs)
- Charter introduced in 1982. Judges are now assigned with the task of deciding whether a particular law is consistent with the Charter.
- Supreme Court of Canada is the highest court. (In 1914 the highest court for Canadians was in England. It was called the Judicial Committee of the Privy Council.)
- technological changes
- women's equality, environmental issues, Aboriginal issues