

## HANDOUT 3: Time Warp at the Court of Appeal for BC

### Scenario

Appeal Court judges in 1914 heard the case of Munshi Singh, a passenger on the *Komagata Maru*, but the judges have slipped through a time warp and now find themselves sitting in today's Court of Appeal. They are amazed by many things, including:

- The 2008 apology made by the government for the *Komagata Maru* incident
- The fact that the Court of Appeal now includes women judges
- The fact that there has been an Indo-Canadian on the Court of Appeal (Wally Oppal, also a former Attorney General).

The 1914 Court of Appeal judges understand that the 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.

### Task

Your task is to respectfully brief the 1914 Court of Appeal judges. What would the judges need to know about today's society? Answer the following questions:

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

Consider the following issues and provide 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 (called the Judicial Committee of the Privy Council).
- Technological changes
- Women's equality, environmental issues, Aboriginal issues

Working in their groups, students develop their briefings to the judges caught in the time warp. Each group presents their briefing to the class.