

PHOTOGRAPHY IS NO CRIME

Taking Photographs? Know your rights.

Taking Photos

With limited exceptions, people in Canada are free to:

- photograph or film in any public place
- photograph or film in any private place open to the public, unless prohibited by signage or told to stop by the owner;
- photograph or film in any government site other than restricted access areas (these must be marked by a recognizable perimeter and monitored)
- photograph or film police officers in public, as long as you do not obstruct or interfere with the execution of police duties

PUBLICATION AND COPYRIGHT LAWS APPLY.
DO YOUR RESEARCH BEFORE PUBLISHING.

If someone prevents you from doing any of the above activities, your Charter rights are likely being violated.

At no time, and under no circumstances, is anyone in Canada subject to arrest for the simple act of taking a photograph or filming.*

**You can be arrested if you are breaking another law in the process, such as trespassing or breaking or entering.*

Dealing with Police

While everyone has a reasonable expectation of privacy in certain circumstances, police officers have no reasonable expectation of privacy as they go about their duties.

- Police officers do not have the right to confiscate cameras or recording equipment (including phones), unless the person in possession of such equipment is under arrest and such equipment is necessarily relevant to the alleged offence.
- Police officers cannot force anyone to show, unlock or decrypt cameras or recording equipment, or to delete images, even when that person is under arrest, unless the police officer has a warrant or a court order permitting him to do so.



www.pencanada.ca