

Right to liberty and security of person

1. Every person has the right to liberty and security.
2. A person must not be subjected to arbitrary arrest or detention.
3. A person must not be deprived of the person's liberty except on grounds, and in accordance with procedures, established by law.
4. A person who is arrested or detained must be informed at the time of arrest or detention of the reason for the arrest or detention and must be promptly informed about any proceedings to be brought against the person.
5. A person who is arrested or detained on a criminal charge:
 - a. must be promptly brought before a court; and
 - b. has the right to be brought to trial without unreasonable delay; and
 - c. must be released if paragraph (a) or (b) is not complied with.
6. A person awaiting trial must not be automatically detained in custody, but the person's release may be subject to guarantees to appear:
 - a. for trial; and
 - b. at any other stage of the judicial proceeding; and
 - c. if appropriate, for execution of judgement.
7. Any person deprived of liberty by arrest or detention is entitled to apply to a court for a declaration or order regarding the lawfulness of the person's detention, and the court must:
 - a. make a decision without delay; and
 - b. order the release of the person if it finds the detention is unlawful.
8. A person must not be imprisoned only because of the person's inability to perform a contractual obligation.

