



Taking The Charter To Court A Practitioners Analysis

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Taking the Charter to Court Debra M. McAllister, 1998
Dodek, 2002 **The Supreme Court Law Review**, 2004
McCormack, John Papadopoulos, Catherine Anne Cotter, 2010 *The Charter at Twenty* Debra M. McAllister, Adam M. Nancy
The Practical Guide to Canadian Legal Research Nancy
Taking the Charter to Court Debra McAllister, 2001-04

The Canadian Charter of Rights and Freedoms is the part of the Constitution of Canada that protects fundamental human rights. Taking the Charter to Court A Practitioner's Analysis is a comprehensive reference textbook on Charter law as articulated by the Supreme Court of Canada. The text is written from the perspective of a litigation lawyer to answer the question: what do I have to prove? Taking the Charter to Court begins with an overview of the general principles of when the Charter applies and what analytical approach a court will take to a Charter claim. It then explores each of the rights and freedoms in sections 2 through 15 of the Charter and how a breach of a Charter right can be justified under section 1. It concludes with some procedural and enforcement issues such as where to launch a claim, what remedy to seek, and how to present the case. The text includes sufficient background to provide context, concise descriptions of the facts in the leading cases, and seminal quotes that capture the tone and essence of the Supreme Court's judgments. The most important features that make this text an excellent research tool are the summaries that appear throughout and the detailed table of contents that facilitates quick access to specific issues. The book can be used as a reference tool at any stage in the development of a constitutional case as a starting point for further research on specific issues or as a teaching text for students. It can also be used by people with no legal training who want to know more about their rights. In addition, this book is a useful tool for countries that have adopted Constitutions based on our Charter since they rely on the decisions of the Supreme Court of Canada to interpret their own rights and freedoms.

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