

Charter of Rights and Freedoms

Case Study

You will research, report, and analyze a significant case in Canadian Charter Inc.

What to research:

1. Full case citation
2. Legal Issue
 - a. Legal Issue and its background in Canada
 - i. What exactly is the issue?
 - ii. What is the legal history of the issue in Canada?
 - iii. Why did the case come to trial?
 - iv. Who was involved?
3. Legal Question
 - a. What questions did the court have to decide?
 - i. What was the constitutional conflict?
 - ii. What parts of the charter specifically were at issue? Cite them and explain exactly how they were at issue.
 - iii. What other laws were involved? Cite them and explain exactly how they were at issue.
 - iv. What other case law applied or is related to the case?
4. Outcome
 - a. What did the court decide and why?
 - i. Be specific, but use your own words or quote the judges.
 - ii. Refer exactly (cite) to the Charter.
5. Significance
 - a. What is the significance of this case to Canadian law and society?
6. Analysis
 - a. What is your view on this decision and why?

Resources:

- Textbook
- CanLii
- New Stories
- Wikipedia
- SLC Judgements

Assessment

*Proper Citations, footnotes and bibliography required.

Choose one case from the list below:

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| <ul style="list-style-type: none"><input type="checkbox"/> Rodriguez (Assisted suicide)<input type="checkbox"/> Carter (Assisted suicide)<input type="checkbox"/> Morgentaler (Abortion)<input type="checkbox"/> Keegstra (Hate speech)<input type="checkbox"/> RVM (MR) (Youth search)<input type="checkbox"/> RV AM (Youth Search, sniff dogs)<input type="checkbox"/> Butler (Pornography)<input type="checkbox"/> Vriend VS Alberta (Gay Rights)<input type="checkbox"/> Reference re: Same Sex Marriage<input type="checkbox"/> Reference re: Polygamy<input type="checkbox"/> Rv.NS (Niqab case)<input type="checkbox"/> Bedford Case (Prostitution)<input type="checkbox"/> US v Burns 2001 (Death Penalty)<input type="checkbox"/> Little Sisters Bookstore 2000 (Gay Rights Freedom of Expression) | <ul style="list-style-type: none"><input type="checkbox"/> Hunter V Southern (Search Warrants)<input type="checkbox"/> Andrews V Law Society of B.C. (Equality)<input type="checkbox"/> Irwin Toy V Quebec<input type="checkbox"/> Swain 1991 (Mental disorder NCR)<input type="checkbox"/> Fuguroa V Canada (Democratic Rights)<input type="checkbox"/> PHS Community Services (Supervised Injection)<input type="checkbox"/> RV Jordon (Trial- Reasonable Time)<input type="checkbox"/> RV Stinchcombe (Fair Trial)<input type="checkbox"/> Eldridge V BC (Disability)<input type="checkbox"/> Charkaoui V Canada (2007) Security certificate National security |
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