



Freedom of Expression (Understanding Canadian Law)

Daniel J. Baum

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This book explains our right to freedom of expression, its limits, and how Canadian courts draw the line.

Freedom of expression is a fundamental right protected by the Charter of Rights and Freedoms, which is part of the Constitution of Canada and, as such, the highest law of the land. But it has limits. Peacefully picketing an abortion clinic, so long as patients can come and go, is a protected right, but shouting "Fire!" in a crowded theatre to cause a stampede is a criminal offence.

Tied in with issues of free speech are questions such as whether justice delayed is justice denied. If it takes years to bring a matter to court ? and especially to the Supreme Court of Canada ? how can it be said that there has been a fair consideration of the issues to be decided? As well, must all important constitutional questions, such as freedom of expression, be decided by the courts? Or, is there another way to resolve such issues?

How courts reach decisions in such cases is discussed in *Freedom of Expression*, an objective introduction for all readers to better understand how law and professional ethics impact those of us who would speak publicly as to issues of concern.

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