

Two new enhancements that will help you get even more out of the Canadian Abridgment

September 24, 2014

WestlawNext Canada has been enhanced to further integrate case law with the Canadian Abridgment – a uniquely valuable tool for efficiently finding and understanding the law.

First, you can now link directly from a case law search result to Abridgment digests that appear under Abridgment classifications that are most relevant to your search.

Second, while viewing a case law document, you can link to all of the Abridgment digests written for every level of that case (including appellate history information that makes clear how each legal issue summarized in the digests was decided at every level of the case).

1. Linking Directly from a Case Law Search Result List to Abridgment Digests

When you perform a plain language case law search, the WestlawNext Canada search engine analyzes the decisions that are the most relevant to your search. Along with your search results, you will find in the Related Resources section on the right, a list of the Abridgment classifications that appear most frequently in the most relevant decisions.

The screenshot shows the WestlawNext Canada interface. At the top, there's a search bar with the query "golf ball nuisance private property" and a "SEARCH" button. Below the search bar, the page title is "Cases and Decisions (111)". On the left side, there are filters for "NARROW:" including "Select Multiple Filters", "Search within results", "Date", "Language" (English/Français), "Jurisdiction/Court" (Federal, Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland & Labrador, Northwest Territories, Nova Scotia, Ontario, Quebec, Saskatchewan), and "Court Level" (Appeal Courts, Non-Appeal Courts, Boards and Tribunals). The main content area displays a list of search results. The first result is "1. Lakeview Gardens Ltd. v. Regina (City)", which includes a snippet: "...Plaintiff claimed relief, including injunction directing defendant to prevent golf balls from leaving its premises and entering plaintiff's premises...". The second result is "2. Carley v. Willow Park Golf Course Ltd.", with a snippet: "...29 There is no doubt that as long as the golf course is adjacent to the plaintiff's business and continues to operate, that the golf course is a private nuisance...". The third result is "3. Lakeview Gardens Ltd. v. Regina (City)", with a snippet: "...Plaintiff claimed relief including injunction directing defendant to prevent golf balls from leaving its premises and entering plaintiff's premises...". On the right side, there is a "RELATED RESOURCES" section with a red border, containing links to "Canadian Abridgment Digests", "Remedies REM.II.2.f.i.C Nuisance - Interference with enjoyment of private property", "Torts TOR.XVII.1.b General principles - Private nuisance", and "Remedies REM.I.5.d.i.C Nature of unlawful act - Nuisance".

Click on any of these classifications to access digests of all cases under that classification.

This can help you supplement the results of a case law search by canvassing the cases on a particular issue, whether or not they include the terms in your search, to help you identify the broader issues implied by your search.

2. Viewing Abridgment Digests and Classifications for all Levels of a Case

When you are viewing a case law document on WestlawNext Canada, you can easily link to all Abridgment digests written for every level of that case. To do this, simply click the link labeled “*Abridgment digests and classifications for all levels of this case*” under *Related Resources* on the right.

The screenshot displays the WestlawNext Canada interface for the case **Ward v. Vancouver (City)**. The case details include the citation **2009 BCCA 23**, the court **British Columbia Court of Appeal**, and the date **January 27, 2009**. The sidebar on the right, titled **RELATED RESOURCES**, contains a link labeled **Abridgment digests and classifications for all levels of this case**, which is highlighted with a red circle. Other resources listed include **Canadian Guide to Uniform Legal Citation** and **Aboriginal Law Reports**.

When you click this link, you will see a list of all classifications and digests written for every level of the case you are viewing. Separate digests are written for each legal issue and appellate history information is included for each digest, so that you can clearly understand how each legal issue was decided at every level of the case.

WestlawNext CANADA | All Content | Canadian Abridgment Digests | RMSUAT | Folders | History | Alerts | Sign Off

Q Enter search terms, citations, databases, anything... SEARCH | Rex's Research (1)

Ward v. Vancouver (City)
 2009 BCCA 23, 2009 CarswellBC 115 | British Columbia Court of Appeal | British Columbia | January 27, 2009 (Approx. 31 pages)

Document | History (7) | Citing References (9) | Legal Memos (0) | Court Docs (17) | Powered by KeyCite Canada

Canadian Abridgment Digests (10)

1 - 10 | Select all items | No items selected

CIV Civil practice and procedure
 -- CIV.XXIII Costs
 -- CIV.XXIII.6 Effect of success of proceedings (2,421)
 -- CIV.XXIII.6.a General principles (465)

1. Ward v. Vancouver (City)

British Columbia Supreme Court | British Columbia | [2007] B.C.W.L.D. 1223; [2007] B.C.W.L.D. 1229; [2007] B.C.W.L.D. 1233; [2007] B.C.W.L.D. 1334; [2007] B.C.W.L.D. 1378; [2007] B.C.W.L.D. 1380; [2007] B.C.W.L.D. 1382; [2007] B.C.J. No. 9; 45 C.C.L.T. (3d) 121; 63 B.C.L.R. (4th) 361; 2007 CarswellBC 12; 2007 BCSC 3; [2007] 4 W.W.R. 502; [2007] B.C.W.L.D. 1219

Plaintiff was arrested on street and was taken away in paddy wagon after police received report that someone was intending to attempt to throw pie at Prime Minister at public ceremony — Plaintiff was arrested for breach of peace when he became loud and aggressive and was held pending investigation of assault — Plaintiff testified that he got no response to his questions as to whether he was under arrest and why he was arrested — Plaintiff was required to remove all of his clothes except his underwear at jail, where he was held for 4 / hours — Plaintiff brought action for damages against officers, alleging that his treatment by police constituted false imprisonment — Action allowed — Imprisonment by police officer is justified if officer acts with legal authority — Plaintiff was creating disturbance in public place and police were entitled to arrest him for breach of peace — Once Prime Minister had left area, detention of plaintiff could not be justified on his arrest for breach of peace — Plaintiff was unlawfully imprisoned for almost four hours after Prime Minister left area — Investigative detention must be of brief duration and cannot become de facto arrest — Detention of plaintiff was not brief — Objective basis to believe that there were reasonable and probable grounds to arrest him for assault or attempted assault did not exist — Commission of tort of wrongful imprisonment arose from failure of police to release him within reasonable time after Prime Minister left area — City was liable for damages but as neither officer knew that it was wrong to continue imprisoning plaintiff after Prime Minister left area, or continued imprisonment with reckless indifference as to whether it was wrong or not, they were not personally liable for tort of false imprisonment — Issue arose as to costs — Trial judge ordered costs to plaintiffs except costs for action taken against police officers alone and costs to police officers — Action taken against officers which was unsuccessful did not lengthen trial and evidence would have been heard anyway.

Ward v. Vancouver (City) (2007), 63 B.C.L.R. (4th) 361, [2007] 4 W.W.R. 502, 45 C.C.L.T. (3d) 121, [2007] B.C.J. No. 9, 2007 BCSC 3, 2007 CarswellBC 12, D. Tysoe J. (B.C. S.C.); additional reasons at (2007), 63 B.C.L.R. (4th) 399, [2007] 4 W.W.R. 539, 2007 CarswellBC 282, 2007 BCSC 189, D. Tysoe J. (B.C. S.C.); affirmed (2009), 304 D.L.R. (4th) 653, 63 C.C.L.T. (3d) 165, 89 B.C.L.R. (4th) 217, **2009 CarswellBC 115**, 2009 BCCA 23, 265 B.C.A.C. 174, 446 W.A.C. 174, [2009] 6 W.W.R. 261, 186 C.R.R. (2d) 1, Finch C.J.B.C., Low J.A., Saunders J.A. (B.C. C.A.); reversed in part on other grounds (2010), 2010 CarswellBC 1948, 2010 CarswellBC 1947, [2010] 9 W.W.R. 195, 321 D.L.R. (4th) 1, 7 B.C.L.R. (5th) 203, 2010 SCC 27, [2010] S.C.J. No. 27, 76 C.R. (6th) 207, 404 N.R. 1, 290 B.C.A.C. 222, (sub nom. *Vancouver (City) v. Ward*) [2010] 2 S.C.R. 28, 213 C.R.R. (2d) 166, 491 W.A.C. 222, 75 C.C.L.T. (3d) 1, Abella J., Binnie J., Charron J., Cromwell J., Deschamps J., Fish J., LeBel J., McLachlin C.J.C., Rothstein J. (S.C.C.) [British Columbia]

After viewing the digests, you can quickly return to the case by clicking the Document tab.

When viewing digests, you can also easily expand your research by clicking on the classification headings to access all of the other digests that fall under a particular classification.