Call for Papers: Constitutional Forum/Forum Constitutionnel

Call for Papers

SUBMISSION DEADLINE: MARCH 1, 2024

Special Issue
Criminal Sentencing and the *Charter*

Guest Editor: Professor Colton Fehr (Thompson Rivers)

Over the last two years, the Supreme Court has written extensively on the law of sentencing and its relationship with section 12 of the *Canadian Charter of Rights and Freedoms*. This jurisprudence both resisted challenges to its core framework and provided an innovative lens for assessing whether treatment or punishment is impermissible: the concept of human dignity. The Court further considered the role of the right to equality in determining the constitutionality of sentencing laws, sharply disagreeing on its appropriate role in shaping sentencing policy. While not implicating a constitutional challenge, the Court also developed a unique approach to the "starting point" method of sentencing.

This **Call for Papers** asks authors to critically engage with these and related developments in Canadian constitutional sentencing jurisprudence. How will the Supreme Court's understanding of human dignity impact the law of sentencing moving forward? Can the *Charter* contribute to meaningful and lasting change with respect to the disparate impact of sentencing law on minority populations? Was the Court correct to preserve the "severity" track of analysis under section 12 of the *Charter*? If so, does the Court's reliance on hypothetical scenarios unduly interfere with Parliament's role in crafting sentences? Is the Court's stamp of approval on "starting point" sentencing a positive development? Articles considering other questions broadly related to the constitutional boundaries of sentencing law are also welcome.

We invite submissions for this special issue of the *Constitutional Forum* from scholars, lawyers, and students in the field of law and other related disciplines. The special issue will be edited by Professor Colton Fehr, a Research Affiliate with the Centre for Constitutional Studies. The deadline for submissions is 1 March 2024. We will aim to publish the issue by mid-May. It is preferable for submissions to be between 3,000 and 6,000 words, including footnotes. Please send submissions, expressions of interest, and queries to: mailey@ualberta.ca.