

Students,

Here's a list of topics for your upcoming essays! I've included links to articles that can help you with your research, should you choose one of the below topics. I find that whenever I write my own papers, I'm often lost on where to begin. I've always liked when professors give a starting point for research, so I thought I'd extend the same courtesy.

Furthermore, these topics are primarily practical questions used to test your class knowledge in conjunction with real-world issues. It's easy to refer back to your notes when answering an essay question, but I hope to challenge you in applying course content to current affairs.

Good luck, everyone!  
Madison

**1. Is solitary confinement a constitutional violation?**

- a. Consider the current laws and regulations on solitary confinement in Canada. Think about why this issue may be controversial.
- b. <https://ccla.org/solitary-confinement-3/>
- c. <https://johnhoward.on.ca/wp-content/uploads/2017/02/Solitary-Confinement-FactSheet-Final-1.pdf>
- d. <https://globalnews.ca/news/5241955/canada-solitary-confinement-bill-inmates-isolation/>

**2. How does Canadian criminal law redress concerns over the increasing rates of incarceration for Aboriginal Peoples?**

- a. Does section 718(2) on Gladue rights have any impact on judicial or prosecutorial discretion?
- b. Are Aboriginal considerations consistently applied in the criminal justice system?
- c. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/queen43&div=9&id=&page=>
- d. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/sasklr67&div=8&id=&page=>

**3. What effect does legal positivism have on the Canadian criminal justice system?**

- a. What effect does legal positivism have on criminal responsibility and liability?
- b. What effect does legal positivism have on constitutional and moral principles?
- c. <https://www.law.upenn.edu/cf/faculty/cfinkels/workingpapers/Positivism%20and%20the%20Notion%20of%20an%20Offense.pdf>
- d. <https://macsphere.mcmaster.ca/bitstream/11375/15512/1/Giudice%20Michael%20Checked.pdf>

**4. How does Canada's Anti-Terrorism legislation impact criminal law and the criminal justice system?**

- a. [https://www.justice.gc.ca/eng/rp-pr/cj-jp/antiter/rr05\\_1/a\\_05.html](https://www.justice.gc.ca/eng/rp-pr/cj-jp/antiter/rr05_1/a_05.html)



- b. <https://www.lawnow.org/wp-content/uploads/2012/08/LawNow35-6.pdf> (page 21-24)
- c. <https://globalnews.ca/news/6263618/a-broken-system-canadians-cant-afford-lawyers-but-dont-qualify-for-legal-aid/>
- d. <https://www.canadianlawyermag.com/news/opinion/when-legal-aid-is-a-political-prop-access-to-justice-suffers/297434>

**10. What are the alternatives to incarceration, and what impact can they have on reducing recidivism?**

- a. What are the benefits to restorative justice?
- b. Alternatives may include, but are not limited to, rehabilitation, reparations, and promoting responsibility in offenders.
- c. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/crpp6&div=56&id=&page=>
- d. <https://www.csc-scc.gc.ca/text/pblct/forum/special/a1e.pdf>
- e. <https://www.tandfonline.com/doi/abs/10.1080/07418829300091811>