

# Values of the Justice System



## A Resource for Grade 10 Civics

provided by

**The Ontario Justice Education Network**

Revised Edition, 2005

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## Acknowledgements

The purpose of “Values of the Justice System” is to provide a resource for secondary school teachers teaching grade 10 civics courses. The material is intended to assist in stimulating discussion, debate, criticism, study and analysis of principles underlying our legal system, recognizing that the teacher is entitled to use any or all of the resource as considered appropriate for the discussion of what may be controversial issues. Input, assistance and feedback on various sections of this resource were received from a wide range of contributors from among the judiciary, and legal and education professions.

Ontario Justice Education Network (OJEN) extends its appreciation to the writers for their dedicated contribution to this project:

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Statements, examples, problems and issues raised within the resource are included only to assist in a study of the values of the legal system and should not be taken as necessarily representing an endorsement of a position respecting an issue, or the opinion

or view of any of its contributors, the Ontario Justice Education Network or any of the people, organizations or institutions affiliated with it.

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## ***Ontario Justice Education Network***

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### **OVERVIEW**

*A broader understanding of the law is an essential foundation for a civil society  
- The Honourable R. Roy McMurtry, Chief Justice of Ontario*

Through the efforts of hundreds of volunteers including judges, justices of the peace, lawyers, Crown attorneys, managers of court operations, educators, and community representatives, OJEN facilitates public legal education opportunities for students and others to gain understanding of our justice system. Programs include initiatives with Ontario's Francophone, Aboriginal and immigrant communities.

Developed with collaborative committees throughout Ontario, activities include *Courtrooms & Classrooms*, where students enjoy interaction with representatives of law-related professions in courthouses and schools and *Summer Law Institutes* for high school teachers. Related local activities include *mock trial tournaments, student law symposia, Criminal Code donations, judge shadowing, Adopt-a-School programs, Law Day* activities, and the *Great Law Debate*.

With its Network partners, OJEN makes law-related resources available to justice sector volunteers and educators. Resources including *Landmark Cases*, and *Values of the Justice System*, a curriculum-linked resource for the Grade 10 Civics teachers, are available for free download at [www.ojen.ca](http://www.ojen.ca). The website also links to a range of law related resources, such as *Try Judging*.

Bringing together the legal and educational communities, OJEN was launched by Ontario's three Chief Justices during the Law Day celebrations of the 20<sup>th</sup> anniversary of Canada's Charter of Rights and Freedoms.

### **MISSION**

OJEN is dedicated to promoting public understanding, education and dialogue to support a responsive and inclusive justice system.

### **OBJECTIVES**

1. Foster public understanding of the justice system and the challenges it faces.
2. Support and encourage the values of a public, transparent and accessible justice system through research and education.
3. Encourage dialogue between justice system participants and the public.
4. Develop, coordinate or deliver public legal education information and programs to students and others.

### **NETWORK PARTICIPANTS -**



The Chief Justice of Ontario (Network Chair)  
The Chief Justice of the Superior Court of Justice  
The Chief Justice of the Ontario Court of Justice  
The Department of Justice of Canada  
The Deputy Attorney General of Ontario  
The Deputy Minister of Education  
The Law Foundation of Ontario  
The Law Society of Upper Canada  
The Advocates' Society  
The County & District Law Presidents' Association  
The Ontario Bar Association  
The Ombudsman of Ontario  
Legal Aid Ontario  
The Ontario History & Social Science Teachers' Association  
Community Legal Education Ontario  
The Canadian Civil Liberties Education Trust  
The Association of Community Legal Clinics of Ontario  
The Institute for Catholic Education  
The Ontario Principals' Council  
The ESL/ELD Resource Group of Ontario  
The Ontario Federation of Indian Friendship Centres  
The Ontario Council of Law Deans  
The Ontario Council of Agencies Serving Immigrants  
The Association of French Speaking Jurists of Ontario

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The Board of the Ontario Justice Education Network is linked to major areas of current organizational activity and public legal education providers. It is expected that the need for representation of different interests on the Board will evolve with the work of the organization. The composition of the Board of Directors will be reviewed from time-to-time to ensure that evolving needs are addressed. With the Chief Justice of Ontario as Honorary Chair, the Board has a quorum of 5, and is composed of 12 members:

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## **About the Project**

In September of 2000, under the mandate of *The Ontario Curriculum, Grades 9 and 10: Canadian and World Studies*, secondary schools across Ontario began to offer the new Grade 10 Civics course, referred to as Civics, Grade 10, Open (CHV20).

This edition represents the revised 2005 version of *The Ontario Curriculum, Grades 9 and 10: Canadian and World Studies*.

This is a half-credit course that entails 55 hours of classroom time. In most schools, it falls under the auspices of the History or Social Science departments. Because it is a half-credit course that is often paired with the Career Education component, the teaching of the course can, and often does, fall into the hands of teachers with little or no background in the field.

The course itself contains three complete strands (Informed Citizenship, Purposeful Citizenship and Active Citizenship) containing 9 Overall Expectations and 34 Specific Expectations.

In the spring of 2002, the Ontario Justice Education Network commissioned a team of writers/educators to prepare a resource that would supplement its successful *Courtrooms & Classrooms* programme. With the *Courtrooms & Classrooms* initiative, hundreds of members of law-related professions have volunteered their time to meet with thousands of students in all regions of the province. In *Courtrooms & Classrooms*, students are engaging in interactive sessions with judges, members of the bar, and other legal professionals to develop an understanding of the dynamics and values of the justice system.

*Values of the Justice System* is a resource of optional material, from which teachers should feel free to select when designing their course and lesson plans. The lesson plans, appropriate to the curriculum, can be used before, during or after a court or classroom visit.

Prior to the writing of the curriculum, meetings were held with Chief Justices Roy McMurtry, Patrick LeSage and Brian Lennox, during which the Chief Justices were asked to identify the key values inherent in our justice system. The Chief Justices identified numerous values that were to be considered fundamental (examples: the rule of law, the need for impartiality in the justice system, rights and responsibilities, etc.). The activities found in this curriculum resource attempt to weave these values into the already-existent expectations. Five categories of civics expectations were identified: Canadian Rights and Responsibilities, Fair Process, Citizen's Role, Resolving Disputes and International Rights and Responsibilities.

With the wide-ranging and diverse selection of courses available under *The Ontario Curriculum*, it is possible, indeed conceivable, that this small two-week section of this already half-course will be the only time that many of Ontario's students are introduced

to these fundamental core values. Hopefully, the presence of this curriculum supplement will make this section of the course a meaningful and memorable one for these students.

### **Notes to the Teacher**

The writing team is fully aware that the activity clusters created represent but a small portion of the entire course, estimated at about 20%, or 12-13 hours. Therefore, it is not necessarily intended that the classroom teacher utilize every activity found within the numerous appendices. Wherever possible, the activity packages were designed so that the classroom teacher could meet the expectations while engaging the students. Culminating activities, particularly in Section 5, enable students to delve into the nature and implications of legal rights and responsibilities. Beyond the immediate framework of the Grade 10 Civics course, it is anticipated that students will gain a greater, more nuanced understanding of their roles as citizens of local, national and international communities.

Please feel free to reproduce any part of these lesson plans for educational, non-commercial purposes.

The pilot edition was produced in 2003 and the revised edition was produced in 2005. Please forward any comments you may have to [info@ojen.ca](mailto:info@ojen.ca).

## **Accommodations**

The Grade 10 Civics course is an open course. The implications of this statement are that virtually every high school student in Ontario will be taking the course and will need to complete it successfully in order to graduate. Because this is an open course, the writing team has made every effort to ensure that the activities in this support curriculum are accessible to as broad a range of students as possible. However, some students will need additional support in order to achieve success. Below is a list of possible accommodations that can be offered to students who require them. (For a more extensive listing of accommodations, consult the Ontario Curriculum Unit Planner.)

### **Suggested Possible Accommodations:**

- consult with the Special Education or Guidance departments on individual student needs
- access I.E.P's (Individual Education Plans) where available
- first language assistance may be provided for E.S.L. students
- ESL/ESD students to use bilingual dictionaries
- ESL/ESD students to use first language to plan and organize initial drafts
- pair or group weaker students with higher achieving peers
- encourage special needs students to develop word lists
- recording devices may be used by visually impaired students to capture definitions and classroom discussions
- hearing impaired students should be placed in areas (i.e. front of the class) where the effect of their impairment will be lessened
- teacher may need to rewrite appendices
- where students have difficulties following verbal commands, instructions may need to be reproduced in hard copy form
- students with special needs may need access to word processors and/or other technological aids.

## **COURSE EXPECTATIONS**

### **Section 1 - Canadian Rights and Responsibilities (time: 300 minutes)**

#### **Overall expectations:**

- ICV.02** - explain the legal rights and responsibilities associated with Canadian citizenship.
- PCV.01** - demonstrate an understanding of the beliefs and values underlying democratic citizenship and explain how they guide citizens' actions.

#### **Specific expectations:**

- IC1.02** - compare the benefits and drawbacks of democratic and authoritarian forms of decision-making, drawing on examples from everyday contexts (e.g. with respect to the rights and responsibilities of citizens, the rule of law, the common good, the parliamentary system, majority rule and the rights of minorities, including Aboriginal peoples).
- IC2.01** - identify the rights and responsibilities of Canadian citizenship, based on the Canadian Charter of Rights and Freedoms, and describe how these rights and responsibilities are exercised in schools, communities, and the nation.
- IC2.04** - analyse cases that have upheld or restricted a citizen's rights and responsibilities, outlining the concerns and actions of involved citizens and the reasons for the eventual outcome.
- PC1.01** - describe fundamental beliefs and values associated with democratic citizenship (e.g. rule of law, human dignity, freedom of expression, freedom of religion, work for the common good, respect for the rights of others, sense of responsibility for others).

### **Section 2 - Fair Process (time: 225 - 300 minutes)**

#### **Overall expectations:**

- ICV.01** - demonstrate an understanding of the reasons for democratic decision-making.
- ICV.02** - explain the legal rights and responsibilities associated with Canadian citizenship.

- ICV.04 -** explain the legal rights and responsibilities associated with Canadian citizenship.
- PCV.01 -** examine beliefs and values underlying democratic citizenship, and explain how these beliefs and values guide citizens' actions.
- PCV.02 -** describe the diversity of beliefs and values of various individuals and groups in Canadian society.
- ACV.02 -** demonstrate an ability to apply decision-making and conflict-resolution procedures and skills to cases of civic importance.

**Specific expectations:**

- IC1.03 -** report on the elements of democratic decision-making (e.g. rights and responsibilities of citizens, rule of law, common good, parliamentary system, majority rule, rights of minorities).
- IC2.03 -** explain how the judicial system (e.g. law courts, trials, juries) protects the rights both individuals and society (e.g. the rights of the accused, the rights of the victim and the role of the judiciary)
- IC2.04 -** analyse cases that have upheld or restricted a citizen's rights and responsibilities, outlining the concerns and actions of involved citizens and the reason for the eventual outcome.
- IC3.02 -** compare how laws, regulations, public policies and decisions are made and enforced at the municipal, provincial, and federal levels.
- IC3.04 -** demonstrate an understanding of how the judicial system (e.g., law courts, trials, juries) protects the rights of both individuals and society (e.g., the rights of accused, the rights of the victim and the role of the judiciary).
- IC3.05 -** describe a case in which a citizen's rights and responsibilities have been upheld or restricted, outlining the concerns and actions of involved citizens and the reasons for the eventual outcome.
- PC1.01 -** describe fundamental beliefs and values associated with democratic citizenship (e.g. rule of law, human dignity, freedom of expression, freedom of religion, work for the common good, respect for the rights of others, sense of responsibility for others).

- PC1.02** - explain, based on an analysis of cases in local, provincial, national and global contexts, how democratic beliefs and values are reflected in citizen actions.
- PC2.03** - analyse Canadian issues or events that involve contrasting opinions, perspectives and civic purposes (e.g. constitutional debates, Quebec sovereignty, Oka Crisis of 1990, Native self-governance).
- PC3.03** - describe examples of human rights violations (e.g. Nuremburg laws, hate crimes, torture, genocide, political imprisonment, recruitment of child soldiers, gender-based discrimination) and assess the effectiveness of responses to such violations (e.g. media scrutiny, political responses, military intervention, international tribunals, pressure from non-governmental organizations).
- AC2.02** - analyze important and contemporary cases that involve democratic principles in the public process of conflict resolution and decision-making.

### **Section 3 - The Citizen's Role (time: 225 - 300 minutes)**

#### **Overall expectations:**

- ACV.01** - apply appropriate inquiry skills to the research of questions and issues of civic importance.
- ACV.02** - demonstrate an understanding of the various ways in which decisions are made and conflicts resolved in matters of civic importance, and the various ways in which individual citizens participate in these processes.
- ICV.04** - explain the legal rights and responsibilities associated with Canadian citizenship.

#### **Specific expectations:**

- IC2.02** - explain why it is essential in a democracy for governments to be open and accountable to their citizens, while protecting the personal information citizens are required to provide to governments (e.g. Municipal Freedom of Information and Protection Act).
- IC3.05** - explain the roles played by elected representatives, interest groups, and the media in the political process (e.g. legislative and constituency work, lobbying, providing public information on, and analysis of, issues facing government).



- AC1.01 -** formulate appropriate questions for inquiry and research, locate relevant information in a variety of sources (e.g. texts, reference materials, news media, maps, community resources, the Internet), and identify main ideas, supporting evidence, points of view, and biases in these materials.
- AC1.02 -** organize information, using a variety of methods and tools (e.g. summaries, notes, timelines, visual organizers, maps, comparison organizers).
- AC1.03 -** communicate the results of inquiries into important civic issues, using a variety of forms (e.g. discussions and debates, posters, letters to elected officials, visual organizers, Web pages, dramatizations).
- AC2.03 -** demonstrate an understanding of the ways in which individual citizens can obtain information and explanations or voice opinions about civic matters (e.g. by communicating with the appropriate elected officials or bureaucratic departments, by writing letters or e-mails to the media, by organizing petitions, by voting).
- AC2.04 -** compare the impact of various types of non-violent citizen participation (e.g. advocacy, community service, voting, serving on juries) in resolving public issues in Canada.
- AC2.05 -** demonstrate an understanding of their responsibilities as local, national, and global citizens by applying their knowledge of civics and skills related to purposeful and active citizenship, to a project of personal interest and civic importance (e.g. participating in food and clothing drives, visiting seniors, participating in community festivals, celebrations and events, becoming involved in human rights, antidiscrimination, or antiracism activities).

#### **Section 4 - Resolving Disputes (Time 150 - 225 minutes)**

##### **Overall expectations:**

- ICV.03 -** describe the main structures and functions of municipal, provincial and federal governments in Canada.
- ACV.02 -** demonstrate an understanding of the various ways in which decisions are made and conflicts are resolved in matters of civic importance, and the various ways in which individual citizens participate in these processes.

##### **Specific expectations:**

- IC1.03** - identify similarities and differences in the ways power is distributed in groups, institutions and communities (e.g. in families, classrooms, municipalities) to meet human needs and resolve conflicts.
- AC2.01** - compare and contrast different ways of resolving disputes (e.g. through the judicial process, through negotiation, mediation, arbitration, conciliation).
- AC2.02** - analyse important contemporary cases and issues that have been decided or resolved through the public process of policy formation and decision-making (e.g. mandatory retirement, censorship, racial profiling) taking into account the democratic principles that underlie that process.

### **Section 5 - International Rights and Responsibilities (Time: 300 - 375 minutes)**

#### **Overall expectations:**

- ICV.04** - explain what it means to be a “global citizen” and why it is important to be one.
- PCV.03** - analyse responses, at the local, national, and international levels, to civic issues that involve multiple perspectives and differing civic purposes.
- ACV.01** - apply appropriate inquiry skills to the research of questions and issues of civic importance.

#### **Specific expectations:**

- IC4.01** - analyse contemporary crises or issues of international significance (e.g. health and welfare, disasters, human rights, economic development, environmental equality, terrorism).
- IC4.02** - summarize the rights and responsibilities of citizenship within the global context, as based on an analysis of the United Nations Universal Declaration of Human Rights (1948) and Convention on the Rights of the Child (1989).
- IC4.03** - evaluate civic actions of individuals and non-governmental organizations that have made a difference in global affairs (e.g. Cardinal Émile-Paul Léger, Jean Vanier, Nelson Mandela, Mother Theresa, Jody Williams, Craig Kielburger, David Suzuki, Stephen Lewis, The International Federation of Red Cross and Red Crescent Societies, Doctors Without Borders / Médecins Sans Frontières, YWCA / YMCA and YWHA / YMHA, Greenpeace, Inuit Circumpolar Conference).

- PC1.01** - describe fundamental beliefs and values associated with democratic citizenship (e.g. rule of law, human dignity, freedom of expression, freedom of religion, work for the common good, respect for the rights of others, sense of responsibility for others).
- PC1.02** - explain how democratic beliefs and values are reflected in citizen actions (e.g. Remembrance Day services, Montreal unity rally, National Aboriginal day, December 6 commemorations of the Montreal Massacre, White Ribbon campaign).
- PC3.02** - demonstrate an understanding of a citizen's role in responding to non-democratic movements and groups (e.g. fascism, Stalinism, supremacist and racist organizations) through personal and group actions (e.g. the actions of individuals such as Medgar Evers, Emily Murphy, Norman Bethune, Alexander Solzhenitsyn, Simon Wiesenthal and those granted the title "Righteous Among the Nations," of groups such as the Canadian Civil Liberties Association).
- PC3.03** - describe examples of human rights violations (e.g. Nuremburg Laws, hate crimes, torture, genocide, political imprisonment, recruitment of child soldiers, gender-based discrimination) and assess the effectiveness of response to such violations (e.g. media scrutiny, political responses, military intervention, international tribunals, pressure from non-governmental organizations).
- PC3.04** - analyse the evolution of Canada's participation in international tribunals (e.g. the Nuremburg trials after World War II, the international Court of Justice's prosecution of war crimes, formation of the International Criminal Court).
- AC1.01** - formulate appropriate questions for inquiry and research, locate relevant information in a variety of sources (e.g. texts, reference materials, news media, maps, community resources, the Internet); and identify main ideas, supporting evidence, points of view and biases in these materials.