

# STEPS TO JUSTICE

## *Criminal Law: From Arrest to Initial Hearings*

An OJEN workshop demonstrating a CLEO  
public legal information resource.



**CLEO**

Community Legal Education Ontario  
Éducation juridique communautaire Ontario



## True or false?

1. Cops in my neighbourhood have been stopping random people on the street and asking for ID. But I know my rights! I can refuse to show them my ID or answer their questions.



## True or false?

**2.** I got charged with an indictable offence and now the cops want my fingerprints. I haven't even been to court yet! There's no way they can make me give up my precious 'prints.



## True or false?

**3.** I got into a fight with a friend and now I've been charged with assault. But my buddy isn't mad anymore, so the charges will be dropped!



## True or false?

4. The cops want to ask me questions. They said our conversation was “off-the-record” but I know better... they can use what I say against me!



## True or false?

**5.** I'm out on bail and one of my conditions is to not talk to the person I stole from. However, I want to contact them to let them know I'll return their teddy bear.

That should be okay, right?



**Criminal Law  
in Ontario:**  
*What is  
covered?*

- Bail
- Court orders and sentencing
- Diversions
- Duty counsel
- Fingerprinting
- Guilty pleas
- Police stops and searches
- Rights of a detained or arrested person
- Rights of Indigenous Peoples in Canada
- Peace bonds



## Real Life Legal Problems

### *Demonstration Scenario*

There's a lot of crime in my neighborhood and it seems like the cops are always around. They have a habit of stopping me and my friends on the street to ask us questions and to ID us. We usually refuse, but today the cops said that they were investigating a crime and that we fit the description of the suspects. Most of us are Black. I'm pretty sure this is racial profiling, but they won't let us leave until we give up our personal information. What can we do about this?





# Steps to Justice



**Steps to Justice**  
Your guide to law in Ontario

Franglais

Legal Topics About Steps to Justice Latest Updates Embed & Share


**Steps to Justice**  
Step-by-step information about legal problems.  
Reliable, practical, and easy to understand.

Tell us what you are looking for...

**Legal Topics**

- Abuse and Family Violence
- Criminal Law
- Debt and Consumer Rights
- Employment and Work
- Family Law
- Health and Disability
- Housing Law
- Human Rights
- Income Assistance
- Tribunals and Court

Live chat  
Mon-Fri 11am-1pm



There's a lot of crime in my neighbourhood and it seems like the cops are always around. They have a habit of stopping me and my friends on the street to ask us questions and to ID us. We usually refuse, but today the cops said that they were investigating a crime and that we fit the description of the suspects. Most of us are Black. I'm pretty sure this is racial profiling, but they won't let us leave until we give up our personal information. What can we do about this?

### Some questions:

- Can the police demand that you identify yourself if you live in a high-crime area?
- Can the police stop you from leaving if you refuse to comply with a street check?
- What are the different circumstances in which the police do not have to follow the normal street check rules?
- If the police are investigating a crime when they stop you, do they have to tell you the reason for the street check?



**Using the  
Steps to Justice  
Website**



## Group Work

1. Navigate to the Steps to Justice website:  
<http://stepstojustice.ca>
2. Read your scenario with your group.
3. Try to identify the main legal issues.
4. Imagine that you are the person in the scenario. Use the Steps to Justice website to answer the questions on your handout.
5. As you browse, try to find out more about how the law would affect the person in your scenario. What does it say? What are their options?
6. Record your answers on the handout.

If you get stuck, ask for help!



# Large Group Scenario

## FOCUS AREAS:

- 1) The rights of an accused when they are stopped by police while driving
- 2) The ability of police to search an accused upon arrest
- 3) Bail conditions

It was supposed to be a fun, uneventful night at the bar.

I only ordered a few beers, but my friend kept buying me tequila shots. I was feeling great! But at the end of the night, in one of my worst decisions ever, I decided that I was sober enough to drive. As I peeled out of the plaza, the cops appeared behind me and pulled me over.

I rolled down my window and the cop peered in, crinkling his nose. I guess I smelled like alcohol. He told me I was under arrest for impaired driving. I told him that I have rights and that he couldn't just arrest me on mere suspicion! But he made me do a breath test and it proved I was drunk. I don't know if this counts as evidence, since they shouldn't have pulled me over in the first place.

After my failed breath test, the cops searched my car and found a quarter pound of marijuana. Great. I didn't even know it was there! It must have been my friend's. The police didn't believe me, and I was arrested.

Now I'm out on bail and I have to stay at home until my court hearing. This makes no sense! The cops totally violated my rights by arresting me and searching me! And now I can't leave the house? I think I might sneak out for a bit, since Joey is having a party. I'll be in and out; nobody will know I was gone. I know the cops were wrong – they had no reason to suspect me of a crime and they shouldn't have pulled me over in the first place.

