

Ontario Justice Education Network

Justice Education for ESL Students

Youth & The Criminal Justice System



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Youth and The Criminal Justice System TEACHER'S GUIDE

This workshop is one of a series of workshops that can be used to assist with meeting Civics expectations and the Social and Cultural Competence expectations under ESL and ELD components of the Ontario Curriculum.

The purpose of this workshop is to give ESL students a general introduction to basics of criminal law and provide them with a positive first interaction with professionals from the justice sector. Other objectives are to build their public speaking skills and confidence in interacting with representatives from the justice system. The materials below can be adapted to the level and background knowledge of each group of students. In addition to varying language levels students will also have had a variety of prior experiences both good and bad with the justice system.

As the teacher, you are well situated to have a good understanding of your class dynamics, learning levels, and what works best to get ideas across successfully. We encourage you to speak with the volunteer before they come into your class to discuss how they can best interact with students and what level of language they should use. You can help facilitate the workshop by assisting the volunteer to give out materials and work with the students through the various activities. The volunteer may need your assistance in keeping students attention and will look to you for cues that he/she is speaking for too long or at a level that is too difficult for students to grasp.

Below you will find vocabulary, example scenarios, and worksheets for students. Please review these with your class prior to the session so students are able to participate and get more out of the workshop.

As this is a pilot project, we look forward to your feedback. For any questions/concerns about the workshop contact OJEN Program Manager, Julie Kon Kam King, at 416-947 5237, jking@ojen.ca

For more background on OJEN and its programs visit www.ojen.ca



Workshop Outline

Below is an outline of areas the lawyer(s) will cover during the workshop. Before getting into the substance of the workshop, the lawyer will introduce herself/himself to the students. Prior to the presentation please assist the lawyer in arranging the classroom like a courtroom and have students fill the seats.

1. Key Players in the Criminal Justice System

- Once the classroom is set up like a courtroom, the lawyer will ask students if they can identify whose seat they are sitting in and what their role would be in a real court process. The lawyer will describe the roles of Crown, defence, duty counsel, judge, jury, court clerk etc.
- *(please review the definitions and vocabulary exercises included in this document with students prior to the workshop, a Courtprep handout will also be provided to students during the workshop which has an illustrated courtroom to assist with describing these roles)*

2. Youth and the Law

- The lawyer will walk students through a “Youth and the Law Quiz” and have them respond by raising their hands. At the end of the quiz the lawyer will follow-up the questions with simple explanations.
- The lawyer will read the scenarios provided aloud, and ask students what they think the outcome might be in each situation. The lawyer will also share examples from his/her own work to address questions. Specific areas that will be touched upon include:
 - Legal and illegal searches and seizures
 - The process of being charged, arrested, and tried
 - The consequences of a criminal record for Canadian and non-Canadian citizens
 - Pardons
 - Bullying
 - Racial Profiling

3. Getting Help

- The lawyer will describe the role of lawyers, community legal clinics, and immigrant serving organizations in assisting youth and their families *(a handout will be provided to each student which lists Peel resources, in addition to pocket cards from Justice for Children and Youth)*

Follow up: As a follow up to this session, it is suggested that the teacher contact the local court for a class courtroom visit (courtroom visit request forms are available on the OJEN website www.ojen.ca). Please also complete the evaluation forms and return to OJEN.



Workshop Resources (Student Handouts and Teacher Keys)

Below you will find a few resources to assist you with preparing your students for the workshop including:

- A description of the basics of the criminal justice process in plain language
- Easy definitions of the key players and various components of the criminal law process
- Vocabulary exercises for reinforcing new terms
- Plain language scenarios the lawyer will use for discussing relevant criminal law issues
- A handout outlining contact information for local legal resources for students and their families
- Teacher and student evaluation forms

The Basics...

- A criminal case happens when someone breaks the law written in the *Criminal Code*
- Police enforce the law and will investigate all of the facts surrounding a crime in order to make a report
- The *Crown counsel* or *Crown attorney* is the lawyer who acts for the government to bring the case to trial
- The *Crown counsel* is separate from the police and is not involved in the investigation of the crime
- Once the police have made their report, the *Crown counsel* will look at the report and decide whether there is enough evidence to bring the case to trial
- A criminal trial has two sides - the *Prosecution* and *Defence*
- The *defense counsel* is the lawyer who argues the case for the accused
- The *accused* is the person who is charged with breaking the law who must stand trial
- The *Crown counsel* must prove that the accused is guilty “*beyond a reasonable doubt*”
- Both sides present evidence in court that is heard by the *judge* or *judge and jury*
- If the accused is found *guilty*, the judge will give the accused a *sentence* to serve
- A sentence can include things like a fine, prison time, or community service



Vocabulary – Student Handout

Your teacher will go over these new words and ideas about the Canadian Criminal Justice System.

Ask your teacher if you do not understand.

Key Players in the Criminal Justice System

Accused – the person on trial who has been charged with breaking the law.

Victim – the person who has been harmed or injured by the accused.

Witness – a person who is asked to come to court to tell the truth about they have seen or know happened.

Arresting Officer – the police officer who investigates the crime and arrests the accused which starts the criminal process.

Lawyer - A person with special legal training who can represent someone in court and give advice about the law. Sometimes they are also called “counsel”. Some lawyers work for the government to give advice on new laws.

Crown counsel or Crown Attorney - the lawyer that works for the Government who brings the case to court and tells the court about how the accused has broken the law. The Crown is not involved in the police investigation. A Crown must prove with evidence that the accused is guilty “beyond a reasonable doubt”.

Defence counsel- a lawyer hired by the accused to represent the accused in the court process. The defence counsel’s job is to make sure that the accused gets a fair trial by using evidence to show weaknesses in the Crown’s arguments.

Duty counsel – a lawyer who is paid by the government through legal aid to help an accused by giving advice on the day of court. A duty counsel gives free help but they cannot act for the accused in a trial.

Judge – someone who has a legal background and is chosen by the government to listen to evidence in court and make decisions about if a person has broken the law. Judges have to explain to the court what they have decided and write decisions after listening to all the evidence. Judges must be fair and not take sides. If there is a jury the judge will help the jury to understand their role by giving them instructions.

Jury – a group of citizens chosen from the community who swear in court that they will listen to all of the evidence and decide whether the Crown has proved the case beyond a reasonable doubt, and if the accused is guilty or not guilty.

Law Librarian – the person who organizes the library for judges and lawyers to use when lawyers are preparing cases and when judges write judgments.

Probation officer – an officer who makes reports about the behaviour of someone who has been convicted of a crime. The officer makes sure that if that person is allowed back into the community to serve the sentence that the person follows the rules of the judge.

Surety – the person who agrees to make sure that the accused will attend the trial. Sometimes this is a relative or friend of the accused. This person may have to pay a money deposit to the court so that the accused does not have to stay in prison during the trial. If the accused does not come to the trial the surety will lose the deposit or have to pay a fine.

Court Reporter – a court official who writes down everything that is said in the courtroom. Lawyers and judges look at this record to make sure witnesses do not change their stories. A judge may also use it when writing judgments.

Court Clerk – the court official who helps the judge with keeping the courtroom running smoothly. Clerks swear in witnesses, mark evidence, and tell everyone when to stand and when to leave.

Court Services Officer – the Court Services Officer is a bit like a police officer. The Court Services Officer wears a uniform and makes sure that there is order in the courtroom and that the accused, the victim, witnesses, lawyers and the judge are all safe. The Court Services Officer will walk with the accused from prison to the courthouse.

Trial Coordinator – the person who organizes the order of cases in court each day, week and month, and decides which judge will hear each case in which courtroom.

Registrar – the person who works at the courts and looks after the files connected with a trial and stores the exhibits being used for evidence until the trial is over.

Court Interpreter – an interpreter hired by the Government, to help the accused or witnesses who speak a different language understand what is being said and tell their stories in court.

Native Worker – a person who assists aboriginal people with the criminal justice system to make sure they are treated with respect and in a way that is sensitive to their culture.

Victim/witness worker – a person who provides information and services to victims and witnesses so they don't feel alone in the court process.

Key Criminal Law Terms

Investigation – a search by the police to find out what has happened when the law has been broken and who is responsible.

Arrest – police arrest someone when they believe the person has broken the law and they don't want the person to run away. They usually take the person to the police station to be charged with the crime.

Charge – the statement which says what a person is being accused of. The accused has a right to know what he/she is being charged with. The charge is also read out in court at the beginning of the trial.

Bail – the accused may be allowed to leave jail before the trial if a judge decides this is ok. When an accused is released on bail the court will ask for a money deposit to make sure the accused will come to the trial.

Detention – sometimes a judge decides that the accused should stay in a locked facility, a group home, or in someone else's care, until the trial is over to protect the safety of others.

Trial- when the Crown and defence counsel go to court and tell the judge or jury what happened and the judge or jury decide if the accused is guilty or not guilty.

Evidence – this is what the Crown and defence counsel use to prove their cases. Evidence can be what a witness says, or can be objects like pictures, clothes, weapons, which are used to explain to the court what has happened.

“Presumption of Innocence” – the accused is innocent until proven guilty through the evidence presented to the court.

“Beyond a reasonable doubt” – the legal test the Crown has to prove to the courts to show that the accused is guilty. There must be no other reasonable explanation for what happened. If the defence can show that there is another possible explanation and raise doubt about the Crown’s argument, then the accused will not be found guilty.

Verdict or Decision – After the judge has listened carefully to all of the evidence, the judge will decide whether the accused is guilty or not guilty of the charge.

Guilty – when the accused is found to have done the things that he/she is charged with.

Not-guilty – when there is not enough evidence to convict the accused.

Guilty-plea – when an accused admits to having broken the law in front of a judge.

Acquitted – when the court finds that the accused is not guilty and free to go without any criminal record.

Sentence – the punishment or penalty a judge chooses when an accused has been found guilty of breaking the law.

Custody – this is a kind of sentence where the person found guilty of the crime is sent to a prison or a home for a certain amount of time to serve the sentence.

Parole – when a convicted person is allowed back into the community early after spending some time in prison and has to check in with a parole officer to make sure the person is following the rules.

Appeal – after a judge has made a decision if either side is not happy they can appeal the decision to a higher court. Another judge or group of judges will look at the case and decide whether it was right or there needs to be a new trial.

Criminal record – a record which stays in government files when someone has been found guilty of breaking the law. Police, the government and new employers can have access to this file. If someone is applying to Canada to become a Canadian citizen and they have a criminal record the government may reject the application.

Charter of Rights and Freedoms – a part of the Constitution that protects a person's rights from government actions. The Charter protects individuals' rights to have a lawyer when being questioned by a police officer.

Criminal Code of Canada – the book that lawyers and judges use in court. This book has the criminal laws of Canada written inside it.

Youth Criminal Justice Act – a separate set of criminal laws for individuals who are under 18 years of age. Sentencing can be different for youth.

Legal Aid – lawyers paid by the government to give assistance to help accused people who cannot find and pay for a lawyer.



Learning Legal Terms

Fill-in the blanks using the legal vocabulary below.

- 1) The laws about criminal offences in Canada are written in the _____.
- 2) A _____ listens to evidence in court.
- 3) A _____ has special legal training.
- 4) Both judges and lawyers use the record written by the _____.
- 5) The _____ organizes the order of cases in court.

- 6) Court Clerks _____ in witnesses.
- 7) A jury is a group of citizens who decide whether the accused is _____ or _____.
- 8) If you are found guilty of a crime you will have a _____.
- 9) In a _____ case, if the accused is found guilty, the judge will give the _____ a _____ to serve.
- 10) The _____ is similar to a _____. They will walk the _____ from prison to the _____.

**SWEAR
JUDGE
GUILTY
LAWYER
DEFENDANT
NOT-GUILTY
COURTHOUSE
SENTENCE
CRIMINAL
ACCUSED
CRIMINAL CODE
ACCUSED
POLICE OFFICER
COURT SERVICES OFFICER
CRIMINAL RECORD
TRIALCOORDINATOR
COURT REPORTER**

Teachers Answer Key

Learning Legal Terms / Fill in the blanks

- 1) The laws about criminal offences in Canada are written in the CRIMINAL CODE.
- 2) A JUDGE listens to evidence in court.
- 3) A LAWYER has special legal training.
- 4) Both judges and lawyers use the record written by the COURT REPORTER.
- 5) The TRIAL COORDINATOR organizes the order of cases in court.
- 6) Court Clerks SWEAR in witnesses.
- 7) A jury is a group of citizens who decide whether the accused is GUILTY or NOT-GUILTY.
- 8) If you are found guilty of a crime you will have a CRIMINAL RECORD.
- 9) In a CRIMINAL case, if the accused is found guilty, the judge will give the ACCUSED a SENTENCE to serve.
- 10) The COURT SERVICES OFFICER is similar to a POLICE OFFICER. They will walk the ACCUSED from prison to the COURTHOUSE.

Match Key Players – Student Handout

Fill in the blanks with the correct job title provided below. Use each job title only once.



Witness **Jury** **Court Reporter** **Victim**
Lawyers **Judge** **Accused** **Court Services Officer**

Teacher's Answer Key
Match Key Players

Fill in the blanks with the correct job title provided below. Use each job title only once.



Lawyers



Witness



Court Reporter



Accused



Court Services Officer



Judge



Jury



Victim



Crime Reporting – Student Handout

Circle all of the legal terms you can find in the newspaper article below.

Young offender gets adult sentence for murder – CBC news

Last Updated: Thursday, September 7, 2006 | 9:48 AM ET

<http://www.cbc.ca/canada/montreal/story/2006/09/07/youthsentencedasadult.html>

A young offender involved in a savage beating death at a house party two years ago will serve his life sentence as an adult, a Quebec youth court judge has ruled.

The offender, who cannot be identified, has little chance of being rehabilitated in a youth detention centre, Judge Ginette Maillet said Wednesday after handing him a life sentence.

The offender pleaded guilty last year to second degree murder in the death of 19-year-old Sébastien Lacasse. The suspect was 17 when he was arrested as the ringleader of a group of teens that pummeled, punched, pepper-sprayed and stabbed Lacasse at a house party in Laval, north of Montreal.

The convicted teen will be back in court on Nov. 13, when he will be told how and where he will serve his sentence.

Maillet's ruling means the accused faces a minimum of 10 years in prison. If he'd been sentenced as a minor, the offender would have faced a minimum of four years in a detention centre.

It's the first time a young offender in Quebec has received an adult sentence since the federal Youth Criminal Justice Act was adopted in 2002.

Lyne Lacasse, Sébastien's mother, called the ruling "a balm for the heart," adding: "It won't bring back Sébastien, but justice has taken its course, and has done a good job."

Lacasse hopes her dead son's case will reverberate among young Quebecers. "Teens need to understand that a crime is a crime, and you have to pay for it."

The ruling sends a strong message to young people in Quebec, said a victims' rights association.

"We need the government to wake up to the reality of violent crime among youth," said Pierre-Hugues Boisvenue, who heads a victims' rights group in Quebec. "It's worrisome because these kinds of incidents are on the rise, and we absolutely need to be proactive."

Teacher's Answer Key

Crime Reporting

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Discussion Scenarios Student Handout

Your teacher will review the scenarios below with you.

Ask about any words you don't understand.

The lawyer will go over the scenarios during the workshop.

Rob is having a hard time at school learning a new language and trying to fit in. A few other students insult him by making fun of his clothes and the way he speaks. Last week he got frustrated and when one of the boys made a comment to him he punched him in the face. What could happen?

Tom was walking home after finishing his evening work shift at local convenience store. As he turned down a side street a police car pulled up beside him. Two officers got out and pushed Tom face up against a wall. One police officer restrained him and the other officer searched his pockets. Tom had just cashed a pay cheque earlier that day and he had about four hundred dollars in his wallet. The police officers arrested him and brought him down to the police station for questioning in connection with a break and enter which had taken place in the neighbourhood. What could happen?

Argen and his friends like to “tag” the sides of buildings with spray paint. They “tagged” the wall of a building and as they were leaving they noticed a video camera. One of them smashed the camera. What could happen?

Ange's older brother is making drugs in their basement. He sells the pills at their home and sometimes he sells at her school when he comes to pick her up. A few times he has asked her to give the plastic bags full of drugs to people at school and bring him the money. What could happen?

Erika found a wallet. Inside it was a credit card, driver's license and health card. The woman on the card looks similar to her and is close to her age. She used the credit card a few times to order things on the telephone and it worked. Her friend told her she could probably sell the cards on the street and make some good cash. Erika is here on a student visa and is not a Canadian citizen. What could happen?

Angie and Lissa, were both arrested for shoplifting CDs at the local mall. This is Angie's second time being charged with shoplifting in the last three months. It's Lissa's first time. The police bring them both to the station and tell Lissa that if she just gives them all the details of what has happened things will be a lot easier for her. What could happen?

Donavan and Jeb were driving around in Donavan's mother's car at 1 am on a Saturday night. The police pulled them over and asked Danavan to step out of the car, put his hands up, and take off his sunglasses. They asked him for his driver's license. Danavan yelled at the police saying that they had no business pulling him over. The officers said they wanted to make sure he wasn't driving a stolen vehicle. What could happen?

Youth in a playground behind a community housing complex were approached by a man who asked them what they were doing there and then made some inflammatory remarks about how they should have better things to do than stand around looking for trouble. One of the youth threatened the man who turned to be was a plainclothes officer. Since then youth in the community feel like they are being randomly stopped by police officers for no reason. What could happen?



Where can you go for help?

Legal Aid Office

If you cannot afford a lawyer you can apply for a Legal Aid Certificate which you then take to a lawyer or legal aid clinic.

Brampton Office: (905) 453-1723, info@lao.on.ca.

You can make an appointment for the Evening Clinic in Mississauga by calling the Brampton office.

www.legalaid.on.ca

Mississauga Community Legal Services

Provides legal information and advice.

Suite 501A - 130 Dundas Street East

(905) 896-2050

Justice for Children and Youth

Provides legal information and advice for youth.

Ontario Toll Free: 1-866-999-JFCY (5329), info@jfcy.org

www.jfcy.org

Newcomer Information Centre

Provides information and services for new immigrants and their families.

263 Queen St E, Unit 14 Brampton

(905) 595-0722 Ext 4000

nic@tcet.com

Inter-Cultural Neighbourhood Social Services

Provides information and services for new immigrants and their families.

3050 Confederation Pkwy, Mezzanine Level, Mississauga

(905) 273-4884

programs@icnss.ca

www.icnss.ca

Settlement.org (www.settlement.org) - a webportal that gives information on local legal and immigration resources. Click on "Close to Home" in the right hand corner and then "Find Help Close to Home" and select the Peel Region.

Community Legal Education Ontario – CLEONet (www.cleonet.ca) - a webportal that provides free access to 100s of information pamphlets and documents about the law.



Teacher Evaluation Form

Teacher:

Class:

School:

Date:

Workshop subject area:

What did you find most useful about this workshop?

Did you find the level was appropriate for your students?

Was the subject matter of interest to your students?

Was the workshop too short or too long?

Was there enough interaction between the lawyer and the students?

Did students have enough time to ask questions?

Did you like the exercises? Are there some that should be taken out or improved?

Do you have any suggestions for new exercises to be included in upcoming workshops?

Would you be interested in having more speakers come to your class?

What other subject areas would be of interest to your students?

Would you be interested in working with OJEN to develop more resources?

Any other suggestions?

Thank you again for your participation in this pilot project. Based on experiences with your class we hope to expand this project to schools in other parts of Ontario.



Student Evaluation Form

Please fill out the form and give it to your teacher.

Class:

School:

What I most liked about this workshop was:

What I did not like about this workshop was:

What I wish I could have asked the lawyer but didn't:

What would be good for next time is:

I would be interested in learning more about:

