

WORKSHOP RESOURCES

Youth Criminal Justice



This workshop is one of a series of workshops that can be used to meet Civics expectations and the Socio-cultural Competence expectations under ESL and ELD components of the Ontario Curriculum.

The purpose of this workshop is to give English language learners a general introduction to the basics of the Canadian criminal justice system 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.

This package contains:

- **Simplified definitions** of relevant legal terms and concepts
- **Vocabulary exercises** for reinforcing these legal terms and concepts
- **Plain language scenarios** for discussing topical legal issues
- A handout outlining **contact information for local legal resources** for students and their families

For each OJEN *Talking Law* workshop there are 2 packages:

- *Talking Law* Workshop Guide
- *Talking Law* Workshop Resources

For any questions/concerns about the workshop contact OJEN at: info@ojen.ca or (416) 947-5273.

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

Youth Criminal Justice Workshop Outline

Below is a sample workshop outline. The teacher & justice sector volunteer may choose to adapt the length and number of topics covered, depending on the level and interests of the youth.

1. Ice-breaker Activity & Introduction of the Justice Sector Volunteer (Lawyer)

2. Key Players in the Criminal Justice System

- Moving the chairs and desks into the appropriate configuration, the lawyer will direct the students in setting up the classroom 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.

3. Youth and the Law

- Review the attached "Youth and the Law Quiz".
 - Have students raise their hands to indicate "yes" or "no" in response.
 - Follow-up each question with simple explanations.
- Read aloud the attached discussion scenarios.
 - Ask the students what they think the outcome might be in each situation.
 - You may also wish to add examples from your own work experience when addressing questions.
 - Specific topics/areas that students have expressed interest in knowing more about are:
 - 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
 - Racial Profiling

4. 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 local resources, in addition to pocket cards from Justice for Children and Youth.

Criminal Law Terms & Concepts



The Basics of the Criminal Justice System

- 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

The 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 what they have seen or what they know.

Arresting Officer: the police officer who investigates the crime and arrests the accused.

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 who works for the Government and brings the case to court; he or she 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 who is 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 when they first appear in court. 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 whether a person has broken the law. Judges have to explain 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 its case beyond a reasonable doubt. (i.e. They will decide whether 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: someone who makes reports about the behaviour of a person who has been convicted of a crime. They make sure that the person who has been convicted of a crime follows the rules of the judge if they have been allowed back into the community to serve their sentence.

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: a 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: – a court official who is a little like a police officer. The Court Services Officer wears a uniform and makes sure that there is order in the courtroom; he or she ensures that the accused, 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; he or she decides which judge will hear which case in which courtroom.

Registrar: the person who works at the court and looks after the files connected with a trial; he or she 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 that 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 Terms in the Criminal Justice System

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

Arrest: what police do when they believe that a person has broken the law; when arresting someone, the police will usually take the person to the police station where they explain the charge.

Charge: the statement which says what a person is being accused of. (The accused has a right to know what he or she is being charged with.) The charge is also read out in court at the beginning of 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 between the time that an accused is charged and the time that the trial ends.

Bail: the word used for when an accused is allowed to remain in the community during the time between being charged and going to trial. 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.

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

Evidence: this is what the Crown and defence counsel use to prove their cases in court. Evidence can be what a witness says, or can be objects like pictures, clothes, weapons, which are used to explain to the court what 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 court 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 or jury has listened carefully to all of the evidence, they will decide whether the accused is guilty or not guilty of the charge.

Guilty Verdict: when the accused is found to have done the things that he or she was charged with.

Not-guilty Verdict: 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 or jury has made their decision, if either the Crown or the defence 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. In some cases, the government may reject your citizenship application if you have a criminal record. A criminal record is not the same thing as a Youth Justice Court record.

Charter of Rights and Freedoms: a part of the Constitution that protects a person's rights from government actions; one of these rights is the right to have a lawyer when being questioned by a police officer.

Criminal Code of Canada: the book which contains the criminal laws of Canada; lawyers and judges use this book in court.

Youth Criminal Justice Act: a separate set of criminal laws for young people who are under 18 years of age. Sentencing can be different for youth, and the record which they receive is called a "Youth Justice Court record".

Legal Aid: lawyers paid by the government to give assistance to accused people who cannot afford to pay for a lawyer.

Terms & Concepts: Matching Activity Cards

TERMS	DEFINITIONS
Guilty-plea:	When an accused admits to having broken the law in front of a judge
Bail:	The word used for when an accused is allowed to remain in the community during the time between being charged and going to trial.
Trial:	When the Crown and defence counsel go to court and tell the judge or jury what happened; the judge or jury will then decide if the accused is guilty or not guilty.
Acquitted:	When the court finds that the accused is not guilty and free to go without any criminal record.
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".
Victim:	The person who has been harmed or injured by the accused
Accused:	The person on trial who has been charged with breaking the law
Witness:	A person who is asked to come to court to tell the truth about what they have seen or what they know

Learning Criminal Law Terms



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. The _____ organizes the order of cases in court.
5. Both judges and lawyers use the record written by the _____.
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 criminal case, if the accused is found guilty, the judge will give the accused a _____ to serve.
10. The Court Services Officer is similar to a _____. They will walk the _____ from prison to the _____.

Guilty

Court Reporter

Swear

Criminal Code

Accused

Trial Coordinator

Judge

Police Officer

Not-guilty

Lawyer

Courthouse

Sentence

Criminal Record

Learning Criminal Law Terms



TEACHER'S ANSWER KEY

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. The **TRIAL COORDINATOR** organizes the order of cases in court.
5. Both judges and lawyers use the record written by the **COURT REPORTER**.
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



*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

Match Key Players



TEACHER'S ANSWER KEY



Lawyers



Witness



Court Reporter



Accused



Court Services Officer



Judge



Jury



Victim

"Youth and the Law" Quiz



Read the following statements out loud to the class and have students indicate "yes" or "no" by a show of hands. Make sure to follow up each poll with a brief explanation and answer any additional questions students may have.

1. If you are stopped by the police, you must answer all of their questions.
Yes/No
2. If you are under 18 years old, a police officer cannot search you.
Yes/No
3. If you are treated badly by a police officer, there is nothing you can do.
Yes/No
4. If you are arrested you have the right to call a lawyer.
Yes/No
5. If you do not show up for a court date, nothing will happen to you and you will just get a new court date.
Yes/No
6. When you turn 18 years old, a warrant for your arrest will disappear.
Yes/No
7. When you turn 18 years old, your criminal record is destroyed.
Yes/No
8. When you apply for a job, an employer can ask you about your youth record.
Yes/No
9. Having a youth record can prevent you from visiting another country.
Yes/No
10. You may be asked to leave the country if you have a youth record and you are a non-Canadian citizen.
Yes/No

Case Summary



Circle all of the criminal law terms you recognize in the article below.

Court orders adult sentence for young offender found guilty of murder

The Chronicle-Journal
April 1, 20**

LAVAL - A young offender who was involved in a beating death at a house party two years ago has been sentenced to a life in prison as an adult in Quebec youth court.

Judge Ginette Maillet found that the young offender had little chance of being rehabilitated in a youth detention center.

The offender pleaded guilty last year to second degree murder. He was 17 when he was arrested as the ringleader of a group of teens that punched, pepper-sprayed and stabbed another youth at a house party in Laval, Quebec.

The accused faces a minimum of 10 years in prison. If he had been sentenced as a minor, instead he would have

faced a minimum of four years in a detention centre.

This is the first time a young offender in Quebec has received an adult sentence.

The victim's mother hopes her young son's case will be an example among Quebecers, and to youth especially that they have to pay for horrible crimes like other members of society.

Case Summary



TEACHER'S ANSWER KEY

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Discussion Scenarios



Your teacher will review the scenarios below with you; ask about any words you don't understand. The lawyer will discuss the scenarios during the workshop.

1. 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?
2. 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?
3. Donovan and Jeb were driving around in Donovan's mother's car at 1am on a Saturday night. The police pulled them over and asked Donovan to step out of the car, put his hands up, and take off his sunglasses. They asked him for his driver's license. Donovan 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?
4. 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?

5. 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?
6. 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?
7. Alex'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?
8. 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?



Info on Local Legal Resources

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. Please refer to the legal aid website: www.legalaid.on.ca.

- Insert local legal aid clinic info here.

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 your region
- Settlement.Org also has a page on how to apply for Canadian Citizenship: http://www.settlement.org/sys/faqs_detail.asp?faq_id=4000342

Community Legal Education Ontario – CLEONet (www.cleonet.ca)

A webportal that provides free access to 100s of information pamphlets and documents about the law.

(Insert info about other local NGO and settlement organizations.)



Teacher Evaluation Form

Teacher:

Class:

School:

Date:

Workshop subject area: Youth Criminal Justice

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 project!



Student Evaluation Form

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

Class:

School:

Youth Criminal Justice

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:



Justice Sector Volunteer Evaluation Form

Please return completed form to OJEN by:
Email: info@ojen.ca or Fax: 416-947-5248

Name:

Location of *Talking Law* workshop:

Date of *Talking Law* workshop:

ESL *Talking Law* Workshop: Youth Criminal Justice

What did you most enjoy about this workshop?

What did you find most challenging about this workshop?

Were the resources provided for this activity useful? Do you have any suggestions for additional resources we could include in this package?

Do you have any suggestions for new workshop topic? (i.e. What other legal subject areas would lend themselves well to this kind of workshop?)

Were the students able to understand the subject matter?

Was there an opportunity for the students to ask questions? Did they ask questions? What were they most interested in learning?

Can you think of any follow-up activities (especially ones which are experiential in nature) which would be useful for this class, now that they have completed the workshop?

Would you be interested in being involved in future workshops?

Any other comments/suggestions?

Thank you for your participation in this project!