

Inside the Courtroom: The Key Players and Steps of a Criminal Trial

Student Workbook

Answer
Key

Name : _____





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IMPORTANT NOTICE

The law changes. The information in this guide is up to date to **January 2025**.

This guide is meant as legal information, not legal advice. If you need advice on a specific situation, consult a lawyer or notary.

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Summary of the Activity

The **Student Workbook** includes various exercises to discover the following aspects of the law:

- Civil law and criminal law
- The burden of proof
- The people involved in a criminal trial
- The criminal judicial system
- The steps in a criminal trial
- Legal terms



The exercises are done in parallel with the teacher's PowerPoint presentation.

Note that the information presented in this Workbook relates to general criminal law as it applies to **adults**.

Introduction to the Law

Civil law and criminal law

1) Place a checkmark to indicate whether the statement describes civil law or criminal law.

Statements	Civil law	Criminal law
a) Falls under federal government responsibility.		X
b) Falls under provincial government responsibility.	X	
c) It seeks to repair the harm done or to compensate a victim for the damage they sustained.	X	
d) Its rules govern relationships between individuals or organizations.	X	

Statements	Civil law	Criminal law
e) The State prosecutes the accused.		X
f) It is inspired by British law.		X
g) An individual or an organization initiates legal action against another person or organization.	X	
h) Its rules govern the relationships between people and property.	X	
i) It seeks to protect the public from behaviour harmful to the proper functioning of society.		X
j) Family law and contract law fall under this type of law.	X	
k) Murder, sexual assault and serious assault fall under this type of law.		X
l) It is inspired by French law.	X	



The burden of proof

2) Describe what the burden of proof is in your own words.

The burden of proof is the degree or amount of proof needed to convince a judge or jury.

3) Is the burden of proof greater in civil law or criminal law? Explain your answer.

The burden of proof is greater in criminal law because you need to prove that the accused is guilty "beyond a reasonable doubt." In civil law, you just need to be able to convince the judge or jury that your version of the facts is more probable.

4) True or false?

	True	False
a) An accused person could be held responsible in a civil trial, but found not guilty in a criminal trial for the same action.	X	
b) The accused person must prove that they're not guilty.		X
c) The accused person has the right to not testify at their own trial.	X	

The players in a criminal trial



Here are the players in a criminal trial.

- | | |
|--|---------------------------|
| a) The criminal and penal prosecuting attorney (the "prosecutor" or "Prosecution") | f) The court clerk |
| b) The defence lawyer | g) The court usher |
| c) The accused | h) The special constable |
| d) The judge | i) The "ordinary" witness |
| e) The jury | j) The expert witness |

5) Write the letter identifying the player in a trial beside the description of their role.

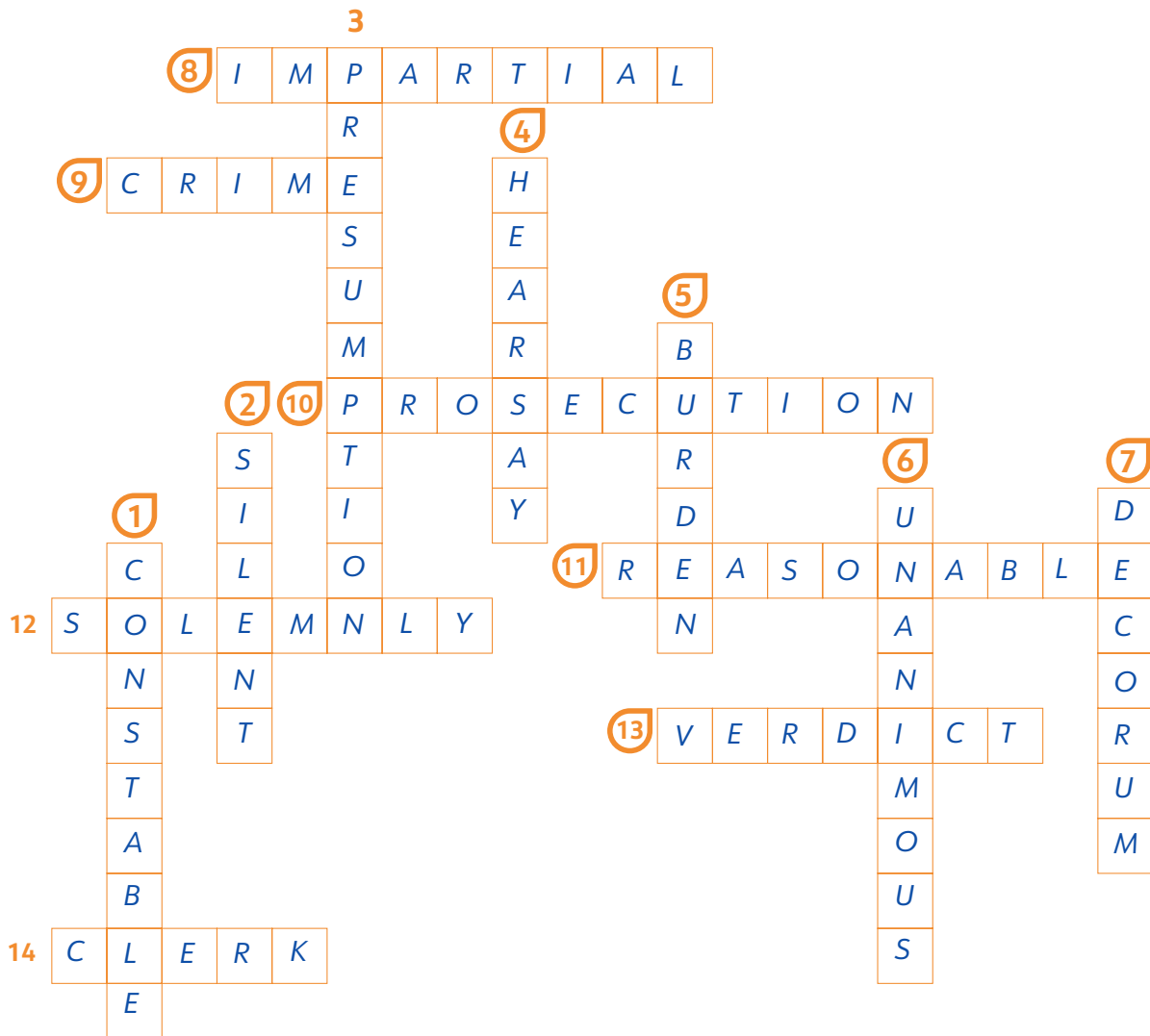
Description	Player
1. I represent the accused and make sure they have a fair and just trial.	<i>b</i>
2. We must render a unanimous verdict.	<i>e</i>
3. I'm invited to the trial to express my opinion in a field that people generally do not know.	<i>j</i>
4. I monitor and maintain order in the courthouse.	<i>h</i>
5. I represent the State and my priority is to ensure that justice will be fully done.	<i>a</i>



Description	Player
6. I ask the witnesses to take an oath or make a solemn affirmation to tell the truth.	<i>f</i>
7. At the trial, I present what I saw or heard.	<i>i</i>
8. I make sure that the trial rules are followed and decide on the sentence when there is a guilty verdict.	<i>d</i>
9. I'm suspected of having committed a crime.	<i>c</i>
10. I present the judge when they enter the courtroom.	<i>g</i>

Review of legal terms

6) Complete the following crossword by finding the defined or missing terms related to legal vocabulary.



- 1) I am a special constable , above all, I'm a police officer.
- 2) An accused person is not required to testify at their own trial because they have the right to remain silent .
- 3) An accused person is considered innocent until proven otherwise. This is referred to as the presumption of innocence.
- 4) Statement made by a witness explaining what another person saw or heard.
Hearsay
- 5) In a criminal trial, the burden of proof rests on the prosecutor.
- 6) For a person to be found guilty in a criminal trial, the members of the jury must come to a unanimous decision

- 7) Name given to all of the strict rules to be followed in the courtroom. Decorum
- 8) The judge must not favour one party over the other. They must be impartial.
- 9) For a person to undergo a criminal trial, they must first be accused of having committed a crime.
- 10) In a criminal trial, the Prosecution represents the state.
- 11) In a criminal trial, the judge or jury must be convinced of the guilt of the accused person beyond a reasonable doubt.
- 12) "Do you solemnly affirm to tell the truth, the whole truth, and nothing but the truth?"
- 13) Judgement rendered by the judge or jury at the end of a trial. Verdict
- 14) I take detailed notes during the trial. I am the court clerk.

The Criminal Judicial Process

A person's arrest for a crime often marks the end of the police investigation. For this person, the arrest is generally their entry point into the criminal justice system.

There are several steps in the criminal judicial process.



Order of steps in the judicial process

7) Here, the steps in the judicial process are presented in random order.

Note that the above steps do not include those involved in selecting a jury. Here, we are exploring the steps involved in a criminal trial without a jury.

___ Negotiation

___ Appearance

___ Preliminary hearing

___ Trial

___ Arrest and court summons

___ Appeal

___ Interim release hearing (bail hearing)

___ Disclosure of evidence

___ Sentencing

8) Correct yourself ! In the table below, write the steps in the judicial process in what you think is the logical order.

1. Arrest and court summons

2. Appearance

3. Interim release hearing (bail hearing)

4. Disclosure of evidence

5. Preliminary hearing

6. Negotiation

7. Trial

8. Sentencing

9. Appeal



The Steps in a Criminal Trial

Exercise: The description of the steps in a criminal trial

Here are the steps in a criminal trial.

- | | |
|--|---|
| 1. Opening proceedings and courtroom decorum | 5. Defence's evidence |
| 2. Opening statements | 6. Cross-examination by the Prosecution |
| 3. Prosecution's evidence | 7. Oral arguments |
| 4. Cross-examination by the Defence | 8. Deliberation, verdict and sentencing |

9) In the table below, write the name of each step in a criminal trial above its description. The descriptions are presented in random order.

Description	Step
The lawyer for this party tries to raise a reasonable doubt about their client's guilt by questioning the witnesses or presenting exhibits (such as documents, photographs, videos or objects).	<i>Defence's evidence</i>
The lawyers present the facts and circumstances surrounding the crime and arrest. They summarize the evidence they plan to submit and the witnesses they plan to have testify in court.	<i>Opening statements</i>
The prosecutor can try to attack the credibility of a witness for the defence or raise contradictions or lies in a testimony. They can ask leading questions.	<i>Cross-examination by the Prosecution</i>
The court usher ensures courtroom decorum and announces the entrance of the judge.	<i>Opening proceedings and courtroom decorum</i>

Description	Step
The lawyers take turns summarizing the evidence presented at the trial that is in favour of their position. It's their last chance to convince the judge or jury.	<i>Oral arguments</i>
The criminal and penal prosecuting attorney examines their witnesses and presents their exhibits (such as documents, photographs, videos or objects), if any. .	<i>Prosecution's evidence</i>
After a period of reflection, the judge or jury announces their decision on the guilt of the accused. If the accused is found guilty, the judge then decides on the appropriate consequence for their conduct.	<i>Deliberation, verdict and sentencing</i>
The lawyer can try to attack the credibility of a witness for the prosecution or raise contradictions or lies in a testimony. They can ask leading questions.	<i>Cross-examination by the Defence</i>

Knowledge Consolidation Exercise

Scenario

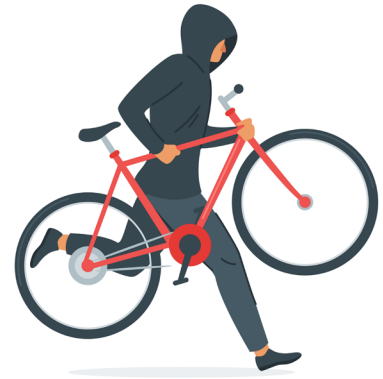
Anthony lives across from a big park, and every day he jogs around it. About two months ago, Anthony noticed a bicycle locked to a tree. He walked over to take a look: it was his dream bike, and virtually brand new!

A few weeks later, Anthony noticed that the bike was still there. He figured the owner didn't want it anymore.

Later that night, he decided to cut the lock and take the bike. After all, he said to himself, the owner isn't using it anymore! Ms. Roberge, another jogger, was in the park and saw the whole thing. She called the police right away and gave a precise description of Anthony. An hour later, the bike was found in Anthony's backyard.

It didn't take long for the story to spread through the neighbourhood... It turned out the bike belonged to Louis, a neighbour who'd been bedridden for two months with mononucleosis!

Following his arrest by the police, Anthony was accused of theft. He told his lawyer everything. His trial is fast approaching...





Questions

1. Who initiated legal action against Anthony?

In a criminal case, it's the State (the Prosecution) that initiates legal action against Anthony, not the victim (Louis).

2. Complete the sentence. In criminal law, the burden of proof is not the same as in civil law. The judge must be convinced "beyond a reasonable doubt" that Anthony is guilty to convict him.

3. Is Anthony required to testify at his trial?

No, he has the right to remain silent, that is, he has the right to not testify.

4. Ms. Roberge explained what she saw to several neighbours. Can they testify against Anthony by recounting Ms. Roberge's story?

No. Only Ms. Roberge can testify at Anthony's trial, as she is the only one who personally saw the theft. The testimony by the neighbours would be "hearsay" and, therefore, would not be admissible as evidence against Anthony.

5. Anthony would like to testify at his trial and tell the judge that he was not in the city the night of the theft. He wants to invent an alibi and avoid being punished. If you were his lawyer, would you encourage him so that he can avoid being found guilty? Why?

No. A lawyer cannot encourage their client to lie to the court. If they do, they could be charged with the crime of being an accessory to perjury (lying to the court).
