

Educaloi's
workshops



Teacher's activity guide



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Canada

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Éducaloï is a non-profit organization whose mission is to inform Quebecers of their rights and responsibilities by providing legal information in everyday language.

IMPORTANT NOTICE

This *Teacher's Guide* contains legal information up to date as of July 2020. The information in this guide is not meant to be a legal opinion.

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Introduction

The Program

Éducaloi's workshops for schools give you the chance to have a legal professional (lawyer, notary, judge, etc.) visit your class free of charge to offer an introductory law workshop.

Objectives

The workshops help high school students understand the court system, laws and democratic institutions. They also help students develop the ability to recognize the legal dimensions of real-life situations. The program gives you ready made activities that are a perfect fit for the Broad Area of Learning "Citizenship and Community Life".

These workshops are currently offered by our volunteers:

The Law: It's Not Like in the Movies!	Through a mock court trial, students learn about the various actors in the Quebec legal system and the steps in a trial. A legal expert will accompany students in an interactive experience that will take them to the heart of a courtroom.	Secondary 1
Beat the Buzzer!	A game show activity about justice and how the law plays a role in the daily lives of 12-17 year-olds.	Secondary 2
The Small Claims Court Is in Session!	Students stage a mock trial between a consumer and a business. They discover the purpose of the small claims court, how it works, the players involved and their roles.	Secondary 3

<p>Pick Your Side!</p>	<p>In this activity, students must take a position on several issues that will stimulate debate. They will see for themselves that the concept of “justice” evolves constantly and is shaped by the clash of ideas and changing societal values.</p>	<p>Secondary 4</p>
<p>Ready, Set, Invest!</p>	<p>Students step into the shoes of an investor to reflect on ethical business practices. They learn about corporate law, how businesses are structured and operate, and much more.</p>	<p>Secondary 5</p>
<p>The Rules of the Game!</p>	<p>In this game, students answer questions about legal issues in the lives of young adults, such as housing, work, consumer rights and the criminal justice system.</p>	<p>Students aged 16- 25</p>

The pages that follow give more details on each workshop.

If you have suggestions or questions, contact us at scolaire@educaloi.qc.ca

The Law: It's Not Like in the Movies!

Secondary 1
Teacher's Guide

Information About the Workshop



What You Need to Know

Duration:	60 to 75 minutes
Level:	Secondary 1
Materials (teacher):	<ul style="list-style-type: none"> • Computer, screen and projector • Sheets to be printed by the teacher: <ul style="list-style-type: none"> › Scenario: one copy per student › Preparatory questions: one copy per student › Script: seven copies: clerk, usher, judge, accused, witness and two lawyers › Follow-up activity (optional): one copy per student › A wig, a gavel, a robe, and a lawyers's bands (or print photos of each of these objects)
Subjects:	<ul style="list-style-type: none"> • History and Citizenship Education • Ethics and Religious Culture • Languages
Broad Areas of Learning:	<p>Citizenship and Community Life</p> <ul style="list-style-type: none"> • Promotion of the rules of social conduct and democratic institutions • Contribution to a culture of peace <p>Career Planning and Entrepreneurship</p> <ul style="list-style-type: none"> • Knowledge of the working world, the nature and demands of roles in society, and of trades and occupations

Running the Workshop

The Law: It's
Not Like in
the Movies!



Before the Workshop: You and your students should read the scenario. Students should also answer the preparatory questions. We recommend that you assign roles to your group ahead of time. You can either pick students for each role or choose a lottery system.

1. Presentation of Activity and Brief Review of the Scenario (5 minutes)

2. Setting Up Mock Trial (20 minutes)

- The volunteer explains differences between the criminal and civil law systems in Canada.
- The volunteer presents the various people involved in a trial and assigns roles to students.
- The classroom is transformed into a courtroom.

3. The Trial (20 minutes)

- Students playing the roles of court usher, court clerk, judge and the accused read their parts. The students playing the role of the lawyers then have an opportunity to question the witness.
- The volunteer explains of the notion of proof “beyond a reasonable doubt” and other principles of Canadian criminal law.
- The jurors discuss among themselves and make a decision.

4. Conclusion (5 minutes)

Question period and comments. Take a few minutes to discuss the activity with the students. What information are they taking away from it? What surprised them the most? If time permits, do the review quiz that comes at the end the PowerPoint presentation.

After the Workshop: You can do a follow-up activity about courtroom decorum. (See the pages that follow.)

Appendices

(The Law: It's Not Like in the Movies!)

Students
read in
advance

The Law:
It's Not
Like in the
Movies!

Scenario



Mock Trial

On October 30th, after correcting his students' exams, Mrs. Bergeron went to the staff room for lunch. On her way, she thought about how she was going to enter her students' grades in the system since her computer had crashed.

When she got to the staff room, she saw a laptop belonging to Mr. Alaouie, the history teacher. Mrs. Bergeron decided to borrow it. She left the staff room with Mr. Alaouie's laptop under her arm.

Mr. Lalonde is the school secretary. He has a great view of the staff room and saw someone leaving with Mr. Alaouie's laptop. Knowing full well that he would never lend his fancy new computer to anyone, he immediately called the police to report the theft. He only realized afterwards that the culprit was none other than Mrs. Bergeron, the teacher who always wore that awful fluorescent green vest. Mr. Lalonde never really liked Mrs. Bergeron. She always forgot to submit her students' absence cards and complicated his job.

When Mr. Alaouie comes back from the bathroom, he sees that his computer has disappeared. He's furious! His computer has everything he needs for his history class, which is about to begin. Seeing Mr. Alaouie in such a state, Mr. Lalonde tells him that he called the police and that Mrs. Bergeron took his computer.

Mr. Alaouie doesn't understand how Mrs. Bergeron could do this. It's completely unacceptable to walk off with valuable property without permission, especially since everyone at school knows that he never lends out his computer!

At that moment, the police arrive. Mr. Alaouie tells them right away that Mrs. Bergeron stole his computer and that he intends to file a complaint.

Students
complete in
advance

The Law:
It's Not
Like in the
Movies!

Preparatory Questions

Mock Trial

1. In the scenario you read, identify the main characters:

Who is the accused?

Who is the victim?

Who is the witness?

2. In your opinion, was a crime really committed?

Yes

No

Why?

3. Write down two questions you could ask the witness to try to show that the accused is guilty.

1)

2)

4. Write down two questions you could ask the witness to try to show that the accused is innocent.

1)

2)

For use
during the
workshop

The Law:
It's Not
Like in the
Movies!

Script

The Trial Begins

Court Usher:

Silence. All rise please. The court, presided by the Honourable Justice _____, is in session.

The judge takes her or his seat.

Court Usher:

You may be seated.

Court Clerk (looking at the judge):

Your Honour, there is only one case on the role today, the one involving Phil Sneeky.

(looking at the lawyers): Would the lawyers please identify themselves?

Crown Prosecutor (standing up):

Your Honour, I am Maître _____ and I represent the Crown.

Defence Lawyer (standing up):

Your Honour, I am Maître _____ and I represent the accused.

Reading of the Charges

Judge:

Could the court clerk please read the charges?

Court Clerk (speaking to the accused):

Please stand to listen to the charges brought against you. Mr. Sneeky, you are accused of stealing the laptop computer owned by Mr. Abdel, thereby committing the offence of theft under Section 334b)ii) of the *Criminal Code*. How do you answer this charge? Do you wish to plead guilty or not guilty?

Accused:

Not guilty.

For use
during the
workshop

The Law:
It's Not
Like in the
Movies!

Summary of the Case

See the PowerPoint.

Evidence of the Crown

Judge:

You can now call your witnesses.

Standing up, the Crown prosecutor says:

The Crown calls Ms. Bythebook to the witness stand.

The witness goes to the witness stand.

Examination and Cross-Examination

Court Clerk (speaking to the witness):

Please raise your right hand. Do you solemnly affirm that you will tell the truth, the whole truth and nothing but the truth? Say: I solemnly affirm that I will tell the truth.

Witness (Ms. Bythebook):

I solemnly affirm that I will tell the truth.

Crown Prosecutor:

(Asks the two questions prepared ahead of time to try to show the accused is guilty.)

Defence Lawyer:

(Asks the two questions prepared ahead of time to try to show the accused is innocent.)

See the PowerPoint for the continuation.

The Law:
It's Not
Like in the
Movies!

Court Decorum Follow-up Activity



The Incredible Adventures of Christos Casual

Some things in life you just can't do: rollerblade around a funeral home, talk loudly in a movie theatre or wear a bikini to your math class! It's no different in a courtroom. There are rules of behaviour to respect. These rules make up what is called "decorum", which ensures that the court process is orderly and the legal process is treated with respect.

Some people not used to attending trials break the rules of decorum. This is the case of Christos Casual, who has a rather "open" concept of what is proper.

Here is a description of Christos' day at court, when he must have his criminal trial.

Try to find at least four violations of courtroom decorum.

9:30 a.m

Christos is lucky: his case is the first case of the day to be heard by the judge. This means he doesn't have to wait for his turn in the courthouse hallway.

He is glad because he is very tired. It was the "25¢ chicken wings special" at his neighbourhood bar last night. When the judge enters the courtroom, everyone stands ... except Christos. He's so tired he'd rather remain seated.

The Law:
It's Not
Like in the
Movies!

From 9:30 a.m. to noon

Christos is sure the Crown prosecutor has severe “proceduritis”. For hours, the prosecutor has been submitting evidence Christos thinks is irrelevant. Christos is bored and starts yawning constantly. He’s afraid he’ll fall asleep in front of the judge. He knows that would look really bad. Fortunately, he has his iPhone and AirPods with him. Waiting for the presentation of the evidence to end, he listens to music and plays games on his cell phone to stay awake.

Noon to 1:00 p.m

Christos sees a few friends when he goes to a restaurant for lunch. They tell him that they’re about to go skateboarding on the steps outside the courthouse. Christos decides to order take-out and join them. Since it’s very hot outside, he takes off his shirt.

1:00 to 2:30 p.m

Since he didn’t have time to eat his lunch, Christos eats his fries in the courtroom while the Crown prosecutor is examining the first witness. Christos is even thinking of asking the court usher to bring him a tablecloth, but he changes his mind. He’s afraid that would be impolite. By the way, Christos didn’t put his shirt back on. He’s only wearing a tight undershirt with a skull on it.

3:00 p.m.

It’s finally Christos’ turn to talk. He gets up, puts on his sunglasses and goes to the witness stand. He waves to the crowd like a rock star. The Crown prosecutor asks him what he was doing on October 12 around 7:00 p.m. Looking the prosecutor straight in the eyes, Christos answers in an irritated voice: “HEY! THAT’S NOT YOUR BUSINESS!” Questioning Christos was going to be long and difficult...

Four errors of Christos regarding courtroom decorum:

1. _____
2. _____
3. _____
4. _____

The Law:
It's Not
Like in the
Movies!

Court Decorum: Answers

1. Christos remained seated when the judge entered the court room. At a court hearing, you must stand when the judge enters the courtroom and remain standing until she or he sits down. You must also stand when the judge leaves the room and remain standing until the judge has left.
2. Christos listened to music on his iPhone and played games on his cell phone. During a court hearing, you cannot use a cell phone, video game or any other gadget for entertainment. You are also not allowed to read a newspaper or magazine. However, a lawyer or journalist can keep an electronic device in vibration mode or use one for a case (for typing or reading notes, checking a calendar or a law, send short texts, etc.) as long as this does not interfere with the court hearing. But they can't speak on the phone.
3. Christos ate his fries in the courtroom. It goes without saying that you can't eat fries (or any other food) in a courtroom. It is not a restaurant!
4. Christos didn't put his shirt back on before entering the courtroom. Everyone who goes to court must be properly dressed. You don't have to wear a tuxedo but you still have to be "clean" and appropriately dressed. A tight undershirt with a skull on it is certainly not appropriate attire. T-shirts, shorts and baseball caps are normally not allowed.
5. Christos wore his sunglasses and waved to the crowd like a rock star when he went up to the witness stand. Contrary to what you might see in the movies, a courtroom is not a theatre. Christos should have calmly walked toward the witness stand.
6. Christos looked the Crown prosecutor in the eyes when answering her question. When answering questions, you should look at the judge, not the lawyer.
7. Christos was rude to the Crown prosecutor when he said to her: "HEY! THAT'S NOT YOUR BUSINESS!" In a courtroom, when you speak to someone, you must be polite. Witnesses must answer questions in good faith and without being difficult.

Test Your Knowledge!

(The Law: It's Not Like
in the Movies!)

Answer
KeyThe Law:
It's Not
Like in the
Movies!

Test your knowledge!



Answer the questions and explain your answers.

1. Give an example of a subject that is part of civil law.
 - **Answer:** Family, problems with neighbours, contracts, wills and estates, consent to health care, business law are examples of subjects that are part of civil law. ¹

2. What do we call the lawyer who brings criminal charges against an accused and takes the accused to court?
 - **Answer:** The criminal and penal prosecuting attorney, also called the Crown prosecutor.²

3. Do all crimes have a victim?
 - **Answer:** No. There isn't always a victim when a crime is committed. For example, there is no victim of the crime of drug possession. ³

4. If there is a victim, what is the victim's role in a criminal trial?
 - **Answer:** The victim is a witness. The victim does not take the accused to court. That's the job of the criminal and penal prosecuting attorney who represents the state. ⁴

5. Does the accused have to testify at the trial?
 - **Answer:** No. The accused has the right to remain silent and can decide whether to testify. ⁵

6. True or False: An accused is innocent until proven guilty. Explain your answer.
- **Answer:** True. This is called the presumption of innocence. It is up to the criminal and penal prosecuting attorney to prove that the accused is guilty beyond a reasonable doubt. It is not up to the accused to prove his or her innocence.⁶
7. When someone receives an official notice from the court to testify, does that person have to go to court?
- **Answer:** Yes. The official notice (called a “subpoena”) is an order of the court. If witnesses do not show up in court, a warrant for their arrest can be issued. They will then be brought by force before the judge to testify.⁷
8. True or False: There is always a jury in a criminal trial.
- **Answer:** False. Usually, a jury is present only when the accused is charged with a very serious crime, such as murder, sexual assault, armed robbery, etc.⁸
9. If there is a jury, what is its role?
- a) to decide whether the accused is guilty
 - b) to decide the punishment that the accused will get
 - c) to decide whether the accused is guilty and decide what punishment to give
 - d) to give the judge an opinion. The judge then decides whether the accused is guilty and what punishment to give.
- **Answer:** a) The jury decides whether the accused is guilty based on the evidence presented in court. The judge then decides what punishment to give.⁹
10. Which of these items must a judge wear?
- a. a mallet
 - b. a wig
 - c. a gown
 - d. a pinstripe suit
- **Answer:** c) a gown. The judge also wears a white collar and bands, just as lawyers do.¹⁰

¹ Hubert Reid, *Dictionnaire de droit québécois et canadien*, 5th ed., Wilson & Lafleur, 2015, online, sub verbo “droit civil”.

² Criminal Code, RSC 1985, c C-46, s 2, sub verbo “prosecutor” and “attorney general” and Hubert Reid, *Dictionnaire de droit québécois et canadien*, 5th ed., Wilson & Lafleur, 2015, sub verbo “prosecutor.”

³ Pierre Beliveau and Martin Vaclair, *Traité général de preuve et de procédure pénales*, 25th ed, Cowansville, Yvon Blais, 2018, par 297 and 302.

⁴ Pierre Beliveau and Martin Vaclair, *Traité général de preuve et de procédure pénales*, 25th ed, Cowansville, Yvon Blais, 2018, par 296-303.

⁵ Canadian Charter of Rights and Freedoms, s 11 c), being Schedule B to the Canada Act 1982 (UK), 1982, c 11.

⁶ Canadian Charter of Rights and Freedoms, s 11 d), being Schedule B to the Canada Act 1982 (UK), 1982, c 11.

⁷ Code of Penal Procedure, CQLR c C-25.1, s 36 and 42.

⁸ Criminal Code, RSC 1985, c C-46, s 471, 536 and 568.

⁹ Criminal Code, RSC 1985, c C-46, s 643(i) and 653, and Pierre Beliveau and Martin Vaclair, *Traité général de preuve et de procédure pénales*, 25th ed, Cowansville, Editions Yvon Blais, 2018, par 556 to 560

¹⁰ Regulation of the Court of Quebec, CQLR, c C-25.01, r 9, s 22.

Name : _____

Group : _____

Test your knowledge!

The Law: It's Not Like in the Movies!



Answer the questions and explain your answers.

1. Give an example of a subject that is part of civil law.

• **Answer:** _____

2. What do we call the lawyer who brings criminal charges against an accused and takes the accused to court?

• **Answer:** _____

3. Do all crimes have a victim?

• **Answer:** _____

4. If there is a victim, what is the victim's role in a criminal trial?

• **Answer:** _____

5. Does the accused have to testify at the trial?

- **Answer:** _____

6. True or False: An accused is innocent until proven guilty. Explain your answer.

- **Answer:** _____

7. When someone receives an official notice from the court to testify, does that person have to go to court?

- **Answer:** _____

8. True or False: There is always a jury in a criminal trial.

- **Answer:** _____

9. If there is a jury, what is its role? Circle the correct answer.

- a) to decide whether the accused is guilty
- b) to decide the punishment that the accused will get
- c) to decide whether the accused is guilty and decide what punishment to give
- d) to give the judge an opinion. The judge then decides whether the accused is guilty and what punishment to give.

10. Which of these items must a judge wear? Circle the correct answer.

- a) a mallet
- b) a wig
- c) a gown
- d) a pinstripe suit