

# Teacher's Guide





Éducaloi is a neutral and independent organization with a recognized expertise in legal education and clear legal communication. Its mission is to explain the law to Quebecers in everyday language and to enhance their legal competencies.

### **IMPORTANT NOTICE**

This guide has been prepared for teachers interested in Éducaloi's legal education workshops. It contains legal information up to date as of **August 2023**. The information in this guide is not meant to be a legal opinion.

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# Overview of the Workshops

## The initiative

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		
<b>Bullying: What's Your Opinion?</b>	<b>Debate questions</b> about bullying: criminal law, intimate photos, privacy, and possible recourses. Students must take a position on these questions.	<b>Secondary 1 (Grade 7)</b>
<b>The Law: It's Not Like in the Movies</b>	Through a <b>mock criminal trial</b> , students are invited to discover the various actors in Québec's court system, the steps of a trial, and some of the foundational ideas of criminal law.	<b>Secondary 1 (Grade 7)</b>
<b>Beat the Buzzer!</b>	<b>Quiz game</b> based on the theme of justice and the different legal aspects of teenagers' daily life.	<b>Secondary 2 (Grade 8)</b>
<b>The Small Claims Court Is in Session!</b>	This workshop will let students experience a <b>trial at Small Claims Court</b> . They will learn about the different roles of the different actors and how a trial works.	<b>Secondary 3 (Grade 9)</b>

<p><b>Pick Your Side!</b></p>	<p>In this activity, students must take a position on different social and legal issues. They will learn that justice is a living concept that is shaped by debate.</p>	<p><b>Secondary 4 (Grade 10)</b></p>
<p><b>Ready, Set, Invest!</b></p>	<p>Students are invited to put themselves in the shoes of an investor and think about <b>best business practices</b> and the laws that govern them. This workshop will let students make informed investment decisions and think about the consequences of a company's actions.</p>	<p><b>Secondary 5 (Grade 11)</b></p>
<p><b>The Rules of the Game!</b></p>	<p>In this quiz game, students will debate, improvise, and put their own life experience to use to answer questions about the legal aspects of a teenager's life (work, housing, consumer laws, criminal law, etc.).</p>	<p><b>16-25 year-olds</b></p>
<p><b>Our Conflict, Our Solution!</b></p>	<p>Students are introduced to mediation, an alternative method of dispute prevention and resolution.</p>	<p><b>Secondary 3 (Grade 9)</b></p>
<p><b>Working: Not at All Costs!</b></p>	<p>Students will learn to demystify workplace harassment through a quiz and different <b>role plays</b>. They will also learn about what to do if they witness or experience harassment.</p>	<p><b>Secondary 5 (Grade 11), Professional training, CÉGEP</b></p>

The following pages explain the workshop that you have chosen.

For some workshops, there are activities with students you must do and material you must print for the volunteer ahead of time. You will find all the necessary information below.

**Do not hesitate to send us your suggestions or any other information you think we might need to know: [scolaire@educaloi.qc.ca](mailto:scolaire@educaloi.qc.ca)**





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

## Secondary 1



## Information about the Workshop



What you need to know	
<b>Duration</b>	60 to 75 minutes
<b>Level</b>	Secondary 1
<b>Required materiel (teachers)</b>	<ul style="list-style-type: none"> <li>• Computer, screen and projector</li> <li>• Sheets to be printed by the teacher:               <ul style="list-style-type: none"> <li>- Scenario: <b>1 copy</b> per student.</li> <li>- Preparatory questions: <b>1 copy</b> per student.</li> <li>- Script: <b>6 copies total</b> (clerk, usher, judge, witness and two lawyers).</li> <li>- Follow-up activity (optional): <b>1 copy</b> per student.</li> </ul> </li> </ul>
<b>Subjects</b>	<ul style="list-style-type: none"> <li>• History and Citizenship Education</li> <li>• Ethics and Religious Culture</li> <li>• Culture and Citizenship in Quebec</li> <li>• Languages</li> </ul>
<b>Broad areas of learning</b>	<p><b>Citizenship and Community Life</b></p> <ul style="list-style-type: none"> <li>• Promotion of the rules of social conduct and democratic institutions.</li> <li>• Contribution to a culture of peace.</li> </ul> <p><b>Career Planning and Entrepreneurship</b></p> <ul style="list-style-type: none"> <li>• Knowledge of the working world, the nature and demands of roles in society, and of trades and occupations.</li> </ul>



## Running the workshop

**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 (5-10 minutes)

Question period and comments. The volunteer will 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, the volunteer will 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 or about the topics discussed in the workshop. (See the appendix.)





# APPENDICES

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

Scenario and activities



## Scenario

On October 30th, after correcting her 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 Mr. Alaouie 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 came back from the bathroom, he saw that his computer had disappeared. He was furious! His computer had everything he needed for his history class, which was about to begin. Seeing Mr. Alaouie in such a state, Mr. Lalonde told 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!

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





## Preparatory questions

**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 three questions you could ask the witness to try to show that the accused is guilty.**

1) \_\_\_\_\_

2) \_\_\_\_\_

3) \_\_\_\_\_

**4. Write down two questions you could ask the witness to try to show that the accused is innocent, or to demonstrate that the evidence is not sufficient and that there is a reasonable doubt as to the accused's guilt.**

1) \_\_\_\_\_

2) \_\_\_\_\_

3) \_\_\_\_\_

**5. Write down two questions that you would like to ask the volunteer legal professional that will come to your class.**

(For example, ask about their profession, about the law in general, etc.)

1) \_\_\_\_\_

2) \_\_\_\_\_

## Script

### 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 Mrs. Bergeron.

(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. Mrs. Bergeron, you are accused of stealing the laptop computer owned by Mr. Alaouie, thereby committing the offence of theft under Section 322 of the Criminal Code. How do you answer this charge? Do you wish to plead guilty or not guilty?

### Accused:

Not guilty.

## Summary of the Case

See the PowerPoint.

## Evidence of the Crown

### Judge:

You can now call your witnesses.

### Crown Prosecutor (standing up):

The Crown calls Mr. Lalonde 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 (Mr. Lalonde):

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 Decision of the Jury

### Judge (speaking to the jury's spokesperson that will deliver the verdict):

Did the jury reach a unanimous decision? (The spokesperson of the jury answers.)

On the count of theft under article 334(b)(ii) of the Criminal Code against Mrs. Bergeron, is the accused guilty or not guilty? (The spokesperson of the jury answers.)

### Court Usher:

Please rise. The hearing has ended.

## Court Decorum: A 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.

#### 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, with his sunglasses still on 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 violations of courtroom decorum:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_

## Court Decorum: Answers

1. Christos remained seated when the judge entered the courtroom. 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 to the witness stand and removed his sunglasses.
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.





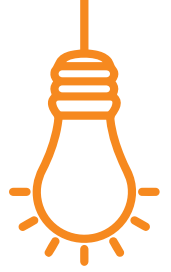
The Law: It's Not Like in the Movies!

# Test your knowledge

Optional follow-up activity



Name: \_\_\_\_\_ Group: \_\_\_\_\_



## Test your knowledge!

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? Explain your answer.**

Answer: \_\_\_\_\_

\_\_\_\_\_

**4. 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. Explain your answer.**

Answer: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**9. What is the jury's 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 have on them? Circle the correct answer.**

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

## 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.<sup>1</sup>

**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.<sup>2</sup>

**3. Do all crimes have a victim? Explain your answer.**

**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.<sup>3</sup>

**4. 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.<sup>4</sup>

**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.<sup>5</sup>

**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.<sup>6</sup>

**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.<sup>7</sup>

**8. True or False: There is always a jury in a criminal trial. Explain your answer.**

**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.<sup>8</sup>

**9. What is the jury's 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.<sup>9</sup>

**10. Which of these items must a judge have on them?**

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.<sup>9</sup>

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 Vauclair, Traité général de preuve et de procédure pénales, 25th ed, Cowansville, Yvon Blais, 2018, par 297 and 302. 4. Pierre Beliveau and Martin Vauclair, 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(1) and 653, and Pierre Beliveau and Martin Vauclair, 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.