

Public and Catholic District School Board Writing Partnerships

Course Profile

Understanding Canadian Law

Grade 11

University/College Preparation

CLU3M

• *for teachers by teachers*

This sample course of study was prepared for teachers to use in meeting local classroom needs, as appropriate. This is not a mandated approach to the teaching of the course. It may be used in its entirety, in part, or adapted.

Course Profiles are professional development materials designed to help teachers implement the new Grade 11 secondary school curriculum. These materials were created by writing partnerships of school boards and subject associations. The development of these resources was funded by the Ontario Ministry of Education. This document reflects the views of the developers and not necessarily those of the Ministry. Permission is given to reproduce these materials for any purpose except profit. Teachers are also encouraged to amend, revise, edit, cut, paste, and otherwise adapt this material for educational purposes.

Any references in this document to particular commercial resources, learning materials, equipment, or technology reflect only the opinions of the writers of this sample Course Profile, and do not reflect any official endorsement by the Ministry of Education or by the Partnership of School Boards that supported the production of the document.

© Queen's Printer for Ontario, 2001

Acknowledgments

Public and Catholic District School Board Writing Teams – Understanding Canadian Law

Catholic Project Manager

Mike Taylor, London Catholic District School Board

Catholic Writing Team

Marion Austin, Lead Writer, London Catholic District School Board

Jim Sweeney, London Catholic District School Board

Peter Legge, London Catholic District School Board

Reviews

Dan Keane, Religion Advisor

Oliver Stoetzen, College Reviewer

Richard Vendrig, Durham Catholic School Board

Public Project Leader

Allan Hux, Toronto District School Board, President OHCA

Public Writing Team

Murray Locke, Toronto District School Board

Alex MacKinnon, Toronto District School Board

George Mavraganis, Toronto District School Board

Reviewers

Don Kendal, Toronto District School Board

John Myers, OISE/UT

Ava Szczurko, Toronto District School Board

Nancy Smith, Toronto District School Board

Librarians

Esther Rosenfeld, DWC, Library/Learning Resources, TDSB

Mark Kaminski, Library Consultant, TDSB

Linda McKee, Librarian, Albert Campbell CI, TDSB

Associations

Ontario History and Social Studies Teacher Association (OHASSTA)

Ontario History Consultants Association (OHCA)

Course Overview

Understanding Canadian Law, Grade 11, University/College Preparation, CLU3M

Course Description

This course explores legal issues that directly affect students' lives. To develop an appreciation of the Canadian legal system, students examine the historical roots of Canadian law and expand on their understanding of the role of government in making laws. Students also become familiar with the rights and freedoms that all Canadians enjoy as a result of the Canadian Charter of Rights and Freedoms. Students acquire a practical knowledge of Canada's legal system, both criminal and civil, and learn how to analyse legal issues. They are given opportunities to develop informed opinions on legal issues and to defend those opinions and communicate legal knowledge in a variety of ways and settings, including legal research projects, and mock trials and debates.

How This Course Supports the Catholic School Graduate Expectations

This course, Understanding the Law, extends the development of attitudes and values based on Catholic social teachings for Ontario Catholic School Graduates. Opportunities are given to students to integrate their faith with civic duty and responsibility. Students become familiar with events which are a part of the Catholic Church's history such as the development of Mosaic law. When students examine the question of human rights, they begin to appreciate the relevance of Catholic social justice teachings. This course involves activities that encourage students to act morally and legally as persons formed in Catholic traditions. Law course graduates should be effective communicators of the Good News of Jesus Christ in their attitudes and approaches to historical and contemporary issues involving the law.

Course Notes

The study of the Canadian legal system is an essential part of Canadian studies. An understanding of the process of the legal system is a vital part of the operation of a democratic and orderly society and of a student's education. Students who understand the processes of the law in our society are much more likely to be effective members of Canadian society. They are also better equipped to understand and appreciate the dynamic nature of the law in response to social change as well as the traditional values the law seeks to uphold.

Students gain an understanding of the origins of our legal system, the development of human rights as a concept in our society, the process of criminal law, and the settlement of civil disputes in our country. At every opportunity, students learn the origins of the process and concepts, how they apply today and some of the current issues that surround them. They are then able to see both the continuity of the legal tradition and the current challenges that may shape change in the law.

The course content is appropriate to research into legal cases and social issues that surround the law. By framing inquiry skills within a legal context, students can be taught to appreciate the demands of critical thinking and rigorous approaches to research as they develop skills in their senior years in high school. The research and analytic skills necessary for the investigation of these subjects should be dealt with over the entire course. The teaching of skills over the entire length of the course allows students more time to investigate and examine topics of interest and to develop research skills.

As much as possible, students should be given opportunities to use technology to conduct their research. Through use of these technologies, students become familiar with the wide range of their potential use for future study and for the working world. Increasingly, statistical information and professional journals in the field of Canadian law are becoming available in electronic format.

This is a university/college preparation course that uses *Canadian History in the Twentieth Century* (Academic or Applied) as a prerequisite. This course should equip students with the knowledge and skills necessary for entrance to specific university and college programs. Teaching and learning techniques emphasize the development of independent learning and research skills that students are required to demonstrate.

The course is divided into four units of study. The table below indicates a suggested time for these units.

Units: Titles and Time

* Unit 1	Heritage	20 hours
Unit 2	Rights and Freedoms	20 hours
* Unit 3	Criminal Law and Procedures	35 hours
Unit 4	Regulation and Dispute Resolution	35 hours

* These units are fully developed in this Course Profile.

Unit Overviews

Unit 1: Heritage

Time: 20 hours

Unit Description

In this introductory unit, students develop an understanding of what law is and why societies have laws. An examination of the historical roots of Canadian law assists students to develop an understanding of the Canadian legal system. Students examine the role of government, its agencies, and the courts in making, changing, or interpreting the law. Throughout the unit, students incorporate many of the methods of legal inquiry. With the culminating activity, students are asked to create a constitution for the new colony on Mars. After an examination of a number of constitutions, students are asked to create a new constitution and to present their work to their classmates, and individually to submit a written report. For students in Catholic schools, this unit provides an opportunity to study the Church's legal traditions, in particular Mosaic law. Students examine the Dogmatic Constitution of the Catholic Church and enhance their understanding of the rights and responsibilities of Canadian citizenship.

Unit Overview Chart

Cluster	Expectations	Assessment	Focus
1 The Need for Law	HTV.01, LIV.03, HT1.01, HT1.02, LI1.03, LI4.03, CGE2b, 2d, 4e, 5e	Knowledge/ Understanding Communication	Examine different groups to determine types of rules. Examine the need for and the purposes of law.
2 The Historical Roots of Law	HTV.02, LIV.01, LIV.02, HT2.01, HT2.02, HT2.03, LI1.03, LI1.04, LI3.01, LI4.04, CGE1d, 2a, 3b, 7e, 7g	Knowledge/ Understanding Communication Application	Locate ancient civilizations on a map. Examine quotes from legal historical figures. Research contributions of different groups to Canadian legal system. Complete an organizer.
3 The Constitution of Canada	HTV.03, LIV.03, HT3.01, LI1.04, LI4.03, CGE2b, 2d, 7h	Knowledge/ Understanding Communication Application	Define what a constitution is. Examine the continual evolution of the Canadian Constitution. Examine the Canadian Constitution.

4 Role of Government, Courts, and individuals in making, interpreting and changing the law	HTV03, LIV.02, LIV.03, HT3.02, HT3.03, HT3.04, LI1.03, LI1.04, LI3.01, LI3.03, LI4.04CGE2b, 2d, 3b, 3c, 4a, 7e	Knowledge/ Understanding Thinking/Inquiry Communication Application	Examine reasons why laws change. Propose a new law or change an existing one. Study process of making a law.
5 Categories and Types of Laws	HTV.03, HT1.03, HT1.04, LI1.03, LI1.04, LI4.03, CGE2b, 2d, 7h	Knowledge/ Understanding Communication	Examine classifications of law. Examine different scenarios and determine if public/private law and which classification.
6 The Martian Constitution	LIV.03, LI4.01, LI4.02, LI4.05, CGE2b, 2d, 3f, 5a, 5e	Knowledge/ Understanding; Thinking/Inquiry Communication Application	Design and present a new constitution.

Unit Culminating Activity

The Martian Constitution – After examining a number of constitutions from different time periods, countries and organizations, students create a constitution for a new colony on the planet Mars.

Unit 2: Rights and Freedoms

Time: 20 hours

Unit Description

This unit explores the sources of Canadian rights and freedoms. Students examine how rights and freedoms may differ and conflict. An examination of historical and contemporary barriers to the equal enjoyment of human rights in Canada helps students evaluate the impact of these barriers. Finally, as a result of their study of the rights and freedoms enshrined in Canadian law, students develop an understanding of how these rights and freedoms are interpreted, limited, and enforced in Canada and in Ontario. For students in Ontario's Catholic schools, this unit enhances their understanding of the influence of the Catholic Church on the development of human rights. They also examine the contributions of individual Catholics and organizations in developing and increasing awareness of human rights issues (e.g., Jean Vanier, Development and Peace)

Unit Overview Chart

Cluster	Expectations	Assessment	Focus
1 The Development of Rights and Freedoms in Canada	RFV.01, LIV.01, LIV.04, RF1.01, RF1.02, RF2.02, LI1.02, LI1.04, LI4.03, LI4.04	Knowledge/ Understanding Thinking/Inquiry Communication Application	Identify influences on development of human rights in Canada. Explain key human rights concepts. Evaluate contributions of individuals/groups to human rights.
2 The Canadian Charter of Rights and Freedoms and the Ontario Human Rights Code	RFV.03, LIV.01, LIV.04, RF3.01, RF3.05, RF3.06, LI.03, LI.04, LI4.03	Knowledge/ Understanding Thinking/Inquiry Communication	Describe rights and freedoms in the Canadian Charter. Explain protections provided by Ontario Human Rights Code. Distinguish between protections offered by these two documents.

3 Rights and Freedoms - Conflict between, denial of, and limitations of	RFV.02, RFV.03, LIV.01, LIV.04, RF1.03, RF2.01, RF3.02, LI1.01, LI1.03, LI1.04, LI4.02	Knowledge/ Understanding Thinking/Inquiry Communication Application	Analyse situations in which rights and freedoms may conflict. Describe situations in which rights in Canada have been denied. Analyse situations in which a right or freedom may be limited.
4 The Interpretation and Enforcement of Charter Rights and Freedoms	RFV.03, LIV.04, RF3.03, RF3.04, LI1.04, LI4.03, LI4.04	Knowledge/ Understanding Communication	Explain how human rights legislation and the courts attempt to balance minority and majority rights. Explain the role of the judiciary in interpreting the Charter and the role of the government in enforcing Charter rights.
5 Human Rights Violations	RFV.03, LIV.04, RF3.07, LI1.04, LI4.02, LI4.03	Thinking/Inquiry Communication Application	Describe procedures for hearing complaints about human rights violations.

Unit Culminating Activity - Suggestions

Human Rights Violations - Students prepare a case dealing with human rights violations and present to a board such as the Ontario Human Rights Commission, the Board of Inquiry (Human Rights Code), or the Office of the Ombudsman. The prepared case could include: arguments outlining the human rights violations; relevant Charter sections; all completed forms; oral presentation to a mock tribunal; suggestions for appropriate remedies.

Legal Report - Students research a legal case in which there has been a violation of rights under the Canadian Charter of Rights and Freedoms and present their findings in a written report. The report could include: detailed description of the rights violation; explanation of which Charter Sections are relevant; possible remedies to correct the violation. This would be a good activity in which to use Internet research.

Unit 3: Criminal Law and Procedures

Time: 35 hours

Unit Description

This unit introduces students to the main concepts of criminal law in Canada. They first examine specific terms that govern both the existence and classification of crime. They then apply some of those understandings to the study of youth crime and how Canadian society deals with this issue. Students then look at the investigation of crime and the role of police in investigation and arrest. An examination of the courts and trial process gives students a deeper understanding of the adversarial system and the roles of various officials and citizens in the court. Students look at the decision-making process involved in sentencing criminals to prison, and the rights of victims in these situations.

Unit Overview Chart

Cluster	Expectations	Assessment	Focus
1 The Definition of Crime	CLV.01, CLV.03, CL1.01, CL1.02, LI1.01, LI1.03, LI1.04, LI4.03, CGE2b, 2d, 3b, 7h	Knowledge/ Understanding Communication	Develop a definition for crime. Use examples to apply their understanding of types of crime and conditions for a crime as well as conviction in court.

2 The Law and Young People	CLV.05, CL5.01, CL5.02, CL5.03, LI2.01, LI3.01, LI3.03, LI4.02, LI4.03, CGE 2b, 2d, 3c, 4f, 5e	Knowledge/ Understanding Thinking/Inquiry Communication	Prepare a set of rights for young people. Compare the YOA with the Juvenile Delinquents Act. Use surveys in the school to prepare recommendations to a Parliamentary Committee
3 Arrest and Pre-Trial Process	CLV.02, CL2.01, CL2.02, CL2.03, LI1.01, LI1.04, CGE2b, 2d, 4f, 7h	Knowledge/ Understanding Application	Students research and present short role-plays on pre-trial procedure. Prepare a PMI summarizing their learning.
4 The Court System and Trial Process	CLV.03, CL3.01, CL3.02, CL3.03, CL3.04, LI1.02, LI3.03, LI4.02, LI4.03, LI4.06, CGE 2b, 2c, 5b, 5g, 7h	Knowledge/ Understanding Thinking/Inquiry Application	Investigate Canadian trial procedure. Create a poster visually displaying the jobs layout of the court. Evaluate the role of the jury system.
5 Sentencing and Prisons	CLV.04, CL4.01, CL4.02, CL4.03, CL4.04, LI2.01, LI3.03, LI4.01, LI4.03, CGE 2b, 2d, 3c, 4f, 7h	Knowledge/ Understanding Application	Brainstorm purposes of sentencing. Prepare short oral reports on the various types of sentences and programs. Prepare a visitor's pamphlet for a model.
6 Mock Trial	HTV.03, CLV.02, CLV.03, CLV. 04, CLV. 05, LIV.01, LIV.02, LIV.03, LIV.04, CL1.01, CL1.03, CL2. 01, CL3.01, CL3.02, CL3.03, CL3.04, CL4.02, CL4.03, CL5.03, LI1.02, LI1.03, LI1.04, LI2.01, LI2.02, LI2.04, LI4.01, LI4.02, LI4.03, LI4.04, LI4.05, LI4.06	Knowledge/ Understanding Thinking/Inquiry Application	Students research and role-play a case in Canadian criminal law.

Unit Culminating Activity - Suggestions

A mock trial is a recommended culminating activity for this unit. Students are involved in researching the various aspects of the court as well as the various roles in the court system. The trial could then be presented in a larger room in the school such as the dramatic arts room.

An alternative culminating activity would be for students to follow the process of a criminal trial, if possible, using the various electronic media. Students could then summarize, analyse, and react to the process of this trial.

Unit 4: Regulation and Dispute Resolution

Time: 35 hours

Unit Description

Students study the structure of the Canadian private law system. The unit is divided into four areas of concentration. The sub-topics within the unit are organized in a manner that builds upon the understanding of the differences between criminal and civil law, which leads to an examination of how the processes, legal institutions, and methods involved in bringing a civil dispute to trial operate. This leads to an examination of how the law applies to family matters. Finally, students analyse the role of law as it applies to contractual obligations, torts, and claims for compensation for personal loss. Students continue to expand their skills of legal inquiry in this unit. This unit offers students an excellent opportunity to further develop research skills in the analysis and interpretation of data related to private and civil law

Unit Overview Chart

Cluster	Expectations	Assessment	Focus
1	RDV.01, RD1.01, RD1.02, LI1.01, LI1.03, LI1.04, CGE 2b, 2d, 5g	Knowledge/ Understanding Thinking/Inquiry Communication Application	Differences between Civil and Criminal Law
2	RDV.02, RD2.01, RD2.01, RD2.03, LI1.02, LI4.01, LI4.03, LI4.06, CGE 2b, 2c, 2d	Knowledge/ Understanding Thinking/Inquiry Communication Application	Civil Procedure
3	RDV.03, RD3.01, RD3.02, RD3.03, RD3.04, RD3.05, LI1.03, LI3.01, LI3.03, LI4.03, LI4.06, CGE1b, 1d, 1i, 2b, 2d, 3d, 6c, 7a	Knowledge/ Understanding Thinking/Inquiry Communication Application	Marriage, Separation, and Divorce
4	RDV.04, RD4.01, RD4.02, RD4.03, RD4.04, LI1.02, LI2.01, LI2.03, LI4.03, LI4.06, CGE 1d, 2a, 2c, 3b, 3d, 4f, 5g, 7a, 7h	Knowledge/ Understanding Thinking/Inquiry Communication Application	Civil Wrongs and Remedies

Unit Culminating Activity

A culminating activity for this unit could be a public information legal pamphlet developed in groups to explain a particular aspect of private law to the general public. Students could use a variety of technologies in their research as well as a presentation of the final product to the class.

Teaching/Learning Strategies

This course provides students an opportunity to explore, analyse, and reflect on the study of law through diverse teaching and learning strategies. Students have multiple opportunities to hone their skills in communication through formal presentations, role playing, writing in role, and persuasive writing. Critical thinking skills such as formulating a thesis, identifying bias and viewpoint, debating, analysing primary sources, and problem-solving are a focus of many activities. Focused inquiry, data analysis, note-taking and guided Internet searches are examples of the research skills that students practise. Co-operative group learning is another important active learning strategy fundamental to many activities in this profile. Tasks are designed to develop skills and concepts through a range of student learning styles. Each unit overview states specific teaching/learning strategies as well as the skills development and assessment/evaluation. Many important skills are developed in the activities in the units.

The Teaching/Learning Strategies employed in the Grade 11 University/College Law course should:

- encourage maximum student engagement in the learning activity;
- encourage student choice regarding the processes and products of learning in the Law classroom;
- include whole class, small group, and individual instruction;
- use electronic technology as appropriate;
- address a variety of learning styles;
- provide opportunities for genuine inquiry - to generate questions, apply a variety of investigative approaches and communicate learning in a variety of ways;
- encourage students in self and peer evaluation;
- use formative assessment to provide opportunities for practice and consolidation;
- make authentic connections with the classroom, the school, and the local community;
- respect the cultural diversity of Ontario classrooms.

The subject discipline of Law has its own particular ways in which language is used to express concepts. In order to help all students, but especially ESL/ELD students, teaching and learning strategies should show formative attention to the following aspects of language in written and oral forms:

- specialized vocabulary/idioms
- use of a wide range of tenses, and of active and passive voice
- words, phrases, and clausal structures that indicate:
 - sequence/chronology
 - cause/effect relationships
 - contrast/comparatives/superlatives
 - statements of opinion, interpretation, inference
 - statements of speculation/hypothesis/prediction
 - statements of belief, intent, necessity, persuasion, evaluation, definition
 - explanations of reason
- formation of questions for formal and informal circumstances, oral or written
- active listening skills: e.g., phrases and syntax that express encouragement, requests for repetition, clarification, and restatement
- activities such as reading/listening tasks (case-study/video-viewing) that need a specific and concrete product expected of students
- completion of a graphic organizer/re-enactment or structured oral response
- note-taking/summarizing
- non-verbal communication skills, of particular importance to presentation tasks

Language development and the expression of concepts taught are greatly facilitated if written tasks are reinforced by oral tasks, and vice versa. All learners with difficulties benefit greatly if models or scaffolds for oral and written expressive communicative functions are initially provided for them by their teachers.

Assessment & Evaluation of Student Achievement

The Achievement Chart, which is the basis for assessment and evaluation in this course, is found on pages 246 and 247 of *The Ontario Curriculum, Grades 11 and 12, Canadian and World Studies, 2000*. The chart identifies four major categories of knowledge and skills: Knowledge/Understanding, Thinking/Inquiry, Communication, and Application. These categories encompass the curriculum expectations in all courses in Canadian and World Studies. When planning courses and assessment, teachers should review the required curriculum expectations and link them to the categories to which they relate. They should ensure that all the expectations are accounted for in instructions and that the achievement of the expectations is assessed within the appropriate categories. Students should be given numerous and varied opportunities to demonstrate their achievement of the expectations across the four categories. The descriptions at Level 3 represent the provincial standard for student achievement.

The Ontario Curriculum, Grades 9 to 12, Program Planning and Assessment, 2000 outlines the philosophy and guiding principles concerning assessment and evaluation for Ontario teachers. Activities in this course profile suggest formative assessment, including diagnostic, and summative evaluation strategies and tools. Sample rubrics are provided for some of the major activities and for the unit culminating activity. The course culminating activity is designed to be a work-in-progress for all students. The teacher should introduce the concept and the topic of a culminating activity at the beginning of the course.

The activities and performance tasks in this profile are examples of some strategies teachers may use with their classes. The following are some generic suggestions for assessment and evaluation techniques in Law courses:

- provide opportunities for student learning to improve by using formative assessment tools in each unit, e.g., visual organizers, practice quiz, self and peer editing of written work, teacher feedback;
- model the skill that you want the students to master, e.g., formulating a thesis, note-taking, report writing;
- share with your students clearly-developed criteria for their assessment and evaluation, e.g., checklists, rubrics. Developing these tools with students helps to clarify how and why they are being assessed or evaluated;
- accommodate a variety of learning styles and special needs through the modifications suggested in the activities and suggestions for how they may improve their performance;
- use assessment tools that are appropriate for the expectations being addressed and that relate to the categories on the achievement charts;
- ensure that criteria used for assessment match expectations in culminating activities that involve performance assessment;
- in performance tasks involving group work, ensure that these tasks build in positive interdependence and individual accountability;
- rubrics should make it clear to students why they scored as they did and what steps they need to take to improve;
- match the assessment/evaluation strategy to the teaching/learning strategy.

Students should become competent researchers and writers through the activities suggested in this profile. They will also practise and demonstrate a variety of written and verbal communication skills.

Seventy per cent of the grade will be based on assessments and evaluations conducted throughout the course. Thirty per cent of the grade will be based on a final evaluation in the form of an examination, performance, essay, and/or other method of evaluation.

Final Course Summative Evaluation

The Ontario Curriculum, Grades 9 to 12, Program Planning and Assessment states that thirty percent of the grade is based on a final evaluation in the form of an examination, performance, essay, and/or other method of evaluation suitable to the course content and administered towards the end of the course.

Decisions about how the thirty percent will be allocated are ultimately up to individual teachers, schools or boards. However, it is recommended that the thirty percent should be divided between at least two activities.

An examination of the expectations for the course, *Understanding Canadian Law*, reveals a number which would be best accommodated through a research paper. These expectations would include the following:

Overall Expectations

LIV.01 - use research methods appropriately to gather, organize, and synthesize information;

LIV.02 - evaluate the credibility of sources.

Specific Expectations

LI1.02 - effectively conduct legal research, using traditional and non-traditional sources of information;

LI2.03 - evaluate the credibility of sources and information by checking for logical errors, accuracy, and underlying assumption, including prejudices and biases;

LI2.04 - evaluate the credibility of published and Internet sources by analysing the quantity and quality of evidence presented, as well as the methods used by authors to support their claims (e.g., the use of footnotes);

LI4.05 - write clear, coherent, and logically organized reports, papers, and essays, observing the rules for ethical use of research material and following an accepted format for documenting sources.

It is expected that students would conduct research and write their essay throughout the course. To assist students with the writing of their paper, teachers should use a process that has students submit different components of the paper such as the selection of a topic, resource list, introduction, and outline. It is also suggested that teachers spend some time in class teaching students how to evaluate Internet sources. The essay should be handed in towards the end of the course for evaluation.

Accommodations

Every effort is made to assist all students in achieving success in their Law course. Specific adaptations and accommodations are recommended with each activity. Teachers should realize that if expectations are modified extensively, then the nature of the credit can be affected. Individual Education Plans for exceptional students provide teachers with specific learning strategies that work best with individual students. As well, the proficiency levels outlined in *The Ontario Curriculum, Grades 9 to 12, English As a Second Language and English Literacy Development, 1999* provide teachers and school administrators with a guide to receiving and accommodating these learners in the regular classroom.

There are a variety of strategies that can be used for those students with special needs. History teachers are encouraged to work with the Special Education teacher to review exceptional students' IEPs (Individual Education Plans) to decide the best course of action to assist them in meeting the expectations of the Grade 11 University/College Law course. Students with specific learning difficulties require specific modifications to meet their particular needs in terms of learning, communication, and expression strengths and weaknesses. Students with attention deficit and behavioural challenges need to have opportunities for active learning and interaction within a controlled environment. The variety of learning strategies and student performance tasks provide teachers with some guidance, but each exceptional student's program will require appropriate modifications based on the assessment and suggestions included in the Individual Education Plan.

Technology can also be important in modifying activities and accommodating for special needs. For example, prior bookmarking of key Internet sites will help to maximize on-line time. There are many enrichment opportunities for gifted students who may explore the issues and personalities in greater depth or from different perspectives.

When planning adaptation(s) of the Understanding Canadian Law, Grade 11, University/College courses for ESL students, teachers should recognize and reflect on all aspects of language development. The academic needs of the newly arrived student to Ontario who is an English-language learner can be met with a program and activities that encourage cognitive skill development through language skills development. Unite the specific and overall expectations of The Ontario Curriculum, Grades 11 and 12, Canadian and World Studies with those of the English as a Second Language/English Literacy Development Curriculum Policy document.

Teachers should select resources that relate to the ESL/ELD Curriculum Policy Document Strand's expectations: Reading, Writing, Oral and Visual Communication and Social and Cultural Competence. Use a wide variety of print and illustrative material. ESL/ELD students should be encouraged to use bilingual dictionaries, if necessary, and to use their first language to plan, organize, and write a first draft of either the written or performance product.

Like all learners, ESL/ELD learners have different learning styles. Therefore, a wide variety of teaching/learning strategies and assessment/evaluation techniques should be used in any classroom. Many assessment tools for ESL/ELD students are formative, both in the assessment of understanding of concepts and the acquisition and practise of the specifically identified language forms necessary to express those concepts. The ESL/ELD learners' self-esteem and motivation to learn benefits greatly when courses allow expression of their individual skills, interests, and varied life experiences in the family, communities, and countries of origin. Courses should also display sensitivity to the diversity of cultural, ethnic, religious beliefs and customs, socio-economic levels, and family structures of newcomer. Subject content should be presented in ways that focus on its relevance to ESL/ELD students needs, be they communicative/language, acculturation, day-to-day survival, social, physical, emotional, or cognitive.

Resources

Note Concerning Permissions

Units in this profile make reference to the use of specific texts, magazines, films, and videos. Before reproducing materials for student use from books and magazines, teachers need to ensure that their board has a Cancopy licence and that resources they wish to use are covered by this licence. Before screening videos for their students, teachers need to ensure that their board/school has obtained the appropriate public performance videocassette licence from an authorized distributor (e.g., Audio Cine Films Inc.). Teachers are also reminded that much of the material on the Internet is protected by copyright. That copyright is usually owned by the person or organization that created the work. Reproduction of any work or a substantial part of any work on the Internet is not allowed without the permission of the owner.

Print

Any current approved Canadian Law textbook.

A Case for Canada, Vol. I Rights and Freedoms (ISBN 0-7730-5008-6); *Vol. II. Minority Rights* ISBN 0-7730-5010-8; *Vol. III Social Justice* (ISBN 0-7730-50124), Toronto: Copp, Clark, Pittman, 1991.

Pocket Criminal Code 2001. Scarborough: Carswell Publications, 2000.

Human Rights in Employment Law. Scarborough: Carswell Publications, 1995.

Wrongful Dismissal Handbook. Scarborough: Carswell Publications.

Ontario Family Law Statutes. Scarborough: Carswell Publications, 1996.

Annotated Canadian Charter of Rights and Freedoms.

Correctional Services Canada, Ottawa. (publications and videos on variety of topics related to corrections)

Teaching Youth Justice: A Teacher's Manual for the Young Offenders Act, Public Legal Education, 1996.
The Classroom Puzzler Educational Resource Package. Peache House Press, Inc.

Internet Resources

Note: The URLs for the websites have been verified by the writer prior to publication. Given the frequency with which these designations change, teachers should always verify the websites prior to assigning them for student use.

Laws of Canada – http://canada.justice.gc.ca/Loireg/index_en.html

Judgements from the Supreme Court, 1985-2000 – <http://www.lexum.umontreal.ca/csc-ccc/>

Site for Canadian Law and resource materials – <http://www.acjnet.org/acjeng.html>

The Law Room – <http://www.uottawa.ca/hrrec/lawroom/lawroom.html>

Junior High Justice – <http://edm.johnhoward.org/education/graphics.html>

Youth FAQ – <http://www.acjnet.org/youthfaq/index.html>

Canadian Charter – <http://www.pch.gc.ca/ddp-hrd/ENGLISH/charter/contents.htm>

Research Tool and Law Links – http://www.umanitoba.ca/faculties/law/Research/Research_index.html

Canadian Legal Resources on the Net – http://www.nbnet.mb.ca/~psim_law.html

Canadian Human Rights Tribunal – <http://www.chrt-tcdp.gc.ca/>

Ontario Human Rights Commission – <http://www.ohrc.on.ca/>

Guide to Ontario Courts – <http://www.ontariocourts.on.ca/english.htm>

Law Related Internet Resources – <http://infolibary.yorke.ca/depts/law/links.htm>

Law Commission of Canada – <http://www.lc.gc.ca/>

Jurist Canada – Legal Education Network – <http://jurist.law.utoronto.ca/>

Canadian Bar Association—contests and mock trial information – <http://www.cba.ca>

Supreme Court Reports – http://www.droit.umontreal.ca/e_index

Legal Line – <http://www.legalline.ca>

Canadian Law – <http://www.CanLaw.com>

RCMP – <http://www.rcmp-grc.gc.ca/>

Best Guide to Canadian Legal Research – <http://legalresearch.org/>

United Nations Declaration of Human Rights – <http://www.un.org/>

Canadian Resource Bank for Democracy and Human Rights – <http://www.front.web.net/canadem>

Human Rights in Action – <http://www.un.org/Pubs/CyerSchoolBus/humanrights/index/html>

World Alliance for Citizen Participation – <http://www.civicus.org>

A Technology of Citizenship: Learning Democracy –
<http://www.oise.utoronto.ca/CASAE/cnf99/eharris.htm>

Canadian Encyclopedia World Edition. McClelland and Stewart, 1999: Maclean's updates. (Morin and Latimer cases; conflict-resolution mechanisms: courts, mediation, arbitration) – <http://CBC.ca/cgi-bin/templates/view.cgi> (Milgaard compensation) – http://www.canada.gc.ca/howgoc/govorg_e.html (Government Organizational Chart: Judiciary) – <http://www.fcnetwork.org/4thnorth/joyceand.html> (Joyce and David Milgaard presentation)

United Nations Charter – <http://www.un.org/aboutun/charter/index.html>

Canada at the Polls, Elections Canada (613-993-2975) – <http://www.elections.ca>

Canadian Elections on the Internet

<http://www.library.ubc.ca/poli/cpwebe.html>www.artsci.lsu.edu/poli/research.htmlwww.lsu.edu/guests/poli/public_html

StudyWeb: Government & Politics: World Government and Canadian Government

– <http://www.studyweb.com/links907.htm>

Department of Justice: Law – http://canada.justice.gc.ca/Loireg/index_en.html

Sources of Canadian Federal and Provincial Legislation: LIS2133: Legal Literature

– <http://www.fis.utoronto.ca/courses/LIS/2133/legisour.htm>

Local or national newspapers, magazines, indexes, databases & full text periodicals at BCIT Libraries

– <http://www.lib.bcit.bc.ca/le.htm>

Newspapers and Magazines and Editorials – <http://www.webwombat.com.au/intercom/newsrs/index.htm>

– <http://www.fact.com/eof.htm>

The Mounties Finally Get Their Man – <http://www.singh~songh.org>

Summary of Choosing a Government, Ontario Conference of Catholic Bishops, 1998

(OCCB@OCCB.on.ca) – <http://www.OCCB.on.ca>

Vatican – <http://www.vatican.va>

Audio-Visual Resources

A Question of Justice, TV/Ontario, Ministry of the Attorney General – A series of 10 videos dealing with a variety of legal issues. Also includes a teacher's manual with each episode.

CBC News in Review – In particular the following episodes have relevant segments:

Sept. 1990 – Donald Marshall; Feb. 1991 – Canada's Anti- Hate Law: The Keegstra Case; Oct. 1991 – Canada's Rape Shield Law; Nov. 1991 – Capital Punishment in Canada; Feb. 1992 – Nancy B.: The Right to Decide; May 1992 – Freedom for David Milgaard; Mar. 1993 – The Trials of Guy Paul Morin; Oct. 1993 – Sue Rodriguez: Choosing Death; Feb. 1994 – Judges: The Use of Power; May 1994 – The New Criminals: Trigger Happy; Dec. 1994 – After the Crime: Is Justice Served?; Mar. 1995 – DNA Evidence: Science or Justice?; Apr. 1995 – Guns Control Law: To Stop The Killing, Cameras in Court: Justice Seen to be Done; Sept. 1995 – The Latimer Case: Mercy or Murder?; Oct. 1995 – The Bernardo Case: The Monster Among Us; Feb. 1998 – The Krever Inquiry: Assigning Blame; Apr. 1998 – Marijuana: Taking Another Look; Mar. 2000 – Private Prisons: The Profit Motive; May 2000 – Reena Virk: A Senseless Death, Conditional Sentencing: Effective or Not?

TVO Marketing

Freedom Had A Price, NFB, (C9194 043/EC009)

Twice Condemned, NFB, (117C 0193 095)

Human Rights in Canada, NFB, (111 C0189 059)

You're Under Arrest, NFB, (106C 0179 088)

Government in Canada: Citizenship in Action, NFB (193C0190 124/EC009)

The Road to Patriation, NFB (106C 0184 013)

Justice Denied, NFB, (C9189 100/EC009)

High Risk Offender, NFB, (C9198 073/EC009)

When Women Kill, NFB, (C9194 002/EC009)

Post Mortem: A Look at Forensic Science. CBC

Euthanasia: CBC

Human Resources

Teacher-librarian/Resource teacher

Priest or Chaplain

This list will vary based on locality, but could include:

- lawyer
- judge
- court clerk, court reporter
- police officer – municipal, provincial, federal
- probation officer
- member of parliament
- member of provincial parliament
- member of the Canadian Civil Liberties Association
- member of either the John Howard Society or Elizabeth Frye

Catholic Resources

Books

(**Note:** These are mainly for teacher reference but some may be adapted for student use.)

Christian Justice. Minnesota: St. Mary's Press, 1995.

Do Justice! CCB (Toronto, 1987).

Dreams, Dilemmas and Decisions. Manitoba: Friesen Press, 1994.

Gaudium et Spes. Second Vatican Council document.

Love Kindness. Jesuit Centre for Social Justice.

On Choosing a Government. Ontario Bishops 1998 Pastoral Letter.

Rerum Novarum. Papal Encyclical.

Sollicitudo Rei Sociali. Papal Encyclical, 1986.

Summa Theologica. St. Thomas Aquinas.

OSS Considerations

The Law course provides students with the opportunity to acquire skills and knowledge they need in order to pursue education and career goals and carry out social responsibility. This course provides students with learning experiences that are consistent with program goals outlined in *Choices into Action, Guidance and Career Education Program Policy for Ontario Elementary and Secondary Schools, 1999*.

Students can relate what they are learning in this course to personal aspirations and interests and to possible work and life roles. To attain this objective, teachers should offer a range of career exploration activities, e.g., guest speakers. In some situations students may benefit from co-operative education and work experience if teachers choose to add this component to the course. Examples of ways of providing these opportunities for students are suggested in *Ontario Schools, Grade 9 to Grade 12, Program and Diploma Requirements, 1999*, section 7.5, Co-operative education and work experience (pp. 52-54).

This course also gives consideration to integrating technology across the curriculum (i.e., use of the Internet in research), students with special needs (modifications when necessary), using the community as a resource (visits to law courts), and using the Library/Resource Centre. Teachers should also integrate the values of anti-discrimination, respect, and violence prevention into the course of study. When this course is taught in an adult setting more emphasis can be placed on the students' own personal experience with legal issues.

Students taking this course may earn either an optional credit or an additional compulsory credit for diploma requirements.

Coded Expectations, Understanding Canadian Law, Grade 11, University/College Preparation, CLU3M

Heritage

Overall Expectations

- HTV.01** · explain what law is and why societies have laws and describe the different categories of law;
- HTV.02** · identify the historical roots of Canadian law;
- HTV.03** · explain who is responsible for law-making in Canada and how laws are developed, interpreted, applied, challenged, and enforced.

Specific Expectations

Law and Society

- HT1.01** – explain the meaning and function of law in Canadian society;
- HT1.02** – explain why all societies need laws;
- HT1.03** – distinguish between the various categories of law (e.g., substantive/procedural, common/statute);
- HT1.04** – explain the meaning and nature of the various types of law (e.g., criminal, constitutional, administrative, and private).

The Historical Roots of Law

- HT2.01** – assess the contributions of early legal systems to contemporary Canadian law (e.g., the Code of Hammurabi, Mosaic law, Roman law);
- HT2.02** – describe key developments in English common law and explain their influence on Canadian law (e.g., the adversarial system, Magna Carta, the importance of precedent, the rule of law, the concept of equity);
- HT2.03** – explain how Roman law and codes of law such as Justinian’s Code and the Napoleonic Code influenced the development of Quebec civil law.

Law-making

- HT3.01** – identify the key components of the Constitution of Canada, including the division of powers between the two levels of government;
- HT3.02** – describe the role of government, its agencies, and the courts in making, changing, or interpreting the law;
- HT3.03** – describe initiatives by individuals and lobby groups to introduce new laws or change existing laws and explain why the changes were needed;
- HT3.04** – describe the process by which a bill becomes law.

Rights and Freedoms

Overall Expectations

- RFV.01** · describe the sources of Canadian rights and freedoms and explain how rights and freedoms may differ and conflict;
- RFV.02** · identify historical and contemporary barriers to the equal enjoyment of human rights in Canada and evaluate their effects;
- RFV.03** · describe the rights and freedoms enshrined in Canadian law and explain how they are interpreted, how they may be limited, and how they are enforced in Canada and in Ontario.

Specific Expectations

Rights and Freedoms

- RF1.01** – identify the influences on the development of human rights in Canada (e.g., Magna Carta, the American Bill of Rights, the French Declaration of the Rights of Man and of the Citizen, the Canadian Bill of Rights, the Universal Declaration of Human Rights);
- RF1.02** – explain key concepts associated with human rights;
- RF1.03** – analyse situations in which rights and freedoms may conflict (e.g., when the right to freedom of expression conflicts with legislation to ban hate literature).

Barriers to Human Rights

- RF2.01** – describe historical and contemporary situations in which rights in Canada have been denied (e.g., rights of Japanese in the Second World War, Aboriginal rights to land, women’s rights, rights of physically or mentally challenged persons);
- RF2.02** – evaluate the contribution of individual citizens and organizations in developing and increasing awareness of human rights issues (e.g., John Diefenbaker, Pierre Elliott Trudeau, women’s and victims’ groups, Emily Murphy and the Famous Five/ Persons Case, the Assembly of First Nations, Mothers Against Drunk Driving, the Civil Liberties Association, the Women’s Legal Education and Action Fund).

Human Rights Legislation in Canada and in Ontario

- RF3.01** – describe the rights and freedoms found in the Canadian Charter of Rights and Freedoms;
- RF3.02** – analyse situations in which a right or freedom may be justifiably limited (e.g., libel laws that limit the freedom of the press);
- RF3.03** – explain how human rights legislation and the courts attempt to balance minority and majority rights;
- RF3.04** – explain the role of the judiciary, especially the Supreme Court of Canada, in interpreting the Charter and the role of government in enforcing Charter rights;
- RF3.05** – explain the protections provided under the Ontario Human Rights Code;
- RF3.06** – distinguish between the protections offered under the federal Charter and those provided by the Ontario Human Rights Code;
- RF3.07** – describe procedures for hearing complaints about human rights violations (e.g., the role of the Ontario Human Rights Commission, the Board of Inquiry [Human Rights Code], the Office of the Ombudsman).

Criminal Law and Procedures

Overall Expectations

- CLV.01** · summarize what constitutes a crime or regulatory offence in Canada;
- CLV.02** · describe the processes, legal institutions, and methods involved in bringing a criminal case to trial;
- CLV.03** · explain the structure and role of the Canadian court system in criminal law;
- CLV.04** · analyse the principles of sentencing, including those relating to alternative methods of imposing sanctions or regulating behaviour;
- CLV.05** · explain how the criminal law applies to young people.

What Is a Crime?

- CL1.01** – describe the elements that must exist for a person to be convicted of a crime under Canadian law;
- CL1.02** – differentiate between a summary conviction and an indictable offence;
- CL1.03** – explain the classifications and key elements of crime described in the Canadian Criminal Code and related federal statutes (e.g., crimes against the person, murder, manslaughter, assault).

Trial Procedures

CL2.01 – describe the process of a police investigation, including the questioning of an accused and the gathering of evidence;

CL2.02 – identify the elements of a legal arrest, including the rights of an accused under arrest or detention;

CL2.03 – describe different types of pre-trial release mechanisms (e.g., own recognizance; with bail [money, property bond, recognizance of a friend or relative]).

The Court System

CL3.01 – summarize the structure of the criminal court system, including avenues of appeal;

CL3.02 – describe the role of different individuals involved in a criminal trial (e.g., lawyer, judge, jury, duty counsel, Crown attorney);

CL3.03 – explain key aspects of the criminal trial process, including jury selection and rules about the admissibility of evidence and the burden of proof;

CL3.04 – identify legally accepted defences to criminal charges.

Sentencing

CL4.01 – describe the main principles of sentencing;

CL4.02 – explain the various sentencing options available, including alternative options (e.g., use of healing circles, peer sentencing, victim-offender programs);

CL4.03 – analyse the role of victims and victim impact statements in sentencing;

CL4.04 – explain the role of the prison system.

Criminal Law and Young People

CL5.01 – describe the key differences between the Juvenile Delinquents Act (1929), the Young Offenders Act (1984), and the proposed replacement for the Young Offenders Act, the Youth Criminal Justice Act;

CL5.02 – identify controversial aspects of the Young Offenders Act and outline the arguments on both sides of these controversies;

CL5.03 – analyse areas of criminal law, besides those covered in the Young Offenders Act, that may apply to young people (e.g., drinking and driving laws; alcohol, tobacco, and narcotics laws; laws relating to violence, sexual assault, or harassment).

Regulation and Dispute Resolution

Overall Expectations

RDV.01 · distinguish between civil and criminal law;

RDV.02 · describe the processes, legal institutions, and methods involved in bringing a civil dispute to trial and resolution;

RDV.03 · explain how the law applies to family matters;

RDV.04 · analyse the role of law as it applies to contractual obligations and claims for compensation for personal injury or loss.

Specific Expectations

Civil and Criminal Law

RD1.01 – describe the differences between public law (e.g., constitutional law, criminal law) and private law (e.g., family law, contract law, tort law);

RD1.02 – describe the various areas of civil law (e.g., family, contract, tort).

Dispute Resolution

RD2.01 – describe the courts that try civil actions and the types of cases tried in each (e.g., small claims court, landlord and tenant court, family court);

RD2.02 – summarize the procedures involved in bringing a civil action (e.g., statement of claim, statement of defence, examination for discovery);

RD2.03 – describe the types of damages recognized in civil court and the remedies available for enforcing judgement (e.g., special, general, nominal, or punitive damages; injunctions).

Family Matters

RD3.01 – list the legal requirements of a valid marriage;

RD3.02 – distinguish between federal and provincial powers in the area of family law;

RD3.03 – explain matrimonial property law as it applies in marriage, common-law relationships, separation, and divorce, and on the death of a spouse;

RD3.04 – explain the grounds for divorce and the procedures available for resolving family disputes;

RD3.05 – explain the rights of support, custody, and access, and what the state can do to enforce support or assume custody.

Contractual Obligations and Torts

RD4.01 – define the elements of a legal contract (e.g., offer and acceptance, consideration);

RD4.02 – explain when contractual performance can be excused, who is provided extra protection in contract law, and what remedies are available in law for breach of contract;

RD4.03 – explain what is an intentional tort and what constitutes negligence in tort law;

RD4.04 – describe legally acceptable defences and legal remedies to intentional and unintentional torts.

Methods of Legal Inquiry

Overall Expectations

LIV.01 · use research methods appropriately to gather, organize, and synthesize information;

LIV.02 · evaluate the credibility of sources;

LIV.03 · demonstrate an understanding of the dynamic nature of law, including the way in which it evolves in response to technology and changes in societal values;

LIV.04 · explain, discuss, and interpret legal issues, orally and in writing, using a variety of formats.

Research

LI1.01 – formulate meaningful questions that lead to a deeper understanding of a legal issue and of the different ways to approach an issue;

LI1.02 – effectively conduct legal research, using traditional and non-traditional sources of information (e.g., Internet websites, multimedia technology, law libraries, community legal services);

LI1.03 – classify and clarify information, using timelines, organizers, mind maps, concept webs, maps, graphs, charts, and diagrams;

LI1.04 – compile summary notes in a variety of forms and for a variety of purposes, including research and preparation for oral presentations, tests, and examinations.

Evaluation of Sources

LI2.01 – distinguish among opinions, facts, and arguments in sources;

LI2.02 – identify the frame of reference and purpose of data;

LI2.03 – evaluate the credibility of sources and information by checking for logical errors, accuracy, and underlying assumptions, including prejudices and biases;

LI2.04 – evaluate the credibility of published and Internet sources by analysing the quantity and quality of evidence presented, as well as the methods used by authors to support their claims (e.g., the use of footnotes).

Understanding of the Evolving Nature of Law

- LI3.01** – explain how changes in attitudes and societal values bring about changes in the law (e.g., censorship, gambling, and drinking and driving laws; laws relating to women and children; laws protecting the environment; laws regulating the workplace);
- LI3.02** – evaluate the impact on the law of technological change (e.g., developments in information technology, medical technology, transportation technology);
- LI3.03** – speculate on possible future developments in law and the Canadian legal system based on changes in our society (e.g., changing attitudes and cultural differences).

Communication

- LI4.01** – effectively present ideas, opinions, and arguments orally (e.g., in role plays, interviews, simulations, debates, group presentations, seminars);
- LI4.02** – justify and support opinions, using proper legal terminology and informed research;
- LI4.03** – use legal terms accurately and appropriately for a variety of purposes and audiences;
- LI4.04** – create graphs, charts, organizers, images, and illustrations to support oral and written presentations;
- LI4.05** – write clear, coherent, and logically organized reports, papers, and essays, observing the rules for ethical use of research material and following an accepted format for documenting sources;
- LI4.06** – identify and describe career opportunities in the legal field.

Ontario Catholic School Graduate Expectations

The graduate is expected to be:

A Discerning Believer Formed in the Catholic Faith Community who

- CGE1a** -illustrates a basic understanding of the **saving story** of our Christian faith;
- CGE1b** -participates in the **sacramental life** of the church and demonstrates an understanding of the centrality of the Eucharist to our Catholic story;
- CGE1c** -actively reflects on **God’s Word** as communicated through the Hebrew and Christian scriptures;
- CGE1d** -develops attitudes and values founded on Catholic **social teaching** and acts to promote social responsibility, human solidarity and the common good;
- CGE1e** -speaks the **language of life**... “recognizing that life is an unearned gift and that a person entrusted with life does not own it but that one is called to protect and cherish it.” (Witnesses to Faith)
- CGE1f** -seeks intimacy with God and celebrates **communion** with God, others and creation through prayer and worship;
- CGE1g** -understands that one’s purpose or **call in life** comes from God and strives to discern and live out this call throughout life’s journey;
- CGE1h** -respects the **faith traditions**, world religions and the life-journeys of **all people of good will**;
- CGE1i** -integrates faith with life;
- CGE1j** -recognizes that “sin, human weakness, conflict and forgiveness are part of the human journey” and that the cross, the ultimate sign of forgiveness is at the heart of **redemption**. (Witnesses to Faith)

An Effective Communicator who

- CGE2a** -listens actively and critically to understand and learn in light of gospel values;
- CGE2b** -reads, understands and uses written materials effectively;
- CGE2c** -presents information and ideas clearly and honestly and with sensitivity to others;
- CGE2d** -writes and speaks fluently one or both of Canada’s official languages;
- CGE2e** -uses and integrates the Catholic faith tradition, in the critical analysis of the arts, media, technology and information systems to enhance the quality of life.

A Reflective and Creative Thinker who

- CGE3a** -recognizes there is more grace in our world than sin and that hope is essential in facing all challenges;
- CGE3b** -creates, adapts, evaluates new ideas in light of the common good;
- CGE3c** -thinks reflectively and creatively to evaluate situations and solve problems;
- CGE3d** -makes decisions in light of gospel values with an informed moral conscience;
- CGE3e** -adopts a holistic approach to life by integrating learning from various subject areas and experience;
- CGE3f** -examines, evaluates and applies knowledge of interdependent systems (physical, political, ethical, socio-economic and ecological) for the development of a just and compassionate society.

A Self-Directed, Responsible, Life Long Learner who

- CGE4a** -demonstrates a confident and positive sense of self and respect for the dignity and welfare of others;
- CGE4b** -demonstrates flexibility and adaptability;
- CGE4c** -takes initiative and demonstrates Christian leadership;
- CGE4d** -responds to, manages and constructively influences change in a discerning manner;
- CGE4e** -sets appropriate goals and priorities in school, work and personal life;
- CGE4f** -applies effective communication, decision-making, problem-solving, time and resource management skills;
- CGE4g** -examines and reflects on one's personal values, abilities and aspirations influencing life's choices and opportunities;
- CGE4h** -participates in leisure and fitness activities for a balanced and healthy lifestyle.

A Collaborative Contributor who

- CGE5a** -works effectively as an interdependent team member;
- CGE5b** -thinks critically about the meaning and purpose of work;
- CGE5c** -develops one's God-given potential and makes a meaningful contribution to society;
- CGE5d** -finds meaning, dignity, fulfillment and vocation in work which contributes to the common good;
- CGE5e** -respects the rights, responsibilities and contributions of self and others;
- CGE5f** -exercises Christian leadership in the achievement of individual and group goals;
- CGE5g** -achieves excellence, originality, and integrity in one's own work and supports these qualities in the work of others;
- CGE5h** -applies skills for employability, self-employment and entrepreneurship relative to Christian vocation.

A Caring Family Member who

- CGE6a** -relates to family members in a loving, compassionate and respectful manner;
- CGE6b** -recognizes human intimacy and sexuality as God given gifts, to be used as the creator intended;
- CGE6c** -values and honours the important role of the family in society;
- CGE6d** -values and nurtures opportunities for family prayer;
- CGE6e** -ministers to the family, school, parish, and wider community through service.

A Responsible Citizen who

- CGE7a** -acts morally and legally as a person formed in Catholic traditions;
- CGE7b** -accepts accountability for one's own actions;
- CGE7c** -seeks and grants forgiveness;
- CGE7d** -promotes the sacredness of life;
- CGE7e** -witnesses Catholic social teaching by promoting equality, democracy, and solidarity for a just, peaceful and compassionate society;
- CGE7f** -respects and affirms the diversity and interdependence of the world's peoples and cultures;
- CGE7g** -respects and understands the history, cultural heritage and pluralism of today's contemporary society;
- CGE7h** -exercises the rights and responsibilities of Canadian citizenship;
- CGE7i** -respects the environment and uses resources wisely;
- CGE7j** -contributes to the common good.

Unit 1: Heritage

Time: 20 hours

Unit Description

In this introductory unit, students develop an understanding of what law is and why societies have laws. An examination of the historical roots of Canadian law assists students to develop an understanding of the Canadian legal system. Students examine the role of government, its agencies, and the courts in making, changing, or interpreting the law. Throughout the unit, students incorporate many of the methods of legal inquiry. With the culminating activity, students are asked to create a constitution for the new colony on Mars. After an examination of a number of constitutions, students are asked to create a new constitution and to present their work to their classmates, and individually to submit a written report. For students in Catholic schools, this unit provides an opportunity to study the Church's legal traditions, in particular Mosaic law. Students examine the Dogmatic Constitution of the Catholic Church and enhance their understanding of the rights and responsibilities of Canadian citizenship.

Unit Synopsis Chart

Activity	Time	Expectations	Assessment	Tasks
The Need for Law	150 min	HTV.01, LIV.03, HT1.01, HT1.02, LI1.03, LI4.03, CGE2b, 2d, 4e, 5e	Knowledge/ Understanding Thinking/Inquiry Application	Examine different groups to determine types of rules. Examine need for and purposes of law.
The Historical Roots of Law	240 min	HTV.02, LIV.01, LIV.02, HT2.01, HT2.02, HT2.03, LI1.03, GCE 1d, 2a, 3b, 7e, 7g	Knowledge/ Understanding Thinking/Inquiry Communication Application	Locate ancient civilizations on a map. Examine quotes from legal historical figures. Research contributions of different groups to Canadian legal system. Complete an organizer.
The Constitution of Canada	150 min	HTV.02, HTV.03, LIV.03, HT3.01, LI1.04, LI4.03, CGE2b, 2d, 7h	Knowledge/ Understanding Communication Thinking/Inquiry Application	Define what a constitution is. Examine the continual evolution of the Canadian Constitution. Examine Canadian Constitution.
Why Laws Change	225 min	HTV.03, LIV.03, LIV.04, HT3.02, HT3.03, HT3.04, LI1.03, LI.04, LI3.01, LI3.03, LI4.04, CGE2b, 2c, 3b, 3c, 4a, 7e	Knowledge/ Understanding Communication	Examine reasons why laws change. Propose a new law or change an existing one. Study process of making a law.
Categories of Law	75 min	HTV.03, HT1.03, HT1.04, LI1.03, LI1.04, LI4.03, CGE2b, 2d, 7h	Thinking/Inquiry Communication Application	Examine classifications of law. Examine different scenarios and determine if public/private law and which classification.

Culminating Activity - The Mars Constitution	360 min	LIV.04, LI4.01, LI4.02, LI4.05, CGE2b, 2d, 3f, 5a, 5e	Knowledge/ Understanding Thinking/Inquiry Communication Application	Students design and present a new constitution.
--	---------	---	---	---

Note: The assessment and evaluation tools which have been provided with this profile are provided as samples only of how the teacher may wish to assess/evaluate the students' work. The best assessment/evaluation tools are those created by the teacher and students collaboratively. Rubrics should be designed for specific tasks.

Activity 1.1: The Need for Law

Time: 150 minutes

Description

Students develop their understanding of the need for structure and order in any group of people organized for any purpose. It is important that students appreciate the differences between laws and rules. All laws are rules but not all rules are laws. For Catholic students, their study of the Church's rules and laws should expand their understanding of the structure of this institution.

Strand(s) & Learning Expectations

Strand(s): Heritage, Methods of Legal Inquiry

Overall Expectations

HTV.01 - explain what law is and why societies have laws and describe the different categories of law;
LIV.03 - demonstrate an understanding of the dynamic nature of law, including the way in which it evolves in response to technology and changes in societal values.

Specific Expectations

HT1.01 - explain the meaning and function of law in Canadian society;
HT1.02 - explain why all societies need laws;
LI1.03 - classify and clarify information, using timelines, organizers, mind maps, concept webs, maps, graphs, charts, and diagrams;
LI4.03 - use legal terms accurately and appropriately for a variety of purposes and audiences.

Ontario Catholic School Graduate Expectations

CGE 2b - writes and speaks fluently one or both of Canada's official languages;
CGE 2d - reads, understands, and uses written materials effectively;
CGE 4e - sets appropriate goals and priorities in school, work, and personal life;
CGE 5e - respects the rights, responsibilities, and contributions of self and others.

Prior Knowledge & Skills

- Students have had at least an introduction to the law in the Grade 10 Civics course. Fundamental legal principles, divisions of law, the criminal process, international law and the Charter of Rights and Freedoms are studied, albeit briefly. The idea of the need for law should not be new.

Planning Notes

- Before beginning this unit, teachers should become familiar with the culminating activity found in Activity 6. Teachers should collect copies of different constitutions for students to examine.
- If the decision is made to have students conduct research for Activity 6 by using the Internet, teachers should book the computer lab.
- Check student knowledge of the Internet and review school/board Internet policy on ethical and safe usage.

Teaching/Learning Strategies

1. As a beginning activity, students brainstorm to create a web of images the word “law” raises. The purpose of this activity is twofold - to help the teacher determine student expectations of the course and to broaden the student’s perspective on what law is.
2. In order to introduce the concept of the need for rules or laws in any kind of gathering of persons for any reason, a comparison of widely disparate groups is made. Students are encouraged to provide their own examples. They may include their family, their school, their workplace, a community organization or team, or their church. Students, individually, construct a chart giving examples of the types of rules these groups have developed. Three groups should be studied. At least four rules should be given for each of the groups chosen. The reasoning behind the rules should also be provided by students.
3. This activity leads directly into the need for law and the purpose of law in our society. These principles may be put on the board or on an overhead for students to put into their notes.

Need for Law:

Secular

Law exists to keep social order and further the collective good (collective good commonly defined as the greatest happiness of the greatest number with codified protection of individual and minority rights).

Catholic

Law exists as a moral guide and educator (lead us to the “good,” usually defined as an eternal, divine unchanging value which is discoverable by humans through our intellect, study of the Bible and the Church’s teachings)

Purposes of Law:

- Laws Promote the Goals of Society
 - Laws Provide a Method to Settle Disputes Peacefully
 - Law Protect Persons and Possessions (punishment and deterrence)
 - Law Provides Order in Society
4. Students should provide examples of laws that serve these purposes, i.e., 1. Child labour laws, 2. Civil lawsuits, assault charges, 3. Assault, theft, robbery, 4. Curfews, drinking and driving.

Assessment & Evaluation of Student Learning

- Formative assessment of the student’s chart by the teacher for completeness and accuracy. Teachers may wish to use a Learning Skills Checklist to assess Work Habits. (Appendix 1.1.1)
- Formative assessment of the student’s responses by the teacher for completeness and accuracy.

Accommodations

- Discuss with Special Education Department the needs of those exceptional students with IEPs as well as the needs of students who may require extra assistance.
- ESL students may write their own examples of the need for rules and laws in their own language and then they can translate.

-
- ESL students are encouraged to draw comparisons and contrasts to rules and laws of their native country to their new country.
 - Peer tutor support utilized in creation of web for students needing assistance.
 - Students with developmental disabilities may draw a web of rules relating to their own lives (i.e., responsibilities at home, safety in the community).
 - Teacher/peer tutor assistance available in note-taking.

Resources

Student text

Appendices

Appendix 1.1.1 – Learning Skills Checklist

Activity 1.2: The Historical Roots of Law

Time: 240 minutes

Description

Students examine the legal systems created by the ancient civilizations of Babylon, Israel, Greece, and Rome to gain an understanding of contemporary Canadian law. They are also asked to describe the key developments in English common law which have contributed to the Canadian legal system. Students examine the development of Quebec civil law. For Catholic students, the study of Mosaic law and the works of St. Augustine and St. Thomas Aquinas adds to their understanding of the history of the Church.

Strand(s) & Learning Expectations

Strand(s): Heritage, Methods of Legal Inquiry

Overall Expectations

HTV.02 - identify the historical roots of Canadian law;

LIV.01 - use research methods appropriately to gather, organize, and synthesize information;

LIV.02 - evaluate the reliability of sources.

Specific Expectations

HT2.01 - assess the contributions of early legal systems to contemporary Canadian law;

HT2.02 - describe the key developments in English common law and explain their influence on Canadian law;

HT2.03 - explain how Roman law and codes of law such as Justinian's Code and the Napoleonic Code influenced the development of Quebec civil law;

LI1.03 - classify and clarify information, using timelines, organizers, mind maps, concept webs, maps, graphs, charts, and diagrams;

LI1.04 - compile summary notes in a variety of forms and for a variety of purposes, including research and preparation for oral presentations, tests, and examinations;

LI3.01 - explain how changes in attitudes and societal values bring about changes in the law;

LI4.04 - create graphs, charts, organizers, images, and illustrations to support oral and written presentations.

Ontario Catholic School Graduate Expectations

CGE.1d - develops attitudes and values founded on Catholic social teaching and acts to promote social responsibility, human solidarity, and the common good;

CGE.2a - listens actively and critically to understand and learn in light of gospel values;

CGE.3b - creates, adapts, evaluates new ideas in light of the common good;

CGE.7e - witnesses Catholic social teaching by promoting equality, democracy, and solidarity for a just, peaceful, compassionate society;

CGE.7g - respects and understandings the history, cultural heritage, and pluralism of today's contemporary society.

Prior Knowledge & Skills

- In the Grade 10 Civics course, students have studied the following: elements of democratic decision making (i.e., rule of law); how the dimensions of democratic decision-making were practised in different historical contexts; what the fundamental beliefs and values associated with democratic citizenship are; and historical and contemporary cases that involve democratic principles.

Planning Notes

- Teachers should confirm the availability of resources and preview same.
- Teachers should ensure that students have Internet access.

Teaching/Learning Strategies

1. To help familiarize students with the locations of the ancient civilizations to be examined, the teacher describes the geographic locations of Babylon, Egypt, Greece and Rome using ancient and/or present day maps. Students locate these civilizations on a map.
2. The teacher places students in groups of two or three and has them decide within their group who will record the board note of quotations from Plato, Hume and Hobbes along with questions to be answered and recorded by each group. (Appendix 1.2.2)
3. Student responses are used as a basis for further discussion and debate.
4. The teacher, using the same groups, assigns the students to research one of the following areas:
 1. Code of Hammurabi - circa 1800 B.C. (Codification/stone tablet);
 2. Mosaic Law - circa 1000 B.C. (restitution/stone tablets);
 3. Law according to the Greeks-Socrates - circa 460 B.C. (Socratic inquiry method), Plato - circa 425 B.C. (The Republic/philosopher-kings), Aristotle - circa 380 B.C. (Natural law/rationalism/equity);
 4. Rome - Justinian - circa 480 A.D. (Universal/civil laws - Justinian Code);
 5. St. Augustine - circa 350 A.D. (Christian justice/City of God);
 6. William, King of England - circa 1070 A.D. (feudalism/Common Law/Precedent);
 7. Magna Carta - 1215 (Great Charter/Rule of Law/Writ of Habeas Corpus);
 8. St. Thomas Aquinas - circa 1225 A.D. (Canon Law/Roman Catholicism);
 9. Napoleon - circa 1800 A.D. (Napoleonic Code/Quebec Civil Code). Students use their texts and teacher-provided resources such as Internet sites. (See Resources for suggestions.)
5. The teacher provides a Research Information Sheet on which students record the information (i.e., where, when and who; main features of legal system; examples of laws; impact on Canadian legal system; examples of how influence is still felt today) researched, including the resources used. Students should also be given the assessment tools that are used to evaluate their work.
6. While each group presents their research, students complete the chart - The Historical Foundations of Law (Appendix 1.2.3) (Presentations should be approximately 10 minutes in length.)

Assessment & Evaluation of Student Learning

- The teacher uses roving conferences to ensure that the students know what is expected and to keep them on task.
- A formative assessment checklist of individual and group efforts. The teacher's comments are shared with each group and privately with each group member. (Appendix 1.2.1) It is recommended that the teacher pre-select two or three items from the checklist to assess group efforts. It would be difficult to assess all of the suggested items. There are several opportunities for the teacher to use the checklist throughout this unit.

-
- Summative evaluation of the presentations by teacher/peer, using an Oral Presentation Checklist (Appendix 1.2.4)
 - Formative assessment of the students' charts for completeness and accuracy through the use of a Learning Skills Checklist (Appendix 1.1.1)

Accommodations

- Individual support in locating places on the map; students who need assistance with mapping should be paired with students with well-developed skills in mapping.
- The teacher should create a balance within the group structures to reflect the varied abilities and needs of the students. Review cooperative groups skills.
- Provide resource help to be used in research for the group assignment.
- Vary length of written work or provide alternate methods of recording to be provided (scribing or audiotaping).
- Provide opportunity for peer editing and support.
- Special Education Department may be asked to provide assistance in creation of assessment tools to evaluate students who are identified.
- Teacher may provide an alternate Research Information Sheet for students with reading and organizing difficulties.
- Presentation format to include audio or video tapes.
- Gifted students may extend their understanding by researching more in-depth information.

Resources

Print

Student text.

Internet

The Code of Hammarabi – <http://www.wsu.edu/~dee/MESO/CODE.htm>

– <http://www.fordham.edu/halsall/ancient/asbook03.html>

Mosaic Law – <http://www.jewish-history.com/mosaic/index.html>

– <http://www.fordham.edu/halsall/ancient/asbook03.html>

– <http://www.wsu.edu/~dee/110/110SCHEd.htm> (Seeing the World Through Hebrew Eyes)

Greek Law – <http://www.wsu.edu.8080%7edee/greece/plato.htm>

– <http://www.wsu.edu/~dee/110/110SCHEd.htm> (Socrates, Plato and Aristotle)

– <http://www.fordham.edu/halsall/ancient/asbook07.html>

Roman Law – <http://www.fordham.edu/halsall/ancient/12tables.html>

– <http://www.aloha.net/~mikesch/jus-code.htm>

St. Augustine – <http://www.utm.edu/research/iep/a/augustine.htm>

– <http://www.newadvent.org/cathen/02091a.htm>

St. Thomas Aquinas – <http://www.niagara.edu/~loughlin/index.html>

– <http://www.nd.edu/Departments/Maritain/etext/thomism.html>

– <http://www.value.net/~bromike/aquinas/thomas.html>

– <http://www.newadvent.org/cathen/14663b.htm>

– <http://www.exlaw.com/library/lb-summa.shtml>

Canon Law – <http://www.newadvent.org/cathen/09056a.htm#IV>

Common Law – <http://www.fordham.edu/halsall/sbook1n.html> (The Barons Revolt and Magna Carta)

– <http://www.lgu.ac.uk/lawlinks/history.htm> (Links to sites on English Common Law)

– <http://vi.uh.edu/pages/bob/elhone/elhmat.html> (Origins of the Common Law, The Rule of Law, Magna Carta)

Code Napoleon – <http://www.bartleby.com/65/co/CodeNapo.htm>

– http://www.iselinge.nl/napolen/html/body_code_napoleon.htm

– <http://www.history-magazine.com/codenap.html>

Quebec Civil Code – <http://www.lexum.umontreal.ca/ccq/en/>

– <http://www.unidroit.org/english/publications/review/articles/1999-4a.htm>

– <http://www.unidroit.org/english/publications/review/articles/1999-3.htm>

– <http://www.robic.com/publications/028.htm>

Appendices

Appendix 1.2.1 – Observational Checklist for Assessing Group Discussions

Appendix 1.2.2 – Legal Quotations and Questions

Appendix 1.2.3 – Historical Foundations of Law

Appendix 1.2.4 – Oral Presentation Checklist

Activity 1.3: The Constitution of Canada

Time: 150 minutes

Description

Students are introduced to the development of and the significant changes to Canada’s Constitution. The time frames of pre-Constitutional documents (1861-1982) and post-1982 documents are explored. By developing an historical perspective of the Constitution, the student understands and appreciates how a constitution can serve as a framework for defining responsibilities and powers, and bringing order to a society in a just and equitable manner - for the Catholic student, this implies a social justice as found in Gospel teachings. The student develops an appreciation that a constitution, in order to be effective, requires the respect and support of the citizenry and government. Such respect and support requires the resolution of differences through discussion, negotiation, and compromise. In anticipation of the culminating activity, students are introduced to Canada’s Constitution.

Strand(s) & Learning Expectations

Strand(s): Heritage, Methods of Legal Inquiry

Overall Expectations

HTV.02 - identify the historical roots of Canadian law;

HTV.03 - explain who is responsible for law-making in Canada and how laws are developed, interpreted, applied, challenged, and enforced;

LIV.03 - demonstrate an understanding of the dynamic nature of law, including the way in which it evolves in response to technology and changes in societal values.

Specific Expectations

HT3.01 - identify the key components of the Constitution of Canada, including the division of powers between the two levels of government;

LI1.04 - compile summary notes in a variety of forms and for a variety of purposes, including research and preparation for oral presentations, tests, and examinations;

LI4.03 - use legal terms accurately and appropriately for a variety of purposes and audiences.

Ontario Catholic School Graduate Expectations

CGE 2b - reads, understands and uses written materials effectively;

CGE 2d - writes and speaks fluently one or both of Canada's official languages;

CGE 7h - exercises the rights and responsibilities of Canadian citizenship.

Prior Knowledge & Skills

- In the Grade 10 Civics course, students have studied the main features and functions of the different levels of government in Canada.
- In both the Grade 10 Civics and History Courses, students have touched on the historical development of the Canadian Constitution and should thus be comfortable expanding upon that body of knowledge.

Planning Notes

- Teacher should confirm the availability of resources and preview same.
- Teachers should ensure that students have Internet access.

Teaching/Learning Strategies

1. To begin the discussion on constitutions, the teacher provides a definition of a constitution (see Black's Law Dictionary for a sample). Through class discussion, students identify the key components of the definition. Students' brainstorming suggestions are recorded on the board.
2. Students are placed in the groups used in the previous activity and given a short time frame to develop their definition of a constitution, to identify three or four key components, and to suggest how changing values might affect or change a constitution.
3. Each group presents the results of its discussions. The teacher records the key components on the board, while the students do the same in their notes.
4. Using the Socratic method, the teacher provides students with a brief overview of the major events leading up to the British North America Act of 1867, the major constitutional events from 1867 to 1982, the Constitution Act of 1982, and the Meech Lake and Charlottetown Accords. A summary note could be provided to the students.
5. In previously assigned groups, the students explore Canada's Constitution. This exploration could be carried out through either the provision of hard copies or by using the Internet. In their groups, students investigate the following aspects: the Constitution's structure with specific reference to the preamble; the amending formula; equality rights; the distribution of powers - Sections 91, 92, and 93; the Canadian Charter of Rights and Freedoms; and national institutions.
6. Once students have completed their group investigations, a class discussion occurs on how appropriate the Canadian Constitution is as a blueprint for the governmental and legal structure of Canada and how well it provides legal stability and predictability. Each student is responsible for submitting a one-page summary of his/her findings.

Assessment & Evaluation of Student Achievement

- Roving conferences by the teacher to ensure that students are on task, and to assist the students with any concerns they have.
- Formative assessment of the groups' oral presentations by the teacher and/or peers using a rubric. (See Appendix 1.2.4).
- Formative assessment of the groups' efforts by the teacher through a checklist. (See Appendix 1.2.1) or assessment by peer/self using a checklist (Appendix 1.3.1).
- Summative assessment of the student's written report by the teacher through a rubric. (See Appendix 1.3.2).

Accommodations

- Ensure a balance and appropriate mix of students when establishing the groups.
- Where necessary, provide copies of teacher board notes/overhead notes to students.
- Allow additional time and assistance for students who have difficulties writing their one-page summaries - length of assignment may be modified or dictation to a scribe may be used.
- IEPs may provide specific direction for accommodations with respect to written work.

Resources

Print

Student text

Internet Sources

Canadian Constitutional Documents – <http://www.solon.org/constitutions/Canada/English/>

– <http://www.ccu-cuc.ca/en/library/constitution.html>

– http://www.sfu.ca/~aheard/c_constitution.html

Appendices

Appendix 1.2.1 – Observational Checklist for Assessing Group Discussions

Appendix 1.2.4 – Oral Presentation Checklist

Appendix 1.3.1 – Peer/Self Evaluation Checklist

Appendix 1.3.2 – Written Report Rubric

Activity 1.4: Why Laws Change

Time: 225 minutes

Description

Students examine the changing nature of law. In the previous activity, students discovered which level of government is responsible for what laws. The next step is to examine what steps would be taken if there were a law that needed to be changed. Students choose a law they want changed or a situation that requires a new law. They must include the reasoning behind the proposed new law or change. Various options could be used for this activity. Students could come up with their own prospective changes or they could be given a law to research for proposed changes. The second part of this activity studies the political process of law making - that is how does an idea become law. This examination includes a flow chart of how a bill becomes a law. This process to be studied is straightforward, at least in its description. It is fascinating and worthy of study especially the workings of the Cabinet and the various committees. (See website below for the minutes of all parliamentary committees)

Strand(s) & Learning Expectations

Strand(s): Heritage, Methods of Legal Inquiry

Overall Expectations

HTV.03 - explain who is responsible for law-making in Canada and how laws are developed, interpreted, applied, challenged and enforced;

LIV.03 - demonstrate an understanding of the dynamic nature of law, including the way in which it evolves in response to technology and changes in societal values;

LIV.04 - explain, discuss, and interpret legal issues, orally and in writing, using a variety of formats.

Specific Expectations

HT3.02 - describe the role of government, its agencies, and the courts in making, changing, or interpreting the law;

HT3.03 - describe the initiatives by individuals and lobby groups to introduce new laws or change existing laws and describe why the changes were needed;

HT3.04 - describe the process by which a law becomes a bill;

LI1.03 - classify and clarify information, using timelines, organizers, mind maps, concept webs, maps, graphs, charts, and diagrams;

LI1.04 - compile summary notes in a variety of forms and for a variety of purposes, including research and preparation for oral presentations, tests, and examinations;

LI3.01 - explain how changes in attitudes and societal values bring about changes in the law;

LI3.03 - speculate on possible future developments in law and the Canadian legal system based on changes in our society.

Ontario Catholic School Graduate Expectations

CGE2b - reads, understands, and uses written materials effectively;

CGE2c - presents information and ideas clearly and honestly and with sensitivity to others;

CGE3b - creates, adapts, and evaluates new ideas in the light of the common good;

CGE3c - thinks reflectively and creatively to evaluate situations and solve problems;

CGE4d - responds to, manages, and constructively influences change in a discerning manner;

CGE7e - witnesses Catholic social teaching by promoting equality, democracy, and solidarity for a just peaceful and compassionate society.

Prior Knowledge & Skills

- In the Grade 10 Civics course, students examined and described the roles played by elected representatives and interest groups in the political process; identified similarities and differences in the ways power is distributed in groups, societies and cultures to meet human needs and resolve conflicts; compared how laws, regulations, public policies, and decisions are made and enforced at the local, provincial, and federal levels; and researched recently passed legislation. Previous lessons in constitutional law will also help the students understand the rights and responsibilities we have as Canadian citizens.
- The extent of the review depends on the degree to which the students are familiar with the structure and workings of parliamentary democracy. As the previous activity concentrated on the Canadian constitution, some of the same ideas are discussed. As well, the Grade 10 Civics course has a government unit, which includes study of the role of the MP, the Prime Minister, and the Cabinet.

Planning Notes

- Teachers should familiarize themselves with the issues in question. There are also examples of laws that have changed in the past, for example votes for women, no fault divorce and stalking law.
- The teacher may have to re-examine the various branches of government and their roles in the law making process. The teacher should explain the connection between politicians and the above mentioned factors in the changing nature of the law. Students will copy out the process from an overhead, with the teacher explaining the role of the committees along the way.

Teaching/Learning Strategies

1. The teacher asks students what concrete actions they could take if they wanted a law changed or a new one written. Who would they contact first? How would their concerns be expressed? How would they know which laws to change? This discussion will lead to why laws need to be changed, or why new laws need to be written.

-
2. Students could be led through the Socratic method to these ideas:
 - changes in society and its attitudes need to be reflected in the law, e.g., status of women, attitudes toward drinking and driving, gun control;
 - changes in technology need to be addressed by new laws for computer crime, fraud and copyright;
 - interpretation of the Charter forces society to change traditional practices, i.e., Sunday shopping, “cruel and unusual punishment”;
 - changes in the ethnic and cultural makeup of the society results (in Canada) in a society that is officially multicultural (e.g., language laws, interpreters in the courts to ensure a fair trial);
 3. The teacher then instructs students to choose a law that needs to be changed or a societal situation that demands legal attention. Using the resources listed, as well as the student text and other resources such as the media (newspapers, magazines), students propose a new law. The need for and purpose of law, which has been covered earlier in the course, should also be considered.
 4. The teacher introduces the idea of making one of the laws proposed in the previous activity into a Canadian statute. The students decide if the law is to be a federal or provincial responsibility.
 5. Students are then asked who decides which prospective laws are introduced to Parliament. (This assumes the students understand the role of a minister in the government and the power of the Prime Minister or the Premier.)
 6. The teacher places a flow chart of the law-making process on overhead. Students copy this into their notes. The teacher also notes the role of the committees and standing committees on the drafting of the bill.

Assessment & Evaluation of Student Achievement

- Roving conference by the teacher to ensure that students know what is expected and to keep them on task.
- Summative evaluation by the teacher of the students’ revised or new law by a rubric such as Appendix 1.3.2. Organization (introduction, body, conclusion), content (law and society), and presentation (editing and format) should be assessed.
- Summative evaluation by the teacher of the students’ understanding of the process of law making by a test or quiz.

Accommodations

- Provide a visual key to help explain the Socratic method for students with auditory processing difficulties.
- Teacher/peer assistance available for note-taking.
- Text/readings/Internet sources may be altered to accommodate student needs.
- Test or quiz must adhere to an accommodation stated in an exceptional student’s IEP (i.e., extra time, computers, assistance with scribing).
- Test may be given in advance to Resource Department so that they may help individuals prepare through study notes, review, etc.
- Provide time and opportunity for writing and editing in class.
- Use of computer technology to practise writing and editing.

Resources

Print

Classroom text
Popular media
Criminal Code

Internet Sources

Prostitution – users.uniserve.com/~lowman/ProLaw/prolawcan.htm

Guns – <http://www.guncontrol.ca/>

Corporal Punishment – <http://www.nospank.org>

Stalking – <http://www.antistalking.com/default.htm>

http://www.canada.gc.ca/howgoc/glance_e.html

Appendices

Appendix 1.3.2 – Written Report Rubric

Activity 1.5: Categories of Law

Time: 75 minutes

Description

This activity ensures that the students understand the different categories of law and the reasons for these categories. The activity involves comparing and contrasting legal situations in order to discover which situation corresponds to which area of law.

Strand(s) & Learning Expectations

Strand(s): Heritage, Methods of Legal Inquiry

Overall Expectations

HTV.03 - explain who is responsible for law-making in Canada and how laws are developed, interpreted, applied, challenged and enforced.

Specific Expectations

HT1.03 - distinguish between the various categories of law;

HT1.04 - explain the meaning and nature of the various categories of law;

LI1.03 - classify and clarify information, using timelines, organizers, mind maps, concept webs, maps, graphs, charts, and diagrams;

LI1.04 - compile summary notes in a variety of forms and for a variety of purposes, including research and preparation for oral presentations, tests, and examinations;

LI4.03 - use legal terms accurately and appropriately for a variety of purposes and audiences.

Ontario Catholic School Graduate Expectations

CGE 2b - reads, understands and uses written materials effectively;

CGE 2d - writes and speaks fluently one or both of Canada's official languages;

CGE 7h - exercises the rights and responsibilities of Canadian citizenship.

Prior Knowledge & Skills

- Throughout this unit the students have been exposed to the many needs for and purposes of law. Students should be familiar with the idea that there are different legal approaches in varied legal situations.

Planning Notes

- Teachers have access to texts with this categorization of law. As well as understanding each of the classifications, teachers emphasize the historical traditions of Great Britain and France and their influence on the law in Canada. The essence of British Common Law is the rule of precedent (stare decisis). This principle of “like cases being decided alike” provides uniformity, predictability and impartiality. The Civil Code is part of the French influence. It is a codified set of statutes supported by cases used for reference. It is the basis of the legal system in Quebec.
- The next step is to break down legal distinctions into public and private law. These distinctions do not fit easily into an overall plan. Sometimes these classifications overlap. The teacher will have to use the resources at hand to review the material and be ready to answer student inquiries.

Teaching/Learning Strategies

1. The teacher informs the students that there are several classifications of law. He/she can list the classifications on the board or require the students to take notes from the textbook. Each of the terms is defined by the teacher. Teachers should especially note martial law, administrative law, and the relationship between common law decisions and statute remedy as these will probably be unfamiliar to the students.
2. The teacher then describes the following situations or concepts:
 - i) Karl is involved in a physical confrontation with another person. The charge of assault is laid on his attacker.
 - ii) Everyone has the right to be secure against unreasonable search and seizure.
 - iii) A contract offer is withdrawn after the person in question is seen promoting another product.
 - iv) A Canadian citizen is indicted in another country for crimes against humanity. Canada is asked to extradite this citizen.
 - v) A soldier falls asleep at his/her post during a conflict.
 - vi) During an emergency the government imposes a curfew and orders an evacuation.After each of the scenarios, the students list whether it was a public or private law matter and what specific classification of law would provide the appropriate remedy. A complete justification of this choice is also required.

Assessment & Evaluation of Student Achievement

- Formative assessment of student responses for completeness and accuracy by the teacher through a Learning Skills Checklist (Appendix 1.1.1)

Accommodations

- Alterations in length of subject material or format made for students with writing difficulties.
- Educational assistant or resource teacher to provide help for exceptional students to reinforce understanding of summary of several classifications of law.
- Peer tutor provides support by scribing notes/ discussions for future reference.
- Situations, concepts, discussion material to be shared in advance with Special Education Department so that they can assist in preparation of exceptional students for active group participation.
- Reinforce critical thinking skills through peer modeling.

Resources

Class text

Appendices

Appendix 1.1.1 – Learning Skills Checklist

Activity 1.6: Culminating Activity – The Mars Constitution

Time: 360 minutes

Description

In this culminating activity, students in groups of four research a number of constitutions; discuss and reach consensus on the key features; and write and defend their own constitution. In the large group students debate the pros and cons of each group's constitution and then conduct a secret vote to determine the one constitution by which they will be governed in their new world. Evaluation is based on quality of research, format and presentation by each group; further, each student will submit a 500-word analysis of the process within their respective group.

Strand(s) & Learning Expectations

Strand(s): Heritage, Methods of Legal Inquiry

Overall Expectations

LIV.04 - explain, discuss, and interpret legal issues, orally and in writing, using a variety of formats.

Specific Expectations

LI4.01 - effectively present ideas, opinions and arguments orally;

LI4.02 - justify and support opinions, using proper legal terminology and informed research;

LI4.05 - write clear, coherent, and logically organized reports, papers, and essays, observing the rules for ethical use of research material and following an accepted format for documenting sources.

Ontario Catholic School Graduate Expectations

CGE2b - reads, understands, and uses materials effectively;

CGE2d - writes and speaks fluently one or both of Canada's official languages;

CGE3f - examines, evaluates, and applies knowledge of interdependent systems (physical, political, ethical, socioeconomic and ecological) for the development of a just and compassionate society;

CGE5a - works effectively as an interdependent team member;

CGE5e - respects the rights, responsibilities, and contributions of self and others.

Prior Knowledge & Skills

- Throughout this unit, students have examined: why all societies need laws; the meaning and function of law; and a variety of early legal systems.
- As a result of both this unit and the Grade 10 Civics course, students are familiar with the Canadian Constitution, the role of government and how a bill becomes a law.
- Students have developed an understanding and appreciation of both successful and unsuccessful group dynamics, and the elements of proper presentations.

Planning Notes

- Teachers consult with the library staff, resource/teacher and other teachers who may be able to provide assistance to the students in researching techniques and materials.
- Teachers ensure that copies of a variety of constitutions are available on reserve.

Teaching/Learning Strategies

1. The teacher describes a request she/he has received from the United Nations which requires the students in this class to become part of the establishment of a new and permanent out-of-this-world society of 200 people on Mars. The students will be boarding a shuttle service that will take them to a yet-to-be-identified location where they will depart on the flight to Mars. Their residence there will be permanent. Aside from the technical problems there is the issue of how this society is going to be organized. Although regular communication with Earth is possible, the eight-month trip precludes many Earth visits. They can assume that they can do what they want when they get there.
2. The teacher places the students in groups of four. Students have access to the following constitutions: Canada - Constitution Act, 1982; American Constitution; European Union; U.N.; Dogmatic Constitution of the Catholic Church - Lumen Gentium; Environmental; Iroquois Confederacy Constitution (see Resources). The teacher may choose to add or delete sample constitutions.
3. Using the above documents as a base of information (there are others available - see Resources), the groups are to write a constitution for this new world. Students determine their approach to this task by discussing and reaching consensus on what should be included in their constitution (beyond what has been prescribed by the United Nations), and on how they will divide the scripting and the format of their presentation before the large group after they touch down on Mars.
4. The following issues should be included: government, law making and amending, law enforcement, democratic and legal rights, environmental issues, property rights, equality. Teachers may choose to add or delete topics.
5. Each group is provided with poster-sized paper for them to write their constitutions on during their consultations. During the oral presentation, each member of the group is responsible for speaking to the class on a particular part of their constitution.
6. By lot, the teacher determines the order of presentation by each group. The time allotted for each presentation is approximately ten to fifteen minutes. The groups are encouraged to address any issues raised by the rest of the groups in a question and answer period. The individual group presentations should be evaluated by both the other students using the checklist provided (Appendix 1.2.4) and by the teacher.
7. The teacher instructs students on the voting procedure for the constitution by which their society will be governed. It is quite likely that a consensus may not be reached by the large group. The teacher serves as mediator and decides when to terminate discussion.
8. Each student submits a 500-word response that provides an analysis of the process and the product developed or not developed in their respective group.

Assessment & Evaluation of Student Achievement

- Roving conferences by the teacher to ensure that students are on task, and to help the students with any concerns they have.
- Formative teacher assessment of group discussions through a checklist while students are working in their groups. (Appendix 1.2.1).
- Formative peer or self-assessment of group work, using a checklist. (Appendix 1.3.1).
- Summative teacher evaluation, using an oral presentation rubric (Appendix 1.2.4). Decision as to whether to assess the entire group or individual work should be made by the teacher.
- Summative teacher evaluation of the written response, using rubric (Appendix 1.3.2).

Accommodations

- Teacher to create a balance within the group structures to reflect the varied strengths, abilities, and needs of the group. Cooperative group skills and the responsibilities of individuals to be reviewed.
- Resource assistance to be used in helping prepare both oral and written reports.
- Alterations in length or format for students with writing difficulties.

- Written materials may be altered for students with reading difficulties. Scribing or audio taping could be used.
- IEPs may require exceptional student to work with Special Education teacher for monitoring of essay work.
- Provide opportunity and time for peer editing.
- Alternate evaluation/assessment strategies may be devised with assistance of Resource Department to more accurately reflect student participation and effort.

Resources

Print Sources

Classroom text

Internet Sources

Canadian Constitutional Documents – <http://www.solon.org/constitutions/Canada/English/>

– <http://www.ccu-cuc.ca/en/library/constitution.html>

– http://www.sfu.ca/~aheard/c_constitution.html

America Constitution – <http://www.law.cornell.edu/constitution/constitution.overview>

– <http://www.berkshire.net/~ifas/documents/constitution.html>

United Nations Charter – <http://www.un.org/aboutun/charter/index.html>

Iroquois Confederacy Constitution – <http://www.axes.com/mowhawk/constitution.html>

Native American Constitutions – thorpe.ou.edu/const.html

Dogmatic Constitution of the Catholic Church – Lumen Gentium (in particular Chapter II - The People of God, Chapter III - The Church is Hierarchal) – <http://www.re.net/rcchurch/vatican2/lumen.gen>

UNESCO - Constitution – <http://www.unesco.org/general/eng/about/constitution/index.html>

Athenian Constitution – <http://www.yale.edu/lawweb/avalon/athenian.htm>

South African Constitution – <http://www.constitution.org.za/drafts/2bill656.htm>

A Constitution For the Federation of the Earth

– <http://www.scruz.net/~tgilman/cnfdeart.dir/contents.html>

Constitution of the World Health Organization – <http://www.whosea.org/abtsearo/const.htm>

Japanese Constitution and Laws – <http://www.janpan-geude.com/e/e2137.html>

Sierra Club of Canada Constitution

– <http://www.sierraclub.ca>

Appendices

Appendix 1.2.1 – Observational Checklist for Assessing Group Discussions

Appendix 1.2.4 – Checklist for Assessment of Oral Presentations

Appendix 1.3.1 – Peer/Self Evaluation Checklist

Appendix 1.3.2 – Written Report Rubric

Appendix 1.1.1

Learning Skills Checklist

Activity:

Date:

Key: E – Excellent

G – Good

S – Satisfactory

NI - Needs Improvement

Student	Works Independently (regularly completes assignments on time with care)	Teamwork (works willingly and co-operatively with others)	Organization (ability to organize and manage time and information)	Work Habits/ Homework (puts forth a consistent effort and completes assignments on time)	Initiative (seeks out new opportunities for learning)

Appendix 1.2.1

Observational Checklist for Assessing Group Discussions

Date: _____ Time: _____ Student Names:	Listens to others' views without interrupting	Contributes information or ideas when called upon	Modifies views when faced with new or conflicting evidence	Shows respect for ideas of others	Stays focused on the task at hand	Accepts an equal share of the workload	Can be counted on to complete the work assigned by the group

Adapted from Making The Grade, O.S.S.T.F., 1987

Appendix 1.2.2

Our legal system owes a great deal to the writings and works of legal and moral philosophers. It is important and indeed necessary to understand and appreciate the philosophical and historical roots of the institutions and the laws established for the purpose of bringing order to society.

Read the following quotations and answer the questions.

PLATO: “I declare that justice is nothing else than that which is advantageous to the stronger. It follows that the just man is he who obeys the laws of the governing group; the unjust man disregards them. But, the subject who obeys hurts himself and promotes the good of others. It pays, therefore, to act unjustly.”

1. How did Plato define justice?
2. Who did Plato regard as a “just man”?
3. Why, according to Plato was it better to act unjustly?

ST. THOMAS AQUINAS: “Law aids and protects freedom and is supported by four characteristics: law is reasonable; law contributes to the common good; law must be made by a competent authority; and, law must be promulgated.”

1. What is at the root of law as seen by St. Thomas Aquinas?
2. Are these characteristics of law applicable to our society today? Why or why not?
3. How would St. Thomas Aquinas define justice?

HOBBS: “The only way to prevent men from killing each other is to have an absolute submission to a sovereign by which all men surrender their natural liberty in order to obtain peace and security. The only limit to this surrender is that the sovereign cannot threaten his citizens’ lives, for this is the reason they submitted to him in the first place - to preserve themselves. Prudence is greater than liberty, for the life of man is solitary, poor, nasty, brutish, and short.”

1. What did Hobbes believe was the primary role that government should play?
2. Why did Hobbes believe that citizens should surrender their liberty?
3. How would you describe Hobbes’ outlook on life?

HUME: “The idea of justice is artificial. Being created by society because it realizes that man’s brain recognizes that certain principles are for his own benefit in the long run, and then attempts to give them an independent moral reality. Government, law and justice all exist because they work. Man invents things and after a long period of time comes to believe that God invented them. If they were ineffective, they would be abandoned and forgotten and no one would say they were natural law or God’s law.”

1. What did Hume say about the concept of “natural law”?
2. According to Hume, what is the origin of “justice”?
3. Why did Hume believe we have laws?

Appendix 1.2.3

Historical Foundations Of Law

Historical Group/Person	When and Where	Main Features of Legal System	Examples of Laws	Impact on Canadian Legal System
Babylon				
Hebrew				
Greek				
Roman				
St. Augustine				
English - William the Conqueror				
English - Magna Carta				
St. Thomas Aquinas				
French - Napoleon				

Appendix 1.2.4

Checklist for Assessment of Oral Presentation

Names of Group Members	Preparation	Presentation	Application	Speech

The following are possible suggestions of what the teacher/peer may assess.

Preparation - research, organization

Presentation - vocal quality, confidence, gestures, effectiveness

Application of Knowledge - points made, fielding of questions, justification of arguments

Speech - organization, logical sequence, understandable, main issues addressed

CODE: 4 - Always; 3 - Most times; 2 - Sometimes; 1 - Rarely

Appendix 1.3.1

Peer/Self-Assessment Observation Checklist

Group Work

Student Name:

Group Name:

Date:

	Rarely 1	Sometimes 2	Most Times 3	Always 4
was willing to have ideas questioned				
showed respect for the ideas of others				
stayed focused on the task at hand				
participated in planning by volunteering information or ideas				
accepted an equal share of the workload				
could be counted upon to complete the task assigned by the group				
modified views when faced with new ideas, information or evidence				

Appendix 1.3.2

Written Report Rubric: Filing a Complaint with Human Rights Commission

Criteria	Level 1 (50-59%)	Level 2 (60-69%)	Level 3 (70-79%)	Level 4 (80-100%)
Knowledge/ Understanding Understanding the process for filing a complaint with Human Rights Commission	- demonstrates limited understanding of the process for filing a complaint	- demonstrates some understanding of the process for filing a complaint	- demonstrates considerable understanding of the process for filing a complaint	- demonstrates thorough understanding of the process for filing a complaint
Thinking/Inquiry Use of inquiry skills (interpreting, evaluating information; drawing conclusions)	- applies few of the skills involved in an inquiry process	- applies some of the skills involved in an inquiry process	- applies most of the skills involved in an inquiry process	- applies all or most of the skills involved in an inquiry process
Communication The degree to which the writer's response: a) demonstrates an awareness of audience and task b) communication of information and ideas	- demonstrates a limited awareness of audience and task - demonstrates limited clarity of information and ideas	- demonstrates some awareness of audience and task - demonstrates some clarity of ideas and information	- demonstrates a clear understanding of audience and task - demonstrates considerable clarity of ideas and information	- demonstrates a clear understanding of audience and task - demonstrates a high degree of clarity of ideas and information
Communication The degree to which the writer's response exhibits correct usage, structure, and grammar	- demonstrates limited correct usage, structure, and grammar	- demonstrates moderately correct usage, structure, and grammar	- demonstrates considerably correct usage, structure, and grammar	- demonstrates thoroughly correct usage, structure, and grammar
Application Making logical conclusions about the process for filing a complaint to the Human Rights Tribunal	- infrequently makes logical conclusions about the process for filing a complaint	- sometimes makes logical conclusions about the process for filing a complaint	- usually makes logical conclusions about the process for filing a complaint	- always or almost always makes logical conclusions about the process for filing a complaint

Note: A student whose achievement level is below Level 1 (50%) has not met the expectations for this assignment or activity.

Unit 3: Criminal Law and Procedures

Time: 35 hours

Unit Description

This unit introduces students to the main concepts of criminal law in Canada. They first examine the specific terms that govern both the existence and classification of crime. Students then apply some of those understandings to the study of youth crime and how Canadian society deals with this issue. Students look at the investigation of crime and the role of police in investigation and arrest. An examination of the courts and trial process gives students a deeper understanding of the adversarial system and the roles of various officials and citizens in the court. Students look at the decision-making process involved in sentencing criminals to prison, and the rights of the victim in these situations.

Unit Synopsis Chart

Activity	Time	Expectations	Assessment	Tasks
The definition of crime	180 min	CLV.01, CLV.03, CL1.01, CL1.02, LI1.01, LI1.03, LI1.04, LI4.03	Knowledge/ Understanding Communication	Students develop a definition for crime and use examples to apply their understanding of types of crime, the conditions necessary for a crime, and conviction in court.
The law and young people	300 min	CLV.05, CL5.01, CL5.02, CL5.03, LI2.01, LI3.01, LI3.03, LI4.02, LI4.03	Knowledge/ Understanding Inquiry Communication	Students prepare a set of rights for young people, compare the YOA with the Juvenile Delinquents Act and use surveys in the school to prepare a report to a Parliamentary Committee on changes in youth justice.
Arrest and pre-trial process	360 min	CLV.02, CL2.01, CL2.02, CL2.03, LI1.01, LI1.04	Knowledge/ Understanding Application	Students research and present short docudramas about aspects of the arrest and pre-trial process and prepare a PMI chart to summarize their learning.
The court system and trial process	480 min	CLV.03, CL3.01, CL3.02, CL3.03, CL3.04, LI1.02, LI3.03, LI4.02, LI4.03, LI4.06	Knowledge/ Understanding Inquiry Application	Students investigate Canadian trial procedure and create a poster visually displaying the layout of the court. Students look at an offence and analyse the presentation of evidence. Finally, students evaluate the role of the jury system.
Sentencing and prisons	420 min	CLV.04, CL4.01, CL4.02, CL4.03, CL4.04, LI2.01, LI3.03, LI4.01, LI4.03	Knowledge/ Understanding Application Communication	Students brainstorm purposes of sentencing and prepare short oral reports on the various types of sentences and programs used in the justice system in Canada. They prepare a visitor's pamphlet for a model prison to meet the changing requirements of the Canadian legal system.

Mock trial	360 min		Knowledge/ Understanding Application Communication	Students research and role-play a case in Canadian criminal law.
------------	---------	--	---	--

Activity 3.1: The Definition of Crime

Time: 180 minutes

Description

This opening activity provides students with an overview of the structure of criminal law in Canada. By working individually, in pairs, and in small groups, students are able to define the term “crime”; identify types of crimes under the Criminal Code of Canada; explain how crimes are different from other offenses; and identify and describe the basic elements of a crime. One of the important goals of the activity is to introduce students to case studies and to apply their knowledge of criminal law to analyse the case studies.

Strand(s) & Learning Expectations

Strand(s): What is a Crime?, Methods of Legal Inquiry

Overall Expectations

CLV.01 - summarize what constitutes a crime or regulatory offence in Canada;

CLV.03 - explain the structure and role of the Canadian court system in criminal law;

LIV.01 - use research methods appropriately to gather, organize and synthesis information;

LIV.04 - explain, discuss and interpret legal issues, orally and in writing, in a variety of formats.

Specific Expectations

CL1.01 - describe the elements that must exist for a person to be convicted of a crime under Canadian Law;

CL1.02 - differentiate between a summary conviction and an indictable offence;

CL1.03 - explain the classifications and key elements of crime described in the Canadian Criminal Code and related federal statutes (e.g., crimes against the person, murder, manslaughter, assault);

LI1.01 - formulate meaningful questions that lead to a deeper understanding of a legal issue and of the different ways to approach an issue;

LI1.03 - classify and clarify information, using timelines, organizers, mind maps, concept webs, maps, graphs, charts, and diagrams;

LI1.04 - compile summary notes in a variety of forms and for a variety of purposes, including research and preparation for oral presentations, tests, and examinations;

L14.03 - create graphs, charts, organizers, images, and illustrations to support oral and written presentations.

Prior Knowledge & Skills

- Students should have some knowledge of Canadian criminal law that has been developed in the Grade 10 Civics course and an ability to work in groups with case studies.
- Students should also have used a web chart or mind map to organize categories and examples from a major idea.

Planning Notes

- Find a series of recent Canadian case studies to illustrate various types of criminal justice, either from news sources or from the text.
- Start students making a personal legal dictionary for their notes in which they keep a list of meanings of key terms as well as the importance of each term in law.
- Obtain a number of recent copies of Martin's Annual Criminal Code for class reference. Larger law firms might be willing to provide older copies when they update their libraries.
- Duplicate Appendices 3.1.1, 3.1.2, 3.1.3.
- Have a supply of chart paper or Bristol board.

Teaching/Learning Strategies

1. Ask students to write their own definitions of "crime." Use selected ideas from the class to prepare a working definition of crime. In small groups, students brainstorm examples of and ideas about crime in our society and create a mind map or semantic web of the various categories they are able to identify. Students provide ideas to create a class web chart on the board or on overhead. Students compare the class web chart with common misunderstandings about crime.
2. In pairs, students use their texts and Appendix 3.1.1 to identify the elements and requirements, with examples, that must be proven for a person to be convicted of a crime in Canada. The teacher reviews these on the board and discusses the purposes of the law as well as the opinions of the class on the need for this law.
3. In pairs, students define the different types of crime in Canada (e.g., summary conviction, indictable conviction, hybrid offences and quasi-criminal offences) and classify examples using Appendix 3.1.2. One person in the pair explains to the class their classification and the reason for their choice.
4. Divide the class into groups of four. Give each group a case study focusing on a separate aspect of criminal law. Students review the cases and create an analysis of the case (i.e., prepare short legal briefs), then present their research and analysis to the class. Provide an explanation of the key terms that students should know. They should consider the following in presenting the case:
 - a) case title – citation
 - b) the facts of the case including the charge(s)
 - c) the legal issue
 - d) the decision
 - e) the *ratio decidendi* – reason for the decision.Each member of the group should also take responsibility for one of the following areas of the case:
 - actus reus* requirements
 - relevant crown evidence of *actus reus*
 - mens rea* requirements
 - relevant crown evidence of *mens rea*.The teacher assists and conferences with each group in the preparation of their brief.
5. Students present case studies. Ask students to justify their answers to the rest of the class. Students take notes on the various case studies.
6. Students extend the semantic map from the beginning of class or create another one for the ideas they have been learning in this activity.

Assessment & Evaluation of Student Achievement

- Formative teacher assessment of notes taken by students.
- Formative self-assessment of group work skills.
- Formative peer and/or teacher assessment of answers on worksheet. (See Appendix 3.1.2).
- Peer assessment of case study presentations.
- Summative teacher evaluation at the end of the unit.

Accommodations

- Encourage and help students to prepare scripts for presentations.
- Provide scaffolding for scripts as well as an organizer chart for the presentation
- Pair students with special needs with peers in terms of note-taking and group work.
- Provide a model note-taking sheet.
- Provide a sample legal brief.
- Allow groups of same language to work in mixed groups to provide assistance as well as providing moral support.
- Start with a small, paired, oral presentation and build progressively to larger groups to help second-language learners develop confidence for larger presentations and the culminating mock trial.

Resources

Non-Print

Access to Justice Network - Overview of the Criminal Justice System in Canada.

<http://www.cjprimer.com/canada.htm#head 4>.

Between the Crime and the Courtroom. 30 minutes. TV Ontario, Toronto, 1991.

This video deals with search and seizure and with presumption of innocence. It includes four cases that highlight these two legal rights guaranteed under the Charter of Rights and Freedoms.

The teacher's resource (see below) provides before-viewing and after-viewing student activities specific to *Between the Crime and the Courtroom*. It also includes an answer key, teaching strategies, additional readings, and further resources.

Canada's School Net - "Welcome to the Law Room."

– <http://www.uottawa.ca/hrrec/lawroom/lawroom.html>

Department of Justice Canada.

– http://www.canada.justice.gc.ca/Publications/info_education/CCS/index_en.html

Department of Justice Canada. – <http://www.canada.justice.gc.ca/en/dept/pub/just/index.html>

Department of Justice Canada – Consolidated Statutes and Regulations.

– <http://canada.justice.gc.ca/en/laws/index.html>

Ministry of the Attorney General of Ontario. – <http://www.attorneygeneral.jus.gov.on.ca/>

Print

Class text(s)

Marcotte, C. *Teacher's Resource: Between the Crime and the Courtroom*. Toronto: McGraw-Hill Ryerson, 1994.

Saxton, Barrie J. and Ronald T. Stanfield, *Understanding Criminal Offences*, 3rd ed. Toronto: Carswell Thomson Professional Publishing, 1996.

Appendices

Appendix 3.1.1 – Crimes in the Criminal Code

Appendix 3.1.2 – Classifying Crimes

Appendix 3.1.3 – Criminal Law Equation

Activity 3.2: The Law and Young People

Time: 300 minutes

Description

Students investigate the function and purpose of the Young Offenders Act and its approach to young people and the law. The first part of the activity introduces students to the special rights, freedoms, and protections offered to young people. Students then familiarize themselves with the main differences between how the law treats adults and young offenders. Using case studies, students deepen their understanding of how the courts interpret the law and determine a range of dispositions (from alternative measures to other sentences) for young offenders. Finally, students are afforded the opportunity to critique the effectiveness of the YOA and to recommend possible changes and amendments to the Young Offenders Act for the future.

Strand(s) & Learning Expectations

Strand(s): Criminal Law and Young People, Methods of Legal Inquiry

Overall Expectations

CLV.05 - explain how the criminal law applies to young people;

LIV.02 - evaluate the credibility of sources;

LIV.03 - demonstrate an understanding of the dynamic nature of law, including the way in which it evolves in response to technology and changes in societal values;

LIV.04 explain, discuss, and interpret legal issues, orally and in writing, using a variety of formats.

Specific Expectations

CL5.01 - describe the key differences between the Juvenile Delinquents Act (1929), and the Young Offenders Act (1984), and the proposed replacement for the Young Offenders Act, the Youth Criminal Justice Act;

CL5.02 - identify controversial aspects of the Young Offenders Act and outline the arguments on both sides of these controversies;

CL5.03 - analyse areas of criminal law, besides those covered in the Young Offenders Act, that may apply to young people (e.g., drinking and driving laws; alcohol, tobacco, and narcotics laws; laws relating to violence, sexual assault, or harassment);

L12.01 - distinguish among opinions, facts, and arguments in sources;

L13.01 - explain how changes in attitudes and societal values bring about changes in the law (e.g., laws relating to children and young people);

L14.02 - justify and support opinions, using proper legal terminology and informed research.

Prior Knowledge & Skills

- This activity builds on the knowledge and skills that students developed in Activity 1.
- Students need to be familiar with basic concepts of Canadian criminal law that have been developed in the previous lessons as well as the Grade 10 Canadian history and civics courses.
- Students use group work skills developed in the Grade 10 Canadian History and Civics courses.

Planning Notes

- Locate copies of the Young Offenders Act and the Juvenile Delinquents Act. Teachers who are unfamiliar with case studies that deal with Youth and the YOA should consult the resources below. Duplicate Appendix 3.2.1 or prepare an alternative organizer for comparison of the Juvenile Delinquents Act and the YOA.
- Find case studies that are current examples of where young offenders have broken the law or where the legal rights of young people are in conflict or dispute.
- Find information on proposed revisions of the YOA under the proposed Youth Justice Act.

-
- Find an example of a report or excerpt from a report to a Parliamentary Committee
 - Provide a checklist for an effective survey questionnaire.
 - Develop a rubric for the report presentation.

Teaching/Learning Strategies

1. Students brainstorm a list of rights and responsibilities for young people. Compile a list of rights on the board from student suggestions. In pairs, students should think about and list the legal responsibilities that young people have in society. Ask students whether young people should have special rights and special responsibilities.
2. To focus on the historical reasons for why young people in Canada enjoy special status and rights, students complete Appendix 3.2.1 comparing the Juvenile Delinquents Act (1929) and the Young Offenders Act (1984 and later changes), using the text and/or other sources. Categories include the rationale behind the Acts, ages covered, sentencing alternatives, etc. Using the differences that students have identified in their reading, the teacher assists the class with identifying the basic points of comparison that exist between the two acts. Take up the organizer in discussion. Have students list three conclusions they made as a result of their work on the organizer.
3. Provide various recent case studies of cases that deal with youth crime (drinking and driving, alcohol and narcotics, violence, harassment etc). Students in groups analyse the facts and issues of these cases and analyse and evaluate the application of the Young Offenders Act. Students present their results to the class.
4. Using knowledge from the activity, students work in groups of three to four to develop and administer a survey-questionnaire of at least 10 questions, in school, about youth legal rights and attitudes towards problems in the Young Offenders Act. Students conference with the teacher on effective questions for survey questionnaires before the administration. They share their results with the rest of the class.
5. In their groups of three to four students use the information gathered from their own and others' surveys to prepare a report to the Parliamentary Committee on Law Reform of possible solutions to current problems with the YOA as well as amendments to the existing law. Teacher conferences with the groups provide assistance with drafts of the report. Students present their reports to the class.

Assessment & Evaluation of Student Achievement

- Formative teacher observation of student responses in class discussion.
- Formative teacher assessment of completion of organizer.
- Formative teacher assessment of group work.
- Summative teacher evaluation and peer assessment of report and presentation using a rubric

Accommodations

- Students with special needs may be paired in multi-ability groupings for note-taking.
- Visually impaired students may use tape recorders.
- Students with oral communication difficulties may make their presentations using the assistance of an alternative form of communication (a tape recorder, a written report, a videotape)
- Special needs of individual students should be taken into account when organizing groups. (e.g., group students who have difficulty speaking in front of the class with students who have better oral language skills.
- Having students work with partners should provide opportunities for the teacher to assist individual students or pairs of students who may be experiencing difficulties. As an alternative to written reports students with special needs may need access to word processors, tape recorders, or other technological aids.

-
- Teacher provides a sample of surveys and assists in the development of surveys.
 - Teacher provides a sample and template for a report.
 - Teacher makes vocabulary lists available.

Resources

Non-Print

The Federal Department of Justice

– http://www.canada.justice.gc.ca/Publications/info_education/CCS/index_en.html

An excellent overview of the Canadian justice system is also available at

– <http://www.cjprimer.com/canada.htm#head4>

Canada's School Net, Young Offenders Act – Topic List.

– <http://www.acjnet.org/youthfaq/topiceng.html>

The Great Young Offenders Act Debate. – <http://www.orbonline.net/~biss/pages/tyad.htm>

Old Enough to Hurt. 30 min. TV Ontario, Toronto, 1992.

This video looks at the Young Offenders Act, comparing it with the Juvenile Delinquents Act and considering the role of the courts in interpreting the law and sentencing young offenders.

Print

Class texts

Platt, Priscilla. *Young Offenders Law in Canada*. 2nd ed. Toronto: Butterworths, 1995.

Appendices

Appendix 3.2.1 - Crime and Youth: Looking at the History of the Law

Activity 3.3: Arrest and Pre-trial Process

Time: 300 minutes

Description

Students discuss their reactions to statements concerning arrest and pre-trial process in Canada. They then research and present short docudramas intended to inform and illustrate various aspects of the arrest and pre-trial process in Canadian law. Finally, they prepare a PMI (Plus, Minus, Interesting) chart to summarize their learning from the activity.

Strand(s) & Learning Expectations

Strand(s): Trial Procedures, Methods of Legal Inquiry

Overall Expectations

CLV.02 - describe the processes, legal institutions, and methods involved in bringing a criminal case to trial;

LIV.01 - use research methods appropriately to gather, organize, and synthesize information;

LIV.04 - explain, discuss and interpret legal issues, orally and in writing, in a variety of formats.

Specific Expectations

CL2.01 - describe the process of a police investigation, including the questioning of the accused and the gathering of evidence;

CL2.02 - identify the elements of a legal arrest, including the rights of the accused under arrest or detention;

CL2.03 - describe different types of pre-trial release mechanisms (e.g., own recognizance; with bail (money, property bond, recognizance of a friend or relative));

LI1.01 - formulate meaningful questions that lead to a deeper understanding of a legal issue and of the different ways to approach a legal issue;

LI4.01 - effectively present ideas, opinions and arguments orally (e.g., in role plays, interviews, simulations, debates, group presentations, and seminars);

LI4.03 - use legal terms accurately and appropriately for a variety of purposes and audiences.

Prior Knowledge & Skills

- Students should have some practice in giving short oral reports. They should also have some experience with presenting a scripted docudrama.

Planning Notes

- Duplicate Appendix 3.3.1.
- Prepare a planning checklist for the development of the docudrama.
- Prepare a rubric for the evaluation of the docudrama.
- Obtain the use of a video camera.

Teaching/Learning Strategies

1. Introduce the focus of the activity by identifying the topic: arrest and the pre-trial process. Hand out Appendix 3.3.1. Students can react to the statements in one of four ways – strongly agree, mostly agree, mostly disagree, strongly disagree. Students write one reason that explains their choice.
2. Discuss student responses. Have students write a more complete reflection on one of the statements.
3. Assign reading, in the text or elsewhere, on the subject of arrest and pre-trial procedures. Students make notes on the information.
4. In groups of three to four, students script the following public information docudramas for the class:
 - a) legal arrest without warrant
 - b) arrests with a warrant (including a telewarrant)
 - c) citizen's arrest
 - d) police investigation of a crime
 - e) search and seizure by police under the Charter of Rights and Freedoms
 - f) rights of the citizen under arrest
 - g) search warrants, searching without warrant and electronic surveillance
 - h) release before trial
 - i) extradition
 - j) A legal issue surrounding arrest: can be selected by the group or identified by the teacher.Each group is responsible for:
 1. providing an information sheet to the class concerning legal terms and concepts about this topic
 2. preparing a script for a short docudrama (3-5 minutes) which illustrates key ideas in the information sheet
 3. answering questions from the class.
5. Provide one class period for research and one period for preparation and rehearsal of the role-plays. Assist groups with research process and the writing of scripts. Make students aware of the method of evaluation of the role-plays. Inform the class that the preparation and presentation of docudramas is good practice for the mock trial culminating activity.
6. Have students keep notes from the docudrama, either in the form of a organizer developed by the teacher or point-form notes.
7. Students present their docudramas. Teachers may wish to videotape these for later feedback to and from students as well as for evaluation purposes.

-
8. Students prepare a T-chart PMI sheet consisting of Plus (+) things that are good or beneficial, Minus (-) things that are negative or harmful and Interesting (I) things that are neither good nor bad but thought-provoking as a review of the content activity and the docudramas.
 9. Debrief the PMI charts on the board or on an overhead to identify different student reactions to the content of the activity
 10. Students revisit their original reactions to the statements in Appendix 3.3.1 and reassess their original responses.

Assessment & Evaluation of Student Achievement

- Formative assessment of reflective response
- Formative assessment of work in groups
- Summative evaluation of docudrama

Accommodations

- Students with oral communication difficulties could make their presentations using the assistance of an alternative form of communication (a computer display panel, a tape recorder, a written report, a videotape).
- ESL learners should be grouped with more proficient English speakers to encourage language development.
- Provide a guideline or checklist for the docudrama.
- Allow students to use scripts in their docudrama.

Resources

Print

Various texts

Non-print

Canadian Justice System, Department of Justice Canada. <http://canada.justice.gc.ca>

JURIST Canada: The Legal Education Network. <http://jurist.law.utoronto.ca>

Legal Aid Ontario. – <http://www.legalaid.on.ca/>

Ministry of the Attorney General. – <http://www.attorneygeneral.jus.gov.on.ca>

Ontario Provincial Police. – <http://www.gov.on.ca/opp/>

Statistics Canada – Statistics on Justice and Crime.

– <http://www.statcan.ca/english/Pgdb/State/justic.htm#cri>

Activity 4: The Court System and Trial Process

Time: 480 minutes

Description

Students identify prior knowledge and interests in studying the court system. Students create a poster visually displaying the court system with a jury. They visit a court or have a judge, crown attorney, or criminal lawyer come into the class. Students look at an offence that would go before a judge and jury and the sequence of events that occurs in such a trial. Students are involved in preparing for the unit culminating activity, a mock trial. Students evaluate the presentation of evidence by using a case study approach. Finally, students investigate and evaluate the role of the jury system in an argumentative essay.

Strand(s) & Learning Expectations

Strand(s): The Court System, Methods of Legal Inquiry

Overall Expectations

- CLV.03 - explain the structure and role of the Canadian court system in criminal law;
- LIV.01 - use research methods appropriately to gather, organize, and synthesize information;
- LIV.02 - evaluate the credibility of sources;
- LIV.03 - demonstrate an understanding of the dynamic nature of law, including the way in which it evolves in response to technology and changes in societal values;
- LIV.04 - explain, discuss, and interpret legal issues, orally and in writing, using a variety of formats.

Specific Expectations

- CL3.01 - summarize the structure of the criminal court system, including avenues of appeal;
- CL3.02 - describe the role of different individuals involved in a criminal trial;
- CL3.03 - explain key aspects of the criminal trial process, including jury selection and rules about the admissibility of evidence and the burden of proof;
- CL3.04 - identify legally accepted defences to criminal charges;
- LI1.02 - formulate meaningful questions that lead to a deeper understanding of a legal issue and of different ways to approach an issue;
- LI3.03 - speculate on possible future developments in law and the Canadian legal system based on changes in our society (e.g., changing attitudes and cultural differences);
- LI4.02 - justify and support opinions, using proper legal terminology and informed research;
- LI4.06 - identify and describe career opportunities in the legal field.

Prior Knowledge & Skills

- Students have knowledge of the court system from the Civics course in Grade 10.
- Students should be familiar with the use of the Internet and how to critically evaluate an Internet site. Students should be familiar with oral presentations, poster making, and group work.

Planning Notes

- Provide textbook material and case studies for students to use to understand the court system and develop expertise in debating points of law.
- Book appropriate research facilities, e.g., Library/Resource Centre, computer lab.
- Book a video about the experience of criminal trial, such as *12 Angry Men*, from the board or use one of the other videos listed in the resources (see **Note Concerning Permissions** in the Overview Resources).
- Develop a media analysis sheet for students to use in watching this video or some other film about the courtroom process.
- Book a field trip to the local courts or invite a judge, crown attorney or courtroom criminal lawyer into the class to provide first-hand experiences of the criminal court system.

Teaching/Learning Strategies

1. Explain the activity and hand out a prepared sheet, or use the board to list the headings of a “KWL” chart about the criminal trial process (What I Know, What I Want to Know, What I Learned). Working with a partner, students complete the first two columns of the chart. Record selected student responses on the board for the first two sections of the chart.

-
2. In small groups of three to four, students develop a public information poster using their text and other sources that shows the visual layout of a courtroom and information about its personnel. Make individual students responsible for specific parts of the poster. This may mean the depiction of specific jobs in the courtroom or general design aspects of the poster. Each job in the court (e.g., judge, crown attorney, jury) must contain detailed information outlining the role(s) each plays in the trial procedure. Explain the assessment rubric for the poster when the activity is introduced. Students should be given time to research the poster, using the Internet and other resources. Alternatively, students could prepare newspaper advertisements for each of the jobs in the courtroom. Students present their posters to the class and post them in the classroom.
 3. Students, in pairs, brainstorm some of the current issues that surround jury trials (e.g., use of juries, length and expense of trial, rights of the victims) and share their ideas with the rest of the class. If a field trip or class visit of a legal professional is planned, the brainstorming should include questions to ask at these activities.
 4. Book a field trip to the courts, if time permits. Students keep a record of the events observed in the court and develop a series of questions about the court system as they see it. On the return to class, lead a class discussion to debrief the students on this excursion and deal with questions raised. If the courts are not available or a visit is not an option, the teacher may invite a judge, crown attorney, or courtroom criminal lawyer into the classroom.
 5. In small groups, students develop, through reading and discussion, a chart detailing the steps in a criminal trial, from arraignment to verdict.
 6. Acting as a facilitator, provide students with text and case studies to allow students to examine various defences available to the accused. Students should detail the presentation of proof of both *actus reus* and *mens rea* by the crown and of various defences by the defence attorney
 7. Show the video *12 Angry Men* (approx. 120 min.) or another video about the process of a criminal trial available through the local school board. Students completing a media analysis sheet should make reference to the types of evidence presented, roles of the Crown Attorney and defence lawyer, the dynamics of the process of deliberation by the jury, and the concept of “guilty beyond a reasonable doubt,” as well as doing an assessment of the degree of realism used in the video. Collect the completed sheet for summative evaluation.
 8. Using the media analysis sheet, lead a discussion into jury deliberation and the value of juries.
 9. Students should write a short (one-to-two pages) argumentative essay on the value of the jury system in the trial system.

Assessment & Evaluation of Student Achievement

- Formative teacher and peer assessment of the poster using the Visual Product rubric.
- Summative teacher evaluation of media analysis sheet.
- Summative teacher assessment of argumentative essay using the Argumentative Paragraph/Essay rubric (Appendix 1.1.2), to be included in the final evaluation.

Accommodations

- Text readings and assignments may be altered to accommodate exceptional students.
- If possible, review the assignments with the Special Education teacher prior to delivery so that modifications can be made if necessary.
- Consult with resource teacher. Library staff or peer tutor assistance may be utilized for research.
- Provide a detailed observation sheet for the visit to the courts.
- Provide a scaffold for essay writing assignment.

Resources

Print

Classroom texts.

McCormick, Peter. *Canada's Courts*. Toronto, ON: James Lorimer & Company Ltd., 1994.

Ontario Law Reports.

Public District School Board Writing Partnership. *Course Profile Canadian History in the Twentieth Century*. Grade 10 Academic Ontario, 2000.

Non-Print

Supreme Court of Canada. <http://www.scc-csc.gc.ca>

12 Angry Men. MGM-UA (1957) (95 minutes)

And You Shall be Heard: Regina vs. Clow Parts 1 and 2. CBC (1985) (114 min.)

Your Day in Court: the Criminal Justice Process. TV Ontario (1991) (29 min.)

Canada's School Net - "Welcome to the Law Room – Insult and Injury: hate crime in cyberspace" and "The Crime Primer"

– <http://www.uottawa.ca/hrrec/lawroom/hatehome.html> and

– <http://www.uottawa.ca/hrrec/lawroom/primer.html>

Appendices

Appendix 1.4.1 – The Visual Product Rubric

Appendix 1.1.2 – Argumentative Paragraphy/Essay Rubric

Activity 5: Sentencing and Prisons

Time: 420 minutes

Description

Students brainstorm the purposes of sentencing in the criminal justice system in preparation for investigation of the sentencing system. They then prepare short reports on the various types of sentences and diversion programs that may be used in the justice system in Canada. Finally, based on their research in the text and other sources and working in groups, they prepare a visitor's pamphlet for a model prison and alternative sentencing facility designed to meet the changing requirements of the Canadian legal system.

Strand(s) & Learning Expectations

Strand(s): Criminal Law and Procedures, Methods of Legal Inquiry

Overall Expectations

CLV.04 - analyse the principles of sentencing, including those relating to alternative methods of imposing sanctions or regulating behaviour;

LIV.02 - evaluate the credibility of sources.

Specific Expectations

CL4.01 - describe the main principles of sentencing;

CL4.02 - explain the various sentencing options available, including alternative options (e.g., use of healing circles, peer sentencing, victim-offender programs);

CL4.03 - analyse the role of victims and victim impact statements in sentencing;

CL4.04 - explain the role of the prison system;

LI2.01 - distinguish between facts, opinions and arguments in sources;

LI3.03 - speculate on possible future developments in law and the Canadian legal system based on changes in our society (e.g., changing attitudes and cultural differences);

LI4.01 - effectively present ideas, opinions, and arguments orally (e.g., in role plays, interviews, simulations, debates, group presentations, seminars);

LI4.03 - use legal terms accurately and appropriately for a variety of purposes and audiences.

Prior Knowledge & Skills

- Students should have had some practice in giving short oral reports. Students will have some knowledge of the trial process from Grade 10 Civics.

Planning Notes

- Clip some articles about current criminal cases out of newspapers and newsmagazines to use for bulletin board display or for classroom use.
- Book the computer lab in time for students to use it for research purposes and for completion of the pamphlet.
- Gather materials for the model prison pamphlet assignment. This might include a number of pieces of construction paper for each person, markers and other materials.
- Provide examples of sample information pamphlets from other organizations.

Teaching/Learning Strategies

1. Introduce the focus of the activity, which is the sentencing process and prison system in the Canadian prison system. Identify aspects of this activity that will be important learning for students' parts in the mock trial culminating activity (e.g., the pre-sentence report).
2. Have students brainstorm the purposes of punishment in the Canadian justice system using some of the following questions as prompts:
 - why do we punish criminal offenders?
 - why do we punish offenders harshly for some crimes and not at all for others?
3. Write a selection of the ideas that students come up with on the board. This will serve as a guide to students' thinking and prior knowledge as well as providing an introduction to major ideas in the unit.
4. Have students prepare a web chart, using their text or a selected source, of the main purposes and other concepts that underlie the practice of sentencing in Canada.
5. In small groups, students compare and add to their web chart. One representative of the group presents a major idea from their web chart.
6. Have a debriefing discussion of this part of the activity which focuses on these questions:
 - which of the purposes is most important?
 - which of the purposes is achieved best by the current prison system? Is achieved least well?
 - what questions does this introductory activity raise for you?
7. In groups, students prepare a flow chart of the steps in a criminal trial that lead to the sentencing process or the appeal process, using the text. The teacher confirms understanding of this by writing a flow chart on the board or on overhead.
8. In groups, students prepare a pre-sentence report on a hypothetical convicted offender including all the information surrounding this offender and his/her crime (including age, sex, previous record, nature of the crime, etc.). The teacher collects these short reports.

-
9. Provide a list of the factors that may be used by the court in making a decision on length of sentence, e.g., nature and seriousness of the crime. These may also be available in the textbook. Divide the class into groups of four and do assigned pairings of prosecutor(s) and defence counsel. Redistribute the pre-sentence short reports prepared by the class to the groups. Their task is to prepare their major arguments for the sentencing hearing. They then present these ideas to the teacher and class as judges, who provide feedback to the presenters as well as describing what they feel the likely sentence would be in this instance.
 10. In small groups students prepare short reports on the various types of diversion programs and sentences available to judges in the Canadian court system. They can use the Internet and the information in their text. The report would include the following:
 - (a) the name and definition of the sentence or diversion program
 - (b) a case where this sentence was used
 - (c) the purpose(s) for it being used
 - (d) issues/controversies surrounding its use.
 11. Students present their findings to the class. Students make notes or complete organizers using the same categories as in the presentations.
 12. Explain to students that their final task is to prepare a visitor's pamphlet for a new "model" prison and alternative sentencing facility. This pamphlet should include the following:
 - (a) the name of the facility and a picture of the building
 - (b) basic statistics (when opened, size, number of inmates, guards, etc.)
 - (c) its major goals
 - (d) the traditional programs it offers to inmates
 - (e) new and innovative methods in use in the facility. (e.g., the use of sentencing circles).In groups, students research and write their pamphlet using the Internet, class text, and other resources for presentation to the class. Review the evaluation rubric with students to provide a checklist for students' work on the pamphlet.
 13. Students use the initial reflection questions given at the start of the activity to write reflective responses on one of the original discussion questions now that the activity is completed.

Assessment & Evaluation of Student Achievement

- Formative assessment of work in groups
- Formative assessment of oral presentation
- Summative evaluation of pamphlet using the Visual Product Rubric - Appendix 1.4.1.
- Formative assessment of reflective response

Accommodations

- Provide sample pre-sentence reports.
- Students can prepare alternatives to the visitor's pamphlet in a more visual or oral form (collage or site map; visitor's taped guide).
- Prepare scripts with prompts for the oral presentations.
- Prepare a student checklist and template for the pamphlet.

Resources

Print

Various texts.

Public District School Board Writing Partnership. *Course Profile, Canadian History in the Twentieth Century, Grade 10 Academic*. Ontario, 2000.

Non-Print

Canadian Association of Elizabeth Fry Societies. – http://www.web.apc.org/~kpate/caefs_e.htm

Correctional Service of Canada. – <http://www.csc-scc.gc.ca>

Canadian Justice System, Department of Justice Canada. – <http://canada.justice.gc.ca>

John Howard Society of Canada. – <http://www.johnhoward.ca/>

JURIST Canada: The Legal Education Network. – <http://jurist.law.utoronto.ca>

Legal Aid Ontario. – <http://www.legalaid.on.ca/>

Ministry of the Attorney General. – <http://www.attorneygeneral.jus.gov.on.ca>

National Parole Board. – http://www.npb-cncl.gc.ca/org/org_e.htm

Statistics Canada – Statistics on Justice and Crime.

– <http://www.statcan.ca/english/Pgdb/State/justic.htm#cri>

Inside Out – video from Correctional Service of Canada.

– <http://www.csc-scc.gc.ca/text/pubed/nouveauregarde.shtml>

Turns the student’s belief about the criminal justice system “inside out” by showing them life on the “inside”. Teacher’s kit, student activities, handouts, and electronic slide presentation.

Appendices

Appendix 1.4.1 – Visual Product Rubric

Activity 6: The Mock Trial

Time: 480 minutes

Description

Students prepare roles for a mock trial and give short presentations reviewing specific aspects of their role for the class, prior to the trial. Students keep learning logs during the preparation for trial. Students present the trial and review it on videotape.

Strand(s) & Learning Expectations

Strand(s): Law and Society, What is a Crime?, Methods of Legal Inquiry

Overall Expectations

HTV.03 - explain who is responsible for law-making in Canada and how laws are developed, interpreted, applied, challenged, and enforced;

CLV.02 - describe the processes, legal institutions, and methods involved in bringing a criminal case to trial;

CLV.03 - explain the structure and role of the Canadian court system in criminal law;

CLV.04 - analyse the principles of sentencing, including those relating to alternative methods of imposing sanctions or regulating behaviour;

CLV.05 - explain how the criminal law applies to young people;

LIV.01 - use research methods appropriately to gather, organize, and synthesize information;

LIV.02 - evaluate the credibility of sources;

LIV.03 - demonstrate an understanding of the dynamic nature of law, including the way in which it evolves in response to technology and changes in societal values;

LIV.04 - explain, discuss, and interpret legal issues, orally and in writing, using a variety of formats.

Specific Expectations

CL1.01 - describe the elements that must exist for a person to be convicted of a crime under Canadian law;

CL1.03 - explain the classifications and key elements of crime described in the Canadian Criminal Code and related federal statutes (e.g., crimes against the person, murder, manslaughter, assault);

CL2.03 - describe different types of pre-trial release mechanisms (e.g., own recognizance; with bail [money, property bond, recognizance of a friend or relative]);

CL3.01 - summarize the structure of the criminal court system, including avenues of appeal;

CL3.02 - describe the role of different individuals involved in a criminal trial (e.g., lawyer, judge, jury, duty counsel, Crown attorney);

CL3.03 - explain key aspects of the criminal trial process, including jury selection and rules about the admissibility of evidence and the burden of proof;

CL3.04 - identify legally accepted defences to criminal charges;

CL4.01 - describe the main principles of sentencing;

CL4.02 - explain the various sentencing options available, including alternative options (e.g., use of healing circles, peer sentencing, victim-offender programs);

CL4.03 - analyse the role of victims and victim impact statements in sentencing;

CL5.03 - analyse areas of criminal law, besides those covered in the Young Offenders Act, that may apply to young people (e.g., drinking and driving laws; alcohol, tobacco, and narcotics laws; laws relating to violence, sexual assault, or harassment);

LI1.02 - effectively conduct legal research, using traditional and non-traditional sources of information (e.g., Internet websites, multimedia technology, law libraries, community legal services);

LI1.03 - classify and clarify information, using timelines, organizers, mind maps, concept webs, maps, graphs, charts, and diagrams;

LI1.04 - compile summary notes in a variety of forms and for a variety of purposes, including research and preparation for oral presentations, tests, and examinations;

LI2.01 - distinguish among opinions, facts, and arguments in sources;

LI2.02 - identify the frame of reference and purpose of data;

LI2.03 - evaluate the credibility of sources and information by checking for logical errors, accuracy, and underlying assumptions, including prejudices and biases;

LI2.04 - evaluate the credibility of published and Internet sources by analysing the quantity and quality of evidence presented, as well as the methods used by authors to support their claims (e.g., the use of footnotes);

LI4.01 - effectively present ideas, opinions, and arguments orally (e.g., in role plays, interviews, simulations, debates, group presentations, seminars);

LI4.02 - justify and support opinions, using proper legal terminology and informed research;

LI4.03 - use legal terms accurately and appropriately for a variety of purposes and audiences;

LI4.04 - create graphs, charts, organizers, images, and illustrations to support oral and written presentations;

LI4.05 - write clear, coherent, and logically organized reports, papers, and essays, observing the rules for ethical use of research material and following an accepted format for documenting sources;

LI4.06 - identify and describe career opportunities in the legal field.

Prior Knowledge & Skills

- Students should have had some practice in giving short oral reports and role-playing.
- Students should have a good knowledge of trial procedure from the previous activities in this unit.

Planning Notes

- Decide in advance the type of trial you intend students to role-play. Ideally, the trial should be based on a real trial involving young people so that more information will be available for students to use in the preparation of their roles.
- Prepare an outline of steps to be followed in the trial to give students opportunities to meet timelines and set goals.
- Book time in the resource centre or the computer lab to enable students to complete research on the mock trial.
- Book a larger venue for the final version of the trial (such as a dramatic arts room).
- Use the mock trial as an opportunity for an in-school field trip for students to heighten the importance and reality of the learning experience.
- Videotape the trial proceedings.

Teaching/Learning Strategies

1. Introduce the activity that will be a mock trial to conclude the unit. Provide students with an outline of the case and relevant details as well as various roles within the trial that they will be expected to take. Explain the schedule for the mock trial in terms of preparation and identify the formative assessment and summary evaluation connected with the trial.
2. Students then choose roles for the trial. Each small group will be responsible for a short presentation of five minutes on one important question connected with its role, including three to five terms connected with this role. This list of roles and presentations might take the following form:
 - a) The Police (2 officers) (What are the duties and powers of police?)
 - b) The Defence Group (What careers are available in the legal system?)
 - c) The Prosecution Group (How does the prosecution prove the elements of crime?)
 - d) The Court Clerk and Reporter (What are the names and jurisdiction of the criminal courts)
 - e) The Judge and 2nd Court Clerk (What are the results and implications of each result in a criminal trial?)
 - f) Material Witnesses (How are the right of the accused protected in a criminal trial?)
 - g) Newspaper Reporters (What rules apply to the reporting of evidence by the news media?)
 - h) The Jury (three groups of two to three) (How are jurors selected and what role do they play? What are some the skills of an effective juror? What are some issues concerning the use of juries?)
 - i) Spectators (two groups of two to three) (What are the main differences between civil and criminal procedure? What are the advantages and disadvantages of the adversarial system?)

Note: The teacher may decide to play the role of judge or assign it to a responsible student.
3. Students in the various groups prepare for their roles and the group assignment. This provides an opportunity for the teacher to meet with students and confirm their understanding of the role and presentation. Student should keep a learning log during their preparation that indicates the work they did in class, and outside of class, as well as their reflections and questions about the activity.
4. Students give group presentations and role-play the trial in the next class.
5. Students use the videotape to discuss both the skills they demonstrated and the problems they encountered in the process.
6. Students reflect on the advantages and disadvantages of the mock trial as a learning experience. They recommend ways it could be improved and suggest other classroom situations where it could be used.

Assessment & Evaluation of Student Achievement

- Formative assessment of work in groups
- Summative assessment of oral presentation
- Formative assessment of learning logs
- Evaluation of role-play

Note: Assessment for summative evaluation must be done on tasks the students do individually.

Accommodations

- Students may be assigned roles that require less speaking, depending on their ability.
- Language learners should be grouped with native speakers.
- Encourage students to develop and use scripts and notes to aid their performance, which can also be used as part of the evaluation process.
- Provide timelines and process steps in order for students to set goals.
- Provide a list of commonly used language and phrases in the court room.
- Provide a sample learning log.
- The role of court translator would provide for students whose language skills are less developed.

Resources

Print

Public District School Board Writing Partnership. *Course Profile, Canadian History in the Twentieth Century, Grade 10 Academic*. Ontario, 2000.

Non-Print

Law Related Internet Resources. – <http://infolibrary.yorke.ca/depts/law/links.htm>

Law Commission of Canada. – <http://www.lc.gc.ca/>

Jurist Canada – Legal Education Network. – <http://jurist.law.utoronto.ca/>

Canadian Bar Association - an excellent mock trial competition guide at
– <http://www.cbao.org/pdf/mt-tour-guide.pdf>

Appendices

Appendix 3.22 – Role Play: A Holistic Rubric

Appendix 3.1.1

Crimes in the Criminal Code

Read the following sections of the Criminal Code of Canada carefully. For each section, explain:

- what the purpose of the law is;
 - what things would be necessary to prove someone guilty of this crime;
 - why you agree or disagree with the law as stated.
1. Section 177 of the Criminal Code states: Every one who, without lawful excuse, the proof of which lies on him, loiters or prowls at night on the property of another person near a dwelling-house situated on that property is guilty of an offence punishable on summary conviction.
 2. Section 460 of the Criminal Code states: (1) Every one who (a) by an advertisement or any other writing, offers to sell, procure, or dispose of counterfeit money or counterfeit tokens of value or to give information with respect to the manner in which or the means by which counterfeit money or counterfeit tokens of value may be sold, procured or disposed of, or (b) purchases, obtains, negotiates, or otherwise deals with counterfeit tokens of value, or offers to negotiate with a view to purchasing or obtaining them, is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years.
(2) No person shall be convicted of an offence under subsection (1) in respect of genuine coin or genuine paper money that has no value as money unless, at the time when the offence is alleged to have been committed, he knew that the coin or paper money had no value as money and he had a fraudulent intent in his dealings with or with respect to the coin or paper money.
 3. Section 252 of the Criminal Code states: (1) Every person who has the care, charge or control of a vehicle, vessel, or aircraft that is involved in an accident with:
 - (a) another person,
 - (b) a vehicle, vessel or aircraft, or
 - (c) in the case of a vehicle, cattle in the charge of another person, and with intent to escape civil or criminal liability fails to stop the vehicle, vessel or, where possible, the aircraft, give his or her name and address and, where any person has been injured or appears to require assistance, offer assistance, is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years or is guilty of an offence punishable on summary conviction.
 4. Section 244 of the Criminal Code states: Every person who, with intent:
 - (a) to wound, maim, or disfigure any person,
 - (b) to endanger the life of any person, or
 - (c) to prevent the arrest or detention of any person, discharges a firearm at any person, whether or not that person is the person mentioned in paragraph (a), (b), or (c) is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years and to a minimum punishment of imprisonment for a term of four years.

Appendix 3.1.2

Classifying Crimes

Complete the chart by placing the check (✓) in the appropriate column. Use your textbook if necessary. Be prepared to explain your choice.

Examples	Summary Conviction Offence Definition:	Indictable Offence Definition:	Quasi-Criminal Offence Definition:	Hybrid Offence Definition:
Improper left hand turn				
Theft under \$1000				
Smoking under age				
False fire alarm				
Impersonating someone on an exam				
Causing a disturbance				
Careless driving				
Dangerous driving				
Impaired operation of a vessel				
Possession of narcotics				

Appendix 3.1.3

Criminal Law Equation Exercise

1. In your group, review the criminal law equation from your textbook or in your notes.

(i.e., *actus reus* + *mens rea* = CRIME)
2. You are to read a selected case and identify the following in analysing the case:
 - (a) case title – citation
 - (b) the facts of the case including the charge(s)
 - (c) the legal issue
 - (d) the decision
 - (e) the *ratio decidendi* – reason for the decision
3. Divide up a large piece of bristol board or newsprint into quarters in the following way:
 - (a) *actus reus* requirements
 - (b) relevant crown evidence of *actus reus*
 - (c) *mens rea* requirements
 - (d) relevant crown evidence of *mens rea*
4. Each member of the group is responsible for explaining one of the following:
 - (a) *actus reus* elements
 - (b) *actus reus* evidence
 - (c) *mens rea* elements
 - (d) *mens rea* evidence
5. Each member of your group must complete her/his assigned section.
6. When everyone is finished, check each other's summaries, adding any important information that has not been included and pointing out elements that have been summarized incorrectly.
7. Each group is to present orally their *actus reus* and *mens rea* elements and evidence to the rest of the class.

Appendix 3.2.1: Crime and Youth: Looking at the History of the Law

Topic	Juvenile Delinquents Act	Young Offenders Act	Comments/Reactions
Age of Criminal Responsibility			
Philosophy behind the Legislation			
The Criminal Behaviour			
Transfer to Adult Court			
Dispositions			
Rights, Freedoms, and Responsibilities			
Access to Information			

Appendix 3.3.1: Arrest and Process before Trial – What do you think?

Identify your viewpoint on the following questions by circling the appropriate response. In the space provided, write one reason for your point of view.

1. No one should have the right to take legal action against police for their actions.
 Strongly agree Somewhat Agree Somewhat Disagree Strongly Disagree
 Explanation _____

2. Suspects in criminal cases should be required to provide DNA samples for testing.
 Strongly agree Somewhat Agree Somewhat Disagree Strongly Disagree
 Explanation _____

3. Citizens and police officers should have equal rights to make arrests.
 Strongly agree Somewhat Agree Somewhat Disagree Strongly Disagree
 Explanation _____

4. Police should have the right to search anywhere without a search warrant.
 Strongly agree Somewhat Agree Somewhat Disagree Strongly Disagree
 Explanation _____

5. The unlimited use of surveillance equipment is necessary to make sure criminals are arrested.
 Strongly agree Somewhat Agree Somewhat Disagree Strongly Disagree
 Explanation _____

6. The state should have to compensate people who are arrested improperly.
 Strongly agree Somewhat Agree Somewhat Disagree Strongly Disagree
 Explanation _____