

# Resources for Canadian Criminal Law and Procedures Curriculum

*by Rose Dotten*



# Preface

This resource guide was developed through the generous support of the Janice Thomson Memorial Award administered through the Curriculum Services Canada Foundation. The Award is presented to secondary school teachers developing learning resources for the Arts, History and for Special Education or at-risk youth in memory of Janice Thomson.

Rose Dotten, Director, Library and Information Services, University of Toronto Schools; OISE/UT was selected as the recipient of the Award for 2002. Rose and team member Reg Hawes, OISE/UT History and Social Sciences teacher, along with assistance from Paul McKenna, Jennifer Borda, and Rachel Powell collaborated during the development of this resource.

## Acknowledgement

The Curriculum Services Canada Foundation provided financial support to the writer of this resource through its Grants and Awards Program for Teachers.

# Introduction

This bibliographic resource guide is specifically correlated to the curriculum expectations for the strand, Criminal Law and Procedures in the *Ontario Grade 11, Understanding Canadian Law University/College Preparation* course. However, the resources listed are relevant for secondary school law courses across Canada.

Appendix A shows how this resource supports the Course Profile that was developed to support the Understanding Canadian Law, University/College Preparation course in the Ontario secondary school curriculum.

The guide identifies resources that provide general information about Criminal Law and Procedures. These are followed by resources organized under the headings:

- **What is a Crime?**
- **Trial Procedures**
- **The Court System**
- **Sentencing**
- **Criminal Law and Young People**

Many issues in contemporary Canadian criminal law and procedures impact on students' daily lives and draw upon experiences and circumstances that are immediately topical and relevant. By having access to the most current materials available through Canadian law faculties and institutions, professional organizations, and judicial and government sources of information, students are exposed to community-based learning as it reflects many of the experiences and career opportunities available to secondary school students.

This guide to resources is designed so that teachers, using a variety of teaching and learning strategies, can facilitate student learning as they:

- explore legal issues directly affecting their lives
- analyse legal issues
- develop informed opinions on legal issues
- understand and apply a *case study* approach to legal issues
- defend opinions on legal issues
- communicate legal knowledge in a variety of settings, using a range of approaches and strategies

## Experts from the Community

Considerable emphasis should be placed on building relationships with a local network of experts who can support presenting curriculum content relevant to their areas of expertise. Among these resources are:

- Members of the local judiciary
- Members of the local legal profession (Crown and Defence)
- Members of the local police services (RCMP, OPP, regional, and/or municipal)
- Members of the local correctional services (both federal and provincial)
- Members of local groups that interact with the justice system, e.g., The John Howard Society of Canada, Canadian Association of Elizabeth Fry Societies, The Salvation Army, youth diversion programs, probation and parole, etc.
- Community services that overlap with those noted above, e.g., Ontario Association of Children's Aid Societies, etc.

Websites listed in this guide offer contacts within the executive or senior management levels of these organizations. Teachers can establish direct links for ongoing input and support.

### Ontario Justice Education Network (OJEN)

*The strengthening of citizens' knowledge of the legal system and the administration of justice strengthens a vital pillar of democracy.*

*– The Honourable R. Roy McMurtry, Chief Justice of Ontario*

The Public Legal Education Task Force was charged with a mandate to “strengthen the links between the justice system and the public by supporting public legal education activity and launching new initiatives.” The Ontario Judiciary under the direction of Ontario Court of Appeal Chief Justice Roy McMurtry, Ontario Superior Court Chief Justice Patrick LeSage and Ontario Court Chief Justice Brian Lennox, has established the Ontario Justice Education Network (OJEN). This legal education initiative is an opportunity for collaboration in providing the most comprehensive source of legal information to create informed citizens among our young people in a democratic society. “OJEN is a forum for leading institutions and individuals from the legal, education, and other sectors to work together on initiatives designed to foster the public’s understanding of our justice system. It supports popular programs such as *Courtrooms and Classrooms*, which is reaching many thousands of students through a network of local education committees around the province.”

The objectives of the Ontario Justice Education Network are to:

1. Foster public understanding of the justice system and the challenges it faces.
2. Support and encourage the values of a public, transparent and accessible justice system through research and education.
3. Encourage dialogue between justice system participants and the public.
4. Develop coordinate or deliver public legal education information and programs to students and others.

Source: <http://www.ontariocourts.on.ca/ojen/index.htm>

## **Special Notes**

- All URLs for the websites have been checked for accuracy at the time of this posting. However, given the frequency with which these designations change, teachers should verify the sites.
- Teachers are also reminded that material on the Internet is protected by copyright that is usually owned by the person or organization that created the work. Reproduction of any work or a substantial part of any work is not allowed without permission from the owner.
- Teachers should consult their board policies regarding use of any copyrighted materials.
- The print resources are suggestions only and may need to be adapted and modified for the students in the class.
- Before reproducing materials for student use from printed publications, teachers need to ensure that their board has a Cancopy license and that this license covers the resources they wish to use.
- All videos should be pre-screened by the teacher since there may be aspects of some of the videos not appropriate for certain classrooms.
- Teachers also need to ensure that their board has obtained the appropriate public performance license from an authorized distributor.

# General Resources

## Text Books

Blair et al. *Law in Action*. Canada: Prentice Hall, 2002. ISBN 0-13-040592-2

Buckingham et al. *Learning About Law*. Newmarket: McGraw-Hill Ryerson, 1998.  
ISBN 0-0755-1784-1

Dickinson et al. *Understanding the Law*. Second Edition. Toronto: McGraw-Hill Ryerson, 1996.  
ISBN 0-0755-1569-5

Gibson et al. *All About Law: Exploring the Canadian Legal System*. Fifth Edition. Scarborough:  
Thomson Nelson, 2003. ISBN 0-1761-6646-7

## Print

Allec, John, ed. *The Blue Book 2000: Directory of Community Services in Toronto*. Toronto:  
Community Information Toronto, 2000. ISBN 0-9210-0146-0

This book is an extensive directory to agencies and services in Toronto. It provides an initial  
contact list for research and information.

Dranoff, Linda Silver. *Everyone's Guide to the Law: A Handbook for Canadians*. Toronto:  
Harper Collins Publishers Limited, 2001. ISBN 0006391230

This comprehensive guide covers rights and responsibilities of teenagers in a variety of  
situations, such as in cases dealing with adoption, access to abortion, and access to information  
rights.

Hutchinson, Allan. *Legal Ethics and Responsibility*. Canada: Irwin. 1999. ISBN 1-55221-030-8

This book is an accessible introduction to legal ethics. It examines the issue of whether personal  
responsibility to clients should take precedence over professional regulation.

Proulx, Michel and David Layton. *Ethics and Canadian Criminal Law*. Canada: Irwin, 2001.  
ISBN 1-55221-044-8

This text provides a survey of the most important ethical issues faced by criminal lawyers. Each  
chapter provides a detailed discussion of the particular issue with real and hypothetical examples  
that can be used to engage students in talking about how these situations could be handled.

Quinlan, Don. *Government: Participating in Canada*. Toronto: Oxford University Press, 1999.  
ISBN 0195412796

This book explains how laws are passed, and how the legal system works. Aboriginal law and  
the responsibilities of citizenship are also covered in this book.

Rodrigues, Gary P. *Pocket Criminal Code 2002*. Toronto: Carswell, 2002. ISBN 0-459-26906-2  
The Criminal Code of Canada lists all the criminal laws in Canada. This is reference for students  
researching the content of criminal law in Canada.

Roach, Kent. *Criminal Law*. Canada: Irwin, 2000. ISBN 1-55221-041-3

This text lays down the principles of criminal law and informs readers about the entire criminal process, from the enactment of laws to sentencing. It also deals with the effects of the Canadian Charter of Rights and Freedoms on criminal proceedings.

Yogis, John A. *Canadian Law Dictionary*. Hauppauge, NY: Barron's Educational Series, Inc., 1998. ISBN 0-7641-0616-3

This is a comprehensive dictionary of terms and phrases that pertain to Canadian national, provincial, and local law.

## Websites

### General

**Access to Justice Network** – <http://www.acjnet.org/>

The Legal Studies Program at the University of Alberta provides access to federal, provincial, and territorial statutes and legislative materials, as well as current legal news, links to legal magazines, lesson plans, FAQs, and additional useful information. The site also has search capability and a French language version. Language materials are also available through a search in the English language site.

**Canadian Law Cases** – [http://www.acjnet.org/cdn\\_law/cases.cfm](http://www.acjnet.org/cdn_law/cases.cfm)

This section provides links to case decisions from a variety of jurisdictions and on a variety of topics.

**Administration of Justice – The Nisga'a Nation** – <http://www.ntc.bc.ca/treaty/admin.htm>

This site sets out the involvement of the Nisga'a Nation in policing, in the provision of community correction services, and in the establishment of a Nisga'a Court. The site provides a perspective on balancing local Aboriginal needs within the structures of laws of British Columbia and Canada. It offers students insight into the development of standards that meet those of other jurisdictions within the laws of Canada yet recognizing the specific needs of a group of peoples. The question-and-answer format poses a relevant examination of issues and structures.

**The Advocates Society** – <http://www.advsoc.on.ca/>

The Advocates' Society is a professional association of over 2300 members, which is recognized throughout the legal profession for its success in advocacy education and legal reform. It provides continuing legal education programs for the profession and engages in legal reform activity. The site promotes concepts of law, representation by an independent bar, teaching the ethics and skills of advocacy, and initiating appropriate reforms to the legal system.

**British Columbia Legal Education Resources** – <http://www.educ.sfu.ca/cels/>

This site assists teachers in incorporating legal concepts and principles into their classroom teaching. Students can also find information about the law in The Law Connection, which features articles, resources, lesson plans, and legal updates on important decisions. The materials present information on federal matters (such as immigration) as well as provincial matters.

**Canadian Bar Association (CBA) – <http://www.cba.org>**

Through the work of its sections, committees, and task forces at both the national and branch levels, the CBA is seen as an important and objective voice on issues of significance to both the legal profession and the public. This site deals more with personal and professional development than legal information and includes special information for young lawyers, recent press releases, and hyperlinks to provincial branches.

**Canadian Cases and Statutes – <http://jurist.law.utoronto.ca/locate.htm>**

Students may search or browse publicly accessible Canadian and provincial case law, legislation, administrative rulings, and major online legal databases.

**Canadian Charter of Rights and Freedoms – <http://laws.justice.gc.ca/en/charter/>**

This site contains a complete copy of the Canadian Charter of Rights and Freedoms (1982) with hyperlinks to navigate between sections. The section on Legal Rights of Citizens is particularly relevant for the Criminal Law and Procedures strand.

**Canadian Charter of Rights Decisions Digest**

– <http://www.lexum.umontreal.ca/csc-scs/en/index.html>

Each section of the Canadian Charter of Rights and Freedoms is explained with the relevant case law and judicial interpretation.

**The Canadian Civil Liberties Association – <http://www.ccla.org/>**

The Canadian Civil Liberties Association (CCLA) has established the Canadian Civil Liberties Education Trust that focuses on helping people think about the dilemmas endemic to life in a democratic society. The booklet entitled *The Fundamentals of Our Fundamental Freedom*, which explains the purposes behind our basic freedoms and safeguards is available on the site. The booklet sets out some examples of the problems that arise when those freedoms collide with one another and with other social interests. These are the kinds of issues presented by the Civil Liberties in the Schools Project, sponsored by CCLA.

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

The Canadian Human Rights Tribunal (CHRT) applies the principles that all Canadians have the right to equality, equal opportunity, fair treatment, and an environment free of discrimination to cases that are referred to it by the Canadian Human Rights Commission (CHRC). This site provides information on the Tribunal's jurisdiction, rulings, and decisions in past cases, history, documentation, and contact information.

**Canadian Judicial Council – <http://www.cjc-ccm.gc.ca/>**

This site provides information about the Canadian Judicial Council, a list of frequently asked questions, and the Judges' Act, as well as information on the Council's publications and papers, annual reports, and the reports and decisions of inquiry committees.

**Canadian Law** – <http://www.canlaw.com/>

This site is designed to simplify the process of hiring a lawyer and to provide information about related legal services. Free and fee-based legal directories and searches are provided, as well as a ‘complaints department.’

**Canadian Legal FAQs Topics (National and Alberta)**

– <http://www.extensions.ualberta.ca/legalfaq/topics.htm>

This site provides answers to questions on Access to Information, the Charter of Rights and Freedoms, and the Criminal Code of Canada, specifically shoplifting and joyriding. The section on Youth has relevant information on Criminal Law and Young People. The website is navigable either through a topic list, or by choosing amongst the resources in either the national or provincial sections. The site includes a special section for recently modified FAQs.

**Canadian Resource Bank for Democracy and Human Rights** – <http://www.canadem.ca/>

Canadian Resource Bank for Democracy and Human Rights is a national group of skilled civilians who function as a rapid reaction supply for the United Nations, Organization for Security and Co-operation in Europe (OSCE), Non-Governmental Organizations (NGOs), Canadian government, and various other international and humanitarian organizations. The site presents information on history, procedures, lessons learned, and various employment and volunteering opportunities.

**Community Legal Education Ontario (CLEO)** – <http://www.cleo.on.ca/>

CLEO is a community legal clinic that produces free public legal education materials in clear language for people who have low incomes, disabilities and literacy challenges, and for others who are disadvantaged. CLEO's publications address issues in many areas of law, including social assistance, landlord and tenant, refugee and immigration, workers' compensation, criminal, consumer, family, health and disability, seniors, and youth law. You can view and print the publications through their Web site. The Web site also has an on-line order form, and lists new and revised publications.

**Statutes and Regulations of Ontario** – <http://www.e-laws.gov.on.ca>

The e-Laws web site, maintained by the Government of Ontario, provides access to the consolidated laws of Ontario.

**Correctional Service Canada (CSC)** – <http://www.csc-sec.gc.ca/>

The mandate of the Correctional Service of Canada, a part of the department of the Solicitor General of Canada, is to contribute to the protection of society by encouraging the rehabilitation of offenders so that they may become law-abiding citizens, and to provide safe, secure, reasonable and humane control. The website includes information concerning the organization of the Service, the history of the CSC, detailed information concerning CSC programs, and policy and legislation relevant to its operation. There is a public education section with a special unit for teachers, a guide with lesson plans, a speakers' kit, statistic, myths and realities. Another section contains research conducted or contracted by the CSC, online databases of publications and videos made by the CSC, a list of partners of the CSC and their websites, career information, international fora concerning corrections and rehabilitation services, and a list of useful links.

**Criminal Code of Canada** – <http://laws.justice.gc.ca/en/C-46/>

The complete Criminal Code of Canada is contained here with interpretation information and all aspects that are of interest and importance to citizens of Canada. There is a section on forms and warrants required for certain legal undertakings. This is a reference for all the Consolidated Statutes and Regulations with a searchable interface. There is a disclaimer that indicates these documents are not the official version although they are on the Department of Justice website. The entire Criminal Code can also be downloaded as a text file from the following site:  
– <http://insight.mcmaster.ca/org/efc/pages/law/cc/cc.html>

**Criminal Lawyers Association (Index)** – <http://www.criminallawyers.ca/>

The Ontario Criminal Lawyers' Association is one of the largest specialty legal organizations in Canada, comprising about 1000 members, including associate members from across Canada. The Association is a strong voice for criminal lawyers and everyone concerned with the quality of criminal justice. The association regularly consults with all levels of government and the judiciary on issues relating to the legislation and administration of criminal justice in Ontario and in Canada. The Newsletter that is in the Public area of the site covers many topical articles that would be of relevance to this course.

**Department of Justice Canada** – <http://canada.justice.gc.ca>

The function of the Department of Justice is to ensure that Canadians enjoy a justice system that is fair, accessible, and efficient. The Department helps the federal government develop policy and make and reform laws as needed. Included on the site are explanations of the process through which legislation is developed and then passed by parliament as well as the role of citizens in the judiciary system. This site has the latest issue of *justice canada*; and a Resource Centre which includes a FAQs section, list of reports, speeches, and policies. There is also the ability to search the laws of Canada and access justice-related information from across Canada. Special programs include: Crime Prevention; Youth Justice; Court System; and Laws of Canada. There are special sections geared towards youth, people with disabilities, aboriginal peoples, seniors, and legal professionals. An interesting and interactive quiz is included in the youth section.

**Justice Canada 2000** – <http://www.canada.justice.gc.ca/en/justice2000/home.html>

The Department of Justice Canada has put together an array of historical background material, case studies, cross-references, and anecdotal information that traces the evolution of human rights in 20th Century Canada. Students can explore the key court cases and laws that have shaped human rights in our country since 1900. The tour is divided into 4 distinct periods: 1900 - 1924 | 1925 - 1949 | 1950 - 1974 | 1975 – 2000. The site is both informative and entertaining for students' research and ISPs (Independent Study Projects).

**Laws of Canada** – <http://laws.justice.gc.ca/en/index.html>

This site maintained by the Department of Justice Canada includes copies of all federal statutes and regulations in their entirety; links to frequently consulted statutes, including the Criminal Code; and non-statutory regulations and repealed acts. The site also has a search capability.

### **Judgements from the Supreme Court, 1985-2000**

– <http://www.lexum.umontreal.ca/csc-scc/en/index.html> (English)

– <http://www.lexum.umontreal.ca/csc-scc/> (French)

A site maintained through the joint effort of the Supreme Court of Canada and the LexUM group at the University of Montreal, which includes recent and unpublished judgements, reports of the Supreme Court of Canada, special bulletins, news releases from 1997 to the present, and weekly bulletins from 1994 to the present. The site also has a search capability. The Supreme Court disclaimer notes that the online versions are not official, and that it accepts no responsibility for any inaccuracy in information.

### **Links to Legal Resources (Guiste + Southcott)**

– <http://www.interlog.com/~southgui/Links.htm>

This commercial site mounted by a legal firm lists many resources that are relevant for the study of Criminal Law. The site has links to a variety of legal resources, publishers, the Department of Justice, Legal Aid Ontario, etc. There are links to Articles on Specific Criminal Issues, and Criminal Wrongdoing in the Workplace.

### **Law Commission of Canada – <http://www.lcc.gc.ca/>**

The Law Commission of Canada is an independent federal law reform agency. The site includes information on current projects, a selection of resources, research contract opportunities, upcoming events and conferences, and contact information. This site also has a search capability. Students may also wish to access the Justice and law site at

<http://www.jl-jd.gc.ca/jlcPubHome.jsp?lang=eng>

### **The Law Connection – [http://www.educ.sfu.ca/cels/index\\_current.html](http://www.educ.sfu.ca/cels/index_current.html)**

This resource, intended for teachers and students, is maintained by the Centre for Education, Law, and Society at Simon Fraser University, British Columbia. It includes lesson plans, as well as legal updates, a forum for educators to discuss issues, and a variety of conferences in which students and teachers may ask questions of experts in the legal field. There are specific sections on Criminal Law with information on issues such as Teaching Legal Concepts, Judicial Decision-Making, Recent Changes to the Young Offenders Act, and Managing Negative Peer Pressure.

### **The Law Foundation of Ontario – <http://www.lawfoundation-on.org/>**

This organization was created to advance legal knowledge and to facilitate public access to legal services benefitting the people of Ontario. It establishes and maintains a fund used for legal education and legal research, and legal aid. This foundation also funds the Canadian Civil Liberties Education Trust and awards grants to organizations for law-related projects and programs.

**LawNow** – <http://www.lawnow.org>

Published by the Legal Studies Program, Faculty of Extension, University of Alberta, this site provides legal information about the law and the legal process for all Canadians. There are some public areas but it is necessary to have a subscription to obtain full service information. *LawNow* (magazine) is indexed in the Index to Canadian Legal Literature (Carswell), the Canadian Index, and the Canadian Periodical Index. It is also available on the following CD-ROM services: Kiosk (Micromedia) and CPIQ (Gale Canada), which are available to many students in Ontario Schools. Each issue contains a "School's In" section which provides lesson plans on specific topics

**The Law Society of Upper Canada** – <http://www.lsuc.on.ca/>

The Law Society of Upper Canada is the self-governing body for lawyers in Ontario. The primary responsibility or mandate of the Law Society is to regulate the legal profession in the public interest according to Ontario law and the Law Society's rules, regulations, and guidelines. The Law Society site offers public services such as the Lawyer Referral Service that matches individuals with local lawyers with the proper expertise; a directory of certified specialists; and the Lawyers Fund for Client Compensation, which helps clients who have lost money because of a lawyer's dishonesty. To promote access to justice, the Law Society supports programs such as Pro Bono Law Ontario and the Public Legal Education Task Force.

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

This site identifies services available to low-income individuals and disadvantaged communities for a variety of legal problems including criminal matters, family disputes, immigration and refugee hearings, and poverty law issues such as landlord/tenant disputes, support and family benefits payments. The site provides guidelines for accessing the services, information for lawyers, news updates, and publications and resources. There are also links to other relevant resources.

**Metropolitan Toronto Lawyers Association (MTLA)** – <http://www.mtla.on.ca/>

The Association segment of the site includes information concerning the history, mandate, and bylaws of the MTLA and a list of services and facilities. The Library segment of the site includes information concerning the collection and lists of recently added volumes; a link to the online library catalogue, resources, and services available; and links to other sources of legal information. Note: This site is primarily for information and services for its members; however, the external links provide information that would be of interest to teachers and students. This site is primarily of service for its member but contains other information that may be of interest to students.

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

The site provides information on the role and responsibilities of the Ministry of the Attorney General, as well as information concerning the Native Affairs Secretariat, reports, news releases, and a wide array of informational pamphlets and brochures. There is a complete guide to Justice Services available through the offices of the Attorney General. There are sections about going to court – as a victim, witness, or juror; a wide array of information about legal services in Ontario; and a lawyer referral service.

**The National Crime Prevention Centre (NCPC)**

– <http://www.crime-prevention.org/english/main.html>

The NCPC promotes federal efforts to support community safety and crime prevention and emphasizes the mobilization of Canadians to take action to prevent crime at the community level. The site provides lists of publications and information about crime prevention and links to other sites.

**National Parole Board (NPB) – <http://www.npb-cnlc.gc.ca>**

This site contains a comprehensive resource of legislation that pertains to parole in Canada as well as a history of the NPB. Additional sections of the site include studies and reports about the parole system in Canada. An Information Centre contains a compilation of the major documents.

**Network for Research on Crime and Justice – <http://qsilver.queensu.ca/rcjnet/indexen.html>**

This site sponsored by the federal government in co-operation with Queen’s University is charged with developing, conducting, and communicating quality research on crime and justice. The site includes reports and statistics relevant to many areas of criminal law.

**Ontario Bar Association (OBA) – <http://www.oba.org/>**

The official web site of the Ontario Bar Association which represents more than 15,000 lawyers, judges, law professors and law students across Ontario. This site provides a wide range of information, events, resources, legal links, and news on all facets of legal practice and the OBA's mandate to promote the essential role of the legal profession. Of particular note for secondary students is Law Day and Law Week - an annual program organized by the OBA to educate students on the justice system. These are activities that engage students and schools to participate in various photography, poster, mock trial competitions and website contests across the province.

The Ontario Bar Association Law Day affords many opportunities for secondary school law students. They include:

- a law website competition for students, Grades 9-12;
- court tours in Toronto and other cities in the province;
- speakers from the legal system including judges, lawyers, crown attorneys and other justice system available to visit at a teacher’s request (Teacher Request Forms and a list of contacts are available at – <http://www.ontariocourts.on.ca/>
- a Duty Counsel/Student Matching Program that allows students to “job shadow” a duty counsel from the offices of Legal Aid Ontario for a day in criminal court – for registration see – [http://www.oba.org/lawday\\_en/duty\\_counsel.asp](http://www.oba.org/lawday_en/duty_counsel.asp)

**Ontario History and Social Science Teachers’ Association (OHASSTA)**

– <http://www.ohassta.org/>

This is the site of OHASSTA, a professional association that advocates the instruction of history and social sciences in Ontario elementary and secondary schools. Curriculum resources, articles from the association’s magazine *Rapport*, history today, and relevant articles in current news are available.

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

The Ontario Human Rights Commission is an arms-length department of the Government of Ontario. The site briefly details the jurisdiction, administration, and history of the Commission, as well as specifics as to the complaint process. It provides an online copy of the Ontario Human Rights Code with an explanation of its provisions, news releases, annual reports and copies of several publications. There are sections that provide information on rights concerning hiring, pregnancy and breastfeeding, racial harassment, sexual harassment, sexual orientation, and religious issues. There is a link to an educational package called *Teaching Human Rights in Ontario*, which is designed specifically to be used with the Ontario Grade 11 Understanding Canadian Law course. See <http://www.ohrc.on.ca/english/education/teaching-overview.shtml>

**Ontario Justice Education Network (OJEN)** – <http://www.ontariocourts.on.ca/ojen/index.htm>

The site describes the history of the OJEN Project, contains the newsletter, which describes the roles of the partners in the project and a Report by Chief Justice Roy McMurtry. There is also a section on the Courtrooms and Classrooms initiative outlining resources for teachers, teacher request forms for courtroom visits, contact lists for teachers, and Cases for the Classroom information.

**Ontario Parole and Earned Release Board** – <http://www.operb.gov.on.ca/>

This site contains information about the conditional release of adult offenders sentenced to Ontario provincial correctional institutions. It contains organizational information on the hearing process, conditions for release, etc. There are a variety of facts, figures, and statistics on the topic of sentencing.

**Ontario Women's Justice Network** – <http://www.owjn.org>

A legal resource pertaining to justice and violence towards women and their children; information provided concerns sexual assault, partner abuse, child protection information, and other related issues. A glossary of legal terms, commentary on cases and laws, links to on-line resources, a what's new section including announcements from women's organizations, a section for community actions against violence, archives of historic documents, and monthly highlights are all components of this site.

**Public Legal Education Association of Saskatchewan**

– <http://www.plea.org/freepubs/freepubs.htm>

A site maintained by Public Legal Education of Saskatchewan that offers a variety of free information resources concerning provincial and federal law, as well as a list of programs, and teacher and student resources.

**Ministry of Public Safety and Security – Centre of Forensic Sciences**

– <http://www.sgcs.gov.on.ca/english/public/forensic.html>

Ontario's Centre of Forensic Sciences (CFS), one of the most extensive forensic sciences facilities in North America, provides scientific laboratory services to support the administration of justice and public safety programs in Ontario. Law enforcement officers, crown attorneys, defence counsel, coroners, pathologists, and other official investigative agencies make use of CFS services. The site includes a history of the Centre, news releases, updates, FAQs, links to related sites, and career opportunities.

**Solicitor General** – <http://www.sgc.gc.ca/>

The Solicitor General of Canada's portfolio includes the responsibility for protecting Canadians and helping to maintain Canada as a peaceful and safe society. The site includes an overview of The Ministry, as well as information concerning Aboriginal Policing, Corrections Canada, CSIS (Canadian Security Intelligence Service) and its Inspector General, integrated justice information, national security, policing and law enforcement, the government online, and the strategic operations directorate. Other features of the site include links to a Public Safety Portal, a collection of online resources relating to public safety, the site for Safety and Security for Canadians, news releases, speeches, publications, and resource lists of other useful websites. The Public Education section contains quizzes, fact sheets, slide shows, and a teacher's kit.

**Sources of Canadian Federal and Provincial Legislation**

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

The site provides links to copies of federal and provincial legislation and is maintained by the Faculty of Information Science at the University of Toronto.

**Statistics Canada** – <http://www.statcan.ca>

The Statistics Canada site has many important statistics relevant to law students, including crimes by percentage, incarceration rate, police information, and victim and suspect statistics.

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

The Supreme Court of Canada site has information concerning the history and function of the court, protocol for arranging visits, previous judgements and news releases, information on cases, FAQs, the Supreme Court Act and related rules, and the online catalogue of the Supreme Court library. New rules for members of the profession as well as notices are posted. An online photo gallery is provided.

**Toronto Lawyers** – <http://www.toronto-lawyers.net/>

A free of charge case evaluation service for those seeking a lawyer in Toronto. Information is divided into seven categories: What we do, How it works, How this is free, Lawyers, Free case evaluation, Resources, and Contact Us. Basic information as to the nature and function of the service, fees the client may incur later, and other necessary information is provided.

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

The World Alliance for Citizen Participation is an organization dedicated to strengthening civil society and supporting citizen action worldwide. The site includes details concerning news releases, publications, programs, services, opportunities, and the primary functions of the organization.

## Law Faculties

### **Carleton University (Ottawa) Department of Law** – <http://www.carleton.ca/law/index.html>

This site provides exterior links to a list of Canadian law schools, the Chet Mitchell Resource Centre, the Department of Law archives, the student law journal, and other law sites. Carleton's close proximity to Canadian Legal Institutions including the Supreme Court, the federal Parliament and the federal Department of Justice, offers access to additional resources for students. A complete and useful referencing/citation guide for students is available also.

### **McGill University (Montreal) Faculty of Law** – <http://www.law.mcgill.ca/>

The site includes links to the McGill Law Journal, the on-campus Nahum Gelber Law Library, the McGill Law bookstore, information concerning the Meredith Lectures, and the Council of Canadian Law Deans.

### **Osgoode Hall Law School at York University (Toronto)** – <http://www.osgoode.yorku.ca/>

This site has search capabilities and provides links to the Aboriginal Intensive Program, C.L.A.S.P. (Community and Legal Aid Services Program), career services, the Innocence Project, Obiter Dicta, the parent information program, and Parkdale Legal Services.

### **Queen's University (Kingston) Faculty of Law** – <http://qsilver.queensu.ca/law/>

The site supplies information about the Queen's University law journal and legal aid service, international opportunities, and links to a separate information technologies services page, a general library page, and the William R. Lederman Law Library.

### **University of Alberta (Edmonton) Faculty of Law** – <http://www.law.ualberta.ca/>

This site provides information about legal research on the web. Students will find a list of legal topics in alphabetical order that link to an overview; key legislation and cases; resources, such as agencies and books; and a glossary explaining legal terms used in that area of law.

### **University of Ottawa Faculty of Common Law** –

<http://www.uottawa.ca/academic/commonlaw/>

The site provides a link to the on-campus Brian Dickson Law Library, legal research links, and publications.

### **University of Toronto Faculty of Law** – <http://www.law.utoronto.ca/>

The web site of the Faculty of Law provides information for and about the faculty, information on Careers, Courses and Requirements for current students and for prospective students and alumni. It has links to the Bora Laskin Law Library, Legal Clinics and Special Programs, Journals and Publications as well as the JD program and special lectures, workshop and seminar information. Further linked resources under News and Events include up to date links to special papers and conferences such as Health Law day, the annual Grand Moot Court and other topics that would be of interest to students studying law.

**University of Western Ontario Faculty of Law** – <http://www.law.uwo.ca>

The site includes the Pro Bono program and the Faculty's innovative work through the Dispute Resolution Centre, the Sport Solution, the Tax Centre, Community Legal Services, the Canada/US Law Institute, and Advocacy Programs.

**University of Windsor Faculty of Law** – <http://www.uwindsor.ca/law>

The web site of the Faculty of Law at the University of Windsor provides a wealth of information concerning the Windsor Yearbook of access to Justice, the Windsor Review of Legal Social Issues and other legal information. A direct link to the on-campus Paul Martin Law Library is also included. Law Online: Canada, UK, Australia, US does provide links to free internet resources.

## **Law Libraries**

**Brian Dickson Law Library** – <http://www.uottawa.ca/library/droit-law/index.html>

The Brian Dickson Law Library is located on the University of Ottawa campus. Its website provides a direct link to ORBIS, (the library network catalogue); an 'Ask the Library' feature; and lists and abstracts of journal articles, law reports and statutes. Links include those to the Faculty of Common Law, the Faculty of Civil Law, and the HRREC (Human Rights Research and Education Centre). The site also maintains a virtual law library, which provides a list of legal databases, and sites useful to law students.

**Bora Laskin Law Library** – <http://www.law-lib.utoronto.ca/>

The Bora Laskin Law Library site provides general information concerning the Bora Laskin Law Library, law library conference websites, and an online list of U of T related law journals with approximately fifty years of tables of contents and fourteen years of abstracts online. Links with greater relevancy to legal research include a list of online legal research sources, a thorough listing of women's rights resources and research guides, as well as publications designed to assist anyone engaging in legal research. There is also information about locating law books and law journals held by the University of Toronto, community legal information resources, and a list of FAQs. Links on the main website include those to the Centre for Innovation Law and Policy.

**Chet Mitchell Law Resource Centre (Carleton University)**

– <http://carleton.ca/law/resource.htm>

The Chet Mitchell Law Resource Centre site includes a description of the resources available in the library and reading room relevant to law students. These include Statutes of Canada and Ontario, CD-ROM Databases, serials such as the *Canadian Bar Review* and *Mediation Quarterly* and government publications.

**The Law Society of Upper Canada Library (The Great Library)** – <http://library.lsuc.on.ca>

This Library site allows users to search the catalogue. The home page index offers a What's New in Law section that contains citations and links to items of general interest such as significant legislation amendments and case law developments. The information is categorized under such categories as Family Law, Law and Technology. The Legal Research section links to cases and includes Legal Research Tips and Citation Rules.

**Nahum Gelber Law Library** – <http://www.law.library.mcgill.ca/>

The Nahum Gelber Law Library provides access to MUSE, the McGill library catalogue; in addition to library holdings, and journal titles. All legal databases in the library are searchable online.

**Paul Martin Law Library** – <http://uwindsor.ca/units/law/PaulMartin.nsf>

The Paul Martin Law Library site provides access to information concerning library services, as well as to various catalogues; unfortunately, none of these may be accessed unless one is enrolled at the University of Windsor or operating a University of Windsor dial-up account.

**William R. Lederman Law Library** – <http://qsilver.queensu.ca/law/>

The William R. Lederman Law Library site provides the law library resources, information concerning library services, first year legal skills, a legal research manual, the journal collection of the library, a list of Internet links, and a quick reference guide. Database links include those to QCAT, the library catalogue; the LegalTrac Journal Index, WebSPIRS; Quicklaw; Lexis; Westlaw; the Queen's Library Legal Databases; and CALI (The Center for Computer-Assisted Legal Instruction).

**York University Law Library** – <http://info.library.yorku.ca/depts/law/lawhome.htm>

The site includes a list of collections and search suggestions, research guides, lists of law-related resources online, and links to the more comprehensive main York University Libraries site and online catalogue are also provided.

## Community Colleges – Law and Policing Courses

Students taking the law courses in secondary schools may have an interest in pursuing law and policing courses offered at a number of community colleges or may wish to pursue other career linked information sources:

### **Algonquin College** – <http://www.algonquincollege.com/>

Correctional Worker (2 yrs)                      Law Clerk (2 yrs)  
Police Foundations (2 yrs)                      Police Foundations-Intensive (46 weeks)  
    Post-Diploma/Post Graduate  
    Advanced Investigations (1 yr)

### **Cambrian College** – <http://www.cambrianc.on.ca/>

Correctional Service Worker (2 yrs)  
Law and Security Administration (2 yrs)  
Police Foundation (2 yrs)

### **Canadore College** – <http://www.canadorec.on.ca/>

Correctional Worker (2 yrs)  
Police Foundations (2 yrs)

### **Centennial College** – <http://www.centennialcollege.ca/>

Legal Assistant (Law Clerk) (2 yrs)  
Office Administration - Legal (2 yrs)

### **Conestoga College** – <http://www.conestogac.on.ca/>

Law and Security/Police Foundations (Common 1<sup>st</sup> year)

### **Confederation College** – <http://www.confederationc.on.ca/>

Aboriginal Law and Advocacy (2 yrs)  
Law and Security Administration (2 yrs)  
Police Foundations (2 yrs)

### **Durham College** – <http://www.durhamc.on.ca/>

Court and Tribunal Agent (2 yrs)                      Office Administration - Legal (2<sup>nd</sup> yr entry)  
Law and Security Administration (2 yrs)                      Police Foundations (2 yrs)  
Legal Administration/Law Clerk (3 yrs)  
    Post-Diploma/Post Graduate  
    Private Investigator (1 yr)

### **Fanshawe College** – <http://www.fanshawec.on.ca/>

Law and Security Administration - Private Security (2 yrs)  
Law Clerk (Optional Co-op) (2yrs)  
Police Foundations (2 yrs)  
    Post-Diploma/Post Graduate  
    Court and Administrative Tribunal agent (1 yr)

**Georgian College** – <http://www.georgianc.on.ca/>

Law and Security Administration (2 yrs)

Office Administration - Legal (2 yrs)

Police Foundations (2 yrs)

**Humber College** – <http://www.humberc.on.ca/>

Court and Tribunal Agent (4 semesters)

Police Foundations (4 semesters)

Law Clerk (4 semesters)

Law Firm- Office Administration (2 semesters)

**Lambton College** – <http://www.lambton.on.ca/>

Correctional Worker (2 yrs)

Law and Security Administration (2 yrs)

Police Foundations

**Loyalist College** – <http://www.loyalistic.on.ca/>

Correctional Worker (2 yrs)

Police Foundations (2 yrs)

Law and Security Administration - Paralegal (2 yrs)

**Mohawk College** – <http://www.mohawkc.on.ca/>

Law and Security Administration - Private Security (2 yrs)

Office Administration- Legal (2 yrs)

Police Foundations (2 yrs)

Aboriginal Police Foundations (2 yrs)

**Niagara College** – <http://www.niagarac.on.ca/>

Correctional Worker (2 yrs)

Police Foundations (2 yrs)

Law and Security Administration (2 yrs)

Law Clerk (Co-op) (2 yrs)

**Northern College of Applied Arts and Technology** – <http://www.northernc.on.ca/>

Police Foundations (2 yrs)

Police Foundations - Northern Contact (2 yrs)

**St. Clair College** – <http://www.stclairc.on.ca/>

Law and Security Administration (2 yrs)

Law Clerk (2 yrs)

Police Foundations (2 yrs)

**St. Lawrence College** – <http://www.sl.on.ca/>

Correctional Worker (2 yrs)

Office Administration - Legal (2<sup>nd</sup> yr)

Law and Security Administration (2 yrs)

Police Foundations (2 yrs)

Law Clerk (2 yrs)

**Sault College** – <http://www.saultc.on.ca/>

Law and Security Administration (2 yrs)

Police Foundation (2 yrs)



**Royal Canadian Mounted Police** – <http://www.rcmp-grc.gc.ca/html/generalcont-e.htm>

This site provides information about the role of the RCMP; the programs and services it offers; scams and frauds; the latest news releases; and employment; a list of FAQs; the Police Dog Service Training Centre; criminal records; a list, including photographs and personal information, of those wanted by the RCMP; reports and publications; and a What's New section. The site also includes links to territorial and provincial branches of the RCMP and phone numbers for RCMP detachments across the country that can be used to contact police regarding a classroom visit.

**Toronto Police Association** – <http://www.torontopoliceassn.ca/>

Information on this site includes the *Tour of Duty Magazine*; events in the community; and general interest topics, such as the police memorial and the 'Cops for Tots' program. Links to sponsors and contact information are also provided.

**Toronto Police Services (TPS)** – <http://www.torontopolice.on.ca/>

This site provides information concerning a variety of programs, services, and initiatives including the Graffiti Eradication Program, Black History Month, employment opportunities, the 9-1-1 emergencies service, a section with information geared towards children, the Police Museum, Crime Stoppers' Crime of the Week, and the Civilian Police College. Also included are an organizational chart, volunteer information, a vision statement, a summary of the core values of the police force, a list of publications, a section for feedback, news releases, information concerning community policing, a phone and e-mail directory, and a history of the TPS.

**University of Toronto Police (UTP)** – <http://www.utoronto.ca/police/>

This site provides information concerning the University of Toronto Police: services provided, recent events and occurrences, employment information, self-defence courses, corporate partners, Internet submissions, and information and forms available online, as well as partnership programs and a list of links. The 'Inquiry Desk' allows users to ask questions of the UTP. The site is searchable.

## **Organizations/Human Resources**

**Canadian Association of Elizabeth Fry Societies (CAEFS)** – <http://www.elizabethfry.ca/>

The Canadian Association of Elizabeth Fry Societies works with, and on behalf of, women involved in the justice system. The site includes annual reports, presentations, and information from conferences all dealing with Women and Incarceration. There is a section on Women's prisons and reports on issues impacting women in prison. The section on Restorative Justice explores alternatives to incarceration and one section discusses literacy needs of women in prison. Another section of particular relevance is the section relating to Young Women and the CAEFS response to proposed amendments to the YOA (Young Offenders' Act). There are a number of links to resources on prison issues and violence against women.

**The John Howard Society of Canada (JHSC) – <http://www.johnhoward.ca/>**

The John Howard Society of Canada works with people who have been in conflict with the law; reviews and advocates changes to the criminal justice process, as well as Canadian criminal law; educates the public on criminal law and related matters; attempts to assist those released from prison with integration into the community; and encourages community crime prevention initiatives. The site includes listings of offices and branches of the JHSC across Canada, briefs and position papers, and information and documents from its policy learning and development centre. There is a section that focuses on Youth and the Criminal Justice System, especially the Young Offenders' Act, and a FAQs section.

**Ministry of Community, Family and Children's Services – <http://www.gov.on.ca/CSS/>**

Information is provided concerning the organization, publications, news releases and main programs offered by The Ministry, including the Ontario Early Years Plan, the Early Years Challenge Fund, Social Assistance, Ontario Works, the Ontario Disability Support Program, The Family Responsibility Office, Adoption Services, the Adoption Disclosure Register, Child Care, Children's Services, Children with Autism, Developmental Services, Domestic Violence, the Northern Bursary Program, the Provincial Municipal Liaison, and Social Workers and Social Service Workers.

**The Salvation Army – <http://www.salvationarmy.org/>**

The site is linked to regional chapters and includes information concerning the history, role, and mission of The Salvation Army, donating money and purchasing items, and contacting the organization. The International Heritage Centre provides extensive information about The Salvation Army's overseas programs.

## **Resources in Jurisdictions Outside Canada**

**American Bar Association Division for Public Education**

– <http://www.abanet.org/publiced/home.html>

This site is designed to spread knowledge of the American judicial system and legislation, with sections aimed towards consumers, citizens, educators, students, the media, as well as lawyers and judges. It includes information on the US Supreme Court and how the American courts work.

**Find Law – <http://www.findlaw.com>**

A United States portal to online sources of legal information, with specific sections geared towards legal professionals, students, the general public, and business. A wide array of resources is available, with a special section concerning the war on terror. This site also provides information on the US Supreme Court, its recent decisions, and links to other US jurisdictions.

**National Equal Justice Library – <http://www.equaljusticelibrary.org/international/links.asp>**

This site contains links to other nation's legal aid programs and presents comprehensive information about the particular nation's legal aid system. There are links sites compiled by Pinetree Service, Members of the International Legal Aid Committee, and the National Equal Justice Library. This site would be useful for ISPs (Independent Study Projects) that compare Canadian Legal Aid Provisions to those of other nations.

### **Judicial Work and Judgments in the House of Lords, UK**

– <http://www.parliament.the-stationery-office.co.uk>

The House of Lords was formerly the last court of appeal for Canadian judgements. This site includes current and past judicial work and judgements of the House of Lords, as well as the future business, members, select committees, and a register of the Lords' interests.

### **Youth Justice – Public Legal Education and Information (PLEI) Organizations**

– <http://canada.justice.gc.ca/en/ps/yj/public/pleiorgs.html>

This section of the Department of Justice site outlines the main goal of PLEI organizations, which is “to create an informed citizenry that is knowledgeable about the law, able to recognize and exercise their lawful rights, fulfil their legal obligations, and perform their duties as participants in a democratic society.” There are links to organizations in federal jurisdictions. Generally these PLEI organizations offer impartial information about the laws that affect the lives of the people with whom they deal.

### **Official United Nations Website - <http://www.un.org>**

This is the official Web Site of the United Nations in New York. Here you will find daily UN News and Press Releases, UN Documents and Publications. UN Overview information, including statistics about Member States, UN Conference information with live web cast of important meetings, photos and other UN information resources, This is also an extensive site of resources for young people and teachers.

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

The site shows the United Nations Charter, as adopted on June 26, 1945 by the general Assembly of the United Nations and includes an introductory note and later amendments.

### **Universal Declaration of Human Rights – <http://www.un.org/Overview/rights.html>**

The site shows the Universal Declaration of Human rights as adopted and proclaimed on December 10, 1948 by the General Assembly of the United Nations.

## **Video**

*A Test of Justice* – [http://www.csc-ccc.gc.ca/text/pubed/nouveauregard\\_e.shtml](http://www.csc-ccc.gc.ca/text/pubed/nouveauregard_e.shtml)

Inside Out is a Teacher's Kit designed for high school students. A series of enjoyable, fact-based learning activities encourage students to take a fresh look at the criminal justice system. In particular, the Kit focuses on corrections and conditional release – it looks at what happens to an offender behind bars. Inside Out includes comprehensive teachers' notes and interactive components such as a video, student activities, handouts, and slides. The video *A Test of Justice* recreates one man's experience with the system. It follows an offender through his arrest, imprisonment, and conditional release into the community, in order to show how Canada's criminal justice system works.

*Crime and Punishment: politics of punishment.* Canada: Canadian Broadcasting System, 2000. 23 min.

Many politicians respond to public opinion by playing the “get tough on crime” role. Does handing out hard times really reduce crime? The examination by the *National Magazine* tries to separate fact from media and political hype and takes a look at the effectiveness of Canada’s justice system and compares it to other western countries.

*A Question of Justice* (Series) Toronto: TV Ontario, 1993. 59 min. each (Distributed by McGraw Hill Ryerson)

The series of 11 videos includes teacher’s resource guides. The titles are:

*Access to Justice*

*Between the Crime and the Courtroom*

*Family after Family*

*He who looks upside down*

*It’s a free country*

*Old enough to hurt*

*Out of Control*

*To be equal...or not to be*

*Victims and Witnesses*

*What about my rights?*

*Your day in court: the criminal justice process*

# Methods of Legal Inquiry

Students should have the opportunity to learn the skills necessary to research legal information. These skills are important both to students and to informed citizens when they want to find resources that are accurate and relevant to any particular situations or issues with which they are involved. By developing skills that enable them to research in a logical and efficient manner and to access appropriate and valid sources of information, students will be able to evaluate the information for balanced perspectives as they organize and process the materials. The ability to transfer these skills to communicate their opinions strengthens the role students play in a democratic society.

Each section provides an opportunity for the teacher to apply a Research and Inquiry model that integrates the Four Stage Research Process (*Prepare, Access, Process, Transfer*) of the Ontario School Library Association (OSLA) Information Studies Model with the Methods of Legal Inquiry strand of the curriculum document. These strategies for inquiry offer students a range of research options for tackling the individual topic areas and Independent Study Units.

## Resources

### Print

Gauntley, T., E. Kerr, and R. Dotten. *Information Studies: Kindergarten to Grade 12*. Toronto: Ontario School Library Association. 1999.

This text outlines the Four Stage Framework for a resource process applicable to all subject areas: *preparing* for research; *accessing* resources; *processing* the information; and *transferring* findings to other areas of life and communicating the product. It includes sections on Inquiry and Research, Information Technologies, and Information and Society.

Gordon, S. and S. Elkhadem. *The Law Workbook: Developing Skills for legal research and Writing*. Toronto: Edmund Montgomery Publications Ltd., 2001. ISBN 1-55239-084-5

This workbook familiarizes students with the court system. It provides exercises that show students how to read, research, and analyse problems as a lawyer.

Tjaden, Ted. *Legal Research and Writing*. Toronto: Irwin Law. 2001. ISBN 1-55221-050-2

This book provides a practical and useful approach to the skills required in searching for legal materials and for legal writing. It consolidates information on legal research for both the practitioner and the student, by providing the latest techniques and skills. It includes chapters on legal research malpractice and the acquisition of research resources. Teachers can use this resource to assist students in acquiring the skills legal inquiry and to develop research skills that are transferable to other courses.

## Websites

### **Canadian Legal Dictionaries** – <http://jurist.law.utoronto.ca/dictionary.htm>

JURIST Canada's browsable dictionary of basic Canadian legal terms focuses on criminal law and procedure. A Canadian Legal Research section includes a Reference Desk that links most federal and provincial government sites.

### **Canadian Legal Information Institute (CanLII)** – <http://www.canlii.org/>

CanLII is a project of the LexUM group from the Centre de recherche en droit public [Centre of Research in Public Law] at the University of Montreal, on the initiative of the Federated Law Societies of Canada. A searchable database includes federal, provincial, and territorial legislation and bills, as well as previous judgements made by high courts in the respective jurisdictions in related to the legislation and bills. It has an advanced search feature that allows access to original, high quality documents.

Of particular interest to teachers and students is a section on Intellectual Property Rights at: – <http://www.canlii.org/disclaimers.html> - intelprop

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

This site includes effective strategies and techniques for Canadian legal research, finding and using secondary sources, finding and analysing cases, updating research, legal writing, and legal research FAQs.

### **Doing Legal Research in Canada [maintained by the Law Library Resource Xchange]**

– <http://www.llrx.com/features/ca.htm>

An online guide to facilitate foreign researchers in examining Canadian legal research. It provides access to various law libraries and legal journals, as well as links to primary and secondary Canadian legal research.

### **Duhaime's Law Dictionary** – <http://duhaime.org/diction.htm>

This site contains legal definitions, links to resources, researched and written in plain language and provided free of charge by Duhaime & Company Law Firm. Legal information site includes: history of the criminal code, laws on euthanasia, stalking, parole, and pardons.

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

A division of JURIST: The Legal Education Network, this site is maintained by the University of Pittsburgh Faculty of Law and hosted by the Bora Laskin Law Library at the University of Toronto Faculty of Law. It provides a wide array of resources including recent developments in legal education, legal research, Canadian and world law, and information concerning Canadian universities that offer law degrees, articling, and recruitment information.

### **Reference Desk** – [http://jurist.law.utoronto.ca/ref\\_desk.htm](http://jurist.law.utoronto.ca/ref_desk.htm)

The Reference Desk provides connections to key documents on the Canadian constitutional and legal structure, Canadian government sites, courts, commissions, legal associations, public legal services, lawyer directories, and the provincial and territorial Departments of Justice.

### **Law Library Service for High School Students**

– <http://www.law-lib.utoronto.ca/services/hs.htm>

This site hosted by the Bora Laskin Law Library details the services it provides to high school students and teachers, useful search tips for doing legal research appropriately and efficiently. Students can download the *Legal Research Guide for High School Students* and link to other University Law Libraries.

### **Research Resources in Political Science – <http://www.artsci.lsu.edu/poli/research.html>**

This site, maintained by Louisiana State University, has a comprehensive list of online research resources for political science, which deals primarily with American sources, but includes links to Canadian, Spanish, and British information as well.

### **Research Tool and Law Links**

– [http://www.umanitoba.ca/faculties/law/Research/Research\\_indx.html](http://www.umanitoba.ca/faculties/law/Research/Research_indx.html)

The site provides search capabilities for an extensive array of materials, including decisions, bulletins, and press releases from the Supreme Court of Canada; the documentation of major Canadian courts; the Constitution; the Charter of Rights and Freedoms; the Meech Lake Accord; many Canada-Indian treaties; the websites of federal and provincial ministries; federal and provincial legislation; law publications; legal organizations; law schools; and lawyers.

### **Virtual Canadian Law Library – [http://www.lexum.umontreal.ca/index\\_en.html](http://www.lexum.umontreal.ca/index_en.html)**

This useful and informative site is maintained through the joint effort of the Supreme Court of Canada and the LexUM group from the Centre de recherche en droit public [Centre of Research in Public Law] at the University of Montreal. It provides access to an extensive array of Canadian legal resources on the Internet and several links to foreign resources.

## **Online Discussion Groups**

### **ePALS: Classroom Exchange – <http://www.epals.com/>**

This is an online classroom community designed for teachers and students in which issues and ideas can be debated and discussed.

### **The Law Room on Canada's School Net**

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

The site includes Law FAQs and a Teacher's Corner with lesson plans and a bibliography of law-related materials. Students can learn about the law; talk to other students about the law; and ask lawyers and other legal experts questions about the law, human rights, and social justice issues.

### **The Great Young Offenders Act Debate – <http://www.lawyers.ca/tgyad/>**

This site allows people, primarily secondary school students, to debate various issues about the Act.

# What is a Crime?

## Learning Expectations (Ontario)

By the end of the course, students will:

- summarize what constitutes a crime or regulatory offence in Canada;
- describe the elements that must exist for a person to be convicted of a crime under Canadian law;
- differentiate between a summary conviction and an indictable offence;
- 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).

Criminology is the study of the nature, causes, treatment, or punishment of criminal behaviour. Using the social sciences and forensic sciences, criminology is a significant field of study that provides insights often overlooked in secondary school law classes.

## Resources

The links and resources provide information on such things as how crimes are defined, and how criminal behaviour, legal and penal institutions can be viewed from a perspective that may be very different from those officially involved in the criminal justice system. Most of the resources listed here are university oriented. However, teachers and students may find these resources engaging and useful.

## Print

Abell, J. and E. Sheehy. *Criminal law and procedure: proof, defences and beyond*. 2<sup>nd</sup> Edition. Toronto: Captus press, 1998. ISBN 1-896691-37-4

This text is both a law casebook and a critique of law as it draws on traditional legal materials, cases, and legislation. The two volumes are intended for law and legal studies students as well as those studying sociology. The books are also well suited for courses on criminal law and procedures, criminology, sociology of law, women and criminal law, and Aboriginal peoples and criminal law.

Delisle, R.J. and Don Stuart. *Learning Canadian Criminal Procedure*. 6<sup>th</sup> Edition. Toronto: Carswell (Thompson Professional Publishing), 2000. ISBN 0-459-27647-6

This text focuses on the tension that exists between the rights of the accused and effective law enforcement with emphasis on both the pre-trial and trial procedures. It contains a selection of primary sources combined with narrative text.

Goff, Colin H. *Criminal Justice In Canada*. 2<sup>nd</sup> Edition. Toronto: Nelson Thomson Learning, 2001. ISBN 0-17-621933-1

This book provides a detailed analysis of the structure of the criminal justice system in Canada. Teachers and students will find helpful explanations and valuable studies on the Canadian courts, the police, and the penal system.

Siegel, Larry J., McCormick, Chris. *Criminology in Canada: Theories, Patterns, and Typologies*. Toronto: ITP Nelson Canada, 1999. ISBN 0-17-616975-X

This text covers topics such as how criminologists define and analyse crime, criminal law, crime rates, victims of crime, and crime theories.

## Websites

**Criminal Code of Canada** – <http://laws.justice.gc.ca/en/C-46/>

The complete Criminal Code of Canada is contained here with interpretation information, and all aspects that are of interest and importance to citizens of Canada. There is a section on forms and warrants required for certain legal undertakings. This is a reference for all the Consolidated Statutes and Regulations with a searchable interface. There is a disclaimer that indicates these documents are not the official version although they are on the Department of Justice website. The entire Criminal Code can also be downloaded as a text file from the following site:

– <http://insight.mcmaster.ca/org/efc/pages/law/cc/cc.html>

**University of New Brunswick – Ward Chipman Library**

– <http://www.unbsj.ca/library/subject/crim1.htm>

This site is a collection of resources on Criminology and Forensics. The Index provides links to Reference Sources such as crime prevention organizations, bibliographies, data, and databases associated with crime – a wealth of links to virtual resources in the Criminology area. Of particular interest are resources under Computer Crime and Criminology and Criminal Justice.

**United Nations Office of Drug Control and Crime Prevention**

– [http://www.odccp.org/crime\\_prevention.html/](http://www.odccp.org/crime_prevention.html/)

This United Nations site is devoted to international crime control issues. Major topics include organized crime, drug trafficking, and control, trafficking in human beings, and terrorism.

**Department of Justice Canada Publications: Canada's System of Justice**

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

This site contains an online copy of the publication *Canada's System of Justice*, originally published January 14, 1993, that gives readers basic knowledge about the Canadian legal system. It includes sections dealing with the intent of law as a whole, the difference between common and civil law, the historical sources of common and civil law, the process of writing new legislation, major Canadian legal documents, how the law is enforced, court and trial procedures, a citizen's responsibilities towards the legal system, and the future of Canadian law.

### **Crimes and Consequences (The John Howard Society)**

– <http://edm.johnhoward.org/education>

These lesson plans and teacher's guides provides teaching and learning activities, crime scenarios, and relevant worksheets for teaching concepts about crime and the typical offences committed by youths. The material can be modified for different age groups.

### **National Crime Prevention Centre, Department of Justice Canada**

– <http://www.crime-prevention.org/english/contact/index.htm>

Special attention should be paid to the Public Education Centre. There is also an interesting Directory that outlines the role of this organization in the hierarchical Government of Canada Structure: Government of Canada > Department of Justice, > Policy Sector, > Criminal Law Policy and Community Justice > and then National Crime Prevention Centre. (See General Resources)

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

This site provides statistics on rates of criminal behaviour for youth and adult crime from 1997-2001. Included are statistics on youths and adults charged by type of offence; adult/youth charges by offence, national, provincial and territorial statistical data; and homicide victims and suspects, by age and sex.

## **Video**

*Between the Crime and the Courtroom*. 30 minutes. TV Ontario, 1991. (Distributed by McGraw Hill Ryerson) (Part of the *A Question of Justice* Series – see General Resources)

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 provides teaching strategies, before-viewing, and after-viewing student activities. It also includes an answer key, additional readings, and further resources.

# Trial Procedures

## Learning Expectations (Ontario)

By the end of the course, students will:

- describe the processes, legal institutions, and methods involved in bringing a criminal case to trial;
- describe the process of a police investigation, including the questioning of an accused and the gathering of evidence;
- identify the elements of a legal arrest, including the rights of an accused under arrest or detention;
- describe different types of pre-trial release mechanisms (e.g., own recognizance; with bail [money, property bond, recognizance of a friend or relative]).

## Resources

### Print

McKenna, Paul F. *Police Powers I*. Toronto: Prentice Hall, 2002. ISBN 0-13-040696-1  
Chapter 2 focuses on police powers of arrest and release and explains the rights of the accused under arrest or detention. Chapter 3 focuses on the investigation process of search and seizure for police and includes powers of search under federal and provincial statutes.

Mewet, Allan. *An Introduction to the Criminal Process in Canada*. Third Edition. Toronto: Carswell, 1996. ISBN 0-459-27665-4

This book is designed to explain the criminal process to an audience without criminal law training. It covers areas such as crime and investigation, constitutional guarantees, trial procedures, defences, convictions and punishment, and young offenders.

### Websites

#### Canadian Charter of Rights and Freedoms: Legal Rights

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

A complete copy of the Canadian Charter of Rights and Freedoms is available with links to navigate between sections. This site has descriptions of Canadians' rights during police investigation and arrest processes. Topics include search and seizure rights; detainment or imprisonment rights; and rights, if arrested by police.

#### Canadian Impaired Driving Information Page

– <http://www.lawyers.ca/impaired/pages/index.htm>

This site, developed by lawyer Stephen R. Biss, provides comprehensive information about the law regarding impaired driving; the law and procedures when a situation occurs, a checklist to follow when you meet with a lawyer, a worksheet that helps determine how much a person has had to drink, and license implications in Ontario. There are also links to case laws, articles, and resources. The site provides basic information, as a public service but cannot be construed as formal legal advice.

**Criminal Code of Canada - General FAQs** – <http://www.law-faqa.org/nat/cr-gen.htm>

Relevant questions are answered such as: Who brings criminal charges against another person under Canadian criminal law? What must the accused person do when charged? Is the procedure the same for all criminal charges?

**Legal Aid Ontario (LAO)** – <http://www.legalaid.on.ca/>

Legal Aid Ontario is an independent, publicly funded non-profit corporation established by the Legal Aid Services Act, 1998. LAO assists those with low, or no, income through services, which include assisting people in receiving benefits through 78 community legal clinics. LAO also runs a certificate program through its network of 51 offices. Low income people use certificates to retain a private lawyer to represent them in proceedings before the criminal or family courts, certain administrative tribunals or immigration and refugee boards. The site includes information about the organization, a Newsroom with recent announcements and press releases. Other information is relevant to those who seek legal aid, such as how to obtain legal help, the LAO's publications and a list of resources, information for lawyers, and links to community legal clinics, government resources, and lawyer services.

**Community Legal Education Ontario (CLEO)** – <http://www.cleo.on.ca/english/links.htm>

This site has a particularly relevant number of links for this topic – including important aspects of Public Legal Education – and access to Community Legal Clinics throughout Ontario. The site links to Social Justice, Community Information Centre, Government, Legal Services, etc. and a links to resources such as Access to Justice Network, Canadian Social Research Links, and Settlement.org.

**Dakota-Ojibway Police Services** – <http://www.dops.org/Goals.htm>

This site details information regarding policing in the First Nations communities and employs police officers who understand, honour, and respect the cultures, beliefs, traditions and history of their First Nations peoples. Some of the goals of the service are:

- to enhance and improve the quality of life within the community by providing a police service of credibility and accountability to all community members;
- to reduce the number and costs to the taxpayers of correction services and prison terms of First Nations peoples;
- to ensure the criminal justice system addresses the concerns and needs of the First Nations communities.

Students and teachers will find this site gives a valuable perspective on First Nations community concerns.

**Mock Trials** – [http://www.oba.org/home\\_en/](http://www.oba.org/home_en/)

Mock trials are an effective method of inquiry for students and can serve as an effective culminating activity. Each year, the Ontario Bar Association conducts a Law Day in which one of the principle activities is a mock trial. Complete cases and mock trial procedures in the form of mock trial kits are available online.

**Note:** Mock trials for secondary school students are also available from bar associations in British Columbia, Alberta, Saskatchewan, Manitoba, and Newfoundland but are *not* available online. Contacts for the bar associations in these provinces can be found at the Canadian Bar Association website at: <http://www.cba.org/CBA/Gate.asp>

**More on Sureties and Bail** – <http://www.ocap.ca/legalguide/sureties.htm>

This information is located on the Ontario Coalition Against Poverty site for people who participate in activist activities. It provides some thought provoking comments and perspectives on issues and answers questions such as: What is a surety? What is bail? Why do we need people to act as sureties?

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

This site provides a wide array of information, including the history of the police force, the organization, and other information concerning the current police force, news releases, recruitment information, and information concerning the OPP Museum in Orillia. Online programs and services include photographs and information concerning missing persons, those on the most wanted list, unidentified remains, unsolved cases, and those wanted for pornographic crimes. Detailed sections on community policing and the Drug Enforcement Section are also provided.

**Police Powers: Search Without Warrant** – <http://www.rcmp-learning.org/iim/ecdi1025.htm>

This site includes information and explanations of specialized law, policy and procedures [Criminal Code], conducting investigations, and collecting evidence without a search warrant. Students also have the opportunity to complete a self-check of understanding by working through a quiz.

**Royal Canadian Mounted Police** – <http://www.rcmp-grc.gc.ca/>

This site provides information about the role of the RCMP and the programs and services it offers; scams and frauds; the latest news releases and employment information; a list of frequently asked questions; the Police Dog Service Training Centre; criminal records; a list, including photographs and personal information, of those wanted by the RCMP; reports and publications; and a What's New section. It also includes links to territorial and provincial branches of the RCMP.

**Your Rights When Arrested or Charged: The Criminal Justice System**

– <http://www.acjnet.org/docs/rightsa.html>

This site answers questions such as: What types of offences are there? When can you be arrested? What is lawful arrest? Do you have to answer the questions asked by the police? What can police do after they arrest you? Will you need bail? What happens at the first appearance?

**Youth Criminal Justice System: Behind the Scenes – (The John Howard Society)**

– <http://edm.johnhoward.org/education/ethics.htm>

This teacher's guide on the arrest process and youth court procedures and outcomes (sentencing) contains overhead transparencies that are applicable to all the topics in Criminal Law and Procedures as they relate to youth. There are a number of relevant worksheets included that can be used with each of the activities contained in the guide.

## Video

*Between the Crime and the Courtroom.* Ontario: TV Ontario, 1991. 29 min (Distributed by McGraw Hill Ryerson) (Part of the *A Question of Justice* Series – see General Resources)

This program explores the right of police to conduct reasonable search and seizure, and the right of the individual to be considered innocent until proven guilty. Actual case studies dealing with search and seizure are examined, including comments from students and lawyers.

*Hey, I've Got Rights!* Ontario: Community Legal Education Ontario, 1991. 22 min.

This video presents a collection of five skits portraying basic legal rights for youth. The program offers important information on the Young Offender's Act, search and arrest procedures, and rights to support services.

*To Catch a Thief: A Portrait of a Shoplifter.* Edmonton: John Howard Society, 1992. 18 min.

This is a dramatization that illustrates the seriousness of shoplifting and its impact on one young person's life. The viewer follows the young person from the time of the offence, through to the arrest and subsequent sentencing.

*First Nation Blue.* Canada: National Film Board of Canada, 1996. 48 min.

This video illustrates the changing attitudes of the police officers that serve First Nation communities in Ontario. It features three officers who show that instead of being outsiders forcing the people to change, police are now adapting themselves to address the specific needs of Native peoples.

# The Court System

## Learning Expectations (Ontario)

By the end of the course, students will:

- explain the structure and role of the Canadian court system in criminal law;
- summarize the structure of the criminal court system, including avenues of appeal;
- describe the role of different individuals involved in a criminal trial (e.g., lawyer, judge, jury, duty counsel, Crown attorney);
- explain key aspects of the criminal trial process, including jury selection and rules about the admissibility of evidence and the burden of proof;
- identify legally accepted defences to criminal charges.

## Resources

### Print

Profile of the Courts in Canada 1997. Ottawa: Statistics Canada, 1998. ISBN 85-511-XPE  
This guide to the court system in Canada contains organizational charts and information about jurisdiction, duties, responsibilities, and court services. Organized for both provincial and federal level courts, this publication aptly illustrates the structure of the Canadian jurisprudence system.

McCormick, Peter. *Canada's Courts*. Toronto: James Lorimer & Company Ltd., 1994.  
ISBN 1550284347

A social scientist's groundbreaking account of the Canadian Judicial System, this resource considers the court system from a social science, rather than a legal perspective and covers provincial courts, superior courts, federal courts, and small claims courts.

Paciocco, David and Lee Stuesser. *The Law of Evidence*. Canada: Irwin, 1999.  
ISBN 1-55221-038-3

The book covers the rules that affect how evidence is presented, what evidence can be received, and what use can be made of the evidence. The authors also provide a general thematic discussion of the forces that impinge on the law of evidence.

Pink, Joel E. and David C. Perrier. *From Crime to Punishment*. Toronto: Carswell, 1999.  
ISBN 0-459-27173-3

This book contains a series of in-depth articles examining various aspects of criminal law and procedure, including DNA evidence; the Young Offenders Act; proceeds of crime; publication bans and media restrictions. It includes a glossary of terms commonly used in the criminal justice system.

Tanovich, David, David Paciocco and Steven Skurka. *Jury Selection in Criminal Trials: Skills, Science, and the Law*. Canada: Irwin, 1997. ISBN 1-55221-022-7

This book provides readers with information on all aspects of jury selection, from the initial decision to select trial by jury to challenges for cause and peremptory challenges. The book analyses the actual selection processes in Canadian trials.

Macdonald, Alex. *Outrage! Canada's Justice System on Trial*. Canada: Raincoast Books, 2000. ISBN 1-55192-230-4

This controversial book by a former British Columbia Attorney General asks the contentious question: Is justice being served by Canada's current criminal justice system? First published in 1999, this edition contains new and updated material throughout.

## Websites

**ACJNet: Canadian Law Cases** – [http://www.acjnet.org/cdn\\_law/cases.cfm](http://www.acjnet.org/cdn_law/cases.cfm)

This section of the ACJNet site provides links to case decisions from a variety of jurisdictions and topics relevant to the study of the Court System.

**Canadian Cases and Statutes** – <http://jurist.law.utoronto.ca/locate.htm>

This section of the Jurist Canada site allows students to search or browse publicly accessible Canadian and provincial case law, legislation, administrative rulings, and major online legal databases. To start, simply select a court, board, law, or database from the dropdown menus provided. If you know the source of the case or law you're looking for, begin by searching the case law and law collections. If you're looking for information by topic, start with the legal databases.

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

Includes pamphlets that can be ordered. Special programs: Crime Prevention; Youth Justice; Court System; and Laws of Canada. (See General Resources.)

**Serving Canadians: Canada's Court System**

– <http://canada.justice.gc.ca/en/dept/pub/trib/index.html>

This online booklet provides a general description of the court system in Canada – the types and levels of courts and their responsibilities. It is not intended as a user's guide for going to court.

**Criminal Code of Canada - General FAQs** – <http://www.law-faqs.org/nat/cr-gen.htm>

The site contains answers to questions such as: Where does the criminal law in Canada come from? Does this mean, then, that all Canadian criminal law is contained in the Criminal Code? Do the provinces in Canada play any role in criminal law? Is the procedure the same for all criminal charges?

**Canada's School Net - The Law Room** – <http://www.uottawa.ca/hrrec/lawroom/lawroom.html>

The Law Room is a cooperative effort of the Access to Justice Network, the Human Rights Research and Education Centre, Industry Canada, and the Department of Justice.

This student-oriented site, with activities and lessons, provides basic information on Canadian legal codes, specifically those concerned with privacy, freedom of speech, Charter rights, hate crimes, and other social justice issues. It provides links to other sites that explore the laws in greater detail, and provides a forum for students to ask questions of lawyers and other legal experts. Information for teachers concerning integrating the Law Room into classroom activities is also included.

**Federal Court of Canada** – <http://www.fct-cf.gc.ca/>

This site outlines the way the court functions and provides additional resources in online copies of its decisions, bulletins, publications, and business information including hearing lists and rules. It also has a search capability.

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

The site includes links to Court of Appeal for Ontario, Superior Court of Justice, Ontario Court of Justice, Ontario Judicial Council, Judicial Appointments Advisory Committee, Court House Contacts, and the Ontario Justice Education Network.

**Joyce and David Milgaard Presentation** – <http://www.fcnetwork.org/4thnorth/joyceand.html>

The presentation includes the introduction of the speakers, and the speech given by Joyce and David Milgaard at the Fourth North American Conference on the Family and Corrections held in Quebec City in October 1993.

**Milgaard Compensation**

– <http://cbc.ca/cgi-bin/templates/view.cgi?/news/1999/05/17/milgaard990517>

A CBC article from May 17, 1999 describes the 10-million dollar compensation package awarded to David Milgaard for twenty-two years of wrongful imprisonment for the violent rape and murder of nursing aide Gail Miller in 1970.

**Supreme Court Reports** – <http://www.lexum.umontreal.ca/csc-ccc/en/index.html>

The site is a joint project of the Supreme Court of Canada and the University of Montreal and includes judgments of the Supreme Court of Canada dating back to 1985. It also contains the Supreme Court Act and new Rules for the Supreme Court.

**Toronto Child Abuse Centre** – <http://www.tcac.on.ca/courthouse/guide>

The organization provides a range of unique services to abused children and their families through its prevention, legal, and treatment programs. The site provides information directed at children who are testifying in abuse cases. It includes basic level information on roles of people in the courtroom including judges. The information for children is in a very attractive format and invites children to respond to the question “What’s my job in court?”

## Video

*And You Shall Be Heard.* Canada: Canadian Broadcasting Corporation, 1986. 60 min.

The trial of a 30-year-old woman accused of murder provides an unprecedented examination of Canadian criminal law practice. With permission of the court, cameras record every step in the proceedings, including the trial in a Kingston, Ontario Courtroom.

*Evidence and Defences.* Canada: Canadian Broadcasting Corporation, 1997. 45 min.

Discussion topics include automatism, battered wife defence, double jeopardy, fitness to stand trial, forensic science, intoxication defence, legal ethics, mental disorder, NCRMD (not criminally responsible on account of mental disorder), and plea bargaining.

**Note:** Previewing is recommended.

*Inadmissible Evidence.* Canada: Canadian Broadcasting Corporation, 1991. 19 min

William Brydges was found not guilty of killing an elderly woman when the crux of the case against him—the statement he had given to the police—was found to be inadmissible evidence. The judge ruled Brydges had made the statement before he had seen a lawyer. This program examines the concern among law enforcement authorities, who fear that the Canadian Charter of Rights and Freedoms is making it more difficult for police to get convictions.

*Prisons, parole and beyond.* Canada: Canadian Broadcasting Corporation, 1997. 39 min.

This video presents a number of discussion topics related specifically to the Court System in Canada: boot camps/wilderness camps, parole, prison reform, recidivism, rehabilitation, rights of parolees, sentencing and treatment of young offenders.

**Note:** Previewing recommended as some segments contain mature subject matter and sensitive topics.

*Your Day In Court.* Ontario: TVOntario (4859), 1993. 59 min. (Distributed by McGraw Hill Ryerson) (Part of the *A Question of Justice* Series – see General Resources)

A young woman accused of stealing from her employer learns firsthand how the Canadian legal system works from the role of court personnel to legal aid. Young offenders convicted of actual crimes talk about their experiences with the law.

# Sentencing

## Learning Expectations (Ontario)

By the end of the course, students will:

- analyse the principles of sentencing, including those relating to alternative methods of imposing sanctions or regulating behaviour;
- describe the main principles of sentencing;
- explain the various sentencing options available, including alternative options (e.g., use of healing circles, peer sentencing, victim-offender programs);
- analyse the role of victims and victim impact statements in sentencing;
- explain the role of the prison system.

## Resources

### Print

Manson, Allan. *The Law of Sentencing*. Toronto: Irwin Law, 2001. ISBN 1-55221-029-4  
This book outlines the legal principles and rules about the current process of sentencing in Canada. It provides in-depth insight into the decision-making methodology, particularly the relevant rules and principles the judiciary applies when sentencing offenders. It also explains the structure and procedure of the sentence hearing and provides a detailed account of available sentencing options.

### Websites

**Canadian Association of Elizabeth Fry Societies (CAEFS)** – <http://www.elizabethfry.ca/>

The Canadian Association of Elizabeth Fry Societies is an association that works with, and on behalf of, women involved in the justice system. The site includes annual reports, presentations, and information from conferences all dealing with Women and Incarceration. There is a section on Women's prisons and reports on issues impacting women in prison. The section on Restorative Justice explores alternatives to incarceration and one section discusses literacy needs of women in prison. Another section of particular relevance to this strand is the section relating to Young Women and the CAEFS response to proposed amendments to the YOA (Young Offenders' Act). There are a number of links to sources on prison issues and violence against women.

**Canadian Resource Centre For Victims Of Crime** – <http://www.crcvc.ca>

This national organization is a victim's rights advocacy group. The site includes a number of links and resources on victimology.

### **Chilliwack Restorative Justice and Youth Diversion Association**

– <http://www.gov.chilliwack.bc.ca/main/page.cfm?id=178&CFID=228510&CFTOKEN=57678214>  
This is an example of the restorative justice initiative in Chilliwack, British Columbia, which focuses on finding restorative justice for young offenders and their victims.

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

This site is a comprehensive resource for information on sentencing and the Canadian prison system. It contains research on many aspects of the criminal justice system. One particularly interesting section is Myths and Realities: How Federal Corrections Contributes to Public Safety.

This site also contains a public education section with a number of resources for teachers and students: speakers' kits and backgrounders on issues that are related to correctional services. – [http://www.csc-scc.gc.ca/text/pub-ed\\_e.shtml](http://www.csc-scc.gc.ca/text/pub-ed_e.shtml)

### **Government of Nova Scotia Restorative Justice – <http://www.gov.ns.ca/just/rj/rj-index.htm>**

Restorative justice emphasizes actively healing the wounds for the offenders and victims involved in specific crimes. This website contains a wealth of resources on restorative justice.

### ***Inside Out* (Correctional Service Canada)**

– [http://www.csc-scc.gc.ca/text/pubed/nregard/toc\\_e.shtml](http://www.csc-scc.gc.ca/text/pubed/nregard/toc_e.shtml)

*Inside Out* is a Teacher's Kit designed for secondary school students. A series of enjoyable, fact-based learning activities encourages students to take a fresh look at the criminal justice system. In particular, the Kit focuses on corrections and conditional release – it looks at what happens to an offender behind bars. *Inside Out* includes comprehensive teachers' notes and interactive components such as a video, student activities, handouts, and slides. The video *A Test of Justice* recreates one man's experience with the system. It follows an offender through his arrest, imprisonment, and conditional release into the community, in order to show how Canada's criminal justice system really works.

### **The John Howard Society of Canada (JHSC) – <http://www.johnhoward.ca/>**

The John Howard Society of Canada works with people who have been in conflict with the law; reviews and advocates changes to the criminal justice process, as well as Canadian criminal law; educates the public on criminal law and related matters; attempts to assist those released from prison with integration into the community; and encourages community crime prevention initiatives. The site includes listings of offices and branches of the JHSC across Canada, briefs and position papers, and information and documents from its policy learning and development centre. There is a section that focuses on Youth and the Criminal Justice System, especially the Young Offenders' Act, and a FAQs section.

### **National Parole Board – <http://www.npb-cnlc.gc.ca>**

This site contains a comprehensive resource of legislation that pertains to parole in Canada as well as a history of the NPB. Additional sections of the site include studies and reports about the parole system in Canada. An Information Centre contains a compilation of the major documents.

**Ontario Parole and Earned Release Board** – <http://www.operb.gov.on.ca/>

This site contains information about the conditional release of adult offenders sentences to Ontario provincial correctional institutions.

**Speers Society** - <http://wwwspeerssociety.org>

This site focuses on youth awareness and empowerment in relationships. It has information for students, educators and community partners in connection with relationship abuse and strategies for whole community support for young people. There is information on the importance of interaction with Police and Victim Services and information flow on issues related to the Courts, Victims, Police, Corrections and Parole. While there is a personal motivation behind this organization, the information will be useful in discussing areas of abuse and criminal charges.

**Statistics Canada** – <http://www.statcan.ca/>

This Statistics Canada site provides statistics on cases heard by youth courts with guilty findings, by most significant sentence. It has online copies of many important statistics relevant to law students, including crimes by percentage, incarceration rate, police information, and victim and suspect statistics.

– <http://www.statcan.ca/english/Pgdb/State/Justice/legal16.htm>

This site provides a direct link to the Justice and Crimes statistics menu, which includes links to statistics on crimes, victims, suspects, and criminals, and police and courts.

**University of Saskatchewan Native Law Centre, Sentencing Circles Resource Page**

– [http://www.usask.ca/nativelaw/jah\\_circle.html](http://www.usask.ca/nativelaw/jah_circle.html)

This site provides links with information on the alternative sentencing procedures known as Sentencing Circles or Peacemaking Circles. Sentencing circles have been used by First Nations peoples to provide justice for offenders and their victims without relying entirely on the Canadian criminal justice system. Additional Information on the main page includes sample copies of Justice as Healing newsletter that speaks to Aboriginal concepts of justice. New address after construction will be <http://www.usask.ca/nativelaw/>

## Video

**Correctional Service of Canada** – [http://www.csc-scc.gc.ca/video/cc\\_e.shtml](http://www.csc-scc.gc.ca/video/cc_e.shtml)

The programs through CSC are designed to serve the specific needs of different groups among offenders; Aboriginal, and women offenders, for example, have special needs that require carefully targeted programs. Other programs provide assistance to the families of offenders and to victims of crime. The Chaplaincy Program addresses the spiritual needs of offenders. *Creating Choices* video topics include: Spirituality at the Okimaw Ohci Healing Lodge through the eyes of an inmate/of a native elder; Various programs to help women safely reintegrate into the community; participation in correctional programs can bring about a new beginning; the mother-child program; and community involvement in the reintegration process

***A Test of Justice*** – [http://www.csc-scc.gc.ca/text/pubed/nouveauregard\\_e.shtml](http://www.csc-scc.gc.ca/text/pubed/nouveauregard_e.shtml)

This video follows an offender from his arrest, through his incarceration and conditional release into the community. It is part of *Inside Out*, a teacher's kit that includes notes, handouts, and slides which are all downloadable.

# Criminal Law and Young People

## Learning Expectations (Ontario)

By the end of the course, students will:

- explain how the criminal law applies to young people;
- 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;
- identify controversial aspects of the Young Offenders Act and outline the arguments on both sides of these controversies;
- 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).

## Resources

### Print

Bala, Nicholas. *Young Offenders Law*. Toronto: Irwin Law, 1997. ISBN 1-55221-025-1

This book provides a comprehensive overview and examination of this area of law that is of great significance and controversy in Canadian law. It provides a broad perspective on political and social issues that affect families and youth and examines the Young Offenders Act and the youth justice system.

Platt, Priscilla. *Young Offenders Law in Canada*. 2<sup>nd</sup> ed. Toronto: Butterworths, 1995. ISBN 040980990X

This is an appropriate reference for everyone interested in the youth justice system.

It can assist readers who require a practical understanding of the legislation and at the same time satisfy the needs of those who require a more detailed treatment of the issues.

### Websites

**Justice for Children and Youth** – <http://www.jfcy.org>

The organization provides legal representation to children and youth from low-income families in Toronto and area. It is a community legal clinic specializing in protecting the rights of those facing conflict with the legal system, education, social service or mental health services. The site provides information on issues such as Leaving Home, School, The Young Offenders Act, Police, Age Based Rights, Peer Mediation, and also has an ‘Ask a Lawyer’ section.

**The Great Young Offenders Act Debate** – <http://www.lawyers.ca/tgyad/>

This site is a forum for readers to post their responses to a variety of questions concerning the Young Offenders Act; questions are created by a private barrister and solicitor and are designed to stimulate debate on contentious issues. Postings offer a wide variety of opinions and postings from various backgrounds and age groups.

**Human Rights Internet Youth Centre** – <http://www.hri.ca/children/youth/>

Aimed at students, this site includes an interactive quiz testing knowledge of Canadian laws pertaining to youth, a library of laws relevant to young offenders, and a ‘gallery’ for students to ‘publish’ their human rights related essays, stories, projects, and poetry. The site is maintained by Human Rights Internet, an Ottawa based organization.

**Junior High Justice – (The John Howard Society)**

– <http://edm.johnhoward.org/education/index.htm>

A resource for teachers of junior high school students, which provides lesson plans, and associated student handouts, content information, and connections to other educational materials. It includes a teacher’s guide, student workbook, and overhead transparencies for each lesson. This section of the site focuses on the philosophy underlying the YOA (Young Offenders’ Act) and asks students to discuss their vision around the question: “What would an ideal Canadian criminal justice system for youth look like in 2012?” Each activity presents a relevant scenario with worksheets for students to complete that allow them to explore the issues in depth. Teachers can modify the activities and templates to work with senior students.

**Law Library Service for Students** – <http://www.lawlib.utoronto.ca/services/hs.htm>

This site, hosted by the Bora Laskin Law Library, details the services it provides to secondary school students and their teachers, as well as hints to maximize search returns in the library.

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

The Law Room is a cooperative effort of the Access to Justice Network, the Human Rights Research and Education Centre, Industry Canada, and the Department of Justice. A student-oriented site includes activities and lessons designed to interest youth. It provides basic information on Canadian legal codes, specifically those concerned with privacy, freedom of speech, Charter rights, hates crimes, and other social justice issues. Links to other sites explore the laws in greater detail, and provides a forum for students to ask questions of lawyers and other legal experts. Information for teachers concerning integrating the Law Room into classroom activities is included.

**Statistics Canada** – <http://www.statcan.ca/english/Pgdb/State/justic.htm - cri>

This site provides statistics on rates of criminal behaviour for youth and adult crime from 1997-2001. Included are statistics on youths and adults charged by type of offence; adult/youth charges by offence, national, provincial, and territorial statistical data; homicide victims and suspects, by age and sex.

**Young Offender Services and Facilities in Ontario**

– [http://www.corrections.mcs.gov.on.ca/english/cs services/yo\\_services.html](http://www.corrections.mcs.gov.on.ca/english/cs services/yo_services.html)

This site outlines possible actions pertaining to young offenders such as different forms of custody, probation, and educational programs.

**Youth Criminal Justice Act** – <http://canada.justice.gc.ca/en/dept/pub/ycja/youth.html>

This section of the Department of Justice site compares the Youth Criminal Justice Act with the former Young Offenders Act.

**Youth Justice Initiative** – <http://canada.justice.gc.ca/en/ps/yj/index.html>

This section of the Department of Justice site covers the Youth Justice Renewal Initiative that is aimed at establishing a fair and effective youth justice system in Canada. It encourages and outlines partnerships with the provinces and territories, the legal and police sectors, and community organizations. There are links to Aboriginal Justice, Crime Prevention, a FAQs section, and a number of other areas that are relevant to the youth.

**Toronto Child Abuse Centre** – <http://www.tcac.on.ca/courthouse/guide>

This section of the general site is directed at children who are testifying in abuse cases. It includes information on the roles of persons in the courtroom including judges. The site is colourful and inviting and aims to dispel the fears a young child might feel in this type of environment.

## **Video**

*Old Enough to Hurt*. TV Ontario, 1993. 59 min. (Distributed by McGraw Hill Ryerson) (Part of the *A Question of Justice* Series – see General Resources)

The video examines the Young Offenders Act and compares it to the Juvenile Delinquents Act it replaced. It considers the role courts have in interpreting the laws and sentencing youth.

*Judge for Yourself: Inside the Young Offenders Act*. Ministry of Supply and Correctional Services Canada, 1995. 30 min.

Do young offenders have it easy? How does the system work? Host Laurier Lapierre guides two young people through the justice system, to find out what it is like to be a young offender. There is first hand information from several youths and young offenders and people who work with them

## Appendix A:

Teachers may find the websites useful if they are working with the Course Profile for Grade 11 Understanding Canadian Law, University/College Preparation (CLU3M) at [www.curriculum.org/occ/profiles/11/11canwldp.htm](http://www.curriculum.org/occ/profiles/11/11canwldp.htm)

| Cluster                                 | Learning Expectations  | Focus  | Resource Project Website Sources  |
|---|--|--|---|
| 1<br>The Definition of Crime            | CLV.01, CLV.03, CL1.01, CL1.02, LI1.01, LI1.03, LI1.04, LI4.03, CGE2b, 2d, 3b, 7h                      | Develop a definition for crime.<br>Use examples to apply their understanding of types of crime and conditions for a crime as well as conviction in court.                            | <ul style="list-style-type: none"> <li>• Access to Justice Network – <a href="http://www.acjnet.org/">http://www.acjnet.org/</a></li> <li>• Statistics Canada<br/><a href="http://www.statcan.ca/english/Pgdb/State/justic.htm">http://www.statcan.ca/english/Pgdb/State/justic.htm</a> - cri</li> <li>• Canadian Justice System, Department of Justice Canada<br/><a href="http://canada.justice.gc.ca/">http://canada.justice.gc.ca/</a></li> <li>• Criminal Code of Canada - General FAQs<br/><a href="http://www.law-faqa.org/nat/cr-gen.htm">http://www.law-faqa.org/nat/cr-gen.htm</a></li> <li>• University of New Brunswick – UNB Saint John Ward Chipman Library – Criminology<br/><a href="http://www.unbsj.ca/library/subject/crim1.htm">http://www.unbsj.ca/library/subject/crim1.htm</a></li> <li>• Laws of Canada – <a href="http://laws.justice.gc.ca/en/index.html">http://laws.justice.gc.ca/en/index.html</a></li> <li>• Law Now – <a href="http://www.extension.ualberta.ca/lawnow">http://www.extension.ualberta.ca/lawnow</a></li> </ul> |
| 2<br>Arrest and Pre-Trial Process       | CLV.02, CL2.01, CL2.02, CL2.03, LI1.01, LI1.04, CGE2b, 2d, 4f, 7h                                      | Research and present short role plays on pre-trial procedure.<br>Prepare a PMI summarizing their learning.   | <ul style="list-style-type: none"> <li>• Canadian Charter of Rights and Freedoms: Legal Rights<br/><a href="http://laws.justice.gc.ca/en/charter/index.html">http://laws.justice.gc.ca/en/charter/index.html</a></li> <li>• Police Powers: Search Warrants<br/><a href="http://www.rcmplearning.org/iim/ecdi1019.htm">http://www.rcmplearning.org/iim/ecdi1019.htm</a></li> <li>• Your Rights When Arrested or Charged: The Criminal Justice System – <a href="http://www.acjnet.org/docs/rightsa.html">http://www.acjnet.org/docs/rightsa.html</a></li> </ul>  |
| 3<br>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 | Investigate Canadian trial procedure.<br>Create a poster visually displaying the jobs and layout of the court.<br>Evaluate the role of the jury system.                              | <ul style="list-style-type: none"> <li>• Canadian Law Cases<br/><a href="http://www.acjnet.org/cdn_law/cases.cfm">http://www.acjnet.org/cdn_law/cases.cfm</a></li> <li>• Duhaime's Law Dictionary<br/><a href="http://www.duhaime.org/diction.htm">http://www.duhaime.org/diction.htm</a></li> <li>• Laws of Canada – <a href="http://laws.justice.gc.ca/en/index.html">http://laws.justice.gc.ca/en/index.html</a></li> </ul>  |
| 4<br>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         | Brainstorm purposes of sentencing.<br>Prepare short oral reports on the various types of sentences and programs.<br>Prepare a visitor's pamphlet for a model.                        | <ul style="list-style-type: none"> <li>• Correctional Service of Canada<br/><a href="http://www.csc-scc.gc.ca/video/cc_e.shtml">http://www.csc-scc.gc.ca/video/cc_e.shtml</a></li> <li>• Government of Nova Scotia Restorative Justice<br/><a href="http://www.gov.ns.ca/just/rj/rj-index.htm">http://www.gov.ns.ca/just/rj/rj-index.htm</a></li> <li>• University of Saskatchewan Native Law Centre, Sentencing Circles Resource Page<br/><a href="http://www.usask.ca/nativelaw/jah_circle.html">http://www.usask.ca/nativelaw/jah_circle.html</a></li> <li>• The Elizabeth Fry Societies<br/><a href="http://www.web.apc.org/~kpate/caefs_e.htm">http://www.web.apc.org/~kpate/caefs_e.htm</a></li> <li>• Canadian Resource Centre for Victims of Crime<br/><a href="http://www.crcvc.ca/Index/menu.htm">http://www.crcvc.ca/Index/menu.htm</a></li> <li>• The John Howard Society of Canada<br/><a href="http://www.johnhoward.ca/">http://www.johnhoward.ca/</a></li> </ul>  |
| 5<br>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         | Prepare a set of rights for young people.<br>Compare the YOA with the Juvenile Delinquents Act.<br>Use surveys in the school to prepare recommendations to a Parliamentary Committee | <ul style="list-style-type: none"> <li>• Statistics Canada<br/><a href="http://www.statcan.ca/english/Pgdb/State/justic.htm.cri">http://www.statcan.ca/english/Pgdb/State/justic.htm.cri</a></li> <li>• Department of Justice Canada – Canada's New Youth Criminal Justice Act<br/><a href="http://canada.justice.gc.ca/en/dept/pub/ycja/youth.html">http://canada.justice.gc.ca/en/dept/pub/ycja/youth.html</a></li> </ul>   |

## Appendix B: Culminating Activities

Teachers may find these activities useful to help students consolidate and demonstrate the learning identified through the learning expectations in the Grade 11 Understanding Canadian Law, University/College Preparation course (CLU3M).

| ACTIVITY DESCRIPTION  | SPECIFIC EXPECTATIONS  | RESOURCE  |
|---|--|---|
| <p><b>MOCK TRIAL</b><br/>In a mock trial, students assume roles as in a criminal trial. These roles might include judge, jurors, court clerk, crown attorney, defence lawyer, witnesses for the crown, and witnesses for the defence. Mock Trial kits often include applicable law, trial transcripts and timetables, role expectations, and codes of professional conduct.</p> | <ul style="list-style-type: none"> <li>- summarize the structure of the criminal court system, including avenues of appeal;</li> <li>- describe the role of different individuals involved in a criminal trial, e.g., lawyer, judge, jury, duty counsel, Crown attorney;</li> <li>- explain key aspects of the criminal trial process, including jury selection and rules about the admissibility of evidence and the burden of proof;</li> <li>- identify legally accepted defences to criminal charges;</li> <li>- analyse the principles of sentencing, including those relating to alternative methods of imposing sanctions or regulating behaviour.</li> </ul> | <p><a href="http://www.oba.org/home_en/">http://www.oba.org/home_en/</a><br/>The Ontario Bar Association website contains a number of mock trials. Students could compete in the mock trial at OBA’s annual Law Day.</p>  |
| <p><b>DEBATES</b><br/>There are many controversial issues in criminal law that students will be eager to debate.</p>  | <ul style="list-style-type: none"> <li>- identify controversial aspects of the Young Offenders Act and outline the arguments on both sides of these controversies;</li> <li>- 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.</li> </ul>   | <p><a href="http://www.sjr.mb.ca/debate/jrnatlparlrules.htm">http://www.sjr.mb.ca/debate/jrnatlparlrules.htm</a><br/>Canadian Junior National Debate Championships<br/>Rules of Parliamentary Debate</p> <p><a href="http://www.osdu.oise.utoronto.ca/styles/">http://www.osdu.oise.utoronto.ca/styles/</a><br/>Ontario Student Debating Union – See basic procedures for parliamentary, cross-examination and discussion-style debating.</p> |
| <p><b>CASE ANALYSIS</b><br/>Students can follow the process of a criminal trial, if possible, using various electronic media. Students then summarize, analyse, and react to the process of this trial.</p>   | <ul style="list-style-type: none"> <li>- summarize what constitutes a crime or regulatory offence in Canada;</li> <li>- describe the elements that must exist for a person to be convicted of a crime under Canadian law;</li> <li>- analyse the principles of sentencing, including those relating to alternative methods of imposing sanctions or regulating behaviour;</li> <li>- describe the main principles of sentencing;</li> <li>- identify legally accepted defences to criminal charges.</li> </ul>   | <p><a href="http://www.acjnet.org/cdn_law/cases.cfm">http://www.acjnet.org/cdn_law/cases.cfm</a><br/>The Access to Justice website contains a number of cases that could be used in the case analysis approach.</p>   |