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youth and schools program



elementary justice

introducing principles of the *youth criminal justice act* to children



a lawyer's guide
kindergarten - grade five



credits

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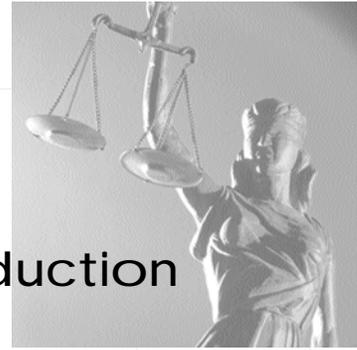
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introduction

executive summary

*"Youth justice involves more than the criminal justice system. Violent and repeat offenders generally have histories of aggressive, disruptive and antisocial behaviour, often beginning in early childhood. Before most young people appear in court, many formal and informal institutions will have touched their lives."*¹

Elementary Justice: A Lawyer's Guide and *Elementary Justice: A Teacher's Guide* were produced as part of the Department of Justice Canada's Youth Justice Renewal Initiative, in order to introduce principles of the Canadian justice system as reflected in the federal Youth Justice Renewal Initiative (YJRI) and the *Youth Criminal Justice Act (YCJA)* to Kindergarten to Grade Five students.

There are three teachers' guides: one for Kindergarten to Grade One teachers, one for Grades Two to Three teachers, and one for Grades Four to Five teachers. The teachers' guides include background material on youth justice and law-related education, a variety of teaching strategies, suggested approaches and activities, and resources for teachers to use with students to improve learning outcomes, including the use of popular children's stories to illustrate common justice themes. In order to supplement these teaching strategies, it is suggested that teachers request volunteer members from the local bar association to make in-class presentations to students on this material.

Interaction with a variety of adult role models who work within our legal system adds credibility and reality to the curriculum and is a powerful influence on development of positive student attitudes toward the law. Appropriate use of resource persons in the classroom (e.g. lawyers, judges, police officers, legislators, etc.) is strongly associated with increased student interest in law-related education, positive responses to teachers and the school, and shifts from delinquent to non-delinquent peer associations. Of course, these adult role models should exhibit behaviors sought in students and be prepared in advance to make contributions to the course that are consistent with the objectives of law-related education.²

Elementary Justice: A Lawyer's Guide will assist lawyers in delivering presentations on the principles of the Canadian justice system as reflected in the *YCJA* in a manner and at a level appropriate to students. The educational context in which presentations will be made is explained, as are the developmental stages of students in the K-5 grade range. The guide also provides background information on the YJRI and *YCJA*, information on law-related education, presentation tips, and suggested lesson plans.

¹Department of Justice Canada, *A Strategy for the Renewal of Youth Justice*, 1998 (<http://www.canada.justice.gc.ca/en/ps/yj/yoas5.html>).

²Carolyn Pereira, *Law-Related Education in Elementary and Secondary Schools*, ERIC Digest, 1988-06-00 (http://www.ed.gov/databases/ERIC_Digests/ed296948.html).

background

the Youth Justice Renewal Initiative

"The Youth Justice Renewal Initiative is more than legislation. It is an Initiative that looks beyond legislation and the youth justice system to explore how society as a whole can address youth crime and its associated factors."³

In response to the demand for change to the youth justice system, in May 1998, the Federal government launched the Youth Justice Renewal Initiative (YJRI). Through consultation with provincial and territorial governments, people within the legal profession and those involved in law enforcement, academics, Aboriginal groups, communities, and young offenders and their families, the initiative was designed to:

- increase the use of measures outside the formal court process that can often be more effective in addressing some types of youth crime
- establish a more targeted approach to the use of custody for young people
- improve the justice system's ability to rehabilitate and reintegrate young people who break the law
- increase the use of community-based sentences for non-violent youth crime
- establish special measures for violent offenders that focus on intensive supervision and treatment, and
- increase public confidence in the youth justice system

The YJRI is based on three key objectives: **crime prevention** - so trouble is avoided before it starts, **meaningful consequences** - so young people are held accountable for their actions, and intensified **rehabilitation and reintegration** - to help young offenders return to their communities safely. The underlying purpose is the long-term protection of the public.

In addressing youth **crime prevention**, the YJRI seeks to increase the involvement of families, communities and victims. It also supports a broad range of organizations that work with children, including those involved with child welfare, mental health, education, social services and employment.

The YJRI also seeks more **meaningful consequences** for youth crime. Consequences for youth should be in proportion to the seriousness of the offence and reflect our basic values: accountability, respect, responsibility and fairness.

The YJRI seeks to hold youth accountable for their crimes, but also works to restore youth to their place in the community. **Rehabilitation** will involve supervision, mandatory conditions and working through a plan prior to **reintegration** to the community.

³Department of Justice Canada, Youth Justice Renewal Initiative. *What is the Youth Justice Renewal Initiative?* 2001 (<http://canada.justice.gc.ca/en/ps/yj/initiat/whatis.html>)

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These objectives are enshrined in the *Youth Criminal Justice Act (YCJA)*, a key part of the YJRI.

the *Youth Criminal Justice Act (YCJA)*

The Preamble to the *YCJA*⁴ provides insight into the values on which the legislation is based:

- Society has a responsibility to address the developmental challenges and needs of young persons.
- Communities and families should work in partnership with others to prevent youth crime by addressing its underlying causes, responding to the needs of young persons and providing guidance and support.
- Accurate information about youth crime, the youth justice system and effective measures should be publicly available.
- Young persons have rights and freedoms, including those set out in the United Nations Convention on the Rights of the Child.
- The youth justice system should take account of the interests of victims and ensure accountability through meaningful consequences and rehabilitation and reintegration.
- The youth justice system should reserve its most serious interventions for the most serious crimes and reduce the over-reliance on incarceration.

The *YCJA* recognizes that it is important to maintain a separate system to apply the criminal law to young people, and that young people need special procedural protections within the criminal justice system. The legislation also recognizes that due to young people's levels of development and maturity, criminal behaviour may be less entrenched and easier to correct with proper support and supervision. However, the *YCJA* makes a clear distinction between violent young offenders and non-violent, lower risk youth.

The law promotes accountability, responsibility, respect, and fairness within the youth justice system, but also emphasizes the need for more effective crime prevention approaches. Ideally, these crime prevention approaches will emphasize *primary prevention*, that is, prevention taking place before the onset of criminal behaviour.

⁴Department of Justice Canada, *The Proposed Youth Criminal Justice Act: Summary and Background*, 2002 (<http://canada.justice.gc.ca/en/ps/yj/legis/explan.html>).

the role of schools in the YJRI

"There is a substantial body of research that [suggests that] the best long-term measures to reduce youth crime, especially for those high risk children who have the greatest chance of serious offending, is through early intervention strategies: early and primary school-based programs, including health and social services, as well as the involvement of parents. More broadly, families and school must be supported in their nurturing and education of children."⁵

One of the first true social settings that a child is placed in is the classroom. As such, schools play an important role in influencing and shaping children's behaviour and development and are an ideal venue for primary prevention approaches to crime.

Using law-related education to inform young children about the law and more specifically, the principles of the Canadian justice system as reflected in the federal Youth Justice Renewal Initiative and the *Youth Criminal Justice Act*, is an example of a primary prevention model for crime. Teachers and lawyers can introduce these concepts to elementary-aged children by drawing parallels to situations that children are familiar with or can relate to. When children understand the need for rules and consequences, and are able to extrapolate this understanding beyond the classroom to the world at large as they mature, they are more likely to internalize these societal values. This in turn, may prevent criminal behaviour later in life.

⁵Nicholas Bala, *The Politics of Responding to Youth Crime: Myths and Realities*, 1996 (<http://magi.com/~crccy/docs/nick.html>).

what is the need for LRE in the elementary school classroom?

Law is not something unique to the lives of adolescents and adults. Law deals with *rules* and *consequences* which are based on society's *values* and *beliefs*. These are concepts familiar to elementary school-aged children, who are exposed to rules, fairness or unfairness, authority, cooperation, prejudice, respect or lack thereof, and other issues in their classrooms and schools throughout the day. The box below illustrates how the values that many children are familiar with are reflected in different aspects of law (Cassidy and Yates, 1998).

Values and Beliefs of Society	The Law
Children appreciate the need to tell the truth	Reflected in libel and slander laws or perjury penalties
Children value personal safety	Reflected in assault laws or traffic regulations
Children want to be respected as special individuals	Reflected in human rights laws or family and child legislation
Children value fairness	Reflected in the right to be heard by an impartial adjudicator and the right to express one's point of view
Children appreciate the need to keep promises	Reflected in contract law

Studies have shown that children who are able to describe appropriate kinds of behaviour in hypothetical situations often practice inappropriate behaviour in real-life situations (Biehler, et al, 1999). Elementary school children think in terms of actual experiences and treat situations that look different in different ways. Biehler (1999, p. 81) attributes this in part to "the ineffectiveness of moral instruction that stresses the memorization of abstract principles". Therefore, it is critical for adults to explain the reasons why children are to practice certain moral behaviours. Law-related education can play a role in fostering this moral development in young children, through the encouragement of such concepts as perspective taking, personal autonomy, and self control. Cassidy & Yates (1998) define the role of law-related education as:

- helping children to be able to express their feelings and opinions
- developing the ability to evaluate information
- developing the ability to recognize legitimate authority
- helping children manage conflict
- leading to internalization of ethical values
- developing an understanding of concepts such as authority, diversity, responsibility and justice
- exploring decision-making processes and ways of resolving conflict, including methods other than "going to court"
- examining those values and attitudes that people must possess in order to contribute positively to the functioning of a democratic society



visiting the classroom

The lawyer, as a resource person, can be an important part of law-related education in the elementary school classroom. The presence of such a resource person can be effective if this person involves students in activities that relate to what they are already doing in their classroom and to real life. It is therefore very important to discuss with the classroom teacher, prior to the visit, what has been done already in terms of law-related education. The following are some items to discuss with the teacher:

- What does the teacher expect from your visit? Perhaps there is a particular area that needs addressing in the classroom and your visit could help with this.
- What are the classroom rules?
- What law-related concepts have been introduced so far in the classroom?
- What age are the students?
- What terms or vocabulary are the students familiar with?
- What is your experience with this age group?
- What materials would be available at the school?
- How will the classroom be arranged and where will students be sitting?
- How does the teacher handle questions? For example, do students raise their hands, do they save their questions for the end, etc. If you have a preference for how this would be handled, suggest it to the teacher and get a feel of how this would be accepted.

If possible, contact the teacher a second time, to share your visit plans so that both of you can review any possible or potential problems and changes that might be necessary. Ask the classroom teacher if it would be possible to have the students wear name tags so that your time with the students can be more personal and individualized. A letter to the classroom stating when you are visiting and that you are looking forward to meeting them would be a positive gesture. You could also ask the students to think about a particular question(s) that you would like to discuss with them during your visit. After the visit, write a letter to the students saying that you enjoyed the visit. Again, if possible, a second visit later in the school year could be beneficial and provide an opportunity to answer any other questions that students may have.

Things to remember for scheduling the visit:

- Schedule your visit to the classroom after classroom routines have been established (for Kindergarten to Grade One students, not before the eighth week of school)
- Try to schedule a morning visit if possible. Students at this age usually have a longer attention span earlier in the day.
- Arrive early so that you can set up any materials, if necessary, and so that you can become somewhat familiar with the school environment.
- If you are asked to combine classes, it is better to say "No". A smaller group provides more opportunity for student participation.

developmental stages of children

(as taken from McCown et al., 1999 & Biehler et al, 1999)

In order to plan and choose strategies and materials relevant to law-related education, at a level appropriate to elementary school-aged students, there needs to be an awareness of what to expect of the students at different stages of moral development.

Morality concerns values, standards, and obligations that are part of a shared, coordinated, cooperative social system. Law-related education can be described as having the same concerns. All laws are based on someone's morality or values. A full law enforcement perspective requires a high degree of self-enforcement by the public. As a consequence, to be enforceable to an effective standard, a law must be accepted by the general population. To be accepted, there must be a common, broad-based adoption of the morality or values behind that law, or at least recognition of the authority that proposes those morals and values.

At its simplest definition, moral development is the progression in which a moral standard is understood, practised, and internalized by people. Law-related education seeks to facilitate that progression through what may be called a holistic approach to law education. LRE goes beyond mere memorization of laws. It also addresses how a law works in the community, and the greater societal good that law seeks to achieve. In essence, LRE offers a level of understanding not only on the surface - answering the question "what does the law say?" , but also at the moral level - addressing the questions "why is the law that way?", "how does the law work?" and "is it effective?".

Several names are at the forefront when it comes to the study of moral development in children. The following is a brief summary of some of these.

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JEAN PIAGET: Piaget identified two stages of moral development. These stages were loosely constructed and did not require sequential progression. The first stage is the *morality of constraint* (heteronomous stage) in which children follow rules made by others. The second stage is the *morality of cooperation* (autonomous stage) in which children follow rules that emerge out of internal feelings of necessity about how to treat others. Piaget believed that the transformation from the first to second stage was more qualitative than quantitative, and that there was no specific age where this change occurs.

MORALITY OF CONSTRAINT: Generally to about 7 to 10 years of age

- do not necessarily understand rules but try to go along with them because of the need for acceptance
- frequently break rules because they do not understand them completely
- tend to view behaviour as either right or wrong
- tend to see rules as unchangeable
- believe that punishment does not need to “fit the crime”
- peer aggression should be punished by some external authority
- believe children should obey rules because they were established by those in authority. Seven to ten year olds, especially, regard rules as “sacred”.
- no allowance is made for the context in which events occur

MORALITY OF COOPERATION: Generally from age 10 or 11

- begin to see rules as agreements reached by mutual consent
- become increasingly capable of understanding why rules are necessary
- like to make up their own rules to fit a particular situation
- become more aware of different viewpoints regarding rules
- believe rules are flexible
- consider the wrongdoer’s intentions when evaluating guilt
- believe that punishment should involve either restitution or suffering the same fate as one’s victim
- believe peer aggression should be punished by retaliatory behaviour on the part of the victim
- believe children should obey rules because of mutual concerns for rights of others

LAWRENCE KOHLBERG: Kohlberg developed six stages of moral reasoning. The order of these stages is fixed and movement through them is sequential. Progress through these stages can be aided with proper instruction. People do not necessarily reach all stages in their moral development. Kohlberg’s sequence of stages has been accepted as a general description of how moral reasoning develops in North American society, but may not be true of every individual in every culture. Kohlberg re-examined his data and later discounted the sixth stage in his theory. Kohlberg’s theory has been seen as a “morality of justice” that emphasizes rights, fairness, rules, and legalities.

PRECONVENTIONAL MORALITY: Approximately ages 4 to 10
(Children do not really understand the conventions or rules of a society.)

STAGE 1: Punishment-Obedience Orientation - the physical consequences of an action determine goodness or badness. Those in authority should be obeyed, and punishment should be avoided by staying out of trouble. "You might get caught."

STAGE 2: Instrumental Exchange Orientation - obedience to laws should involve an even exchange. "You shouldn't steal from anyone, and no one should steal from you."

CONVENTIONAL MORALITY: Approximately ages 10 to 13
(People conform to the conventions of society because they are the rules of a society.)

STAGE 3: The Interpersonal Conformity Orientation - the right action is one that will impress others. "They will be proud of you if you are honest."

STAGE 4: The Law-and-Order Orientation - Fixed rules must be established and obeyed in order to maintain the social order. Authority is to be respected.

POSTCONVENTIONAL MORALITY: Adolescence through adulthood
(The moral principles that underlie the conventions of a society are understood.)

STAGE 5: Social Contract Orientation - Laws are good if they protect the rights of the individual. They should not be obeyed simply because they are laws. They are open to evaluation, and developed by mutual agreement or social consensus.

STAGE 6: The Universal Ethical Principles Orientation - moral decision should be based on self-chosen ethical principles. You need to weigh all the factors and then make the most appropriate decision in a given situation. "Sometimes it's necessary to steal." In 1978, Kohlberg recognized this stage as primarily a theoretical "ideal".

CAROL GILLIGAN: Gilligan identifies stages of moral development from a different perspective. Gilligan argues that Kohlberg's view of moral development more accurately describes what occurs with adolescent males than females. Gilligan's model has been seen as a theory of female moral development. Gilligan's view is called a "morality of care and responsibility" that stresses relationships, care, harmony, compassion, and self-sacrifice.

STAGE 1: Individual Survival - identifies selfishness as the primary concern.

The transition to the next stage leads to the realization that caring for others rather than just caring for oneself is good.

STAGE 2: Self-sacrifice and Social Conformity - being a caretaker and protector.

The transition to the next stage involves a realization that in order to care for others, one must also take care of oneself.

STAGE 3: Morality of Nonviolence - it is wrong to serve oneself at the expense of others (equality of self and others).

The above perspectives have their place in the discussion of moral development in children, with the inclusion of cognition as well as affective feelings and attitudes. Resolving conflicts, for example, involves cognitive skills such as analysis (defining the conflict), ideation (developing alternative solutions), and strategy (learning conflict resolution techniques). These skills, however, cannot be practised without real life situations. Affective feelings and attitudes are involved here (Cassidy & Yates, 1998).

presentation tips

1. After being introduced to the class, make some comments to the students about their school and their classroom. For example, say something about any art work or other displays.
2. Invite students to be seated on the floor. Assist anyone who can't decide where to sit. The classroom teacher will also be there to assist. (In some cases the students may already be seated in a story corner before you are introduced.)
3. Ask students to show by raising their hands, who has ever met a lawyer before. Be prepared for students who might want to tell long stories about someone they know. Remind them that you only want them to show with their hands. Then ask them what they think a lawyer's job is. Remember that children's experiences or knowledge can range from none at all to personal experiences that involve themselves or their families, as well as perceptions they have gained from television and movies. Listen to some of their suggestions and then tell them that you would like to tell them a little bit about what you do as a lawyer. Keep it simple and short with this age group. Also tell them a little about yourself, where you work, live, etc.
4. Call students by their first names (hopefully they have name tags) and try to involve as many as possible.
5. Speak clearly and slowly, using vocabulary that is at the students' level, but not below their level.
6. Use visual aids, if possible. For example, use a puppet or stuffed toy or pictures.
7. Focus on one or two concepts. Use real life examples. Personal experiences told to students are generally very well accepted.
8. Continue with the lesson (plans follow). When reading the book, read slowly, pausing at each illustration to turn the book around and let them see the picture. The more you adopt different voices for different characters, the more effective you will be.
9. When the time is up, thank the students for their contributions to the lesson - their comments, ideas, cooperation, or anything else noteworthy.
10. Be flexible. The best plans may not work out and you may need to make some adjustments.

suggested lesson plans

Good quality children's literature is an excellent way to elicit discussion regarding law-related issues. Historically, the use of moral dilemmas was encouraged to enhance the moral development of children (most notably Kohlberg). However, there has been criticism of this use of moral dilemmas, on the basis that the dilemmas are often too removed from the kinds of social interactions that children are involved in. Narrative stories are considered by many to be more appropriate tools to enhance moral development in children, as they usually portray basic moral values in an understandable context, for example, the reason for the conflict is indicated as well as what follows. It is, however, important to choose good quality literature that reflects situations or concepts that are relevant to children. "Reading and discussing good literature, which engages the mind and the heart, can go far beyond a contrived moral dilemma in eliciting moral reflection" (McCown et al, 1999, p. 93).

Louise Rosenblatt (1970), renowned for her reader response theory, in her book *Literature as Exploration* said:

"The whole personality tends to become involved in the literary experience. That a literary work may bring into play and be related to profoundly personal needs and preoccupations makes it a powerful potential educational force. For it is out of these basic needs and attitudes that behaviour springs." (p. 183)

Literature is a powerful tool to help children develop the human values they will live by throughout their lives. Children can learn lessons by examining conflicts and applying them to real-life situations. Connections to characters in books help children think about their own situations. Literature also facilitates exposure to opposing viewpoints. This exposure can foster respect and understanding for differences between people - political, philosophical, moral, physical, gender, ethnic, linguistic, or otherwise.

Picture books, in particular, are very useful. They can be read in a relatively short time and with the artwork, evoke many types of responses from students. Because of the limited length of picture books, the language is often well crafted. Picture books present real-life situations in an interesting way and as such, are an ideal way to approach complex issues. "It is writers - at least some writers - of children's stories who have been almost the only important adults to recognize that many children are naturally intrigued by many philosophical questions" (Benedict and Carlisle, 1992, p.51).

The suggested lesson plans offered in this guide use literature as a tool to increase children's understandings of law-related concepts generally, and specifically, principles of the Canadian justice system as reflected in the federal Youth Justice Renewal Initiative (YJRI) and the *Youth Criminal Justice Act (YCJA)*. Through literature, these concepts can be introduced and reinforced in a context and at a level appropriate to younger students.

Please note: For those lawyers that are bilingual, and would like to volunteer for presentations in French-immersion classrooms, there is a listing of corresponding French Resources at the end of this guide that can be used with these lesson plans as well.

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lesson one: kindergarten - grade one

BOOK

Franklin Fibs

By Paulette Bourgeois (Toronto, ON: Kids Can Press, 1991)

Franklin's habit of telling his friends lies leads him into real trouble. He tells his friends that he can swallow seventy-six flies in the blink of an eye. He knows that he can't do it, but now he must deal with the situation. He talks to his parents who listen, but don't tell him what to do. Eventually he realizes that telling his friends the truth is the best solution.

LAW-RELATED CONCEPTS

- truth
- sources of support
- honesty

YCJA PRINCIPLES

- involvement of family and community
- restorative justice
- respect for values
- parents' and victim's input

PRE-VISIT ACTIVITY *(done by classroom teacher)*

Other Franklin books could be read by the teacher. Franklin learns about honesty when he finds a camera and uses it before he finds out who it belongs to in *Finders Keepers for Franklin*. His parents help him to come to a solution to the problem. In *Franklin is Bossy*, Franklin learns that it is okay to apologize if you have a disagreement with a friend. Franklin's parents play a supportive role in this story as well. By listening to and discussing these stories, children will be introduced to concepts such as honesty and telling the truth. They will also learn that adults can help them to work through a problem.

LAWYER'S ACTIVITY

1. After introductions and discussion about your job as a lawyer, tell the students that you have been told that their teacher has been reading Franklin books to them, and that you would like to hear about some problems that Franklin had and how he solved them. (If a Franklin puppet or stuffed toy is available, introduce Franklin.) Guide the students in their discussion so that they focus on Franklin's initial dishonesty and bossiness and then the change in him. Ask questions about how he solves the problem: he talks it over with his parents and comes up with a solution. Discuss how at times people come to lawyers for help if they run into a problem. Sometimes they need help because they have done something they shouldn't have done and they are in trouble, and sometimes it is because someone did something wrong towards them. Give concrete examples of situations that are appropriate for this age group.

2. Tell students that you are going to read another Franklin story called *Franklin Fibs* and you would like them to think about what he does that is wrong and how he changes that. As you read the story, stop periodically to ask questions such as:

- Why do you think Franklin would tell such a big lie?
- What do you think Franklin should do now that he's in this situation?
- What do you think his parents should do?

When the book is finished ask students what happened to Franklin when he told a lie (he was worried and lonely). Reassure students that all of us make mistakes because we want to impress our friends or just because we don't think before we act, but it's never too late to change our behaviour. Sometimes people come to see lawyers when they have made a mistake, and a lawyer will give them advice and help them figure out a way to make a change in their behaviour.

FOLLOW-UP ACTIVITY

3. Ask the students to draw a picture that you could either take to your office now or that the teacher could send at a later date. Some suggestions:

- Draw Franklin's face showing how he felt when he told a lie and when he told the truth (this could be done on a page titled "Before/After")
- Draw a picture of your favourite part of the story (an adult could print a sentence about the picture)

As the students are working, mingle with them and comment on their pictures. Thank the students for your visit.

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lesson two: kindergarten - grade one

BOOK

Tops & Bottoms

By Janet Stevens (New York: Scholastic, 1995)

Hare takes advantage of Bear's laziness to embark on a business venture. He promises to do the planting and harvesting and share the profits. He asks Bear whether he would like the tops or bottoms. When Bear answers "tops", he plants carrots. Bear is left with the tops and Hare gets the bottoms. Next time, Bear chooses bottoms, and Hare plants lettuce, broccoli and celery. Bear of course feels cheated and chooses both tops and bottoms for the next planting. Hare responds by planting corn. Bear gets the roots and tassels, and Hare gets what is in the middle: the ears of corn. Bear finally learns that laziness does not pay and plants his own crop. The two become friends, but never business partners.

LAW-RELATED CONCEPTS

- justice
- honesty
- stereotyping
- responsibility
- fairness

YCJA PRINCIPLES

- respect for values
- due process rights
- victim's input
- respect for differences
- restorative justice

PRE-VISIT ACTIVITY *(done by classroom teacher)*

Read and discuss the book *The Lazy Bear* by Brian Wildsmith (Oxford: Oxford University Press, 1973). Bear finds a wagon and enjoys riding down a big hill. Eventually he gets tired of pushing the wagon up the hill. He convinces his animal friends to push him up the hill, with the promise that they can ride down with him. Bear learns his lesson when his friends get tired of being bullied by him, and send him down the other side of the hill into a pool of water. They help him out, but now it is his turn to push them up the hill. Bear finally apologizes, and the friends all help push the wagon together.

LAWYER'S ACTIVITY

Ask students what Bear did that was unfair to his friends in *The Lazy Bear*. Read and discuss *Tops & Bottoms*. Compare the two stories. This would also be a good opportunity to discuss stereotypes. In both books, the bears are described as 'lazy'. Ask students if they think this is fair. In these stories, some of the characters did something that was not fair. Sometimes people come to lawyers for business advice so that things will be fair when they are buying or selling something.

FOLLOW-UP ACTIVITY

Create a mural showing Bear and his animal friends cooperating by pushing the wagon up the hill or one showing all the animals riding down the hill in the wagon. A large wagon could be constructed by the teacher. Students would then place their animals in the wagon.

lesson one: grades two - three

BOOK

Goldilocks and the Three Bears

By James Marshall (Puffin Books, 1988) or any other version that is available

This is the traditional story of Goldilocks walking into the house of the three bears.

LAW-RELATED CONCEPT

- respect for others

YCJA PRINCIPLES

- extra-judicial measures
- restorative conferencing
- respect for values
- due process rights
- community-based sentences
- respect for differences
- involvement of family and community
- rehabilitation and reinstatement

PRE-VISIT ACTIVITY *(done by classroom teacher)*

Read *The True Story of the Three Little Pigs* by Jon Scieszka (Viking, 1989). It is written from the point of view of Mr. Wolf, who feels that he has been framed in order to present a more exciting story. The story offers opportunities for class discussion about point of view, influence of the media, and traditional perspectives of wolves.

There are many other books that present different points of view in fairy tales. The following is a series:

Granowsky, Dr. Alvin. Austin, TX: Steck-Vaughn. 1996.

This series of books features fairy tales that present another point of view by having children flip over the book to read the story from a different viewpoint. Titles of some of these stories are listed below:

- *The Three Billy Goats Gruff/Just a Friendly Old Troll*
- *Jack and the Beanstalk/Giants Have Feelings, Too*
- *Henny Penny/Brainy Bird Saves the Day*
- *The Little Red Hen/Help Yourself, Little Red Hen*
- *The Tortoise and the Hare/Friends at the End*

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LAWYER'S ACTIVITY

1. After introductions and discussion about your job as a lawyer, ask students if they have recently read any fairy tales. Through discussion, get them to tell you what happened in a story and how they know that is true. This should lead to a discussion including point of view, listening to both sides of the story and so on.
2. Tell students that you are going to read another fairy tale called *Goldilocks and the Three Bears*. You know that they have heard this story many times, but this time you want them to think about it in a different way. You want them to think about the three bears' side of the story. As you read the story, stop periodically to ask questions such as:
 - Should Goldilocks be walking in the forest all by herself?
 - What would you do if you walked past a house and the door was open?
 - What would be another way of ending the story?
3. To end the activity, relate the rules and laws that Goldilocks broke to real life situations and why we have those laws.
4. Discuss how people come to a lawyer for help and how it is important whether they use mediation or whether they go to court.

FOLLOW-UP ACTIVITY

There are many writing activities that this can lead to and there are some suggestions below. Although you probably won't stay until they are finished writing, tell the students that you would like them to send you their stories. This is a great opportunity for ongoing communication. (The classroom teacher would likely take charge of this activity.)

- Ask students to write the story from the point of view of one of the bears.
- Write a letter of apology from Goldilocks to the three bears. The lawyer could explain how writing a letter of apology is part of mediation and how lawyers are sometimes involved in this. If the school has a Peer-Mediation program going, this would also be a good connection to make.
- Write a letter from Father and Mother Bear to Goldilocks' parents. (This is a good opportunity to use the book *The Jolly Postman* by Janet & Allan Ahlberg, which contains letters to and from fairy tale characters.)

lesson two: grades two - three

BOOK

Olivia Saves The Circus

By Ian Falconer (Atheneum Books for Young Children, 2001)

Olivia recounts her summer vacation to her class. After she has finished telling how she saved the circus when all the performers were ill, the teacher questions the truth of her story. This is an excellent discussion starter about fact and fiction and about what we wish for and what is.

LAW-RELATED CONCEPT

- honesty

YJRI AND YCJA PRINCIPLES

- respect for values
- involvement of family and community
- restorative conferencing
- parents' and victim's input

PRE-VISIT ACTIVITY *(done by classroom teacher)*

Read *The Honest-to-Goodness Truth* by Patricia McKissack (Atheneum Books for Young Readers, 2000). Ever since Libby started telling the truth, everyone is mad at her. She learns the right and wrong way to tell the truth.

LAWYER'S ACTIVITY

1. After introductions and discussions about your job as a lawyer, continue by telling the students an exaggerated story. It could be a made-up account of what happened to you on the way to their school. Use plenty of exaggeration so that it will be obvious that you are telling a "tall tale". Ask them if they believe you and why or why not.
2. Continue by telling the students that you are going to read a story called *Olivia Saves the Circus*. Allow time for students to comment or ask questions as you read.
3. Discuss whether Olivia was telling a lie or just stretching the truth. Is that the same thing? Is there a time when it is okay to stretch the truth? Ask students if they remember the story that their teacher read to them (*The Honest-to-Goodness Truth*). How was that story different? (The girl told the truth, but at an inappropriate time so that it hurt somebody's feelings.) Talk about how it is important to judge when is the time to tell just the facts (when there is a disagreement or fight on the playground) and when it is okay to stretch the truth (when you're telling a story to entertain).

FOLLOW-UP ACTIVITY

Ask students to think about their journey to school today. They then tell a partner about it - with only facts. After each partner has had a turn, they continue by telling the story with added exaggerated details. This activity could also be done in written form, but storytelling is also very valuable. Another option would be to draw a picture of something that happened to them on the way to school (the tall tale version).

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lesson one: grades four - five

BOOK

Your Move
By Eve Bunting (Harcourt Brace & Company, 1998)

Ten-year-old James' gang initiation endangers his six-year-old brother Isaac. He finds the courage to say, "Thanks, but no thanks."

LAW-RELATED CONCEPTS

- gangs
- vandalism
- theft
- crime prevention

YCJA PRINCIPLES

- youth separately dealt with
- respect for differences
- respect for values
- involvement of family and community

PRE-VISIT ACTIVITY *(done by classroom teacher)*

The teacher will have done an activity called "Probable Passages" with the class. In this activity the students have been given a list of about twelve words or phrases from the book *Your Move*. They have then categorized the terms into story grammar elements (characters, setting, problem, events/resolution, and ending) and composed a story with these. (The teacher has not read this book to the students.) This activity will give the teacher useful information about the students' prior knowledge, and this could be shared with you before your visit. With this activity, students are usually very intrigued with the story because they see the similarities and differences with their own.

LAWYER'S ACTIVITY

1. After introductions and discussion about your job as a lawyer, tell the students that you are going to be reading a book that is about someone around their age. (Do not let on that the activity they did previously has anything to do with this book. Let them discover that on their own.)
2. As you read the book, take time to stop and listen to the students' comments or questions. Ask questions such as:
 - Why do James and Isaac have to thump on their neighbour's wall?
 - What is tagging?
 - What do they mean by the "take-it" game?

3. This story should elicit much discussion from the students. They have probably all seen evidence of graffiti, and perhaps taken part in it. Discuss what the laws are about graffiti, and why these laws exist.

In the story, Kris describes the “take-it” game as a game, not stealing. Discuss who is affected by this “game”.

Ask the question, “What do you say to friends who try to persuade you to do something you know you shouldn’t do?”

4. End by saying that we also have rules in our country. They are called laws. What happens when someone breaks a law? Responses from this question may provide an appropriate segue into a general discussion about the *Youth Criminal Justice Act* and its new approach.

FOLLOW-UP ACTIVITY

5. Have the students compare their stories from the “Probable Passage” activity to the book *Your Move*. Stress that their stories were not ‘wrong’, but just a different way of using the ideas. Students could write their reflections in journals on:

- What they learned from comparing their stories to the one that was read *or*
- What they learned about laws

If possible have the classroom teacher mail their comments to you. Their comments will be helpful feedback for you if you prepare to do this lesson in a different classroom.

elementary justice

lesson two: grades four - five

BOOK

The Lady in the Box

By Ann McGovern (New York: Turtle Books, 1997)

It is wintertime and a homeless woman lives in a box. Two children pass by her each day and decide to help. However, they remember their mother's words about not talking to strangers. This is possible for only a short time and then they must confront their mother with the issue. They learn the value of sharing and the essence of community and find out that their mother really does support them in what they are doing.

LAW-RELATED CONCEPTS

- homelessness
- support
- community
- responsibility

YCJA PRINCIPLES

- involvement of family and community
- respect for differences
- respect for values
- parents' and victim's input

PRE-VISIT ACTIVITY *(done by classroom teacher)*

Read *Fly Away Home* by Eve Bunting (New York: Clarion Books, 1991). This is the story of a homeless boy who lives in an airport with his father. They move from terminal to terminal and try not to get noticed. The boy wonders if they will ever have their own home. He is given hope when he sees a trapped bird find its way out of the building to find its freedom.

Have the students write down their own responses to this story and then have them discuss these with a small group. Then have the class as a whole talk about any of their questions and comments. There will be many issues: Why are the boy and his father homeless? What would happen if they got caught? Are there laws against 'living' in public places like an airport? Is there anything that could be done to help them?

Tell the students they will be visited by a lawyer. Brainstorm specific questions that relate to the previous discussion or other law-related questions the students may have. Send the lawyer a copy of these so that he/she can be better prepared for the visit.

LAWYER'S ACTIVITY

1. After introductions and discussion about your job as a lawyer, tell the students that you are going to be reading a story to them called *The Lady in the Box*. Show the front cover of the book and ask them who they think the 'lady in the box' is. They may come up with the fact that she is homeless immediately or it might require some more prompting. Continue asking questions about why they think she would live in a box, wouldn't it be too cold in winter since the illustration on the cover shows that it is winter, etc.
2. Begin reading the story. Be sure that the students have ample time to look at the illustrations. Some suggestions for questions during the reading are:
 - Why would the children be told not to talk to strangers?
 - Should the children tell their mother right away? What do you think she would say?
 - Do you feel it is fair for the Deli owner to chase the woman away?
 - Were the children being dishonest by taking the soup without their mother knowing?
3. Ask the students if this story reminds them of another one they've heard (*Fly Away Home* or they may come up with others). Discuss laws concerning living on the street, panhandling, etc. Are the laws fair?
4. End by reading the "Note From the Author" at the end of the book.

FOLLOW-UP ACTIVITY

Have the students work in small groups of about four to brainstorm ways in which they think homeless people could be helped. Although some of their suggestions may appear unreasonable, it gets them thinking about the issues involved. This activity could lead to a project that could be carried out in their own community. In fact, that would be the most meaningful!



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