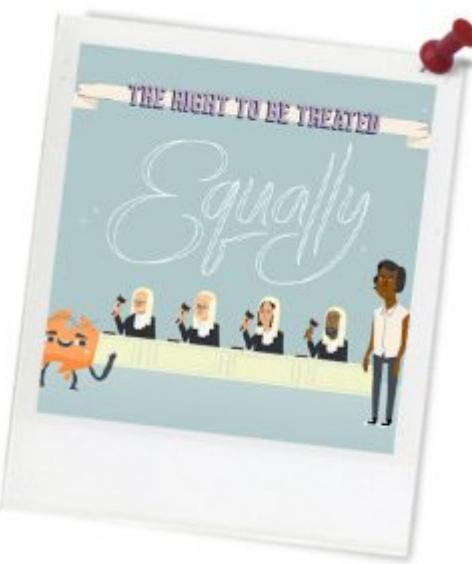


# Story of Our Rights and Freedoms – Rights, Freedoms and the Court System – Year 9 Civics

## Teacher preparation

**Overarching learning goal:** Students will understand what the Australian court system is, including the different levels and how the system works. They will be able to work collaboratively to set research questions, and present information to their peers. Students will be able to identify key information about the court system, rights and freedoms, and make connections between the concepts. They will be able to identify the challenges that they face and strategise ways to resolve these challenges.



## Teacher content information:

Many countries have special protections for human rights in their domestic law. Some, like Canada and the USA, have a Bill of Rights as part of their Constitution which means that these rights are very strongly protected (because it is very difficult to alter the Constitution). However, Australia does not have a Bill of Rights and there is no single law that broadly protects human rights in Australia. Rather our human rights are protected by a variety of different laws including the Constitution, Commonwealth and state/territory legislation and common law. While the Australian government has been a longstanding supporter of the UN and was involved in the drafting of the Universal Declaration of Human Rights (UDHR), not all Australian legislation is entirely compatible with the UDHR.

There is no universally accepted definition of human rights, and our understanding is continually developing. Some definitions include:

- The recognition and respect of peoples' dignity
- A set of moral and legal guidelines that promote and protect the recognition of our values, our identity and access to an adequate standard of living
- The basic standards by which we can identify and measure inequality and fairness
- Those rights associated with the Universal Declaration of Human Rights (UDHR)

When we talk about human rights we usually refer to principles that have been agreed upon by countries throughout the world. These rights have been set down in international agreements and form part of international law. They can also be written into the domestic law of individual countries. Human rights cover virtually every area of human life and activity. These include:

- Civil and political rights, such as freedom of speech and freedom from torture
- Economic and social rights, such as the rights to health and education
- Individual rights, including the right to a fair trial
- Collective rights, or those rights that apply to groups of people, such as the right to a healthy environment or to live on one's ancestral land.

The UDHR is an international document that recognises the basic rights and fundamental freedoms to which all human beings are entitled. It was adopted by the United Nations General Assembly on 10 December 1948 and marks a key milestone in the history of human rights. The Magna Carta, though limited in who it protected, was an important precursor to the UDHR.

[Click here to watch a video about the Magna Carta.](#)

You can view the entire text of the Universal Declaration of Human Rights, and the other core international human rights treaties, on the [United Nation's website](#) or by downloading [RightsApp](#) (free from the iTunes App store).

## Additional resources:

- Factsheet: [What are Human Rights?](#)
- Factsheet: [About the Australian Human Rights Commission](#)
- Factsheet: [The Universal Declaration of Human Rights](#)
- Factsheet: [The International Bill of Human Rights](#)
- Link: [Human Rights Explained: Index of factsheets](#)

**Hot tip:** Consider starting this lesson by establishing a mutually agreed list of class agreements, displaying them in a highly visible place, and encouraging the class to kindly remind each other of the agreements. Refer to the [Handling Sensitive Topics and Controversial Issues factsheet](#) for more information.

**Note:** Some students or their relatives may have had very personal experiences with the court system (especially the Family Court). An awareness of these sensitivities is encouraged and students should be guided to view this lesson as a study of the Australian Court system, and how the system works (generally) to protect Australian people, rather than a study of specific court cases and the outcomes of those cases. It may be worth emphasising with students that if they know someone who has been to court for a crime, it is not a good idea to share these experiences with the class as it is not always information that they would like everyone to know.

## Teaching sequence

20 minutes – Part A: Debate Line

80 minutes – Part B: Research Task: the Australian Court System

10 minutes – Part C: Connecting Rights, Freedoms and the Australian Court System

10 minutes – Reflection

**Work through this resource material in the following sequence:**

## PART A: Debate Line

**Step 1.** A debate line introduces the content of the lesson and positions students to consider multiple perspectives. Arrange the classroom furniture so that the tables are out of the way, and there are two lines of chairs facing each other. Invite students to sit opposite a classmate. Assign one line as 'agree' and the other as 'disagree'.

**Step 2.** Explain that you will read a series of statements to which students should develop an argument either agreeing or disagreeing with the statement, depending on the stance they have been assigned. Emphasise with the class that it is ok if their own opinion is different to the stance they are required to take, and that this activity asks students to see two sides to a story. Students should adopt an open, mature and non-judgemental mindset and refrain from assuming the person they are facing is sharing their own opinion.

**Step 3.** Read each of the following statements, and after giving some time for students to think, alternate between inviting the 'agree' and 'disagree' lines to share an argument first.

- The law makes sure everyone is treated equally.
- A person who commits a crime is still entitled to human rights.
- All crimes should receive the same punishment.
- The court system protects people.
- It is important to have courts at different levels.
- What the court says goes - people should not be allowed to appeal their sentence.

**Step 4.** Once students have responded to each statement, debrief the activity by inviting anyone who shared a statement they strongly disagreed with to share their personal opinion with a partner. Then, invite volunteers to share an opinion they heard that they had not considered.

## PART B: Research Task: the Australian Court System

**Step 1.** Ask students to move their chairs so that they are seated facing a screen. Inform students that the learning intention for this part of the lesson is to find out more about the Australian court system, and the impact it has on our rights and freedoms.

**Step 2.** Watch the following clip as a class:

Rights & Freedoms and the Courts ([https://youtu.be/wZMvQPVL\\_rY](https://youtu.be/wZMvQPVL_rY))

**Step 3.** Invite students to complete the 'See-Think-Wonder' visible thinking routine to explore what they observed and interpreted in the video. Distribute three sticky-notes to each student. Stick three pieces of butcher's paper in a visible position, or draw a three-columned table on the whiteboard. Write each of the 'See-Think-Wonder' questions below on its own sheet of paper (or column).

Focusing specifically on the information about the court system:

- What did you SEE/HEAR?
- What did it make you THINK?
- What did it make you WONDER?

Ask students to respond to each question on a separate sticky-note.

**Step 4.** Invite students to attach their sticky-notes to each sheet of paper/column, then read through their classmates' observations.

**Step 5.** After viewing, display the 'Exploring the systems that protect our Rights and Freedoms' Presentation, and lead the class through each slide up to Slide 6. The presentation will help in the explicit teaching of the following:

1. Understanding an overview of equality before the law.
2. Gaining a basic understanding of the Rule of Law

### 3. Making links between equality before the law and Australia's Judicial (Court) system.

**Step 6.** Once Slide 6 of the presentation is reached, ask students to return to the displayed 'wonder' sticky notes and re-read through them. Invite students to write anything extra that they are wondering about on a sticky note and add them.

**Step 7.** Invite students to choose a 'wonder' sticky note they would like to find out more about. Inform students that they will use this 'wonder' sticky note to guide them to complete some research about the Australian court system. Invite students with common interests to form research groups - students should work in groups of 2-3. Once they have formed groups, invite them to sit around a table together with a web-enabled device.

**Note:** If students require a more scaffolded approach to deciding on a topic for research, you could display the final slide of the lesson presentation, and assign each group a topic from this list:

- Magistrates' Court
- District Court/County Court
- Supreme Court
- Federal Circuit Court
- Family Court
- Federal Court
- High Court

**Step 7.** Ask students to structure their research by posing some questions using the 5Ws.

- Who?
- What?
- When?
- Where?
- Why?
- How? (For an extra challenge)

Discuss with students how their research should be presented to their classmates: e.g. oral presentation, PowerPoint, short film, poster gallery, Adobe Spark page, etc. Give students a research and presentation creation time frame before a decision is made on the format so that they do not commit to a format that can't be achieved in the time limit.

Students could begin their research at this website: [Attorney-General's Department "The Courts".](#)

**Step 8.** Once groups have completed their research and created a presentation with their findings, invite groups to present their research to the class, and encourage students to take notes on the Student Worksheet while their classmates present.

## PART C: Connecting Rights, Freedoms and the Australian Court System

**Step 1.** Explain to students that there are strong links between the Australian court system and rights and freedoms. In this part of the lesson, they will explore these connections using a hexagonal thinking tool. Ask students to remain in their research groups of 2-3 students, sitting together around a table.

**Step 2.** Provide groups with a copy of the [UDHR articles](#) and an [hexagonal thinking template](#). Invite students to read through the UDHR and to underline the articles that they believe relate directly to what they found out about Australia's judicial system and processes. (If students require some assistance, you could suggest Articles 6, 7, 8, 9, 10 and 11).

**Step 3.** Invite groups to write key words and phrases about the court system in 5-10 of the hexagons, then do the same about rights and freedoms in the rest of the hexagons. Students should seek inspiration from the notes they took during their classmates' presentations, as well as the UDHR articles. Students could also re-watch the video from the start of the lesson for an overview of the concepts that have been

covered.

**Hot tip:** If students require guidance to identify key concepts about the court system and rights and freedoms, you could facilitate a class discussion for this section of the activity, and students could note agreed key concepts in their own hexagons.

**Step 4.** Invite students to cut out the hexagons, then work together to arrange them in different formations in order to explore the links and relationships between the Australian court system and the concepts of rights and freedoms. Encourage students to discuss the links that they established between each of the concepts, and to experiment with different formations to illustrate different links between the concepts.

**Step 5.** Once groups are satisfied with the arrangement of their hexagons, invite them to stick them onto a piece of paper. Invite groups to join with another group and talk through their hexagonal thinking to explain the links and relationships they have created.

## Reflection

Invite students to complete the ['Connect-Extend-Challenge' visible thinking routine](#) on the Student Worksheet:

**CONNECT:** How are the ideas and information presented CONNECTED to what you already knew?

**EXTEND:** What new ideas did you get that EXTENDED or pushed your thinking in new directions?

**CHALLENGE:** What is still CHALLENGING or confusing for you to get your mind around? What questions do you now have?

## Differentiated Learning

**Extension:** Encourage students to independently find out more about what they identified that they are still feeling challenged by.

**Provisional Learning Support:** If necessary, guide students to use specific sources for their research project. Think purposefully about the grouping of students, and if necessary intervene so that students are diversely grouped.