For the Record

Third Edition

The Youth Criminal Justice Act

a new law for Canadian youth: a new collaborative approach

Susan M. Doyle          Tara Farrell           Amy Sheppard
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The purpose of *For the Record* is to provide information on the *Youth Criminal Justice Act*. The Act replaced the *Young Offenders Act* on April 1, 2003. This book serves as a guide to the legislation by explaining its contents. Each chapter refers the reader to specific sections of the *Youth Criminal Justice Act*. For a more detailed analysis, please refer to the legislation itself, which is located on the Parliamentary Internet Parlementaire at [www.parl.gc.ca](http://www.parl.gc.ca).

Highlighted words throughout the text are defined in the Common Terms Section.

**Please Note:**
The information provided in this text is of a general nature and does not constitute legal advice. For specific information please consult with a lawyer.
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Public Legal Information Association of Newfoundland (PLIAN) is a non-profit organization dedicated to educating the people of Newfoundland and Labrador about legal issues. We are the Newfoundland and Labrador component of Public Legal Education Association of Canada (PLEAC). This national association is a network of Canadian legal education societies.

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To achieve a new and improved youth justice system, one that aims to protect Canadians, prevent crime, promote accountability, responsibility and respect, and ensure meaningful consequences for young people, the Parliament of Canada passed the Youth Criminal Justice Act (YCJA). This Act replaces the Young Offenders Act (YOA).

Since the first edition of For the Record, the YCJA was implemented on April 1, 2003. This law involves young people, families, victims and communities. It modernizes the youth justice system and builds stronger links with other programs and services to help children and youth.

The new law aims to make sentencing fair and relative to the crime committed, respect the rights of youth, create consequences that have meaning for young people and support the youth’s return to the community after a period of custody. It treats minor crimes more effectively by using both judicial and extrajudicial measures, and it also treats serious crimes with more meaningful consequences. The new collaborative approach encourages participation of victims, parents, family and the community in the youth justice system.

For the Record, third edition, explains key aspects of the YCJA in plain language. Major elements of the new legislation including extrajudicial measures, sentencing, custody and supervision, and reintegration are addressed in this book. Other sections include important information for youth, parents, victims and community members. All highlighted words throughout the text are defined in the common terms section. Also included are questions and answers for youth that relate to each chapter of the book, a word search, word scramble, youth justice quiz and a comparison between the YCJA and YOA.

The information provided in this text is accurate as of March 2006.
These terms are defined within the context of the *Youth Criminal Justice Act*.

**ADULT**
A person 18 years of age or older.

**ADULT SENTENCE**
A sentence that could be given to an adult who has been convicted of the same offence that a youth committed. Youth can receive adult sentences for crimes such as first degree murder, second degree murder, attempted murder, manslaughter, aggravated sexual assault, serious repeat violent offences or other serious crimes if they were 14 years or older at the time the offence was committed.

**CHILD**
A person who is less than 12 years old.

**CONFERENCE**
A group of community members who advise a decision-maker on issues such as appropriate extrajudicial measures, sentences, judicial interim release and reintegration plans.

**CROWN ATTORNEY**
A lawyer that represents the government. The Crown Attorney presents the Crown’s case to the court.

**CUSTODY**
A period of time that is spent in a youth facility. Facilities may include secure custody, a community based residential centre, group home, childcare centres or a forest or wilderness camp.

**DETENTION**
Holding a young person in custody for a period of time.

**DISCHARGE**
To release a young person from custody.

**EXTRAJUDICIAL MEASURES**
Measures other than court proceedings used to deal with a young person who has allegedly committed an offence. Examples include police warnings and cautions, Crown cautions, referrals to community programs and extrajudicial sanctions.

**EXTRAJUDICIAL SANCTIONS**
May be used to deal with a young person alleged to have committed an offence that cannot be dealt with by a warning, caution or referral because of a serious offence, previous offence or any other aggravating circumstance.

**FORFEITURE**
The loss of a right, privilege, or property because of a crime, breach of obligation or neglect of duty.
INDICTABLE OFFENCE
A serious crime which can range from theft over $5000 to first degree murder.

IRCS
An intensive rehabilitative custody and supervision order. This type of order is only made for violent and high risk youth so they can get the treatment they need.

JUDICIAL INTERIM RELEASE
The release from custody while awaiting trial. (Commonly referred to as “getting out on bail”.)

PARENT
Any person who is under a legal duty to provide for the young person or any person who has the custody or control of the young person.

PRE-SENTENCE REPORT
A report on the personal and family history and present environment of a young person presented to the judge before sentencing.

PROBATION
A period of time that a person serves under the supervision of a probation officer with certain conditions attached. These conditions may include a curfew or a prohibition to carry a weapon.

PROHIBITION ORDER
An order that forbids a certain action.

PROPORTIONATE SENTENCING
When the severity of the punishment is directly related to the crime.

PUBLICATION
Making information known to the public through the use of print, radio, television, telecommunication or electronic means.

RECORD
Any information created or kept for the purpose of the Youth Criminal Justice Act.

REHABILITATION
Helping a young person with problems or issues so that he/she does not re-offend.

REINTEGRATION
Bringing the young person back into the community safely and successfully after an offence has been committed. A reintegration plan will be used for this purpose.

REINTEGRATION PLAN
A plan devised to ease the young person back into the community safely and securely after an offence has been committed.

REPARATIONS
The act of making amends for a wrong or injury.

REPRIMAND
Scolding and an expression of disapproval.

RIGHT TO COUNSEL
A youth’s right to speak with a lawyer.

SEIZURE
An act of taking possession of a person or property.
SERIOUS VIOLENT OFFENCE
An offence in which a young person causes or attempts to cause serious bodily harm.

SUMMARY CONVICTION OFFENCE
A minor offence such as causing a disturbance in a public place.

VICTIM
A person who has been harmed by the offence and has a right to be informed of and participate in the proceedings.

YOUNG PERSON
A person 12 years of age or older, but less than 18.

YOUTH CUSTODY FACILITY
A facility for placing youth, which may include secure custody, a community based residential centre, group home, childcare centre or a forest or wilderness camp.

YOUTH JUSTICE COMMITTEE
Committee of citizens that help with any aspect of the administration of the Youth Criminal Justice Act, or with any programs or services for young persons.

YOUTH JUSTICE COURT
A court where youth matters are heard.

DID YOU KNOW
In 2003/04, 70,465 cases were processed in youth courts across Canada.

57% of cases heard in youth court resulted in a finding of guilt.
This percentage varied from province to province, with a low of 36% in Yukon to a high of 73% in New Brunswick.
The Youth Criminal Justice Act (YCJA) is a federal law that applies to Canadian youth ages 12 – 17 inclusive who encounter the law, or persons 18 and older who are alleged to have committed an offence as a youth. The legislation aims to create a uniform law across Canada while maintaining flexibility to account for regional differences in the administration of justice.

CRIME PREVENTION
A purpose of the youth criminal justice system is to prevent crime by dealing with the issues that may have caused youth to commit crimes. It aims to rehabilitate young persons who commit offences, reintegrate them into the community, and to ensure that a young person is subject to meaningful consequences.

CHILDREN UNDER TWELVE
Children under the age of 12 years are not governed by the formal youth justice system; this means that they are not arrested or will not go to court. The majority of youth under 12 are not involved in crimes. The system works under the assumption that the small numbers of youth under 12 who do engage in serious crimes can be dealt with more effectively by child welfare or mental health agencies when parents cannot deal with the problems.

A SEPARATE SYSTEM
The criminal justice system for young persons must be separate from that of adults. An important principle in the Youth Criminal Justice Act is that while young people must be held accountable for their crimes, they are also more likely than adult offenders to be rehabilitated and become law-abiding citizens.

Young people must receive fair and proportionate sentences. The type of crime committed should determine the sentence. Youth must also be treated fairly and have their rights protected. It is also important to ensure that there is timely intervention in order to reinforce the link between the offending behaviour and its consequences. Dealing with the crime a year later may not link the crime and the punishment.

The legislation states that measures taken when dealing with youth should be meaningful for youth given their needs and level of development, they should respect gender, ethnic, cultural and language differences and respond to the needs of Aboriginal youth and of youth with special requirements.
Extrajudicial Measures are measures other than court proceedings used to deal with a youth who has allegedly committed an offence. Instead of going to court and having a judge decide the consequence for the offence, there is an alternative route at both a pre-charge and post-charge stage. These alternatives are presumed to be enough to hold first-time, non-violent youth accountable. They should also be used every time they’re enough to hold a youth accountable for his or her crime. This route is often more effective and usually results in a consequence that is more appropriate. There are several different types of extrajudicial measures such as police warnings, Crown cautions, conferencing, referrals to community programs and extrajudicial sanctions. These programs are available at the discretion of each province. (Contact your Provincial Department of Justice for more information.)

EXTRAJUDICIAL MEASURES:
- Provide an effective and timely response to the offending behaviour
- Ensure that young people acknowledge their actions and repair the harm caused to the victim and the community (e.g. repainting a fence that was marked with graffiti)
- Encourage the families of young persons and the community to become involved
- Provide an opportunity for victims to participate in the decision making process and to receive reparation
- Respect the rights and freedoms of young persons
- Must be proportionate to the severity of the offence

The Youth Criminal Justice Act gives the police and Crown Attorneys flexibility to use effective alternatives to court by issuing warnings, administering cautions or by giving referrals.

WARNINGS AND CAUTIONS
Provinces have discretion to adopt warnings and cautions. Under these programs, when a young person has allegedly committed an offence, a police officer is to consider whether it would be better to take no further action, warn the young person, administer a caution or with the young person’s consent refer them to a program or agency in the community to help them. Police cautioning may be an effective method of helping young people
DID YOU KNOW

Extrajudicial measures are an effective means of dealing with youth crime outside the court system.

Chris, age 17

understand that what they did was wrong. Police will explain what the young person has done and also explain that if they re-offend there may be serious consequences. The Attorney General/Minister of Justice of a province may authorize prosecutors to administer Crown cautions to young persons instead of starting or continuing judicial proceedings. Each province has the discretion to decide if police and Crown cautions are suitable.

CONFERENCING
A youth court judge, the provincial director, a police officer, a justice of the peace, a prosecutor or a youth worker may call a conference. The purpose of a conference may be to give advice on appropriate extrajudicial measures, conditions for judicial interim release, appropriate sentences and reintegration plans.

EXTRAJUDICIAL SANCTIONS
Extrajudicial sanctions are the most formal type of extrajudicial measure. Extrajudicial sanctions programs are be implemented by provinces and territories.

“…I guess I never thought about how this might affect his family…”

Peter, age 17

Programs will vary by jurisdiction but underlying principles remain the same across Canada. An extrajudicial sanction may be used to deal with a young person alleged to have committed an offence. Extrajudicial sanctions may only be used if the young person cannot be adequately dealt with by a warning, caution or referral because of the seriousness of the offence, the nature and number of previous offences committed by the young person or any other aggravating circumstances related to the crime.

Extrajudicial sanctions may not be used when a young person denies participation or involvement in the offence or expresses the wish to have the charge dealt with by a youth justice court. Extrajudicial sanctions may only be used if the young person accepts responsibility for the offence, and agrees to be subject to the sanction. If a young person fails to comply with the terms and conditions of the sanction, the case may proceed through the court process.

“…it was a relief actually, because I didn’t have to go to court and I got to have a say in the outcome…”

Peter, age 17
CHAPTER 3

What are Youth Justice Committees?

“giving advice… supporting victims…
ensuring community support…”

(Section 18 YCJA)

Youth Justice Committees are committees of citizens that help with the administration of the Youth Criminal Justice Act or with any programs or services for youth.

Functions of Youth Justice Committees according to the Act:

- To give advice on the appropriate extrajudicial measures to be used
- To support victims by determining their concerns and encouraging the reconciliation of the victim and the young person
- To ensure that community support is available to the young person by finding community services and members of the community to provide short term mentoring and supervision
- To help coordinate the interaction of community groups or child protection agencies with the youth criminal justice system
- To be responsible for advising the Federal and Provincial governments on whether the Youth Criminal Justice Act is being followed and also advising of policies and procedures related to the youth justice system
- To be responsible for giving information to the public on the Youth Criminal Justice Act and the youth criminal justice system
- To act as a conference
YOUTH RIGHTS TIMELINE

TIME OF ARREST

Right to remain silent
If a young person is questioned by the police or placed under arrest, he/she does not have to talk to them. In fact, it is much better to remain silent until after speaking with a lawyer. Anything that a young person says to the police becomes an official statement, even if the officer does not write it down. This statement can then be used against the young person in court.

Right to be informed of the charge
It is the young person’s right to know why he/she is being arrested. The arresting police officer must tell the accused person of this right away.

Right to speak to a lawyer
Anyone accused of a crime has the right to speak to a lawyer immediately and can make as many phone calls as is necessary in order to get in contact with a lawyer.

TRIAL

Right to a lawyer (See Chapter 6)
From the moment a young person comes in contact with the youth criminal justice system until the conclusion of the case, he/she has the right to have the assistance of a lawyer.

If the young person cannot afford a lawyer on his/her own or is unable to obtain one, he/she may be able to receive financial assistance from the legal aid program. If he/she is not eligible for legal aid, the court can appoint a lawyer to the case.

Rights involving parents
(See Chapter 14)
A youth accused of a crime has the right to have his/her parents present with him during police questioning. The parents can also attend court with their child and in some cases, can be compelled to show up in court. The young person’s right to a lawyer is a right that he or she can exercise personally. This means that the lawyer
works for the **young person**, not for his or her **parents**. In court, if the judge decides that the interests of the **parents** are in conflict with the **young person**’s, the judge will make sure that the **young person** is represented by a lawyer independent of his/her parents.

**Right to participate in the trial**
A **young person** has the right to participate and have a fair say in the proceedings.

**Right to privacy**
A **young person**’s name will not be published unless he/she is given an **adult sentence**, or in some cases, if he/she is a danger to others and the **publication** of his/her identity will help the police apprehend him/her. Also, once a **young person** turns 18 and is no longer serving a youth sentence in **custody**, he/she can decide to identify himself/herself as having been dealt with under the **YCJA**.

**Presumed innocence**
A **young person** has the right to be presumed innocent until proven guilty by a fair trial.

**Right to an interpreter**
A **young person** has the right to an interpreter if he/she does not understand or speak the language that the trial is being conducted in, or if he/she is hearing impaired.

**Timely Trial**
A youth trial will be conducted within a reasonable time period of when the alleged offence was committed.

**Adult Sentencing**
If a **young person** is facing a possible **adult sentence**, he/she will not be transferred to **adult** court. This helps ensure the youth right to a timely trial and protects other rights, such as the right to privacy, which would normally be lost in the case of an **adult** trial.

**SENTENCING (See Chapter 9)**
The purpose of the **YCJA** is to help prevent youth crime by addressing the circumstances under which the crime was committed and by providing consequences that are relevant to the offender and that allow **reintegration** into the community.

Because of these goals, the following principles apply when sentencing youth under the **YCJA**:

**Meaningful consequences**
A **young person** should receive consequences that are meaningful and proportionate to the seriousness of the offence.

**Sentences that do not involve custody**
All reasonable alternative sentences other than **custody** should be considered for a **young person** before a **custody** sentence is imposed.

**Reintegration and rehabilitation**
(See Chapter 11)
A **young person** should receive a sentence that promotes successful **rehabilitation** and **reintegration** into the community, helping to prevent future offences and provide comfort and acceptance upon returning to the community.
Timely Sentencing
A young person should receive his/her sentence without unreasonable delay after the time that the crime was committed. This helps ensure that prompt consequences can be directly associated with offensive behaviour.

Needs of youth
A young person’s level of development and any special needs or circumstances that he/she has should be taken into account when assigning a sentence.

Fair and equal treatment
The sentence imposed should respect gender, ethnic, cultural, and language differences, as well as the needs of Aboriginal youth and youth with special requirements.

The sentence imposed must be similar to those of young people who committed similar offences in similar circumstances in the same region.

AFTER THE SENTENCE HAS BEEN SERVED

Closing a youth record
(See Chapter 12)

A young person has the right to ensure that his/her youth record is closed after the time allotted for his/her offence (at least three years after the completion of the sentence for a summary conviction offence and at least five years after the completion of the sentence for an indictable offence).

DID YOU KNOW

Before the Youth Criminal Justice Act came into effect, Canada had one of the highest youth incarceration rates of all the Western countries.
The Process of a Youth Trial

“the youth criminal justice system is intended to ensure that a young person is subject to meaningful consequences for his or her offence”

(Section 3 YCJA)

THE PROCESS OF A YOUTH TRIAL
If a young person is charged with an offence and pleads not guilty, then she/he will have to appear in court so that a judge can determine his/her guilt or innocence. If she/he is found guilty, the judge shall determine what sentence will be imposed. If court proceedings are required, there is a particular series of events that will be followed:

DUTY TO APPEAR IN COURT
A young person will be assigned a time to appear in court. If he/she does not attend, the police can get a warrant to arrest that person for failing to appear.

FIRST APPEARANCE
At the first court appearance, the judge will read the charge(s) filed against the young person and ensure that he/she understands.

The young person will be asked to plead either guilty or not guilty. If he/she pleads not guilty the judge will set a date for a trial. If he/she pleads guilty, the judge will proceed to sentencing. However, in most circumstances, this would not happen during the same appearance.

TRIAL PROCEEDINGS
During the trial, it is the Crown Attorney’s duty to present all relevant evidence to the court. The Crown Attorney will present his/her evidence and witnesses first. Once the Prosecution has completed presenting its evidence, the Defence Counsel is given the opportunity to present evidence on behalf of the accused.

Once the Crown Attorney and the Defence Counsel have finished presenting their evidence, they may each make a statement summing up their arguments. The judge will then make his/her decision.

SENTENCING
If the accused young person is found guilty, he/she will be given a sentence by the judge.

There are many different sentences the judge can choose to apply. The sentence chosen will depend on the severity of the crime and any other circumstances that the judge decides are relevant.

DID YOU KNOW

In 2003/04, 63% of young persons who were found guilty, received a sentence of probation, the most commonly ordered sentence for youth.
CHAPTER 6

Right to Counsel for Youth

“a young person has the right to retain and instruct counsel…”

(Section 25 YCJA)

Under the Youth Criminal Justice Act, youth must be given an opportunity to obtain counsel (a lawyer). If arrested or detained the youth must be advised of their rights, including their right to a lawyer without delay by the arresting officer or the officer in charge.

If a young person is not represented at a hearing, he/she must be advised of his/her right to speak with a lawyer. Also, if the young person is unable to afford the cost of a lawyer, he/she must be referred to the legal aid program (if the program is available in that province), and if the young person wants to get a lawyer but cannot get one through Legal Aid, then the Attorney General/Minister of Justice of the province shall appoint a lawyer on his/her behalf. In some instances, the costs may be later recovered from the young person or his/her parent, depending on the circumstances.

When the young person is not represented by a lawyer, he/she may be assisted by an adult if the court deems the adult suitable.

DID YOU KNOW

The Charter of Rights and Freedoms guarantees the right to counsel.
CHAPTER 7

Role of the Lawyer

“A young person has the right to retain and instruct counsel without delay”

(Section 25(1) YCJA)

Under the Youth Criminal Justice Act, a young person must be given an opportunity to obtain counsel (a lawyer). This is true whether or not the young person has been charged, arrested, or detained. If arrested or detained, the young person must be advised of his/her right to a lawyer without delay.

HIRING A LAWYER

There are a number of different ways to get in contact with a lawyer. If a young person cannot afford to hire a lawyer, he/she can apply to legal aid for financial assistance (if the program is available in that province). A young person can also find a lawyer in the yellow pages of the phone book, through word of mouth, or through a Lawyer Referral Service. (Please refer to the Lawyer Referral Listings at the end of the book)

If the young person has not yet received the assistance of a lawyer at the time of a hearing, the court shall advise the young person of his/her right to a lawyer and give him/her an opportunity to consult one. If the young person wants to get a lawyer but is unable to get one, even through legal aid, the judge will appoint a lawyer for him/her.

In some instances, the costs may be later recovered from the young person or his/her parent(s), depending on the circumstances. When the young person is not represented by a lawyer, he/she may be assisted by an adult if the court deems the adult suitable.

A lawyer has several important duties to perform when accepting a case:

1) The lawyer will prepare the client for dealing with the police and should be present to assist the client if he/she is making a statement.
2) The lawyer will prepare the client’s defence and represent him/her during the trial. The lawyer will make sure that the evidence in the client’s favour is presented in the best way possible and that the trial proceeds fairly.
3) If the client pleads guilty, the lawyer will do the best he/she can to get the best possible sentence for the client.
4) It is the lawyer’s job to answer any questions that the young person may have during the entire legal process.
5) It is important to remember that the lawyer involved is working for the young person, not for his/her parents, regardless of who is paying for the lawyer. The young person is the client, not his/her parents.
The Youth Justice Court presumes that detention is not necessary unless it is for the protection or safety of the public.

A young person shall not be kept in custody as a substitute for appropriate child protection, mental health or other social measures.

“... the lawyer that day helped me understand the charges against me and what might happen...”

Andrew, age 15

DID YOU KNOW

Five offences accounted for 51% of the youth caseload in 2003/04. These were: theft (13%), failure to comply with a disposition under the Youth Criminal Justice Act/Young Offenders Act (11%), common assault (11%), break and enter (9%), and possession of stolen property (7%).
The purpose of youth sentencing is to contribute to the protection of society by holding a **young person** accountable for an offence, imposing fair sanctions with meaningful consequences and promoting **rehabilitation and reintegration** into the community.

The sentence must not result in a punishment that is greater than the punishment an **adult** would receive if he/she had been convicted of the same offence committed in similar circumstances.

The sentence must be **proportionate** to the seriousness of the offence and the degree of responsibility of the **young person**. It must be meaningful and promote **rehabilitation and reintegration**. Also, the sentence must be similar to the other sentences imposed on similar **young people** in the same region for the same offence.

All available reasonable sanctions other than **custody** should be considered with particular attention to the circumstances of Aboriginal youth.

**THE SENTENCE MUST:**

- Be the least restrictive while achieving the overall goals of youth sentencing
- Be the one that is most likely to **rehabilitate** the **young person** and **reintegrate** him/her into the community
- Promote a sense of responsibility in the **young person**, and an acknowledgment of the harm done to **victims** and the community

**DID YOU KNOW**

Crime costs Canadians $9.7 billion dollars annually.
When determining a youth sentence, the Act sets out the following factors that the Youth Justice Court must take into account:

- The degree of participation by the young person in the offence
- The harm done to victims and whether it was intentional or reasonably foreseeable
- Any reparation made by the young person to the victim or the community
- The time spent in detention by the young person as a result of the offence
- The previous findings of guilt of the young person
- Any other circumstances related to the young person or the offence

WHAT ARE SOME SENTENCING OPTIONS?
- It is important to keep in mind that every case is different. Depending on the circumstances, different sentences can be used.
- Before sentencing, the Youth Criminal Justice Act requires that alternatives to custody for all youth be considered with particular attention to the circumstances of Aboriginal youth.

ACCORDING TO THE ACT, SOME OF THE VARIOUS SENTENCING OPTIONS INCLUDE:
- A reprimand
- An order that the young person be discharged absolutely or with conditions
- An order to pay the victim to compensate for the loss or damage of property
- An order to return property to the victim
- An order to compensate the victim in any way
- An order to perform community service
- An order for the young person to be placed on probation
- A fine (a percentage may be used to provide assistance to victims’ organizations) note: this percentage does not go directly to the victim
- An order of prohibition, seizure or forfeiture
- An order to attend a non-residential program or an intensive support and supervision program
- An order that the young person serve a sentence in custody and a mandatory period of supervision in the community

Under the Youth Criminal Justice Act custody is reserved mainly for violent or repeat offenders. All custody sentences include a period of custody and a period of mandatory supervision in the community. A reintegration plan must also be established while the youth is in custody.

IRCS
(Intensive Rehabilitative Custody and Supervision)
The Youth Criminal Justice Act creates a new intensive rehabilitative custody and supervision (IRCS) order for the most violent, high-risk youth so that they get the treatment they need.
According to the Act, a youth justice court may make an intensive rehabilitative custody and supervision (IRCS) order only if:

- The young person has been found guilty of first degree murder, second degree murder, manslaughter, attempting to commit murder, or aggravated sexual assault or if the young person has been found guilty of a serious violent offence and had previously been found guilty at least twice of a serious violent offence, and,
- The young person is suffering from a mental illness or disorder, a psychological disorder or an emotional disturbance, and,
- A plan of treatment and intensive supervision has been developed and it is reasonable to believe that the plan would reduce the risk of the youth committing another serious violent offence.
- The Provincial Director/Director of Corrections has determined that an intensive rehabilitative custody and supervision program is available and it would be appropriate for the young person to participate.

**ADULT SENTENCES**

Under the Youth Criminal Justice Act, adults sentences may be given to young people 14 and older who are found guilty of any offence for which an adult could get a prison sentence of more than two years, if convicted. However, under the Youth Criminal Justice Act, the young person will not be transferred to adult court for the trial. If the offence justifies an adult sentence, the sentence will only be imposed after a trial in youth court. The court can only give an adult sentence if it determines that no youth sentence would be long enough to hold the young person accountable.

The Youth Criminal Justice Act includes provisions to encourage community-based sentences, such as compensation for victims, community service, and supervision in the community. The Youth Criminal Justice Act also allows courts to impose adult sentences upon a finding of guilt when certain criteria are met.

**DID YOU KNOW**

Crime prevention can be achieved through education, community initiatives and the development of youth programs.
According to the Youth Criminal Justice Act, the purpose of youth custody and supervision is to contribute to the protection of society. Custody and supervision are also important in assisting youth to be rehabilitated and reintegrated into the community as law abiding citizens, by providing effective programs while in custody and under community supervision.

There are several principles to be followed. Primarily, the least restrictive measures consistent with the protection of the public, people working with the young person and the young persons themselves will be used. The youth sentenced to custody retains the rights of other youth, except the rights removed or restricted as a consequence of the sentence they received. The youth custody and supervision system must encourage the involvement of the families of young people and members of the public. Decisions about custody and supervision must be made in a fair and timely manner, and the youth must have access to an effective review procedure.

A young person under 18 years of age serving a youth sentence is usually held separate and apart from any adult who is detained or held in custody. The Provincial Director/Director of Corrections or the youth justice court may be responsible for determining the appropriate level of custody for the young person after taking into account the factors involved.

**THE YOUTH CRIMINAL JUSTICE ACT:**
- Requires that youth serving a youth sentence be held separately from adults to reduce the risk that they will be exposed to adult criminals
- Requires all periods of custody to be followed by a period of mandatory supervision and support in the community, which is usually equal to half the period of custody. This allows authorities to closely monitor and control the young person and to ensure that he/she receives the necessary treatment and programs to return safely and successfully to the community. (For example, if a youth is sentenced to four months in custody, he/she will also serve two months of supervision in the community.)
• Requires that during the period of supervision the youth must keep the peace and be of good behaviour, report to a youth worker, and not possess weapons, among other conditions.

• Requires that while a young person is in custody, a youth worker must work with them to prepare a reintegration plan. This plan identifies programs the youth needs to help him/her successfully return to the community. It is implemented while the youth is in custody and continues when he or she begins the period of supervision in the community.

• Gives the provinces more responsibility in determining the level of security when a youth is placed in custody.

Community based programs can involve a variety of organizations and services as well as the victim, the offender, parents and others. They can also be tailored to meet the particular needs of an individual youth. In all cases, the emphasis is on ensuring that the young person is held fairly accountable for his or her actions and faces meaningful consequences. Participating in these programs can help a youth understand the harm done and assist him/her in developing attitudes, values and skills that prevent re-offending.

55% of cases before youth courts involved older youths, aged 16 and 17 years.
A n important principle in the Youth Criminal Justice Act is that while young people must be held accountable for their crimes, they are also more likely than adult offenders to be rehabilitated and become law-abiding citizens. Youth that are effectively reintegrated have a decreased chance of re-offending. The new youth justice system aims to protect Canadians by preventing further crimes through rehabilitating young people and reintegrating them into the community.

The long term protection of society is best served by ensuring that youth are supervised and supported, particularly during the critical time when they re-enter the community.

If it is necessary or desirable that the young person be absent, with or without escort, for medical, compassionate or humanitarian reasons or for the purpose of rehabilitation or reintegration into the community, reintegration leave may be granted for a period up to 30 days.

Pursuant to the Act, a young person may be released from the youth custody facility in order to:
- Attend school or any other educational or training institution
- Obtain or continue employment
- Participate in a program specified by the Provincial Director/Director of Corrections that will enable the young person to work or improve his/her education or training
- Attend an out-patient treatment program or other program that provides services that are appropriate for the young person’s needs

Reintegration into the Community

“Bringing young people back into the community after they have committed an offence” (Sections 83-109 YCJA)
POLICE AND COURT RECORDS
Under the Youth Criminal Justice Act, a youth justice court, review board or any court may keep a record of any case that comes before it. A record relating to any offence alleged to have been committed by a young person may be kept by any police force responsible for the investigation.

EXTRAJUDICIAL MEASURES
A person or organization may keep records obtained as a result of extrajudicial measures or for the administration of youth justice.

DISTRIBUTION OF RECORDS
Youth records are not automatically destroyed once the young person reaches the age of 18. If a young person is found guilty of a summary conviction offence, records can be accessed for a period of at least three years after the completion of the sentence. If the young person is found guilty of an indictable offence, the records can be accessed for a period of at least five years after the sentence has been completed. This means that a period of time must be observed before records are no longer accessible regardless of the age of the young person. For example, if a young person is found guilty of a summary conviction offence at the age of seventeen and they complete their sentence when they are eighteen, then his/her records would still be accessible until at least three years later when he/she is twenty-one years or older. If the finding of guilt was for an indictable offence, his/her records would be accessible for at least five years until he/she reaches the age of twenty-three years or older. If the young person commits another offence while the record for the original offence is still open, then these timelines get longer. If the young person commits another offence after they turn 18 but while their youth record is still open, then the youth record will become part of their permanent adult criminal record.
CHAPTER 13
Publication of Names

“the names of youth shall not be publicized unless certain circumstances apply”

(Sections 110-112 YCJA)

Under the Youth Criminal Justice Act, the names of offending youth are permitted to be publicized only:

- If an adult sentence is imposed
- In exceptional cases, if a youth sentence is imposed for first degree murder, second degree murder, attempt to commit murder, manslaughter, aggravated sexual assault or serious violent offences, unless the judge decides publication is inappropriate
- If the court determines that the youth is dangerous and at large (harmful to the public and escaped from detention or suspected in a serious offence) and publishing the young person’s identity is necessary to help police apprehend him or her
- If after a young person reaches 18 years he/she wishes to publish information that would identify him or her as having been dealt with under the Youth Criminal Justice Act or Young Offenders Act on the condition that he or she is not serving a youth sentence in custody at the time

Otherwise, under the Youth Criminal Justice Act, the publication of names is prohibited.

DID YOU KNOW

36 % of youth found guilty of a crime were charged with property offences.
Parents have rights under the *Youth Criminal Justice Act*. They have the right to information regarding what is happening to their child and they should be heard in the youth justice system. Parents also are encouraged to support their child while they are involved in the system and most importantly, during the rehabilitation and reintegration of their child.

Parents will receive notices upon their child’s arrest or detainment that include the name of the youth, the charge, time and place of appearance and notification of the youth’s right to a lawyer. Parents usually cannot be excluded from the court proceedings involving their child. Parents may also have access to their child’s records held by the youth justice court, review boards, police records or government records during the court proceedings or during the term of the sentence.

The youth justice court may order a parent to attend at any stage in the proceedings. If the parents who are ordered do not attend they may be found guilty of contempt of court and can be punished under the *Criminal Code of Canada*.

The youth justice court is required to consider a pre-sentence report before sentencing a young person to custody. The report shall include an interview with parents, if reasonably possible, details regarding the relationship between the young person and the parents and the degree of control and influence the parents have over the youth.

**DID YOU KNOW**

There has been a 33% decline in the overall youth caseload since 1991/92, including a 17% decline following the introduction of the Youth Criminal Justice Act. This is the largest annual decrease during this time period.
Parents have the right to be notified when their child has been:
- Dealt with by extrajudicial sanctions
- Arrested
- Given notice of summons, appearance notice or promise to appear
- Given a ticket, other than a parking ticket
- The subject of a pre-sentence report in some circumstances
- The subject of a medical or psychological report in some circumstances
- Sentenced
- Given a prohibition order

Parents have the right to be heard before the youth is sentenced, at the review of the youth sentence, and if necessary at the hearing deciding where the youth will serve an adult sentence.
Victims of youth crime have rights under the Youth Criminal Justice Act. They should be notified of the proceedings. They should also be given an opportunity to participate and to be heard.

The use of extrajudicial measures can be of benefit to victims. They can provide an opportunity for victims to participate in the measures taken against the young person. These measures not only encourage youth to acknowledge their actions but also to repair the damages suffered by the victim. Additionally, extrajudicial measures provide an opportunity for victims to participate in the decisions regarding the consequences for the youth and also to benefit from the reparations by the youth. If the victim chooses not to participate in extrajudicial sanctions he/she has the right to request information regarding the identity of the youth and how the offence was dealt with.

Youth Justice Committees also support victims of crime by examining and determining the concerns of the victims and facilitating the reconciliation of the victim and the youth. The victim must be notified of the compensation order.

The Youth Criminal Justice Act also clearly states that victims should be treated with courtesy, compassion and respect for their dignity and privacy and should suffer the minimum degree of inconvenience as a result of their involvement in the youth justice system. Youth justice courts are required to consider a pre-sentence report before sentencing a young person to custody. If possible, the report shall include an interview with the victim, and the court may provide a copy if requested by the victim.

Victims may have access to police, court and government records regarding the case that they were involved in.

The name of a child or youth victim cannot be published in the media.

“… at first I didn’t want to go and have to talk about how she was picking on me… but now I think she understands how she hurt me… now I am not scared of her anymore…”

Melissa, age 15
Questions and Answers for Youth

Q I am moving to another part of Canada; does each province have a different criminal law for youth?
A No, the Youth Criminal Justice Act is a Canadian law. However, each province may have discretion in some aspects of the Act and may offer different programs. For specific details, please check with your province’s/territory’s Department of Justice.
See Chapter 1: Youth Criminal Justice Act

Q Why should I participate in extrajudicial sanctions instead of going to court?
A Extrajudicial sanctions are an alternate route to court room procedures. They are often more effective and usually result in a consequence that is more appropriate for you. If you successfully complete the extrajudicial sanction, you will not have a youth record and may be able to contribute to the decision of the appropriate consequences for your actions. These sanctions are only available to you if you accept responsibility for your actions.
See Chapter 2: What are Extrajudicial Measures?

Q What is a Youth Justice Committee?
A Youth Justice Committees are committees of citizens that help with the administration of the Youth Criminal Justice Act or with any programs or services for youth. Youth Justice Committees give advice on the appropriate extrajudicial measures to be used. They also support victims and ensure that community support is available to the young person.
See Chapter 3: What are Youth Justice Committees?

Q I have to go to court next week; do I have the right to a lawyer?
A Under the Youth Criminal Justice Act, you have the right to have a lawyer. If you do not have a lawyer with you at the hearing, you will be advised by the court of your right to obtain counsel. If you cannot afford a lawyer, you should be referred to legal aid, and if you cannot get a lawyer through legal aid, a lawyer may be appointed to you by the Attorney General. If you are not represented by counsel, and the court agrees, you may be assisted by an adult. It is very important that you receive legal advice about the charges and the court procedures.
See Chapter 6: Right to Counsel for Youth
Q I have committed an offence. Will I go to adult court?
A No, under the Youth Criminal Justice Act, you will not be transferred to an adult court for your trial. If your offence warrants an adult sentence, your sentence will only be imposed after a trial in youth court.
See Chapter 9: Youth Sentencing

Q If I go to jail, will I be put with adults?
A The general rule is that a young person under the age of 18 who receives a sentence involving custody is to be placed in a youth facility separate and apart from adults.
See Chapter 10: Custody and Supervision

Q What happens after I finish the custody portion of my sentence?
A After you complete the custody portion of your sentence you will be released into the community for a period of supervision under conditions. The custody and community portions of your sentence are set by the judge when you are first sentenced. When you begin your sentence, a youth worker will work with you to develop and implement a reintegration plan to ensure a smooth and supported transition / reintegration back into the community.
See Chapter 11: Reintegration into the Community

Q What will happen to my youth record when I turn 18?
A Youth records are not automatically destroyed when you turn 18. If you are found guilty of a summary conviction offence, your records will be kept for a period of at least three years after the completion of your sentence. If you are found guilty of an indictable offence, your records will be kept for a period of at least five years after the completion of your sentence. For example, if you are found guilty of a summary conviction offence when you are seventeen and you complete your sentence when you are eighteen, then your records would still be accessible until three years later when you are twenty-one or older. If the finding of guilt was for an indictable offence, your records would be accessible for five years until you are twenty-three years or older, depending on the nature of the crime. (This is assuming no subsequent offence was committed during the time that the record is “open”. The rules change if another offence is committed during this time.)
See Chapter 12: Youth Records
I was charged with stealing a car. Will all my friends at school find out about it in the newspaper?

No, in this case your name cannot be published. Under the Youth Criminal Justice Act, in most cases your name can not be publicized. The names of offending youths are only permitted to be publicized if an adult sentence is imposed, if the court determines that the youth is dangerous and at large and publishing his or her name will help the police to apprehend him or her, or if a youth sentence is imposed for a very serious violent offence such as manslaughter, first degree murder, second degree murder, attempt to commit murder, aggravated sexual assault or serious, repeat violent offences.

See Chapter 13: Publication of Names

Can my mom or dad go to court with me?

Yes, your parents can go to court with you. Your parents have the right to information regarding what is happening to you and are notified of the court hearing. They also have access to your records held by the youth justice court.

See Chapter 11: Information for Parents

I was a victim of an offence. Do I get a chance to say how I was affected?

In most circumstances, as a victim you will have a chance to say how you were affected by the crime. Victims have the opportunity to participate in youth court and in some extrajudicial sanctions.

See Chapter 12: Information for Victims

DID YOU KNOW

Victims should be given an opportunity to be heard in a youth justice matter.
The Youth Criminal Justice Act is an important part of the renewal of the youth justice system. Its collaborative and community effort is a new and innovative approach with emphasis on meaningful consequences, rehabilitation and reintegration and effective crime prevention.

It is important to note that this book is intended to provide general information only and cannot be considered an official source of law. If you have a specific problem, you should contact a lawyer in private practice or your local legal aid office. Also, it is important to remember that laws change constantly and new amendments and legislation may affect the information provided herein. Unless otherwise stated, the information provided in this book is accurate as of March 2006.
DRUG RELATED OFFENCES
Importing/exporting narcotics, trafficking of narcotics, possession of narcotics, failure to disclose previous prescriptions, cultivation, trafficking in drugs, possession of drugs, importing/exporting controlled drugs and possession of controlled drugs

OTHER CRIMINAL CODE OFFENCES
Impaired operation, escape custody, unlawfully at large, failure to appear, breach of recognizance, failure to comply, attempt/accessories/conspiracy, disorderly conduct/nuisances, abduction, procuring, bawdy house, soliciting, other motor vehicle offences, gaming and betting against the administration of justice, currency offences, exposure/public nudity, public morals, public order, offences against the person

PROPERTY CRIME
Breaking and entering, arson, taking a vehicle without consent, theft over $5000, unspecified theft, false pretences, forgery, other fraudulent transactions, possession of stolen property, mischief/damage

VIOLENT CRIME
Murder, manslaughter, attempted murder, aggravated sexual assault, sexual assault with a weapon, sexual assault, rape/indecent assault, aggravated assault, assault with weapon, assault causing bodily harm/intent, minor assault, unlawfully causing bodily harm, assaulting a peace officer, other assault, robbery, dangerous use of a weapon, possession of a weapon, other weapon offences, infanticide and other related kidnapping/hostage taking, extortion, other sexual offences, criminal negligence
# Differences Between the YCJA and YOA

<table>
<thead>
<tr>
<th>DECLARATION OF PRINCIPLE</th>
<th>YOUTH CRIMINAL JUSTICE ACT</th>
<th>YOUNG OFFENDER’S ACT</th>
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<tbody>
<tr>
<td>Provides a clear statement of goal and principles underlying the Act and youth justice system.</td>
<td>Does not identify the principal goal of the system; contains inconsistent and competing principles.</td>
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<tr>
<td>Includes specific principles to guide the use of extrajudicial measures, the imposition of a sentence and custody.</td>
<td>Contains some of the same themes as the YCJA.</td>
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<td></td>
<td>Is not supplemented by more specific principles at the various stages of the youth justice process.</td>
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<tr>
<th>MEASURES OUTSIDE THE COURT PROCCESS</th>
<th>YOUTH CRIMINAL JUSTICE ACT</th>
<th>YOUNG OFFENDER’S ACT</th>
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<tbody>
<tr>
<td>Creates a presumption that measures other than court proceedings should be used for a first, non-violent offence.</td>
<td>Allows the use of measures other than court proceedings (alternative measures) but does not create a presumption that they should be used for minor offences.</td>
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<tr>
<td>Encourages their use in all cases where they are sufficient to hold a young person accountable.</td>
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<td>Encourages the involvement of families, victims and community members.</td>
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<tr>
<th>VOLUNTARY STATEMENTS TO POLICE</th>
<th>YOUTH CRIMINAL JUSTICE ACT</th>
<th>YOUNG OFFENDER’S ACT</th>
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<tbody>
<tr>
<td>Can be admitted into evidence, despite minor, technical irregularities in complying with the statutory protections for young persons.</td>
<td>Any minor violation of statutory protections prevents a statement from being admitted into evidence.</td>
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<tr>
<td>YOUTH CRIMINAL JUSTICE ACT</td>
<td>YOUNG OFFENDER’S ACT</td>
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<td><strong>SENTENCING PRINCIPLES:</strong></td>
<td><strong>SENTENCING PRINCIPLES:</strong></td>
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<tr>
<td>• Includes specific principles, including need for proportionate sentences and importance of rehabilitation.</td>
<td>• Included in general principles; sometimes inconsistent and competing principles.</td>
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<tr>
<td><strong>SENTENCING OPTIONS:</strong></td>
<td><strong>SENTENCING OPTIONS:</strong></td>
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<tr>
<td>• Custody reserved mainly for violent or repeat offences.</td>
<td>• No restriction on use of custody.</td>
<td></td>
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<tr>
<td>• All custody sentences to be followed with a period of supervision in the community.</td>
<td>• No requirement for community supervision following custody.</td>
<td></td>
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<tr>
<td>• New options added to encourage use of non-custody sentences and support reintegration.</td>
<td>• Does not provide for YCJA options like reprimand, intensive support and supervision or intensive rehabilitative custody and supervision order for serious violent offenders.</td>
<td></td>
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<tr>
<td>• Creation of intensive rehabilitative custody and supervision order for serious violent offenders.</td>
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<tr>
<th>ADULT SENTENCES</th>
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<tr>
<td>• Youth justice court empowered to impose an adult sentence, eliminating transfer to adult court.</td>
<td>• Lengthy transfer hearing prior to trial that takes place in adult court without special procedural protections granted for youth.</td>
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<tr>
<td>VICTIMS</td>
<td>YOUNG OFFENDER’S ACT</td>
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<td>------------------------------------------------------------------------</td>
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<tr>
<td>• Concerns of victims are recognized in principles of the Act.</td>
<td>• No mention of victims in principles.</td>
</tr>
<tr>
<td>• Victims have right to access youth court records and may be given access to other records.</td>
<td>• Victims may be given access to records.</td>
</tr>
<tr>
<td>• Role in formal and informal community-based measures is encouraged.</td>
<td>• No recognition of victims’ role in the process other than the right to produce a victim’s impact statement.</td>
</tr>
<tr>
<td>• Establishes right of victims to information on extrajudicial sanctions taken.</td>
<td>• No right of victims to information on alternative measures taken.</td>
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<tr>
<th>PUBLICATION</th>
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<tr>
<td>• Permitted if an adult sentence is imposed; or in rare cases if a youth sentence is imposed for the most serious violent offences, unless the judge decides publication is inappropriate.</td>
<td>• Permitted only if a youth is transferred to adult court to be sentenced as an adult.</td>
</tr>
<tr>
<td>• Permitted only after the young person has been found guilty.</td>
<td>• Permitted before the youth is found guilty.</td>
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<tr>
<th>ADVISORY GROUPS - CONFERENCES</th>
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<tr>
<td>• Allows advisory groups or “conferences” to advise police officer, judge or other decision-maker under the Act.</td>
<td>• No provision.</td>
</tr>
<tr>
<td>• They can advise on appropriate extrajudicial measures, conditions for release from pretrial detention, appropriate sentences and reintegration plans.</td>
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<tr>
<td>• Conferences may include parents of the young person, victim, community agencies or professionals.</td>
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**YOUTH CRIMINAL JUSTICE ACT**

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<thead>
<tr>
<th>Custody and Reintegration</th>
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<tbody>
<tr>
<td>All custody sentences comprise a portion served in custody and a portion served under supervision in the community.</td>
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<tr>
<td>A plan for reintegration in the community must be prepared for each youth in custody.</td>
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<tr>
<td>Reintegration leaves may be granted for up to 30 days.</td>
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**YOUNG OFFENDER’S ACT**

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<tr>
<td>No requirement to plan reintegration during custody.</td>
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<tr>
<td>Temporary leaves may be granted for up to 15 days.</td>
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<tr>
<td>Reintegration leaves may be granted for up to 30 days. No requirement that there be supervised reintegration after custody.</td>
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All Parliamentary publications are available on the
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www.parl.gc.ca
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### MANITOBA
- (204) 985-8500
- (204) 944-8582 FAX

### SASKATCHEWAN
- (306) 933-5300
- (306) 933-6764 FAX

### ALBERTA
- (780) 427-7575
- (780) 427-5909 FAX

### BRITISH COLUMBIA
- (604) 601-6000
- (604) 682-0914 FAX

### YUKON
- (867) 667-5210
- (867) 667-8649 FAX

### NORTHWEST TERRITORIES
- (867) 920-3160
- (867) 873-5320 FAX

### NUNAVUT
- (867) 360-4601
- (867) 360-6112 FAX
NEWFOUNDLAND AND LABRADOR
Public Legal Information Association of Newfoundland and Labrador
(709) 722-2643
http://www.publiclegalinfo.com/

NOVA SCOTIA
Legal Information Society of Nova Scotia
(902) 455-3135 (Halifax Regional Municipality) or
1-800-665-9779 (toll free in NS)
http://www.legalinfo.org/referral.html

NEW BRUNSWICK
New Brunswick does not have a lawyer referral service. To find a lawyer in New Brunswick, please look under “lawyers” in the yellow pages of your telephone book.

PRINCE EDWARD ISLAND
Community Legal Information Association of Prince Edward Island
1-800-240-9798 or (902)892-0853
www.cliapei.ca

QUEBEC
Barreau du Québec (available only in French)
Montréal : 514-866-2490
Québec : 418-529-0301
ailleurs au Québec : 514-954-3528 /
1-866-954-3528
http://www.barreau.qc.ca/infos/default.asp

ONTARIO
Law Society of Upper Canada
Toll line: ($6.00/call): 1-900-565-4LRS (4577)
If in crisis, contact: Toll-free: 1-800-268-8326 or 416-947-3330*
*(i.e. victims of domestic violence; incarcerated or institutionalized callers)
http://www.lsuc.on.ca/about/a/contact/

MANITOBA
Community Legal Education Association of Manitoba
943-2305 or toll free 1-800-262-8800 (from outside Winnipeg only please). For a referral to a lawyer only, you can also call 943-3602.
http://www.communitylegal.mb.ca/refer.asp

SASKATCHEWAN
Law Society of Saskatchewan
(306) 359-1767
Toll Free no. in Saskatchewan 1-800-667-9886
http://www.lawsociety.sk.ca/NewLook/Programs/referral.htm

ALBERTA
Law Society of Alberta
1-800-661-1095
Toll Free number valid only in (Alberta, Saskatchewan, Lower Mainland British Columbia, Yukon, NWT, and Nunavut) or 403-228-1722 in Calgary
http://www.lawsocietyalberta.com/publicservices/lawyerReferralService.cfm

BRITISH COLUMBIA
Canadian Bar Association British Columbia
(604) 687-3221
1-800-663-1919
http://www.cba.org/BC/home/main/

YUKON
Law Society of Yukon
(867) 668-4231
http://www.lawsocietyyukon.com/referral.asp

NORTHWEST TERRITORIES
Law Society of the Northwest Territories
(867) 873-3828
http://www.lawsociety.nt.ca/

NUNAVUT
Nunavut does not have a lawyer referral service. To find a lawyer in Nunavut, please look under “lawyers” in the yellow pages of your telephone book.
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PLIAN’s Youth Justice Quiz

1. The Youth Justice Act covers people ages 12-17 inclusive.
   TRUE____ FALSE____

2. Youth commit most property crimes.
   TRUE____ FALSE____

3. Young people have the right to a lawyer.
   TRUE____ FALSE____

4. Jail is the only option for youth that have been charged with a crime.
   TRUE____ FALSE____

5. Parents do not have a right to know what is happening to their child who has been arrested.
   TRUE____ FALSE____

6. The victim of a crime has an important role in the sentencing of a youth who has been found guilty.
   TRUE____ FALSE____

7. Preventing crime is a good way to protect the public.
   TRUE____ FALSE____
PLIAN’s Youth Justice Word Scramble

1. traxe cujldiai sseermau
2. hoyut icestju mteisocmte
3. mrice rnieepvton
4. girth ot sounecl
5. greattinerion
6. efnoceernc
7. touyh sitejuc rocut
8. epamntdrte fo tcjieur
9. yailcotonacubit
10. fingeaneumul sqeocnceueuns
11. sepnosrbiiltiy
12. licpbu lgeal mrofinaiotn

Also available on our website: www.publiclegalinfo.com
WORDS TO FIND:

MEASURES  TRIAL  LAWYER
STEAL      CRIME    REINTEGRATION
PREVENT    VICTIM   ALTERNATIVES
COURT      PLIAN    JUSTICE
PARENT     YOUTH    CONSEQUENCES
PUBLIC     CRIMINAL COMMUNITY
ACT        RIGHTS   BREAK
JUDGE      ENTER
LAW        REHABILITATION
ANSWERS TO YOUTH JUSTICE QUIZ

Q.1 True. The *Youth Criminal Justice Act* covers youth ages 12 – 17 inclusive

Q.2 False. Adults commit 54% of property crimes. Youth commit 46% of property offences. These include offences such as vandalism, theft and shoplifting. Of the total numbers of youth crime, 78% are non-violent offences such as property or drug charges.

Q.3 True. Youth have the right to consult counsel. A lawyer can be obtained by parents, through legal aid, or be appointed by the court.

Q. 4 False. Jail is one of the many options for youth who have committed crimes. There are a range of *extrajudicial measures* that can be used at various stages of the procedure, including warnings by the police, cautions from the *crown*, or referrals. In fact, under the *YCJA*, *custody* is reserved mainly for violent or repeat offenders.

Q. 5 False. Parents are guaranteed the right to know what is happening to their children under the *Youth Criminal Justice Act*. They should receive notification of what is happening to their *child* at all points during the court process. They may also have the obligation to attend court with their *child* and possibly pay for legal representation.

ANSWERS TO WORD SCRAMBLE

1. extra judicial measures
2. youth justice committees
3. crime prevention
4. right to counsel
5. reintegration
6. conference
7. youth justice court
8. department of justice
9. accountability
10. meaningful consequences
11. responsibility
12. public legal information

PLIAN’s Youth Justice Quiz, PLIAN’s Word Scramble, and PLIAN’s Word Search are also located on our website. www.publiclegalinfo.com
A new law....

... a new collaborative approach

Prevention of crime...

Rehabilitation and Reintegration...

Meaningful consequences...