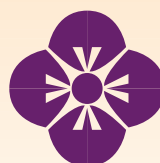


A CHANCE *for change*



Video User's Guide



Public Legal Education
and Information Service
of New Brunswick

Public Legal Education and Information Service of New Brunswick (PLEIS-NB) is a non-profit organization. Its goal is to provide New Brunswickers with information on the law.

PLEIS-NB receives funding and in-kind support from the Department of Justice Canada, the New Brunswick Law Foundation and the New Brunswick Department of Justice. Project funding for this video and users guide was provided by Youth Justice Policy, Department of Justice Canada and the National Youth Strategy, Royal Canadian Mounted Police.

We gratefully acknowledge the cooperation of, the New Brunswick Department of Public Safety, the New Brunswick Department of Justice, the National Crime Prevention Centre, and the members of our Advisory Committee.

This guide does not contain complete statement of the law in this area. Laws change over time and those changes may affect the information provided in this guide. Anyone needing advice on his or her specific legal position should consult a lawyer.



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and Information Service
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2005

ISBN 1-55396-591-4

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I. Using the Video and Guide



Purpose of the Video and Discussion Guide

The purpose of the video and the accompanying discussion guide is to create awareness of Canada's new *Youth Criminal Justice Act (YCJA)*, which replaced the **Young Offenders Act (YOA)** on April 1, 2003. Although the guide provides an overview of the YCJA, it is intended to explore and promote discussion of one element of the *Act* in particular - **extra-judicial measures**. To foster plain language discussion, the guide refers to such measures as "out-of-court responses". Words in bold are defined in the glossary at the end of this guide.

Intended Audience

This video is intended for a wide audience. Although the reasons for viewing it and the focus of discussion may vary, it is an excellent resource for

- teachers and school administrators
- parents and youth
- victims of youth crime
- youth servicing agencies
- community organizations
- police and others involved in the youth justice system
- crime prevention societies
- anyone interested in learning more about the *Youth Criminal Justice Act*

How to use the guide

The video touches on many youth justice issues and themes that could become a springboard for further discussion. The guide will help facilitators to structure follow up discussion and provide accurate information about youth crime, the principles underlying the new *Act*, and youth crime prevention. The guide covers a range of discussion questions and group exercises, offers interesting facts about youth crime, and directs the user to a wealth of resources. In preparing to present this video, we recommend you:

- pre-view the video
- read through this discussion guide
- select the discussion questions you feel are appropriate for the interests and ages of your audience and the time you have available
- select the activities for further learning
- order and review additional information on youth justice available from Public Legal Education and Information Service of New Brunswick
- consult the web-sites or other resources provided at the end of this guide to find information on the specific interests of your audience or the latest trends in Canadian youth crime.

If you wish, you can also contact the Public Legal Education and Information Service of New Brunswick to request a speaker who can provide information on the YCJA and assist in group discussion with this guide and the video.

Discussion Themes



Discussion Themes

In order to generate discussion and promote an understanding of what might happen when youth come into conflict with the law, we have structured the guide under five themes and learning objectives. Choose one or several of the themes as your focus after showing the video. Choose any appropriate handouts and exercises to accompany your presentation and enhance the interaction and learning opportunities.



THEME ONE: *A New Approach to Youth Justice in Canada*

Learning Objectives:

- To explain why Canada introduced a new approach to dealing with youth crime
- To describe how the new system works and how it differs from the old approach
- To generate understanding of the new *Youth Criminal Justice Act* and its underlying principles.



THEME TWO: *The Effectiveness of Out-of-Court Responses*

Learning Objectives:

- To educate the viewers on the effectiveness of out-of-court responses
- To explain what is meant by out-of-court responses
- To explore the different out-of-court responses provided for in the *Act*



THEME THREE: *Models for Out-of-Court Measures*

Learning Objectives:

- To explore the common models for out-of-court responses

Discussion Themes



THEME FOUR: ***When Crimes are Serious***

Learning Objectives:

- To present a brief overview of how the YCJA deals with more serious offences
- To create an understanding of youth sentences and youth records



THEME FIVE: ***Youth Issues and Factors that Affect Youth Crime***

Learning Objectives:

- To develop awareness of the underlying factors that can put youth at greater risk of coming into conflict with the law
- To explore the protective factors that can support youth and help prevent youth crime

In presenting the video to an audience unfamiliar with the YCJA or youth justice issues, we recommend that you start by introducing Theme One: *A New Approach to Youth Justice in Canada* and then show the video before starting discussion on Theme Two: *Out-of-Court Responses*. The Youth Criminal Justice Department of Justice Canada at www.canada.justice.gc.ca/Youth has a detailed background and analysis on the YCJA, as well as the legislation.

Evaluation

When you order the video you will receive “evaluation feedback forms”. Be sure to distribute these forms to participants and return the completed forms to PLEIS NB in the self-addressed envelope provided. Your valuable feedback on this video and guide is greatly appreciated.

II. Themes and Discussion Questions



THEME ONE:

A New Approach to Youth Justice in Canada

Why a new approach? **Discussion Questions:**



“...if you charge these young people all the time for small crimes like we did in the past, the message that we’re sending is we don’t care. You go to court and you take whatever

punishment the judge is going to give you for your crime. And to me, what that gives a young person is bitterness.”

Video Narrator

The narrator in the video suggests that the way we were dealing with youth in the past was not working. The new Youth Justice System attempts to address these shortcomings. Consider opening discussion with the following questions. Few people understand why Canada introduced a new youth justice system. They may hold myths about youth and youth crime. Give your audience time to share their views. Use *Handout #1: A Youth Justice Quiz* to demonstrate people’s understanding of youth crime in Canada. Use the reference materials to explain the benefits of the new system.

- **Why do you think the narrator says the way police handled youth crime in the past only caused young people to become bitter?**
- **What are some of the reasons that Canada decided to replace the *Young Offenders Act*?**

Facilitator’s Reference Material:

The *Young Offenders Act* (YOA) was criticized by many groups such as police, prosecutors as well as the public for a number of reasons. In May 1998, the Government of Canada introduced the Youth Justice Renewal Initiative as a new way to address youth crime and its root causes. It encourages more accountability and responsibility in youth, and aims to increase the prevention of youth crime and the protection of the public. It also focuses on increasing public confidence in the youth justice system and recognizing children and youth as national priorities.

Did you know?

Under the Young Offenders Act Canada had the highest rate of youth incarceration in the Western world - twice that of the United States and 10 to 15 times higher than many European countries.

The concerns about the former system that led to a new youth justice system and new legislation included:

- Lack of clear principles for youth justice
- Lack of a clear difference in dealing with violent offences versus less serious offences
- Canada's high youth incarceration rate
- Insufficient victim participation
- Ineffective sentencing principles
- Lack of provisions for reintegrating youth into the community
- Lengthy delays in the court process

THEME ONE: A New Approach to Youth Justice in Canada



The Guiding Principles Discussion Questions:

Did you know?

The philosophy of the YCJA is that the needs of society and the offender should not be in conflict.

The YCJA contains a set of guiding principles that help everyone understand the purpose of the *Act* and the new youth criminal justice system. Use the questions below to explore

the purpose and importance of the guiding principles of the new approach. (You can explore the actual content of the principles later.) If your audience is not familiar with the new *Act* or has not read background materials prior to viewing the video, you may wish to begin by presenting the guiding principles. Use the reference materials and *Handout #2 – Principles of the YCJA*, to generate a discussion on the value of the principles.

- **Are guiding principles important?**
- **How can these principles be put into practice to make a greater impact on youth and prevent or reduce youth crime in Canada?**

Facilitator's Reference Material:

The *Declaration of Principle* in the *Act* states that "the purpose of the youth criminal justice system is to prevent crime by addressing the circumstances underlying a young person's offending behaviour, rehabilitate young persons who commit offences and reintegrate them back into society, and ensure that a young person is subject to meaningful consequences for his or her offences, in order to promote the long-term protection of the public." The new approach includes the following Guiding Principles:

Crime prevention

Youth crime can be better prevented when the factors that can contribute to it are addressed. Research shows that factors such as poverty, family violence, substance abuse and high unemployment can all have a part in whether youth engage in crime.

Meaningful consequences

Community-based sentences and out-of-court responses are used for less serious offences to include communities and victims of youth crime in the process. This can help reduce rates of youth in custody and help non-violent youth repair harm that they have done.

Rehabilitation

Youth in conflict with the law need help to promote good behaviour. Guidance and support can help youth become responsible citizens. Access to treatment and long-term support can help achieve this goal.

Reintegration

To prevent re-offending, youth need help in returning to their communities. A commitment to maintaining existing services and developing new programs can support youth in being productive in their communities. Examples of such services or programs can be those that assist in learning life skills, finding employment, or participating in recreational activities.

THEME ONE: A New Approach to Youth Justice in Canada



Addressing Special Needs Discussion Questions -

The YCJA says that the justice system must consider the special needs, interests and level of development of the individual youth. Explore this notion using the questions and reference materials below.

- What are some special needs the justice system might consider?
- Is it important for the justice system to consider factors such as mental health, age at the time of the offence, previous history of being in trouble, or socio-economic level?
- Should the justice system address both the behaviour and the special of needs of the youth?
- How might addressing a youth's special needs outside the traditional justice system prevent youth crime prevention?
- When is it appropriate for two people who commit the same or a similar crime to face different consequences?

Facilitator's Reference Material:

Did you know?

Compared to other groups, Aboriginal youth have been sentenced to custody more often and for longer periods

At every stage of the youth justice system, decision-makers, whether they are police, judges or parole officers, must consider information about the youth's history and current circumstances so they are able to create a more complete picture of the youth's situation. When determining the consequences or

plan of action, they are able to consider the special needs, interests and level of development of the individual youth. For example, a group that has been identified as having special needs is Aboriginal youth. These youth have been over represented in the criminal justice system because problems such as poverty, substance abuse, family violence, and a lack of educational and employment opportunities has been higher in their communities and have contributed to more involvement in crime. The YCJA gives stronger consideration to the specific circumstances of youth groups such as Aboriginals, when exploring options other than custody in response to youth crime.

Did you know?

Fetal Alcohol Spectrum Disorder, which may occur when a pregnant woman consumes alcohol, can include:

- Fetal Alcohol Syndrome (FAS)
- Fetal Alcohol Effects (FAE)

Another group of youth that has special needs are those with Fetal Alcohol Spectrum

Disorder (FASD). FASD results from a woman drinking while pregnant and can cause problems such as poor motor functioning and learning and developmental problems. Studies show that the effects of FASD can contribute to youth engaging in crime because they can cause behavioural problems.

The YCJA promotes the idea that if youth with special needs commit crime, the youth justice system must pay attention to both their behaviour and special needs. Youth are still responsible for their behaviour, but at the same time, they must not be punished for their special needs. In cases such as these, youth crime can be better addressed by measures that are available outside of the traditional justice system.

THEME TWO: Out-of-Court Responses



THEME TWO: Out-of-Court Responses

Addressing youth crime outside the court system **Discussion Questions:**



“... We have all kinds of different avenues now that we can take with that young person instead of taking them before a judge.”
Video Narrator

In the video we learn that under the *Youth Criminal Justice Act* the court process is reserved for more serious offences.

The police now have a variety of avenues for holding youth accountable in the community, instead of taking

them before a judge. Out-of-court measures are now **presumed** appropriate for first time, non-violent offenders. This means that interventions are more likely to occur shortly after the offence takes place. Use the questions and reference materials below to help promote discussion of these issues. Consider inviting a police officer or probation officer to contribute to the discussion.

- **Who benefits when youth are held accountable for their actions outside of the court system?**
- **How would you decide whether to send a youth to court or to use an out-of-court response?**

- **Why is it effective for the youth justice system to use the least intrusive means to deal with youth crime? Why is it important to hold youth accountable in a timely fashion?**

Facilitator’s Reference Material:

Out-of-court responses, also known as **extrajudicial measures**, represent various police responses to youth crime before any court process begins. These measures are presumed to be appropriate for first time, non-violent offenders. The YCJA says that out-of-court responses must be used when they are considered appropriate to hold a youth responsible for the offending behaviour.

Did you know?

A youth’s history of previous offences, the seriousness of the crime, and the circumstances that led to the offending behaviour are some of the factors in deciding to refer a youth for an out-of-court response.

Out-of-court responses give youth the opportunity to:

- take responsibility for their behaviour
- understand the impact of their actions on others
- repair harm done to their victims

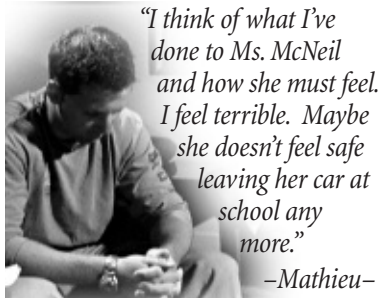
Youth must voluntarily participate in out-of-court responses.

Note: This guide focuses on responses to youth crime before a charge is laid. However, the *Act* also provides for extrajudicial measures, such as **extrajudicial sanctions**, that can be used *after* charges are in place. These sanctions would be used when other extrajudicial measures are not appropriate to hold a youth accountable.

THEME TWO: Out-of-Court Responses



Meaningful Consequences Discussion Questions:



"I think of what I've done to Ms. McNeil and how she must feel. I feel terrible. Maybe she doesn't feel safe leaving her car at school any more."

—Mathieu—

People who are not familiar with youth justice forums may think that sitting down with those affected is a "slap on the wrist" for a youth. Use the questions and reference materials

to lead this discussion, explain the purpose of out-of-court measures and discuss the concept of meaningful consequences.

- Do you think it is more meaningful for a youth to go before a judge or face the victim, family and community members? Why or why not?
- What kinds of crimes were depicted in the video? What kinds of consequences did the youth face? Do you think the consequences were proportionate to the crimes and appropriate to hold the youth accountable?
- Do you think that a Community Justice Forum was a good way to deal with the youth in the video who stole their teacher's car?
- What do you think are the benefits of holding a youth accountable in the community? Should the youth have a say in the punishment?

Facilitator's Reference Material:

Police are often the front line workers in dealing with youth crime. The YCJA gives the police more options to hold youth accountable, particularly for first-time offences and less serious crimes. They may:

Did you know?



Youth sometimes refuse a referral to community programs because they believe it will be more difficult to face their parents, community members and the victims than it would be to allow a lawyer to speak for them in court.

- do nothing
- give a **verbal warning**
- issue a formal **caution letter**
- meet with the **parents** and youth at the station
- make a **referral** to a program or agency in the community
- forward the file to a crown prosecutor

Of these options, police should choose the **least restrictive measure** to respond to the youth, depending on the offence. For instance, police should consider the seriousness of the crime and the harm done. The option used would be the least restrictive measure to effectively respond to the crime and hold the youth responsible. The purpose of out-of-court responses under the YCJA is:

- to ensure an effective and timely response to youth crime
- to increase youth **accountability**
- to encourage reparations toward the victims
- to increase participation of the family of youths
- to increase community participation
- to gain a more accurate picture of the youth's background and the factors that could have led to the criminal behaviour

THEME TWO: Out-of-Court Responses



Benefits of using out-of-court measures Discussion Questions:



"It's a win-win situation for the family, victim, for the community and for us."

Video Narrator

In the video, the narrator says that out-of-court measures are a win-win situation for everyone. Using the questions and reference materials below, ask the participants to discuss the positive

outcomes and benefits of holding youth accountable in the community.

- **What do you think the narrator meant by this? How does society benefit from this new approach?**
- **Why do you think that some people might oppose the notion of dealing with youth in the community?**
- **What benefit could a youth gain from time in custody that could not be achieved through an out-of-court response or community program?**

Facilitator's Reference Material:

Out-of-court responses can offer many benefits to the youth, victim, and the community as a whole. For example, research shows that youth can better appreciate the consequences of their behaviour when the people affected, such as their family members, the victim, and his or her family, show the youth how they were affected. Seeing first-hand how their

behaviour had an impact on others can help youth take responsibility for what they have done. As well, out-of-court responses are more likely to take place shortly after the offence. This helps youth make a stronger connection to what they have done wrong and to the harm they caused.

At the same time, the victims, families and other community members can gain a better understanding of the youth as an individual because in some out-of-court responses, the youth will have to talk to everyone about why they committed the crime, and how they feel about it.

Youth may be less likely to re-offend because they too will have input into the consequences. They are more likely to see their punishment as fair when they realize that their community is giving them a chance to make up for what they did.

Out-of-court responses encourage a youth to acknowledge the harm done, and, in the case of an **extra-judicial sanction**, the youth are required to accept responsibility for their actions and be willing to accept the consequences. The people who are most affected by the youth's actions determine the consequences for the youth's behaviour and not a Youth Court judge. A trained facilitator works with the participants to help them come to an agreement on the appropriate response to the crime. A case will not go to court if the youth completes all components of an out-of-court response.

Out-of-court responses can also help youth re-join their communities. If the youth fulfills all parts of the measure, he or she can pursue opportunities that might otherwise have been limited by a youth record.

THEME TWO: Out-of-Court Responses



The role of parents and others in the community **Discussion Questions:**



"I've lost a lot of faith and a lot of trust in these two students. They're really good kids, but they've made some really bad choices. I have a hard time trusting them and we have a lot of work left to do."

Teacher in Video

In the video, the narrator explains that parents get a better understanding of their youth's behaviour and the reasons for what they have done when they participate in a youth justice forum.

- **Do you think that it is important for parents to play an active role in the youth justice system?**
- **Who else might support a youth in conflict with the law? What role could a coach, teacher, or other caring adult play?**



"Parents get one side of the story from their child...but bring them into a Community Justice Forum and see what stories they get. They're going to get every situation, every story from every person that was involved in that incident."

Video Narrator

Facilitator's Reference Material:

Parents play an important role in the response to youth crime. Research shows that youth are more likely to get involved in crime when they lack a caring family environment and strong attachments to adults. Youth who experience guidance and a sense of belonging feel valued and they learn to care about themselves.

The YCJA encourages parents to support measures that prevent youth from re-offending. Their support can help youth take responsibility for their behaviour and re-join their communities.

THEME TWO: Out-of-Court Responses



The role of victims of youth crime ***Discussion Questions:***

The new *Youth Criminal Justice Act* provides victims of youth crime with a greater role in the justice system. In the video the teacher, and even her friend who picked her up when her car was stolen, participated in the community justice forum. This possibility for victims to “have their say” is an important feature of the *Act*. Use the questions and reference material below to encourage your audience to consider the role of the victim.

- **Do you think that it is important to provide victims with an opportunity to participate in the youth justice system?**
- **If you were a victim of youth crime, what consequences would you give the youth? Consider possible offences such as theft, vandalism, or assault.**

Facilitator’s Reference Material:

Victims tend to get lost in the traditional justice process. The court process can be complicated and there is a perception that emphasis is placed on what law was broken rather than on the harm that was done to the victim. Out-of-court responses can give victims a meaningful role in the process and encourages them to take an active role in determining the outcome and possible consequences for the youth.

Often victims have a need to know why they were targeted. They may want to know if they did anything to encourage or provoke the youth or learn how they could have prevented the offence. Victims play an important role in some out-of-court measures because they are the people most affected by the crime and will have an insight into how reparations can be made.

The *YCJA* outlines that victims are to be treated with respect and courtesy and that a victim of an offence has the right to be informed of how the offence was dealt with.

Victims may be hesitant about participating in this kind of out-of-court program. Some are afraid of losing control or being too emotional in front of the person who has harmed them. Many victims do find that by taking part in the process they are able to regain a sense of control. Victim participation is always voluntary.

Although victim participation is voluntary, many out-of-court measures for youth are based on victim participation either in person or through a representative. The representative could be a friend, family member or a trained Victim Services counsellor. Victim participation is important in the measures because research shows that there are positive impacts on youth when they listen to the victim speak about the harm they have caused and the effects of their actions.

Research also shows that making an apology face to face positively affects the youth and is an effective and appropriate response to the youth's behaviour.

THEME TWO: Out-of-Court Responses



Repairing the harm Discussion Questions:

The video depicts some of the ways that youth can repair the harm that they caused. The goal is to make the consequences meaningful and to repair harm.

"I think they should at least cover the cost of my vehicle rental, and I'd also like to see them do some community service."

Teacher in Video

"I'd like to invite them in to do some counselling."

Addiction Services Counsellor

"I agree, whatever it takes."

Mathieu

- **Can you think of other ways that youth could be held accountable and repair the harm they created?**
- **Do you think the consequences assigned to the youth were appropriate and meaningful in the circumstances described?**
- **Would you do anything differently if you were involved?**
- **What consequences would you recommend for someone who has intentionally broken a window? How would your answer differ if it were accidental?**

Facilitator's Reference Material:

Under the YCJA, some of the ways youth can repair harm are:

- give a personal apology
- return or pay for stolen property
- repair or pay for damaged property
- do work or complete tasks for the victim
- perform community service
- perform any other activity that the participants think appropriate in the circumstances

Other measures set by the out-of-court programs may include:

- donations to charity
- attending skills workshops
- agreeing not to associate with certain people
- obeying a curfew
- take part in a restorative conference

If youth have taken part in an out-of-court response or have admitted their actions or involvement as part of an out-of-court response, this cannot be used against them if they are tried in court.

THEME THREE: Models for Out-of-Court Responses/Sanctions



THEME THREE: Models for Out-of-Court Responses/Sanctions

Conferencing, community justice forums, and mediation **Discussion Questions:**



“The crimes that don’t need to go before the courts, we as a community can deal with those – very, very effectively.”
Video Narrator

The video featured some examples of what people in New Brunswick are doing out-of-court to help youth stay out of trouble and provide meaningful consequences when they come in conflict with the law. The reference materials set out the different kinds of forums that commonly used.

- Do you feel that programs, such as Community Justice Forums, are effective ways to deal with youth in conflict with the law? Why or why not?
- Do you think these programs are a better alternative to court in most cases, some cases, or never? Are you familiar with any programs in your community?

- How do these programs reflect the principles of the YCJA? (For example, by timely intervention or rehabilitation.)

Facilitator’s Reference Material:

The three main models of out-of-court responses/sanctions are conferencing, community justice forums and mediation.

The Conferencing Model

Police officers, judges, prosecutors, or youth workers may organize a conference to address the issues relating to a youth in conflict. Conferences may be referred to as group conferencing, family conferencing, real justice conferencing, or youth justice committee.

Conferences focus on accountability and rehabilitation. Youth and their families participate. Sometimes the victims and community members will take part. Other agencies may be involved depending on the youth’s circumstances. School administrators, family and community services, or substance abuse services are some examples of participants in a program. They can share information on the youth and programs that could help him or her. The conference participants, including the youth, work to put in place an action plan to meet the youth’s needs. Participants will also decide on how to follow-up on the youth’s progress.

THEME THREE: Models for Out-of-Court Responses/Sanctions



The Community Justice Forum

Community justice forums are sometimes called healing circles or restorative justice circles. They are less formal than the conferences because they do not necessarily involve members of the justice system, or community service providers.

Community justice circles involve the youth; their families, victims and community members, as well as a trained facilitator to keep the discussion focused and ensure that everyone has a chance to speak. The participation of the victim is very important to the circle as compared to a conference where the victim may not always be represented. Meeting the victim face-to-face can help the youth understand the consequences of his or her behaviour since victims can talk about their feelings and opinions. Police or Crown Prosecutors may refer a youth to this kind of out-of-court response, and the youth must be willing to participate.

The Mediation Model

Mediation is sometimes called 'victim-offender reconciliation' or 'victim-offender mediation'. Mediation involves bringing the youth and victim face-to-face. A mediator helps the two parties reach an agreement to address any harm done or resolve difficulties. A main goal is to reveal any underlying problems of both parties and work toward a solution in a non-threatening setting. Mediators do not offer advice or make judgements. They do not have the power to award damages or to force any participant to follow the agreement. Their role is to help the participants work together.



Not all communities have implemented youth justice forums, or other programs for dealing with youth out of court. If you are interested in what is happening in your areas, ask your local Victim Services or police. They can inform you about what is being done in your community to address youth crime. Some police forces assign one officer to work especially with youth cases. If you are a victim of a youth crime, you can talk to the police or the prosecutor to express your interest in participating in an out-of-court response.

In most community-based responses to youth in conflict with the law, the youth and the community administrator of the program in which they are participating, sign an agreement for the youth to perform certain tasks or abide by a set of conditions. The participants can make recommendations for things the youth must do. The consequences must be fair and appropriate for the circumstances of the crime. This helps youth understand that the consequences are fair. The youth are encouraged whenever possible to do something related to the type of offence or to the harm that was caused.

THEME FOUR: When Crimes are Serious



Theme Four: When Crimes are Serious



The use of more restrictive measures ***Discussion Questions:***

This video and guide do not focus on the serious crimes that bring a youth into contact with the criminal justice system, courts and probation. Serious youth crimes do occur, and the youth criminal justice is prepared to deal with them in a serious manner.

- **Sometimes it is necessary for youth to be incarcerated. Why is it important to reintegrate such youth back into society?**
- **How can the justice system support a youth who has committed a serious offence to help reintegrate him or her back into society?**

Your audience may wish to know what happens when a youth commits a serious offense. Consider inviting a Crown Prosecutor or a probation officer to discuss youth court, incarceration and probation. Use the reference material below to help guide that discussion.

Facilitator's Reference Material:

Not all youth will be referred to an out-of-court response. Some will go to court because they may have repeatedly committed offences or have committed a serious crime. Once the police make the decision to charge a youth, the file is forwarded to the **Crown Prosecutor**. The prosecutor may still decide to address the youth outside of the court by referring the youth to an extrajudicial sanctions program.

Extrajudicial sanctions can be used when an out-of-court response is inappropriate or has been ineffective in responding to a youth's offence (for example, because of the seriousness of the offence or a youth's previous offences). These sanctions are more restrictive than out-of-court responses. The youth is formally charged with a criminal offence, but this may be withdrawn or dismissed if he or she fulfills certain conditions set out by the extrajudicial sanction. This sanction is the final option before a case goes to trial. If the youth goes to court, he or she would plead guilty or not guilty. If the youth pleads guilty, the judge will sentence him or her. If the youth pleads not guilty, there will be a trial where a judge will decide if the facts of the case show that the youth is guilty or not guilty. If the youth is found guilty in a trial, the judge will impose a sentence. Evidence that a youth has been dealt with previously by an extrajudicial sanction can be used at sentencing for a subsequent offence.

If a court sentences youth to custody, the *YCJA* provides a reintegration plan to assist the youth. A youth worker begins working with a youth as soon as he or she starts a sentence. A reintegration plan must include support for youth so that it is easier for them to re-enter their communities. This will make them

THEME FOUR: When Crimes are Serious



less likely to re-offend. The plan must have some form of supervision for youth back in their communities. There are programs for youth that start during their custody and continue when they go back to the community. Youth's families, community members and social services can all be involved in reintegration programs. Reintegration programs may include education and training, employment assistance or treatment for youth's needs.

The justice system must make an effort to maintain a support system throughout the youth's custody and reintegration process. This increases the chances that youth will follow program conditions and will have a desire to follow the law.

The rights of youth Discussion Questions:

Being accused of an offence is a serious matter. The YCJA ensures that youth have rights and these rights are protected, even if they have participated in a youth justice forum or out-of-court measure that required them to talk about what they did. Use the questions and reference materials to generate a discussion about the rights of youth in conflict with the law.

- **The justice system gives people accused of a crime the right to remain silent. Do youth have the same rights as adults?**
- **Why is it important for youth to have the right to call their parents and a lawyer?**

- **Do you think it is important to ensure that statements made by a youth participating in an out-of-court measure cannot be used if the youth ends up in court?**

Facilitator's Reference Material:

When the police respond to youth crime, they must respect the rights of youth. Youth have the following rights:

- To remain silent. Youth may choose not to answer any police questions regarding a crime, whether or not they committed it
- To talk to a lawyer before answering any questions by the police
- To make whatever phone calls are necessary to reach a lawyer
- To talk with a lawyer in private before deciding to make a statement
- To have their parents with them when they talk to the police. (Police must allow youth to contact both their parents and lawyer if they choose.)

If a youth participating in an out-of-court measure decides not to accept or complete the consequences, the case will be returned to the police who may consider other out-of-court methods or lay a charge. If youth have taken part in an out-of-court response or have admitted their actions or involvement as part of an out-of-court response, this cannot be used against them if they are tried in court.

THEME FOUR: When Crimes are Serious



Adult sentences for youth ***Discussion Questions:***

- When would it be appropriate for a youth to receive an adult sentence?

Did you know?

The YCJA makes treatment of violent youth a priority.

A youth is tried as a young person, but if found guilty, the YCJA allows for the court to impose an adult sentence in certain circumstances.

Facilitator's Reference Material:

The YCJA recognizes each province's unique youth criminal justice system. It allows provinces to apply the legislation to meet their needs while ensuring that the law is applied consistently across the country. Any

youth in Canada that commits an indictable offence after turning the 14 years of age has the potential to receive an adult sentence. For some of the more serious offences such as murder or manslaughter, there is the presumption that an adult sentence will be imposed.

The legislation provides for a lower age of presumption for sentencing youth as adults. Under the YOA, there was a presumption that cases involving youth 16 years of age and over charged

with more serious or repeated offences would be transferred to adult court. Under the YCJA a youth is not transferred to adult court, they are tried as a youth but may receive an adult sentence if the court feels it is appropriate. The flexibility of the YCJA allows the provinces to make decisions on the age at which a youth can receive an adult sentence. The provinces may set the age at which a youth could receive an adult sentence while in a youth court – at 14, 15 or 16 years old. For example, in New Brunswick the age at which you can receive an adult sentence is 16 years old. In some other provinces, the age is 14 years old. While serious and repeat offences can warrant an adult sentence under the YCJA, the focus is on rehabilitation since it is in the best interests of both youth and society. The YCJA makes treatment of violent youth a priority.

THEME FOUR: When Crimes are Serious



Youth records **Discussion Questions:**

Did you know?

A youth record is not automatically destroyed when a person reaches the age of 18?

A youth who completes the sentence for a minor offence at 17 will be 20 years old before the record is closed?

If the offence is a serious crime, a youth who completes the sentence at 17 will be 22 years old before the record is closed?

- **Do you think it is appropriate to close youth records after a period of time?**
- **What consequences might a youth record have on a young person?**

Many people believe that youth have no records of their crime or that any record that does exist will be automatically destroyed when they turn 18. This may be an issue that your audience wishes to discuss. Use the reference materials to help dispel myths about youth records.

Facilitator's Reference Material:

Under the *YCJA*, a youth justice court, review board or any other court may keep a record of a case that comes before it. If a youth is found guilty before a court, a record for a less serious offence will stay

open for 3 years beginning after the date the youth finishes the sentence, including any probation period. A record for a serious offence will stay open for at least 5 years beginning after the date the youth finishes the sentence, including any probation period. In other words, under the *YCJA* a record for a youth sentence is closed 3-5 years after all parts of the sentence are completed including any probation or supervision in the community.

Within the 3-5 year period, the record can be used for sentencing purposes in either youth or adult court. If the youth is found guilty in court of a subsequent offence before the record is closed from the first offence their record will remain open for 3-5 years after the completion of the second sentence. If the record is used within the 3-5 year period in an adult court, the youth record automatically becomes an adult record and can then be used like any other adult record.

If a youth is found guilty before a court, it is possible that a record for a serious offence will stay open to the police for 10 years or more. This can be the case if the crime was a serious violent crime or sexual crime where the youth used a weapon or injured the victim. A record relating to any offence that a youth is alleged to have committed can be kept by any police force responsible for the investigation. A person or organization may also keep records obtained as a result of extrajudicial measures or for the administration of youth justice.

THEME FIVE: Youth Justice Issues and Factors Affecting Crime



THEME FIVE: Youth Justice Issues and Factors Affecting Youth Crime



Understanding root causes and preventing youth crime Discussion Questions:

Youth crime prevention is an important component of the new Youth Justice Initiative. The YCJA recognizes that we address crime prevention through social development approaches.

- What are the youth justice issues in your community (e.g. boredom, vandalism, fighting, loitering, underage drinking, graffiti, gangs)?
- What are the possible root causes for these problems?
- What can be done to address these root causes?
- By understanding the reasons for youths' actions, how can we address the underlying causes and prevent crime?
- What services and support are available to youth in your community?



Use the facilitator reference materials below to identify some of the factors that contribute to youth crime. Distribute *Handout #3 - Factors That Can Prevent Youth Crime And Foster Resilience In Youth*.

Facilitator's Reference Material:

Root causes refer to the complex underlying reasons youth commit crime. The root causes of youth crime may include:

- poverty and malnutrition
- boredom, lack of positive social activities
- lack of employment opportunities
- addictions
- physical isolation
- family violence
- low literacy and numerical skills
- limited access to the social services system, particularly in rural areas
- mental health issues

III. A Chance for Change

Handouts

Handout # 1: Youth Justice Quiz



1) What are two alternatives police have rather than sending a youth to court?

2) This type of order limits a youth's actions in the community?

3) How long does a youth record stay open?

4) What ages does the YCJA apply to?

A) 11-18yrs B) 12- 17 yrs C) 12 – 18 yrs

5) Canada's youth incarceration rate compared to other western countries was:

A) Higher B) Lower C) Average

6) Is spending time in custody (A) more, or (B) less effective, than holding youth accountable in the community.

7) Participation in a Community Forum may be mandatory?

☐ True or ☐ False

8) In Canada, what is the youngest age at which a youth can receive an adult sentence?

A) 12 B) 14 C) 16 D) 18

9) A youth who completes an out-of-court response will have a youth record.

☐ True or ☐ False

10) Youth crime in general has been increasing in Canada?

☐ True or ☐ False



A Chance for Change

Handout #1: Youth Justice Quiz

ANSWERS



1) What are two alternatives police have rather than sending a youth to court?

Police may: do nothing, give a verbal warning, issue a formal caution letter, meet with the parents and youth at the station, or make a referral to a program or agency in the community.

2) This type of order limits a youth's actions in the community?

Probation Order – can set a curfew, require a youth to stay away from certain people or places.

3) How long does a youth record stay open?

A youth record is usually open for 3-5 years after their sentence is completed, but may be open for 10 years for very serious offences.

4) What ages does the YCJA apply to?

A) 11-18yrs B) 12- 17 yrs C) 12 – 18 yrs

B) Youth 12 –17 are governed by the YCJA. A person who is over 18 can still be tried as a youth if the offence occurred prior to their 18th birthday.

5) Canada's youth incarceration rate compared to other western countries is:

A) Higher B) Lower C) Average

Higher: Canada's youth incarceration rate is higher than US, Australia, or England.

6) Is spending time in custody (A) more, or (B) less effective, than holding youth accountable in the community.

(B) Research shows that using alternative ways of dealing with youth has a greater impact on youth and decreases the likelihood that they will re-offend than going to court and spending time in custody

7) True or False: Participation in a Community Forum may be mandatory?

False: a youth may be given the opportunity to participate in an out-of-court measure but it is their choice. Some youth choose to have their case heard in court.

8) In Canada what is the youngest age at which a youth can receive an adult sentence?

A) 12 B) 14 C) 16 D) 18

In Canada the youngest age at which a youth can receive an adult sentence is 14. The provinces set the age at 14, 15 or 16. In New Brunswick the age is 16.

9) A youth who completes an out-of-court response will have a youth record.

False: This is an advantage of choosing out-of-court responses, if the youth completes all of the requirements the program they will not have youth record.

10) Youth crime in general has been increasing in Canada?

False. It has been decreasing – despite the images of youth and youth crime that may be portrayed in the media the youth crime rate in Canada has been generally decreasing.



A Chance for Change

Handout #2:

The Guiding Principles of the YCJA



The new approach to Youth Justice in Canada includes the following Guiding Principles:

Crime prevention

Youth crime can be better prevented when the factors that can contribute to it are addressed. Research shows that factors such as poverty, family violence, substance abuse and high unemployment can all have a part in whether youth engage in crime.

Meaningful consequences

Community-based sentences and out-of-court responses are used for less serious offences to include communities and victims of youth crime in the process. This can help reduce rates of youth in custody and help non-violent youth repair harm that they have done.

Rehabilitation

Youth in conflict with the law need help to promote good behaviour. Guidance and support can help youth become responsible citizens. Access to treatment and long-term support can help achieve this goal.



Reintegration

To prevent re-offending, youth need help in returning to their communities. A commitment to maintaining existing services and developing new programs can support youth in being productive in their communities. Examples of such services or programs can be those that assist in learning life skills, finding employment, or participating in recreational activities.



A Chance for Change

Handout #3:

Factors That Prevent Youth Crime and Foster Resilience



The reasons that youth come into conflict with the law are complex. Creating pro-social values and opportunities for youth to become connected to others in a positive way is important. Research shows the following factors help to support youth.

A Caring Family or Adult:

Strong family attachments are a vital source of support for youth as they help develop personal strengths and relationships.

Support for Families:

Communities can assist by:

- arranging access to special service, such as parenting classes
- providing early childhood education programs, such as Fetal Alcohol Spectrum Disorder intervention programs
- creating affordable recreational opportunities
- providing accessible daycare

Positive Peer Support:

An important factor in preventing youth crime is building and maintaining healthy relationships with peer groups.

Community Involvement:

Communities must treat their youth with respect and be responsive to their needs.

Recreational and Volunteer Opportunities:

These activities provide positive pro-social interactions that contribute to the development of youth and to the community as a whole.

Job and Life Skills:

A job can build self-esteem, life skills and a sense of security. To obtain and keep employment youth may need help in:

- developing or learning basic life skills
- creating a resume
- writing a covering letter
- practicing interview skills

Educational Support:

Youth need support and access to education and training opportunities appropriate to their needs.

Health, Safety and Well-Being:

Safe, stable and healthy environments encourage youth to live in healthy ways. In order to cope with their problems, young people need to be reassured that it is normal to feel anger, confusion, frustration or depression at times.

Positive Media Messages:

Media can portray youth both positively and negatively in society. Youth need help in addressing the conflicts between the values they are taught at home and those that the media might glamorize through music, videos, and magazines.

Implementing protective factors such as these can help prevent youth at risk from becoming involved in crime.



IV. Activities for Further Learning



Depending on your audience, before or after viewing the video, assign one or more of these activities to participants.

Exercise 1: Media Depiction of Youth:

Explore how the media depicts youth. Gather newspaper articles, magazine articles, and advertisements on youth. Look at the images of youth in them. What do you think are the kinds of messages the media is sending about youth?

Exercise 2: Youth Justice Poster:

Youth can make a poster on the different factors that help prevent youth crime, such as having positive peer relationships, or developing job skills. In small groups, brainstorm ways to visually illustrate these themes and decide where you could display the posters, such as in the classroom or in the school library.

Exercise 3: Getting Involved:

Ask the people in your audience to identify one way that they could participate in a preventative initiative aimed at youth in their own community or neighbourhood. You might suggest the following:

- Volunteering in after-school programs for youth, such as sports clubs or tutoring programs.

- Supporting organizations that provide crisis help for youth, such as hotlines or peer counselling groups.
- Assisting youth in projects at their schools or in the community, such as park clean-ups, fundraising events or artistic activities.
- Sharing the information they have learned about out-of-court responses with other groups who are involved with youth, such as the local home and school organization, scouts or guides, and so on. (Each participant could make a commitment to work to dispel misconceptions about Canada's Youth Justice Renewal Initiative and the YCJA.)

Exercise 4: Community Justice forum:

Consider setting up a “mock” youth justice community forum or healing circle with the participants. This will promote an interactive group activity that enables people to express their own views. Ask the participants to play the roles of the victims, youth, facilitators and anyone else in the community who might be involved in any of the scenarios. Instruct them work together to deal with a youth crime. Each person at the forum, including the victim and the youth, should have a chance to tell what happened (with imagination, the scenarios can be embellished), why it happened, how it affected them, and what needs to be done to set things right and impose appropriate consequences.

Exercises



The Facilitator – The one that guides the conversation between the participants and ensures that everyone has an opportunity to speak their mind in a respectful and safe environment; helps the youth and other participants work together and come to an agreement on what the consequences of the youth's actions will be; but does not act as a judge and does not impose a consequence or sentence.

Youth(s) in conflict with the law - The youth may or may not explain the reasons for the crime, but assume that since the youth has agreed to take part in the forums, he or she is willing to admit some degree of responsibility and has expressed remorse.

The Victim – The victim may express anger or other emotions in discussing the crimes, but must be willing to resolve the matter and accept the consequences agreed to by the participants for the forum to work.

Other Participants - For each youth involved in the scenario you should appoint one person to play the role of parent or responsible adult. You can consider if other participants will be useful, such as representatives from the school, community agencies or addiction counsellors.

Select one or more of the scenarios to resolve in a community justice forum.

These scenarios are generic examples. They allow the participants to bring in their own interpretations, beliefs and reactions. Remember that there is no “one right answer”. The goal is to find innovative solutions that work for everyone involved and will hold the youth accountable for their actions. It may

be helpful to give each group 5-10 minutes of prep time and 15-20 minutes to work through the scenario (though an actual forum may take as long as four hours).

Scenario 1: Stolen Bike

Two older youth T. and C. were bored and looking for some excitement when R., a younger kid, comes along the narrow path on his/her bike. Just for fun the older teens block the path and refuse to let the bike pass. Then R. gets off the bike and tries to walk around them but is scared off and runs away leaving the bike behind. T. and C. insist that they were just joking around, and they assumed that when they left the bike, R. would be back to get it.

Scenario 2: Assault

J. and her next door neighbour P. have been friends since elementary school. They remain friends in high school although they have never had a dating relationship. J. has a new partner S. who is jealous of P. so he picks a fight with P. What begins as a war of words quickly escalates to a full out brawl. The two fall to the ground and P. is seriously injured with a broken arm. The break will take several months to heal and will make school work more difficult and force P. to lose months from his part-time job.

Scenario 3: Graffiti

R. and D. were dating for nearly a year when D. broke off the relationship. In anger, R. spray paints rude comments about R. and his/her new partner L. on the school bus, which takes the neighbourhood students to school.

Exercises



Scenario 4: Shoplifting

J., who is having a hard time at home with his abusive step-father, decides to leave home and drop out of school when he turns 16. J. is determined to make it on his own. Unable to find work he finds himself on the street struggling to get by. The youth is arrested by the police when caught shoplifting from the local grocery store.

Scenario 5: Possession of drugs

T. is caught by a teacher using drugs in the school bathroom. The teacher is shocked as T. is a top student and athlete. The police are called. T. is devastated that in getting caught he/she will no longer be able to play on the school team which is heading into the finals.

Scenario 6: Vandalism

Several youth regularly hang out behind the school, smoking and talking. An elderly lady who lives off the path to the school drops over to tell them that they should go home and do something useful. K. and M., the leaders of the group decide to buy some eggs to throw at her house. All their friends go along to watch as K. and M. throw two dozen eggs, causing a mess and much distress for the elderly woman.

Scenario 7: Drinking under age

L. is identified at the door of the local bar and caught with a fake id. card. The bar owner is angry that underage youth keep trying to get into his bar and the resulting increase in insurance rates when they are caught in his bar.

Scenario 8: Joyriding

H.'s parents offered to pay him to clean out the car while they were at work. H. was removing the floor mats when he/she discovered the spare key. H. had a beginner's license but was not yet licensed to drive alone. H. decided to get in some practice and took the car out for a drive. H. did not get far from home when he/she lost control of the car on a sharp turn and hit the neighbour's fence causing considerable damage.

IX. Resources



Recommended Reading

This guide is intended to provide you with a basic understanding of Youth Justice Issues and the role of out-of-court responses under the *Youth Criminal Justice Act*. For more information, here is a list of recommended resources:

- *Promoting Safety in Schools: International Action and Experience* (2001) and *Investing in Youth: Preventing Crime and Victimization* (2001)
International Centre on the Prevention of Crime
<http://www.crime-prevention-intl.org>
- *Kids and Crime Newsletter*
<http://plena.org/new/kac/news.php>
- Community Justice Forum:
Canadian Resource Guide (1999)
Royal Canadian Mounted Police
aborig@rcmp-ccaps.com
- Responding to Youth Crime in Canada (2004)
Anthony N. Doob and Carla Cesaroni
University of Toronto Press
- A Guide to the *Youth Criminal Justice Act* (2003)
By Lee Tustin and Robert E. Lutes
LexisNexis Canada
- Know Your Rights: A Legal Guide to your Rights and Responsibilities for People Under 18. (2004)
Justice for Children and Youth
www.jfcy.org
- The YCJA: One Year Later
Public Legal Education Association of Saskatchewan
www.plea.org

Related Websites



Related Websites

Here is a list of web sites that have information about the YCJA and youth justice in Canada.

Department of Justice Canada has information and activities for youth to learn more about youth justice. This site also has a lot of information on the Youth Justice Renewal Initiative, including the Youth Criminal Justice Act, research on youth crime and justice and press releases.

<http://canada.justice.gc.ca/Youth>

The **National Crime Prevention Strategy** website has extensive information on factors that put youth at a higher risk of committing crime. It also has news releases and research on projects in communities across Canada that aim to prevent crime, and shows which programs have been successful in reducing crime rates.

<http://prevention.gc.ca>

The Youth Canada Association (YOUCAN) is an organization devoted to youth-led initiatives that resolve conflict and prevent violence. Check out their programs section for information on out-of-court responses and youth action in Canadian communities.

<http://www.youcan.ca>

Public Safety and Emergency Preparedness Canada has numerous news releases and articles on youth crime and justice. Search under the word "youth".

<http://www.psepc-sppcc.gc.ca>

Statistics Canada has a variety of statistics on youth, including crime, custody and community services.

<http://www.statcan.ca>

The Government of Canada site contains a variety of information on youth. Search under the terms "youth crime" and "youth justice" to learn more on preventing youth crime, community and family participation in youth justice, and out-of-court responses.

<http://canada.gc.ca>

The John Howard Society of Canada has information on youth in the justice system. It also has links to family involvement in the justice system and other topics on youth criminal justice.

<http://www.johnhoward.ca>

Courtprep.ca is a site, made by youth and aimed at youth, that offers information for victims of crime such as how to report a crime, what will happen next, and where to access victim services programs.

<http://www.courtprep.ca>

Related Websites



The Congress of Aboriginal Peoples site outlines what the Initiative means for Aboriginal youth. It also has information on out-of-court responses for Aboriginal youth in conflict with the law, and how community members can become involved in youth justice initiatives.

<http://www.abo-peoples.org/YouthPages/PLEI/PLEIone.htm>

The Young People's Press is a North American news service for youth by youth that focuses on issues that youth care about today. Look under "No Crime" in their "Projects" section for information on youth crime prevention initiatives and articles on issues concerning youth.

<http://www.ypp.net>

The Canadian Centre on Substance Abuse has information on Fetal Alcohol Spectrum Disorder (FAS). Look at their site to understand how FAS can affect children and put them at risk for behavioural problems.

<http://www.ccsa.ca>

YMCA Canada has information on locations in New Brunswick and across Canada, and can tell you about various services for youth.

<http://www.ymca.ca>

Public Legal Education Information Service New Brunswick (PLEIS-NB) has a directory called Snapshots of Programs and Services for New Brunswick Youth.

<http://www.legal-info-legale.nb.ca>

Public Legal Education sites across Canada have produced information dealing with youth justice and the new Act. You should check out all of the sites since most of the material is generic in nature. Justice Canada provides a link to the major PLEI organizations at

http://canada.justice.gc.ca/en/ps/pb/legal_ed.html

For Further Information

This guide is a general overview of youth justice and out-of-court responses. If you would like more information on youth justice or a directory of youth services in New Brunswick please contact:

Public Legal Education Information Service New Brunswick

P.O. Box 6000

Fredericton, NB E3B 5H1

Telephone: (506) 453-5369

Fax: (506) 462-5193

Email: pleisnb@web.ca

<http://www.legal-info-legale.nb.ca>

X. Glossary of Terms



Glossary of Terms

Here are some terms contained in the video and this guide:

Accountability - Being responsible for your conduct and accepting the consequences of your actions.

Adult - A person 18 years of age or older. The YCJA does not apply to adults except where the offence was committed prior to the adult's 18th birthday.

Adult Sentence - A sentence imposed on a person who pleads guilty or is found guilty in an adult court. Under the YCJA, a youth may receive an adult sentence only if the youth justice court finds that a youth sentence would not be long enough to hold a youth accountable.

Cautions - A written reprimand that explains the offending behaviour and the consequences. Receiving a caution often requires the youth to attend a meeting with the police along with his or her parents.

Child - A person who is under 12 years of age.

Crown Prosecutor - A government lawyer who determines if there is enough evidence to proceed to court. In some provinces the Crown Prosecutor may issue cautions as an alternative to court.

Custody

Open Custody - The youth is required to spend a period of time in a residential facility such as a group home or foster care.

Secure Custody - The youth is sentenced to period of time in a secure facility.

Detention - Occurs when a youth is required by law to remain in a designated place, such as police station, court, or detention center.

Extrajudicial Measures - Used to deal with a young person alleged to have committed an offence and a way to hold youth accountable for offending behaviour. They are designed to be an alternative to court.

Extrajudicial Sanctions - The most formal type of extrajudicial measures. Sanctions are used when a warning, caution or referral are not enough to hold a youth accountable due to the severity of the offence, previous offences or any other aggravating circumstances. It is the last pre-trial option.

Facilitator - A trained individual who presides over an out-of-court response. This ensures that a balance is maintained among the interests of the participants.



Glossary of Terms



Indictable Offence – a serious offence for which an adult would receive more than 6 months in prison or more than \$2000 in fines. These offences have more serious consequences and will result in a youth record being open for 5-10 years.

Least Restrictive Measure - The measure that the police can take to respond to youth crime that is the least restrictive, but that can still be an effective and appropriate response to the youth. For example, if "doing nothing" would be an effective and appropriate response to a particular crime, then police should choose this because it would be the least restrictive measure available.

Parent/Guardian - Any person who has legal custody of a youth.

Probation - A court order that puts conditions and limitations on a youth's actions for a set period of time.

Proportionate sentencing - Setting consequences that are directly related to the circumstances and severity of the crime, and the degree of responsibility of the young person for the offence.

Protective Factors - Support and programs that protect youth from developing aggressive or anti-social behaviour that could contribute to participating in crime.

Referral - Arranging for a youth to attend a program or receive services from the community. This may include mentoring, tutoring or other help required to assist the youth.

Reparations - The act of making amends. Under the YCJA it refers to repairing harm or damage resulting from the actions of the youth.

Timely Intervention - Acting quickly to ensure youth make a connection between their actions and the resulting consequences.

Victim - A person who suffered harmed or incurred damages as a result of the offending behaviour of a youth. They have a right to be informed about the case and to participate in court proceedings or out-of-court responses.

- ne prendre aucune mesure;

Violent offences - include avertissement verbal; such crimes as murder, attempted murder, manslaughter, sexual assault and aggravated assault.

- rencontrer les parents et l'adolescent au poste de police

Youth or a Young Person - A person twelve years of age or older, but less than eighteen. Also includes an adult who is charged with an offence that occurred before his or her 18th birthday.

- faire un renvoi vers un programme ou un organisme de la collectivité;

Youth Justice Court - A court that has procedures and protections specific to youth.

- transmettre le dossier à un procureur de la Couronne

Youth Record - A record created and kept for the purpose of the Youth Criminal Justice Act. A youth record is never open to the public. It is only open to persons specified under the YCJA and for limited purposes.

- de garantir une intervention efficace et rapide face à un délit commis par un adolescent;
- de responsabiliser davantage l'adolescent;
- d'encourager la réparation des torts causés aux victimes;
- d'augmenter la participation de la famille de l'adolescent;
- d'augmenter la participation de la collectivité;
- d'avoir une vue plus précise des antécédents de l'adolescent et des facteurs qui l'ont amené à un comportement criminel.