

Fact Sheet Feuille d'information



Ministry
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YOUTH JUSTICE COMMITTEES

Pilot Youth Justice Committees will be established in 1999 in a total of six locations in the province: Barrie; Cornwall; Kitchener; Ottawa; Port Colborne; and Toronto.

Committees Aim to Reduce Repeat Offences

The Committees will provide an alternative to the court-based system for youth offenders who commit minor, non-violent offences for the first time. Young offenders are 12-17 years old.

The Committees address the public's overall support for alternatives to prison for non-violent young offenders that involve compensation of the victim. They also address the public's lack of confidence in the effectiveness of the federal *Young Offenders Act* to deter youth crime.

The Youth Justice Committees build on an existing informal program in Cornwall.

Experience in Cornwall indicates that only 33 of the 300 cases handled registered further convictions: a re-offender rate estimated at about half of the typical rate of cases that go through the courts.

Programs, similar to Ontario's Youth Justice Committee pilots, are underway in Alberta, Manitoba, Newfoundland, Nova Scotia, the Northwest Territories, and New Zealand.

Modification to Current Programs

The existing program in Cornwall has been adapted to be consistent with the new Community Youth Justice Committee model.

Modifications to Cornwall's program, to be used at the six sites, include: young offenders can be referred to the Committees by police before charges are laid; Committees have a wider range of penalties to choose from; victims can be present during offenders' hearings; and parents of offenders must attend their children's hearings.

How Youth Justice Committees Will Work

- The Committee will be made up of volunteers in the community who work in partnership with participants in the criminal justice system, such as the police, Crown attorney and probation officers.
- Police will refer an offender to the Committee before a charge is laid, or the Crown will refer an offender after a charge is laid.
- The Committee, with the involvement of victims- if they wish to attend the proceedings- will determine penalties as an alternative to formal court proceedings.
- In order for offenders to be referred to the Committee, the offender must accept responsibility for his or her actions, be willing to participate in the program and be aware of his or her options and rights.
- Offenders who do not agree with, or fail to comply with the penalties, will be returned to the formal court system.

Examples of Penalties

Penalties take into consideration the individual circumstances of the offence and the offender and are determined in conjunction with the offender, parents and victims.

Examples of penalties include:

- community service;
- curfews;
- paying back the victim and community;
- counselling programs, such as anger management sessions;
- orders forbidding the offender to associate with a person or a group;
- “scared straight” programs, for example where an offender hears from a convicted offender about life in prison;
- suspension of privileges such as a driver’s licence; and
- extra school time, provided the school consents

An apology to the victim will be made in every case, unless the victim refuses.

Selection of Committee Members

A steering committee will be formed in a community to develop a proposal to set up a Youth Justice Committee and solicit volunteer members. This steering committee will work closely with the police, Crown attorneys and probation officers to select members. Applicants for membership on the Youth Justice Committee will be:

- representative of the community;
- subject to a criminal record check;
- recommended by the local chief of police or designate, probation officer, and Crown attorney;
- approved for membership by the Attorney General or designate;
- trained and will also take an oath of confidentiality; and
- removed for any inappropriate behaviour, such as breach of confidentiality or non-disclosure of conflict of interest.

Police, probation officers and Crown attorneys will be available and act as resources to the Committees and provide ongoing support.

Eligible Offences Committed by Young Offenders of Non-violent Crime

Offences eligible for referral to Committees include:

- theft (for example, shoplifting);
- possession (for example, possession of stolen property or goods);
- false pretences (for example, price switching);
- causing mischief (for example, breaking a shop window);
- causing a disturbance; and
- fraud.

Ineligible Offences

Offences such as the following are *not eligible* for referral to Committees:

- break and enter;
- joy riding;
- property offences;
- weapons offences;
- assault, including sexual assault;
- criminal harassment (for example stalking);and
- alcohol-related driving offences.

Crime Control Commission

Prior to the release of its report on crime, Ontario's Crime Control Commission found that the Young Offenders Act was ineffective in dealing with first-time young offenders who commit minor offences. Offenders received either a 'slap on the wrist' or absolute discharge. During a visit to Manitoba where Youth Justice Committees were in place, the Crime Control Commission learned that recidivism for young people sentenced under the program was lower, and that punishments were more stringent, than those processed by the formal justice system for similar crimes.