

Fact Sheet

Feuille d'information



Ministry of the
Attorney General

Ministère du
Procureur général

August 8, 2001

EXPANSION OF YOUTH JUSTICE COMMITTEES

Expansion

The Ontario government committed in the May 2000 Budget to triple the number of Youth Justice Committees across Ontario from six to 18. The Attorney General announced today that the expansion sites will be located in Belleville, Brockville, Cobourg, Hamilton, Huntsville, Newmarket, Windsor and Whitby as well as Haliburton, Walkerton-Owen Sound, Armstrong-Nipigon-Fort Frances-Marathon and the Region of Peel.

Youth Justice Committees

Six Youth Justice Committees were established in 1999. Committees are operating in Cornwall, Ottawa, Barrie, Kitchener, Port Colborne and Toronto. To date, the six locations have dealt with more than 300 cases.

The May 2000 budget provided \$500,000 per year to expand the number of Youth Justice Committees from six sites to 18.

How Youth Justice Committees Work

- Committees are made up of community volunteers who work in partnership with participants in the criminal justice system, such as the police, Crown attorneys and probation officers.
- Police may refer an offender to the Committee before a charge is laid, or the Crown may refer an offender after a charge is laid.
- The Youth Justice Committee program is an alternative to formal court proceedings. The Committee, together with the young offender, his or her parents, and the victim if he or she wants to participate works out the appropriate way for the offender to make amends for his or her actions.
- 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, are returned to the formal court system.

Examples of Measures

Measures take into consideration the individual circumstances of the offence and the offender, and are determined in conjunction with the offender, parents and victims. They include:

- community service;
- curfews;
- paying back the victim and community;
- counselling programs, such as anger management sessions;
- an agreement by the offender not to associate with a person or a group;
- voluntary suspension of privileges such as a driver's licence; and
- extra school time, provided the school consents

The offender is required to apologize in every case.

Selection of Committee Members

A steering committee is formed to develop a proposal to set up a Youth Justice Committee and solicit volunteer members. This steering committee includes local police, Crown attorneys and probation officers, and representatives of victims' services and Legal Aid. Applicants for membership on the Youth Justice Committee will be:

- representative of the community;
- subject to a criminal record check;
- recommended by the steering committee;
- approved for membership by the Ministry of the Attorney General;
- trained; and
- required to take an oath of confidentiality.

Members may be 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 to act as resources to the Committees and provide ongoing support.

Eligible Offences Committed by Young Offenders (Non-violent Crime)

Offences eligible for referral to Committees include:

- theft, possession under \$5,000 (for example, shoplifting, possession of stolen property or goods);
- false pretences under \$5,000 (for example, price switching);
- mischief under \$5,000 (for example, breaking a shop window);
- causing a disturbance;
- fraud under \$5,000;
- false statements under \$5,000
- food, accommodation fraud

Ineligible Offences

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

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

No More Free Ride for Young Offenders Act

For almost 20 years, the federal government has failed to provide effective young offender legislation – first with the *Young Offenders Act* (YOA), proclaimed in 1984, and now with its proposed replacement, the *Youth Criminal Justice Act* (YCJA) passed by the House of Commons on May 29, 2001, and sent to the Senate.

Ontario believes that the federal government's *Youth Criminal Justice Act* fails to protect the public and when it comes to young offenders who commit violent acts. Ontario has proposed more than 100 amendments to the YCJA so that the bill would have meaningful consequences and hold young offenders accountable for their crimes. The proposed amendments would result in:

- adult time for adult crime
- mandatory jail time for weapons offences
- public notification for violent young offenders

Crime Control Commission

Prior to the release of its report on crime, Ontario's Crime Control Commission found that the federal *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 are in place, the Crime Control Commission learned that recidivism for young people who completed the program was lower, and that punishments were more stringent, than those processed through the formal court system for similar crimes.

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