

Youth Criminal Justice Act

Early History



YCJA HISTORY

- In the 1600s, age 7 was determined as the minimum age for criminal responsibility
- In 1892 Canada's Criminal Code outlined that children be tried separately from adults and without publicity.
- 1908, Parliament passed the Juvenile Delinquents Act and created a separate juvenile court to handle the specific needs of the child



Youth Criminal Justice Act was passed in 2002 and proclaimed law in April 2003

3 OBJECTIVES:

- Prevent crime
- Rehabilitate
- Reintegrate





Philosophy

Young offenders should be treated differently from adults who are supposed to know the difference between right and wrong





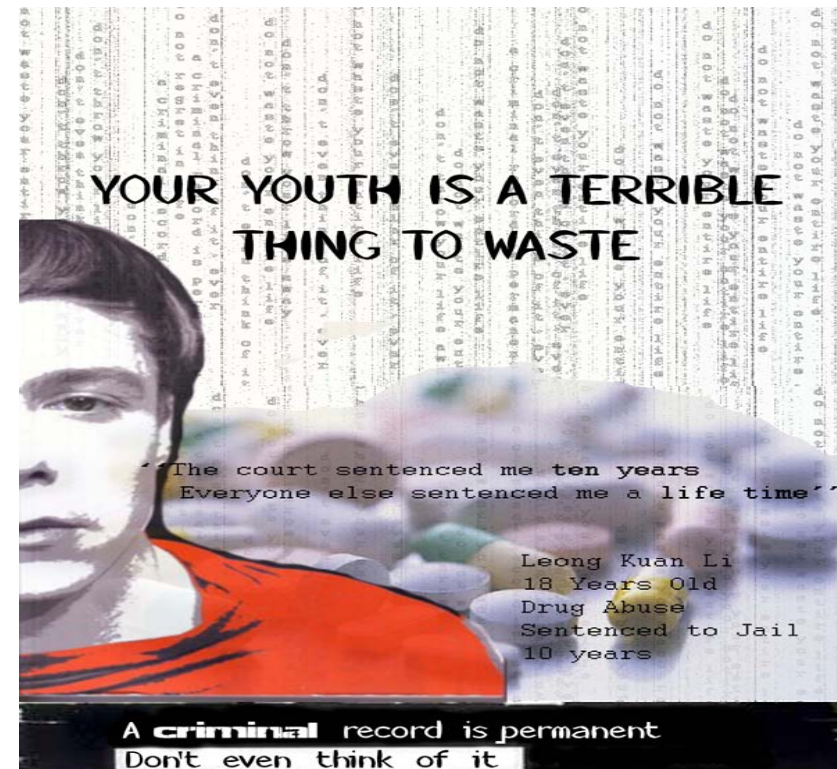
Interesting statistic, but...

- 75% of all youth crime is non-violent
- Most crimes youths are charged with are property related offences like theft and mischief



What are the possible reasons youths commit crime?

- Many young people have a history of:
 - Having their right violated
 - Poverty issues
 - Family difficulties
 - Child abuse
 - Neglect



“The court sentenced me to ten years. Everyone else sentenced me a life time.”

Consider this statement, what do you think it means?



Fetal Alcohol Spectrum

- 1 in 6 young offenders have

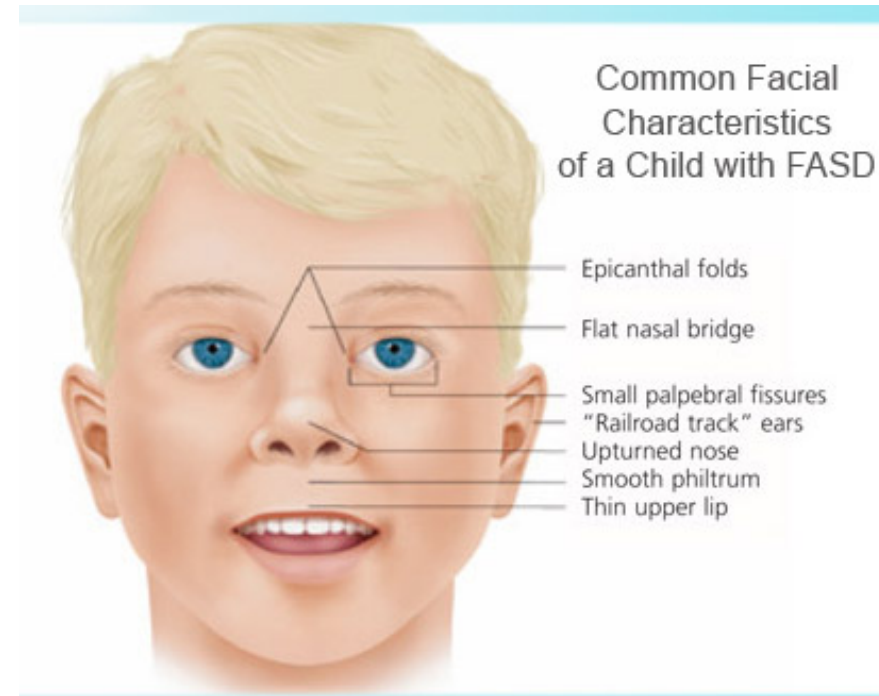
Fetal Alcohol Spectrum

- Fetal Alcohol Spectrum Disorder (FASD) is a term that describes a range of disabilities that may affect people whose mothers drank alcohol while they were pregnant.



Characteristics of FASD

Anyone may have FASD if their biological mother drank alcohol during pregnancy and they may have problems with learning, remembering things, attention span, communicating, doing math and/or controlling their behaviour.



Questions for Debate on YCJA

1. Why do you think harsher sentences hold young offenders more accountable for their actions?
2. To what extent should circumstances of youth be taken into account when a crime is committed? (i.e. family background, poverty, etc.)
3. Why do you think it is necessary to treat young offenders differently than adults?
4. Can you explain why the identity of young offenders needs to be protected?
5. What do you see as the major weakness of YCJA?
6. What do you see as the major strength of the YCJA?
7. The YCJA seeks to have the offending youth engage in some form of contact with the victim of the crime. Why do you think this is a good strategy?
8. How will applying harsher sentences allow for rehabilitation and reintegration into society?

