



Handout: Police and the YCJA

One of the jobs police perform is investigating crime. However, when police have reasonable and probable grounds to believe that a youth has committed or is about to commit a crime, they do not necessarily charge or arrest a suspect. Instead, at this point the police must consider several options. The police can:

- use an extrajudicial measure (as described in previous lessons)
- write out a summons or an appearance notice, in which case the young person would be released but would be required to appear in court at a later date, or
- arrest the youth and take them into custody

Having these options for responding to youth crime is referred to as “police discretion.” Police discretion must be exercised in a manner that is consistent with the *Youth Criminal Justice Act*. It is important to remember that the YCJA’s principles state that the youth justice system will protect the public by:

- holding young persons accountable through measures that are proportionate to the seriousness of the offence and the degree of responsibility of the young person
- promoting the rehabilitation and reintegration of young persons who committed offences, and
- supporting the prevention of crime by referring young persons to programs or agencies in the community to address the circumstances underlying their offending behaviour

The police are vital in both promoting and maintaining these goals. In recognition of this, the Minister of Justice National Youth Justice Policing Award was created. This award honours creativity and innovation in dealing with youth in conflict with the law.

Since 2000, countless police officers have been nominated for their work on various programs and projects. These programs and projects promote positive change by addressing possible reasons behind offending behaviour. Recent award-winning projects include:

- Prince Albert’s Community Mobilization Program, a collaborative early-intervention program to help at-risk youth.
- Vancouver’s EASY (Eastside Aboriginal Space for Youth) Program, a nighttime program aimed at providing safe spaces to keep young people away from gangs.
- Charlottetown’s Police Service Horse Program, designed to develop practical skills and communication abilities for troubled youth by matching them with a brood mare ready to foal.
- Toronto’s Argos Foundation Stop the Violence initiative, which works to reduce gun violence through such efforts as having Toronto Argonaut players visit and mentor youth inside a full-custody youth centre.

A description of the Award, nomination instructions, and profiles of more award-winning programs can be found on the Department of Justice website: <http://www.justice.gc.ca/eng/cj-jp/yj-jj/nyjpa-pnmjj/index.html>.

Discuss

- What are some factors that you think might contribute to youth crime?
 - Given these factors, what can the police do to prevent youth crime?
- Should the police always arrest someone if they believe that the person has committed an offence? Why or why not?
- How do the programs highlighted in this handout (and other programs profiled on Justice Canada's website) relate to the principles of the *Youth Criminal Justice Act*?

