

Handout: Youth Justice Court Personnel



Judge

- decides the facts
- attempts to discover the truth
- decides if all the elements of the charge have been proven beyond a reasonable doubt
- where there is a guilty verdict, the Judge must decide what sentence to impose

Note: It is extremely rare to have a jury in Youth Justice Court. A young person who is charged with murder may choose to be tried by a Queen's Bench Judge with a jury. That Court will be deemed to be a Youth Justice Court for the trial.

Crown Prosecutor

- a lawyer employed by the provincial Ministry of Justice
- prepares criminal case after the charges have been laid
- tries to prove beyond a reasonable doubt that the accused person is guilty
- makes submissions regarding sentence when there is a guilty plea or finding of guilt

Defence Lawyer

- hired by the accused, supplied by legal aid, or appointed by the Court
- tries to raise some doubt in the Judge's mind as to the guilt of the accused
- makes submissions regarding sentence when there is a guilty plea or finding of guilt

Note: An accused is presumed innocent until proven guilty.

Clerk of the Court

- maintains records and assists the Judge
- reads the charge to the accused
- administers the oath or affirmation to all witnesses
- marks exhibits entered as evidence
- records the decision and sentence

Court Reporter

- records the proceedings in court
- when necessary, produces a typed transcript that is a court record of all proceedings in the case

Witnesses

- usually stay outside of the court room until they testify, so their testimony is not influenced by the testimony of other witnesses
- testify as to what they saw, heard, or felt