

Section 2: Criminal Law

Lesson Plan 4: Youth Criminal Justice Act Introduction

SNAPSHOT

Grade Level	8-10
Duration	2-3 periods

Introduction

The Canadian justice system recognizes that youth crime and adult crime need to be dealt with differently. Maturity is a factor in making choices and being able to foresee the probable consequences of your actions. This lesson starts with a discussion of youth crime in Canada and looks at some statistics. Then the *Youth Criminal Justice Act* (YCJA) is introduced and an overview of its provisions is given. The concepts learned are then reviewed in the Legal Eagle Youth Justice Game. The YCJA applies to people 12 to 17 years of age, inclusive. The purpose of the legislation is to prevent crime by addressing the circumstances underlying a young person's offending behaviour, to rehabilitate young persons who commit offences and reintegrate them into society and to ensure that a young person is subject to meaningful consequences for his or her offence.

Objectives

Upon completion of this lesson, students will:

- Discuss their prior knowledge and attitudes about youth crime in Canada
- Understand the specific needs of youth offenders compared to adult offenders
- Gain some basic knowledge about why we have youth legislation
- Understand the principles and provisions of the YCJA
- Apply the information learned to scenarios
- Preview and review the legal concepts learned by playing the Legal Eagle Youth Justice Game

Focus Questions

1. What are our perceptions of youth crime in Canada?
2. What are the actual statistics about youth crime in Canada?
3. Why do we have a *Youth Criminal Justice Act* (YCJA)?

4. Who does the *YCJA* apply to?
5. How does it promote the long-term protection of the people?
6. What are the measures used to deal with youth crime and what issues should they address?
7. What is a youth's right to "due process"?
8. What are extrajudicial measures and sanctions? How do they impact youth criminal cases?
9. What differences exist for non-violent and violent offenders and for first time and repeat offenders?
10. What is rehabilitation?
11. What is reintegration?
12. What is the role of parents, victims and the community?

Teaching Summary

Topic 1: Youth Crime in Canada

Students will work on a Crime Quiz in groups to discover what perceptions they have about youth crime. Discussion of their answers and a review of statistics on youth crime will complete this topic.

Topic 2: Overview of the *YCJA*

Students will work on collecting news articles or on the provided scenarios to start them thinking about how youth crime is dealt with in Canada. The purpose behind the *YCJA* will be introduced to them and discussed.

Students will read an overview for homework. Highlights will be reviewed by the teacher and then students will complete a work sheet. They will also work on a case study in a group and decide how the youth in the scenario will be dealt with under the *YCJA*. It will allow them to apply the information they have learned. You can do Activity 3 to have students create a video showing their point of view about young offenders using the website www.LawProject.ca. The final activity is playing the Legal Eagle Youth Justice Game as a review and reinforcement of some of the important facts in the lesson.

CONTENT

Topic 1: Youth Crime in Canada

Youth who commit offences in Canada are dealt with under the *Youth Criminal Justice YCJA* (YCJA) passed in 2003 and the *Criminal Code of Canada*.

Here are some important statistics about youth crime in Canada¹.

Youth Crime is Decreasing in Canada

Between 1991 and 2006 British Columbia's youth crime rate declined by 49%, Alberta 41%, Ontario 34% and Quebec 25%.

In 2006, around 180,000 youth were implicated in some violation of the Criminal Code (excluding traffic offences). Therefore, 6,885 youth were accused for every 100,000 young people in this age group.

What Kinds of Crimes do Youth Commit?

- Violent Crime:
 - In 2006, violent crimes made up a large share of youth crime, estimating around 39,472 youth. Weapons were present in 20% of violent crimes.
 - In the 10 years between 1997 and 2006, the overall violent crime rate in Canada declined 4%. However, the violent crime rate among youth has risen 12% in the last 10 years and has climbed 30% since 1991.
 - By 2006, youth accused of violent offences accounted for nearly a quarter of youth crime; up from one in five 10 years earlier. Increase in youth assaults.
 - Youth accused of assault represented nearly 80% of those apprehended for a violent crime in 2006.
 - Violent crime rates among youth including homicides, and crime rates for "other" Criminal Code offences such as mischief and disturbing the peace, were up in 2006.
 - In 2006, both the number and rate of youth aged 12 to 17 years accused of homicide reached their highest point, rising 41% since 1997.
 - The homicide rate is only 0.05%. 44% of those homicides involved a knife and 17% involved a firearm. Overall, 84% young people (72 boys and 12 girls), were implicated in 54 homicides in 2006.

¹ Statistics Canada 2006, 2008 and 2011

- Property Crime:
 - Property crimes are at their lowest rate compared to the last 10 years. These types of offences accounted for about 4 in 10 youth accused of crimes in Canada in 2006. This turned out to be 75,461 youth involved in property crime.
- Drug Crime:
 - Drug related crimes doubled with close to 18,000 youth accused.
- School Crime:
 - In 2006, 1 in 10 youth crimes were committed on school property
 - Crimes at school include bullying and violence
 - Assaults are particularly common representing about 30% of all violations committed by youth on school property. Uttering threats constituted another 8%
 - Nearly 20% of crimes committed at school were drug offences, whereas 5% of youth crimes committed elsewhere were drug-related. Youth drug offences taking place on school grounds usually involved the possession (78%) or trafficking of cannabis (10%)

Where and When do Youth Commit Crimes?

- In 2008, police reported nearly one-third (32%) of young people aged 12-17 committed crime in private residences, such as homes and surrounding properties
- 13% of those offences occurred on school property and 23% occurred in stores, office buildings and outdoor public spaces
- Crime was relatively spread out evenly between spring, summer and fall but occurred least during the winter months. Youth crime was distributed evenly across the week (except for Sundays) and peaked on Fridays
- Crime rose through the early morning and peaked late afternoon between the end of school days and supertime (3 pm and 6 pm). Crimes gradually decreased in the evenings
- Early afternoons, between noon and 3pm, showed the highest frequency of drug related offences for youth
- Youth committed the most traffic violations, from 9pm to midnight

At What Age do Youth Commit Crime?

In 2009/2010, the age break down was as follows:

- 32% of crimes were committed by those 17 years of age
- 26% of crimes were committed by those 16 years of age
- 20% of crimes were committed by those 15 years of age
- 12% of crimes were committed by those 14 years of age
- 6% of crimes were committed by those 13 years of age
- 2% of crimes were committed by those 12 years of age

Over one half of youth crime is committed by youth who are 16 or 17 years of age. The other half involves youth under the age of 16.

Which Youth Gender is More Likely to Commit Violent Crimes?

Young men are still more than twice as likely to be involved in violent crime than are young women.

- In 2009/2010, 71% of males committed crimes compared to only 22% of females. 7% of crimes were committed where sex is unknown.
- Females account for 1 out of every 5 youth accused of committing a violation against the Criminal Code.
- When females did offend, they tended to commit crimes of theft, common assault, bail violations and fraud (2005).

What This Means

Although youth crime has decreased generally, violent crime and drug related crime has increased. These figures indicate that the law dealing with youth crime needs to look at different options for different age groups and categories of offences. This is what the *Youth Criminal Justice Act* does.

Topic 2: Overview of the YCJA

Introduction <h2>

The *Youth Criminal Justice Act (YCJA)* applies to young people who are 12-17 years old. The law says a person is an adult at age 18. At age 18, the *YCJA* does not apply. Offenders are referred to as "young persons". The overall purpose of the *YCJA* is to make the public feel safe. Young people must be accountable for their actions, which means that they must face the consequences for their wrong-doings. The consequence for the crime must be proportionate to the seriousness of the crime. That means that more serious crimes should have more serious consequences.

Did You Know?

- Most youth who commit crimes are between the ages of 14 and 17.
- If youth are younger than 12 years old, they are not dealt with under the *YCJA*. The government's Ministry of Children and Family Development deals with those youth.
- Parents and guardians are told if their child commits a crime. They are asked to come to court to prove the age of their child.

What Does the YCJA Do?

- It establishes a fair and effective youth justice system. Serious and repeat offenders will be dealt with more severely. There are many choices or options in sentencing. Victims, parents and the community are encouraged to become involved in the process whether it is in court or not.

Why do we have the YCJA?

The *YCJA* treats youth differently from adults because of their level of dependency, maturity and development. There are three principles of the *YCJA* that promote the long term protection of the public.

1. Prevent crime by addressing the circumstances underlying a young person's behaviour
2. Rehabilitate and reintegrate young people who commit offences into society
3. Ensure that a young person is subject to meaningful consequences for his or her offence

What are "Meaningful Consequences"?

Meaningful consequences are things done to help youth understand the implications of their actions and to fix the harm done to others. Measures to deal with youth crime should:

- Address the crime
- Mean something to the offender
- Reinforce respect for Canadian values
- Help fix the harm done to victims and the community
- Respect gender, ethnic, cultural, and language differences

- Involve the family, the community, and other groups
- Respond to the needs and lives of Aboriginal youth and youth with special requirements

Legal Terms Defined

Aboriginal: This term includes Métis people, as well as people of the First Nations communities across Canada.

Alleged: To say something is the case before it has been proven in court.

Community-based Measure: Something that happens outside the court system to hold a youth accountable for a crime.

Community-based Sanction: Something that happens outside the court system to hold a youth accountable for a crime. It includes a program or conditions that the youth must complete.

Community Justice Conference: A type of conferencing authorized by law. It is a gathering of those concerned with the youth and the crime who meet to discuss how to deal with the youth. The youth who committed the crime, their family members, police, and people affected by the crime are among those who may attend. Victims may attend if they choose to do so.

The Crown: A lawyer for the government who decides if there is enough evidence to charge the youth with a criminal offence. The Crown is also called "the prosecutor" because he or she presents the evidence against the accused if the case goes to court.

Custody: This is the term for being under someone's care or control. For youth convicted of a crime, it means being in the care and control of Youth Corrections. "Closed custody" means being held in a jail. "Open custody" means being held in a jail with fewer restrictions and conditions.

Extrajudicial: This term means outside the court system.

Extrajudicial Measures: These are measures taken outside the formal court system to deal with youth crime. They are initiated by the police or Crown counsel.

Extrajudicial Sanction: These are rules attached to measures outside the formal court system that the youth who committed the crime must follow. It is initiated by Crown counsel.

Judge: This is an official with special legal training appointed by government to decide whether or not the facts presented in court prove the youth committed the offence. The judge decides the sentence for the crime.

Lawyer: This is a person with special legal training who can represent someone in court and give advice about the law.

Offence: This is another word for a crime.

Probation: This means a sentence that puts conditions on the youth's behaviour in the community.

Rehabilitation Program: This refers to programs designed to address the problems that lead the youth to commit the crime.

Reintegration: This refers to the youth's ability to fit back into his or her community.

Sanctions: These are rules the youth must obey.

Sentence: This refers to the penalty for a crime.

Sentencing Circle: This is a gathering of members of the community and the young offender (and the victim if he or she chooses). They work out a sentence that will help the youth repair the harm caused by the crime. They tell the sentencing judge what they recommend.

Elements of the YCJA <h2>

Non-Violent Crime and First Time Offenders

Most youth who commit crimes are either non-violent or first time offenders. Non-violent and first time offenders will have a range of options other than going to court such as police warnings or police or Crown diversion programs. Extrajudicial Measures and Extrajudicial Sanctions may place young people who offend into programs that will help address their problems and they may also provide an opportunity for restitution to the community. If they go to court sentences could include doing something for the victim to make up for the crime or doing some form of community service.

Violent and Repeat Offenders

Serious violent crimes occur when someone gets hurt as a result of a crime or if there is a serious risk of someone being hurt. For example, a robbery in which no one was injured could be considered "violent" if a gun, or even a replica of a gun, was used as a threat. A youth is a "repeat offender" if s/he has committed a crime before.

An adult sentence can be given to a youth 14-17 years old if that person has been convicted of one of four serious violent offences or if the youth has a pattern of convictions for violent offences, or if the offence is one for which an adult could receive more than two years in jail. This means that when a youth (14, 15, 16 or older) commits attempted murder, murder, manslaughter, aggravated sexual assault or a third serious violent offence an adult sentence shall be imposed if the youth is found guilty.

The trial is always held in youth court. A province may fix an age greater than 14 years but not more than 16 years for the purpose of the application of the provisions relating to these presumptive offences. The *YCJA* can provide for a sentence that includes special supervision if the youth has committed one of the more serious crimes. This special supervision is called "intensive rehabilitative custody." The maximum youth sentence is ten years for first-degree murder, six years served in custody and four years under supervision.

The *YCJA* states that the media may publish the name of a youth who has been convicted of a serious violent crime and has received an adult sentence. If the youth does get an adult sentence for a serious violent crime, then the records are treated in the same way as if the youth were an adult.

Custody as a Consequence

Keeping people in custody has been shown not to be the best approach for rehabilitation. When people are released they might commit further crimes because they have not broken their old habits or they have learned bad habits from other offenders. Therefore, alternatives to custody should be considered for youth.

Alternatives to the Formal Court Process

"Extrajudicial Measures and Extrajudicial Sanctions" are designed to solve problems and to keep young people out of the court system by having them take responsibility for their actions and, where appropriate, take other action such as to apologize, to attend counselling, to make restitution, among others. These extra-judicial measures and sanctions are often more meaningful and can help the youth focus on repairing the harm done to the victim and to the community.

Restorative Justice

Restorative justice means that those who are involved in a crime – victims, victims' families, youth who offend and the community – are encouraged to reconcile, restore and repair relationships and situations.

Rehabilitation

Rehabilitation means that young offenders must take steps to address some of his/her problems. Young people must be held accountable for their crimes. However, because of their age, young people are less set in their ways and they are more likely to respond to treatment programs and to be successfully rehabilitated and become law-abiding citizens. The *YCJA* underscores the importance of rehabilitation programs such as drug and alcohol counselling, anger management programs and job training.

Reintegration

Reintegration means that the youth must learn to fit back into his/her community. The *YCJA* makes this a priority. All custodial sentences will include a period of supervision in the community following the period of custody. Reintegration planning will be required for all youth in custody. There may be some rules that the youth must follow. The youth may have to attend school, obey a curfew, not associate with certain people, not use drugs or alcohol and attend anger management or drug and alcohol counselling. If these conditions are followed while the youth is being closely supervised and supported then the youth has a better chance of not committing a crime again during this critical period.

Consequences of Having a Criminal Record

The convicted youth would have a criminal record for up to five years after s/he has completed his/her sentence or ten years if a violent offence. If s/he commits another offence within that time period then, the previous offence could be addressed in court especially in sentencing. Even a "closed" youth record can be reopened by the court at a later time if more offences are committed. A convicted youth may not be able to travel to another country or secure certain types of employment if they have a record. What youth need to realize is that their young offender criminal record will not automatically disappear after they reach the age of 18. These are serious consequences for youth.

Youth have "due process" rights which include the right to be heard and take part in processes that affect them and special guarantees of rights and freedoms under the [Canadian Charter of Rights and Freedoms](#).

Summary <h2>

- Youth aged 12-17 who commit offences are treated differently than adults.
- The objectives of the youth justice system are crime prevention, rehabilitation and reintegration, and meaningful consequences. These objectives taken together will promote the long-term protection of the public.

- Measures to deal with youth crime should be meaningful to the youth, encourage the repair of the harm done to victims and the community and should be responsive to the needs and circumstances of Aboriginal youth and youth with special requirements.
- Measures must be fair and in proportion to the seriousness of the offence.
- Youth have due process rights, which include the right to be heard and participate in the decisions that affect them.
- The youth, his or her parents, the victim and the community all play an important role when addressing the youth's criminal behaviour.
- The *YCJA* gives rehabilitation and reintegration special emphasis and recognizes the importance of timely intervention.

ACTIVITIES

Activity 1: Youth Crime in Canada

Have your students complete *Handout 1: Crime Quiz – How much do you know?* by working in pairs or small groups. Compare the students' answers with the answer sheet to stimulate discussion. Then give the students *Handout 2: Statistics on Youth Crime* to finish off the activity.

See Answer Key for *Handout 1* in the Assessment section.

Activity 2: Introduction to Youth Criminal Justice Act

Pre-Activity

A few weeks prior to starting this lesson have your students research the media for a variety of current cases involving youth.

Students should collect news articles for about a month prior to introducing the YCJA. They can look at the various events portrayed in the articles and discuss them. Among the points of discussion would be the facts in the case (who, where, why, what, when and how) and whether or not there is enough evidence to proceed to trial. They could also decide what offence the person would be charged with, how the Crown might proceed and what would be a viable defence. Students could work in pairs or in groups to collect articles and to summarize them. They could present their information in a short current events session each week.

Activity

Ask the group if anyone has ever heard about the *Youth Criminal Justice Act (YCJA)*. If someone has, let him or her tell the group what they know about it. If no one has heard about it, ask what they think it might be about. Explain they are going to learn more about it and ask them to suggest why it is important for youth to know what the law says.

Go over Topic 2 in the content section which includes why we have youth legislation, its principles and some details on its application. Compare these with the solutions your students raised with regard to their news articles.

If you do not want to do the pre-activity you can use one of the following scenarios and the questions below it to start a discussion with your students. Have them identify the who, where, why, what, when and how about the story and whether or not there is enough evidence to proceed to trial. They could also decide what offence the youth would be charged with, how the Crown might proceed and what would be a viable defence.

Scenario 1: Joy Riding

Jackie is 12 years old. One day, she and her friend Barb, who is also 12, were walking home from school when they saw a car parked at the side of the road. They noticed the keys were in the ignition. They decided to take the car for a joy ride down by the beach because they knew other kids their age would be there and they wanted to impress them. On the way to the beach, however, a police car stopped them because they were speeding. Their joy ride was over.

1. Do you think these young people broke the law? How?
2. Do you think they are responsible for their actions, or that their parents should be? Why or why not?
3. How would the owners feel when they found out the car was stolen?
4. What should happen to the youth? What would you do? Punish them? Help them? How? Have them repair the harm they did? How?
5. Do you think their parents should deal with the incident rather than the courts?

Write the different responses on the board. Inform the youth that joy riding is covered under Section 335 (1) of the *Criminal Code*:

Everyone who, without the consent of the owner, takes a motor vehicle or vessel with intent to drive, use, navigate or operate it or cause it to be driven, used, navigated or operated is guilty of an offence punishable on summary conviction.

Scenario 2: Theft from Auto

Peter, 17, is in Grade 12. He has an 11-year-old brother, Jimmy. One of Peter's friends at school, Jack, is 18. One evening, Peter went over to Jack's house. He took Jimmy with him. Jack suggested they go out. Walking down the street, they saw a car with a lot of things in it. No one was around. Peter and Jack decided to break into the car. Jimmy helped them. Someone saw them and called the police. All three boys were caught. Each of the boys was treated differently. A police officer took Jimmy home to his parents and explained what had happened. Jack and Peter were taken to the police station. The police told Jack that he would have to go to adult court. They told Peter that he might have to go to youth court. The police said that first Peter would have a chance to talk to a youth probation officer to find out why he got into trouble. Jack said, "That's not fair. All three of us did the same thing. We should be treated the same."

Instead of having an oral discussion you could ask your students to write about the incident. Have them pretend they are one of the boys (Jack, Peter or Jimmy) and write in the boy's journal as if they were that boy. They should imagine the boy's point of view and then:

- Write about what he did and why he did it
- Write about how he felt
- Write what the boy thinks about what happened to him

- Write what the boy thinks about what happened to the others
- Write about how the owner of the car felt and why

When discussing this scenario you can ask students to provide reasons as to why they think the boys were treated differently. Compare it to a case of disciplining a 5 year old and a 12 year old for hitting a classmate. The differences in the maturity of the children require different responses.

Explain to the students that the Canadian legal system recognizes that youth crime and adult crime need to be dealt with differently, too, because we acknowledge that maturity aids us in making responsible choices and foreseeing consequences.

Summarize this activity with the following points:

- The *YCJA* stresses respect for the law and for others, responsibility for your actions and fairness for everyone, including the victim. Parents, victims and the community are encouraged to take part. Victims can take part by submitting a victim impact statement, which is their right under the Victims of Crime *YCJA*
- The *YCJA* says young people between the ages of 12 and 17 are responsible for their actions. However, penalties are not as harsh as for an adult who commits the same offence. Youth are treated differently under the law because of their lack of maturity in understanding and appreciating the consequences of their actions
- It is through (a) preventing crime, (b) having consequences that fit the crime, and (c) helping offenders stop their criminal behaviour that society is being protected over the long term
- The *YCJA* says consequences should reinforce respect for the values of society and help repair any harm done to victims. The judge will think about the seriousness of the crime. This is one of the things to consider before deciding what sentence to give the young person. For a violent or serious crime, a young person may go to jail. For less serious crimes, like stealing, there are other choices. The sentence should help prevent future crimes as well as pay back, in some way, for the harm the young person did
- The *YCJA* emphasizes helping young people with their problems

Activity 3: Overview of the Youth Criminal Justice Act (YCJA)

Give your students *Handout 3: Overview of the Youth Criminal Justice Act* to read for homework prior to doing this activity. Discuss the information and highlight some of the most important aspects. Give the students *Handout 4: What's It All About? Youth*

Justice. They can use Handout 3 to help them answer the true and false questions about the YCJA.

See Answer Key for Handout 4 in the Assessment section.

Once your students have some knowledge of the divide them into groups and assign a case study to each group from Handout 5: Working with Case Studies and the YCJA. This activity is designed as a summary activity where students have the opportunity to pull together everything they have learned about the YCJA.

- Students will read case studies and determine whether police diversion, Crown diversion, or court proceedings are most likely
- Students will also determine what alternative measures might be used or what the sentence would be and what conditions of probation would be suitable
- Students would also assume the role of the victim and write a victim impact statement to present to the class. Have them consider whether or not restitution or compensation to the victim is possible or appropriate. Have each group present their case to the class

Review the key points of youth legislation as noted below with the students:

- Whether the young offender has committed a serious crime
- Whether the youth is a repeat offender
- The provisions for sentencing youth who have committed crimes
- The involvement of the community, parents and victims
- The treatment of youth crime in ways that fit the seriousness of the crime and the youth's level of maturity
- Diversion by the police or by Crown counsel
- Alternative measures that provide for the young offender to become voluntarily involved in compensation, restitution, community service, drug and alcohol counselling, anger management programs, curfews, not being allowed to associate with certain people, attending school or job training

Activity 4: The Law Project and Youth

Have your student create a video showing their point of view on the YCJA. Use the website www.LawProject.ca on the topic of Youth. Students will learn about how effective the justice system is in its treatment of young offenders and how much emphasize should be placed on the age and circumstances of youth when they commit criminal offences. They will watch a video and see different points of view on what

happens when a young girl steals from a store and is arrested. They will also be able to see a timeline which covers the history of young offender legislation in Canada. As students work through the materials on this website they can collect video segments and pictures which they can then use to create a video which shows their point of view. Teacher resources are also available on this site.

Activity 5: Legal Eagle Youth Justice Game

Use the game to preview and review the legal concepts that appear in this lesson. The game can be played on the first day and throughout the lessons.

Materials Needed

- Game Circle – *Handout 6: Legal Eagle Youth Justice Game Circle*
- Questions – *Handout 7: Legal Eagle Youth Justice Game Questions*
- Answer Keys for teacher – see Assessment section.
- Appoint a scorekeeper who can write the results on the board
- One die

Instructions

1. Create a light-hearted, “fun” atmosphere for the game, so that the students are not intimidated by the information. Encourage them to guess if they are not sure of an answer. Do this especially when you first play the game. Give hints as well.
2. Explain that you will be playing this game numerous times and they will be able to see how the game gets easier as they become familiar with the information. As the participants learn more about the law, the questions will be easier to answer.
3. Accumulate the scores of each team until the end of the unit when a winner may be declared.
4. Play the game and keep a record of the scores.

Introducing the Game

The first time you play the game, start with the true or false questions. The teams get to answer a question only when the dice lands on the "true or false" position on the game sheet. If they land on one of the other positions, they pass. Explain that as they become more familiar with the subject of the *Youth Criminal Justice Act*, they can play the other positions as well.

Set Up for the Game

1. Divide the group into at least two teams and ask each group to come up with a name that has some legal connection. That will be their team name for the game.
2. Make an overhead of the game circle or project the electronic copy of it on the wall of the classroom.
3. Appoint a scorekeeper (or act as scorekeeper yourself).

4. Team 1 chooses one of their members to come forward and throw the die for the group. The number on the die corresponds to the category of question on the game circle.
5. The teacher asks the Team 1 player a question from that category. (There are three categories that are repeated twice on the game circle.) Students in the group will brainstorm together to come up with their answer. If a time limit is set the game will move more quickly and be more exciting. Thirty seconds to one minute to answer is suggested.
6. If the answer is correct, the scorekeeper will record the point. If the answer is incorrect, the team following could try to answer to get the point. This focuses the attention of at least two groups to come up with an answer to the question.
7. You are the final judge as to whether a player is awarded full points. For those answers that are not “yes/no” or “true/false” you have the right to award half points. Encourage students to take a guess if they are not sure of the answer. Do this especially when you first play the game.
8. The score from each session is accumulated throughout the lessons to determine a winner at the end.
9. After the game, deal with the questions that puzzled the students.
10. Encourage the players by challenging them to get a higher score the next time they play.

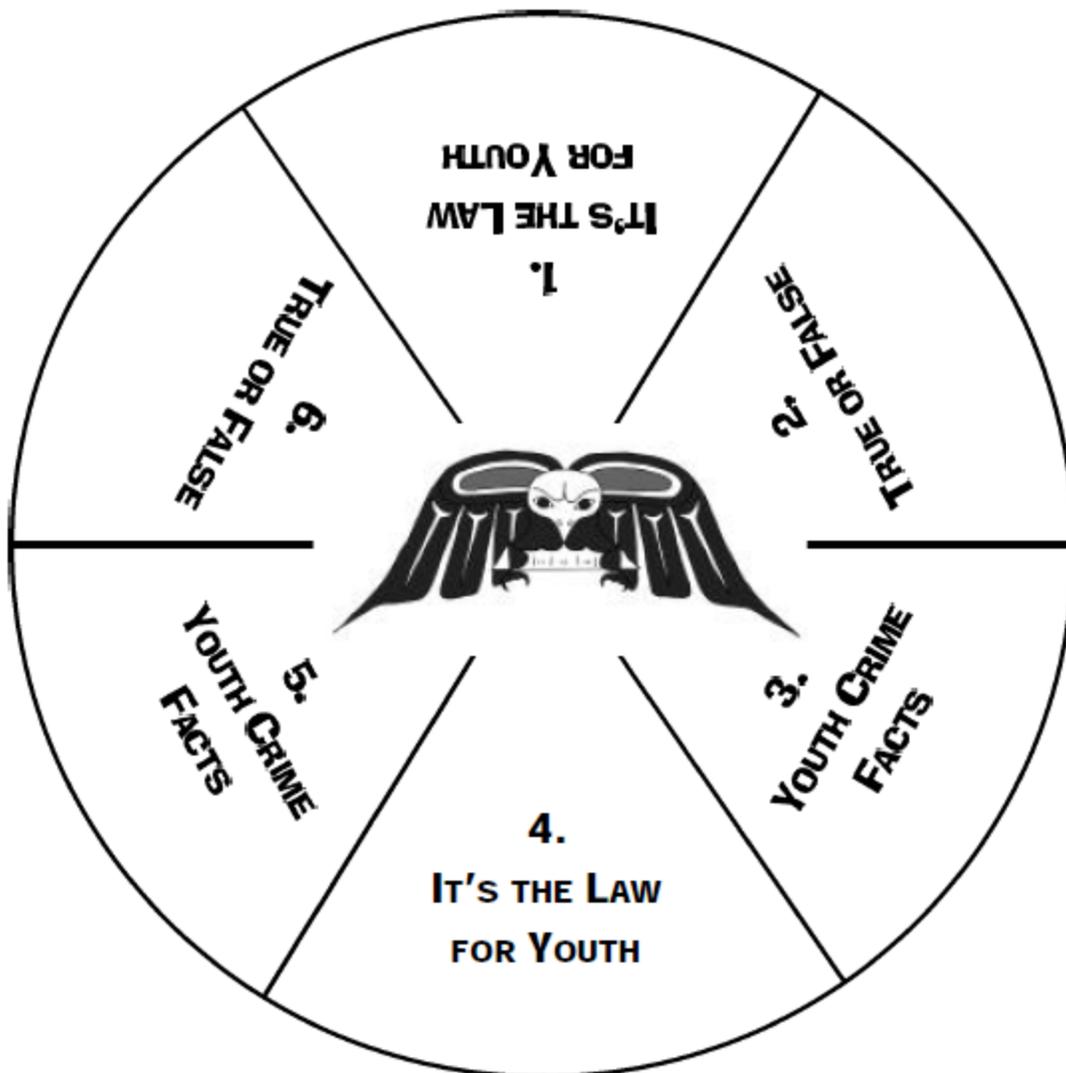
Review the rules of play with the youth

- On your turn, roll the die and move it to the category you rolled
- Your teacher will ask you a question from the category you rolled
- If your team answers the first question correctly, continue your turn by rolling the dice again and taking another turn. If you don't know the answer, take a guess. Half points are awarded for smart guesses
- If you answer incorrectly, the play passes to another team. Your teacher then asks the question

The game circle follows on the next page. A copy of the questions and answers can be found in the Assessment section. The questions categories are:

- It's the Law for Youth-Questions 1-10
- True or False-Questions 11-31
- Youth Crime Facts-Questions 32-42

Be A Legal Eagle



RESOURCES

Activity 1: Youth Crime in Canada

Handout 1: YCJA Crime Quiz-How much do you know?

Handout 2: Statistics on Youth Crime

Activity 3: Overview of the Youth Criminal Justice Act (YCJA)

Handout 3: Overview of the Youth Criminal Justice Act (YCJA)

Handout 4: YCJA What's It All About? Youth Justice

Handout 5: Working with Case Studies and the YCJA

Activity 4: The Law Project and Youth

The Law Project www.LawProject.ca

Activity 5: Legal Eagle Youth Justice Game

Handout 6: Legal Eagle Youth Justice Game Circle

Handout 7: Legal Eagle Youth Justice Game Questions

ASSESSMENT

Activity 1: Youth Crime in Canada

Give students participation marks on group discussions and work on Handout 1: YCJA Crime Quiz - How much do you know?

Answer Key: Handout 1: YCJA Crime Quiz

1. *No, it is decreasing. From 1991 to 2006 youth crime decreased 49% in BC. Youth crime is going down across Canada, in both rural and urban neighbourhoods.*
2. *25% and 80% of those were assaults, for example, hitting someone.*
3. *The law says children under 12 years old can't be charged and taken to criminal court. He or she can be treated through the mental health system or receive protection from a child protection agency. If the police catch a child younger than 12 doing something wrong, they will take the child home and tell the parents, refer the child to the Ministry of Children and Families or ensure the child gets treatment from a mental health facility. The parents may get other help at the school or in the community.*
4. *Young people are adults at 18. There is a special law for youth age 12 to 17. It is called the Youth Criminal Justice Act (YCJA).*
5. *More are 16-to 17-years old. In 2009-2010, 32% were 17, 26% were 16, 20% were 15, 12% were 14, 6% were 13 and 2% were 12.*
6. *No. Young people are sent to a special youth jail for serious crimes when it is necessary to protect the public. Some youth are sent to live in special places, for example a group home run by the government. Others may get help from local community groups.*
7. *The sentence should depend on the seriousness of the crime. It should prevent future crimes as well as repairing the harm the young person did. It may include probation with conditions, repayment, community service, or attendance in programs. For example, a young person may have to apologize to the victim and pay (with money or work) for damage she did. Sometimes a young person has to pay a fine or do some volunteer work in the community. She may be on probation and have to follow some special rules like living in a specified place, going to school, staying at home in the evening or staying away from certain places or certain people. She may have to attend a special program, for example, a program to teach anger control.*
8. *Most young people can grow up and change while staying at home with their families. Programs in the community are usually the most successful way to help*

them. Young people are different from adults—they have different problems and different needs.

9. Yes, but only for serious crimes like murder, and only if the young person is over 14. A judge must agree an adult sentence is necessary.
10. Common examples are assaults, breaking and entering, possession of or selling drugs, stealing cars, and shoplifting.
11. a) If the police stop or arrest a young person they have to tell him or her why.
 - b) The young person can talk to a lawyer and parent (or adult) before talking to police.
 - c) The young person is considered innocent until s/he goes to court and a judge decides the person is guilty.
 - d) The Crown counsel has to prove in court that the young person is guilty.
12. A victim impact statement is used at the time of sentencing, and is given to the judge to review. In this way the victim has a very real voice in describing how the crime has impacted their life. Also, the victim has a right to know what charges have been approved, when and where the next court appearance is, what the conditions of release are and what is the final disposition of the case. In addition, under the YCJA, the victim will have access to the name of the young offender in certain cases. And finally, the victim can play a role in determining the consequences for the crime, such as an apology, restitution, or compensation.

Activity 2: Introduction to the Youth Criminal Justice Act

Give students participation marks on group discussions on the scenarios or on the presentation of their news articles.

Activity 3: Overview of the Youth Criminal Justice Act

Handout 4: What's It All About? Youth Justice can be handed in for marks. Groups can be marked on the presentation of their case study by the teacher and/or their classmates.

Answer Key: Handout 4: What's It All About? Youth Justice

- | | |
|-------|--------|
| 1.) F | 9.) T |
| 2.) T | 10.) T |
| 3.) T | 11.) T |
| 4.) F | 12.) F |
| 5.) T | 13.) T |
| 6.) F | 14.) F |
| 7.) T | 15.) T |
| 8.) T | 16.) T |

Activity 5: Legal Eagle Youth Justice Game

Question and Answer Key: Legal Eagle Youth Justice Game

1. Q. Why does the law treat young offenders differently from adults?
A. The law recognizes a young person may not be old enough or have enough experience to always make responsible choices and to foresee the probable consequences of his or her actions.
2. Q. Does a young person who is questioned by the police have the right to remain silent?
A. Yes
3. Q. Can you be arrested without being told why?
A. No, you have to be told the reason why you are being arrested.
4. Q. After you've been arrested, can you be detained or held in custody for as long as the police like?
A. No, you have to be brought before a judge as soon as possible.
5. Q. Can an 11-year-old who breaks the law be dealt with under the YCJA?
A. No
6. Q. If you are arrested and your case goes to trial, do you have a right to be represented in court by a lawyer?
A. Yes
7. Q. If a youth who commits a crime has to go to court, what happens if he or she can't afford a lawyer?
A. One will be supplied through legal aid.
8. Q. What does a community justice conference do for youth who have offended?
A. It allows the youth to understand the consequences of what he or she did and provides advice to judges on an appropriate response. It means a youth doesn't have to go to court.
9. Q. Name two things the law says about violent, repeat offenders over the age of 14.
A. They can be sent to jail. They can be given an adult sentence.
10. Q. Name two or more options the law has for non-violent offenders.
A. They can get a warning, a caution, or a reprimand. They can be referred to a community program. They can be told to do something for the victim to make up for the crime or to do some appropriate community service.

True or False?

11. Q. Young people aged 12 to 17 are not punished for the crimes they commit.
True or false?
A. *False.*
1. Q. Two of the overall principles of the youth justice system are to prevent crime and to provide real consequences to youth who offend. True or false?
A. *True.*
2. Q. Youth who commit crimes have the right to a lawyer and the right to remain silent. True or false?
A. *True.*
3. Q. Parents are not part of the process after a youth is arrested. True or false?
A. *False.*
4. Q. Police can decide whether or not to refer the youth to a community program rather than go to court. True or false?
A. *True.*
5. Q. Police just warn the youth who has committed a serious crime. True or false?
A. *False.*
6. Q. Alternatives to going to court are called "extra judicial measures." True or false?
A. *True.*
7. Q. If a youth is tried in youth court he or she may receive an adult sentence if convicted of attempted murder. True or false?
A. *True.*
8. Q. The person who decides whether or not to charge a young offender with an offence is called Crown counsel. True or false?
A. *True.*
9. Q. A judge would sentence a youth to jail only if the crime was really serious. True or false?
A. *True.*
10. Q. The *Youth Criminal Justice Act* says young offenders should be sent to jail for first-time, non-violent offences. True or false?
A. *False.*
11. Q. Victims are allowed to make statements to the court about how the crime has affected them. True or false?
A. *True.*
12. Q. Repairing the harm done to the victim is a consequence a youth might face. True or false?
A. *True.*
13. Q. Performing community service hours is the only consequence for a youth convicted of murder. True or false?
A. *False.*
14. Q. Counselling for anger management could be part of a sentence. True or false?
A. *True.*
15. Q. A youth criminal record has no effect once the youth who offended turns 18 years old. True or false?

- A. False. It depends on the seriousness of the offence. Also, if further offences are committed the youth record may become part of the adult record.*
16. Q. Following a rehabilitation program helps young people stay out of trouble. True or false?
A. *True.*
17. Q. The name of a youth who offends may be published. True or false?
A. *True.*
18. Q. Traditional Aboriginal justice aims for honesty and harmony. Honesty and harmony are brought about by repairing the harm done. True or false?
A. *True.*
19. Q. Traditional Aboriginal justice principles can be used when a young offender is referred to a community-based program to deal with the offence. True or false?
A. *True.*
20. Q. When a judge sentences an Aboriginal youth, the judge must consider the fact that he or she is Aboriginal. True or false?
A. *True.*

Youth Crime Facts

21. Q. Is youth crime in Canada increasing?
A. *No.*
22. Q. What percentage of young people charged with crimes have done something violent?
A. *25% (half points for any percentage under 30%)*
23. Q. What happens if a child under 12 years old breaks the law?
A. *The young person can't be put through the criminal justice system. The behaviour of a child under 12 is the responsibility of the parents.*
24. Q. At what age does the law say young people are adults?
A. *18*
25. Q. Do more 16- to 17-year-olds get in trouble or more 12- to 13-year-olds?
A. *16 to 17*
26. Q. Do the judges sentence most young offenders to jail?
A. *No.*
27. Q. What can a judge order a young person to do instead of going to jail?
A. *Many things, for example, probation with conditions, repayment, community service, or attendance in programs.*
28. Q. Why are young offenders kept with their families when possible?
A. *They can grow up and change while staying at home. The law supports rehabilitation and reintegration into the community.*
29. Q. Can a young person be given an adult sentence?
A. *Yes.*
30. Q. What are some common examples of crimes that young people commit?
A. *Minor theft, possession of stolen property.*
31. Q. What rights do young people have when they are arrested?

- A. *They have all the rights that adults have, plus some more because they are youth. They can talk to parents or other adults and a lawyer before deciding if they want to talk to the police. They have the right to remain silent. They are innocent until a judge decides they are guilty.*

ENRICHMENT

Complete one of the activities for a classroom assignment.

1. Work with a partner and another team to prepare a debate on one of the following topics, and present the debate to the class. Have the class decide who argued the topic most effectively:
 - BE IT RESOLVED that children as young as ten years old who commit serious crimes should be held responsible through the criminal justice system.
 - BE IT RESOLVED that when giving statements to police, young people should not have more protections of their rights than adults have.
 - BE IT RESOLVED that children as young as 10 should be held responsible through the criminal justice system for serious crimes.
 - BE IT RESOLVED that the law should allow youth as young as 14 to receive adult sentences for serious violent offences including murder, attempted murder, manslaughter and aggravated sexual assault.
 - BE IT RESOLVED that the media should be able to publish the names of all youth convicted of offences.
 - BE IT RESOLVED that criminal trials are a better way of preventing crime and protecting the public than extrajudicial measures or extrajudicial sanctions.
 - BE IT RESOLVED that parents should be financially responsible for crimes committed by their children.
 - BE IT RESOLVED that special consideration should be given to youths who commit crimes if they have disabilities such as Fetal Alcohol Syndrome.
2. Do you think there are problems in life that put some youth at a higher risk of offending than others? If so, describe these problems and how they lead to youth crime. If not, explain what you believe causes youth crime.
3. What type of programs could be set up to help youth who are committing crimes? Look in your own community to see what type of programs exist.
4. The *YCJA* encourages the use of options other than going to court. For example, the youth may have to apologize, attend counselling, or do some community or personal service to repair the harm. Do you think this is a good idea? Explain the advantages and disadvantages.