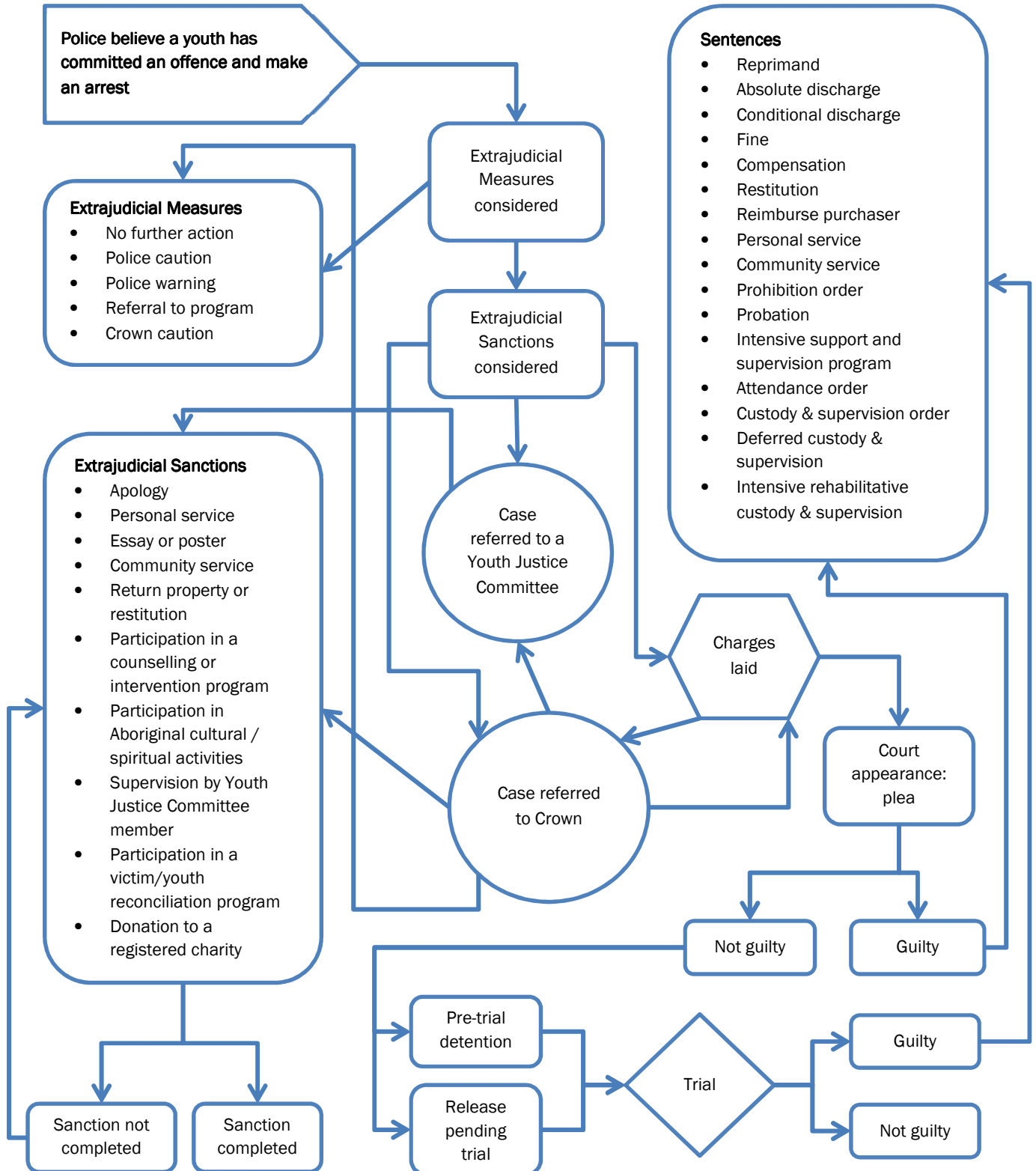


Youth Judicial Process Flowchart



Youth Judicial Process Questions

The following questions accompany the Youth Judicial Process flowchart and will help guide you through the process.

- 1) What is the first option police must consider if they believe a youth has committed an offence?

- 2) What happens after an extrajudicial measure is completed?

- 3) What happens if the police officer thinks an Extrajudicial Measure is not an appropriate response – what are their options?

- 4) What are the steps involved from the initial police contact to receiving an Extrajudicial Sanction (list them in order)?

- 5) When a case is referred to the Crown, what three options do they have?

- 6) What may happen if an Extrajudicial Sanction is not completed?

Youth Judicial Process Questions – Answer Key

The following questions accompany the Youth Judicial Process flowchart and will help guide you through the process.

- 1) What is the first option police must consider if they believe a youth has committed an offence?

Extrajudicial Measures

- 2) What happens after an Extrajudicial Measure is completed?

Nothing - The youth is considered to never have committed the offence, although there may be a record of the police contact in the local police jurisdiction

- 3) What happens if the police officer thinks an Extrajudicial Measure is not an appropriate response – what are their options?

They may refer the youth a Youth Justice Committee, to the Crown or they may lay a Charge. A youth Justice Committee will meet with the youth and determine appropriate sanctions. The Crown may decide if an Extrajudicial Sanction is appropriate or if there is sufficient evidence and the offence is serious enough to warrant laying a charge.

- 4) What are the steps involved from the initial police contact to receiving an Extrajudicial Sanction (list them in order)?

Police contact- Police consider extrajudicial measure inappropriate - consider extrajudicial sanction – the case is referred to the Crown or Youth Justice Committee with or without a charge - the Crown or Youth Justice Committee meet with the youth and determine an appropriate sanction. If the youth has been charged, the Crown may recommend an Extrajudicial Sanction when the youth appears in court to enter a plea. The youth may accept responsibility for their action (this is not a guilty plea) and agree to the sanction. If they do not agree to the sanction the case will proceed to trial where if they are found guilty, they will be sentenced.

- 5) When a case is referred to the Crown, what three options do they have?

1) Extrajudicial Measure 2) Extrajudicial Sanction (directly or via a Youth Justice Committee) 3) Laying a Charge

- 6) What may happen if an Extrajudicial Sanction is not completed?

The Crown or Youth Justice Committee may review the case and revise the sanction if it is inappropriate or they may let the charge stand or lay a charge if has not already been done. Partial completion of a sanction will be considered in any changes to an Extrajudicial Sanction or at Sentencing, if the youth pleads guilty or goes to trial and is found guilty.

- 7) Why might the Crown or a Youth Justice Committee modify a sanction if it has not been completed?

The Extrajudicial Sanction is reviewed and may be modified if it is inappropriate. For example, if a youth begins working or returns to school full time and is unable to complete their community service because

they are working or attending school, other options may be considered, given their positive behaviour and attempts to change their personal situation.

- 8) If the Crown decides that an Extrajudicial Sanction is not a sufficient response to the offence, what are the next two steps they may take?

Charges will be laid and the youth will need to appear in court to enter a plea.

- 9) What are the two options a youth has when making a plea?

The youth may plead “guilty” or “not guilty”.

- 10) If the youth pleads “not guilty” what happens to their case?

If there is sufficient evidence against them, the case will proceed to trial. If they are found guilty they will be sentenced.

- 11) If the youth pleads “guilty” or is found guilty in a trial what happens to their case?

The youth receives a sentence.

- 12) What parts of the process are missing from this chart?

The appeal process - after sentencing the youth may apply for an appeal.

Records - note an extrajudicial sanction may involve the youth attending court in which case there would be a youth court record and a record of the sanction.

Sanction and Sentence completion – when a sanction or sentence is completed it is deemed that the youth has never committed the offence, although there will be a youth record for a specified period of time.

Interim custody – in some circumstances the youth may be detained in custody prior to appearing in court.



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