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STUDENTS' KNOWLEDGE AND PERCEPTIONS OF THE *YOUNG OFFENDERS ACT*

Final Report

Michelle Peterson-Badali, Ph.D.
Department of Applied Psychology
Ontario Institute for Studies in Education

Report No. 4
The Youth Justice Education Partnership Research Series

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WD1996-2e

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EXECUTIVE SUMMARY

There has been growing recognition in the legal community (e.g., Leon, 1978; Ramsey, 1983) that certain cognitive capacities must be present if young people are to effectively and meaningfully participate in the legal system. This issue is particularly critical in North American juvenile criminal law, where there has been a recent shift toward a more adult-like rights and responsibilities orientation, which carries with it the underlying assumption that young people are capable of exercising their due process rights in a manner that protects their legal interests. If this is not the case, then young people may be as vulnerable under the present system as under the previous, paternalistic system, which was discarded for abusing juveniles in the name of rehabilitation.

Recently, a growing body of research has emerged which examines children's and youths' understanding of the legal system, including due process rights, legal principles, procedures, and roles. In general, studies have found that, while legal knowledge generally increases with age, levels of knowledge are quite variable across different legal concepts. Some misconceptions (e.g., relating to the presumption of innocence) are actually more prevalent in older subjects than in younger ones.

Given the dearth of information about young people's knowledge of the *Young Offenders Act*, the present study sought to examine the knowledge of 10 - 17-year-old and young adult students from several cities across Canada. Such information is necessary in order to evaluate whether, on the whole, young people have enough knowledge of the *Act* to participate meaningfully in our juvenile justice system, and is critical input for programs of legal education aimed at children and youth.

Through a questionnaire and a brief semi-structured interview, the present study assessed students' knowledge of a number of "black letter law" facts about the *YOA* relating to such issues as age boundaries, dispositions, procedures, youth court records, transfer to adult court, roles of legal personnel, etc. Students were also asked for their opinions regarding a number of these issues, as well as several questions that focused on their perceptions of youth crime more generally. Subjects were 730 students from Edmonton, Toronto, Ottawa, Montreal, Sherbrooke, and Charlottetown. All were students in elementary, middle, secondary schools, or Board operated Adult Learning Centres. They were divided into five age groups: 10/11-year-olds, 12/13-year-olds, 14/15-year-olds, 16/17-year olds, and young adults.

As previous studies have found, students' knowledge was variable depending on the particular issue addressed. For example, overall, students showed good knowledge of the difference between youth court and adult court, who has access to the youth court record, and were successful at matching the names "crown", "judge", and "police", with their respective roles. Students showed poor knowledge overall of the age boundaries of the *YOA*, as well as what happens to the youth court record when a young offender turns 18, and a number appeared confused about the role of defence counsel, as well as the meaning of the terms "arrested", "charged", and "convicted". They also overestimated the percentage of violent youth crime. Finally relatively few subjects showed a conceptual understanding of what the *YOA* is, though most understood that age was a relevant variable.

Age differences emerged with respect to many, but not all, of the issues addressed. For example, a greater percentage of older students than younger students knew the meaning of the right to instruct counsel, identified possible youth court dispositions, knew that youth court records are not automatically destroyed at 18, correctly matched the names "crown counsel" and "judge" with their appropriate roles, correctly identified the upper age boundary of the *YOA*, and correctly defined the terms "charged" and "convicted". Older students were also more likely to define the *YOA* in a more conceptual way than younger subjects, whose descriptions were very concrete. However, even where overall age differences were evident, the pattern of age trends varied by question. For example, in some cases the 10- 11-year-old children were different from the rest of the sample (e.g., in terms of understanding of the meaning of the terms "charged" and "convicted", knowledge of post-charge police procedures, and recognition of age as a relevant sentencing factor), while in other cases the age differences followed a smoother, linear trend (e.g., perception of reasonableness of dispositions, knowledge of the upper age boundary of the *Act*). In several cases, the 10/11-year-olds and 12/13-year-olds both performed more poorly than the older students (e.g., in their knowledge of available dispositions, factors influencing sentencing, the difference between youth and adult court, and the job of the crown attorney). This result is interesting because it suggests that it is not only "pre-*YOA*" (i.e., under 12) children who lack important information about the *Act* and the legal system.

In several cases, significant age differences occurred between the under- and over-16 subjects (e.g., in defining the *Young Offenders Act*, understanding the right to counsel, knowledge of the upper age boundary). While in most cases the 16 and 17-year-old students exhibited knowledge levels that were comparable to young adults, it is possible that sampling issues may at least partially account for this result. To the extent that under- and over-18 age differences are seen as relevant in terms of youth justice policy (e.g., in contributing to the determination of appropriate age boundaries for the *YOA*), it will be important to compare the knowledge of a representative sample of older adolescents and young adults.

Regional differences were also apparent in some of the questions, and the most striking finding was the distinction between the cities in Quebec (Montreal and Sherbrooke) and the rest of the cities sampled (e.g., with respect to understanding the term "arrested", knowledge of possible dispositions; knowledge of the difference between youth and adult court and that parents have access to the youth court record (Sherbrooke only); and knowledge of the right to counsel and post-charge procedures (Montreal only)). Differences emerged with respect to opinions about the *YOA* as well as knowledge. For example, more students from Quebec rated youth dispositions as "about right" in general, while those from other cities tended to think that they were "often too easy". These differences cannot be attributed to language issues, since the Montreal sample was anglophone or allophone, and responded to questions in english. An interesting possibility, which has been raised a number of times in the Results and Discussion, is that there are differences in the underlying philosophy toward youth justice and/or procedures for administering justice, between Quebec and other regions of Canada. The most significant implication of this possibility in relation to the present study is that law related education efforts must be tailored to the judicial system that is in place in a given region. It is possible, for example, that students from Quebec did not know "less" about the *YOA* than those from other regions in Canada (as smaller percentage correct scores on this questionnaire might suggest), but that their responses reflect their experience of the youth justice system in that province.

There were relatively few significant effects of law related education on subjects' knowledge of the *YOA*, and the absolute size of the differences between the two groups tended to be moderate. However, where significant effects did emerge, it was the students who reported having received some law-related education that performed better than those who did not. The effects of law-related education were specific to the knowledge questions, as this variable had no effect on students' perceptions of youth crime or opinions about the *Act*. As mentioned earlier, it was difficult to tease out the effects of law-related education from those of age, although there were certainly many variables that were significantly affected by age but not law-related education. Undoubtedly a primary goal of law-related education is to improve students' knowledge of the legal system. It is therefore important to evaluate legal education programs specifically targeting youth justice education in order to further explore the impact of education on knowledge, as well as the relative contributions of age and education.

The primary purpose of the present study was based on the assumption that law related education efforts should be grounded in knowledge about what young people know, think they know, or do not know, about the legal system. There is almost no systematically collected information about what youths know about the *YOA*, and the present study was designed as an initial step at filling this gap.

The results of this study can be used in several ways. Information regarding absolute levels of knowledge across the topics addressed can assist educators and curriculum planners in determining where students show good basic knowledge, and can benefit from more fine-tuned, specific, or complex information, or (perhaps more importantly) where they show gaps in knowledge or misconceptions about the system that need to be addressed. For example, regardless of age, students' knowledge of significant age boundaries of the *Young Offenders Ac*t is still quite poor, as is their understanding of what it means to have the right to retain counsel. Basic knowledge about the youth court record was reasonably good, but students did not have a good understanding of what happens to the youth court record. Clearly, these are issues that are important to address in legal education. For example, law related education curricula or programs aimed at young people should include a unit on Charter rights (such as the right to legal counsel) and the protections specific to young people (e.g., the right to have a parent or other adult support person present, as well as counsel, when making a statement to the police).

Simply informing young people about “black letter law” facts of the *YOA* is not enough, however. Ensuring that young people understand the information they have been given involves educating them about the relevant context surrounding that information so that they have a sense of its function and importance. For example, telling youths that they can have a lawyer is not enough to ensure their understanding of the nature of the right to counsel. They also need information about the context surrounding the right to a lawyer (e.g., that the legal system is essentially an adversarial one, that the role of the police is often to get young people to make incriminating statements, that lawyers are not just for “innocent” people, etc.). Young people also need to be educated about the consequences of waiving or exercising their rights, so that they can appreciate the function and siginficance of those rights. As mentioned in the introduction to this report, young people’s knowledge in this area is quite poor, overall.

This study has indicated that young people's understanding of various aspects of the *YOA* depends on age, and information about age differences can be useful in gearing law related education efforts in a developmentally appropriate way. Younger children have less direct experience with the system, and have been exposed to less sources of information (and at times misinformation) about it (e.g., peers, media, school curricula) and, not surprisingly, show lower levels of knowledge with respect to many of the issues addressed. Good educational programs already take into account developmental differences in children's and adolescents' knowledge and thinking processes, and the present study findings can add to these efforts in terms of pinpointing specific areas where younger and older children differ in terms of their understanding.

Information about regional differences may be useful in developing programs for the specific communities sampled. Finally the questionnaire and interview instruments themselves can also be used with specific groups of students in order to obtain baseline measures of knowledge prior to delivering instructional materials relating to the *YOA*.

In summary, the findings from this study can be used to identify specific knowledge gaps and general areas of weakness in young people's knowledge of the *YOA* that can be used to evaluate the content of existing law-related education programs and inform the development of new ones. However, attention must also be paid to how information is delivered if young people are to gain more than a surface knowledge of the *Act*. Future research is needed to explore the content and methods that result in young people's understanding of the *YOA* in a meaningful way. In addition, good law-related education curricula and programs will only work to enhance young people's understanding of the *YOA* if they are available to, and used by, those who work with youth, notably teachers but also others. Awareness of available materials, and training in using them in an effective and developmentally appropriate way, are critical.

Two caveats to the study design are relevant to the foregoing discussion. First, the "knowledge" that students demonstrate is a function in part of the methods used to ask the questions. Simplified questions, and those which require students to choose a correct response from a series of choices, can generate either very high or very low levels of performance depending on how the questions are constructed. Many of the issues addressed in this study are not simple and the likely reality is that students have some knowledge about an issue but that knowledge may be quite basic and unelaborated, or the student may also possess misconceptions alongside correct information. Secondly, generalization of these results to other populations of students is problematic because the sample was comprised of volunteers and was not drawn randomly.

Despite these caveats, the present study provides information about students' knowledge that has been completely absent until now. It will serve as a useful baseline from which we can explore students' understanding of the "black letter" provisions of the *YOA*, as well as some of the more philosophical issues underlying the legislation, in a more detailed and comprehensive manner. The questionnaire instrument itself can also be used with specific groups of students in order to obtain baseline measures of knowledge prior to delivering instructional materials relating to the *YOA*.

1.0 INTRODUCTION

There has been growing recognition in the legal community (e.g., Leon, 1978; Ramsey, 1983) that certain cognitive capacities must be present if young people are to effectively and meaningfully participate in the legal system. This issue is particularly critical in North American juvenile criminal law, where there has been a recent shift toward a more adult-like rights and responsibilities orientation, which carries with it the underlying assumption that young people are capable of exercising their due process rights in a manner that protects their legal interests. If this is not the case, then young people may be as vulnerable under the present system as under the previous, paternalistic system, which was discarded for abusing juveniles in the name of rehabilitation.

Recently, a growing body of research has emerged which examines children's and youths' understanding of the legal system, including due process rights, legal principles, procedures, and roles. Below is a summary of the current research in these areas.

1.1 Children's and Youth's Understanding of Legal Rights

The assumption underlying the extension of rights to young people is that they are capable of making meaningful use of them. From a cognitive standpoint, this requires that young people are aware that they possess these rights, know what they mean, and understand and appreciate the context-specific issues surrounding the exercise of their rights. For example, in the legal domain, meaningful use of the right to legal counsel demands that young people understand not only that they have this right and that it means that they can have a lawyer, but also that the legal process is adversarial in nature, that the role of defence counsel is to help the client regardless of his or her guilt, that the lawyer-client relationship is confidential, and so on. Meaningful use of rights also requires that individuals feel free to make choices rather than feeling coerced into a decision. Together, these elements comprise the legal standard for assessing the competence of an individual's waiver of legal rights, which states that waiver must be knowing, intelligent and voluntary.

1.1.1 Knowledge of What a Right Is

In order to explore children's knowledge of the meaning of a "right", Melton (1983) interviewed students in grades 1, 3, 5 and 7. Results indicated that the majority of Grade 1 students saw rights as privileges which are accorded and withdrawn by adults. By Grade 3 (for subjects of high socioeconomic status) or Grade 5 (for low SES subjects) rights were still confused with privileges. Children rarely mentioned civil liberties as rights belonging to them, even by Grade 7. However, when Read (1987) asked a group of

12-16-year-old youths charged under the *YOA* if they had to do anything to get rights, almost two-thirds of the subjects stated that rights are an automatic entitlement. Recently, Ruck (1993) examined children's knowledge of the rights they have through interviews with students in grades 3, 5, 7, and 9. Children's knowledge of rights and rights-related issues generally showed clear changes with age. For example, when asked "what rights do children have?", the majority of younger students (3rd and 5th graders) either did not know what rights they have or expressed misconceptions (e.g., "I have the right to do what my parents tell me"). In addition, subjects tended to mention having the following types of rights: education, care and safety, play and recreation, self-expression, civil liberties, and legal rights. The youngest children (3rd graders) were less likely to mention self-determination rights as belonging to them than were their older counterparts. Abstract notions of rights such as civil liberties and legal rights were not mentioned by any of the subjects in the two youngest groups.

1.1.2 Knowledge of the Meaning and Significance of Specific Rights

Several American studies have examined young people's understanding of their due process rights, specifically the rights to legal counsel and to silence. In a deception study involving a simulated police field interrogation, Ferguson & Douglas (1970) interviewed 90 youths, both delinquents and non-delinquents, between the ages of 13 and 17. Manoogian (1978) examined approximately 200 male and female juvenile delinquents' comprehension of Miranda warnings as well as their understanding of a simplified version of the warnings. Using several questionnaire instruments designed to assess juveniles' knowledge and beliefs about their rights, Grisso (1981) studied 10-16-year-old youths who had been detained on suspicion of a crime. All studies found that many youths did not adequately understand their rights, and both the Ferguson and Douglas (1970) and Manoogian (1978) studies reported that simplified versions of the warnings did not increase understanding. Grisso found that 75 percent of subjects under 12 years of age, and 50 percent of subjects age 13-16, demonstrated inadequate understanding of the meaning of rights which had been read to them. By age 15-16, subjects performed at the same level as adults.

Using one of the instruments developed by Grisso, Lawrence (1983) reported that 45 juveniles (age 10-17) had only "fair" understanding of selected vocabulary items related to their rights (specifically, the words "consult", "attorney", and "right"). In addition, their level of understanding was overestimated, both by their lawyers and themselves. Using measures based on Grisso's research, Wall & Furlong (1985) explored whether providing legal education to high-school students (16-18 years old) led to improved understanding of rights. Although most students showed good understanding of "basic" measures of knowledge (multiple-choice and true-false) following the training program, like Grisso's subjects, many demonstrated poor understanding of the function and

significance of their rights and had difficulty adequately paraphrasing rights-related vocabulary.

In a Canadian study, Abramovitch, Higgins-Biss & Biss (1993) found that while a majority of students (11-18 years old) demonstrated a basic understanding of the right to silence, they were less successful in paraphrasing the right to legal counsel. In addition to these rights, the *Young Offenders Act* provides that young people be told that they have the right to have a lawyer, parent, or other adult present with them during police questioning, and must waive this right in writing if they so decide. Although two-thirds of the students understood the basic meaning of this waiver, their understanding of its implications was poorer; only two students said that a formal statement would be obtained following the waiver, and just over half of the subjects understood that some sort of questioning would follow. This understanding improved significantly with grade.

Most recently, through the presentation of hypothetical vignettes, Abramovitch, Peterson-Badali and Rohan (1995) examined students' understanding of rights to silence and counsel as well as the influence of the context-specific factors of guilt and level of evidence on their decision to assert rights. While the majority of subjects (57 percent) understood the right to counsel, older students (16-18-year olds) were more likely to understand than younger children (ages 12 and 14). While 67 percent of students understood the right to silence, knowledge of this right also varied significantly with age; fewer 12-year-old children than older (14- 16- and 18-year old students) understood the right to silence. Substantially more students indicated that they would assert the right to counsel (77 percent) than the right to silence (45 percent). However, there were significant age differences with respect to the latter; the youngest students were more likely to say they would make a statement to the police than would older students. The amount of evidence against the accused in the vignette (who was a male) also influenced students' decision to assert the right to silence, with more subjects asserting this right when the evidence was strong than when it was weak. Students were particularly likely to assert the right to counsel when the accused was innocent of the crime, but the evidence against him was strong. Older students (age 16 and 18) were much more likely to state that they would assert the right to silence when the accused was guilty than when he was innocent, while younger students' responses did not differ according to the guilt of the accused.

Thus, although a majority of young people may know that rights are an automatic entitlement (Read, 1987), Grisso (1981) concluded that "using adults as the standard...our results indicate that juveniles' competence to waive their rights to silence and counsel is seriously diminished by their inferior understanding *of the function and significance of those rights*" (1981, p. 128, emphasis added). For example, many juveniles believed that an individual's right to silence could be revoked by a judge and that one could be penalized for not "talking".

1.2 Children's and Youths' Legal Knowledge

Several writers (Read, 1987; Catton, 1978; Leon, 1978) have suggested that children must possess at least some knowledge of the legal system and its key players in order to participate meaningfully in the legal process. However, as Catton points out, "no research has been undertaken to establish in a scientific manner the age below which most children are unable to understand the nature and consequences of legal proceedings and are thus incapable of meaningful participation" (1978: 344).

1.2.1 Understanding of Procedural Justice

There has been some empirical investigation of children's knowledge of procedural justice, the aspect of due process which includes such notions as proof beyond reasonable doubt, and presentation of all relevant evidence. Gold, Darley, Hilton and Zanna (1984) presented first and fifth grade subjects with a hypothetical case in which a child appeared to have committed a crime (breaking a vase), and was punished by her parent. In half the cases, subjects were presented with a plausible alternate culprit (the family cat), whereas no alternative was suggested in the other half. The second manipulation, varied orthogonally to the first, was whether or not a potential witness was said to be present. Fifth graders were significantly more likely than first graders to conclude that the vase could have been broken some other way than by the accused child, especially when the cat was not mentioned as an alternate suspect. This indicates that by age 10-11, children are already developing the ability to reason beyond the concrete facts available in a situation. In addition, they were more likely to cite hypothetical alternatives for how the vase broke, and showed a greater awareness of the need for `proof beyond reasonable doubt' than did first graders. In fact, 80 percent of the fifth graders used this as the basis for their belief that the parent was unfair in punishing the girl, whereas only 20 percent of the first graders did. The presence of an unconsulted witness had much less impact on subjects' judgements of guilt and fairness than the inclusion of an alternate explanation, which suggests that although fifth graders appear to have developed some understanding of justice related considerations, development of procedural justice concepts extends beyond middle childhood.

Lack of ability to control events is sometimes accepted by courts as a mitigating circumstance when an individual is accused of a crime. The defence of insanity based on brain damage is the best known example of such a mitigating circumstance. Irving and Siegal (1983) presented 80 Australian students from grades 2, 6, 9 and 12 with hypothetical crime scenarios in order to explore the effects of mitigating circumstances on judgments of the severity with which culprits should be punished. The authors presented three types of mitigating circumstances: brain damage, passion and economic need, in the context of three different crimes: assault, arson and treason. Results indicated that 7-

year-olds gave more lenient sentences to culprits in all three scenarios containing mitigating circumstances than they recommended in the control condition. In contrast, for older subjects mitigation was specific to the crime. The 11- and 14-year-olds judged all three mitigating circumstances less harshly in the treason case; brain damage and passion were viewed as mitigating circumstances worthy of leniency in the arson case, and only brain damage received leniency in the assault case. Seventeen-year-olds viewed brain damage as the only mitigating circumstance worthy of leniency in the arson and treason crimes, and accepted no mitigating circumstances in the assault case. The authors concluded that even young children take mitigating circumstances into consideration when judging the severity with which a crime should be punished (and, in fact were more likely to do so than the older subjects). Further, analysis of subjects' explanations for their choices suggested that whereas younger children focus on the individual's needs or psychological state, adolescents "view legal decisions, not just in terms of individuals but also in terms of the needs and conventions of society" (p. 187).

1.2.2 Understanding of Court Proceedings

In Canada, research available on children's understanding of the court process has been largely limited to the criminal domain, under the *Juvenile Delinquents Act* (*JDA*) and the *Young Offenders Act* (*YOA*). With respect to the *JDA*, Langley, Thomas and Parkinson (1978) reported that prior to a delinquency hearing, most children had no clear understanding of what to expect at their hearing. Catton and Erickson (1975) added that once the proceeding was over, young people had little understanding of what actually took place in court. With respect to the *YOA*, Read (1987) interviewed 50 youths, age 12-16, attending court on charges, in order to ascertain their "perceptions of fundamental concepts of the court hearing" (p. 52). She found that one-third of youths did not view the judge as an impartial figure in the process; half the subjects believed that the judge had "unlimited discretion in decision-making" (p. 53). Sixty-two percent of the youths interviewed wished they knew more about court proceedings and their rights.

Saywitz (1989) and Warren-Leubecker, Tate, Hinton and Ozbek (1989) addressed related issues in studies of American children. Warren-Leubecker et al. administered a questionnaire to 563 school children ranging in age from 3 to 14 years. The accuracy of children's responses to the question "who is in charge of a courtroom?" increased linearly from 0 percent at age 3, up to age 8, after which all subjects correctly responded that a judge was in charge. The percentage of subjects who could not answer the question "why do people go to court?" declined linearly with age; though 91 percent of 3-year-olds were unable to give an explanation, the vast majority of children over 8 years old did give an answer. Overall, the most frequent response was the "very vague but accurate answer `To settle arguments or solve problems'" (p. 169). When asked how the judge determines witness credibility, there was a decrease with age in the number of subjects who gave

responses suggesting omniscience (e.g., "he just knows whether someone's telling the truth") and an increase with age in the mention of verbal and non-verbal cues, as well as comparison of the testimony with other evidence.

Saywitz (1989) conducted semi-structured interviews with 48 children divided into three age groups: 4-7 years, 8-11 years and 12-14 years. Half of the children had current experience with the legal system as witnesses, while the other half had no direct experience. Saywitz found that subjects' awareness of the trial as a truth seeking process increased with age. The majority of children in the youngest age group conceived of the goal of the court process as the accomplishment of a specific act (e.g., to punish the criminal or to make a custody decision), and showed no awareness that evidence must be collected, presented and evaluated. Children in the middle age group "were aware that the court is a fact finding process that seeks to uncover the truth but did not understand that sometimes the truth (reality) differs from the judge's or jury's decision about what happened because the evidence on which they based their decision was flawed" (p. 151). This understanding was attained by only a minority of subjects in the oldest age group. In a similar vein to the Warren-Leubecker et al. study, Saywitz also reported an increase with age in the number of factors mentioned that a judge and jury might use in determining the credibility of a witness (e.g., the appearance of the witness, the credibility of the evidence being presented, etc.). On average, the 4-7 year olds could not think of any factors that a judge or jury would take into consideration in determining credibility, the 8-11 year olds suggested one factor, and the 12-14 year olds suggested two factors. In all cases, experience with the legal system was not a significant factor.

In a study of children's conceptions of the role of witnesses in criminal proceedings, Cashmore and Bussey (1990) interviewed 96 Australian students ages 6-7, 10-11, and 13-14. When asked "what is a court?", there was an increase with age in the frequency of references to court as a place where guilt (or innocence (sic)) is determined (22 percent, 47 percent and 56 percent in the youngest, middle and oldest groups, respectively). Conversely, there was a decrease in the frequency of descriptive responses (e.g., "a place where there's a judge who sits high on a platform") from 37.5 percent in the youngest group to 19 percent in the oldest group. Roughly 20 percent of subjects in all age groups referred to sentencing in their description. When asked who would ask the witness questions, only 6 percent of the youngest subjects stated that lawyers would; 37.5 percent of the 11-year-olds and 87.5 percent of the 13-year olds gave this response. A separate study of young offenders addressed knowledge of possible trial outcomes (Cashmore and Bussey, 1989). The results indicated that 71 percent of first-time defendants sampled were accurate in predicting the penalty for their offence. However, repeat offenders were less accurate (40 percent made correct predictions); the authors explain this discrepancy in terms of the wider range of possible penalties for the latter group.

In general, the research suggests that children show substantial confusion about the

court's function, as well as a variety of court proceedings, although they have a general sense of the purpose of court. However, their understanding increases substantially with age, and in some cases becomes less concrete and more abstract in nature. Not surprisingly, there were also differences in the ages at which various facts or concepts were acquired; while many subjects 6-8 years of age had a sense of what a court is and who is in charge, very few subjects expressed the distinction between the legal and empirical truth of a matter, even by age 14.

1.2.3 Knowledge of Legal Concepts and Terminology

There has been a recent increase in the number of studies addressing children's understanding of important legal terms and concepts, and the impact of understanding (or, more commonly, misunderstanding) of these concepts on their ability to participate competently in the legal system. In interviews with children from kindergarten through Grade 6, Saywitz and Jaenicke (1987) assessed developmental trends in the understanding of 35 legal terms, chosen from court proceedings in which child witnesses had been present. They found that a small minority of terms were understood by all subjects (judge, lie, police, remember and promise), while a number of others reflected significant grade-related trends (e.g., lawyer, evidence, jury, oath, witness). Finally, the legally relevant definitions of a number of terms were not understood by any of the subjects (e.g., defendant, hearsay, charges). As subjects often defined the vocabulary items in terms of their more common usage (e.g., "court is a place where you play basketball"), the authors concluded that "child witnesses may frequently be operating under the false impression that they understand a term that they have, in fact, misconstrued" (Saywitz, 1989: 135).

Other authors (Cashmore and Bussey, 1990) have argued that children's understanding of the legal meanings of these terms may have been underestimated because the terms were not presented within a legal context. Several studies have attempted to address this weakness by providing subjects with explicit and concrete prompts in the form of pictures or models of courtrooms, which include those people commonly found in a court (e.g., judge, jury, lawyers). In their study of children's knowledge of the witness role, Cashmore and Bussey (1990) found that students' ability to correctly identify (from pictures) and define specific court personnel increased with age. In addition, they found a consistent pattern in terms of the order in which the various concepts were mastered: judge first, followed by lawyers (particularly the defence lawyer) and finally the jury.

In the Saywitz (1989) study described in the Knowledge of Court Proceedings section, subjects were asked a number of questions about eight legal concepts, chosen partly because they could be concretely presented to the children in the form of pictorial prompts: court, lawyer, judge, jury, witness, bailiff, court clerk, and court reporter

(however the latter three were unfamiliar to all subjects and were omitted from data analysis). Their responses were scored according to the completeness with which the concept had been expressed (defined as the number of true features mentioned about the concept) and according to the accuracy of the concept definition (as measured by the number of "defining" features used to describe the concept). With respect to both completeness and accuracy, older subjects demonstrated better knowledge than younger subjects, with significant differences (pairwise) between all age groups. Although subjects in the 4-7-year-old group did not demonstrate knowledge of defining features, they did provide correct information about the concepts court, judge, lawyer and witness in terms of "characteristic" features (accurate, but not defining features of the concepts). On the whole, the description of court personnel given by these young subjects was quite global and concrete (e.g., sitting, talking, helping) and Saywitz states that "the children knew many visually salient aspects of the system existed but treated them as rituals and could not explain them" (1989: 149). Somewhat surprisingly, Saywitz also reported that children who had experience with the legal system actually showed significantly poorer understanding of these legal concepts than their inexperienced peers. On the other hand, the amount of viewing of court-related television shows was significantly correlated with understanding of legal terms, even after age was partialled out of the analysis. She speculates that for children who have actually been involved with the complexities of the legal system, "it may be a far more confusing and chaotic concept to master" (1989: 153) than for children who have not been directly involved, and who presumably acquired their knowledge from the more simplified portrayal of the system found on television.

Examining children's declarative knowledge of the legal system, Peterson-Badali and Abramovitch (1992) found that students mentioned a variety of legal terms and concepts in their descriptions of the trial process. Terms such as defence lawyer, prosecutor, defendant, and jury were mentioned significantly more by older students than by younger children. However, the term judge was mentioned by a majority of subjects at all ages. A majority of students at all ages also understood the term "plead guilty", while virtually none of the subjects, including young adults, correctly defined the term "plead not guilty".

Finally, Ruck (1996) interviewed students age 7, 9, 11 and 13 in order to explore their understanding of the concept of swearing an oath or promising to tell the truth in court. Ruck presented subjects with hypothetical scenarios in which a child who had either witnessed, or had been directly involved with, a crime was asked to testify in court. Although virtually all subjects responded that the story character should tell the truth, Ruck found age differences in the explanations given by children for their answers. While the majority of 7-year-olds focused on the potential negative consequences of lying for the story character, a minority of 9-year-olds were beginning to express rationales which reflected a concern with exhibiting good qualities and behaviour (e.g., "it would be wrong to lie"). By age 11, half of the subjects showed a concern for the rules of society or expressed reasons in terms of their own conscience, and a majority of the 13-year-olds

expressed this orientation. In terms of their responses, subjects made no distinctions between taking a Biblical oath and simply promising to tell the truth.

In general, young children seem to have at least a partial sense of a number of key terms in legal proceedings, but the sophistication of their understanding increases with age. Consistent age differences emerged with respect to the age at which knowledge of different legal actors emerges: children show understanding of the judge first, followed by lawyers and finally the jury.

1.2.4 Knowledge of Roles

Saywitz (1989) also evaluated subjects' ability to distinguish among the roles of the police, judicial and penal systems. Whereas a third of the 4-7 year old subjects confused these systems (e.g., suggesting that a policeman decided if a person goes to jail), none of the 12-14 year old subjects did so. However, when the ability to distinguish between the roles of judge and jury was analyzed, even the subjects in the oldest age group evidenced misunderstanding (e.g., suggesting that the judge and jury discuss the case together during deliberations).

Children's understanding of the lawyer's role is of particular relevance in relation to their capacity to instruct legal counsel. Children who are ignorant of, or have specific misunderstandings about, the role of the lawyer (particularly defence counsel) are likely at a disadvantage in terms of their ability to give competent instruction. In the study described in the Knowledge of Court Proceedings section, Read (1987) assessed young offenders' understanding of the role of their lawyers. When asked if anyone in the court was on their side, 44 percent of youths included lawyers in their response; 46 percent of subjects saw lawyers as their helpers. Of 16 youths who believed themselves to be unrepresented, 9 were actually represented by duty counsel but did not realize that he or she was a lawyer. Only 18 percent of youths knew that information given to their lawyer is confidential (i.e., cannot be disclosed to anybody else without their consent). In addition, in a U.S. study of juveniles detained on non-felony charges, Grisso (1981) found that approximately a third of subjects who had little or no prior experience with the law believed that the role of defence counsel is to defend the interests of the innocent but not the guilty.

In a study of Australian youths, Cashmore and Bussey (1989) interviewed 40 first-time defendants (11-17 years old), 20 repeat defendants (12-17 years old) and 40 students (matched for age and sex with the 40 "first-timers"). Youths involved in court proceedings were interviewed before and after their court appearances. Students were interviewed after the presentation of a scenario depicting a youth who had allegedly committed an offence (either shoplifting or joy-riding). When asked about the role of the

defence lawyer, subjects gave a variety of responses, including protection of the client's interests, speaking on behalf of the client, "getting the client off", explaining facts and advising the client, and a more general "helping" function. Students were more likely than defendants to refer to the lawyer's advocacy role, and conversely, a greater percentage of defendants than students gave the general "helping" description. Only 3 percent of the subjects stated that they did not know what the role of a defence lawyer was. When asked whether the defence lawyer was "on the side of the client", the majority (77-90 percent) of subjects responded affirmatively. However, only 3 percent of subjects expressed an understanding of lawyer-client confidentiality. On the whole, Cashmore and Bussey concluded that court experience had little effect on children's perceptions of the role of the defence lawyer.

In their questionnaire study of 3-13-year-olds, Warren-Leubecker et al. (1989) asked subjects the more general question "What do lawyers do?". They reported a decline in the percentage of subjects who reported that they did not know (82 percent of 3-year-olds to 10 percent of subjects age 10 and over). In addition, 15-21 percent of subjects between 3 and 8 years of age gave incorrect descriptions of a lawyer's role; 10 percent of the 9-10-year olds, and 4 percent of the 11-12-year-olds provided faulty definitions, whereas none of the 13-year-olds did. A general "helping role" was expressed by 10-20 percent of subjects from 4-13 years of age. A more specific advocacy role was first articulated at age 7, and the percentage of subjects who expressed this advocacy role increased between the ages of 7 and 11 (from 8-32 percent), declining to 20 percent in the 12- and 13-year-olds. The even more specific role of "defender" was first introduced at age 8 and the percentage of subjects who gave this definition increased substantially between ages 8 and 13 (from 5 to 50 percent).

Finally, Peterson-Badali and Abramovitch (1992) asked students to describe the role of defence counsel and probed their understanding of lawyer-client confidentiality. While the youngest (10-year-old) children in the study demonstrated a general understanding of the role of defence counsel (e.g., to help the client), older students expressed a more specific understanding of the role (e.g., to defend the client). However, misconceptions regarding the role of the defence lawyer also increased with age (e.g., that the lawyer's job is to prove the client's innocence). When subjects were asked if they should tell their lawyer everything that happened, almost all responded affirmatively. However, the reasons for their answer varied with age: Younger children were more likely to give explanations linked with fear of punishment for not telling, while older students were more likely to mention that telling all would assist the lawyer in defending the client. Finally, subjects' understanding of confidentiality increased significantly with age. However, a majority of the younger students (ages 10 and 12) believed that the lawyer could give information to the police, the judge, and especially parents.

1.2.5 Understanding of Juvenile Criminal Legislation

The above review of the literature indicates that there is a growing body of research on young people's understanding of a number of aspects of the legal system. However, there is virtually no empirical research on young people's knowledge of the *YOA*. Two studies conducted soon after the *YOA* was proclaimed suggested that a majority of young people are ignorant of the age boundaries entailed in the Act. Peterson (1988) found that of a sample of 144 middle-class Ontario school children ages 10-14, only 16 percent correctly suggested age 12 as the lower bound of the *YOA*, although 36 percent correctly identified age 18 as marking the transition to adulthood in legal terms. Jaffe, Leschied and Farthing (1987) reported similar figures, with 22 percent and 23 percent of their 12-18 year old subjects correctly identifying the basal and ceiling ages, respectively, for the *YOA*. Jaffe, Leschied and Farthing (1987) also asked youths about the maximum penalties for convicted young offenders, what happens to youth court records, whether treatment can be ordered, and whether parents are allowed in the courtroom. Overall, they concluded that "In the majority of areas investigated by the questions on the *YOA*, close to 75 percent of the respondents did not have accurate information" (1987: 313). This ignorance of specific aspects of statutes is not restricted to young people, however. In a questionnaire study, Ribordy (1986) assessed adults' knowledge of specific legal `facts' from a number of Canadian statutes, and concluded that "most statutes are unknown to the majority of the population" (1986: 29).

Given the dearth of information about young people's knowledge of the *Young Offenders Act*, the present study sought to examine the knowledge of 10-17-year-old and young adult students from several cities across Canada. Such information is necessary in order to evaluate whether, on the whole, young people have enough knowledge of the *Act* to participate meaningfully in our juvenile justice system, and is critical input for programs of legal education aimed at children and youth.

The present study assessed students' knowledge of a number of "black letter law" facts about the *YOA* relating to such issues as age boundaries, dispositions, procedures, youth court records, transfer to adult court, roles of legal personnel, etc. Students were also asked for their opinions regarding a number of these issues, as well as several questions that focused on their perceptions of youth crime more generally.

2.0 METHOD

2.1 Subjects

Subjects were 730 students from Edmonton, Toronto, Ottawa, Montreal, Sherbrooke, and Charlottetown.[1] All were students in elementary, middle, secondary schools, or Board operated Adult Learning Centres. Subjects were divided into five age groups: 10/11-year-olds, 12/13-year-olds, 14/15-year-olds, 16/17-year olds, and young adults). Although the goal was to obtain equal numbers of subjects across age groups, sampling constraints made this impossible. As Table 1 shows, students in the Toronto, Ottawa and Sherbrooke samples were fairly evenly distributed across the five age categories, while the Edmonton and Charlottetown samples had a relative over-representation of 16/17-year-olds and few young adults. The latter were difficult to recruit in a school system that ends at Grade 12. The Montreal sample had a small number of 16- and 17-year-olds, but the use of a school-board operated adult learning centre resulted in a relatively large sample of adult students.

As indicated in the Procedure section, below, schools were not randomly chosen and students participated on a volunteer basis. It is therefore impossible to know the extent to which their responses are representative of Canadian students generally. In particular, the young adult sample may not be representative of the national population of young adults. In Ontario, 18 and 19-year-old students could be recruited through upper-level high school classes (i.e., OAC courses). These students are likely better educated than the national average by virtue of attending a fifth year of high school, and are more likely to be headed for a university education. On the other hand, young adult students from other provinces might be unrepresentative of the population as well, since some have either returned to high school or remained beyond the usual age of graduation (17). In Montreal, adult students were recruited from a Board operated Adult Learning Centre, which would result in a non-representative sample. Thus, the results of this study should be interpreted with caution in terms of generalizability to Canada's youth as a whole.

On the whole, subjects were divided fairly evenly across gender. However, in the Montreal sample almost twice as many females as males participated in the study, while in Sherbrooke the opposite was the case (see Table 1). However, within city, there were no significant differences in the numbers of males and females across the five age groups.

[1] The Montreal students were recruited through the Protestant School Board of Greater Montreal. Ethnically, this sample was quite diverse, non-francophone, and thus demographically quite different from the rest of the population of Quebec. The Sherbrooke sample would be more typical of the Quebec population.

In terms of ethnicity, the majority of students from all cities were born in Canada. However, there was a significant effect of ethnicity by city. As Table 1 shows, the Toronto sample had less subjects who were born in Canada (74 percent) than the other five cities, at least 90 percent of whom were Canadian-born (^{2}(15)=76.8, p<.00001). In Toronto (69 percent) and Montreal (80 percent) a majority of subjects had at least one parent born outside of Canada, and approximately a third of the students spoke a language other than English or French at home. Thus, the Montreal, and particularly Toronto, samples were more ethnically diverse than those from the other cities in the study. An analysis of mother's country of birth paralleled these findings. The Toronto sample represented a wide range of ethnic backgrounds including European (16.5 percent), South Asian (16.5 percent), and Caribbean (12 percent). The majority of the mothers in the Montreal sample came from Europe (51.5 percent), and Italy in particular. The Edmonton sample was characterized by some ethnic diversity, with 62 percent of mothers born in Canada, 14 percent born in Europe, and 6 percent born in each of Africa, East Asia, and South Asia. In the remaining cities, the majority of mothers were born in Canada and other ethnic groups represented a very small minority of the sample.

The socioeconomic status (SES) of the samples also varied somewhat, although most spanned lower middle to middle class. School principals described the Edmonton sample as lower middle to upper middle class. The Toronto sample was described as lower to middle class. The Montreal sample was described as predominantly middle class, as was the Ottawa sample, and the Charlottetown sample ranged from lower middle to middle class.

In terms of the demographic composition of the sample, it should also be noted that while most of the cities chosen for study are large urban centres (Edmonton, Toronto, Ottawa and Montreal), Charlottetown and Sherbrooke are both much smaller in size.

Table 1 Demographic Characteristics of the Sample

		City						
		Edmonton	Toronto	Ottawa	Montreal	Sherbrooke	Charlottetown	Total
Age	10/11	17	19	20	14	15	19	18
	12/13	19	22	15	23	13	14	18
	14/15	23	29	20	30	22	22	24
	16/17	34	13	27	7	28	32	24
	18+	6	17	18	26	22	12	16
Gender	Male	54	45	44	34	34	50	45
	Female	46	55	56	64	66	50	55
Number of years in Canada	Born here	90	74	94	96	100	98	91
	> 3 years	8	19	5	4	0	1	7
	1 - 3 years	1	6	1	0	0	0	2
	< 1 year	1	1	0	0	0	1	0
Parents born in Canada	Both	50	31	69	21	97	94	60
	One	18	8	17	20	0	5	11
	Neither	32	61	14	60	3	2	29
Language spoken at home	English	83	67	94	58	0	98	71
	French	1	1	3	7	99	1	15
	Other	16	32	3	35	1	1	15

2.2 Procedure

Schools were contacted through Boards of Education after initial approval had been given by the Boards' Research Committees. In some cases particular schools were suggested by the Board and in other cases schools were chosen from a list and contacted by a research assistant, who described the study and sought cooperation. Arrangements to distribute the questionnaire and conduct the interviews were made on an individual basis with the principal of each school.

Subjects were recruited by visiting a number of classrooms to distribute consent forms. For the younger students (ages 10/11 and 12/13), arrangements were made with individual "core" teachers to visit the class to discuss the study; teachers were canvassed by the vice principal to ensure tests had not been scheduled the day of the planned visit. The older students were selected by distributing the consent forms on a random basis to classes in progress. Teachers were notified of this in advance by a memorandum from the principal. Upon visiting the classrooms, it was explained that students who were 18 years of age or older could sign their own consent form, while those under the age of 18 would have to return the form signed by a parent or guardian. Some background information was also offered to the students. During the initial visit, the students were told the following:

- that the study was being conducted in order to find out what young people know about the *Young Offenders Act*.

- that the study was completely confidential and anonymous: that neither the school nor parents would have access to their responses, unless they gave them the permission to do so.

- that the survey was not a test. Participation or non-participation would not affect their standing in courses or their records at the school (they would not receive extra credit for participating).

- that the study would take approximately twenty minutes to do, and would take place the following week during school hours.

- Once the consent forms were distributed, any questions or concerns regarding the study were addressed, and the class was thanked for their attention. When all of the consent forms had been collected, a date was set with each school to come back to administer the questionnaire. The questionnaire was distributed to groups of approximately 30 students. Students were instructed not to begin working until everyone had received a copy of the questionnaire and some initial instructions had been read. Specifically, the students were told the following:
- That since we wanted to know what each person's knowledge of the *YOA* is, students

were to work independently on the survey and not confer with other students about responses or answers to questions. If the student had a question about anything on the questionnaire (i.e., didn't know what the question is asking, or what a particular word means, or how to answer the question), he or she was encouraged to ask the experimenter for assistance.

- To be mindful of the fact that some questions ask for one choice, while others allow for multiple responses, and to respect this when responding.

- That if the student had "no clue" as to what the correct response should be for a particular question, he or she was to select "don't know" (where applicable) as their answer choice. However, in this case, students were allowed to guess. To indicate a guess, students were to select "don't know" AND the response(s) that they feel *might* be correct.

After the questionnaires were collected, the class was asked if there were any questions, and students were thanked for taking part.

Approximately 10 subjects from each age level participated in a brief follow-up interview (approximately 10 minutes) that addressed several questions which could not be adequately explored in a questionnaire format. Subjects were chosen at random from the group who completed the questionnaire.

2.3 Materials

Appendix "A" contains a copy of the questionnaire protocol and Appendix "B" contains the interview protocol. For students of all ages, the questionnaire consisted of 16 questions that addressed knowledge of a number of aspects of "black letter law" related to the *YOA* (e.g., age boundaries, issues around the youth court record) and opinions regarding the *YOA* and youth crime. The questionnaires began with a brief description of a youth who was caught shoplifting and brought to the police station to be questioned, and was subsequently charged and went to court, where he was found guilty. A number of questions were asked in the context of this vignette (e.g., multiple choice items addressing knowledge of the right to counsel, police options about what to do with the youth after he had been charged, possible dispositions for shoplifting, knowledge of the youth court record, and of the roles of various people within the youth justice system). Students then answered several multiple choice questions dealing with age boundaries under the *YOA*, the difference between youth and adult court, and factors considered by a judge in sentencing a young offender. Some of the multiple choice questions had one correct answer and three incorrect "distractor" items plus a "don't know" option, while others contained a number of choices, more than one of which were correct. In the

former case, students were asked to choose the correct answer, while in the latter, they were instructed to check off as many responses as they thought were correct. These questions were followed by several items addressing students' opinions about aspects of the *YOA*, such as what the minimum and maximum ages should be, who should have access to the youth court record, and a rating of the appropriateness of youth dispositions in general (on a 5-point scale ranging from "almost always too harsh" to "almost always too easy". Students also answered several background questions in order to obtain basic demographic information. Students aged 13 and above were given several additional questions that addressed their perceptions of youth crime more generally (e.g., rates of violent crime among youth, rates of custody dispositions, etc.). These students were also asked about their experience with law-related education.

The interview protocol consisted of eight questions which addressed students' understanding of what the *Young Offenders Act* is, followed up on their knowledge of the youth court record, sought their views on prevention of youth crime, and asked for definitions of several legal terms (arrested, charged, and convicted). These items were open-ended, and interviewers recorded students' responses verbatim. They were subsequently categorized according to a coding scheme developed from the data. Responses to the questionnaire and interview questions are reported together in the results section under the following headings:

- Understanding of What the *Young Offenders Act* is;
- Knowledge of Legal Terminology;
- Procedural Knowledge Post-Charge;
- Knowledge and Opinions Regarding Dispositions;
- Knowledge of Youth Court;
- Knowledge of Roles of Legal Personnel;
- Knowledge and Opinions of the Age Boundaries of the *Young Offenders Act*;
- Perceptions of Youth Crime.

3.0 RESULTS AND DISCUSSION

3.1 Data Analyses

Much of the data in the present study is categorical in nature. Categories were not mutually exclusive, so subjects' responses could be coded into more than one category. These data were analyzed either using chi square or log linear technique, which is an extension of chi square for tables with more than two variables. Three sets of chi squares were performed: by age, by gender, and by city. There were very few significant effects of gender in the chi square analyses. Therefore, in order to maximize cell sizes, log linear analyses included only age and city as predictor variables. Helmert contrasts were specified for the age variable; this contrast compares each level of the predictor with the average of subsequent levels (e.g., 10/11-year-olds would be compared to the average of the 12/13-, 14/15-, 16/17- and 18+-year-old students). Deviation contrasts were specified for the city variable; this contrast compares each city with the average of all other cities. The statistic reported for these log linear analyses is the z score.

Data that were at least ordinal in scale were subjected to Analysis of Variance (ANOVA). The predictor variables were age, gender, and city. Significant effects were followed up by post-hoc tests (Sheffe). Because of the large number of statistical tests performed, .01 was chosen as the cutoff for significance for the chi square and F statistics. For the log linear analyses, this corresponds to a z-score of 2.57. The cutoff chosen for the Sheffe post-hoc tests was .05.

3.2 Understanding of What the *Young Offenders Act* is

During the administration of the questionnaire, students were not explicitly told what the *Young Offenders Act* was, in order to obtain responses that reflected subjects' state of knowledge at the time of assessment. However, the subset of students interviewed following the questionnaire administration were asked what they thought the *YOA* was. Table 2 presents percentage of responses, by age, falling into six categories: Age Distinction (responses that focused on age as a relevant variable), Law (responses that explicitly defined the *YOA* as a law), Philosophy (responses that mentioned features of the philosophy underlying the Act, e.g., rehabilitative focus, special protection for youth), Misconceptions (e.g., a rights group for children, a group that decides what punishment a young person will get), Other, and Don't Know.

A majority of students mentioned the relevance of age in their definition of the *YOA* (64 percent overall). Age was mentioned in terms of the procedural differences between the youth and adult justice systems, in terms of differences in consequences for crimes, as

well as in the context of vague explanations (e.g., "it's for kids under 18"). Students from Quebec (Montreal - 50 percent; Sherbrooke - 20 percent) were less likely to mention age than those from other cities (where percentages ranged from 66 to 91; $^2(5)=72.6$, $p<.00001$). This result may be at least partly attributable to the language difference in the title of the *Act* (see below for discussion). Female students were also somewhat less likely to mention age in their definitions than males (57 vs. 73 percent, respectively; $^2(1)=6.6$, $p=.01$).

Overall, 40 percent of students explicitly defined the *YOA* as a law, and 35 percent mentioned aspects of its underlying philosophy. As Table 2 shows, both of these responses were mentioned more frequently with age ($^2(4)=10.3$, $p=.03$ for law and $^2(4)=23.2$, $p=.0001$ for philosophy). Students from Quebec (Montreal - 33 percent, Sherbrooke - 66 percent) were significantly more likely than those from other cities (8-23 percent) to mention "law" explicitly in their definition ($^2(5)=72.6$, $p<00001$). This can be attributed to the fact that the French title has the word "Loi" in it, while the English uses the word "Act". It is possible that the Quebec students focused less on age than other students because the "law" definition was such a salient or obvious answer to the question.

Thus, a majority of students recognized the relevance of age in their definitions of the *YOA*, but only a fifth explicitly defined the *YOA* as a law, or mentioned at least one of its underlying principles. The students 16 years of age and older were more likely than younger students to mention philosophical principles, and somewhat more likely to describe the *YOA* as a "law". This result is consistent with the ability to think and conceptualize more abstractly that develops in adolescence, but could also be related to increased exposure to information about the *YOA* and the youth justice system in adolescence (e.g., in school curricula, media). Even so, less than half of students over 16 defined the *Act* in this way. They, along with younger students, were more likely to focus on concrete procedural or consequence elements of the *Act*.

Table 2 Subjects' Definitions of the *Young Offenders Act* (Numbers represent percentage of subjects)

	Age					
	10/11	**12/13**	**14/15**	**16/17**	**18+**	**Total**
Age Distinction	65	73	70	62	49	64
Law	16	17	25	33	40	26
Philosophy	6	15	12	35	35	21
Misconception	6	6	3	5	5	5
Other	6	2	2	2	0	2
Don't Know	6	4	5	0	5	4

3.3 Knowledge of Legal Terminology

Students were asked several questions that required the recognition or production of definitions of legal terms. In the Questionnaire protocol they responded to a multiple choice item that assessed their recognition of the meaning of the right to counsel, and in the Interview they were asked to give definitions for the terms "arrested", "charged", and "convicted".

3.3.1 Definition of the Right to Counsel

Overall, 61 percent of subjects identified the correct definition of the right to retain and instruct counsel, but there was also a significant effect of age (see Table 3). Fewer of the youngest (10/11-year-old) subjects than of the combined group of older subjects correctly answered the question ($z=6.0$, $p<.0001$). Similarly, fewer of the 12/13-year-olds than of the older subjects combined identified the correct meaning of the right to counsel ($z=4.5$, $p<.0001$). As Table 3 shows, only a third of the 10/11-year-olds and half of the 12/13-year-old students identified the correct answer, while a majority of the 14/15, 16/17, and 18+-year-old students responded correctly. There was only one significant effect of city: the students from Montreal were less likely to identify the correct meaning of the right to counsel than were students from the other cities ($z=2.7$, $p<.01$). As Table 3 shows, the percentage of correct definitions ranged from 47 percent to 69 percent across cities.

The most common incorrect answer chosen (by 17 percent of students) was the

distractor item which stated that "Dale can choose to talk to a counsellor about his problems". This definition was chosen by somewhat more of the 10/11-year-old (30 percent) and 12/13-year-old (23 percent) students than those in the older grades (10 percent), although it is interesting that almost 20 percent of the young adults also chose this response.

These results suggest that children under 15 do not "understand" the right to counsel well, even when understanding is very liberally defined in terms of *recognition* of a correct response. The finding is consistent with previous research on youths' comprehension of due process rights (Grisso, 1981; Abramovitch, Peterson-Badali & Rohan, 1995) that young people under the age of 16 have greater difficulty than older adolescents and young adults in understanding their rights.

Table 3 Percentage of Subjects who Correctly Identified the Meaning of the Right to Retain and Instruct Counsel - Question 1

	Age					
	10/11	**12/13**	**14/15**	**16/17**	**18+**	**Total**
Edmonton	46	38	52	79	88	60
Toronto	27	48	63	59	83	56
Ottawa	43	61	80	66	93	68
Montreal	50	39	69	57	21	46
Sherbrooke	29	50	91	77	76	69
Charlottetown	17	59	56	89	79	62
Total	35	48	67	75	72	61

3.3.2 Definitions of Arrested, Charged, and Convicted

Students were asked to give definitions for the terms "arrested", "charged", and "convicted". With respect to the term "arrested", students' responses were coded into the following categories: Loss of Freedom (e.g., you are taken away by police, you are locked up), Procedural (which included responses detailing police procedures such as being questioned, having your rights read, calling parents, etc.), Suspected of Crime (which included responses stating implicitly or explicitly that you are suspected of having committed a crime without referring to actual guilt -- e.g., you get caught by the police, you are in trouble), Committed a Crime (which included responses stating that you have done something wrong, against the law, etc.), Other Misconceptions (e.g., to get a criminal record, to get a punishment), and Don't Know.

Table 4 contains the percentages of subjects falling into each of the above categories. The majority of students correctly defined "arrested" in terms of a loss of freedom, and interestingly, this interpretation was given more frequently by the 10/11-year-olds (90 percent) and the 12/13-year-olds (88 percent) than by the older students (68 percent; $^2(4)=13.6$, $p<.01$). The reason for this age finding is not clear. There were no categories that were mentioned more frequently by older students than younger ones. Defining "arrested" in terms of a loss of freedom was less common in students from Sherbrooke (52 percent) than the other cities (83 percent; $^2(5)=25.3$, $p<.001$). Twenty-eight percent of subjects included a description of police procedures that might take place upon arrest (though some procedures mentioned would not occur until a youth had been charged with an offence -- e.g., fingerprinting). Police procedures were mentioned less often by students from Sherbrooke (10 percent) than from the other cities (33 percent; $^2(5)=17.4$, $p<.01$). Eleven percent of students indicated, either implicitly or explicitly, that being arrested means that you are suspected of committing a crime, or doing something wrong. While this is not the correct definition of the term "arrested", it is a correct interpretation of the reason for the arrest. A number of students also held misconceptions about what it is to be arrested. The most common misconception, mentioned by 40 percent of students overall, was the equation of being arrested with being guilty -- that being arrested means that you committed a crime, or did something wrong. This was mentioned more frequently by students from Quebec (Montreal - 53 percent; Sherbrooke 58 percent) than by students from other cities (esp. Charlottetown - 15 percent; $^2(5)=22.1$, $p<.001$). The reasons for this finding are unclear, but it would be interesting to explore whether philosophical and procedural differences in the administration of youth justice in Quebec relate to youths' understanding of these concepts.

Table 4 Students' Definitions of the term "Arrested" (Numbers represent percentage of subjects)

	City						
	Edmonton	**Toronto**	**Ottawa**	**Montreal**	**Sherbrooke**	**Charlottetown**	**Total**
Loss of Freedom	70	87	87	88	52	81	76
Police Procedures	22	26	46	35	10	36	28
Suspected of a Crime	15	13	3	10	18	4	11
Committed a Crime	39	41	35	53	58	15	40
Other Misconceptions	4	0	0	3	2	2	2
Don't Know	0	0	0	0	0	2	0

Students defined the word "charged" in somewhat similar ways. The most common definition was an equation of "charge" with punishment, mentioned by 31 percent of students overall. However, as age increased, this definition was less frequently given ($^2(4)=25.7$, $p<.0001$). While over half of the 10/11-year-olds (55 percent) and 40 percent of the 12/13-year-olds suggested that being charged was to be punished for a crime, only 27 percent of the 14/15-year-olds, 17 percent of the 16/17-year-olds, and 16 percent of the young adults gave this definition. A substantial minority of students also confused the term with actual guilt (26 percent) or with a finding of guilt (19 percent), and a small minority confused it with getting a record (4 percent). The definition that most closely matched the meaning of the term was that the police "suspect you of committing a crime". Within this category, some definitions quite precisely captured the meaning of the term (e.g., "the police accuse you of committing a crime"), while others were somewhat looser, although they captured the underlying motivation (i.e., that the police suspect that you broke the law). This category tended to be mentioned more frequently as age increased ($p<.02$). It was mentioned by only 16 percent of the youngest subjects, and increased with age to about 40 percent in students 16 and over.

It is unclear why students define "arrest" and "charge" in terms of actual guilt, but the finding is interesting in relation to other research (Peterson-Badali & Abramovitch, 1992) which has found that young people have difficulty understanding the concept of presumption of innocence. It is possible that young people (and adults as well) carry an implicit belief that if the police arrest or charge someone, that the person is in fact guilty of a crime. This belief that "where there is smoke there is fire" would account both for the misunderstanding of the legal presumption of innocence and the equation of the terms "arrest" and "charge" with a person's actual guilt.

Subjects were also asked to define "convicted", and the majority of students correctly defined the word in terms of a finding of guilt (54 percent). However, this definition was given significantly less frequently by the youngest students (31 percent) than by the rest of the sample (50 percent of 12/13-year-olds, 58 percent of 14/15-year-olds, 68 percent of 16/17-year-olds, and 58 percent of young adults; $^2(4)=16.6$, $p<.01$). This definition was also given less frequently by students in Toronto (36 percent) and Montreal (30 percent) than by respondents in the other cities (60-68 percent; $^2(5)=20.6$, $p<.001$). A number of students incorrectly defined "convicted" in terms of being punished (e.g., sentenced; 29 percent) and actual guilt (12 percent). Thirteen percent of students expressed other misconceptions about the term, and 10 percent were not able to give a definition. The 10/11-year-old children were significantly more likely to say that they did not know the meaning of the term than the older students (35 percent vs. 5 percent; $^2(4)=40.5$, $p<.00001$). Thus, younger students (10/11-year-olds) appeared to have particular difficulty defining the terms "charged" and "convicted", although they understood the basic meaning of the term "arrested". Not surprisingly, knowledge of these terms improved with age, although even in students 16 years of age and older, a

substantial minority do not correctly define the terms.

3.4 Procedural Knowledge

Students responded to a question that briefly examined their knowledge of police procedures following a criminal charge. Specifically, they were asked what could happen to Dale after he was charged with theft, and could choose as many options as they thought correct. Of five options, three were correct: that the police would send Dale home with his parents, that the police would keep Dale in custody overnight, and the police would release Dale on a promise to appear in court. Two options were not correct: that the police would keep Dale in jail until his trial, and that the police would release Dale after he paid a fine. Table 5 indicates the percentage of students in each city who chose each of these responses. In general, the less severe options were chosen by greater numbers of students (i.e., sending Dale home with parents (68 percent), releasing him on a promise to appear (57 percent), and releasing him if he paid a fine (58 percent)). Less than half the students (45 percent) indicated that Dale could be kept in custody overnight. The substantial number of students (58 percent) who indicated that the police could release Dale if he paid a fine and returned the stolen CD indicates that many confuse the role of police and judge.

Table 5 also indicates that there was variation across city in subjects' responses which was significant for each of the options. However, for the most part these regional variations are not particularly remarkable. It is interesting to note that respondents in Montreal were particularly susceptible to the belief that Dale could be released after paying a fine (82 percent), and that in contrast, few Sherbrooke respondents believed that this was an option (31 percent). In addition, the students from Montreal were less likely than the other groups to think that a youth could be released on a promise to appear. The Toronto students appeared somewhat more likely than those from other cities to believe that a youth could be detained in jail until trial.

Table 5 Students' Choices in Response to "What can Happen to Dale Now?" - Question 2

(Numbers represent percentage of subjects)

	City						
	Edmonton	**Toronto**	**Ottawa**	**Montreal**	**Sherbrooke**	**Charlottetown**	**Total**
What can happen to Dale now?							
Send him home with parents	75	59	75	60	63	73	68
Keep him in jail overnight	40	50	34	56	41	54	45
Keep him in jail till trial	12	27	16	19	9	18	17
Release him on promise to appear	56	53	64	35	68	63	57
Release him if he pays a fine	60	61	55	82	31	58	58

There were also significant age differences with respect to almost all of the options, and results suggest that knowledge becomes more accurate with age. For example, there were decreases with age in the number students who mistakenly believed that Dale could be held in jail until his trial, and that he could pay a fine and be released. Conversely, correct responding increased with age with respect to the other possibilities. However, the pattern of age changes varied from item to item. For example, the under-12 children appeared less likely than 12- 15-year-olds to understand that the police could call their parents (46 percent of 10/11-year-olds vs. 63 percent and 69 percent of 12/13-year-olds and 14/15-year-olds, respectively). Students age 16 and over were even more likely to endorse this option as a possibility (78 percent). Being released on a "promise to appear" was better understood by the 16/17-year-olds (70 percent) than the younger students, half of whom recognized this option. They also performed somewhat better than the young adults (60 percent). Interestingly, the knowledge that a youth could be kept in jail overnight was poorer in the young adult group (27 percent) than in the other samples, where endorsement of this item ranged from 42 to 55 percent.

In order to see whether students' overall knowledge of what happens post-charge varied by age or city, an ANOVA was performed using the number of correct responses (ranging from zero to three) as the dependent variable. The ANOVA revealed a main effect of age ($F(4,663)=5.1$, $p<.001$) that was qualified by a significant age by city interaction ($F(20,663)=1.97$, $p<.01$). However, because the F value for the interaction was so small (less than 2), the interaction will not be interpreted. The main effect indicated that the mean number of correct responses increased with age from the 10/11-year-old group (M=1.53 out of a possible 3) through the 16/17-year-olds (M=1.91), and decreased again in the young adult group (M=1.64). As the mean scores reveal, the differences were not substantial. Post-hoc analyses indicated that the only significant pairwise differences were between the two youngest groups and the 16/17-year-olds.

3.5 Knowledge and Opinions Regarding Dispositions

Students were also asked what types of dispositions were available to the judge when Dale was convicted of the shoplifting offence. Of nine choices, only one disposition was incorrect (spending a month in custody). Table 6 indicates the percentage of students in each city who chose each of the responses. The most popular choices were a fine (mentioned by 88 percent of students), community service (83 percent), restitution (74 percent), and probation (67 percent). Relatively few (26 percent) students thought that the judge could give the young offender a week in custody (this is a possible, but not likely, disposition), and even fewer (13 percent) thought that he could receive a month in custody. Interestingly, only a quarter of subjects overall indicated that the judge could order the young offender to attend school or adhere to a curfew.

There were significant regional differences with respect to all of the specific disposition options except one (restitution). Students from Quebec were less likely than other groups to suggest that nothing might happen to a youth convicted of shoplifting (i.e., absolute discharge -- 4 percent). They also seemed less likely than the other groups to believe that the judge could order a custodial disposition of a month for the offence, and few of the Sherbrooke students also thought that a week's custody was possible (see Table 4). Again, it is possible that these perceptions relate to the administration of justice in Quebec.

There were also significant age differences with respect to most of the disposition options, but again, the actual pattern of age differences varied. The probation and one week's custody options suggested similar patterns, but in the opposite direction. Probation was recognized by fewer under 12 subjects than those between 12 and 15 years of age (46 percent vs. 64 percent), and this disposition was recognized by even more 16/17-year-olds (73 percent) and young adults (83 percent). Conversely, more under-12 subjects than those between 12 and 15 years of age (38 percent vs. 27 percent), thought that the judge could sentence the young offender to a week in custody, and the 12- 15-year-olds chose this disposition more frequently than the 16/17-year olds (20 percent) and young adults (14 percent). With respect to other dispositions, the young adults appeared different from the rest of the sample (e.g., they were less likely to recognize restitution as a possibility), while in another case the over-16 students responded differently than the younger subjects (more frequently choosing an order to attend school).

The only significant gender differences to emerge were that females were less likely than males to recognize the absolute discharge and probation as possibilities. However, these differences were not substantial in absolute terms.

Overall, the results suggest that young people recognize a number of the dispositions commonly given for an offence such as shoplifting, although they were not as likely to identify specific aspects of a possible probation order (e.g., curfew, mandatory school attendance).

Table 6 Students' Choices Regarding Possible Dispositions for Shoplifting (Numbers represent percentage of subjects)

	City						
	Edmonton	**Toronto**	**Ottawa**	**Montreal**	**Sherbrooke**	**Charlottetown**	**Total**
1 Week Custody	18	32	22	29	14	36	26
1 Month Custody	10	19	16	7	2	18	13
Fine	87	88	85	96	79	92	88
Probation	62	67	82	52	37	86	67
Restitution	76	74	72	78	65	78	74
Community Service	88	78	91	68	79	88	83
Attend School	20	35	23	13	9	34	24
Curfew	21	40	27	16	27	38	29
Absolute Discharge	22	13	21	4	4	26	16
Other	8	6	9	7	9	7	8
Don't Know	7	2	5	5	5	10	6

In order to see whether students' overall knowledge of what dispositions are available to the Youth Court judge varied by age or city, an ANOVA was performed, using the number of correct choices (0-8) as the dependent variable. The results revealed significant main effects of both age ($F(4,661)=10.5$, $p<.001$) and city ($F(5,661)=17.8$, $p<.001$). With respect to the age finding, mean correct scores increased from the 10/11-year-old group (M=3.56) through the 16/17-year-old group (M=4.47), and declined slightly in the young adult group (M=4.29). Post-hoc analyses revealed that the youngest subjects obtained significantly poorer scores than the 14/15-year-olds, the 16/17-year-olds, and the young adults, while the 12/13-year-olds obtained poorer scores than the 16/17-year-olds. The mean correct scores for the six cities indicated that students in Quebec (Montreal (M=3.6) and Sherbrooke (M=3.2)) identified less dispositions than those in Ottawa (M=4.2), Toronto (M=4.3), and Charlottetown (M=4.8), with the Sherbrooke students also obtaining a lower mean score than the Edmonton students (M=3.9). In addition, the students from Edmonton obtained a lower mean score than those in Charlottetown. As with students' procedural knowledge, described above, there was a statistically significant interaction between age and city ($F(20,661)=2.4$, $p=.001$), but the actual size of the effect was so small that the interaction will not be interpreted here. Overall, however, students chose 4-5 of the 8 possible correct dispositions.

Students were also asked their opinion about what the judge should "give" the accused for shoplifting, and Table 7 shows their choices. The most popular dispositions were a fine (78 percent), community service (73 percent), and restitution (70 percent), which parallels their beliefs about what dispositions the judge *could* give the young offender. In fact, as a comparison of Tables 6 and 7 reveals, the results of the two questions are quite similar, with lower levels overall in terms of the percentage of students recommending dispositions.

As the pattern of results in Table 7 suggests, there were few significant effects of city in subjects' recommendations regarding dispositions. Compared to the rest of the cities, more respondents in Charlottetown (74 percent) and less in Sherbrooke (26 percent) recommended probation as a disposition ($^2(5)=57.0$, $p<.00001$). Interestingly, more students in Toronto (31 percent) than in the other cities (13 to 18 percent) suggested ordering the youth to observe a curfew ($^2(5)=17.1$, $p<.01$), and more students in Toronto (31 percent) and Charlottetown (26 percent) than the other cities (12 to 22 percent) endorsed ordering a youth to attend school ($^2(5)=16.4$, $p<.01$).

Table 7 Recommendations Regarding Dispositions for Shoplifting (Numbers represent percentage of subjects)**Table 7 Recommendations Regarding Dispositions for Shoplifting (Numbers represent percentage of subjects)**

	City						
	Edmonton	**Toronto**	**Ottawa**	**Montreal**	**Sherbrooke**	**Charlottetown**	**Total**
1 Week Custody	17	22	16	22	14	20	19
1 Month Custody	11	13	7	7	2	11	9
Fine	74	76	78	84	68	85	78
Probation	47	53	62	47	26	74	53
Restitution	67	70	67	72	70	76	70
Community Service	76	67	77	66	73	78	73
Attend School	16	31	23	19	12	26	22
Curfew	15	31	18	13	16	18	19
Absolute Discharge	1	1	3	1	1	3	2
Other	13	10	12	12	7	10	11
Don't Know	0	0	1	1	3	9	2

In terms of age differences, fewer of the 10/11-year-olds (39 percent) than the older subjects (particularly the young adults -- 67 percent) recommended probation ($^2(4)=22.3$, $p<.001$). Similarly, fewer of the 10/11-year-olds (62 percent) and 12/13-year-olds (69 percent) than the older respondents (77 percent) suggested community service ($^2(4)=13.8$, $p<.01$). The youngest subjects were also more likely to report that they did not know what disposition to recommend ($^2(4)=20.9$, $p<.01$).

Students were also asked what factors a judge considers, in general, when deciding on a disposition. Of 10 choices, 7 were correct (at least in theory, a judge would not base a disposition on a youth's race, gender, or how he or she is dressed). Table 8 shows the percentage of subjects by city who indicated each of the 10 choices. The factors most frequently chosen were the crime itself and the young offender's previous contact with the law (both by 96 percent of students), followed by the harm to the victim (by 86 percent of students), the young offender's age, and whether the crime was planned or unplanned (72 percent). Thus, students consider factors related both to the offence and to the offender. However, there were a number of offender factors that were chosen by very few students: gender, race, and clothing worn, none of which (in theory) should influence a disposition. Two offender factors -- family background and employment/school attendance status -- were chosen by roughly a third of students.

There were few significant regional effects: subjects from Toronto and Charlottetown (81 percent), and Ottawa (74 percent) were more likely to suggest age as a relevant factor in sentencing than were students from the other cities (65 percent; $^2(5)=18.6$, $p<.01$). Interestingly, the same pattern emerged with respect to the youth's school/employment status ($^2(5)=29.2$, $p<.0001$), and whether the crime was planned ($^2(5)=21.5$, $p<.001$). However, as Table 8 indicates, the absolute size of the differences was moderate.

Only two significant effects of age emerged on the frequency with which students selected the factors: the under-12 subjects were less likely to suggest age as a relevant factor in sentencing than the older respondents (57 percent vs. 68-80 percent, respectively; $^2(4)=24.5$, $p<.0001$)), and both the 10/11-year-old (73 percent) and 12/13-year-old (78 percent) groups were less likely than the older subjects (88-94 percent) to recognize harm to the victim as a relevant sentencing factor ($^2(4)=37.2$, $p<.00001$). Thus, overall, students were good at selecting relevant sentencing variables.

Table 8 Students' Knowledge of the Factors Judges Consider in Making a Disposition - Question 12

(Numbers represent percentage of subjects)

	City						
	Edmonton	**Toronto**	**Ottawa**	**Montreal**	**Sherbrooke**	**Charlottetown**	**Total**
Age	64	81	74	64	66	81	72
Gender	3	7	5	4	3	6	5
Race	3	4	1	5	0	2	2
Family Background	29	27	38	33	28	50	34
Previous contact with law	94	94	97	99	92	98	96
In school/has job	26	39	31	21	22	48	32
Clothing worn	5	7	4	7	1	4	5
Type of crime	95	96	95	95	97	100	96
Harm to victim	84	87	89	84	76	90	86
Crime planned or not	62	73	75	60	--	83	72
Don't Know	2	3	3	0	1	3	2

In order to see whether students' overall knowledge of the factors influencing the dispositions chosen by judges varied by age or city, an ANOVA was performed, using the percentage of correct choices as the dependent variable.[2] There were significant effects of both age ($F(4,662)=17.5$, $p<.001$), city ($F(5,662)=13.1$, $p<.001$), and gender ($F(1,662)=11.9$, $p=.001$). Pairwise differences between the 10/11-year-olds and the 14/15-year-olds, 16/17-year-olds, and young adults were significant, and the same was true for differences between 12/13-year-olds and the older groups. However, the absolute size of the differences was not large (with the percentage correct responses ranging from 60 to 75 overall). Regional differences, while statistically significant, were not huge: subjects from Toronto, Ottawa, and Charlottetown obtained mean scores of 70-80 percent correct, while those in Edmonton, Montreal and Sherbrooke scored approximately 65 percent correct. While males scored marginally higher than females overall (73 percent correct vs. 67 percent), gender differences were limited to the Toronto, Ottawa, and Charlottetown samples, as indicated by a significant city by gender interaction ($F(5,662)=3.6$, $p<.01$). There was also a city by age interaction which, while statistically significant, was quite small in size ($F(20,662)=2.1$, $p<.01$).

Finally, students were asked to rate, in general, the harshness of dispositions given to young offenders on a 5-point scale ranging from "almost always too harsh" to "almost always too easy". Virtually none of the students endorsed items at the "too harsh" end of the scale. Thirty-seven percent of students felt that dispositions were "about right", the same number stated that they were "often too easy", and a further 20 percent felt that dispositions were "almost always too easy". When an ANOVA was performed on the ratings, significant effects of age ($F(4,644)=22.6$, $p<.001$) and city ($F(5,644)=10.7$, $p<.001$) emerged. As age increased, subjects were more likely to perceive dispositions as too easy (M=3.3 for the 10/11-year-olds, M=3.5 for the 12/13-year-olds, M=3.62 for the 14/15-year-olds, M=3.92 for the 16/17-year-olds, and M=4.13 for the young adults). Post hoc tests revealed that the 10/11-year-olds viewed dispositions as significantly more appropriate than the 14/15-year-olds, 16/17-year-olds, and young adults, while both the 12/13-year-olds subjects and the 14/15-year-olds viewed dispositions as more appropriate than either the 16/17-year-olds or the young adults. One possible explanation for this finding is that as age increases, young people are more exposed to public (especially media) characterizations of youth dispositions as overly lenient as well as generally punitive attitudes toward youth.

Post-hoc tests also indicated that the students from Quebec (Montreal (M=3.3)

[2] Number of correct responses had to be converted to percent correct because in the French translation of the questionnaire used with the Sherbrooke sample one correct response choice was missing from the list. Thus, percent correct scores were calculated by dividing the number of correct answers by 6 in the case of the Sherbrooke sample, and by 7 for all other cities.

and Sherbrooke (3.5)) viewed dispositions as significantly more reasonable than students from either Ottawa or Charlottetown (M=3.9), and there was an additional pairwise difference between Montreal and Edmonton (M=3.9). Inspection of the cross-tabulations of city by the "about right" rating confirm this finding, indicating that over 50 percent of students in Quebec rated sentences as "about right", which is markedly higher than ratings of students from most other cities (Edmonton - 32 percent; Toronto 41 percent; Ottawa - 28 percent; and Charlottetown - 23 percent). They were correspondingly less likely than the other cities to rate sentences as "almost always too easy". This finding is interesting, particularly in light of other regional difference findings in which students from Quebec differed from those in other cities. Anecdotal evidence suggests that residents of Quebec may be happier with the *YOA* than people in other regions of Canada, and the perception that youth dispositions are generally appropriate is consistent with this more favourable view of the *Act*. Again, it would be very interesting to explore provincial variations in the way that youth justice is administered in terms of their relationship to knowledge of the *YOA* and the youth justice system, as well as satisfaction with the system.

3.6 Knowledge of Youth Court

In the questionnaire, students responded to several questions relating to the youth court: who is entitled to see the youth court record, whether the youth court record is destroyed when a young offender turns 18, and the difference between youth court and adult court. The definition of a youth court record was not given to students in the context of the questionnaire in order to obtain an estimate of their knowledge at the time of assessment and without the benefit of explanations. However, in order to further explore students' understanding, those who were subsequently interviewed were asked to explain what a youth court record is.

In the questionnaire, a substantial majority of students (84 percent) correctly identified the targeted difference between youth and adult court (that the dispositions might not be as harsh in the former; see Table 9). Log linear analysis revealed significant differences in age between the 10/11-year-olds (76 percent) and the remainder of the sample (86 percent; $z=3.1$, $\underline{p}=.001$), and between the 12/13-year-olds (79 percent) and the older groups (88 percent; $z=2.9$, $\underline{p}<.01$). In terms of regional differences, log linear analysis indicated that significantly less students in Sherbrooke (68 percent) than in the other cities (81 percent to 91 percent) chose the correct answer ($z=4.3$, $\underline{p}<.0001$). These students were more likely than the other groups to believe that the difference between youth and adult court is that youths cannot be "locked up" (28 percent vs. 7 to 12 percent, respectively).

Table 9 Percentage of Subjects who Correctly Identified the Difference Between Youth and Adult Court - Question 10

	Age					
	10/11	**12/13**	**14/15**	**16/17**	**18+**	**Total**
Edmonton	73	88	83	82	63	81
Toronto	73	87	93	83	92	86
Ottawa	90	70	90	93	96	89
Montreal	64	87	97	100	100	91
Sherbrooke	71	67	57	73	71	68
Charlottetown	74	63	93	95	100	87
Total	76	79	87	87	90	84

Students' responses to the question "what is a youth court record?" were coded into 7 categories: Illegal Transgression (which specified that the Record keeps information about a youth's criminal behaviour), mentioned by 68 percent of subjects; Transgression (a vaguer definition than above in which information about "bad" behaviour is recorded without explicitly stating that the behaviour is a crime), mentioned by 7 percent of subjects; Contents (which specified the kinds of information that would be recorded, e.g., a youth's plea, the court's finding, disposition, etc.), mentioned by 29 percent of subjects; Illustration (which vaguely defined the Record by giving an example, e.g., "it is what you get when you steal or vandalize something"), mentioned by 4 percent of subjects; Reiteration (a simple restatement of the words, e.g., "it's a record of why you have been to court"), mentioned by 2 percent of subjects; Other, mentioned by 5 percent of subjects; and Don't Know, which was mentioned by 8 percent of subjects. There were no significant effects of age on subjects' responses, and the only significant regional effect was that students in Toronto (54 percent) and Ottawa (49 percent) were more likely than those in other cities (12-30 percent) to mention the contents of a youth court record ($^2(5)=29.2$, $p<.0001$).

Students were asked who had access to youth court records, and of six specific choices (court, police, parents, school, employer, media) the first three were correct. Table 10 contains students' choices, and suggests that students' knowledge is quite good, overall. As Table 10 indicates, 91 percent of students indicated that the Court has access to the Record, 90 percent stated that police can see a youth's record. However, less

students (60 percent) were aware that parents have access to their son or daughter's youth court record. A minority of students (roughly a third) indicated that a youth's school or employer has access to the Record.

The only regional difference to emerge indicated that far fewer subjects in Sherbrooke (28 percent) realized that parents have access to the youth court record than was the case in other cities (55-73 percent; $^2(5)=56.8$. $p<.0001$). This group was also more likely to state that they did not know who could see the Record ($^2(5)=16.7$, $p<.01$).

There was also only one significant age difference with respect to this question: more 14/15-year-old students than those in the other age groups erroneously believed that employers have access to a young offender's record (42 percent vs. 24-31 percent; $^2(4)=14.8$, $p<.01$)). It is possible that the younger children did not hold this belief because most would not yet be concerned with the employment ramifications of a criminal conviction, but that at age 14 and 15 youths are beginning to think in these terms, though they hold an inaccurate belief.

Table 10 **Students' Beliefs Regarding Who has Access to Youth Court Records - Question 5**

(Numbers represent percentage of subjects)

	City						
	Edmonton	**Toronto**	**Ottawa**	**Montreal**	**Sherbrooke**	**Charlottetown**	**Total**
Court	92	93	92	88	83	96	91
Police	93	90	93	85	83	92	90
Parents	67	73	58	55	28	69	60
School	34	34	27	35	26	25	30
Employers	42	29	34	23	24	34	32
Media	3	2	1	2	1	3	2
Other	7	7	6	5	12	8	7

In order to examine overall knowledge of who can see the youth court record, an ANOVA was performed, using the number of correct choices (0-3) as the dependent variable. Results were consistent with the above description; overall, students chose 2.4 of the three correct choices. One main effect emerged significant: city ($F(5,662)=10.5$, $p<.001$). Post hoc tests indicated that the students from Sherbrooke obtained a lower mean score (M=1.94) than those from Toronto, Edmonton, Ottawa, and Charlottetown (means ranged from 2.43 to 2.57). This result is consistent with the above finding that fewer Sherbrooke students than those from the other cities realized that parents could see the Record.

Students were divided about whether a young offender's record gets destroyed when he or she becomes an adult. Thirty-seven percent stated that it did, and 33 percent thought that it did not get destroyed, while only 20 percent (correctly) answered that it depends. Basically, the Record exists for five years from the date of the youth's conviction (for a summary offence) or the completion of the youth's disposition (for an indictable offence), providing there are no new convictions during the five year period.

There were no significant effects of age or city on the number of subjects who correctly answered the question. When this question was followed up with the sub-sample of students in the interview, 34 percent again stated that the record is maintained in adulthood, while only 12 percent stated that it is destroyed. This figure represents a lower percentage of subjects than in the initial questionnaire (37 percent, above).[3]

Forty-six percent of students indicated that destruction depends, and their explanations fell into several categories: on the severity of the offence, on the youth's subsequent behaviour (e.g., "if you stay clean for a certain amount of time, it gets erased"), and on the age of offender (e.g., "if you're older when you commit the crime then they keep the record when you're an adult"). The second of these (subsequent behaviour) most closely approximates a correct response to this rather complicated question, although severity of offence is also relevant (see above). Overall, 28 percent of the subjects who stated that the destruction of the youth court record "depends", mentioned severity of the offence as a criterion. This category was mentioned more frequently as age increased (from 10 percent in the 10/11-year-old sample to 43 percent in the 16/17-year-old group; $^2(4)=15.5$, $p<.01$). Overall, 22 percent of the students who stated that what happens to the youth court record "depends", mentioned the youth's subsequent behaviour as a criterion. Only 3 percent of subjects (incorrectly) mentioned age as a relevant factor.

To summarize the findings, students' responses to the above questions suggests that they possess a reasonable level of basic knowledge about youth court and the youth

[3] It is likely that being asked a second time about the Youth Court Record induced a number of students to change their mind about their original response, since often when a question is repeated it means that the first answer was incorrect.

court record. A majority of youth understood the basic purpose of the youth court record, and could identify who would be allowed to see it. However, in contrast, knowledge about what happens to the youth court record was poorer. Only 20 percent of students correctly responded that the record is neither automatically destroyed at age 18, nor does is necessarily carry through to adulthood. When probed about this during the interview, some students changed their initial response so that 26 percent more answered that the destruction of the youth court record is contingent on specific criteria. However, only a minority of these students (which would represent an even smaller percentage, overall) correctly suggested that the severity of the offence and the subsequent behaviour of the youth are relevant criteria.

3.7 Knowledge of Roles of Legal Personnel

Overall, a majority of students (66 percent) correctly identified the role of defence counsel ("tries to defend you"; see Table 11). Given the straightforward relationship between the term and the correct response (both of which used variants of the word "defend"), it is surprising that more subjects did not choose the correct answer. This appears to be accounted for by the misconception, held by a substantial minority of students, that a lawyer's job is to prove his or her client's innocence: almost a third of students (30 percent) chose the distractor "tries to prove that you are innocent of the crime".

There were no significant effects of age or city on subjects' knowledge. However, the 10/11-year-olds were somewhat more likely to answer the question correctly than older subjects (72 vs. 65 percent, respectively, $z=1.96$, $p=.025$). This result is consistent with previous research (Peterson-Badali & Abramovitch, 1992) where, in response to an open-ended question, older students were more likely than younger subjects to state that a lawyer's job is to prove his or her client innocent.

Table 11 **Percentage of Subjects who Correctly Identified the Role of Defence Counsel - Question 7a**

	Age					
	10/11	**12/13**	**14/15**	**16/17**	**18+**	**Total**
Edmonton	82	70	53	66	86	68
Toronto	65	63	67	47	71	64
Ottawa	63	57	73	61	67	64
Montreal	92	62	72	43	64	68
Sherbrooke	85	64	85	69	67	74
Charlottetown	61	53	52	74	64	63
Total	72	62	66	64	68	66

Overall, 76 percent of students correctly identified the role of crown counsel (tries to prove you are guilty of the crime), and the number of students responding correctly increased with age (see Table 12). Significantly fewer of the 10/11-year-olds (54 percent) than of the older subjects (79 percent) chose the correct response ($z=5.6$, $p<.0001$), and the same was true of the 12/13-year-olds (66 percent vs. 84 percent; $z=4.3$, $p<.0001$), and the 14/15-year-olds (74 percent vs. 88 percent; $z=3.2$, $p<.001$). Responses were very similar across city.

Table 12 **Percentage of Subjects who Correctly Identified the Role of Crown Counsel - Question 7b**

	Age					
	10/11	**12/13**	**14/15**	**16/17**	**18+**	**Total**
Edmonton	53	71	85	89	86	79
Toronto	58	67	62	88	88	70
Ottawa	46	68	86	97	96	81
Montreal	42	61	78	86	78	70
Sherbrooke	64	67	71	84	76	74
Charlottetown	57	59	65	95	93	76
Total	54	66	74	91	86	76

Virtually all of the subjects across cities correctly identified the role of the police (98 percent). A substantial majority of students also correctly identified the role of the judge (86 percent; see Table 13). However, the 10/11-year-olds were less likely to choose the correct response than the older students (72 vs. 89 percent; $z=3.7, p<.0005$). The difference between the 12/13-year-olds and the older subjects approached significance (84 vs. 91 percent; $z=2.0$, $p=.025$). Again, results were quite similar across city.

Table 13 **Percentage of Subjects who Correctly Identified the Role of the Judge - Question 7d**

	Age					
	0/11	**12/13**	**14/15**	**16/17**	**18+**	**Total**
Edmonton	68	91	93	93	100	88
Toronto	58	80	87	89	96	82
Ottawa	79	90	87	98	96	91
Montreal	54	86	76	86	92	80
Sherbrooke	93	75	95	85	86	87
Charlottetown	83	77	78	95	93	86
Total	72	84	86	93	93	86

Overall, a substantial majority (79 percent) of students identified the correct role of the court reporter (writes down everything that is said in court), while a minority (19 percent) confused this role with that of the media (writes for the newspaper or TV) or a judge's stenographer (in the case of the francophone questionnaire).[4] While there were no effects of age on this variable, log linear analysis indicated that fewer of the students from Sherbrooke (62 percent) than from the other cities (81 percent) identified the correct role of the court reporter ($z=3.8$, $p<001$). This effect may be due to the difference in the distractor items chosen in the english and french versions of the questionnaire (see footnote). However, the difference between the Montreal sample and the other cities (68 vs. 79 percent) also approached significance ($z=2.2$, $p<.02$), and these students were anglophones who received the questionnaire in english.

Overall, students were good at matching appropriate roles to names of "legal players" in the system, with one notable exception: the defence lawyer. As mentioned above, the confusion of the function of defence counsel has been found in previous studies, and earlier research also suggests that it is part of a larger misconception about

[4] In the english version of the questionnaire, "someone who writes for newspaper or TV" was included in the list of possible roles as a distractor for the item "court reporter". In the french version, "writes down everything the judge says" was the distractor item, because in french the term "court reporter" (stenographe judiciaire) would not be confused with a member of the media, but with the "secretaire juridique du juge".

the presumption of innocence as the basis of our legal system (Peterson-Badali & Abramovitch, 1992). This has important implications for legal educators, since an accurate understanding of the role of defence counsel is critical to young people's capacity to understand and make decisions about their due process rights, and to participate meaningfully in the criminal justice system.

3.8 Knowledge and Opinions of the Age Boundaries of the *Young Offenders Act*

As Table 14 indicates, less than half of the students correctly identified age 12 as the lower boundary of the *YOA* (49 percent). While a log linear analysis revealed no significant main effects of age on knowledge, significantly more students from Ottawa (74 percent) than from the other cities (48 percent) correctly identified the lower age boundary ($z=3.7$, $p<001$). However, as Table 14 shows, this effect is due to the large number (90 percent) of 10/11-year-olds in Ottawa who correctly answered the question. This result is attributable to the fact that the 10/11-year-olds in the Ottawa school sampled had just received a curriculum unit on the *YOA*, and therefore provides encouragement for legal education activities.

When asked what they thought the lower age boundary *should* be, the average age suggested across subjects was 11 years. An ANOVA revealed significant effects of age ($F(4,535)=4.0$, $p<.01$) and city ($F(5,535)=8.3$, $p<.001$), as well as an age by gender interaction ($F(4,535)=3.4$, $p<.01$). In terms of the age differences, post hoc analyses indicated that the young adult group suggested a significantly higher age (M=11.7 years) than the 14/15-year-olds (M=10.6). In terms of regional differences, the students from Sherbrooke (M=12.3) suggested a higher minimum age than those from Edmonton (M=10.6), Ottawa (M=10.5), and Charlottetown (M=10.6). The age by gender interaction indicated that males and females recommended similar minimum ages at the 10/11, 16/17, and young adult levels. Within the 12/13-year-old group, girls suggested a lower minimum age than boys, while the opposite was true at the 14/15-year-old level.

Table 14 **Percentage of Subjects who Correctly Identified the Lower Age Boundary of the *YOA* - Question 8**

	Age					
	10/11	**12/13**	**14/15**	**16/17**	**18+**	**Total**
Edmonton	38	75	50	48	63	53
Toronto	50	43	50	44	54	49
Ottawa	90	39	43	65	74	63
Montreal	14	48	31	57	36	36
Sherbrooke	43	33	57	42	29	42
Charlottetown	48	41	26	56	57	46
Total	52	48	43	53	51	49

An even smaller percentage of students correctly identified 17 as the oldest age at which a youth is typically charged with a crime under the *YOA* (42 percent; see Table 15).[5] Log linear analysis indicated that the 10/11-year-olds were less likely to choose the correct response than the older students (18 vs. 47 percent; $z=5.5$, $p<.00001$), and the same was true for the 12/13-year-olds (30 vs. 53 percent; $z=4.2$, $p<.0001$), and the 14/15-year-olds (41 vs. 59 percent; $z=3.4$, $p<.001$). The most common incorrect response was age 18, which was chosen by half of the youngest students and by almost 40 percent of the 12 to 17-year-olds.

When asked what the upper age boundary of the *YOA* should be, the mean age given by subjects was 16.8 years, which is consistent with the age in the current statute (i.e., 17). The ANOVA performed on subjects' recommended age revealed a significant effect of age ($F(4,591)=3.36$, $p=.01$). Post hoc analysis indicated that the 10/11-year-old students recommended a slightly higher upper boundary (M=17.2 years) than the young adults (M=16.4 years).

[5] A person can be charged with a crime under the *YOA* at *any* age over 12 when the crime was committed between the ages of 12 and 17. For the purposes of the study, we wanted to find out how many students recognized the upper age boundary of the *YOA* and this seemed the least complicated way to find out.

Table 15 **Percentage of Subjects who Correctly Identified the Upper Age Boundary of the *YOA* - Question 9**

	Age					
	10/11	**12/13**	**14/15**	**16/17**	**18+**	**Total**
Edmonton	23	29	50	61	86	47
Toronto	15	20	28	44	46	29
Ottawa	10	26	33	49	78	40
Montreal	36	35	45	71	68	49
Sherbrooke	21	42	62	62	48	50
Charlottetown	13	41	41	46	71	41
Total	18	30	41	54	64	42

A very small number of students (15 percent) were able to correctly identify 14 as the age at which a youth can be transferred to adult court for trial (see Table 16). There were no significant effects of age or city.

When the above results are compared with studies carried out shortly after the *YOA* came into force eleven years ago, (Peterson, 1988; Jaffe, Leschied & Farthing, 1987), there does appear to be some improvement in youths' knowledge of the age boundaries of the *YOA*. However, students' knowledge of the age boundaries is still relatively poor, with less than half of subjects recognizing the correct answers in multiple choice questions.

Table 16 **Percentage of Subjects who Correctly Identified the Earliest Eligible Age for Transfer to Adult Court - Question 11**

	Age					
	10/11	**12/13**	**14/15**	**16/17**	**18+**	**Total**
Edmonton	5	17	23	9	13	13
Toronto	15	26	20	24	21	21
Ottawa	7	9	23	10	22	14
Montreal	15	4	10	14	4	8
Sherbrooke	7	17	29	8	25	17
Charlottetown	9	18	11	21	21	16
Total	9	15	19	13	18	15

3.9 Perceptions of Youth Crime

Students 13 years of age and older were asked several questions related to their perceptions of youth crime in general. Eighty-two percent of these students stated that they sometimes walk alone at night, though fewer 12- and 13-year-olds (69 percent) than older students (85 percent) stated doing so ($^2(3)=17.3$, $p<.001$). When asked if they ever decide not to walk alone at night for fear of being the victim of violent crime, the most common responses were almost never or occasionally. Students' responses were not significantly affected by age or city, but there was a highly significant effect of gender ($F(1,433)=139.0$, $p<.001$). On average, female respondents stated that they occasionally decide not to walk alone (M=2.9), while male respondents said that they almost never decide against walking alone (M=4.2).

Students were also asked to estimate the percentage of youth crimes involving violence. Again, an ANOVA revealed a main effect of gender on students' responses ($F(1,497)=17.0$, $p<.01$). While female respondents estimated the prevalence of violent youth crime at between 50 and 69 percent, the male subjects' estimate was lower (between 40 and 59 percent). However, in both cases the estimates are well above the actual figures (1994 statistics indicated that violent crimes accounted for only 18 percent of youth charges; Canadian Centre for Justice Statistics).

Students were also asked to estimate the percentage of young offenders that would

be given custodial dispositions ("sent to jail") for two different crimes: robbery, and assault causing bodily harm. With respect to robbery, students on average suggested that 30-39 percent of young offenders would go to jail. Responses differed significantly by gender ($F(1,511)=7.1$, $p<.01$), with female respondents suggesting that fewer youths would get custody (20-39 percent) than male respondents (30-39 percent). However, the distribution of responses was positively skewed, and the most common response was actually 0-9 percent. Annual Youth Court Statistics for 1993/94 (Canadian Centre for Justice Statistics) indicated that of 1,358 robbery cases heard in youth court, secure custody and open custody were each ordered in 30 percent of cases. If we are conservative in our interpretation of subjects' perceptions and assume that respondents would equate secure (but not open) custody with "jail", then male subjects' estimates were reasonably accurate, and some of the female subjects' responses were accurate while a number underestimated actual rates of secure custody.

With respect to assault causing bodily harm, the overall response was very similar to the robbery charge, with students on average suggesting that 30-39 percent of young offenders would be sent to jail. However, there were significant effects of age ($F(3,512)=5.4$, $p=.001$) and city ($F(5,512)=3.3$, $p<.01$). As age increased, students tended to give lower estimates of the percentage of youths getting custody for assault. While the 12/13-year-old subjects estimated that between 40 and 49 percent of youths would be jailed, on average, the 14/15-year-olds' mean estimate was 30-39 percent, and the 16/17-year-olds and young adults estimated that anywhere from 20 to 39 percent of youths would be sentenced to custody. In terms of regional effects, students from Toronto and Sherbrooke gave the lowest custody estimates (averaging between 20 and 29 percent), while subjects from Montreal estimated the highest rates (40-49 percent), and the Ottawa and Charlottetown students' estimates fell in between (30-39 percent). The Youth Court Statistics for 1993/94 (Canadian Centre for Justice Statistics) indicated that only three cases of assault causing bodily harm were heard in Canadian youth courts. Of these, two resulted in custodial dispositions (one secure, one open). Using these figures, subjects' overall estimate of the custody rate for assault causing bodily harm was quite accurate. What would likely surprise subjects (although we did not examine this in the study) is the tiny number of these cases heard in youth court.

The gender effects with respect to the questions regarding youth crime are interesting in that they suggest that adolescent girls perceive greater levels of violent youth crime than males, but perhaps also that less is being done about it (as suggested by the lower estimate of custody dispositions for robbery). The fact that they feel more vulnerable about walking alone at night than their male counterparts is consistent with these perceptions.

The subsample of students who were interviewed were also asked what could be done to (1) prevent youth crime from occurring and (2) to prevent recidivism once a

youth has committed a crime. Fifty-three percent of students mentioned either deterrence in broad terms, or the use of sanctions or penalties as a means of general deterrence (e.g., stiffening dispositions, informing youth about the consequences of crime). Forty-six percent of students explicitly talked about education efforts in the prevention of youth crime, focusing both on parenting as well as the school and the media as sources of information about "right vs. wrong". Education was mentioned less frequently by students from Sherbrooke (28 percent) and Charlottetown (21 percent) than by students from other cities (57 percent; $^2(5)=33.8$, $p<.00001$). Twenty-seven percent of students mentioned the social environment as an important factor in crime prevention (e.g., programs for children at risk, optimizing environments for children, limiting violent television, minimizing negative influences -- gangs, etc.). A small minority of students (7 percent) discussed monitoring as a strategy for reducing young people's opportunity to commit crime (e.g., curfews, more videocameras in stores, etc.). These strategies were mentioned more frequently by males (12 percent) than by females (3 percent; $^2(1)=7.3$, $p<.01$). Nine percent of students stated that you cannot prevent young people from engaging in antisocial behaviour (e.g., "they will do what they want regardless of what adults may try"). Overall, 5 percent of students stated that they did not know what could be done to prevent youth crime, and this response was more common in students from Sherbrooke (12 percent) and Charlottetown (13 percent) than those from other cities (1 percent; $^2(5)=15.2$, $p<.01$).

When asked what could be done to prevent recidivism, a majority of students (74 percent) focused on sanctions. Responses relating to sanctions fell into three groups: general statements about the effect of punishment on subsequent behaviour, a "short sharp shock" approach to scare young people straight, and the strategy of initial lenience with progressively stiffer penalties for subsequent offences. Twenty-three percent of students mentioned the notion of rehabilitation (in the form of counselling, providing positive role models, and teaching alternate skills). Fifteen percent of students discussed incapacitation and monitoring as strategies for limiting a young person's opportunity to commit future crimes. Ten percent focused on information or education about the consequences of crime (e.g., touring an adult prison, explaining the effect of a criminal record on the ability to find employment, etc.). Three percent stated that it is impossible to prevent young people from offending, 2 percent suggested other strategies, and 3 percent said that they did not know what could be done. There were no effects of age, city, or gender on this variable.

3.10 Effects of Law-Related Education

Aside from examining the effects of age, geographical region, and gender on students' knowledge and perceptions of the *YOA*, we were interested in studying knowledge as a function of experience with law related education (i.e., school courses or curriculum units focusing on law). The specific question of interest was whether students with some kind of law-related education would perform better on the questionnaire than those who had none. Because the sample size was too small to include this variable with age, city, and gender in the previously reported analyses, we ran a parallel set of analyses with experience with law-related education (yes/no) as a factor of interest. Of the 580 subjects who responded to the question "have you studied law in school?", 216 (37 percent) stated that they had, and 214 subjects were included in the following analyses. The majority of students who reported receiving law-related education were 16 and over (see below).

Where possible, (i.e, in the log linear analyses and ANOVAs but not in the chi squares) we also included age as a variable in order to tease out the confound between age and likelihood of having received law-related education. Because fewer subjects in the lower grades had studied law than in the upper grades, the three youngest age groups were collapsed, and age was divided into three categories: 12-15 years old (n=54), 16-17 years old (n=96), and young adults (n=64).

There were relatively few significant effects of law related education on subjects' knowledge and perceptions in relation to the number of variables analyzed. However, where there were effects with one exception they were in the expected direction. That is, students who reported having some law-related education were more likely to respond correctly to the questions than those who reporting having none. In most cases, the size of the significant differences between the two groups was not large. There were no differences between the two groups in the questions addressing perceptions of youth crime, or in the interview questions (though sample size was smaller here than in the questionnaire).

The most significant cluster of effects was in relation to students' knowledge of youth court dispositions. More students with law-related education than without correctly responded that a judge could give the youth described in the vignette probation (81 vs. 66 percent; $^2(1)=15.6$, $p<.0001$), and an absolute discharge (26 vs. 15 percent; $^2(1)=10.1$, $p<.01$). In addition, more students with law-related education than without mentioned several key factors that a judge considers when deciding on a youth court disposition: whether the young person is in school or has a job (40 vs. 29 percent; $^2(1)=7.2$, $p<.01$), the harm done to the victim (96 vs. 85 percent; $^2(1)=18.2$, $p<.0001$), the young person's family background (43 vs. 32 percent; $^2(1)=7.7$, $p<.01$), premeditation (86 vs. 69 percent; $^2(1)=19.8$, $p<.0001$) and the age of the young person (81 vs. 72 percent;

$^2(1)=6.3$, $p=.012$). Consistent with this finding, an ANOVA indicated that students with law-related education identified significantly more factors that a judge would consider in sentencing (77 percent of the correct factors, on average) than those without (68 percent of correct factors; $F(1,567)=22.2$, $p<.001$).

In terms of knowledge of youth court, students with law-related education were more likely than those without to correctly identify the main difference between youth and adult court (91 vs. 83 percent); $z=2.55$, $p=.01$). They were also more likely to correctly answer that schools do not have access to the youth court record (75 percent vs. 63 percent; $^2(1)=9.5$, $p<.01$). Interestingly, more students with law-related education than without believed that the youth court record is destroyed at age 18 (54 vs. 34 percent, respectively; $^2(1)=45.6$, $p<.00001$), though there was no difference between the two groups in the correct response (that "it depends").

A greater number of students with law-related education recognized the correct definition of the right to counsel (77 vs. 62 percent; $z=2.6$, $p<.01$). With respect to the roles of legal players, the only significant difference to emerge was that students with law-related education were more likely to correctly match the term "crown counsel" with its corresponding role (90 vs. 75 percent; $z=2.9$, $p<.01$).

In terms of knowledge of police procedures post-charge, more students with law-related education than those without correctly indicated that police could call a youth's parents to come and take the youth home (77 vs. 62 percent; $z=2.6$, $p<.01$).

Finally, with respect to knowledge of the age boundaries of the *Act*, a greater number of students with law-related education than those without correctly identified age 12 as the lower age boundary (58 vs. 42 percent; $z=3.3$, $p<.001$).

Because it was not possible to retain the original age categories in the law-related education analyses, it is impossible to fully compare the effects of age and law-related education on subjects' knowledge. In addition, in the chi square analyses it was not possible to examine both variables, and the effect of law-related education had to be examined on its own. However, the results indicated that in the case of four variables, effects of law-related education wiped out age effects (although in two of these the original age difference had been between the 10/11-year-olds and the rest of the sample, and this group was not represented in the law-related education analyses). In the case of one variable (role of crown counsel), both the law-related education and age effects were significant. Overall, the results are equivocal with respect to the role of law-related education versus age in students' knowledge as the present study was not designed specifically to examine this relationship. For example, students were not asked to specify exactly what their law-related education program was, and therefore some students may simply have received a unit in family studies dealing with law, while others completed

entire high school courses. The effects of law-related education on legal knowledge and perceptions of the justice system are questions worthy of further study.

4.0 GENERAL DISCUSSION

Through a questionnaire and a brief semi-structured interview, the present study assessed students' knowledge of a number of "black letter law" facts about the *YOA* relating to such issues as age boundaries, dispositions, procedures, youth court records, transfer to adult court, roles of legal personnel, etc. Students were also asked for their opinions regarding a number of these issues, as well as several questions that focused on their perceptions of youth crime more generally.

As previous studies have found, students' knowledge was variable depending on the particular issue addressed. For example, overall, students showed good knowledge of the difference between youth court and adult court, who has access to the youth court record, and were successful at matching the names "crown", "judge", and "police", with their respective roles. Students showed poor knowledge overall of the age boundaries of the *YOA*, as well as what happens to the youth court record when a young offender turns 18, and a number appeared confused about the role of defence counsel, as well as the meaning of the terms "arrested", "charged", and "convicted". They also overestimated the percentage of violent youth crime. Finally relatively few subjects showed a conceptual understanding of what the *YOA* is, though most understood that age was a relevant variable.

4.1 Age Differences

Age differences emerged with respect to many, but not all, of the issues addressed. For example, a greater percentage of older students than younger students knew the meaning of the right to instruct counsel, identified possible youth court dispositions, knew that youth court records are not automatically destroyed at 18, correctly matched the names "crown counsel" and "judge" with their appropriate roles, correctly identified the upper age boundary of the *YOA, and correctly defined the terms "charged" and "convicted"*. Older students were also more likely to define the *YOA* in a more conceptual way than younger subjects, whose descriptions were very concrete. However, even where overall age differences were evident, the pattern of age trends varied by

question. For example, in some cases the 10- 11-year-old children were different from the rest of the sample (e.g., in terms of understanding of the meaning of the terms "charged" and "convicted", knowledge of post-charge police procedures, and recognition of age as a relevant sentencing factor), while in other cases the age differences followed a smoother, linear trend (e.g., perception of reasonableness of dispositions, knowledge of the upper age boundary of the *Act*). In several cases, the 10/11-year-olds and 12/13-year-olds both performed more poorly than the older students (e.g., in their knowledge of available dispositions, factors influencing sentencing, the difference between youth and adult court, and the job of the crown attorney). This result is interesting because it suggests that it is not only "pre-*YOA*" (i.e., under 12) children who lack important information about the *Act* and the legal system.

In several cases, significant age differences occurred between the under- and over-16 subjects (e.g., in defining the *Young Offenders Act*, understanding the right to counsel, knowledge of the upper age boundary). While in most cases the 16 and 17-year-old students exhibited knowledge levels that were comparable to young adults, it is possible that sampling issues may at least partially account for this result. As mentioned in the Method section of this report, while 18- and 19-year-old students in Ontario are part of the regular high school stream of students (working at the OAC, or Grade 13 level), high school in other regions of Canada ends sooner, so that young adult students are less common and may not represent young adults generally (e.g., if they have remained in school longer than usual due to failure to pass courses, complete academic programs, etc.). Further, students in the Montreal sample were taken from an adult learning centre that is run by a Montreal school board. These students would likely not be representative of the population of young adults in Montreal. To the extent that under- and over-18 age differences are seen as relevant in terms of youth justice policy (e.g., in contributing to the determination of appropriate age boundaries for the *YOA*), it will be important to compare the knowledge of a representative sample of older adolescents and young adults.

4.2 Regional Differences

Regional differences were also apparent in some of the questions, and the most striking finding was the distinction between the cities in Quebec (Montreal and Sherbrooke) and the rest of the cities sampled (e.g., with respect to understanding the term "arrested", knowledge of possible dispositions; knowledge of the difference between youth and adult court and that parents have access to the youth court record (Sherbrooke only); and knowledge of the right to counsel and post-charge procedures (Montreal only)). Differences emerged with respect to opinions about the *YOA* as well as knowledge. For example, more students from Quebec rated youth dispositions as "about right" in general, while those from other cities tended to think that they were "often too easy". These differences cannot be attributed to language issues, since the Montreal

sample was anglophone or allophone, and responded to questions in english. An interesting possibility, which has been raised a number of times in the Results and Discussion, is that there are differences in the underlying philosophy toward youth justice and/or procedures for administering justice, between Quebec and other regions of Canada. The most significant implication of this possibility in relation to the present study is that law related education efforts must be tailored to the judicial system that is in place in a given region. It is possible, for example, that students from Quebec did not know "less" about the *YOA* than those from other regions in Canada (as smaller percentage correct scores on this questionnaire might suggest), but that their responses reflect their experience of the youth justice system in that province.

There were other significant effects of region throughout the results, but without the apparent pattern of those described above. However, one finding hints at the possibility of differences in youths from large versus smaller urban centres: when asked what could be done to prevent youth crime, students from Sherbrooke and Charlottetown (both of which are small cities in relation to the other sites) were less likely to mention "education" as a strategy than those from other cities, and were more likely to say that they did not know what to do. Given the differences in the social-developmental experiences of youth growing up in large cities versus smaller communities, it is perhaps interesting that there were not more differences in knowledge and perception.

4.3 Effects of Law Related Education

There were relatively few significant effects of law related education on subjects' knowledge of the *YOA*, and the absolute size of the differences between the two groups tended to be moderate. However, where significant effects did emerge, it was the students who reported having received some law-related education that performed better than those who did not. The effects of law-related education were specific to the knowledge questions, as this variable had no effect on students' perceptions of youth crime or opinions about the *Act*. As mentioned earlier, it was difficult to tease out the effects of law-related education from those of age, although there were certainly many variables that were significantly affected by age but not law-related education. Undoubtedly a primary goal of law-related education is to improve students' knowledge of the legal system. It is therefore important to evaluate programs specifically targeting youth justice education in order to further explore the impact of education on knowledge, as well as the relative contributions of age and education.

4.4 Implications for Law Related Education Activities

The primary purpose of the present study was to find out what young people know

about the *Young Offenders Act* in terms of a number of basic "black letter law" facts -- including information about the right to counsel and the roles of various players in the youth justice system, police procedures, dispositions, youth court records, and youth crime in general -- and was based on the assumption that law related education efforts should be grounded in knowledge about what young people know, think they know, or do not know, about the legal system. There is almost no systematically collected information about what youths know about the *YOA*, and the present study was designed as an initial step at filling this gap.

The results of this study can be used in several ways. Information regarding absolute levels of knowledge across the topics addressed can assist educators and curriculum planners in determining where students show good basic knowledge, and can benefit from more fine-tuned, specific, or complex information, or (perhaps more importantly) where they show gaps in knowledge or misconceptions about the system that need to be addressed. For example, regardless of age, students' knowledge of significant age boundaries of the *Young Offenders Act* is still quite poor, as is their understanding of what it means to have the right to retain counsel. Basic knowledge about the youth court record was reasonably good, but students did not have a good understanding of what happens to the youth court record. Clearly, these are issues that are important to address in legal education. For example, law related education curricula or programs aimed at young people should include a unit on Charter rights (such as the right to legal counsel) and the protections specific to young people (e.g., the right to have a parent or other adult support person present, as well as counsel, when making a statement to the police).

Simply informing young people about “black letter law” facts of the *YOA* is not enough, however. Ensuring that young people understand the information they have been given involves educating them about the relevant context surrounding that information so that they have a sense of its function and importance. For example, telling youths that they can have a lawyer is not enough to ensure their understanding of the nature of the right to counsel. They also need information about the context surrounding the right to a lawyer (e.g., that the legal system is essentially an adversarial one, that the role of the police is often to get young people to make incriminating statements, that lawyers are not just for innocent people, etc.). Young people also need to be educated about the consequences of waiving or exercising their rights, so that they can appreciate the function and significance of those rights. As mentioned in the introduction to this report, young people’s knowledge in this area is quite poor, overall.

This study has indicated that young people’s understanding of various aspects of the *YOA* depends on age, and information about age differences can be useful in gearing education efforts in a developmentally appropriate way. Younger children have less direct experience with the system, and have been exposed to fewer sources of information (and at times misinformation) about it (e.g., peers, media, school curricula) and, not

surprisingly, show lower levels of knowledge with respect to many of the issues addressed. Good educational programs already take into account developmental differences in children's and adolescents' knowledge and thinking processes, and the present study findings can add to these efforts in terms of pinpointing specific areas where younger and older children differ in terms of their understanding.

Information about regional differences may be useful in developing programs for the specific communities sampled. Finally the questionnaire and interview instruments themselves can also be used with specific groups of students in order to obtain baseline measures of knowledge prior to delivering instructional materials relating to the *YOA*.

In summary, the findings from this study can be used to identify specific knowledge gaps and general areas of weakness in young people's knowledge of the *YOA* that can be used to evaluate the content of existing law-related education programs and inform the development of new ones. However, attention must also be paid to how information is delivered if young people are to gain more than a surface knowledge of the *Act*. Future research is needed to explore the content and methods that result in young people s understanding of the *YOA* in a meaningful way. In addition, good law-related education curricula and programs will only work to enhance young people's understanding of the *YOA* if they are available to, and used by, those who work with youth, notably teachers but also others. Awareness of available materials, and training in using them in an effective and developmentally appropriate way, are critical.

4.5 Limitations of Study Design

Two caveats are relevant to the previous discussion. First, the "knowledge" that students demonstrate is a function in part of the methods used to ask the questions. Simplified questions, and those which require students to choose a correct response from a series of choices, can generate either very high or very low levels of performance depending on how the questions are constructed. Many of the issues addressed in this study are not simple and the likely reality is that students have some knowledge about an issue but that knowledge may be quite basic and unelaborated, or the student may also possess misconceptions alongside correct information. Secondly, generalization of these results to other populations of students is problematic because the sample was comprised of volunteers and was not drawn randomly.

4.6 Directions for Future Research

Despite these caveats, the present study provides information about students' knowledge that has been completely absent until now. It will serve as a useful baseline

from which we can explore further students' understanding of the "black letter law" provisions of the *YOA*. The generalizability of findings would be improved by replicating this study with a representative sample of Canadian youth, although this can be a complex and costly undertaking. Perhaps more importantly, the research could be extended to groups of young people who were not represented in this study (e.g., Aboriginal youth and young offenders).

In addition, it will be important to systematically study some of the more philosophical issues underlying the legislation. Youths' answers to the question "what is the *Young Offenders Act*?" suggest that, for the most part, they conceptualize the legislation in terms of its procedural elements (e.g., that it applies to youth in a particular age range, that young people may get different, or lesser penalties for violations of the law, etc.) and do not perceive (or at least express) the philosophy that underlies the *Act*. It is possible that students gave more procedural than philosophical definitions of the *Act* because the questionnaire's focus was procedural and not philosophical in nature. However, it is also possible that young people do not see the *YOA* as a law that is guided by certain principles, and that fits into a larger legislative and social context. Research that explicitly focuses on this aspect of the legislation should help to tease apart this question, and it is an important question to address because taking a more "macro" look at the law is one way to link up youths' knowledge to their attitudes and perceptions toward the youth justice system, to address misperceptions, and to open a door that allows young people to see the relationship between themselves as individuals and the society (family, community, nation) of which they are a part.

There are also important theoretical questions that can be addressed in this area, and which have implications for the way in which educational programs and materials are developed. A longstanding issue in cognitive psychology relates to the extent to which children's ability to acquire, understand, and use information is limited by structural features of their minds. For example, Piaget suggested that children move through several stages of cognitive development in which their thought is organized in qualitatively different ways. Only as they approach adolescence, with the onset of "formal operational" thought, are young people able to reason abstractly, think hypothetically, and take long-term consequences of actions into account along with short-term ones. The implication of this theoretical approach for instruction is that children will not be able to understand or use conceptually abstract information (e.g., about the philosophy of the *Young Offenders Act*) until they are beginning to reason formally, and therefore educational curricula should not attempt to teach these concepts until then. However, the more current "knowledge-based", contextual approach to the same question asserts that children have difficulty thinking abstractly, or understanding complex information not because their minds are incapable of that kind of thought, but because they do not possess a knowledge base that allows them to acquire and use information in a more sophisticated way (e.g., Chi, 1983). The implication of this theoretical approach

is that educational efforts should hold off presenting abstract, complex material until a firm knowledge base has been built, and not necessarily until a child has reached a particular "stage" of thinking. These curricula would involve a step-wise approach to teaching children about the legal system and the *Young Offenders Act* in which basic knowledge is presented first, followed by more specific, detailed, abstract, or complex material, but that this can apply to young people at any age. Future research will be useful in comparing the effectiveness of educational strategies that emerge from these two theoretical positions.

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APPENDIX A

QUESTIONNAIRE: STUDENTS' KNOWLEDGE AND PERCEPTIONS OF THE *YOUNG OFFENDERS ACT*

ID #_____

QUESTIONNAIRE: STUDENTS' KNOWLEDGE AND PERCEPTIONS OF THE *YOUNG OFFENDERS ACT* (Correct Responses Indicated by "*")

PLEASE DO NOT BEGIN ANSWERING QUESTIONS UNTIL YOU HAVE RECEIVED INSTRUCTIONS ABOUT COMPLETING THE QUESTIONNAIRE

This is a story about a 14-year-old boy named Dale. One day Dale went to the mall to do some shopping. On his way out, he went into The Bay to look around and saw a CD that he wanted. He quietly slipped the CD into his knapsack without paying for it. Just as he walked out of the store, the security guard grabbed him and told him that he was calling the police. The police came and took Dale to the station and read him his rights.

1. The police told Dale that "you have right to retain and instruct counsel" What does that mean? *(Circle one letter)*:
   - *****a. that Dale can choose to get a lawyer to represent him
   - b. that Dale can choose to talk to a counsellor about his problems
   - c. that the police will call Dale's parents to come to talk to him
   - d. that there will be a lawyer on the day Dale goes to court to help him
   - e. don't know

After the police read Dale his rights, he was charged with Theft.

2. What can happen to Dale now? *(check AS MANY as you think are right):*
   - (1) __*___ the police can call Dale's parents and send him home with them
   - (2) __*___ the police can keep Dale in jail overnight
   - (3) _____ the police can keep Dale in jail until his trial
   - (4) __*___ the police can release Dale from the police station if he promises to appear in court
   - (5) _____ the police can release Dale from the police station if he pays a fine and returns the CD
   - (6) _____ don't know

Dale went to court, and was found Guilty of stealing the CD.

3. What types of things can the judge give Dale? *(check AS MANY as you think are right):*

(1)__*___ a week in jail
(2)_____ a month in jail
(3)__*___ a fine
(4)__*___ probation
(5)__*___ order him to return the stolen CD
(6)__*___ order him to work for free in the community
(7)__*___ order him to go to school every day
(8)__*___ order him to stay at home every night
(9)__*___ let him off without having to do anything
(10)_____ other (write down what)_____
(11)____ don't know

4. If you were the judge, what would YOU give Dale for stealing the CD? *(check AS MANY choices as you want)*:

(1)_____ a week in jail
(2)_____ a month in jail
(3)_____ a fine
(4)_____ probation
(5)_____ order him to return the stolen CD
(6)_____ order him to work for free in the community
(7)_____ order him to go to school every day
(8)_____ order him to stay at home every night
(9)_____ let him off without having to do anything
(10)_____ other (write down what)_____
(11)____ don't know

5. Who will be allowed to see Dale's youth court record? *(check AS MANY as you think are right):*

(1)__*___ court
(2)__*___ police
(3)_____ school
(4)__*___ parents
(5)_____ employers
(6)_____ newspapers, TV, etc.
(7)_____ other (write down who)_____
(8)_____ don't know who can see the youth court record
(9)_____ don't know what a youth court record is

6. Will Dale's youth court record be destroyed when he becomes an adult? *(Circle one letter)*:

(a) Yes
(b) No
*****(c) Depends (explain)_____
_____
(d) Don't know

7. From the time Dale was caught stealing the CD, he saw a lot of different people. Match the person up with his or her job: In the space next to the name, write the number of the statement that best describes the person's job.

		(1)	tries to prove that you are guilty of the crime
3	a. defence counsel		
		(2)	decides whether you are Guilty or Not Guilty of
1	b. crown counsel		committing the crime
4	c. police officer	(3)	tries to defend you
2	d. judge	(4)	tries to catch people who break the law
6	e. court reporter	(5)	tries to prove that you are innocent of the crime
		(6)	writes down everything that is said in court
		(7)	tells the police whether you should go to jail
		(8)	writes for the newspaper or TV

Now, I'd like you to answer some general questions about the *Young Offenders Act.*

8. What is the youngest age at which a youth can be charged with a crime under the *Young Offenders Act*? *(Circle one letter)*:

a. 7
b. 10
*****c. 12
d. 14
e. don't know

9. What is the oldest age at which a youth can be charged with a crime under the *Young Offenders Act*? *(Circle one letter)*:

a. 16

*****b. 17 (but see footnote # in text)
c. 18
d. 19
e. don't know

10. What is the difference between youth court and adult court? *(circle one letter)*:
a. if you are found guilty of a crime in youth court, they can't lock you up
b. if you are found guilty of a crime in youth court, your parents do not have to be told
*****c. if you are found guilty of a crime in youth court, the punishments may not be as harsh as in adult court
d. there is no difference between youth court and adult court
e. don't know

11. What is the youngest age at which a youth can be transferred to adult court for trial? *(Circle one letter)*:
a. 12
*****b. 14
c. 16
d. youths can't be transferred to adult court for trial
e. don't know

12. What types of information would a judge think about before deciding on a sentence for a young offender who is found guilty of a crime? *(check AS MANY as you think are right):*
(1)__*****___ the young person's age
(2)_____ the young person's race
(3)_____ how the young person is dressed
(4)__*****___ whether the young person has been in trouble with the law before
(5)__*****___ what the crime was
(6)__*****___ whether the young person is in school or has a job
(7)__*****___ the harm done to the victim
(8)_____ whether the young person is male or female
(9)__*****___ the family background of the young person
(9)__*****___ whether the crime was planned or unplanned
(10)_____ other (write down what)_____
(11)_____ don't know

You have answered a lot of questions about what you know about the *Young Offenders Act.* Now we would like to know your *opinions* about the *Young Offenders Act.*

13. What *should be* the youngest age at which a youth can be charged with a crime

under the *Young Offenders Act*? **Please write down why.**

14. What *should be* the oldest age at which a youth can be charged with a crime under the *Young Offenders Act*? **Please write down why.**

15. Who *should be* allowed to see a Young Offender's youth court record? *(check AS MANY as you want):*

(1)_____ court
(2)_____ police
(3)_____ school
(4)_____ parents
(5)_____ employers
(6)_____ newspapers, TV
(7)_____ other (write down who)_____
(8)_____ don't know

16. Which statement agrees best with how you feel about the punishments (sentences) that young offenders get for their crimes? *(circle one letter):*

(a) the sentences are almost always too harsh
(b) the sentences are often too harsh
(c) the sentences are about right
(d) the sentences are often too easy
(e) the sentences are almost always too easy

Now I would like to ask you some more general questions about crime.

17. Do you ever walk alone at night? *(check one)*:

(1)_____ YES (Go to Question 18)
(2)_____ NO (Skip Question 18 and go to Question 19)

18. Do you ever decide not to walk alone at night because you are afraid of being the victim of violent crime? *(circle one letter)*:

(a) very often
(b) often
(c) occasionally
(d) almost never
(e) never

19. In your opinion, of every 100 crimes committed by young people (ages 12-17) in Canada, how many involve violence (e.g., where the victim was beaten up, raped, robbed at gunpoint, murdered, etc.)? *(check one)*:

(1)_____ 0-9
(2)__*___ 10-19
(3)_____ 20-29
(4)_____ 30-39
(5)_____ 40-49
(6)_____ 50-59
(7)_____ 60-69
(8)_____ 70-79
(9)_____ 80-89
(10)_____ 90-100

20. I would like to ask you a few questions about the sentences that young people (ages 12-17) are given for crimes that they have committed. Let's start with a young person who steals by threatening someone with a knife or a gun (e.g., in a grocery story or at a gas station). Of every 100 young people convicted of doing this, how many do you think are punished by being sent to jail? *(check one)*:

(1)_____ 0-9
(2)_____ 10-19
(3)_____ 20-29
(4)__*___ 30-39 (Secure Custody)
(5)_____ 40-49
(6)_____ 50-59
(7)__*___ 60-69 (Secure + Open Custody)
(8)_____ 70-79
(9)_____ 80-89
(10)_____ 90-100

21. Of every 100 young people (ages 12-17) convicted, of assault causing bodily harm, for example beating somebody up and cutting their face so badly that they need stitches, how many do you think are punished by being sent to jail? *(check one)*:

(1)_____ 0-9
(2)_____ 10-19
(3)_____ 20-29
(4)__*___ 30-39 (Secure Custody)
(5)_____ 40-49
(6)_____ 50-59
(7)__*___ 60-69 (Secure + Open Custody)
(8)_____ 70-79
(9)_____ 80-89
(10)_____ 90-100

BACKGROUND QUESTIONS

Your date of birth: _____

Your grade: _____

Your gender: (1)_____MALE
(2)_____FEMALE

In what country were you born? _____

If you were not born in Canada, how long have you been living in Canada?
(1)_____ less than 1 year
(2)_____ 1-3 years
(3)_____ more than 3 years

In what country was your mother born? _____

In what country was your father born? _____

What language(s) do you speak at home? _____

What kind of work does your mother do? _____

What kind of work does your father do? _____

Have you studied law in school?
_____ Yes
_____ No

If YES, please answer the following questions:

What type of law course did you take?
(1)_____ full semester law course
(2)_____ unit on law as part of another course
(3)_____ other (explain) _____

What topics did you study (e.g., child abuse, criminal law, how laws are made)?

What grade level was the course? _____

APPENDIX B

INTERVIEW: STUDENTS' KNOWLEDGE AND PERCEPTIONS OF THE *Young Offenders Act*

ID #_____

INTERVIEW: STUDENTS' KNOWLEDGE AND PERCEPTIONS OF
INTERVIEW: STUDENTS' KNOWLEDGE AND PERCEPTIONS OF
THE *Young Offenders Act*

I would now like to ask you a few more questions relating to the questionnaire that you completed.

1. You answered a number of questions about the *Young Offenders Act,* but not everyone knows what it is. What can you tell me about what the *Young Offenders Act* is?

2. The questionnaire also asked a few questions about a "youth court record". What is a youth court record?

3. *Depending on what subject responded in Q. 6 of the questionnaire re: what happens to youth court record, probe response to find out if they think that it is destroyed regardless of subsequent criminal convictions or if they think that it is kept for life (i.e., what are the circumstances that dictate what will happen to youth court records).*

4. What do you think could be done to prevent kids from ever starting to commit crimes? (Why?)

5. Once a young offender has been found Guilty of a crime, what do you think could be done to prevent him or her from breaking the law again? (Why?)

Now I would like to ask you what some legal words mean:

6. What does it mean to be "arrested"?

7. What does it mean to be "charged"?

8. What does it mean to be "convicted"?