



Youth Justice

**Information for
victims of crimes
committed by
young people**

A message to victims of youth crime

You have been the victim of a crime committed by a young person. It is an unwelcome experience, perhaps even a tragic one. The law cannot change what happened to you but it can protect your interests in the justice system. You should be:

- treated with respect;
- provided with information about the proceedings; and
- given an opportunity to participate.

The law also allows for the young person repairing the harm caused to you, if possible.

Respect

The *Youth Criminal Justice Act* says: "Victims should be treated with courtesy, compassion and respect for their dignity and privacy and should suffer the minimum degree of inconvenience as a result of their involvement with the youth criminal justice system."

Everyone you meet in the criminal justice system – police officers, court workers, judges, lawyers and others – has a duty to obey this law.

Information

A victim of a crime committed by a young person should be provided with information on the proceedings and has a right of access to the court record on the case. A victim may also request access to police or government records, but access to them is not guaranteed.

When a young person accepts responsibility for an offence and when certain other conditions have been met, the law allows for "extrajudicial sanctions". This means that the young person does not have to go to court and that the appropriate consequence for the crime can be set without a trial. In this case, a victim of the crime can request information about the identity of the young person and about how the offence has been dealt with.

Participation

You may be required to give evidence at a trial about what happened to you. At the time of sentencing, you may have the opportunity to provide input into decisions on the appropriate measures that could be taken to hold the young person accountable. This may mean attending a "conference" or a meeting with a youth justice committee or being interviewed when a court worker is preparing a pre-sentence report for a judge's consideration. You can also present a written victim impact statement to the court before sentencing takes place. The victim impact statement gives you a chance to say what harm the crime did to you so that the court can take that into consideration when deciding on an appropriate measure for the young person.

Repairing harm

"Within the limits of fair and proportionate accountability, the measures taken against young persons who commit offences should ... encourage the repair of harm done to the victim and to the community."

The law recognizes that a young person must be held accountable for his or her actions and, where possible, be required to repair the damage done. In deciding on a sentence, a judge must take into account any efforts a young person has made to repair the damage caused to a victim. The court can order the young person to pay compensation to the victim for the loss or damage of property, the loss of income or support, and personal injury.

Please note that when a judge orders a young person to pay a "victim fine surcharge" that money is paid to the provincial or territorial government to support their victim assistance programs. It is not paid to the victim directly.

The *Youth Criminal Justice Act* is a Canadian federal law but it is up to each province and territory to set up its own administrative systems to apply the law. You can find out more from the victim assistance program in your area. The police or a court worker can give you the contact information. You can also find it at the Department of Justice Canada Web site: <http://canada.justice.gc.ca/en/ps/voc/other.html>