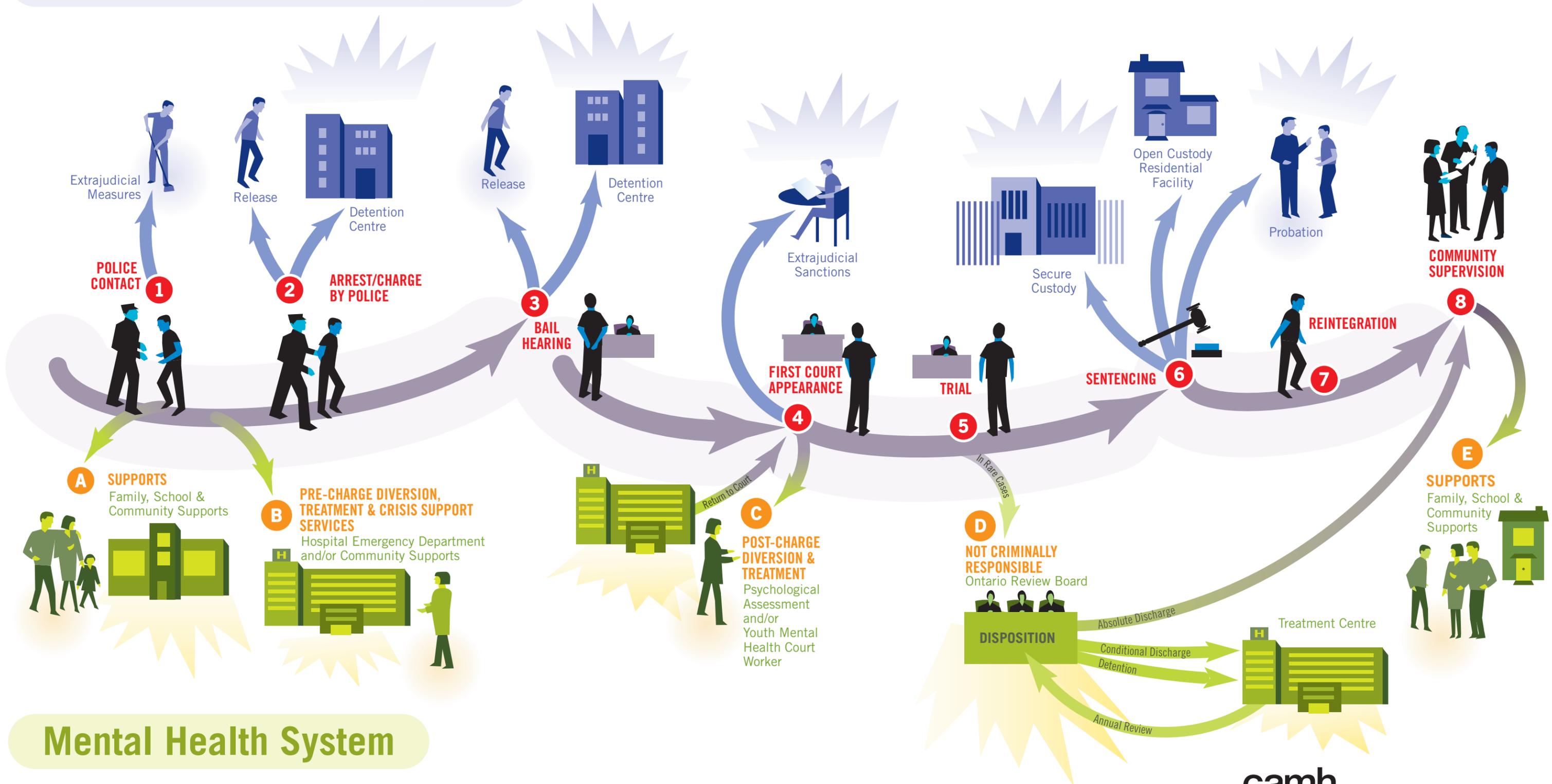


Navigating the Youth Criminal Justice & Mental Health Systems

Youth Criminal Justice System



Mental Health System

This diagram represents a simplified map of the pathways between the youth criminal justice system and the mental health system for youth aged 12 to 17. Each young person's case is very different, and some journeys through the system will not be reflected here. This system map is meant only as a general overview.

- 1** Provisions of the Youth Criminal Justice Act (YCJA)* work to reduce the use of criminal charges and formal court process for youth. When responding to youth offending behaviour, police officers are encouraged to use extrajudicial measures such as a caution, warning or referral to community services.
- 2** A police officer's decision to arrest or charge a youth is based on various factors, including the seriousness of the offence, whether the youth is known to police, and if they pose a risk of harm to themselves, someone else or the community.
- 3** At the bail hearing, the Youth Justice Court may release the young person or remand them into custody at a detention centre.
- 4** At the young person's first court appearance, the Crown Attorney may impose extrajudicial sanctions. The young person consents to participate in an extrajudicial sanction that may include community service work, counselling, and treatment. Where the youth does not consent to an extrajudicial sanction, the youth may proceed to trial.
- 5** If the youth is found guilty of committing an offence, the Youth Justice Court develops a pre-sentencing report to inform its decisions. This report includes the personal and family history and the present environment of the youth, and is based on interviews with family members, teachers, employers and the victim of the offence.
- 6** Where a young person is convicted of an offence, there are 18 possible sentencing options in the Youth Criminal Justice Act that include community-based sentences (probation), and two levels of custody sentences distinguished by the degree of restraint
(a) Open Custody Residential Facility or
(b) Secure Custody Facility.
- 7** Reintegrating the young person into the community to attend school, obtain employment or attend programs suitable to addressing the young person's needs.
- 8** All custodial sentences for youth are followed by a mandatory period of community supervision. A probation officer will work with the youth and if appropriate with their family to develop a plan, help meet the youth's goals, reduce the chance of re-offending, monitor compliance of court-ordered conditions, and return the youth to court for any non-compliance.
- A** Support from family, the school system and the community, and having access to the social determinants of health, are key to preventing youth from becoming involved with the criminal justice system.
- B** In many communities, mobile crisis intervention teams and specially trained crisis intervention team officers can be called upon to support youth experiencing a mental health crisis, and to accompany them to the hospital emergency department for treatment.
- C** At any point in the court process, the Youth Justice Court may order a psychological assessment of the youth, and may refer the youth to a mental health court support program for treatment and services.
- D** In rare cases, the Youth Justice Court may find the youth to be not criminally responsible (NCR), which means that at the time of the offence the youth was incapable of knowing what they were doing or that it was wrong. The case is then transferred to the Ontario Review Board (ORB), which reviews each case annually and makes a decision, called a disposition, about whether to release the youth or detain them in the care of a treatment facility. This decision is based on whether the youth poses a danger to themselves, others or the community.
- E** Support from family, the school system and the community, and having access to the social determinants of health, are essential to supporting the reintegration of youth back into the community and preventing recidivism.

*In Canada, YCJA is the legislation that affects young people who are in conflict with the law. The Act affects youth who are between 12 and 17 years old at the time of the offence. The youth criminal justice system is intended to prevent crime by addressing the circumstances underlying a young person's offending behaviour, to rehabilitate young people who commit offences and reintegrate them into society, and to ensure that a young person is subject to meaningful consequences for their offence.