

Youth Criminal Justice in Canada

JOURNEY OF A YOUTH OFFENDER AGED 12-17

The average cost of a youth offender throughout adolescence is estimated at **\$823,099 †**

In contrast, the cost of sending a youth through a Restorative Justice program is estimated at under **\$1,000 ‡**

8 COMMUNITY SUPERVISION

7 REINTEGRATION

6 SENTENCING

5 TRIAL

4 FIRST COURT APPEARANCE

2 ARREST/CHARGE BY POLICE

1 POLICE CONTACT

Restorative Justice

Restorative Justice programs result in

↑ VICTIM SATISFACTION

↑ OFFENDER SATISFACTION

↓ RECIDIVISM §

As high as 30% reduction in recidivism ||

Nearly 40,000 youth court cases are held each year

56% result in a guilty finding

45% are formally charged

55% are dealt with by other means, including referrals to community programs like Restorative Justice

Over 90,000 youth are accused of a crime every year*

Majority are boys aged 16-17

Most common youth crimes are theft, mischief, & common assault

CRIMINAL JUSTICE

RESTORATIVE JUSTICE

For example:

Victim-Offender Mediation/Dialogue

Family Group Conferencing

Youth Justice Committees

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This diagram depicts the typical journey of a youth offender (12-17 years of age) through the Canadian criminal justice system; however the flow of steps is always in flux and depends on each individual case.

CRIMINAL JUSTICE

- 1 Police Contact:** The youth comes into contact with police after committing a crime. Under the Youth Criminal Justice Act, police are encouraged to use extrajudicial measures such as warnings and referrals to community services.
- 2 Arrest/Charge by Police:** The police either send the youth to a detention centre for custody or release him/her. The decision to arrest or charge is based on the seriousness of the offence, risk of harm, etc.
- 3 Bail Hearing:** Again, the youth is either released or is sent to / remains in custody at a detention centre.
- 4 First Court Appearance:** The youth attends his/her first court appearance and may be given extrajudicial sanctions (e.g. community service, counselling).
- 5 Trial:** The youth attends a trial in which a judge and/or jury examines evidence to determine guilt. Each trial is unique and the youth is presumed "innocent until proven guilty".
- 6 Sentencing:** If the youth is convicted, there are many possible sentencing options in the Youth Criminal Justice Act including fines, probation, community service, and custody. Cases can include more than one sentence.
- 7 Reintegration:** Once the youth has completed his/her sentence, he/she is reintegrated into the community to attend school, find work, and/or attend needed programs.
- 8 Community Supervision:** If the youth offender served a custodial sentence, he/she is then required to serve community supervision. The youth works with a probation officer on a plan aimed at decreasing re-offense.

RESTORATIVE JUSTICE

Restorative Justice has been seen as an alternative to the traditional court system but is being used more and more together WITH the current criminal justice system as an opportunity to address harm.

Restorative Justice is an inclusive process that is based on an understanding that crime is a violation of people and relationships. It offers a meaningful voice to victims and community members and is an opportunity for offenders to take responsibility for their actions.

Although our diagram depicts the ideal entry into Restorative Justice, other entry points include: (a) Crown (post-charge); (b) courts (pre-sentence); (c) corrections (post-sentence); and (d) parole (pre-revocation).

About half of youth offenders re-offend in adulthood and adult corrections cost about 75% more than youth corrections. This further supports the need for Restorative Justice programs that help prevent youth recidivism.

Cost Savings

Restorative Justice is more than **six times** more cost-effective than traditional criminal justice ¹

This figure is based on a cost-effectiveness analysis that compared both the costs and outcomes of contemporary Restorative Justice programs and traditional criminal justice methods. Restorative Justice had a lower cost per percentage of effectiveness.

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Footnotes

Most of the crime statistics presented in the diagram above are from Canadian national data.

* There were 92,051 youth who were accused of a crime in Canada in 2015, according to Statistics Canada.

† This cost was calculated from estimations gathered through a 15-year follow-up study conducted in Toronto, Ontario. Some of the sample would have reoffended during this time period. The number represents the total average cost of a single youth offender throughout their adolescence (ages 12-17) and includes victim costs, correctional costs, and other criminal justice system costs (e.g. police, courts, prosecution and legal aid).

‡ Based on an estimate of youth Restorative Justice for low risk offenders in Washington State and personal communication with a Restorative Justice program in Ontario, Canada.

§ These statistically significant findings were collected in a meta-analysis of studies examining the effectiveness of Restorative Justice programs compared to traditional non-restorative approaches.

|| Meta-analyses have found reductions in youth recidivism ranging from 2% to 30%. This reduction rate likely depends, in part, on the type of Restorative Justice program, offender characteristics, and offense type. The highest reduction rate found (30%) is based on a meta-analysis of victim-offender mediation programs.

¶ Based on U.S. Restorative Justice and traditional criminal justice cost and outcome estimates. Although some criminal justice cost data was missing, any additional costs would have only bolstered the results suggesting that Restorative Justice is more cost-effective.

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