

Young Offenders

- this has been a growing concern in Canada
- want troubled youths to have a second chance
- problem:
 - o Canada incarcerates more young offenders than the US – lack of alternative sentences?
- lots of questions arise from young offenders committing crimes:
 - o should they go up to adult court? When?
 - o when is TOO young to be charged with an offence?
 - o what should a maximum sentence be?
- prior to the twentieth century, young offenders got harsh sentences:
 - o example: 10 year old boy, charged with laughing and staring received a sentence of 57 separate public lashings (1845)
- the focus was on punishment, not reforming the person
- by the 20th century attitudes changed from punishing the child to trying to help and understand them
- the 1984 passing of the 'Young Offenders' Act' led people to think we were being too lenient
- in 2000, a new act was passed to replace this
 - o Youth Criminal Justice Act
 - o harsher penalties

Rights of Young Offenders

- between the age of 12 and 17
- guaranteed all the rights of a normal CDN citizen
- do have some special rights
 - details about trials can be reported, but names usually have to be left out
 - records of the trial and case must be destroyed when the child reaches adulthood
 - exception for VERY severe cases
 - get tried in different courts – a judge alone hears the case and gives his/her *disposition* (sentence)
- however, for children over the age of 14 who commit serious crimes, they can be sent to adult court to face full adult sentences