

# Youth Extrajudicial Sanctions Program



## What is the Extrajudicial Sanctions Program?

The Extrajudicial Sanctions Program is intended to:

- hold eligible young persons accountable for their actions at the community level;
- improve the use of justice system resources by providing timely and effective alternatives to the traditional criminal justice system; and
- prevent and reduce future crime by ensuring earlier access to the right services at the right time for those who require them.

## Under what conditions are young persons referred to the Extrajudicial Sanctions Program?

Section 10 of the *Youth Criminal Justice Act* (YCJA) allows for the use of Extrajudicial Sanctions for young persons when:

- the person is 12-17 years old (*there is a separate program for adults over 18 years of age who are in conflict with the law called Alternative Measures*);
- sufficient evidence exists that an offence has been committed;
- the offence is on the Province's Youth Schedule of Offences;
- the young person takes responsibility for the act that forms the basis of the offence; and
- the young person cannot be sufficiently held accountable by an Extrajudicial Measure (*taking no further action, verbal warning, police caution, referral to a community program or agency*), and sanctions would be appropriate, having regard to the needs of the young person and the interests of society.

## How do Extrajudicial Sanctions Programs work?

Young persons can be referred to the Extrajudicial Sanctions Program before being charged with an offence (pre-charge). Successful completion of the pre-charge program within the required time frame will result in no charges being laid against program

participants for the offence committed. If the young person is not successful in completing the program, they may be charged with the original offence and be processed through court.

Young persons can also be referred to the program at several points in the court process after charges are laid (post-charge). In this circumstance, court proceedings are postponed to provide the opportunity for participation in the Extrajudicial Sanctions Program. Charges are withdrawn when the young person meets the requirements of the post-charge program. If the young person is not successful in completing the post-charge program, their case will proceed through the court process.

Program co-ordinators are responsible for ensuring that every young person referred to the program has an appropriate plan in place for accountability and intervention. Intervention plans focus on connecting the young person to community-based services to address the risk factors most closely associated with his or her offending behaviour and to help him or her to not commit future offences.

Accountability measures are intended to hold the young person responsible for the offence committed at the community level. Examples of accountability measures may include, but are not limited to:

- paying restitution to the victim;
- completing a period of community service;
- attending special information and education sessions; and
- providing personal service work for the victim.

The Extrajudicial Sanctions Program permits the use of restorative processes where appropriate. These processes provide safe opportunities for communication between the young person and the victim and others affected by the offence. Restorative practices also allow the young person to repair the harm done to those harmed by the offending behaviour.

Program co-ordinators can work individually with young persons referred to the program. They can

also call upon Section 18 Youth Justice Committees for assistance in determining the most effective interventions and accountability measures for the referred young person. Committee membership can consist of, but is not limited to:

- Addictions and Mental Health Services;
- the Department of Social Development;
- the Department of Education and Early Childhood Development;
- Victim Services;
- Probation Services;
- the Department of Healthy and Inclusive Communities;
- First Nations;
- police;
- Integrated Service Delivery Team (in ISD areas);
- the business community; and
- other community members.

### What role does the young person play in the referral?

To take part in the Extrajudicial Sanctions Program, eligible young persons:

- must consent to take part in the program (young persons younger than age 16 also require parental consent);
- must accept responsibility for the act that forms the basis of the offence;
- must respond in a timely manner to all communication from the program co-ordinator;
- will be asked to answer questions as part of the screening and assessment process. These questions provide information about the offence and the participant's background that can help to inform the development of appropriate accountability measures and intervention plans (if required);
- may need to meet with the Extrajudicial Sanctions co-ordinator and the Section 18 Youth Justice Committee;
- will need to sign a program agreement; and
- must complete the agreed upon accountability measure(s) and intervention plan.

### What role is played by the victim or victims in the referral?

Victims of crime have the right to voice their concerns related to the offence that has been committed and how they wish the offence to be dealt with.

While the views of the victim or victims are always considered before making an Extrajudicial Sanctions Program referral, these views do not preclude a young person from being referred to the program.

The victim may also choose to participate in any processes established to facilitate reconciliation between himself or herself and the offender.

The victim also has the right to request information related to the identity of the offender and to be informed of how the offence has been dealt with.

### Where are Extrajudicial Sanctions Programs available?

The Extrajudicial Sanctions Program is authorized by the Attorney General of New Brunswick and delivered by the Department of Public Safety. There are several program co-ordinator locations in the province with services being provided in local Probation Services offices and RCMP detachments.

For further information, please contact an RCMP or Probation office in your area:

#### Department of Public Safety Probation Services Office

	Telephone
Bathurst	506-547-2159
Campbellton	506-789-2339
Edmundston	506-735-2030
Fredericton	506-453-2367
Grand Falls	506-473-7705
Miramichi	506-627-4060
Moncton	506-856-2313
Saint John	506-658-2495
Shippagan	506-336-3060
St. Stephen	506-466-7510
Sussex	506-432-2031

Tobique	506-273-4723
Woodstock	506-325-4423

#### RCMP detachment

	Telephone
Bathurst	506-548-7771
Blackville	506-843-9400
Campbellton	506-789-6000
Caraquet	506-726-5222
Codiac Regional	506-857-2400
Dalhousie	506-685-5000
Doaktown	506-365-4700
Elsipogtog First Nation	506-523-8282
Grand Bay-Westfield	506-757-1020
Grand Falls	506-473-3137
Grand Manan	506-662-1210
Grand Tracadie-Sheila	506-393-3001
Hampton	506-832-5566
Lamèque	506-344-2006
McAdam	506-784-1205
Memramcook	506-758-4400
Minto	506-327-1820
Nackawic	506-575-6200
Neguac	506-776-3000
Oromocto	506-357-4300
Perth-Andover	506-273-5000
Richibucto	506-523-4611
Riverview	506-387-2222
Rivière-Verte	506-263-1050
Sackville	506-364-5023
Saint-Quentin	506-235-2149
Shediac	506-533-5151
St. George	506-755-1130
St. Stephen	506-466-7030
Sunny Corner	506-836-6000
Sussex	506-433-7700
Tobique First Nation	506-273-5003
Woodstock	506-325-3000