

EXTRAJUDICIAL SANCTIONS AND CRIMINAL PROCEEDINGS

YOUTH OFFENDERS

For more information

The information summarized in this document was valid at the time of printing. For more information, go to the website of the Ministère de la Justice at www.justice.gouv.qc.ca, or contact

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**JUSTICE
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If you are the victim of a crime, the police will conduct an investigation and may identify, and even arrest, a suspect aged 12 to 17. If this is the case, the young person may be dealt with using extrajudicial sanctions, or may be charged under the Youth Criminal Justice Act (YCJA).

Extrajudicial sanctions

A young person who admits to an offence and also recognizes the harm caused may receive an extrajudicial sanction, rather than a sentence following a trial*.

The young person may, for example, be required to perform community work or attend a workshop to improve his or her social skills (anger management, conflict resolution, etc.). The sanction will give the young person an opportunity to play an active role in repairing the harm caused, and to take responsibility for his or her actions.

However, before an extrajudicial sanction is imposed, a caseworker from an alternative justice organization will contact you to get your opinion on the sanction applied. In addition, the caseworker may suggest that you attend a mediation session with the young person. It is important to know that you are free to accept or reject this offer.

Last, you are entitled to be informed of any extrajudicial sanction imposed on the young person, once it has been determined.

*Other conditions may apply, for example concerning the type of offence and the young person's previous record.

For more information, see the

VICTIMS

section on the Justice Website > justice.gouv.qc.ca

Criminal proceedings

The criminal and penal prosecuting attorney may begin criminal proceedings against the young person on the basis of the elements in the police investigation file.

If proceedings are instituted, you will have an opportunity to describe, to the court, the consequences of the crime for you as the victim. The consequences may include emotional, physical and economic impacts and fears for the future. For this purpose, you must complete the form *Victim Impact Statement (SJ-753B)*, available on the website of the Ministère de la Justice.

It is important to note that if you receive a summons as a witness (sometimes referred to as a subpoena), you are required to attend court and give evidence.

Last, if the young person pleads guilty or is found guilty, the judge may order a pre-sentencing report to obtain guidance on possible sentences. At this point in the process, a youth worker, who may be a social worker, will contact you to find out more about your concerns and the extent of the harm you have suffered. This will be noted in the report given to the judge.

Your rights and responsibilities

Regardless of the approach taken to deal with the young person, you are entitled to know his or her identity. However, you cannot make it public, or disclose any information that would allow the young person to be identified. Your identity is also protected by law.

You can contact a lawyer to find out more about the civil recourses available to you, for example to obtain financial compensation.

Assistance

The network of assistance centres for victims of crime (CAVACs) can provide assistance free of charge during judicial or extrajudicial proceedings.

Phone: 1 866 LE CAVAC (1 866 532-2822)

Website: www.cavac.qc.ca