



# HALTON REGIONAL POLICE SERVICE

One Team - People First

## HALTON POLICE YOUTH PRE-CHARGE DIVERSION

### **Mission Statement**

The Halton Police Youth Pre-Charge Diversion Program strives to promote and foster a healthy community by facilitating restorative outcomes in response to youth in conflict with the law through:

- Education
- Accountability
- Partnership initiatives

### **What is the Youth Criminal Justice Act (YCJA)?**

The Youth Criminal Justice Act (YCJA) is the law that governs Canada's youth justice system. It applies to youth 12 to 18 years of age, who are alleged to have committed a criminal offence.

### **What is Pre-Charge Diversion?**

Pre-charge diversion is specifically set within the YCJA as an Extra Judicial Measure.

Pre-Charge Diversion programs are a community- based alternative to address less serious incidents of crime reported to police that have been committed by young people.

The Halton Police Pre-Charge Diversion Program works collaboratively with a number of community resources to provide multi-disciplinary support to youth and their families during a time of identified need.

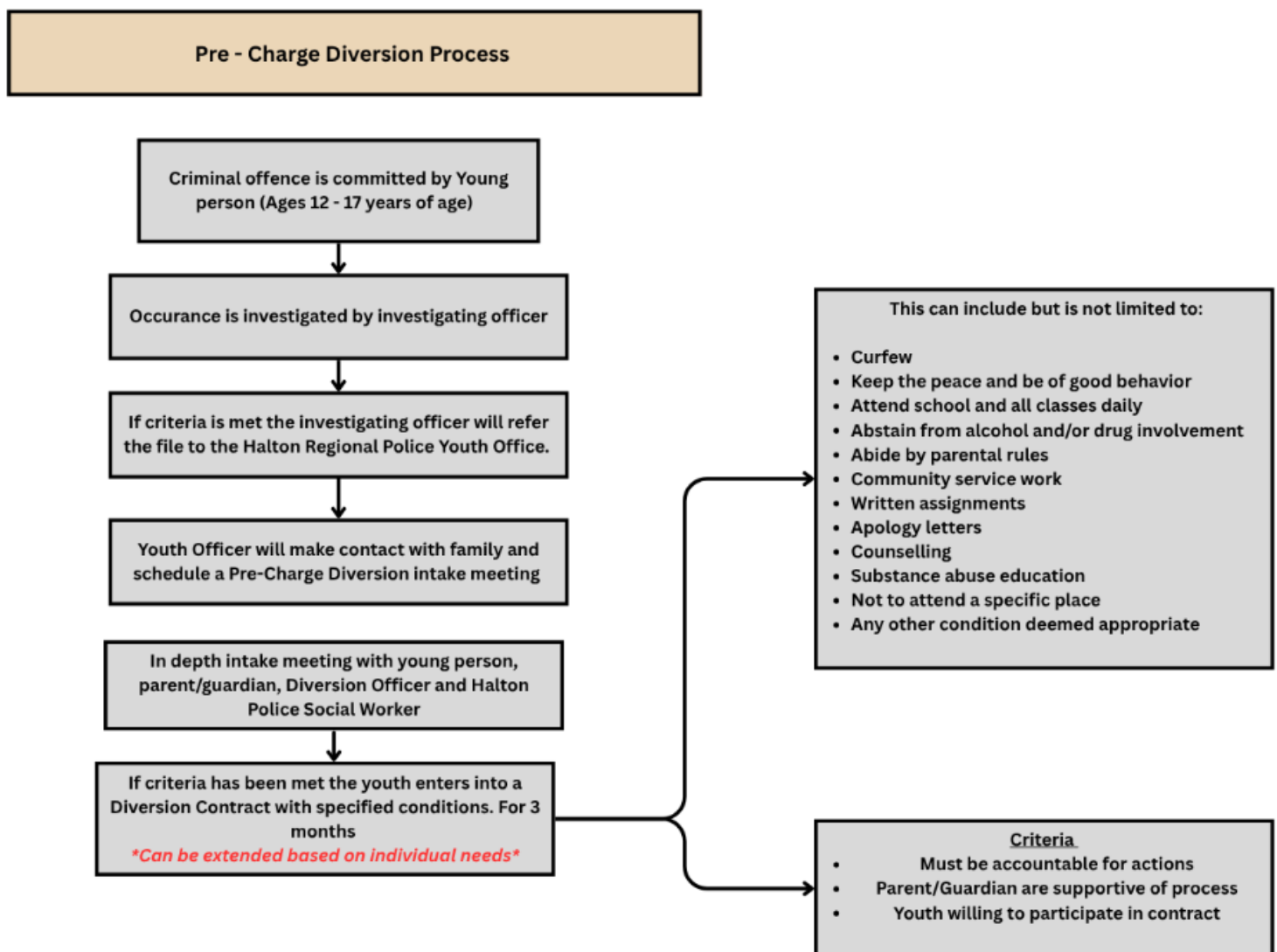
### **What is the purpose of Pre-Charge Diversion?**

- To provide an effective and timely response to offending behaviour outside the bounds of judicial measures;
- To encourage the young person to acknowledge and repair harm caused to the victim and the community;
- Provide early and meaningful intervention at critical times by addressing underlying issues contributing to the youth's criminal behaviour;
- To respect the rights and freedoms of a young person and apply accountability measures that are proportionate to the seriousness of the offence.

## Program Criteria

Under the YCJA, a police officer shall, before starting judicial proceedings or taking any other measures against a young person alleged to have committed an offence, consider whether it would be sufficient to utilize extra-judicial measures. The following program criteria apply:

- ✓ Reasonable Grounds to proceed with criminal charge(s)
- ✓ Young Person accepts responsibility and is willing to participate in the Diversion Program and guardian/parents are supportive of the process
- ✓ Public Interest preserved
- ✓ Youth is between the ages of 12-17



*\*Information about the alleged offence that is disclosed in this meeting will not be used for court purposes should a charge be laid. \**

## **Offences Considered for Diversion**

- Theft
- Mischief
- Assault
- Fraud
- Take motor vehicle without consent
- Possession of a controlled substance
- Utter threats

*Note: This is not an inclusive list, the circumstances of the offence are also taken into consideration.*

## **The Contract**

The contract is an action plan that will outline the steps that the young person is going to take to learn from their actions, make things right in the community and address the risk factors that landed them in conflict with the law.

The Diversion contract is generally set for a period of 3 months however it can be extended based on individual needs. During the time of the contract, a member from the HRPS Youth Team will meet with the young person on a regular basis to ensure the youth is upholding their contract and provide them with additional support.

## **Successful**

If the youth successfully completes the terms of the contract, the charge is not laid. This means that the young person has never been charged with a criminal offence in relation to this specific incident.

## **Unsuccessful**

If the youth fails to abide by the terms of the diversion contract, the agreement will be terminated. At this time, the original charge can be laid and the young person will proceed to Youth Court.

For additional questions, please contact a member of the HRPS Youth Team by calling:

905-825-4747 ext. 5550

