

WHAT IS JUSTICE FOR CHILDREN AND YOUTH (JFCY)?

JANE HAS SOME ISSUES AT SCHOOL, HOME, AND WITH THE LEGAL SYSTEM. ONE DAY, SHE ASKS LISA FOR HELP.

I NEED SOME HELP!
I DON'T KNOW WHAT TO DO



JUSTICE FOR CHILDREN AND YOUTH (JFCY) CAN HELP!



WHAT IS JFCY?

JFCY IS A NON-PROFIT ORGANIZATION. THEY CAN HELP CHILDREN AND YOUTH UNDER 18 WITH...



LEGAL ADVICE +
INFORMATION



LEGAL
REPRESENTATION



PUBLIC
ADVOCACY

HOW DO WE KNOW IF IT IS A "LEGAL" PROBLEM?

GREAT QUESTION.
LET'S GO THROUGH
SOME EXAMPLES



Cannabis Laws

Recreational use of cannabis is legal

But do you know there are still regulations and limits?



You can only buy, use, and share with others (above 19) if you are 19 and older



What if you are under 19?



Yeah, that's us ;)

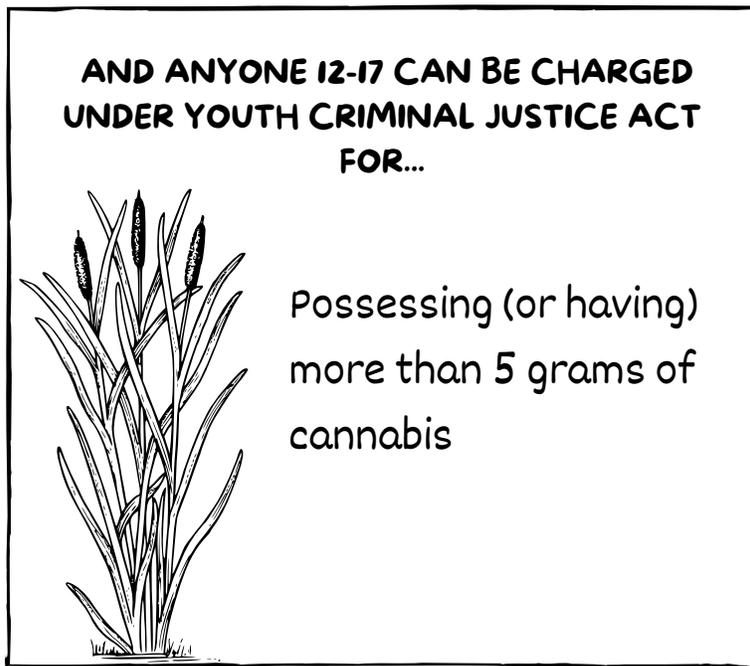


Youth under 19

We are **NOT** allowed to:

1. Buy or use
2. Possess any amount
3. Share with anyone
4. Grow or harvest plants

Cannabis Laws (cont)



**TO LEARN MORE, VISIT:
WWW.JFCY.COM**

OR

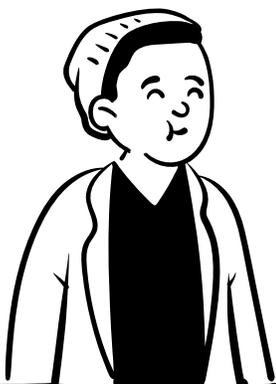
**CALL JUSTICE FOR CHILDREN AND YOUTH
416-920-1633 OR 1-866-999-5328
FOR LEGAL INFORMATION AND ADVICE**

Leaving Home Rights

UNDER 16-YEARS OLD

Your parents have the right to decide where you live and go to school.

If you leave and are unsafe, the authorities may return you to your home or take you into care.



16 OR 17 (IN GENERAL)

You have the right to live independently and choose where you live and go to school.

If you are living with another person, they will not be charged if they do not help you in leaving.

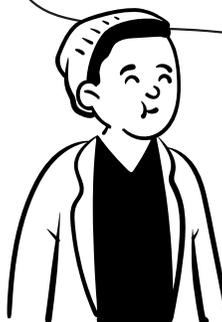


UNDER 16: WHAT IF I CAN'T LIVE AT HOME BECAUSE IT IS HARMFUL TO ME?

Harm and neglect can be reported to the Children's Aid Society (CAS). This should be done ASAP.



What happens next?



16 OR 17: WHAT IF I CAN'T LIVE AT HOME?

CAS can offer financial and social supports. Under some circumstances, your parents *MAY* still have to support you. Visit JFCY website for more info!

Take your personal belongings and ID with you (e.g. OHIP, passport)!



Great question! After investigating, CAS may place you with a relative, foster home, or group care if they believe you're being abused or got kicked out.

Talk to your CAS worker if you have any questions or concerns about what's happening.



How Does Bail Work?

ONE OF THREE THINGS CAN HAPPEN IF SOMEONE IS CHARGED WITH A CRIME:

1. ARREST, CHARGE, AND GIVEN RELEASE PAPERS



2. ARREST, CHARGE, GO TO POLICE STATION, AND RELEASE WITH PAPERS



3. ARREST, CHARGE, GO TO POLICE STATION, HELD AND WAIT FOR BAIL HEARING



WHAT IS A BAIL HEARING?

A bail hearing usually happens a day after a person is arrested. A Justice will decide whether or not a person should be released while waiting for his/her trial.



If a person is released on bail, he/she/they must follow the rules that the Justice makes.

WHY SOMEONE DOESN'T GET BAIL?

The Justice may not give someone bail (AKA, keep a person in custody) for a few reasons:



1. To make sure someone attends court
2. Protect the public
3. Give confidence to public

WHAT IS A SURETY?



A "Surety" is an adult (> 18 years) that makes sure a person on bail:

1. obeys their bail conditions
2. attends court



IMPORTANT NOTE!



A bail hearing is NOT a trial. Someone CAN NOT BE FOUND GUILTY at a bail hearing!



Youth Court Process

THERE ARE TWO WAYS TO ENSURE SOMEONE ATTENDS COURT AFTER ARREST:



1. PROMISE TO APPEAR

The police will let you go home & give you papers that tell you when you have to go to court.

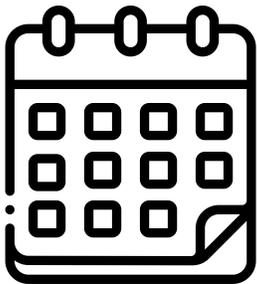


2. BAIL HEARING

A bail hearing is when a Justice at the court decides if you should stay in jail until your trial.

WHAT'S NEXT AFTER THE BAIL HEARING?

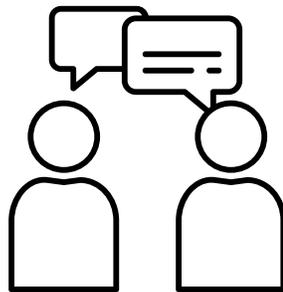
SET DATE



A set date is a court appearance. The prosecutor can give you a copy of the evidence against you. Keep your disclosure safe and give it to your lawyer!

Your lawyer and the prosecutor meet before the trial. They will discuss what options are available (plead guilty, going to trial, and extrajudicial sanctions).

CROWN MEETING



EXTRAJUDICIAL SANCTIONS (EJS) / DIVERSION



Speak to your lawyer about EJS!

Programs that let you take responsibility for your actions without pleading guilty (i.e. write an apology letter). If you complete the EJS, your charges will be withdrawn.

GUILTY OR NOT GUILTY?

YOU ALWAYS HAVE THE RIGHT TO A TRIAL.



NOT guilty: you are free to leave the court and there will be no more court appearances.

GUILTY: Never plead guilty until you speak with a lawyer. You might have a defence and might not be guilty according to the laws. Pleading guilty can affect your future.



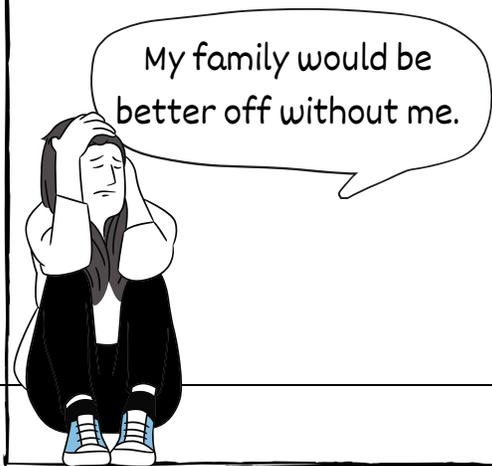
GET A LAWYER!

You should ALWAYS speak with a lawyer if you're charged with a crime. If you can't afford a lawyer, you should call Legal Aid Ontario: 1-800-668-8258



Mental Healthcare

JENNY IS GOING THROUGH A DIFFICULT TIME....

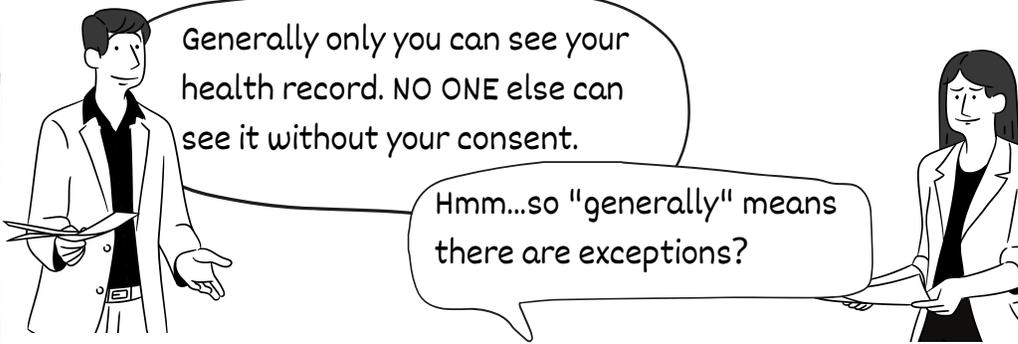


SHE FINALLY DECIDED TO SEEK HELP



PRIVACY

Healthcare practitioners SHOULD NOT give out any info about you to anyone without your CONSENT (even your parents!). Also, you can decide EXACTLY what info you want the healthcare practitioner to share and WHO they're allowed to share it with!



EXAMPLES TO PRIVACY EXCEPTIONS

1. If a child under 16 is being harmed, CAS needs to know.
2. If someone says they're going to harm someone else, the police may need to know.
3. A person's substitute decision-maker can see the health record if the person is found INCAPABLE.

HOW CAN SOMEONE BE FOUND INCAPABLE?

To see if someone is incapable, health practitioners look at their ability to understand:



THE NATURE OF THE ISSUE OR PROBLEM



TREATMENT SUGGESTIONS



CONSEQUENCES OF CONSENTING OR NOT

Mental Healthcare (continued)

WHAT IF YOU ARE FOUND INCAPABLE?

Still, practitioners CAN NOT just go ahead and make treatment decisions for you.

Treatment decisions MUST be made by your substitute decision-maker.

Your substitute decision-maker MUST act in your best interests!



If someone decides you are incapable BUT you feel that you're capable, you can appeal to the Consent and Capacity Board. Talk to your lawyer!

So I know I can go to a psychiatric facility if I want to. But can I get put in a hospital against my will?



INVOLUNTARY TREATMENT

Yes, any person may be put in a hospital if they threaten to harm themselves, others, or can't take care of themselves.

How long someone has to stay depends on the FORMS that Doctors sign.



FORM 1

You can be held for up to 72 hours to assess your conditions. No appeal rights.

FORM 3

If the Doctor thinks you should stay, Form 3 allows the facility to hold you for up to 2 more weeks. You can appeal this.

FORM 4

You can be held for up to 2 more months. After that, every Form 4 can hold you for up to 3 more months. You can appeal this.

IT'S YOUR DECISION IF CAPABLE

How do you feel about getting treatment?

I'm ready. I think getting treatment would be best for me.



AFTER 3 MONTHS OF TREATMENT AND PRACTICING MEDITATION, JENNY FINALLY FINDS HER BALANCE AGAIN

Hello, new-me.

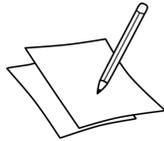


JUSTICE FOR CHILDREN AND YOUTH

**LEGAL SERVICES FOR YOUNG
PEOPLE UNDER 18 AND HOMELESS
YOUTH UNDER 25 IN ONTARIO**

**Do you have a "legal problem"
that includes:**

- I am being **suspended or expelled** from school
- The police **arrested** me
- **YCJA Records** destruction
- Help with **leaving home**
- I am a **victim**
- I received a **ticket**
- I need **immigration status**



WE CAN HELP!

Call us: 416-920-1633
or 1-866-999-JFCY [5329]

Check out our website for more!



FREE & CONFIDENTIAL LEGAL SUPPORT

Justice for Children and Youth (JFCY) is a non-profit legal clinic that works to protect the rights of children and young people.



Our staff lawyers:

- Give legal advice, information and assistance to young people
- Provide direct legal representation in all areas of children's law
- Advocate for law & policy reform to the laws which affect children & youth
- Produce a wide range of publications and legal materials for public use