

We consulted with 156 people to learn about their experiences in court.



There are 3 Youth Courts in Toronto. By 2022, all Toronto's youth and adult courthouses will be amalgamated in **one location downtown.**

The young people painted a complex picture of their experiences in court. **Some described not feeling "seen" or "heard" in court.** Others described feeling completely "stuck," while some felt like they were "falling through the cracks."

We also heard stories of positive experiences with the court system—of interactions with individuals working within the courts who helped connect young people with the supports and services they needed.

We identified 16 themes.

- youth-serving agencies and youth-friendly people in the courthouse
- youth specialty courts: youth mental health court | Aboriginal Youth Court
- S.34 assessment reports
- racism and culturally-relevant programs and services
- youth specialized justice professionals
- lack of knowledge and understanding of the youth court process
- communication
- lack of adequate legal representation
- participation in youth court
- delays and inefficiencies
- stigma and trauma
- food, travel and associated costs
- consistency
- safety
- privacy
- getting the right intervention at the right time

We listened to people's stories.

We developed ideas for action on each theme.

"...part of the challenge is identifying the need at an early stage so that you get the right intervention at the right time. A lot of times I think what happens is there are kids who are sort of floundering who are working through the criminal court process, but it's not until you're a quite a late stage in the proceeding that a section 34 report or something like that happens where the needs are really identified in a specific way."

– Frontline youth worker on S.34 assessment reports

"It's justice depending on how much you can pay for it. How much can you pay for your legal representation?"

– Parent on the lack of adequate legal representation

"I didn't get a chance to share my side of the story. I think it's important to be able to at least tell you side of the story. It doesn't matter if they take it serious or not. It just makes you feel good to be heard. Nobody wanted to hear what I had to say. It was just, 'you did this, you get your punishment, you did this, you get your hours' and then you just get over it."

– Youth on participation

"I think the judges in [youth mental health court] and the crown are amazing. The judges are very fair, and I think that's good that the judges are also understanding instead of looking at you as a criminal they look at you as someone who has gone astray because that is often the case."

– Youth on Youth Mental Health Court

Building a better Youth Court: Ideas for action

1. Formalize a referral process at a young person's first point of contact in the courts (See the Turning Point Youth Services screening project pilot at 311 Jarvis).
2. Develop a plan amongst youth-serving organizations, funders and government for inter-agency collaboration and partnership.
3. Develop a service map of youth-serving organizations that support court-involved youth in Toronto.
4. Create opportunities for two-way education between frontline workers and justice professionals to better understand roles, process, resources and needs.
5. Conduct research into the barriers to mental health court diversion programs including race-based data.
6. Identify the strengths of youth mental health court that can be adapted to all Youth Court processes.
7. Provide training for justice professionals about youth mental health and youth mental health court.
8. Ongoing training for lawyers and other court actors on Indigenous issues, including Aboriginal Youth Court (See Communicating Effectively with Indigenous Clients (2019) and Guide for Lawyers Working with Indigenous Peoples (2018)).
9. Expand judicial use of Section 34 assessments to assess mental health or learning disability diagnoses, as two separate reports to protect privacy within the education system.
10. Conduct more research on culturally-specific programs and services to establish evidence for program funding.
11. Investigate the feasibility of a Gladue-model approach to understanding the impact of anti-Black racism on young people's lives prior to sentencing.
12. Provide training for justice professionals on anti-Black racism in the justice system in order to better identify and support Black youth.
13. Develop Crown, and Judicial youth justice specializations or long-term rotations into Youth Court with a process to build the capacity of new justice professionals.
14. Fund ongoing and expanded public legal education for youth in schools and communities.
15. Providing multiple formats of legal information and links to independent, trusted sources of reliable public legal information to strengthen young people's understanding and trust.
16. Use of plain-language in the courthouse, in conversation, in court proceedings and in print materials, to help young people and their parents understand processes.
17. Lawyers, court workers, and justice professionals can explaining each step of the process, likely outcomes, the time frames and the expectations, to build legal capability.
18. Develop a specialized youth panel at Legal Aid Ontario.
19. Formalize the Legal Aid Ontario intake support offered at 311 Jarvis to help young people with the legal aid appeal process.
20. Train lawyers in youth specific communication to ensure better explanation of decisions.
21. Explain the procedures, jargon, court rituals, rights and expectations of the young person in court—what to wear, how to behave, and how to address the court.
22. Facilitate parental and frontline workers' role in informal and social support, compliance with orders and building trust that the process and the results.
23. Communicate with young people about the reason and timing of each court appearances.
24. Schedule court by half days or by blocks of the day so that young people do not have to miss as much school.
25. Have dedicated Crowns to ensure timely review of cases, release of disclosure, and consideration of diversion.
26. Train everyone working in Youth Court on the effect of underlying trauma and trauma-informed practices.
27. Provide trauma-informed training for law enforcement, justice professionals and frontline workers.
28. Provide access to a youth mental health court worker or social worker to assist the young person and the court when trauma is identified within the court process.
29. Limit the number of contacts or court appearances a young person has with the justice system and focus on their strengths in sentencing and bail proceedings to minimize stigma.
30. Fund lunch voucher programs and assistance with travel to and from the courthouse.
31. Coordinate between youth-serving organizations to assist families with transportation or provide safe escorts for youth to get to the courthouse.
32. Provide healthy food options close to the youth court services.
33. Adopt a scheduling policy analogous to that used in family cases that assigns a single judge to a case to maintain consistency during the process.
34. Have dedicated Judges in Youth Court to improve consistency.
35. Ensure that legal aid lawyers have a basic knowledge of options for young people.
36. Facilitate early referral to mental health court and other specialized services.
37. Establish a youth safety committee of funders, government, justice professionals and frontline workers to monitor and address safety issues and explore ideas like a "safety network".
38. Having bookable offices available for solicitor-client conversations in the youth justice section of the courthouse to protect the privacy of young people.
39. Have privacy screens or other architectural divisions in waiting areas to allow youth and their families to wait in private.
40. Better explain why court is open to the public and who else might be in the courtroom.
41. Monitor high-profile cases at the courthouse to ensure that young people entering and exiting the building are not identified in the media.
42. Improve assessment tools and effective referrals to better identify young people's specific context and needs when they appear in court.