



Youth Justice Assessment – Section 34

What is a Section 34 Assessment?

Under Section 34(1) (2) of the Youth Criminal Justice Act, a Judge may request a psychological report be prepared by our team before making a decision on sentencing. Youth Justice Court is guided by special principles; Youth are held accountable for their behaviour but the court must also acknowledge the youth's level of maturity, stage of development, level of independence and any mental health issues. We help by identifying the youth's strengths, special needs, and assistance they may require. We hope our efforts will assist to prevent future problems for the youth while encouraging their full potential by firstly giving the Court background about the youth and deeper understanding of the offence(s) and secondly by suggesting a plan for the youth that might prevent continued conflicts with the law.

Assessments are usually completed in four to six weeks and typically involve three or four appointments. Our program is funded by the Ministry of Children and Youth Services and the Ministry of the Attorney General at no cost to our clients.

How Do I Access Services?

Youth are referred to our Clinic by a Judge in Youth Justice Court. The Court is required to hold young people accountable for their actions, but also to take into account their needs.

What is the Process?

The First Step - A Clinic staff member will telephone you to set-up the first appointment. You will meet with an intake worker who gathers background information. We encourage parental involvement in the assessment. At the first appointment, we describe the process and answer your questions. We explain how we protect your privacy and limitations on confidentiality. As well, we ask the youth and his/her parent or guardian to sign "release of information" consent forms. These forms give us permission to contact the school and other involved services. This additional information provides a broader perspective and helps us to identify important resources as well as gaps in service. Also, psychological testing is completed at this first appointment. It provides a picture of a young person's strengths as well as their struggles. The test findings are discussed with each youth by the team psychologist

The Assessment - Soon after intake is done, a case worker from the Clinic will telephone you to set up an interview. The family will be interviewed and the youth is generally interviewed individually. We will review with you the details of the offences and explore your understanding of the causes. If the youth is in detention and has been referred to the Clinic, we consider them a priority. In a one-on-one meeting, our team psychologist will go over the results of the psychological tests that were completed at intake. If ordered by the Judge, or where the clinicians feel it would be helpful, a psychiatric assessment report will also be completed for the court. LFCC clinicians will provide youth and their families with feedback about the assessment results and the recommendations that will be provided to the Court.

Our Report - Our assessment is summarized in a report to the Judge, the Crown Attorney, and the Defense Counsel. We suggest a plan to deal with any problems outlined and suggest sentencing options. You will have a chance to discuss the contents of the report with Defense Counsel before Court. The Judge may want to know if you agree with the contents of the report and if you support the recommendations. The final sentencing decision falls to the Judge. Our hope is to help youth move forward with their lives. Whenever possible, we support plans and recommendations developed by the youth and their family.

The Court Decision - The Judge decides the appropriate sentence for the offence(s). Our report gives the Judge information and offers recommendations to help with that decision. The Youth Justice Court will hear from your lawyer, from the Crown Attorney and, possibly, yourselves. The Judge's responsibility is to consider all submissions and then make a final decision.

