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<p>YOUTH CRIMINAL JUSTICE ACT MANUAL</p> <p>The Honourable Miriam H. Bloomenfeld</p> <p>Release No. 1, August 2025</p>

What’s New in this Update:

This release features updates to the commentary and case law in Chapters 2 (Youth Criminal Justice Act – Preamble, Definitions and Policy), 4 (Organization of Youth Criminal Justice System), 5 (Judicial Measures), 7 (Custody and Supervision), 8 (Publication, Records and Information), 9 (General Provisions), 11 (Adult Sentence Hearing Cases), 12 (Sentencing Under the YCJA), Appendix B, Appendix D and Appendix E.

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Highlights:

- ***R. v. K.D.*, 2025 ONSC 1479**—The young person was sentenced as a youth upon his guilty plea to accessory after the fact to the offence of discharging a firearm with intent to wound, maim, disfigure or endanger the life of the victim. The young person’s friend shot a Casino security guard in the young person’s presence and the young person drove the shooter away from the scene in a stolen car. The security guard later died of his injuries. The sentencing judge dismissed the Crown’s application for an adult sentence and, taking into account, amongst other things, the young person’s 15 months in presentence detention, sentenced him to a six-month deferred custody and supervision order, followed by 12 months of probation.
- ***R. v. A.D.*, 2025 ONSC 2133**—The *Criminal Code* s. 524 release cancellation provisions DO apply to YCJA releases, with the modification that the Crown always bears the onus of demonstrating that the young person should be detained if the prior release is cancelled. It does not violate the YCJA mandate that the youth criminal justice system be separate from that of adults the court hearing the s. 524 application to consider evidence pertinent to adult allegations.
- ***R. v. T.J.*, 2025 ONCJ 23**—The Court dismissed the Crown’s YCJA s. 123 application seeking access to detention records of three individuals whom the Crown alleged had worked in concert to commit a string of car jackings and other offences. The application was founded on confirmation by the institution of the dates and time periods when the three persons had been detained in a youth detention centre. That information had been improperly disclosed by the institution to a police officer in violation of YCJA s. 118.
- ***R. v. J.C. P.-B.*, 2025 BCSC 732**—The Court declined to terminate the eighteen-month custodial portion of the young person’s three-year custody and supervision manslaughter sentence at his mandatory s. 94 review.
- ***R. v. D.M.*, 2024 NWTSC 55**—The Court granted the Territorial Director’s application to transfer a young person serving the custodial portion of a seven-year custody and supervision sentence for second-degree murder from the Territorial correctional institution to a federal penitentiary, pursuant to s. 92(2).

ProView Developments

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