

EXTRAJUDICIAL MEASURES FLOW CHART

POLICE

Police officer has reasonable grounds to believe that a YP has committed an offence.

MUST consider one of the following:

- taking no further action
- warning the YP
- administering a caution, if program exists
- referring the YP to a community program or agency that will assist him or her to not commit offences

s.6 / The principles and objectives in s.3,4 and 5 apply.

Issuing a warning or caution, or making a referral is considered adequate and is applied.

END

Issuing a warning or caution, or making a referral is **NOT considered adequate.**

Police consider Extrajudicial Sanctions.

Police charge YP.

CROWN

Crown given file from police.

Extrajudicial sanctions are only to be considered when the options in s.6 and 8 are inadequate because of seriousness of offence, the nature and number of previous offences committed by the YP, or other aggravating circumstances. s.10(1)

Crown considers whether to administer a caution to the YP.

This option is only available if the AG in the province or territory has established a program of Crown cautions.

s.6 / The principles and objectives in s.3,4 and 5 apply.

The police officer or crown considers whether to use extrajudicial sanctions by referring it to Restorative Justice.

Conditions in s.10(2) MUST be satisfied.
the restrictions in s.10(3) MUST NOT be present.
The principles and objectives in s.3,4 and 5 apply.

Crown caution is administered.

END

Crown caution is **NOT administered.**

Extrajudicial sanction is applied. Parent and victim are informed. s.11,12

Extrajudicial sanction is **NOT applied.**

Crown considers an Extrajudicial Sanction.

Crown proceeds with charge.

Satisfactory compliance with sanction.

END

Non-compliance or compliance.

NOT satisfactory

To Judicial Measures

NOTE: If a charge is laid after an extrajudicial sanction has been used, the court must dismiss the charge if the sanction has been totally complied with, and may dismiss the charge if the sanction has been partially complied with. s.10(5)