



YOUTH JUSTICE SERVICES

YOUTH JUSTICE REINTEGRATION AND SUPPORT SERVICES
MALTON NEIGHBOURHOOD SERVICES
MINISTRY OF CHILDREN AND SOCIAL SERVICES

YOUTH JUSTICE: WHAT YOU NEED TO KNOW

- Our aim is to help our youth know their rights, being accountable to youth, families and the youth within our community.
- Our staff are diligent and appropriately skilled with the abilities necessary to responding effectively to the needs of youth and families, using engagement, evidence-based techniques, and sensitivity to help our youth feel supported.



WHAT TO SAY TO THE POLICE WHEN APPROACHED.

COMMUNICATING WITH LAW
ENFORCEMENT.



“WHEN APPROACHED BY THE POLICE, WHAT CAN I SAY OR NOT SAY?”

The most important piece of advice a lawyer will give you is to NOT make statements to the police.

The police can record anything you say.

The police are also allowed to use tricks, such as lying to you, in order to convince you to provide a statement.

Giving a statement means answering questions or talking to the police about what happened.

You can “waive” or give up your right to talk to a lawyer and/or your parent(s) before making a statement, but it is not a good idea to do this.

- You have the right to have a lawyer and your parent(s), or an adult with you before and while you make a statement

- They may be able to use your statement in court, as long as your decision was voluntary.





**“CAN THE
POLICE
SEARCH
ME?”**

THE POLICE MAY ONLY SEARCH YOU IN FOUR SITUATIONS:

1. If the police have a search warrant.
2. If you are being detained and investigated by the police for a criminal offence (safety search only).
3. If you are being arrested by the police for allegedly committing an offence and/or
4. If you give your permission to the police.





There are some situations where you must tell the police your name and address. For example, when you are driving a car or a bicycle and the police stop you.



Other times, you have no legal obligation to give your name and address, but there is a risk that you may be charged with obstructing justice if the police had a right to know your name and you did not give it.

**DO I HAVE
TO GIVE MY
NAME &
ADDRESS?**

A photograph of a person with a raised fist, shouting, at a protest. The background shows other people and trees. The image is darkened to make the white text stand out.

WHAT IF I GET ARRESTED, WHAT ARE MY RIGHTS?

BEING DETAINED/ARRESTED

HOW DO YOU KNOW IF I AM BEING DETAINED?

Detention is when the police lawfully hold you by taking away your freedom, making it so you cannot walk away. If you are no longer free to go, you are being detained.

You can be physically and/or psychologically detained by the police. This means that you do not need to be handcuffed or placed in the backseat of a police cruiser to be detained.

Detention is when the police lawfully hold you by taking away your freedom, making it so you cannot walk away.

If there is not a clear connection between you and the crime, then the police officer may be detaining you “arbitrarily” (without good reason). This type of detention is unlawful.



A police officer can stop and ask you questions at any time, but unless they are arresting you, detaining you to investigate you for a crime, or writing you a ticket, they must let you go if you do not want to talk with them.

YOU MAY ASK THE FOLLOWING:

Ask – Am I free to go?

Ask – Why are you questioning me?

If being searched and you think it is unlawful, say, “I do not consent to the search”.
Do NOT physically resist.

Say – I want to speak to a lawyer (ask to make the telephone call right then if you have a cell phone).

- The police must tell you of your rights immediately upon detention.
- The police must tell you why you are being detained, and that you can get legal advice from a lawyer. If you don't know why you are being detained, you should ask, “why am I being detained?”
- If the police continue to question you, you should not say anything and ask again to speak to a lawyer.



AFTER BEING ARRESTED OR DETAINED...

- ▶ Not everyone has a criminal lawyer, so the police have an obligation to tell you about a free criminal lawyer service, called **Duty Counsel**.
- ▶ **Duty Counsel** is available to you 24 hours a day and 365 days a year. The police must provide you with the phone number for Duty Counsel and a phone where you can speak to the lawyer in private.
- ▶ Remember that anything you say to the police can be used against you, and that you have the right to say nothing except identify yourself and ask to speak to a lawyer.