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# ITS TIME to TAKE A STAND! REPEAL CANADA'S APRIL FOOLS DAY ACT

The new "YOUNG OFFENDERS ACT" The YCJA

On April 1, your Federal Government will put into force the long awaited replacement for the "Young Offenders Act".

**It is called the "Youth Criminal Justice Act", YCJA**

Canadians have demanded accountability, clarity and certainty in any new legislation concerning violent young offenders for years.

Joe Wamback and countless Victim advocates have circulated petitions asking for positive change to a law that had become the most hated law in Canadian history.

Wamback has appeared before both the House of Commons and Senate committees with the signatures of over 1 million Canadians as well as the support of 27 municipalities, police forces and parents across Canada.

Has your government listened

**The answer is NO !!**

**A Toronto press conference will be held on April 2<sup>nd</sup>**

**At the Toronto Police Headquarters.**

**"The YCJA will be most expensive, slowest, victim/public hostile system ever imposed on the people of Canada. It will cost more, take more time, ignore more crimes, victimize and re-victimize more people and create greater public risk and loss of confidence in the Justice system than any criminal law measure in Canadian history."**

A few things wrong with the "YCJA" ?

- **Parole** will be now **automatically available** to convicted violent young offenders already serving light youth sentences.
- **Maximum incarceration for manslaughter** is being **reduced to 2 years**, second degree murder to 6 years with no mandatory rehabilitation programs
- Aggravated assault, rape, armed robbery and firearms crimes are **not defined as violent offences**, and only those that are subjectively determined, in separate hearings to cause or create substantial risk of serious bodily harm are considered in making Key decisions under the act. **Psychological harm is not considered!**

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**"The federal government's new Youth Criminal Justice Act fails to protect the public and hold young offenders accountable for violent acts"**

*David Young, MPP, Ontario Attorney General*

**"Our laws must send a message that youth crime is just as serious as adult crime"**

*Mike Harris, Premier of Ontario*

**"The new Youth Criminal Justice Act fails to hold violent and repeat offenders accountable. I am afraid the wheels could come off the youth justice system."**

*David Tillson MPP, Ontario Crime Control Commission Chair*

**"Ottawa fails to take youth crime seriously"**

*David Turnbull, MPP, Ontario Solicitor General*

**"The new YCJA will reduce consequence for violent youth crime in Canada, and will teach our children that crime does pay. It is a retrogressive act that will remove existing victims rights and introduced new measures to further re-victimize those that have suffered serious physical and emotional harm by acts of youth violence "**

*Joseph Wamback, Canadian Victims and Youth Advocate*

# Welcome to Canada's April Fools Day Act If you like Bill C-68 (gun control legislation), you will LOVE the "YCJA

- Adult sentencing **can not** be considered and is not automatic, unless the offender has been convicted of a subjectively determined "serious violent offence" **AND** has on at least 2 previous separate occasions been convicted of 2 other, subjectively determined "Serious Violent Offense" **The logistics of our court system make this virtually impossible.**
- If adult sentencing is given then probation and conditional sentencing are approved options.
- The bill is filled with subjective characterizations, convoluted references and is 3 times longer than the existing YOA that will result in a unanimously predicted, slower, more complicated, more expensive process that **will deny Justice for both offender and victim alike**
- The number of crimes for which multiple hearings are required has been dramatically increased.
- **Age limits remain unchanged**, leaving a dangerous legislative gap for treatment options for young children at risk while failing to emphasize public safety resulting from repeat and violent crimes by violent 16 & 17 year olds.
- There is no mention of deterrence or denunciation anywhere in the legislation, **effectively denying protection for society.**
- No mention of new group crimes such as swarming, gang crimes, no automatic consecutive sentencing, or bail reform.
- **Publication of names of convicted violent criminals remain unchanged** and is more restrictive than the YOA due to newly imposed subjective determinations.
- **No mandatory rehabilitation** even for the most violent or repeat offender.
- Release of violent offenders is not contingent on successful completion of rehabilitation programs and **no mandatory procedural protections for victims.**
- Consent of victims is not required for not laying criminal charges and the long held right of citizens to lay private information or charges is now extinguished. A serious **removal of and an attack on victims rights and individual liberties of Canadians.**
- Consent of victims not required for extra judicial or restorative justice programs.
- Restorative justice programs can be run by offender based organizations.
- Extra Judicial measures ignore victims and victim's rights and convictions are not held in abeyance until completion of community service orders
- The bill prevents a court from imposing a victim restitution order against parents or guardians if they are determined negligent in supervision.
- New federal guidelines to police not to prosecute breach of recognizance as an indictable offense, effectively eliminating consequence for defying Judicial orders, and teaching Canada's children that crime does pay