



JUVENILE COURTS IN CANADA
Larry C. Wilson



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JUVENILE COURTS IN CANADA

by

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1982

THE CARSWELL COMPANY LIMITED
TORONTO, CANADA

Canadian Cataloguing in Publication Data

Wilson, Larry C., 1950-

Juvenile courts in Canada

Includes index.

ISBN 0-459-35270-9

1. Juvenile courts—Canada 2. Juvenile justice,
Administration of—Canada. I. Title

KE9445.W55

345.71'08

C82-095106-4

Carswell's Family Law Series

ANDREWS: *Family Law in the Family Courts*

McCAUGHAN: *The Legal Status of Married Women in Canada*

BAXTER & EBERTS: *The Child and the Courts*

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PREFACE

Juvenile justice in Canada is in a state of transition. We appear to be moving from the individualized justice approach of the Juvenile Delinquents Act to the procedural safeguards of the adult criminal justice system. The Young Offenders Act received third reading in the House of Commons on May 17, 1982. When enacted, this legislation will correct many of the injustices of the past. However, the jurisprudence of the preceeding seventy years will continue to influence the course of juvenile justice in this country. Thus, rather than presenting an historical commentary, this book is an attempt to assist in that transition.

Analysis of juvenile justice in Canada has tended to focus on specific topics. In this work I have assembled the many issues involved and examined the process as a whole. The introductory chapters view juvenile justice against the backdrop of constitutional limitations and questions of fundamental rights. Chapters 4 and 5 examine intake and pre-trial procedures. The trial process, including questions of jurisdiction, sentencing, appeals and transfer to adult court are discussed in Chapters 6 through 10. Chapter 11 questions the effectiveness of current treatment strategies. Case law is current to August 1, 1982.

Unlike many other areas of Canadian law, juvenile justice has received the attention of a long list of scholars, notably Graham Parker, Judge George Thomson, and more recently Nicholas Bala, Jeffrey Leon, Heino Lilles and Jeffery Wilson. Their work, and that of other writers noted in the text, has provided a solid framework for my own research.

I am also indebted to my typist, Cindy Wills, for the thoroughly professional quality of her work, and to Ann Marie Hranka for her assistance in revising the manuscript.

Larry C. Wilson
August 1, 1982
Windsor, Ontario

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