

CHAPTER 2

To what extent is the justice system fair and equitable for youth?

fair and equitable: governed by rules that apply to everyone, taking into account individual needs and circumstances

justice: applying laws

justice system: the institutions and procedures for applying laws in a society

Crime damages property, and harms people and communities. It has a negative effect on quality of life. **Think critically:** How can the justice system change this? What goals should it have?

Imagine this scenario. You and a friend are hanging around the local store after school. You accidentally break a window. The storeowner calls the police, who arrest you and want to charge you with vandalism. How would you want this situation to turn out? What would be just?

Chapter 2 explores the extent to which Canada's **justice system** is **fair and equitable**. **How effectively does it protect society, protect the innocent, and ensure that those who break the law face appropriate consequences?** The justice system is an important aspect of governance in Canada, and Canadians have different views and perspectives about how **justice** should be served. One of the fundamental principles of justice in Canada and other democratic countries is that a person is assumed innocent until proven guilty.

This chapter focuses on youth justice, because this is the part of the justice system that directly affects Grade 9 students. The questions of fairness and equity you will wrestle with, however, are the same for the justice system as a whole.

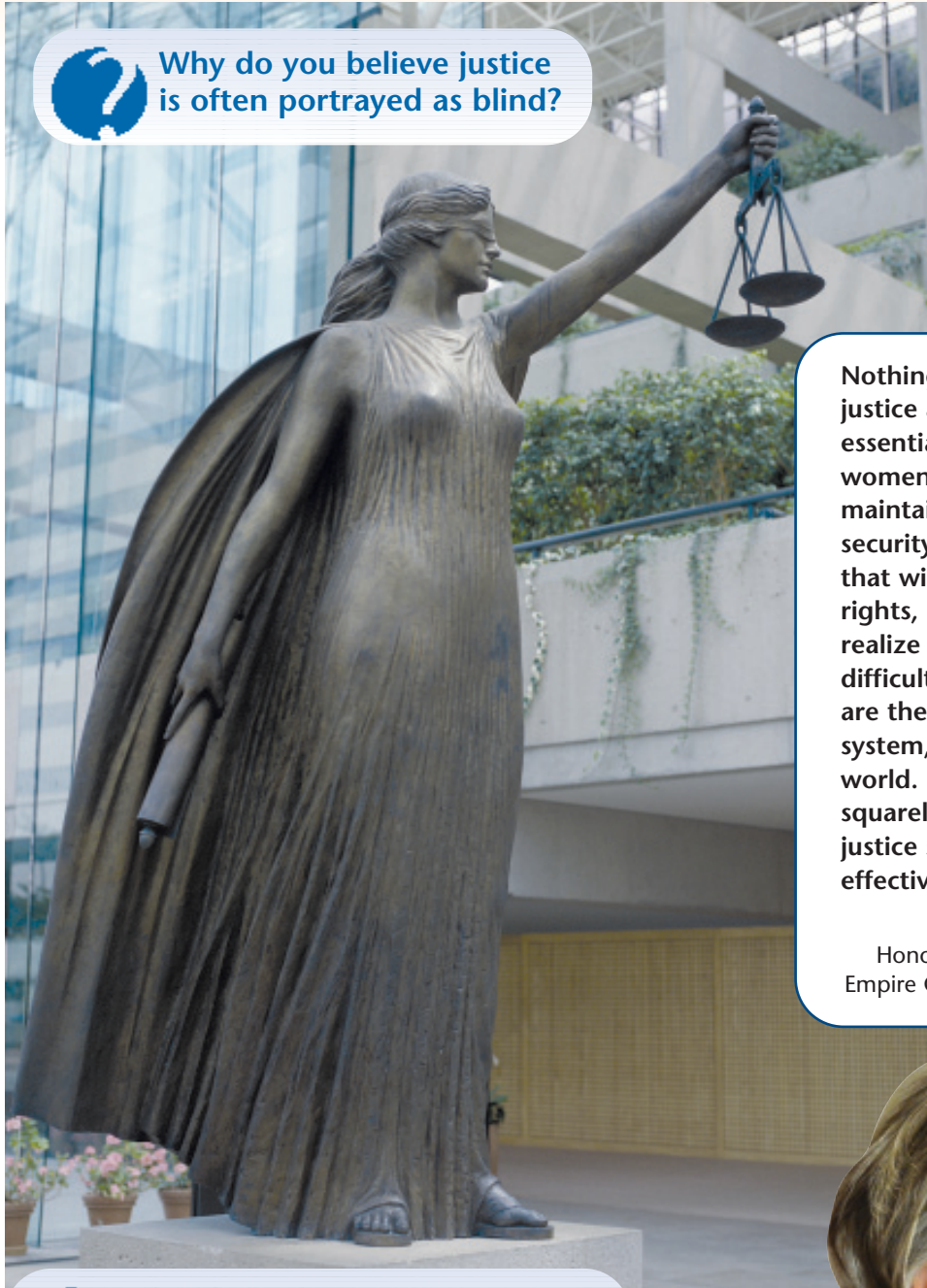
As you work through the chapter, think about the challenges and opportunities citizens face to shape what *justice* means, and the impact it has on their identity and quality of life.

As you work through the activities in this chapter, think about what parts of the justice system, in your opinion, are fair or should be changed.

FOCUS QUESTIONS

- How do Canada's justice system and the Youth Criminal Justice Act attempt to treat young offenders fairly and equitably?
- What role do Canadian citizens and organizations play in the fairness and equity of Canada's justice system for youth?

What issues could the evidence on this page communicate?



Why do you believe justice is often portrayed as blind?

This photo shows the statue of justice at the courthouse in Vancouver, B.C. The statue is blindfolded and holds a scale, or balance. Think about being accused of a crime, such as vandalism. In what way would you want justice to be “blind”? What would you want justice to weigh in the balance?

Nothing is more important than justice and a just society. It is essential to the flourishing of men, women and children and to maintaining social stability and security. In this country, we realize that without justice, we have no rights, no peace, no prosperity. We realize that, once lost, justice is difficult to reinstate. We in Canada are the inheritors of a good justice system, one that is the envy of the world. Let us face our challenges squarely and thus ensure that our justice system remains strong and effective.

— From remarks by the Right Honourable Beverly McLachlin to the Empire Club of Canada, March 8, 2007.



What challenges to the justice system do you think Justice McLachlin is referring to?



In a just society, laws are applied fairly and consistently. Do you agree with Justice McLachlin’s statement that “nothing is more important than justice and a just society”? Why or why not?

Beverly McLachlin was appointed Chief Justice of the Supreme Court of Canada in 2000.