

- (m) "If you call or consult with your parent(s), or another adult relative, or some other adult, they are required to be here with you, unless you do not want to have them here with you." Do you understand? What does this mean?";
- (n) "Do you want to have a parent(s) or another adult relative, or some other adult here with you now?" If answer is yes, ask (and note) who"; and,
- (o) "Even if you have given up (waived) your rights under the Charter of Rights and Freedoms and the Youth Criminal Justice Act, you may change your mind at any time and exercise your rights. If you do change your mind about anything, all you need to do to exercise your rights is tell me or any police Officer." Do you understand? What does this mean?"

Note: Refer to "YCJA Acknowledgement and Waiver of Legal Rights, Young Person Waiver", P.R.P. #397 for the complete wording and waiver form.

- 7. Officers must be prepared to testify that they explained the caution and rights in a manner and language that is appropriate to the young person's age and level of understanding. This should include any questions from the youth and their interpretations.
- 8. Section 25 of the Youth Criminal Justice Act states:
 - "(1) A young person has the right to retain and instruct counsel without delay, and to exercise that right personally, at any stage of proceedings against the young person and before and during any consideration of whether, instead of starting or continuing judicial proceedings against the young person under this Act, to use an extrajudicial sanction to deal with the young person.***
 - (2) Every young person who is arrested or detained shall, on being arrested or detained, be advised without delay by the arresting Officer or the Officer in charge, as the case may be, of the right to retain and instruct counsel, and be given an opportunity to obtain counsel."***
- 9. When a police Officer is endeavouring to discover the author of a crime, there is no objection to the Officer putting questions, in respect thereof, to any person or persons, whether suspected or not, from whom the Officer thinks that useful information can be obtained.
- 10. When a decision has been made to charge a person with a crime, the Officer shall first caution such person before asking any questions, or further questions, as the case may be. It is not sufficient for an Officer to say, "I had not made up my mind to charge". The Court will determine at what stage a reasonable, intelligent Officer should have arrived at that conclusion.
- 11. There are two (2) types of statements, written and oral, including video and audio. Officers shall record the circumstances surrounding the statement, including:
 - (a) the times of the commencement and completion of each and every interview;
 - (b) the room number, location, and a description of the room and furniture;
 - (c) the clothing worn by the accused;
 - (d) the physical description of the accused, including any injuries;