

Toronto Region

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July 29, 2020

MEMORANDUM TO: Transfer Payment Recipients and Outside Paid Resources

FROM: Kevin Pal, Director, Toronto Region

SUBJECT: Children and Young Persons' Rights Resource

The Ministry of Children, Community and Social Services (MCCSS) is pleased to share information about a new online **Children and Young Persons' Rights Resource** (Rights Resource). The Rights Resource can be accessed here (www.ontario.ca/RightsResource).

On July 29, 2020, Hon. Jill Dunlop, Associate Minister of Children and Women's Issues, announced the government's strategy to redesign the child welfare system by focusing directly on the needs of children and youth and creating solid foundations to support strong families.

In the redesigned child welfare system, a focus will be placed on supporting children and families with more prevention and early intervention measures. These supports will be better coordinated, culturally-appropriate, community and family-based. Promoting and upholding the rights of children and young persons receiving services under the *Child, Youth and Family Services Act, 2017* (CYFSA) is a critical aspect of this high-quality care in residential settings.

The Preamble to the CYFSA emphasizes that children are individuals with rights to be respected and voices to be heard. Part II of the CYFSA establishes the rights of all children and young persons receiving services and the additional rights of children in care. In addition, Part X of the Act outlines the rights of children and young persons in the case where service providers collect, use and share their personal information. To give effect to those rights, the CYFSA and its regulations impose obligations on service providers to inform children and young persons of their rights, to provide necessary

supports so that children and young persons understand and are able to exercise and receive the benefit of their rights, and to provide them with access to complaints processes and/or information about how to seek assistance when they believe their rights have not been respected. While the Rights Resource supports service providers in meeting their obligations, it does not diminish or abrogate these service provider obligations.

The ministry has heard directly from youth that the rights-based provisions, as written in the CYFSA, are hard for them to understand. The purpose of the Rights Resource is to provide a provincially consistent and authoritative overview of rights under the CYFSA. The Rights Resource is intended to support children and youth in understanding their rights in child-friendly language and direct them to someone they can talk to if they have questions. It also acts as a resource for parents, caregivers and staff to support and understand the rights of children and young persons.

As service providers, you play a vital role in supporting children and youth in being empowered to exercise and receive the benefit of their rights, to advocate for their needs where possible, and to change the way they experience services, especially when they feel their rights have not been respected. You are already giving effect to these rights by:

- informing children and young persons of their rights;
- providing needed supports so that children and young persons, including children and young persons with special needs, understand and are able to exercise and receive the benefit of their rights; and,
- providing children and young persons with access to information about how to seek assistance when they want further information about their rights, or they believe their rights have not been respected.

It is important to note that the Rights Resource should be used to support, and not replace, a service provider's discussions with a child or young person about their rights. Many children will require support to access and understand the information contained in the Rights Resource. The Rights Resource is not legal advice or a licensing requirement.

The ministry is seeking your leadership to champion children and young persons' rights. This includes sharing information about the Rights Resource and distributing the hyperlink widely and sharing it directly with any child, youth or young person to whom you provide services.

To support sharing the Rights Resource widely, we ask that you and your organization:

- Share the hyperlink and poster with your networks. See Appendix A for text that can be used as part of this distribution;
- Print and display the attached poster in any setting that will appropriately reach children and young persons receiving services under the CYFSA; and,
- Add a link to the Rights Resource on your individual websites to promote access.

Thank you for your continued efforts and ongoing commitment to supporting improved outcomes for children, youth and families across Ontario.

Sincerely,

A handwritten signature in black ink that reads "Cynthia Campoli". The signature is written in a cursive style with a small dot at the end of the last letter.

Cynthia Campoli for Kevin Pal
Director, Toronto Region

Appendix A

Children and Young Persons' Rights Resource

The Ministry of Children, Community and Social Services has recently released a new online **Children and Young Persons' Rights Resource** (Rights Resource) (www.ontario.ca/RightsResource).

It is important that children and young persons are empowered to exercise and receive the benefit of their rights, to advocate for their own needs, and to change the way they experience services, especially when they feel their rights have not been respected.

The Rights Resource is a website designed to support children and young persons' receiving services under the *Child, Youth and Family Services Act, 2017* (CYFSA). The website outlines the rights provisions under Part II and Part X of the CYFSA using child-friendly language, acting as an accessible resource that children and young persons can turn to when they want to understand their rights. It also acts as a resource to help parents, caregivers and service providers to better understand the rights of children and young persons.

To support sharing the Rights Resource widely, we ask that you:

- Share the hyperlink with your networks. (This text can be used as part of this distribution);
- Print and display the attached poster in any setting that will appropriately reach children and young persons receiving services under the CYFSA; and,
- Add a link to the Rights Resource on your individual websites to promote access.