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CFSA Review
Ministry of Children and Youth Services
By email: CFSAreview@Ontario.ca

Please accept the following submissions by Justice for Children and Youth, on the 3rd Child and Family Services Act Review, December 2014.

Who We are - Justice for Children and Youth (JFCY)

JFCY is a specialty legal clinic funded primarily by Legal Aid Ontario. For more than thirty-five years, the practice of our clinic has focused exclusively on the rights and legal issues facing children and young people. We provide legal services, including legal information, advice and representation to low-income children and youth across Ontario in a variety of legal areas including child welfare, youth criminal justice, education, child support, social assistance, privacy, health and mental health. We also provide public legal education for young people, adults, including professionals who work with young people, and we engage in law reform initiatives on child and youth rights issues.

In addition to providing direct advice and representation to individual youth, JFCY acts in "test cases" to assist courts in addressing child and youth rights issues – including acting as *amicus curiae*, and intervening at the Court of Appeal and the Supreme Court of Canada. Last year we acted as counsel to the Empowerment Council in the Ashley Smith Inquest.

Most of our clients have overlapping legal concerns, and present with complex personal, social and legal issues. JFCY clients are frequently involved in the child welfare system in some capacity; they are often Society or Crown Wards, are otherwise in care, or their families are accessing voluntary services. Many of these clients are also involved in the youth criminal justice system, and are therefore affected by both systems simultaneously (referred to by some as "cross-over kids"). In turn our clients are often facing legal issues in schools, in the mental health system, and in many other contexts including social welfare, employment, and housing.

JFCY also operates a unique legal service – Street Youth Legal Services (SYLS) – that is specifically directed at homeless, street involved and unstably housed young people. Since 1999, SYLS has provided legal services to more than 6,000 street involved young people, aged 16 – 24, on a wide range of legal matters. SYLS has also provided legal education to more than 12,000 street youth and street youth-serving agency staff, and has taken part in research, advocacy and litigation on issues affecting street-involved young people. A key component of the SYLS program is providing legal options to unstably housed young people to help them find support necessary to stabilize their lives.

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IMPROVING OUTCOMES FOR CHILDREN AND YOUTH

1. Supporting Older Youth who are in Need of Protection

For the purposes of these submissions, JFCY defines "older youth" as young people aged 16 and 17. JFCY has identified two groups of older youth where improvement to services would help to achieve significantly improved outcomes:

(a) older youth who, under the current legislative regime are in need of protection but are unable to access child welfare services; and

(b) older youth who are Crown wards or Society wards but for whom residential placements have not been successful.

a) JFCY supports Access to Child Welfare Services for Older Youth

Many of the young people who seek the assistance of JFCY are ineligible for child welfare services simply on the basis of their age. Youth needing protection and care after they turn 16 are left with few choices to provide for their safety and security, often leaving them with no option but the shelter system or the streets. The young person may need care for the first time, may have gone without being provided protection or care until they finally step forward of their own volition, or may need care again after having been "out of care". Regardless, under the current legislative scheme they generally have no access to child welfare supports or services. The SYLS program sees many of these young people at shelters and street youth drop-ins.

JFCY has worked with others, including the Canadian Homelessness Research Network, and Raising the Roof, as a coalition whose goal is to contribute to the prevention of youth homelessness and to increase opportunities for security for young people through research and law reform activities. We have referred to this group as the "43% Coalition". Forty-three percent represents the percentage

of homeless youth who have previously resided in child welfare foster homes or group homes.[1] We have conducted cross-jurisdictional research on child welfare services in Canada. The research found that Ontario remains the only jurisdiction in Canada that severely limits access to child welfare services for 16 and 17 year olds who are not already involved with a children's aid society.

All but two Canadian jurisdictions offer entry into both protective and voluntary services to children 16 and older. Northwest Territories provides only voluntary services for 16 and 17 year olds. Ontario is the only Canadian jurisdiction that has neither protective nor voluntary services to non special needs children presenting for help at age 16 or 17. Sixteen- and seventeen-year-old children in Ontario have virtually no child welfare options available to them to access services and supports, making them arguably the most vulnerable children in Canada.

JFCY Supports Legislative Change

Based on the voices and experiences of our clients, our knowledge and experience advocating for the rights of children and youth, and our understanding of the legal framework for child welfare supports and services, JFCY supports legislative change that will create a meaningful acknowledgement of our collective responsibility to protect the security and future of all young people in Ontario.

Although it is crucial that child welfare supports and services be available for 16 and 17 year olds, it is also crucial that involvement with child welfare agencies be voluntary and on the consent of the young person. This approach is consistent with the developmental needs and legal rights of 16 and 17 year olds. For a variety of reasons, child welfare services may not be appropriate for all young

[1] See: Anne Tweedle, *Youth Aging Out of Care – How Do They Fare?* (Toronto: Laidlaw Foundation Report Briefing, 2005) at 7. The link between the high rates of youth in care who later become homeless is well established, but the causation related to failures within child protection legislation, policy and services leading to youth homelessness is less apparent.

people. For example, they may not be appropriate where the young person has had previous negative experiences with children's aid societies, feels disenfranchised from children's aid societies, or wants to maintain their privacy from child welfare services.

JFCY seeks legislative change that would ensure that the full array of child welfare supports, services and protections are available to young people 16 years and older. The maximum level of care ought to be accessible to all children in need. Changes of this nature are highlighted in the Ministry of Child and Youth Services' published report entitled, "Blueprint for Fundamental Change to Ontario's Child Welfare System". Carefully tailored amendments that would provide more comprehensive services, while caring for the unique and complex needs and vulnerabilities of older youth, will require specific extensive consultations, research and careful planning.

JFCY RECOMMENDS that during the next 18 months a legislative scheme be developed that will provide voluntary protection services to older youth under Part III of the CFSA. In the interim JFCY recommends that an immediate solution be implemented.

Immediate Solution

Part II of the *Child and Family Services Act* (CFSA) - which provides for voluntary access to child welfare services, primarily by "temporary care agreements" – must be amended to make it possible for children who have turned 16 to access child welfare services even if they are seeking care for the first time, or are seeking to return to care after having been out of care.

Section 29 of the CFSA currently provides that temporary care agreements (TCAs) are voluntary, and are available for a person who is unable to care for a child and the responsible children's aid society, but does not provide for such services if the young person is 16 or 17 years old. JFCY recommends an

immediate amendment to the CFSA to allow for access to TCAs by 16 and 17 year olds. Additionally, any amendment that would make TCAs available to older youth should also mandate the responsible society to enter into such an agreement with the young person.

Specifically, **JFCY RECOMMENDS** that s. 29 of the CFSA be amended to read:

> Same — child 16 or older
> (1.1) Where a child who is 16 years of age or older voluntarily seeks to make an agreement, the society having jurisdiction where the child resides shall make a written agreement for the society's care and custody of the child if no person who would otherwise be responsible for the child is able to care adequately for the child.

This wording makes temporary care agreements voluntary for the young person, but mandatory for the society where the older youth seeks assistance. Such a structure would reflect the unique needs of older children seeking care, and compensate for their vulnerabilities. As well, until protective services under Part III are made available to 16 and 17 years olds, this amendment would serve to compensate for this lack of services.

The CFSA requires that child welfare agencies act in the best interests of the child and promote the protection and well being of the child. Discretion with respect to entering into temporary care agreements with older youth should not lie with societies because it would maintain the young person's vulnerable position vis-à-vis the society. This vulnerability can be addressed by placing an obligation on the society to enter into an agreement if the child agrees and if the child is unable to be cared for by the person otherwise responsible for their care.

Continuing Care Supports

If older youth are to be truly protected by making voluntary services available to them, extended care services must also be made available. JFCY further

recommends that extended care services under s. 71.1 of the CFSA be made available to older youth who have sought voluntary services as described.

Specifically **JFCY RECOMMENDS** that s. 29 of the CFSA be amended by adding the following subsection:

> (11) notwithstanding anything in this Act, children, 16 and 17 years old who have entered into a temporary care agreement, shall be entitled to extended care as provided for in section 71.1 and relevant regulations.

The provision of services should similarly follow current Directives and policy guidelines from the Ministry of Children and Youth Services. This change is necessary to provide equality in supports and services available to youth as they transition to adulthood rather than truncate their care at 18.

Time Limits and Restricted Agreements

Section 29(6) of the *CFSA* sets out time limits for which temporary care agreements can be entered into or extended based on a child's total time in care.

The purpose of the subsection is to avoid children languishing in care without final decisions of Society Wardship or Crown Wardship being ordered. However, the application of these time limits on 16 and 17 year olds entering into temporary care agreements may unduly restrict or prohibit the 16 and 17 year old who was previously in care by limiting the amount of time that this new temporary care agreement can be in place.

JFCY RECOMMENDS that the CFSA be amended such that these time limits will not apply to older youth who have voluntarily entered into TCAs.

Similarly, s. 29(5) of the *CFSA* is also problematic as it limits the terms of temporary care agreements to six months at a time, with maximum aggregates. It may be more appropriate to make this section non-applicable to agreements

concerning 16 and 17 year olds, particularly while no protection services are available to older youth. Without access to protection services, a voluntary six-month contract with extensions will not form a robust enough structure to provide adequate services to provide safety and security to needy 16 and 17 year olds.

b) Older Youth who are Crown Wards or Society Wards

Ideally, youth in care will have a safe, nurturing, stable environment where they will be supported towards achieving personal successes both in adolescence and beyond. It is a reality that for some young people finding a placement where they will thrive proves elusive. Some young people struggle with being moved from one placement to the next and/or have a history of "absences without leave" (AWOL). Research suggests that young people who experience instability, movement and disruption in placements, or who have had particularly damaging pre-care experiences, are more likely to leave care early, often after a placement breakdown.[2] In Ontario, once a young person turns 16 there is no legal mechanism to return him or her to a placement as 16-year-olds in Ontario have the right to withdraw from parental control (s. 65, *Children's Law Reform Act*). For those who have struggled in care this often means that at age 16 or 17 they may simply refuse their placements.

At our clinic, we know that older youth who reject their placements may find themselves living in unstable or undesirable, unsafe situations. They may be homeless and living on the street or in shelters, they may be living on friends' coaches, they may return to living with their families and the very environments that were previously deemed unsafe. Youth in these situations are highly vulnerable to violence and exploitation. Indeed, research suggests that youth

[2] See: Mike Stein, *Research Review: Young people leaving care* (Child and Family Social Work, Vol. 11 Issue 3, pp 273-279) at p 277.

who have had an unstable or negative experience in care are more likely to experience homelessness when they leave care.[3]

In a perfect world, of course we would want to improve the experience of youth in care so that they do not leave placements prematurely. The current reality however is that some older youth *do* reject their placements. Where these breakdowns occur for older youth, it is essential that Children's Aid Societies work *with* youth to ensure the best possible outcome. Research suggests that for some youth, it is the professional and personal supports they receive despite having left care that will make the difference to their success.[4] Harm-reduction principles require that Children's Aid Societies continue to try and engage with and, insofar as possible, support older youth (financially and otherwise) in a manner that will lead to more positive outcomes in the long term.

We know from our clients' experiences that there is currently wide variation in terms of how different Children's Aid Societies – or even different workers – address the issue of 16 and 17 year old Crown or Society Wards who have rejected their placements. The approach ranges from the Society providing no resources or support to the young person (e.g. refusing to put into place a plan for independent living; at times we are advised by CAS workers that young people are not entitled to independent living support until they reach the age of 18) to workers that will create a plan to give a 16 or 17 year old the benefit of the funds that would be available monthly for an 18 year old receiving Continuing Care Youth Supports.

JFCY RECOMMENDS that the ability of a Society to provide a 16 or 17 year old Crown or Society ward with independent and/or semi-independent living supports should be clearly provided for in the CFSA and the regulations. Further, JFCY recommends that there be consistency across the Province in terms of how

[3] *Ibid*
[4] *Ibid*.

Societies address the issue of older youth in care who are refusing their placement.

In particular, **JFCY RECOMMENDS** that the CFSA and its regulations be amended to provide that:

1. Where an older youth has rejected his or her placement, every Society *shall* develop and implement at strategy to remain in communication with that young person; and

2. In addition, where an older youth has rejected his or her placement and wishes to live independently or semi-independently, every Society *shall* consider whether it would be in the young person's best interests to provide the young person with financial and/or other supports.

3. In determining whether it would be in the young person's best interests to provide such supports, the Society *shall* consider factors including:

    a. The reasons for the placement breakdown, including whether the young person has any psychological or psychiatric conditions that contributed to the breakdown;
    b. Whether providing such supports will help to ensure the young person's personal safety and security;
    c. Whether providing such supports will help the young person to pursue necessary counseling, therapies, medical treatment and/or educational opportunities; and
    d. Whether providing such supports will help to decrease the young person's vulnerability to violence, abuse and/or exploitation.

2. Residential Services and Licensing

JFCY makes no recommendations in this area at this time.

3. Information Sharing

JFCY recognizes that increased levels of information sharing may be seen as helpful, and may be seen to create opportunities for improved service provision in some contexts and for some young people. However, standards of protection of privacy of information must be given at least as high priority and meet at least the same standards for young people who are receiving services under the CFSA as would apply to any other child in Ontario. Children receiving child welfare services and supports must not be subjected to greater intrusion into their personal privacy than is created by their very involvement in the provision of CFSA supports and services.

Young people in care must be consulted and their input and permission sought before information is shared in the same way that consultation, input and permission would be sought if the child were not in care. High standards of privacy of personal information must be maintained especially in the context of health care information.

JFCY RECOMMENDS that before any changes to information sharing practices are made that Ontario's Privacy Commissioner, child and youth rights organizations (including JFCY), and young people who have lived experience in care be specifically consulted, and provided with meaningful opportunities to respond to any proposed changes in law, policy, directive or practice.

4. Permanency (including Adoption)

JFCY recommends amendments to Part VII of the *CFSA*, which provides a scheme for adoption in Ontario. In particular JFCY is concerned about the maintenance of sibling relationships where some siblings may be adopted and other siblings may not be adopted.

Our recommendations arise out of the experiences of our clients, the now accepted view that openness in adoptions has many benefits for adoptive families, adoptive children and birth families, and the case law that recognizes that ongoing sibling access can confer significant emotional benefits for children.

At our clinic, we have had the experience of speaking with young people whose siblings have been adopted, but steps were not taken to preserve openness in the adoption between the adopted siblings and those siblings remaining in the birth home. This has occurred where the non-adopted siblings were older, not in care, and consequently not represented by counsel at the child protection/adoption proceedings.

Presently, s. 145.1.2(1) of the *CFSA* only allows for an openness order to be sought by either *a person to whom* an access order was granted or by *a person with respect to whom* an access order has been granted. These restrictions create a gap so that where no access order has been sought or made vis a vis siblings in the protection context, any non-adopted siblings will not be permitted to seek an openness order.

This result is unfair and fails to recognize the importance of sibling relationships, particularly for children in care. We suspect that this result has been previously unanticipated, but is easily remedied.

It is not fair to expect non-adopted siblings to know that they have a right to pursue access orders for their siblings in care. The non-adopted siblings may be very young themselves, and may be purposely shielded from the child welfare proceedings. Even young adult children may not know of the right to seek sibling access. Indeed, in many cases Children's Aid Societies may facilitate informal access between siblings which may create a false sense of security that no court order will be required to maintain that access.

If the non-adopted siblings are barred from pursuing an openness order by virtue of the fact that no formal access order was put in place, they can only turn to s. 153.6(1) of the *CFSA* to attempt to negotiate an openness agreement. We have seen situations however where Children's Aid Societies have been unwilling to facilitate the negotiation of such an agreement between siblings, without any clear reason being given for their position. Furthermore, even if an agreement is negotiated the *CFSA* as currently drafted provides no mechanism to enforce these agreements.

JFCY RECOMMENDS that in order to address the unfair and potentially tragic result described, and to recognize the importance of maintaining sibling relationships in many cases, that the CFSA be amended to provide as follows:

1. Regardless of whether a formal access order is in effect, a birth sibling will have a right to apply for an openness order with respect to a sibling who is a Crown Ward and whom the society plans to place for adoption.

2. Notice of a birth sibling's right to apply for an openness order must be provided to that child by the Society in a form that is developmentally appropriate and that will, having regard to the developmental stage of the birth sibling, enable him or her to understand his or her right to pursue openness. The notice served ought to refer the birth sibling directly to the Office of the Children's Lawyer, to Justice for Children and Youth and/or to

other legal counsel so that he or she can be provided with legal advice and information on how they can pursue an openness order if they choose to do so.

3. That there be some mechanism to enforce openness agreements once they have been put in place.

5. Supporting Aboriginal Children and Youth

JFCY RECOMMENDS that any child identifying aboriginality, and wishing to pursue identification and participation with their aboriginal culture, regardless of historical connections, must be provided with meaningful opportunities to do so.

Further, it is our view that the recommendations made elsewhere in these submissions are equally relevant and may have additional significance for aboriginal young people – in particular the significance of access to services for 16 and 17 year olds, and the maintenance of sibling relationships.

MODERNIZING AND CLARIFYING

Privacy Provisions

JFCY recommends that steps be taken to modernize and clarify the privacy provisions in the *CFSA* intended to protect the identity of children involved in child protection proceedings.

Currently, s. 45(8) of the *CFSA* reads:

> **Prohibition: identifying child**
>
> (8) No person shall publish or make public information that has the effect of identifying a child who is a witness at or a participant in a hearing or the subject of a proceeding, or the child's parent or foster parent or a member of the child's family.

As it is currently drafted, s. 45(8) raises some questions and concerns. For example,

- Is it intended to protect the identity of a young person only while the child protection proceedings are ongoing? As currently, drafted s. 45(8) is ambiguous because it refers to a child that *is* (present tense) "a witness at or a participant in a hearing or the subject of a proceeding". There may be valid privacy or other reasons to continue to protect a young person's identity *after* the proceeding is complete. JFCY therefore recommends that this aspect of s. 45(8) be clarified and expanded to include protections following the conclusion of proceedings as appropriate.
- Moreover, in certain cases there may be valid reasons to share information that would have the effect of making public or publishing a young person's identity. For example, a young person in care may want to share his or her experience in care, particularly where that experience has been negative. They may want to have the opportunity to share their story

in order to draw attention to legitimate systemic issues or to advocate for change. As currently drafted, s. 45(8) is ambiguous as to whether a young person could publicize their own identity after a child protection proceeding is complete, and the legislation also provides no mechanism to seek a court order to deviate from the presumed privacy protections in an appropriate case.

- Finally, the prohibition on identifying a child should be modernized to account for the very real prospect that information identifying a child may be posted on the internet, potentially by individuals who are not inclined to remove the posting. While there are provisions that would make such a posting an offence, it would be more effective and efficient to also provide the court the explicit authority to make orders under the *CFSA* that any such posting be removed.

Accordingly, **JFCY RECOMMENDS** amending s. 45(8) to read as follows:

> **Prohibition: identifying child**
> (8) No person shall publish or make public information that has the effect of identifying a child who is **or has been** a witness at or a participant in a hearing or the subject of a proceeding, or the child's parent or foster parent or a member of the child's family.
>
> (8.1) **Exception** – A child who has been the subject of a proceeding may, after attaining age 16 years, publish, cause to be published, or make public information that would identify him or her as having been the subject of a proceeding.
> (8.2) **Application for Leave to Publish** – A family court judge may, on application of a child who has been the subject of a proceeding, and is between the age of 12 and 15 years, make an order permitting the child to publish, cause to be published, or make public information that would identify him or her as having been the subject of a proceeding, if the court

is satisfied that the publication or the making public of the information would not be contrary to the child's best interests or the public interest.

(8.3) **Powers of Court** - Where a person publishes information in contravention of the above provisions, a family court judge may, on an application by the child or the society order the immediate removal, retraction, deletion and/or destruction of said information.

OTHER ISSUES OF INTEREST OR CONCERN

JFCY has identified three additional issues of concern:

1. the powers of the Child and Family Services Review Board (CFSRB);
2. the inequality faced by youth in care in relation to obtaining bail in the youth criminal justice system;
3. the need to incorporate the United Nations *Convention on the Rights of the Child* (UNCRC) into the CFSA.

1. JFCY supports expanded powers of the CFSRB

Our clinic is frequently contacted by youth in care who have complaints about the decisions made (or not made) for them by the Societies charged with their care. A small number of these young people choose to pursue complaints to the CFSRB. The young people we speak to about these issues express dismay at the very limited powers of the CFSRB. Indeed, were young people choose not to pursue a complaint it is our experience that the limits on the CFSRB's power to make truly meaningful orders in response to complaints is a factor in the decision not to proceed.

Examples of the issues about which our clients express a desire to complain to the CFSRB include:

- The refusal of a Children's Aid Society to consider an independent (or semi-independent) living arrangement for a 16 or 17 year old;

- The failure of a Children's Aid Society to take steps to pursue child support on behalf of a young person in care;
- The failure of a Children's Aid Society to effectively challenge School Board decisions concerning school discipline;
- The failure of a Children's Aid Society to take proactive steps to ensure that a young person's learning needs or other special needs are being accommodated in school in a manner that is consistent with the young person's legal rights in this regard;
- The disclosure by a Children's Aid Society of a young person's confidential information without having obtained appropriate consent from the young person; and
- The refusal of a Children's Aid Society to assist in facilitating an openness agreement upon adoption.

Currently, s. 68.1(7) of the *CFSA* provides that the CFSRB may, after reviewing a complaint:

> (a) order the Society to proceed with the complaint made by the complainant in accordance with the complaint review procedure established by regulation;
> (b) order the Society to provide a response to the complainant within a period specified by the Board;
> (c) order the Society to comply with the complaint review procedure established by regulation or with any other requirements under this Act;
> (d) order the Society to provide written reasons for a decision to a complainant;
> (e) dismiss the complaint; or
> (f) make such other order as may be prescribed

Notably absent from the CFSRB's powers is the ability to order a Society to undertake a particular action. This is of significant concern given the extraordinary powers granted to Children's Aid Societies to make decisions that affect intimate aspects of young people's lives, and frequently interests protected by s. 7 of the *Charter of Rights and Freedoms*.

JFCY RECOMMENDS that the CFSA be amended to increase the powers of the CFSRB so that in circumstances such as those outlined above the CFSRB will have the power to order particular action by a Children's Aid Society.

2. JFCY promotes support of Youth in Care in the Youth Criminal Justice System

Our clinic frequently represents and advises young people who are in care, and have also been charged under the *Youth Criminal Justice Act* (YCJA).

One of many difficult issues that Crown Wards and Society Wards face when they are charged is creating a viable plan for their release from custody on bail. For a young person not in care, it is most often the case that they will be released on bail when a parent (or other relative) agrees to act as a surety.

For youth in care however, having a surety on a bail is not an option due to the fact that there is no person in the child welfare system who is permitted to act as a surety, notwithstanding that they are, in law, the young person's parent. This makes creating a bail plan much more difficult. Frequently, the unavailability of a surety leads to the young person in care being enrolled in a "Bail Program". Invariably the terms of Bail Program will require the young person to report in person to a Bail Program Worker (usually once a week).

This option is not ideal, and it creates unfair inequality between youth in care and those who are not in care:

1. First, this requirement places an added burden to report on youth in care not experienced by most other youth involved in the youth justice system.
2. Second, this requires youth in care to engage with yet another social service worker, when their lives are typically already inundated with these types of relationships.

3. Third, this requirement adds a layer of obligation and increases the chance that the young person in care will breach the terms of their bail and incur additional charges. The increased chance of charges results from the added burden of reporting to Bail Program – a requirement not experienced by young people who have a parent to act as their surety.
4. Fourth, if a young person in care does fail to report and is charged under the YCJA, Bail Program will generally refuse to work with the young person again. Where a young person has no appropriate surety and no access to Bail Program, crafting a bail plan is very difficult if not impossible and will increase the chances of a youth in care being held in custody and in pre-trial detention.

JFCY RECOMMENDS that the *CFSA* be amended to remedy this inequality between young people in care and those not "in care". For example, the *CFSA* could be amended to provide that the Society is obligated to step forward to act as a surety when a young person is charged under the YCJA, with the responsibilities of a surety designated to someone in the Society.

3. JFCY Supports Incorporating the *UNCRC*

Canada ratified the *UNCRC* in 1991, and it came into force in 1992. The *UNCRC* defines children as being under 18 years of age, and requires that all children be protected from all forms of violence, abuse and neglect. Ontario has ratified the *UNCRC* with respect to matters within provincial jurisdiction. In accordance with the *UNCRC*, all actions concerning children shall be taken with the children's best interests as a primary consideration.

It is long overdue that the CFSA be amended to incorporate the UNCRC.

JFCY RECOMMENDS that section 1 of the CFSA be amended to include the UNCRC as a declaration of overarching principle, so it reads as follows:

1. (1) The paramount purpose of this Act is to promote the best interests, protection and well being of children.
(1.1) This *Act* shall be interpreted in compliance with Canada's obligations under the *United Nations Convention on the Rights of the Child*.

Thank you for your consideration of our submissions on this Review. Please do not hesitate to contact us should you have any questions. We welcome the opportunity to discuss our concerns with you in more detail.

Yours truly,
Mary Birdsell
per
JUSTICE FOR CHILDREN AND YOUTH