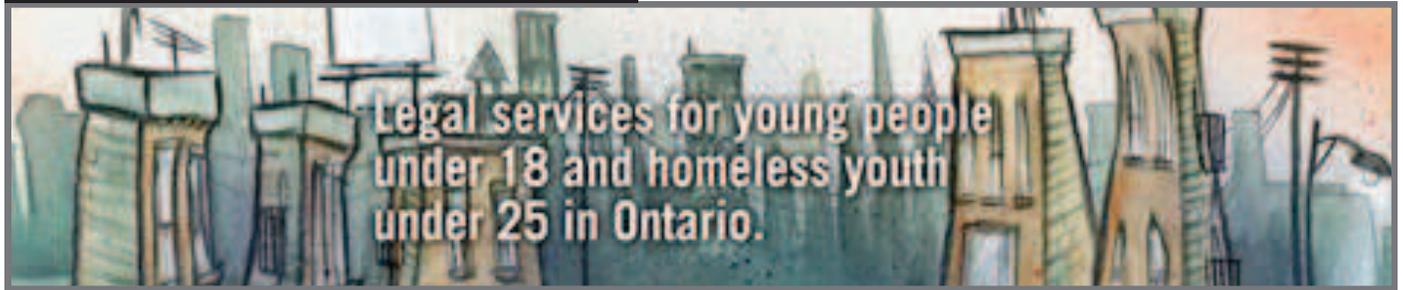


JUSTICE FOR CHILDREN AND YOUTH

Annual Report 2020



Children's rights are human rights.

Children's rights protect the child as a human being.

Children's rights recognize the fundamental guarantees to all human beings including equality and the right to dignity through the protection of physical and mental integrity.

Children's rights are specifically adapted to take into account the child's inherent vulnerability, age and maturity.

Children's rights require adults to be duty bearers to safe guard these rights.

Children's rights prioritize the right to be heard, to be active participants in the promotion and protection of their rights and personal agency.

Voice. Empowerment. Justice.



Staff

- Front row: Aubrey Abaya, Articling Student
Athena Caldarola, Community Development Worker and Law Clerk
Mary Birdsell, Executive Director
Claire Millgate, Street Youth Legal Services Lawyer
Emily Chan, Community Development Lawyer
- Back row: Allison Williams, Staff Lawyer
Jane Stewart, Staff Lawyer
Samira Ahmed, Staff Lawyer
Karien Gibson, Office Manager

Not pictured above:



Sarah Pole
CASA Project Lead



Nnenna Obi
Fundraising and Communications
Assistant



Justice for Children and Youth (JFCY)

JFCY is a non-profit community legal aid clinic that specializes in protecting the rights of young people facing conflicts with the legal, education, social service or mental health systems. JFCY was formally incorporated as the Canadian Foundation for Children Youth and the Law in 1978, and has operated as Justice for Children and Youth since 1990. This year we celebrate our 42nd anniversary.

JFCY's vision is to advance and protect the legal rights and dignity of children and youth.

JFCY's mission is provide child-centred legal services that enhance justice and support inclusion for vulnerable children and youth through:

- Specialized legal expertise and representation
- Leadership on systemic law reform and advocacy
- Legal education and outreach

Board of Directors

Anne Irwin, Chair

Rishma Bhimji, Vice-Chair

Lennox Gibbs, Treasurer

Glenn Stuart, Secretary

Tim Welsh

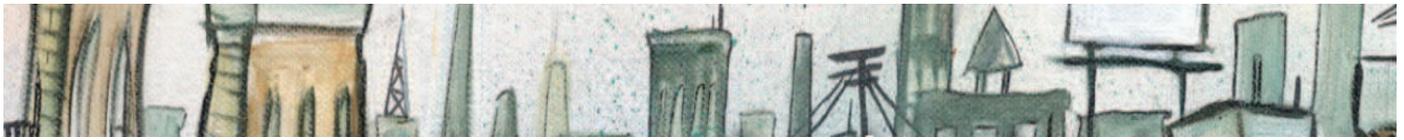
Sapna Goel

Joe Louch

Tamara Nachmani

Debbie Singh

Voice and empowerment: providing children and youth with the tools and context which allows them to speak for themselves as individual rights holders in our society is the most effective way to preserve their



Message from the Chair



As I'm sure we can all agree, 2020 has not been a great year. COVID-19 has taken its toll at JFCY as elsewhere, and it's been a difficult year for the clinic's client base of vulnerable children and youth. Virtually every kind of problem that our clients face, from violence to difficulties getting educated, has been exacerbated by the pandemic. Our staff has risen to the occasion, despite working from home, and the clinic has carried on in providing its critically important services.

You may recall that last year the Ontario Government cut funding to Legal Aid Ontario (LAO), which then passed on the cut to, among others, legal aid clinics, including JFCY. This year, the Government's focus has been on "modernizing" the clinic system; LAO is currently in consultations with the Association of Community Legal Clinics of Ontario (ACLCO) about what that will entail. We'll be involved in the process and we look forward to working with LAO to optimize our ability to protect and advance the legal rights of Ontario's children.

The Board has been working hard on implementing year one of our strategic plan, which prioritizes five areas of goal setting: client-centred services; systemic law reform and advocacy; people and culture; financial health and accountability; and governance. For further information, please refer to our website.

I would like to thank each of our dedicated Board members for their contributions to the clinic, and on behalf of the Board, we thank each of our fabulous staff: Mary, Emily, Samira, Jane, Claire, Allison, Sarah, Karien, Athena and Nnenna, as well as our articling student, Aubrey, and our social work placement students, Meagan and Bushra (2019-2020), and Halima and Shonnaugh (2020-2021). You make a huge difference in the lives of hundreds of young people each year and your talent, skill and compassion inspire us all.

Anne Irwin, Chair and President



Message from the Executive Director

We are pleased to offer this annual report on our activities over the last 12 months - November 2019 through October 2020. We are in a contemplative, creative, and determined state - eight months of this time period has been under strict public health measures due to the COVID-19 global pandemic. “Unprecedented times” is a trite understatement, and the lives of children and young people have been fundamentally altered, with schools closed, online school, and extra-curricular activities shuttered. Community organizations have been providing only basic, or virtual, if any services, and community activities have not been operating. “Dis-ease” is certainly a prevailing atmosphere of this time.



We are operating at full steam, primarily working from home, and adapting in all ways necessary to respond to young people’s needs. Our intake numbers are down, yet issues are more complex - we know that children and youth are vulnerable when they are isolated, and when they do not have access to the supports that are normally in place. Children face increased vulnerability during socially and economically stressful times. We see this with increasingly complex matters, and strained services including schools, children’s aid, and supportive housing.

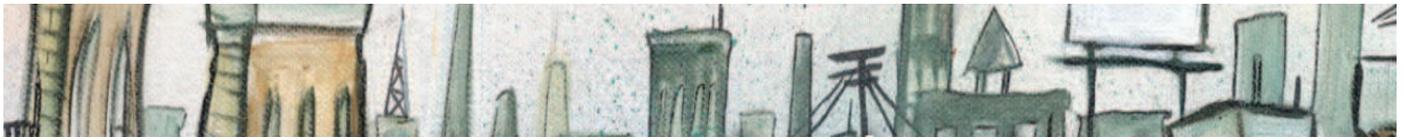
Conversely, we are acutely aware of the value of our nimble and creative service model. We approach our work with a can-do mindset by looking for meaningful, responsive, and innovative solutions for our clients. We see the value of our community and professional connections that make it possible to come together to continue to pursue access to justice in tenacious and novel ways. More widespread use of technology presents opportunities to improve our efficiency and reach across the province. We dare to hope that some benefits of technology use will persist when the pandemic has run its course. In spite of the challenges, we have had some great individual successes for young people, and have been able to develop and advance significant community connections.

As Canada and the world experience widespread uprising against ongoing discrimination and devastating impacts of colonialism, we see young people engaging in their communities: collectively on climate action, and with growing interest in their democratic and other rights; or personally, as they see racism, sexism, homophobia, transphobia, and violence perpetrated by powerful institutions not just as something they experience, but as part of something broad and important where they have something to say. As always, we are moved and inspired by our clients, as we work with them and the adults that support them to advance the rights and dignity of children, and to pursue access to justice in an ever-changing world.

I offer my enduring gratitude to my incredible colleagues and to our organizational supporters for their commitment to our work, and the children of Ontario.

Mary received the Law Society of Ontario’s J. Shirley Denison Award - an award that recognizes significant contributions to access to justice and/or poverty issues.

Mary Birdsell, Executive Director



Casework

JFCY provides legal advice and representation to young people on a wide variety of legal issues in Ontario. We continue to offer our full range of services despite the closure of our physical office due to the COVID-19 global pandemic.

Many of our clients have multiple legal issues and we are able to help with all of them as part of our comprehensive service. This is an important part of our unique approach to our clients who face situations that create vulnerabilities. We provide our most comprehensive services to those facing complex personal, legal, and social issues.

In the period October 2019 through October 2020, 8 months during which there has been widespread pandemic shut down, we offered assistance to 1028 individual young people with 1372 legal issues. The pandemic has impacted children in many ways including in the legal services world. The increase in some areas of law, and decrease in others, is a demonstration of the impact COVID19 has on young people in Ontario.

INTAKES - OCT 2019 through OCT 2020	#	%
Administrative	55	4%
Child Welfare	57	4%
Criminal	281	20%
Criminal Injuries Compensation Board	4	1%
Demand Letters	5	1%
Education	234	17%
Employment	35	3%
Family	156	12%
Health Care	36	2%
Housing	74	4%
Human Rights	14	1%
Immigration and Refugee	68	5%
Income Maintenance	68	6%
Leaving Home	188	13%
Police Complaints	13	1%
Privacy	25	2%
Violence	51	3%
Will and Estates	8	1%
TOTAL	1372	

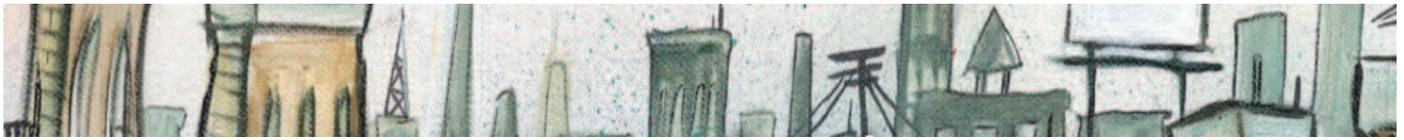


JFCY's child and youth client population often face very challenging situations, and sometimes present unique challenges in terms of providing accessible and comprehensive legal services: our clients often do not like to speak on the phone, rarely check their voicemail or email, attend school during "office hours" (we hope), and often have difficulty finding a private place to talk.

We cultivate trust with our clients by spending the time it takes to understand what their lived experience looks like, and what they identify as their priorities and concerns, and begin our work there. Meeting our clients in their world, sharing a meal or driving a client to court, is often necessary in order to gather information and understand our client's issues and needs. We know that our clients are underserved - we seek to build bridges, and help our clients access the community and the institutional and organizational services they need, while fighting systems that diminish and devalue the rights and protections our clients are owed.

Every day, we work carefully to unravel the patterns of systemic discrimination we see affecting the most vulnerable children and youth in the province. Here are some brief examples of the calls JFCY has received this past year:

- ◆ A 15 year old who has left home and is too young to access shelter services or legally withdraw from parental control, but who is also being denied services by the children's aid society.
- ◆ A young person who has lived in Canada since they were 5 years old has become estranged from their family. They suspect they do not have valid immigration status in Canada, and want to apply for post-secondary studies.
- ◆ A young person held in custody on criminal charges, who cannot go home, and needs the support of the children's aid society and an emergency placement in order to be released, but the society is not responding.
- ◆ A client is struggling at school - they are transgender. The school is not permitting them to use the bathroom of choice. They are only permitted to use one bathroom but it is in one corner of a big school.
- ◆ An Indigenous young person in the care of children's aid is struggling to have their voice heard and their wishes and fears acknowledged in the child protection system.
- ◆ A young person is dismissed from their place of employment after asking questions about proper safety protocols related to COVID-19.
- ◆ A homeless youth receives a trespass ticket for sleeping in a public place and a criminal charge for stealing food.



Casework, continued

- ◆ A 16 year old trying to access a youth shelter bed (for 16-24 year olds) during the pandemic where you have to be 18 years or older to access the required two-week isolation/quarantine period in a hotel room.
- ◆ A young person seeks assistance to remove her name from media articles that erroneously identify her as being charged with human trafficking offences, when in fact those charges were withdrawn after she was identified as a victim of human trafficking.
- ◆ A teenager with autism is being suspended from school and charged by the police for making a video copying something they saw on the internet. Both the police and school do not seem to understand the common features of autism that impact his behavior.
- ◆ A 14 year old who has run away and is hiding from an abusive parent, is being refused support from children's aid and wants our help advocating to get help.

Case Development: Voting Rights of Young People

JFCY received Case Development funding from the Court Challenges Program and worked throughout this past year with other child rights organizations across Canada to consult with young people, and provide workshops and public legal education.

In section 3 of the *Charter of Human Rights and Freedoms*, “every citizen of Canada has the right to vote” in federal elections – but the *Canada Elections Act* requires that voters be at least 18 years of age. Currently, the larger political parties in Canada all allow people to be members and vote for party leadership at age 14, and there are jurisdictions around the world that have lowered the voting age to 16, including Scotland, Wales, and Austria.

Our nation-wide partners include the David Asper Centre for Constitutional Rights, UNICEF Canada, the Canadian Coalition for the Rights of Children, The Students Commission of Canada, the Society for Children and Youth of BC, and Children First. Consultations with young people across the country have led to some wonderful reports, and the beginnings of the case development have begun. We have applied for Test Case funding from the Court Challenges Program, and have joined an academic colloquium of people interested in teenage voting rights.



Community Involvement and Partnerships

JFCY continues to engage in partnerships with people and organizations from various sectors to provide a deeper offering of sustainable community development. *Some of work includes being on the:*

- ◆ Executive committees of the Ontario Bar Association's Child and Youth Law section, the Constitutional, Civil Liberties and Human Rights section, and the Education law section; the Executive of the Canadian Bar Association's Child and Youth Law Section; Board member and treasurer for the Canadian Coalition on the Rights of the Children; Board member of the Canadian Association for the Practical Study of Law in Education; Board member of A Way Home Canada.
- ◆ The 311 Jarvis Court Advisory and Community Youth Court Committees, the Office of the Children's Lawyer Advisory Group on VYSAs, Covenant House's Sex Trafficking Advisory Committee, and the Indigenous Youth Justice project with OJEN and the Wrinkler Institute.

Law and Policy Reform

JFCY is actively involved in proposed changes to laws that impact the rights of children and youth. We engage in this work by integrating our knowledge and understanding of the lived experiences of our clients into legal and policy analysis. Our policy and position papers can be found on our [website](#). Activities from this past year include being involved in:

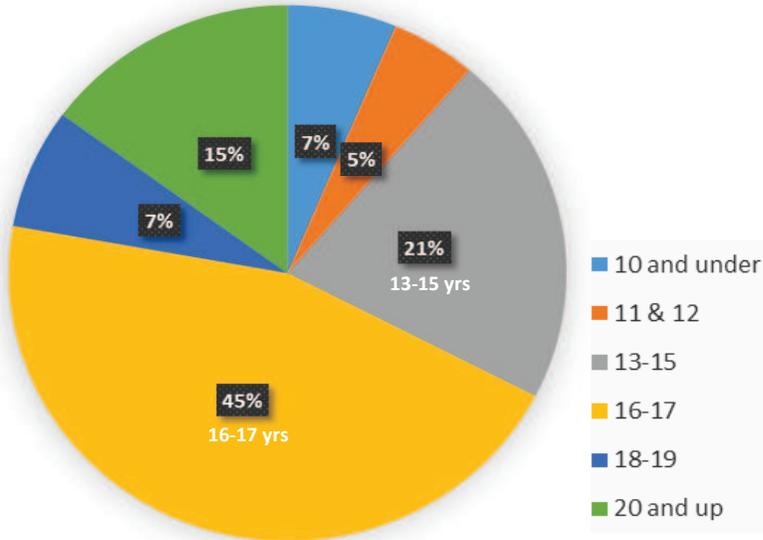
- ◆ Ontario's Missing Person's Review
- ◆ New Toronto Courthouse, Youth Criminal Justice consultation and planning
- ◆ Human Services and Justice Coordinating Committee (HSJCC)
- ◆ Justice Centres project with the Ministry of the Attorney General
- ◆ Community and Social Services Engagement Table of the Minister of the Solicitor General on policing issues
- ◆ Legal Aid Ontario Criminal Law Advisory committee



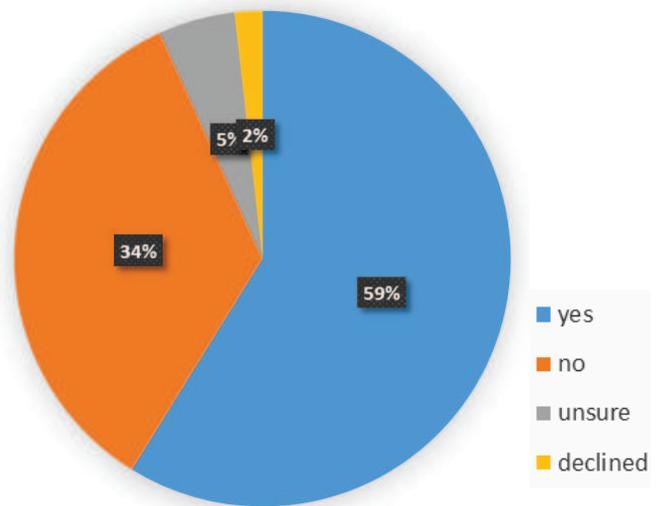
Demographic Information

This year in an effort to continue to enhance our understanding about the clients we serve and their needs, as well as helping us to observe and evaluate our outreach needs we began to carefully collect demographic information. We are learning more about who we are serving. We will continue to develop both how and what information we are collecting.

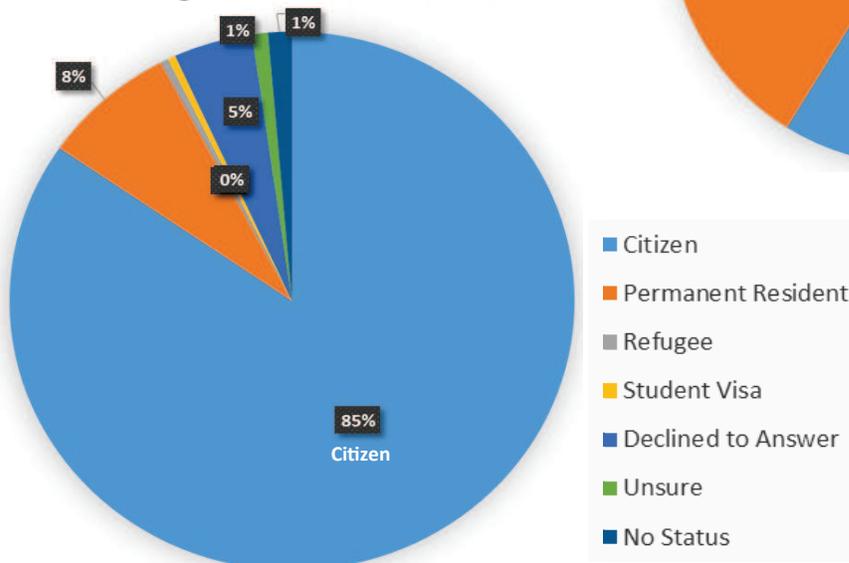
Age



Involvement with a Children's Aid Society

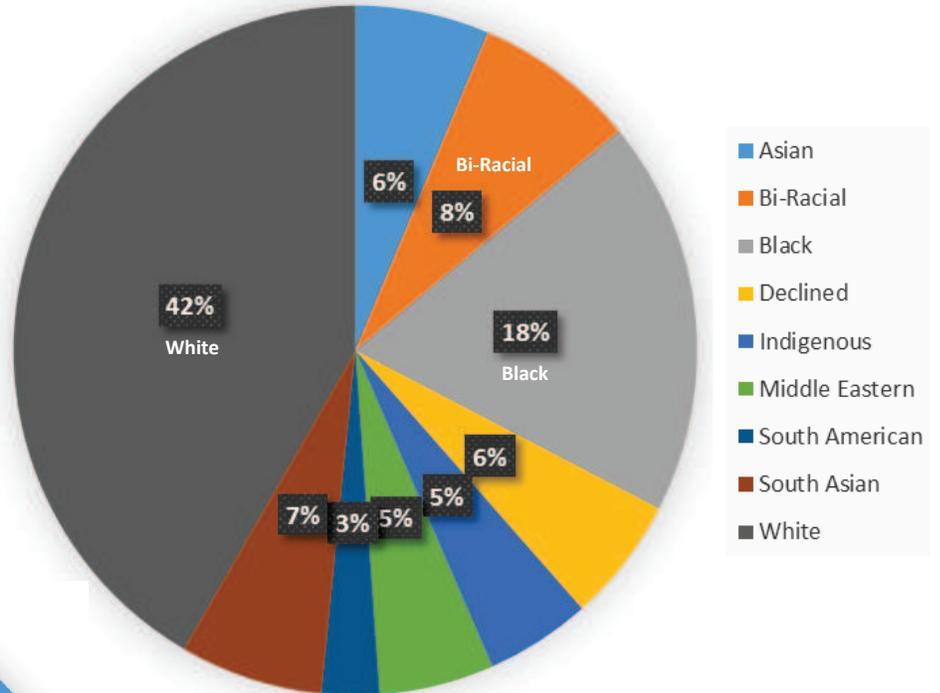


Immigration Status

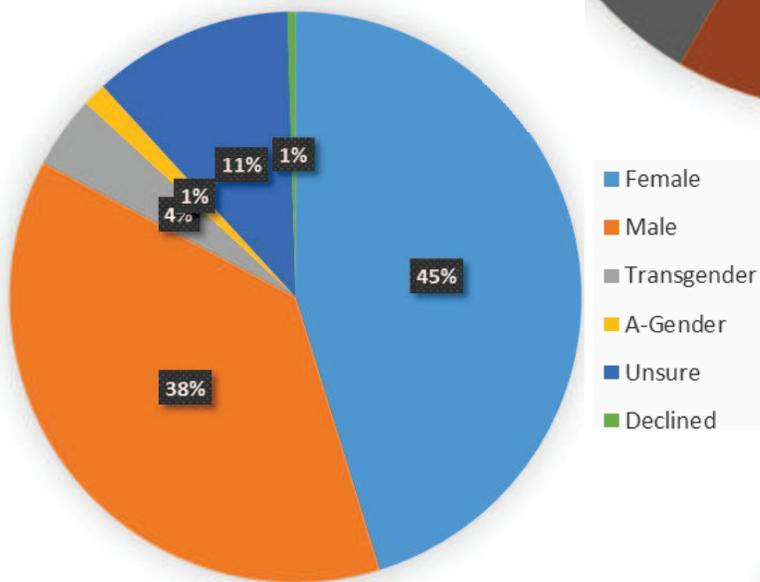




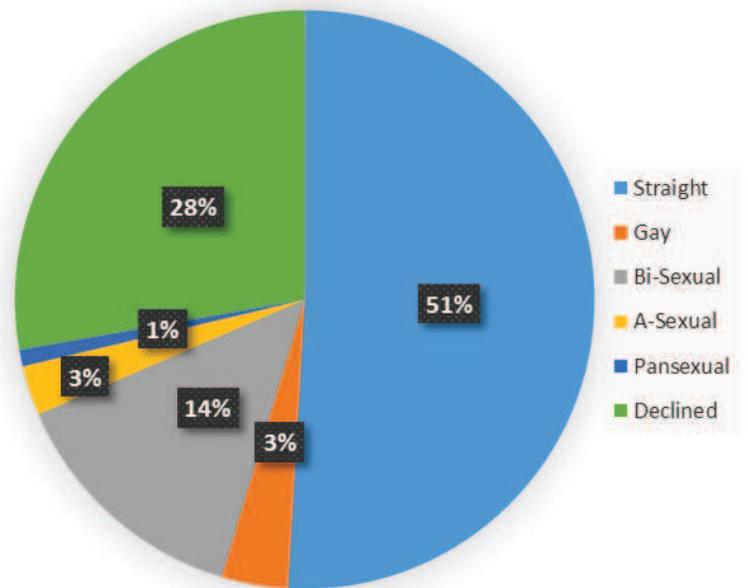
Ethno-Racial Identity

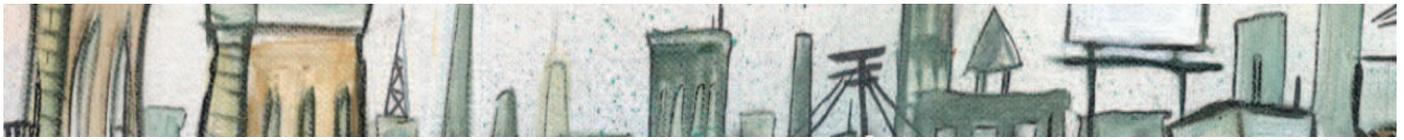


Gender Identification



Sexual Orientation





Test Case Litigation

In addition to our day-to-day casework, JFCY engages in test case litigation to try and ensure that courts' decisions respect the rights and interests of children, are in compliance with child and youth rights under the *Charter*, and that due consideration is given to the best interests the child, the participation and voice of the child, and other rights as provided for under the *United Nations Convention on the Rights of the Child*.

This year we had several very challenging cases where the fundamental human rights of our clients and their access to justice was at stake. In addition to these individual cases we were also able to intervene in a number of important matters. A sample of our cases from the past year are on the following pages.



Jane Stewart, JFCY lawyer, addressing the Supreme Court of Canada by zoom.

CP v. Her Majesty the Queen, Supreme Court of Canada, Docket 38546 - heard November 10, 2020, decision pending.

JFCY intervened in this appeal, which concerns the provision of the *Youth Criminal Justice Act* that requires a young person to seek leave to appeal of a finding of guilt to the Supreme Court of Canada where an adult would have an automatic right to appeal. Appeals to the Supreme Court of Canada are an important safeguard against wrongful findings of guilt. JFCY's submissions related to section 7 (life, liberty and security of the person) and section 15 (age discrimination) of the *Charter of Human Rights and Freedoms*, with a particular focus on the harms to young person's dignity and practical harms to a young person of the unequal ability to challenge a potentially wrongful finding of guilt to Canada's highest court.



Her Majesty the Queen v. RV and Toronto Community Housing Corporation, Superior Court of Justice, Court File No. YC18-00000185-00M0 – *decision rendered January 15, 2020.*

JFCY intervened in this judicial review, in which the Toronto Community Housing Corporation (TCHC) sought the youth records of RV, a young person and TCHC resident, for use in an eviction proceeding against RV and his family under the “illegal act” provisions of the *Residential Tenancies Act*. RV had been charged with an offence on TCHC property. Those charges had been stayed. The youth court denied access to the records, finding that TCHC’s interest in the records did not outweigh the significant impact on RV’s privacy. The judicial review of the youth court’s decision raised significant issues about the protection of young people’s privacy rights under the *Youth Criminal Justice Act* and the proper use of records generated by the youth criminal justice system, given the need to protect young people against stigmatization and to promote their rehabilitation. The case was ultimately found to be moot as TCHC was no longer seeking the records, but the Court agreed with JFCY’s submissions and commented that youth court judges are entitled to consider the impact on a young person’s privacy and other interests when deciding whether to disclose their records.

LS v. YouthLink Youth Services, Superior Court of Justice, Divisional Court Branch, File No. 238/20 - *hearing scheduled for December 4, 2020.*

Our client is an 18 year old who was living in transitional housing provided by YouthLink Youth Services. Transitional housing is a type of supportive housing that provides residents with a place to live as well as supports to help them build the skills needed to obtain more independent, long-term housing. As the pandemic broke in March 2020, YouthLink grew concerned that our client had spent time outside the house visiting friends. Without notice or warning, they prohibited her from returning to the house and terminated her tenancy within the housing program. When she returned to collect her belongings, the police were called and she was escorted from the premises in handcuffs. We assisted the client to seek recourse at the Landlord and Tenant Board (“LTB”). However, the LTB refused to consider our client’s application, finding that YouthLink is exempt from the *Residential Tenancies Act* (“RTA”). It is our position that the LTB’s decision fails to properly apply the law - specifically a new exemption specifically intended to regulate transitional housing providers like Youthlink. The new exemption requires transitional housing providers to have robust agreements in place with residents that include dispute resolution and notice provisions to prevent on-the-spot evictions. The client has appealed the decision to the Divisional Court and a hearing is scheduled for December 4, 2020.



Test Case Litigation, continued

Minister of Employment and Social Development v. SS, Social Security Tribunal – Appeal Division, File No. AD-19-45 – *hearing scheduled for December 2020.*

JFCY has intervened in the appeal of a matter before the Social Security Tribunal. As a result of her disability, SS (the parent) is unable to work and for many years has been the recipient of the Canada Pension Plan (CPP) disability benefit. SS was unaware that her children were also entitled to apply for and receive a children's benefit under the CPP. Once they were aware of the benefit, they applied, but their benefits were limited by a legislated cap on retroactive benefits. She appealed the decision to the Tribunal's General Division, which found in her favour and held that the retroactive cap was discriminatory under section 15 of the *Charter of Rights and Freedoms*. The federal government has appealed to the Appeal Division. JFCY's submissions focus on the impact of the legislative cap and the need to ensure that children are able to meaningfully exercise their rights and access benefits under the law, in order to achieve equality.

R v. R, Ontario Superior Court of Justice, Court File No. FS-14-398227-001

Our client was a 16 year old (now 17) person who sought to withdraw from parental control in the context of a very acrimonious divorce. We originally assisted this client on legal issues related to her right to withdraw from parental control - school, health care, income support, and housing. There was renewed custody access litigation between the parents where our client was one subject. After the trial had begun our client sought the opportunity to be added as a party to make submissions about her legal rights - to withdraw from parental control, and to the privacy of her personal information - and to ensure the court knew that she did not want to be forced into the custody of either parent. She sought to be able to be separate from the toxic parental dispute, and to assert her rights to personal agency.

One parent took the position that the young person was unable to assert her right to leave her parents' care due to the fact that she is an "alienated child" and that it was not in her best interests. The Court ultimately declined to find the young person had truly withdrawn from parental control of both parents, but recognized that she did have the right to do so, and that it would not be in the young person's best interests for the court to impose a custody order on her. The court also found there was no improper conduct or representation of the young person by JFCY as the parent claimed.



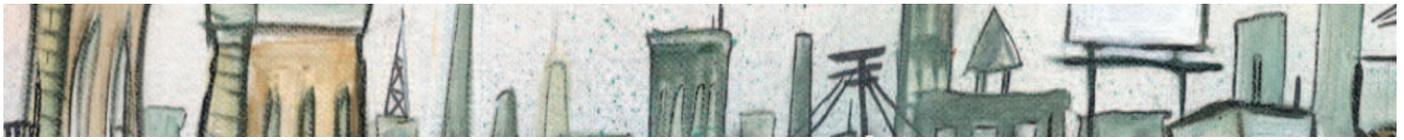
AH v. DK and EA, Superior Court of Justice, CV-15-109

JFCY was granted *amicus* status in this case regarding the privacy interests of children who were the subject of child protection proceedings under the *Child Youth and Family Services Act (CYFSA)*. One parent subsequently brought a successful defamation suit against the other parent because of false allegations of abuse. The wronged parent sought to have the names of the children and/or the parents made public in order to rehabilitate his reputation. JFCY provided legal analysis to the court regarding the privacy interests of the children in child protection matters, and beyond. Specifically, we argued that childrens' rights to privacy go beyond the specific child protection proceeding and must be applied in subsequent litigation that discloses child protection involvement. The court agreed with our submissions confirming that childrens' privacy rights under the *CYFSA* survive the conclusion of the litigation.

Justice for Children and Youth v. JG, 2020 ONSC 4716, Superior Court of Justice, Divisional Court Branch

In December of 2019, the father of our fourteen and a half year old client urgently sought and was granted a restraining order preventing JFCY from communicating with our client, effectively terminating our solicitor client relationship. The child was not a party to the child protection proceeding that was before the Court, and was not seeking to participate in the litigation. JFCY has been retained by the client to assist him outside of the Court's proceedings. Our appeal to the Divisional Court, seeking to remove the restraining order, was successful. At the oral hearing, we were represented by Linda Rothstein and Charlotté Calon of Paliare Roland Rosenberg Rothstein LLP. The Court agreed with JFCY that children have the right to seek and receive independent legal advice absent parental consent. The Court noted the proper role of legal assistance for children is empowerment which is consistent with their best interests and the proper administration of justice. The father has begun an appeal to the Court of Appeal.





New at JFCY:

Childhood Arrivals Support and Advocacy Program



The CASA program serves young people who were brought to Canada as children and yet are living in Ontario without immigration status. CASA provides outreach, legal representation, and trusted intermediary supports to ensure these “undocumented” young people, to help them access the knowledge, resources, and legal supports they need to take agency of their futures and live safe, secure, chosen lives.

Young people living without immigration status in Canada can face significant uncertainty and insecurity. Many people in this situation were brought to Canada when they were very young, and consequently they have little connection to their country of origin. Many are unaware of their lack of status, or its consequences, until they are late teenagers or high school graduates. Complex and overlapping issues of marginalization, including a lack of financial resources, difficulties accessing education, healthcare, housing, and employment, social isolation, and fear of detention or deportation often prevent CASA’s clients from getting the advice and help they need. While usually able to access grade and high school through Ministry of Education directives, and school boards’ ‘don’t ask, don’t tell policies’, they are generally unable to access postsecondary education and their lives and career choices are comprehensively curtailed.

Unlike the US, where ‘Dreamers’ have legislative protections, the situation for their counterparts in Canada is considerably less well known, understood or supported. Canada has no program, statutory or other formal response to promote a legal and stabilizing resolution to these young people’s situation.

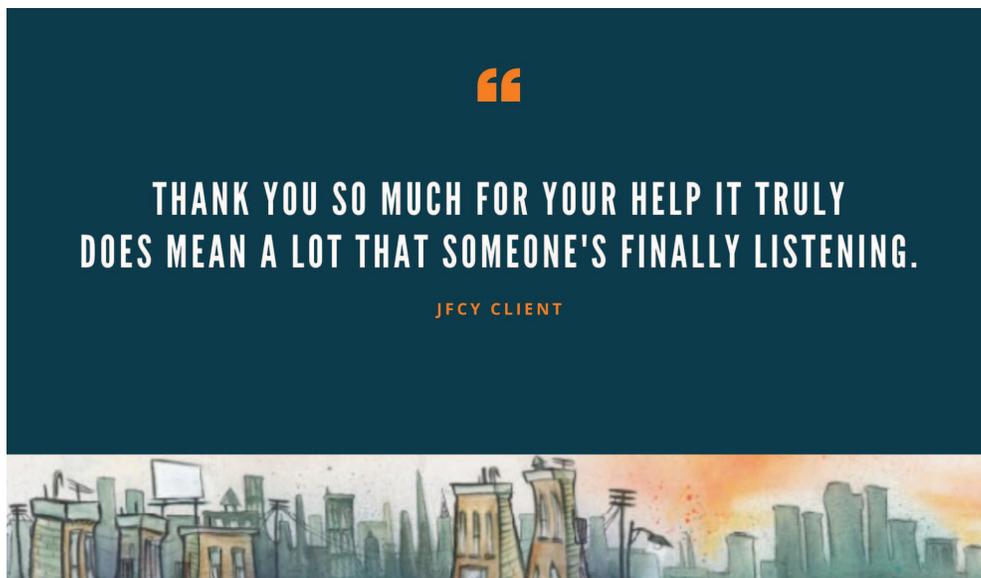
Founded in 2016 in a voluntary capacity by Sarah Pole, the investment of a 12-month Law Foundation of Ontario Responsive Grant enabled CASA to integrate into JFCY in February 2020, with Sarah as part-time Program Director. CASA provides summary advice, referrals and legal representation for young people without status up to the age

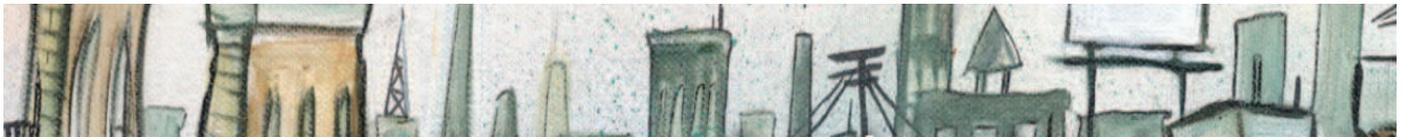


CASA partnerships with Women’s Health in Women’s Hands, the Canadian Centre for Victims of Torture, FCJ Refugee Centre, Crossroad Refugee Clinic, and the S4 Collective

Our goal is that CASA will enable us to dedicate time and expertise to ensuring young people - who rarely had agency in the decision to come to Canada - access to the supports they need to live safe, secure lives. CASA will also enable us to quantify and categorize the complex legal needs these young people have, and this data will shape our own advocacy and law reform initiatives, and help amplify migrant and child rights advocacy efforts broadly.

CASA is a timely expansion of JFCY’s existing services. The clinic has always been involved in immigration and refugee law issues and their impacts on children and young people, including providing direct legal representation, test case litigation, and law reform work, including those who have been involved in the child protection system; involvement in committees and research projects looking at the immigration detention of children; and the development of a system of Designated Representatives for child applicants.





Street Youth Legal Services

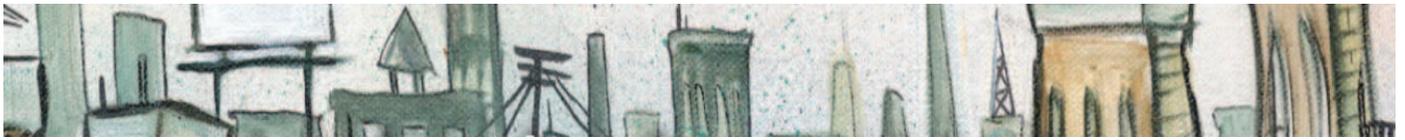
Our SYLS program provides legal services directly to unstably housed young people. SYLS services include legal education workshops, legal advice and representation, community development and engagement, and engagement with youth in law reform activities, and policy work.



Unstably housed young people often have multiple and interconnected legal problems. Complex systemic barriers. Lack of financial resources, social isolation, experiences of violence, discrimination, and mistrust often prevent our clients from getting the help they need. The SYLS program provides meaningful access to justice by confronting and overcoming these barriers.

Typically, the SYLS lawyer meets our client's at drop-in centres and shelters – places where young people congregate to access other services, such as health care, food, employment assistance and counseling. Since March of 2020, along with so many other service providers the COVID-19 pandemic has forced a re-think in how our services are delivered. While we are not currently able to meet with clients at drop-in centres and shelters, we have strengthened our referral networks and adapted our practice to ensure we can meet with young people using a variety of different technologies. The shift to online and remote services presents opportunities for extending our outreach beyond geographic limitations, and we are working on several initiatives to harness these opportunities.





We have been working with youth serving agencies who focus on homelessness and housing instability in the GTA for over 20 years now including, Evergreen, Native Child and Youth Services, Y-House, Eva's Place, Eva's Satellite, Youth Without Shelter, Covenant House, Young Street Mission, Peel Youth Village, and others.

In addition to providing advice and representation to over 200 young people experiencing homelessness and instability this past year, the SYLS program also engaged in community development and law reform activities, the past year's activities include:

- ◆ Being on the Board of Directors for A Way Home Toronto.
- ◆ Continued partnership with Sketch Working Arts on the Transformative Justice Project.
- ◆ Being on the Advisory Committees for: Covenant House on Sex Trafficking; Homelessness Connect Toronto; and for the Canadian Observatory on Homelessness.
- ◆ Providing training and support for the Trans ID clinic.
- ◆ Partnership on the Making the Shift project to prevent and provide housing first interventions to young people.
- ◆ Working on the Ontario edition of the Homeless Youth Handbook with Covenant House and Baker McKenzie.



Public Legal Education (PLE)

JFCY creates a wide variety of public legal education materials available online to download and in our Legal Rights Wiki. We continue to revise existing materials, and to create new public legal education resources when new issues arise, or we see gaps in available information.

New publications available on our website:

COVID-19 and SPECIAL EDUCATION RIGHTS

As of May 19, 2020 - Ontario schools remain closed until Sept 2020. At-home distance learning will continue.

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If you are a student, your rights to special education **HAVE NOT** changed.

- Students who are identified as "exceptional" continue to have a right to special education accommodations.
- Teachers will continue to follow Individualized Education Plans (IEPs).
- Lesson plans should continue to account for students who require additional support, accommodations and modifications based on their Special Education identifications.

.....

If a student needs to be identified as exceptional (has additional needs), they should request an Identification, Placement, and Review Committee (IPRC) meeting.

"Education environments should be designed inclusively and must be adapted to accommodate the needs of a student with a disability in a way that promotes integration and full participation."
Ontario Human Rights Commission

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To learn more about the rights of young people: www.JFCY.org.
Free legal advice for young people under 18 & homeless youth under 25 in Ontario:
416-920-1633 or 1-866-999-5329

JUSTICE FOR CHILDREN AND YOUTH

COVID-19 & Special Education Rights

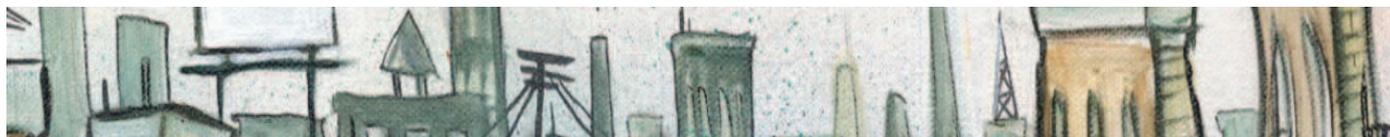
Young Person's Guide to:
Going into the Care of a Children's Aid Society (CAS)

See also related guides:
Being in the Care of a Children's Aid Society (CAS)
Leaving Home - for 16 and 17 year olds

Young Person's Guide to:
Being in the Care of a Children's Aid Society (CAS)

See also related guides:
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Leaving Home - for 16 and 17 year olds, includes information on Voluntary Service Agreements with CAS

Going into the Care of a Children's Aid Society, and Being in the Care of a Children's Aid Society



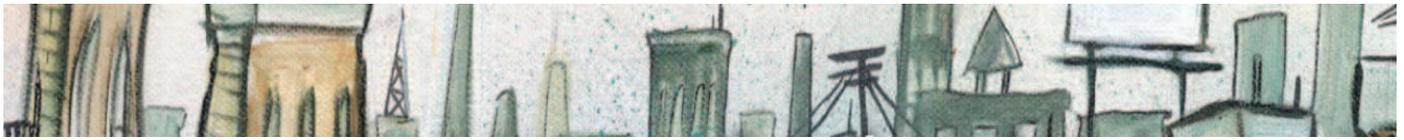
In addition to producing accessible material, JFCY lawyers share their specialized knowledge at presentations and workshops. We seek to work with young people and the adults who work with them to promote child and youth rights in many contexts. The COVID-19 pandemic has significantly impacted our ability to connect with young people especially in schools, community organizations, and group homes. School and community organization closures and the elimination of extra-curricular activities and visitors' attendance have obviously put many of these opportunities on hold. We have been able to make the switch to using technology to reach some young people, and are continuing to work with community partners, including schools, to create opportunities going forward. Some highlights of speaking opportunities we have provided include:

Workshops for young people - to educate and engage youth people about their legal rights in a variety of settings, such as school class rooms, assemblies, conferences, special events, and in community based agencies.

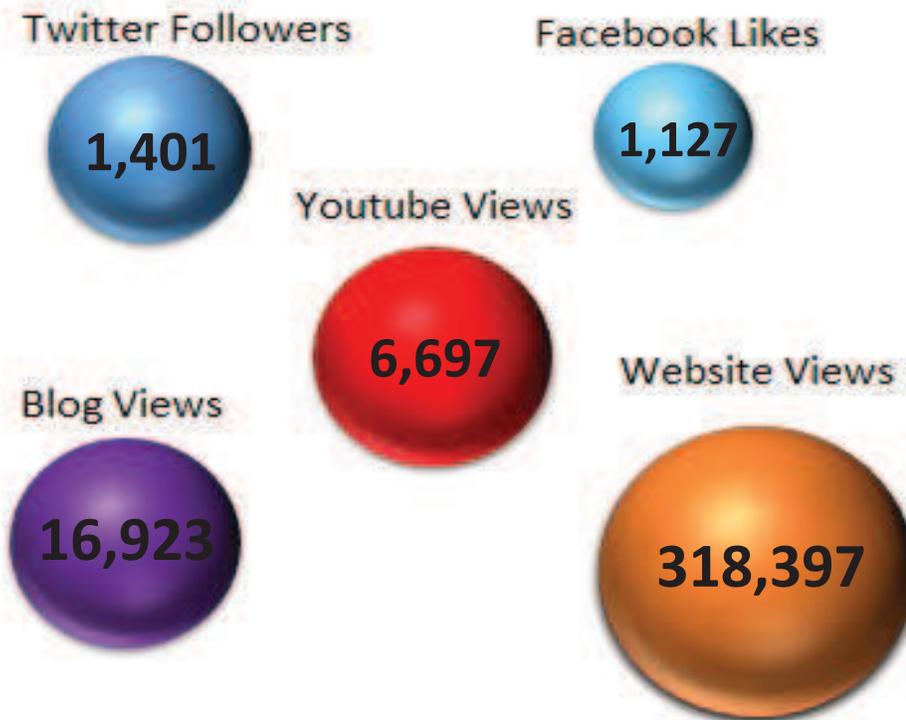
Training for post-secondary students and front-line professionals - to ensure a child rights based approach is recognized in professional practice, JFCY provides specialized training to professionals who work with young people. These audiences include principals, guidance counselors, child welfare and housing workers, children's mental health care providers, probation officers, undergraduate and law students and youth justice workers, and youth employment counselors from various service agencies.

For lawyers and adjudicators - we are able to work with CPD providers, including the Law Society of Ontario, the Ontario Bar Association, and the Canadian Bar Association. We also regularly attend and speak at a number of regular conferences or programs including the Canadian Association for the Practical Study of Law in Education (CAPSLE), the Toronto and Regional Legal Clinic Training, and other regional training; and the 311 Jarvis Court Open Bar Series.

At unique events - through a variety of professional and community organization affiliations we are able to attend and present at unique events, some engagements include the Annual International Summer Course on the Rights of the Child, the Peer Knowledge Exchange hosted by the Office of the Children's Lawyer, Osgoode Professional Development Mental Health Law and Education Law programs.



JFCY Online Presence



Research with Universities

JFCY continues to work on research initiatives:

- *Critical Legal Geography* with Professor Dr. Alexandra Flynn, University of British Columbia and University of Ottawa investigating the way in which property law impacts young people experiencing homelessness and the extent to which there are adequate legal protections for them.
- Professor Dr. Carla Cesaroni, Ontario Tech University research investigating the experience of young people in their interactions with the police, in and outside of criminal justice context.
- Professor Dr. Anthony Doob, University of Toronto and Professor Dr. Jane Sprott, Ryerson University are doing an empirical review of our cases to assist us in developing data collection tools to assist in the ongoing evaluation of our work.
- We are working with Professor Daniella Bendo, King's University, and Professor Dr. Christine Goodwin-De Faria, Trent University who have submitted a SSHRC Partnership Development Grant Application to study the lived experience of young people with intellectual disabilities in the criminal justice system and the extent to which their rights are appropriately protected and advanced.



In the Media

JFCY lawyers receive numerous requests for interviews regarding our cases, background information on the legal landscape for children and youth in Ontario and Canada, and commentary on issues that impact the rights of our clients.

A sample of when we have appeared in TV, radio and in print media this past year:

On COVID-19 impacting youth services:

<https://www.nationalobserver.com/2020/06/12/news/lawyers-youth-say-prosecutors-going-easier-amid-pandemic-challenges>

Commenting on *KJM* decision, concerning the time limits for criminal trials:

<https://www.cbc.ca/news/politics/supreme-court-youth-justice-1.5359939>

Further commentary regarding the same principle:

<https://www.thelawyersdaily.ca/articles/16731/scc-rules-jordan-s-presumptive-caps-on-trial-delay-apply-in-youth-court>

Childhood Arrivals Support and Advocacy program features:

<https://www.thestar.com/opinion/contributors/2020/06/23/dreamers-in-canada-need-protection-too.html?rf>

<https://www.thestar.com/opinion/editorials/2020/06/28/theres-no-celebrating-for-canadas-dreamers.html>

<https://www.thestar.com/news/investigations/2020/07/25/shes-one-of-canadas-dreamers-they-said-she-had-limitless-potential-but-now-her-future-is-on-hold.html>

<https://www.thestar.com/opinion/editorials/2020/08/03/access-to-a-university-degree-a-must-for-canadas-dreamers.html>

<https://www.thestar.com/podcasts/thismatters/2020/08/04/canadas-dreamers-and-their-precarious-future.html>



Supporters and Donors

As a charitable foundation, and as an organization with a challenging mandate that struggles to meet the demand for our services with inadequate funding, we extend our heartfelt thanks to all our members and the individual donors who support JFCY.

A special note of thanks for unique and significant contributions to:

- ◆ David Chernos and Leslie Bruce for a substantial financial contribution that will make it possible for us to begin to formally integrate social work services into our work.
- ◆ Johnathan Kahn & Anne Irwin for a significant personal donation through the United Way.
- ◆ Pager Duty and PagerAble for a significant financial contribution, and for pro bono services to improve our website.

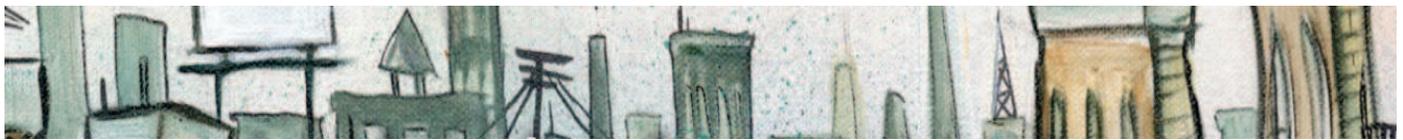
We wish to thank the law firms of Torys LLP, Paliare Roland Rosenberg Rothstein LLP, Blakes, and Baker McKenzie for your ongoing support of JFCY.

A special note of thanks to the following lawyers and their team members who have provided exceptional litigation support to JFCY in very unusual and difficult circumstances. Your generosity and dedication are deeply appreciated.

Linda Rothstein and Charlotté Calon of
Paliare Roland Rosenberg Rothstein LLP

&

Linda Plumpton, Alexandra Shelley, Tosh Weyman and John Giofu of
Torys LLP



Volunteers

We are grateful to our dedicated **Board Members** who make our work possible by bringing a range of skills and commitment to the advancement of social justice and children's rights.

The **Policy Advisory Panel** members, composed of expert scholars and professionals from a range of disciplines most relevant to our work, volunteer their time to share research, write or review materials, and provide expert advice to the lawyers at JFCY.

The **Development and Fundraising Committee** members work to enhance the clinic's ability to raise funds in a variety of ways to support the organization's unfunded and underfunded work.

Funders

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The Law Foundation of Ontario

Court Challenges Program / Programme de contestation judiciaire

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55 University Avenue, Suite 1500

Toronto, ON M5J 2H7

416-920-1633 / 1-866-999-5329



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