

Hello

Boozhoo/Pooshoo (Ojibwe)

Taanishi (Métis)

Hola (Spanish)

Marhabaan (Arabic)

Salut (French)

Jambo (Swahili)

Kon'nichiwa (Japanese)

Emily Chan
Community Development Lawyer

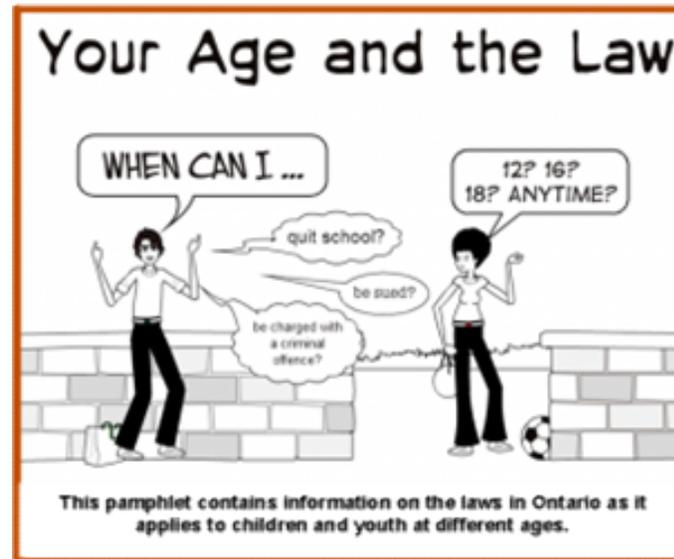


Agenda

Introduction: JFCY, SYLS and CASA

Chat about various Age Based Rights (Q & A at any time)

- Healthcare
- School
- Sexual activity
- Citizenship
- Leaving home
- Child welfare
- Alcohol & Cannabis
- Police
- Youth records
- Name changes



Link for this presentation: <https://jfcy.org/en/ccscan-jan-2021/>



Search ...



Legal services for young people under 18 and homeless youth under 25 in Ontario.

Legal Rights Wiki

I am being [expelled](#).
The [police](#) stopped me.
[YCJA Records](#) destruction.
Help with [leaving home](#).
I'm in [child protection](#) court.
I am a [victim](#).
I received a [ticket](#).

LEGAL RIGHTS WIKI ▶

Ask a Lawyer

Free confidential legal
advice for youth under 18
and homeless youth under
25 in Ontario.

416-920-1633

1-866-999-5329

ASK US ONLINE ▶

Research & Resources

Our [Cases](#) & Decisions
Policy & [Position](#) Papers
Download JFCY [Publications](#)
Our [Blog](#) Postings
YouTube [Videos](#)
External [Resources](#)

GO TO RESOURCES ▶

Children's Rights in Canada

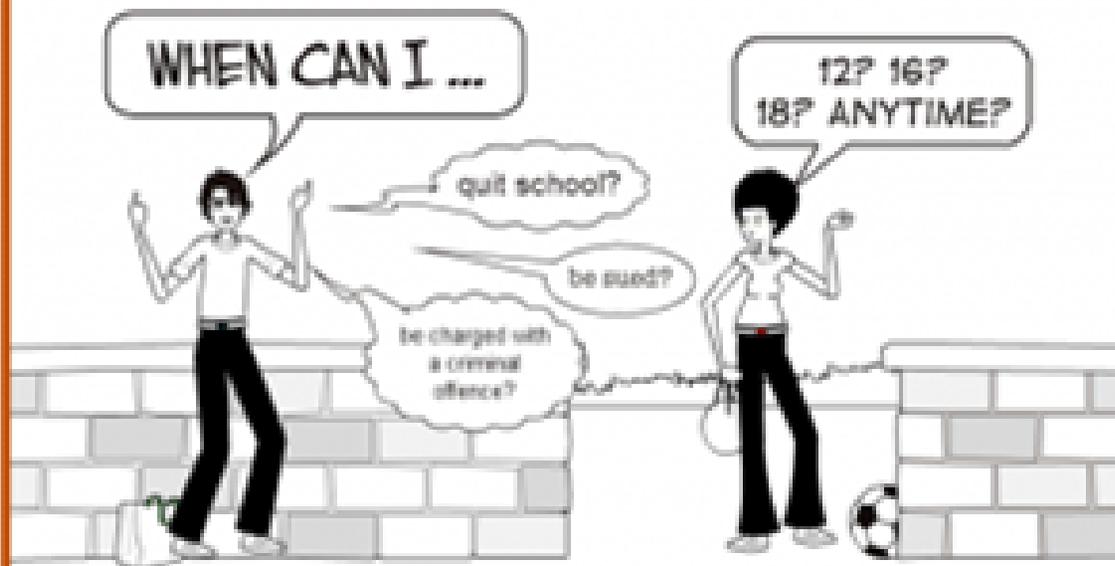
United Nations Convention on the Rights of the Child

(0 - 18 years of age)

- Children's rights are human rights
- Children are entitled to recognition of their rights and respect for their dignity as individuals
- Children are not property
- Supported by adults to make own decisions, based on age and maturity



Your Age and the Law



This pamphlet contains information on the laws in Ontario as it applies to children and youth at different ages.

Healthcare
School
Sexual activity
Citizenship
Leaving home
Child welfare
Alcohol & Cannabis
Police
Youth records
Name changes

Guide to:

Healthcare and Mental Healthcare



What is healthcare? Give some examples

At what age can you consent to healthcare on your own?

What are the relevant considerations? Give some examples.

Education

Education Law:
Special Education

Education Law:
Suspensions

Education Law:
Expulsions

Education Law:
Right to Attend

- See also:
- Special Education
- Suspensions
- Expulsions

JUSTICE
FOR CHILDREN
AND YOUTH



At what age can you see your Ontario School Record?

What is the age range for when you can be charged for skipping school (truancy)?

Sexual Activity

At what age can a young person consent to sexual activity? What does this mean?

What is “child exploitation”?

Who can be charged for distribution of intimate images?



Sexual Activity - Ages & Consent

Criminal Code of Canada

12 & 13 years → up to 2 years older

14 & 15 years → up to 5 years older

16 & up → any age

EXCEPTIONS:

- Person is in a position of power or authority, eg teacher or coach
- Sexual Abuse Exploitation, eg. pornography & prostitution

Resource: <https://owjn.org/2016/08/canadian-law-and-youth-age-of-consent-to-sexual-activity/>



Sexting / Intimate Images

Definition: sending messages that are meant to be sexually exciting through text, email, or social media (Facebook, Instagram, Snapchat, etc.); includes pictures and/or videos.

Criminal Code of Canada uses the term intimate images:
A picture or video created in private circumstances that shows a person who is naked or semi-naked; or who is engaged in sexual activity.

Adults over 18: allowed to take, send, etc.
Consent is required to share



Sexting / Intimate Images & Under 18

Child Pornography includes intimate images of anyone who appears to be, or is, under 18 years of age. Rules: no taking, sending/sharing, saving/storing.

EXCEPTIONS for youth under 18:

- Can create a sexual/intimate picture, text or video alone and keep it to themselves, for their own private use only.
- Can create and keep a sexual/intimate picture or video of themselves IF
 - each person voluntarily agrees to participate and be recorded
 - there is no abuse of power or exploitation between the partners
 - no unlawful sexual activity, eg age differences
 - created the intimate image together; AND
 - the intimate image stays PRIVATE between the people shown in the image.
- **CAN NOT** print, publish or share the pictures/video with others.

Citizenship

At what age can you apply for Citizenship in Canada?

Do you need a parent if you are under 18?

What are the costs?

Childhood Arrivals Support & Advocacy Program

Sarah Pole, Project Director: poles@lao.on.ca

For young people up to 25 who are without immigration status or who have precarious immigration status

- Free legal information and advice
- Connections to lawyers from JFCY or other clinics or firms
- Help with Legal Aid applications
- Help navigating the immigration system
- Help accessing services such as healthcare and education
- Connection to other supportive agencies and programs
- Law reform and systems-change advocacy



Guide to:

Leaving Home Rights

Information about the legal right for a young person to leave home in Ontario



In Ontario, when can you withdraw from their parent's control (leave home)?

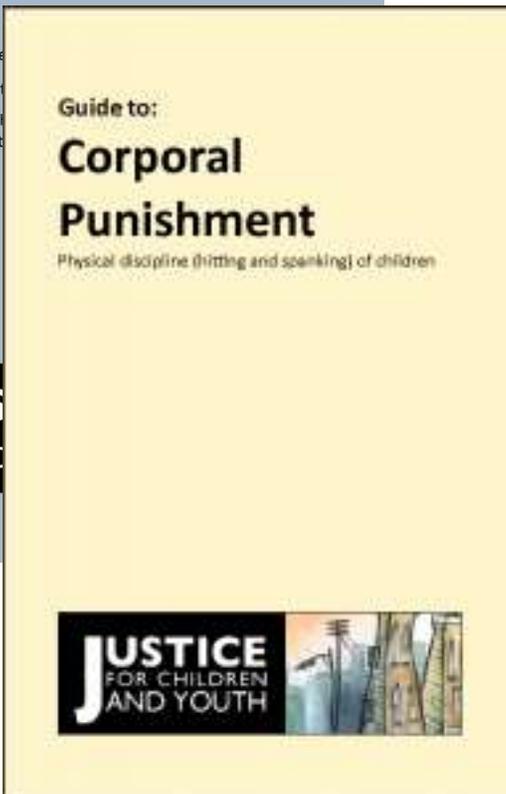
What rights might you have if you left involuntarily? Eg. Kicked out



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

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

See also relate
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At what age can a child be “removed and taken to a safe place or brought into the care” of a Children's Aid Society (CAS) if there are concerns about their safety at home?

At what age can a young person enter into a Voluntary Youth Services Agreement on their own with a CAS?



Alcohol & Cannabis

At what age can a young person drink alcohol?
Exceptions?

At what age can a young person buy/possess
cannabis? Exceptions? [see next slide]

CANNABIS LAWS

Ontario - Oct 17, 2018



While the RECREATIONAL USE of cannabis is legalized, there are still regulations and limits

Youth under 19

NOT allowed to:

- Buy or consume
- Possess any amount
- Share with anyone
- Grow or harvest plants

Adults 19 & Over

Allowed to:

- Buy and consume
- Possess under 30 grams
- Share with others over 19
- Grow up to 4 plants per household

For violations, anyone over 12 can be given a Provincial Offences TICKET.

[AND anyone 12 - 17 can be CHARGED under the Youth Criminal Justice Act for possession over 5 grams or sharing with anyone under 18.] *Age discrimination?*

JUSTICE
FOR CHILDREN
AND YOUTH

STREET YOUTH
sylys
LEGAL SERVICES

To learn more about the rights of young people: www.JFCY.org

Free legal advice for young people under 18 & homeless youth under 24
in Ontario: 416-920-1633 or 1-866-999-5329



Police

When can the police ask you questions without your parent's consent or presence?

What rights do you have?

At what age can you be charged for a criminal offence?

Police Searching You?
(Checking your name on their computer or getting you to empty your pockets is a search!)

Police can only legally search you if:

- You consent
- OR
- They have a warrant
- OR
- They are investigating you for a crime they suspect you did and it is for safety reasons
- OR
- They are arresting you for a crime and they are searching for evidence linked to the crime

* If the police begin to search you or your belongings without reason:
Do not resist; say that you do not consent to the search

You and the Police

Being questioned by the police?

ASK:

- Am I free to go?
- Why are you questioning me?
- If being searched, ask, why?

I want to speak to my lawyer
(make the telephone call right then if you have a cellphone)

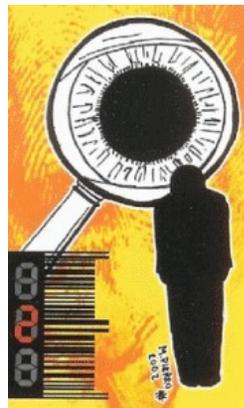
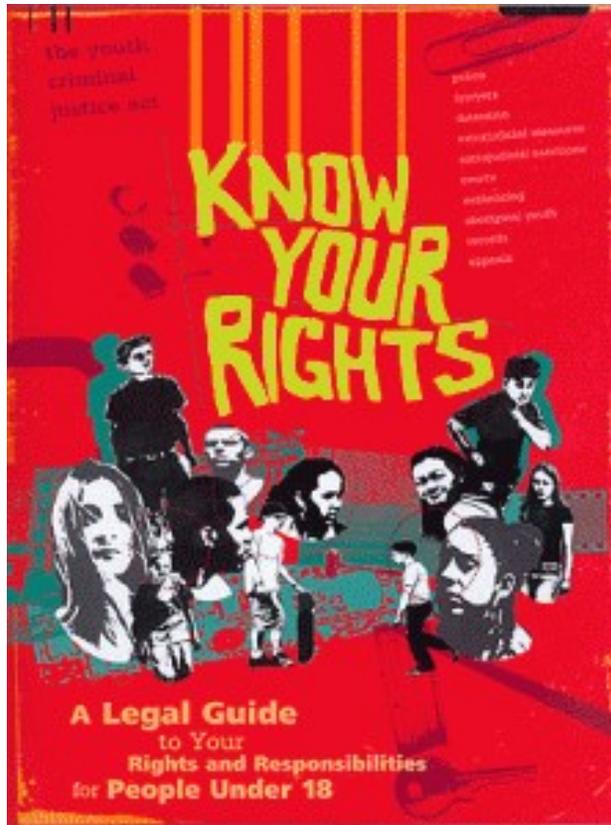
Justice for Children & Youth: GTA 416-920-1633
Elsewhere in Ontario: 1-866-999-(JFCY) 5329



Youth Records

When does a Youth Record from a criminal charge sealed? Hint: it's not 18.

How can a Youth Record become part of an Adult Criminal Record?



Name Changes

At what age is a child's consent required if a parent wants to change their legal name?

When does a young person still need their parents' consent or a court order to change their legal name?

When can a young person change their legal name on their own?

Resources

Kids Help Phone: online materials & free counselling

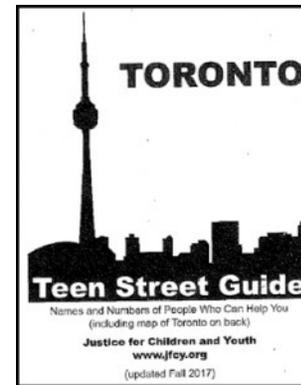
www.kidshelpphone.ca

Justice for Children and Youth

www.jfcy.org

Steps to Justice

www.stepstojustice.ca



Thank You

Miigwech (Ojibway)

Maarsii (Métis)

Gracias (Spanish)

Shukraan lak (Arabic)

Teşekkür ederim (Turkish)

Merci (French)

Asante (Swahili)

Arigatō (Japanese)





Justice for Children and Youth

55 University Ave, 15th Floor, Toronto, ON M5J 2H7



1-416-920-1633

1-866-999-JFCY (5329), toll free in Ontario



www.jfcy.org



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