

WHAT IS JUSTICE FOR CHILDREN AND YOUTH (JFCY)?

JANE HAS SOME ISSUES AT SCHOOL, HOME, AND WITH THE LEGAL SYSTEM. ONE DAY, SHE ASKS LISA FOR HELP.

I NEED SOME HELP!
I DON'T KNOW WHAT TO DO



JUSTICE FOR CHILDREN AND YOUTH (JFCY) CAN HELP!



WHAT IS JFCY?

JFCY IS A NON-PROFIT ORGANIZATION. THEY CAN HELP CHILDREN AND YOUTH UNDER 18 WITH...



LEGAL ADVICE +
INFORMATION



LEGAL
REPRESENTATION



PUBLIC
ADVOCACY

HOW DO WE KNOW IF IT IS A "LEGAL" PROBLEM?

GREAT QUESTION.
LET'S GO THROUGH
SOME EXAMPLES



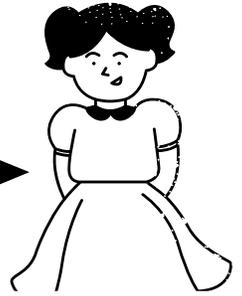
Education Laws

- RIGHT TO ATTEND
- SPECIAL EDUCATION
- SUSPENSIONS
- EXPULSIONS



In Ontario there are many things to consider about your education.

Any child that is a resident pupil in Ontario has a right to attend school without paying a fee.



However, principals can "refuse to admit" a student if they have reason to believe that their presence is detrimental to the well-being of the pupils. This is called an exclusion.

But what if I need accommodations to attend school?

Every public school board in Ontario must provide special education programs and services to students who have special education needs. Students who have these needs have a right to accommodation to enable them to succeed in their education.



To succeed in school, you need to stay in school!

Students between 12-15 that regularly skip school can also be charged with truancy, with a max. fine of \$1000 and/or up to one year of probation..



Legal Excuses to NOT attend school:

- Being home-schooled
- Sick or unable to attend school
- Distance from school and lack of transportation
- Already completed high school
- Religious holiday
- Have been **SUSPENDED** or **EXPELLED**

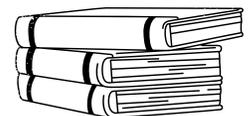
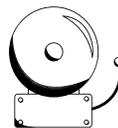
What's the difference between a Suspension and an Expulsion?



SUSPENSION: student not allowed to attend school for up to **20** days for breaking the school board's code of conduct.

EXPULSION: student not allowed to return to their school and must go to another school. Or they are not allowed to go to any schools in their school board; and must attend an Expelled Students Program.

It is important to know your rights as a student!
Learn more at www.jfcy.org



Police Contact Rights

Dakila has been stopped by a police officer while walking on the sidewalk...

What's wrong officer?

Please stop right there.

Why are you questioning me?

You seem suspicious and I need to search you. What is your name and address?



Dakila did the right thing by asking. A police officer can stop and ask you questions at any time, but unless they are...

ARRESTING or
DETAINING
YOU



INVESTIGATING
YOU FOR A
CRIME



WRITING YOU A
TICKET



They **MUST** let you go if you do not want to talk with them.

Should I give my name and address?



Sometimes you must tell the police your name & address, like when driving a car.

Other times, you have no legal obligation to give your name & address **BUT** you may be charged with obstructing justice if they had a right to know your name.

The police may only search you if:

1. The police have a search warrant;
2. You are being detained and investigated by the police for a criminal offence (safety search only);
3. You are being arrested by the police for allegedly committing an offence; and/or
4. You give your permission.

Is this an unlawful search?



SO WHAT NOW?

Officer, I will not give my name and I do not consent to this search. If there is no crime nearby or any reason to stop me, may I leave?

No you can't leave, we just want to talk to you some more.



This type of detention is **UNLAWFUL**

The police officer is detaining Dakila "arbitrarily" or without good reason.

They can only detain you if they believe that you are connected to a recent or ongoing criminal offence.

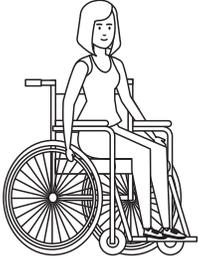
As a next step, Dakila should **NOT** physically resist or walk away, to avoid being charged with resisting arrest or assault.



Dakila should instead focus on their right to speak to a lawyer for advice.

Human Rights in Ontario

Nikaido is a new student at her high school and finds out that the elevators are broken, and she has no accessible way to get to her classrooms on the 2nd floor.



THIS IS A FORM OF DISCRIMINATION

Discrimination is when someone or a group of persons is treated unfairly or unequally. This includes lack of access & inclusivity, and harassment.



The Ontario Human Rights Code is the law that protects people from discrimination.



The Human Rights Code protects people from discrimination based on the "grounds" of:

- | | | |
|-----------------|------------------------------|----------------------------|
| Place of origin | Disability | Creed (religion / beliefs) |
| Citizenship | Family status | Record of offences |
| Ethnicity | Marital status | Sexual orientation |
| Sex | Age | Gender identity |
| | Receipt of public assistance | Gender expression |

On the grounds of disability, I am being discriminated against in the social area of my school facilities and access to education.

What should I do?



TALKING TO SCHOOL ADMIN TO ACCOMMODATE HER IS AN IMPORTANT FIRST STEP

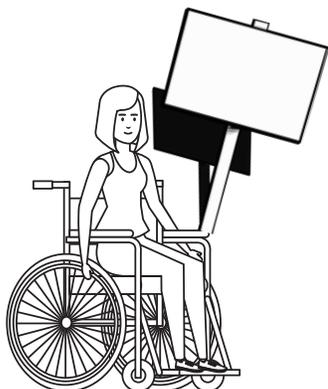
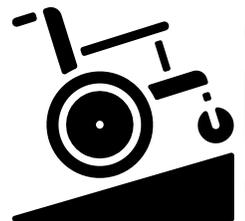
In the following "social areas":

- Employment
- Housing (such as renting an apartment)
- Goods, services, and facilities (such as in stores, restaurants, hospitals, and police)
- Contracts (such as an agreement to buy a bicycle or a cell phone)
- Membership in a union or a professional association for your job

Special arrangements must be made by a service provider to ensure that someone like Nikaido is not treated unfairly or unequally.



They can accommodate her by building a wheelchair access ramp at school

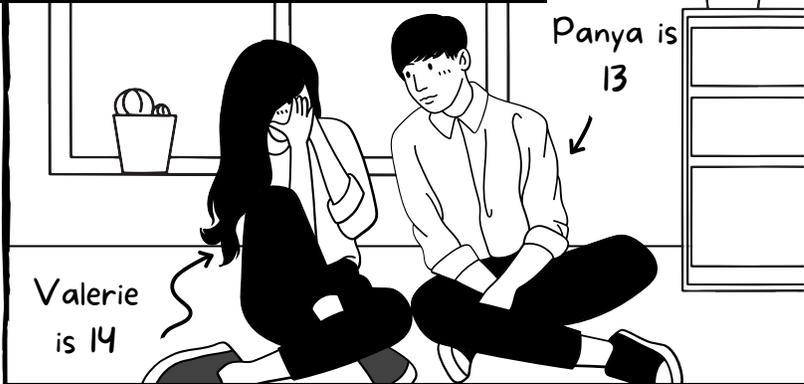


Employers, service providers and landlords must always accommodate you unless they can show it would cause them "undue hardship". Undue hardship means that it would be too difficult or expensive to accommodate you. Undue hardship is a complex legal principle. If someone is telling you that they cannot accommodate you for this reason, you should talk to a lawyer.

IF YOU KNOW SOMEONE WHO IS BEING DISCRIMINATED AGAINST, KNOW THE LAW AND HAVE THEM TALK TO A LAWYER ABOUT THEIR SITUATION

Sexual Consent

Valerie and Panya have been dating for 2 months, and want to further their relationship sexually...



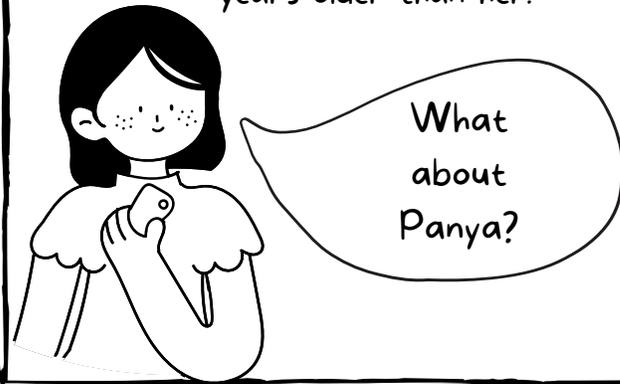
But due to their age difference, they do not know what is legal to consent to and what isn't

If you are 16 – 17 years old, you can consent to sexual activity with a person who is older than you by any number of years.



But what about Valerie and Panya?

Since Valerie is in the age range of 14 – 15 years old, she can only consent to sexual activity with a person who is less than 5 years older than her.



Since Panya is in the age range of 12 – 13 years old, she can only consent to sexual activity with a person who is less than 2 years older than her.



The older person in the relationship must NOT be in a position of authority or trust over you (i.e., teacher, coach, doctor, lawyer).



This makes it legal for them since they are both students!

It is important to make sure there is no power dynamics occurring in a relationship with an age difference. Regardless, it is important to know that:



Young People Without Immigration Status

Nadia has been living in Canada since she was 10. She is now in grade 12 and is about to graduate high school.

So **EXCITED** to graduate soon!

That is **AWESOME!** Do you have any plans?

I have **SO** many plans! University, student jobs, and much more.



Unfortunately, she found out that because she has no immigration status, she is unable to....

Access post-secondary education



Access healthcare through OHIP



Start her career and future



Nadia has not told anyone, not even a friend and she is terrified of what her future holds.

I need help, I don't know what to do

Oh wait...what is that poster about?



CASA Program

CASA

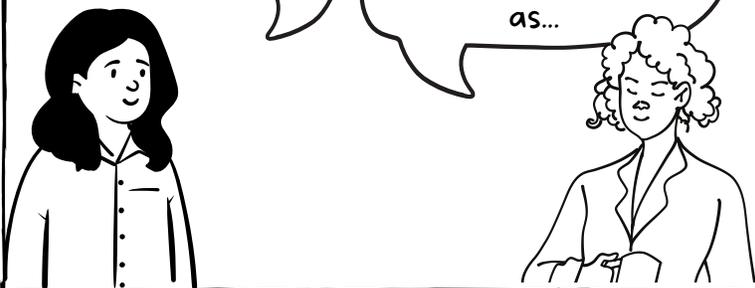
CHILDHOOD ARRIVALS SUPPORT & ADVOCACY



The Childhood Arrivals Support and Advocacy program, or **CASA**, is a special program within **JFCY** that helps young people without immigration status.

Hi. I saw your poster about **CASA** Program. How can you help me with my immigration issues?

Hi Nadia. Thanks for reaching out! At **CASA**, we can help young people like you in many ways, such as...



What does **CASA** do?

1. Provide free and confidential legal support, advice, and representation.
2. Help navigate your immigration options and pathway.
3. Support with accessing services and resources like healthcare and education.
4. And more!

SCAN ME

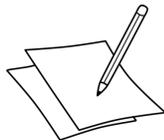


JUSTICE FOR CHILDREN AND YOUTH

**LEGAL SERVICES FOR YOUNG
PEOPLE UNDER 18 AND HOMELESS
YOUTH UNDER 25 IN ONTARIO**

**Do you have a "legal problem"
that includes:**

- I am being **suspended or expelled** from school
- The police **arrested** me
- **YCJA Records** destruction
- Help with **leaving home**
- I am a **victim**
- I received a **ticket**
- I need **immigration status**



WE CAN HELP!

Call us: 416-920-1633
or 1-866-999-JFCY [5329]

Check out our website for more!



FREE & CONFIDENTIAL LEGAL SUPPORT

Justice for Children and Youth (JFCY) is a non-profit legal clinic that works to protect the rights of children and young people.



Our staff lawyers:

- Give legal advice, information and assistance to young people
- Provide direct legal representation in all areas of children's law
- Advocate for law & policy reform to the laws which affect children & youth
- Produce a wide range of publications and legal materials for public use