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To:

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**Re: Follow Up Submissions: Challenges under 18-year-old young people face accessing OW**

We thank the Ministry of Children, Community and Social Services (MCCSS) for the opportunity to provide added submissions about the lived experiences of young people under 18 who are attempting to access Ontario Works (OW). These submissions respond to your request for added information following our meeting held on April 29, 2026 and supplement our submissions from April 2025 related to the trustee requirement, Emergency Assistance and the MyBenefits portal.

Our goal is for the OW application and disbursement process for young people under the age of eighteen must be simple and easy to access across the province. In order to achieve this, the process must be simplified and rights respecting. While there are some examples of best

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practices in limited larger municipalities – it cannot be that young people have differing experiences based on where they reside.

Our experience is that young people face a complicated process with multiple intrusive barriers. The application process is much harder than for adults over the age of 18. Young people applying for OW are in precarious and vulnerable positions and the eligibility and application process must account for these vulnerabilities to ensure that young people are not pushed into increasingly difficult circumstances.

We welcome the opportunity to collaborate and support any policy or legislative changes that could benefit the highly vulnerable population of young people under the age 18 who are attempting to access OW. We thank you for your willingness to discuss these important issues.

**Our supplementary submissions are divided as follows:**

- A. Barriers: An overview of the barriers young people experience when attempting to access OW
- B. Data: Young people frequently and consistently require legal advice from JFCY due to barriers obtaining social assistance from OW
- C. Client Examples: How this has affected JFCY clients
- D. Suggested Amendment: Special Circumstances
- E. Contact Information: OW offices with best practices for 16 & 17-year-old recipients

**A. Barriers young people experience attempting to access OW**

We have created an infographic that explains the varied issues we discussed in our April 29, 2026 meeting.

We hope this helps explain the way 16- and 17-year-olds feel overwhelmed and defeated in their attempt to obtain OW. Below this infographic, we highlight the issues faced by young people under the age of 16.

## ONTARIO WORKS CHALLENGES FACING 16 AND 17 YEAR OLDS

### 1 CONFUSION ON WHERE TO APPLY

- Parents may withhold identification documents illegally. YP have limited recourse options and it takes months to get new ID
- YP often do not have a bank account because they do not have ID or their account is joint with their abusive parent

- Young People (YP) call the provincial office which may complete the application without prioritization or redirecting the YP to local office
- YP struggle to reach local office by phone or are redirected to provincial office
- Application is completed online and there is delay in transferring it to local office

2

### LACK OF ID AND BANK ACCOUNT

### 3 TRUSTEE REQUIREMENT

#### Age is not a disability – Financial oversight not required

- YP are often required to permit parental contact
- OW denies benefits when parent disputes experiences of YP
- Often required to have third party verification that is difficult for YP to find

- YP are wrongly told having a trustee is an eligibility requirement and to come to intake appointment with trustee
- YP do not have trusted adults without a conflict of interest
- Trustee requirement delays disbursement

4

### SPECIAL CIRCUMSTANCES

#### Re-traumatizing, Intrusive & Onerous Requirement

- YP are often required to permit parental contact
  - OW denies benefits when parent disputes experiences of YP
  - Often required to have third party verification that is difficult for YP to find
- YP are frequently seeing their application taking up to 4-6 weeks to receive benefits
  - This issue is compounded by issues 1-4
  - This is a significant issue when young people cannot access Emergency Assistance in the interim

5

### DELAY IN PROCESSING

- YP struggle to fulfill their responsibilities as recipients without MyBenefits:
- Caseworkers frequently cannot communicate via email and if email is permitted, YP may struggle with email competency
- YP struggle to reach their caseworkers by phone
- YP cannot come into local offices during school hours and local offices may not have a physical drop box for documents

6

### NO MYBENEFITS

#### Limited Access to Caseworker

## OVERALL ISSUE: NOT RIGHTS-RESPECTING AND CAN INCREASE VULNERABILITY

- Young people who are in need of Ontario Works are often racialized or Indigenous and are facing additional social and legal issues. Due to their young age and limited adult support, they often do not know how to advocate for themselves or know how to access help. It is crucial that young people have a streamlined, simple and fast way to access Ontario Works.
- We know from experience that the challenges in the chart above increase the vulnerability and precarity of this population. Without our assistance, young people frequently tell us that they would not have been able to receive Ontario Works.
- If young people face too many challenges accessing Ontario Works, we see and hear how these barriers lead them to give up along the way, causing adverse consequences including returning to abuse that may escalate, facing mental health crises, ending up in unsafe living circumstances, being a victim of crime, including human trafficking, and/or committing petty crimes.

### Young people under 16 fall through the cracks:

Some of JFCY's clients trying to access OW are young people who are under the age of sixteen, including young parents and young people who are living outside of their parents' homes.

Young people living outside of their parents' home who are below the age of 16 and who do not have a child do not have adequate access to financial assistance. This unique population falls through the cracks because they are often not forcibly returned to their home by the police and are not being apprehended by a Child and Youth Family Services agency due to being a child in need of protection. Despite this, young people below the age of 16 cannot reside in the shelter system before they turn 16.

These young people are then living in precarious circumstances without any available source of financial support. In this circumstance, the only avenue for financial support is the Temporary Care Allowance (consistent with s. 10 of the *Ontario Works Act*) which goes directly to the adult caregiver and is lower than the basic needs allowance and does not include any shelter allowance. When we represent these young people, we struggle with the limitations of what we can do to ensure their access to basic financial assistance.

We believe these young people should have access to the basic needs and shelter allowance. A special circumstances threshold for these young people would be appropriate and help ensure that they are not forced to turn to petty crime and/or become victims of violence because of the precarious nature of their living circumstances.

### **B. Data: Young people often require legal advice from JFCY due to barriers obtaining social assistance from OW**

Justice for Children and Youth (JFCY) is a specialty clinic that has existed for over 45 years. We provide legal advice and representative exclusively to young people under the age of 18 and unstably housed young people up to the age of 25 across Ontario. We reserve our most

comprehensive services for young people with complex overlapping legal and social issues. To learn more about our services, you may wish to refer to our annual reports.<sup>1</sup>

In 2025, JFCY assisted more than 1000 clients with legal services with between 1300-1800 unique legal issues and over 50% of our client base was between the ages of 13-18.

One of our most vulnerable client groups is young people leaving their family home and withdrawing from parental control. Almost all of these clients face OW eligibility and disbursement issues.

The below table summarizes the overlap of our representation for both leaving home and OW issues for young people below the age of 18:

	<b>Leaving Home</b>	<b>OW</b>
2026 (to date)	28	22
2025	113	56*
2024	84	70
2023	106	96

**\*Note: These data are accurate to the extent our client management software allows. Data collection limitations in 2025 resulted in lower numbers.**

The above data significantly underestimates the number of young people in Ontario facing issues accessing OW. We know that there are many young people who do not access our services who are facing these vulnerabilities without our expert legal help. Accessing OW should not routinely require expert legal support.

Young people who are under the age of 18 who are residing outside of their family home are extremely vulnerable and in need of OW. They are often fleeing complicated family systems where they experienced neglect and/or verbal, emotional and physical abuse. It is difficult for these young people to leave home – they do so without their identification documents, without a safe/stable place to live, without income to meet their basic needs, without trustworthy adults to navigate this transition and often face school disruptions.

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<sup>1</sup> <https://jfcy.org/en/annual-reports/>

## **C. Client Examples: How OW Barriers affect JFCY clients**

### Case Study #1:

Phil is a seventeen-year-old racialized young person who has left home. Phil has an extensive history with child protection services and had previously gone missing from CAS care for six months prior to turning sixteen until being forced to return to his dad's home.

Phil is now living with his 20-year-old boyfriend Tran. Phil identifies he previously engaged in sex work when he was missing, and it is unclear whether he met Tran through his sex work and/or whether he is acting as a trafficker.

Phil requests assistance from JFCY to apply for OW and we attempt the application by phone together. We called the local office who directs us to call the provincial central intake line. Upon calling the central intake line and having the application completed, Phil was told that his application would take 3-4 weeks to process. The central intake line suggested he apply for Emergency Assistance or reach out to his local MPP if that timeline was too lengthy.

JFCY called the local office repeatedly with the young person. After one week, our call to a manager was finally returned and we were asked to explain why Phil's application was urgent. The manager had no knowledge or understanding of the unique factors affecting 16- and 17-year-olds. JFCY prepared a lengthy third-party verification letter to ensure he met the third-party verification eligibility criteria OW. This involved JFCY asking intrusive questions about Phil's lived experiences in his family home and his history of being in hiding and living on the streets as a 15-year-old. Phil received OW after four weeks.

After being approved, Phil was able to move in with a friend from his local high school and was expected to pay \$500/month in rent. He requested our support to demonstrate his eligibility for the shelter allowance. Given Phil did not have the MyBenefits portal to submit documents and communicate with his caseworker, he encountered significant delay in obtaining the shelter allowance. This could have jeopardized his new and preferred living arrangement.

### Case Study #2:

Jolanda is a sixteen-year-old young person who applied for OW with assistance from her local shelter. Jolanda was forced to leave home after experiencing sexual abuse from her uncle. Since she was five, Jolanda's mom and her had rented a room in that uncle's home.

After leaving home, Jolanda made a police report about the sexual abuse she experienced. Jolanda's mother does not believe Jolanda's claims. Jolanda was unable to get her clothes, identification documents or wallet from her home. Jolanda's OW application has not been approved yet because she had no bank account and no identification documents. Jolanda had attempted to obtain her identification documents and other belongings with an escort from a police officer but her mother denied having these items.

JFCY calls OW and is able to speak to a manager who grants an exemption to the identification documents requirement and makes a plan for her to obtain her funds in cash from her trustee. The advocacy required by her shelter and JFCY caused a 5-week delay in Jolanda accessing benefits.

Jolanda is excelling in school and months later is given the opportunity to go on an overnight field trip as a class representative, but she does not have the funds for this trip. She has already used all her basic needs to pay for her cell phone and groceries for lunches. She attempts to reach her case worker several times to request discretionary funds be disbursed. Given she does not have access to MyBenefits, her attempts are unsuccessful. JFCY is forced to intervene to advocate for funds so that Jolanda can go on the field trip.

### Case Study #3:

Kaz is a sixteen-year-old young person who has extensive youth criminal justice charges. He was released despite his mother refusing to act as a surety and stating he was not welcome to live at home.

Kaz has to live independently and moves in with his 29-year-old stepsister Lisa. Lisa attempts to help Kaz apply for OW. Kaz was advised by his criminal lawyer that he cannot say anything about his youth criminal justice matters. Kaz is asked by the intake worker why he left home, and he indicates that he left home due to a family breakdown. The intake worker indicates that they will be calling his parents. Kaz's mom tells the intake worker that "Kaz has a number of outstanding criminal charges and makes our life impossible."

His application is denied for failing to meet the special circumstances threshold. When Lisa calls to ask why Kaz's application has been refused, she is told that Kaz is irresponsible, and this seems to be the reason why he is living outside of the family home. Kaz and Lisa were unable to articulate why his charges were private and how they were irrelevant to why Kaz should not live at home.

Lisa calls JFCY for assistance and we learn that Kaz has an intellectual disability that has not been accommodated. Kaz went without financial assistance for 7 weeks while this issue was resolved. While waiting for financial assistance Lisa struggled to financially support Kaz on her fixed income.

#### **D. Suggested Amendment: Remove or Simplify Special Circumstances Requirement**

Although our advocacy to date has focused on the trustee requirement, access to Emergency Assistance, and MyBenefits, we wish to provide further background and recommendations about the special circumstances requirement, as discussed at our April 29, 2026 meeting.

#### **Background**

It has long been accepted that 16- and 17-year-old young people can withdraw from parental control without parental consent in Ontario, see for example:

- the *Children’s Law Reform Act*<sup>2</sup>, which governs custody, parenting time and decision-making authority states that young people cannot be forced to reside with their parents irrespective of what a prior parenting time or decision-making agreement and/or court order states;
- the *Education Act*<sup>3</sup> authorizes young people to be responsible for their own attendance, to attend school where they live regardless of where their parent lives, and they are the sole contact for report cards, accommodation needs and/or disciplinary issues;
- the *Child and Youth Family Services Act*<sup>4</sup> states young people cannot be taken to a place of safety without their consent and they are entitled to enter into a Voluntary Youth Services Agreement with CAS without parent consent whereby they receive up to \$1500 to meet their financial needs;
- the *Human Rights Code*, which says a 16- or 17-year-old young person who has withdrawn from parental control cannot be discriminated against on the basis of age when attempting to access housing and/or sign a lease<sup>5</sup>; and
- the Ontario Court of Appeal in *R.G. v. K.G.*, 2017 ONCA 108<sup>6</sup>, para 43-45, 67

If young people can withdraw from parental control *without parental consent or input*, it is unclear why OW has a special circumstances threshold rather than acknowledging and accepting the unilateral right to leave home without a parent(s)’ consent. The special circumstances threshold permits a caseworker, often with limited or no training in family systems, to verify the validity of a vulnerable young person’s decision to withdraw from parental control. This process is both onerous for the caseworker and the young person. It is also traumatic, stressful and intrusive to a young person.

### **Suggested Amendments to Streamline Eligibility:**

In order to qualify for OW as a 16- or 17-year-old, s. 10(1)(a) of O. Reg 134/98 states that there must be special circumstances that justify the assistance.

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<sup>2</sup> *Children’s Law Reform Act*, RSO 1990, c C.12, s. 65. This section reads, “nothing in this part abrogates the right of a child sixteen or more years of age to withdraw from parental control.”

<sup>3</sup> *Education Act*, RSO 1990, c E.2, see for example, s. 21, 36. 300.3(3), 308, 309, 311-311.7

<sup>4</sup> *Child, Youth and Family Services Act*, 2017, SO 2017, s. 82.

<sup>5</sup> *Human Rights Code*, RSO 1990, c H.19, Part -1, s. 4

<sup>6</sup> <https://canlii.ca/t/h08v5>

This regulation is then applied in an overly strict manner under Policy Directive 3.5, whereby every applicant's special circumstances are verified either by parental contact or third-party verification.

We believe the special circumstances threshold can be established by demonstrating the young person has left home and a caseworker/intake worker should not have broad discretion under s. 10(2) to assess the person's family circumstances to demonstrate special circumstances.

Our suggestion is to amend s. 10 of O. Reg 134/98. If this is not possible, we recommend amending Policy Directive 3.5 to resolve this issue.

### **Regulatory Amendments**

#### Suggested Amendment to s. 10(1):

Current:

A person who is under 18 years of age is not eligible for assistance or recipient or a spouse of an applicant or recipient unless,

- (a) There are special circumstances that justify the assistance

Amended:

- (a) The young person has withdrawn from parental control

#### Suggested Amendment to s. 10(2):

Current:

(2) The administrator may require that the circumstances of the person's family be assessed in order to determine whether special circumstances exist under clause (1) (a)

Amended:

(2) The administrator may require confirmation that a young person is living separate and apart from their family to determine whether a young person has withdrawn from parental control.

### **Policy Amendments**

If O. Reg 134/98 is not amended, we believe that simplified language in Policy Directive 3.5 could address this issue:

- 1) **Special Circumstances:** Remove the four factors that must be considered during the application process.

Replace with:

Young people can demonstrate special circumstances exist if a young person has withdrawn from parental control.

Withdrawal from parental control is a decision to live separate and independently from a parent or guardian with or without their consent. This may include the death of a parent or guardian.

- 2) **Verification of Special Circumstances:** Remove or simplify

Replace with:

In circumstances when a young person has clearly withdrawn from parental control, it is not necessary to undertake an assessment of family circumstances or seek third party verification.

Evidence of withdrawal from parental control may include, but is not limited to: proof that a young person is residing at a shelter, has a lease or contract for a room rental, their school has acknowledged their right to withdraw from parental control, or a cell phone/utility bill/internet/bank bill in the young person's name changed to their new address.

A case worker is not to contact a young person's parent without their consent consistent with the *Municipal Freedom of Information and Protection of Privacy Act*. A young person cannot be required to permit contact with their parent as a term of eligibility.

If a case worker is unable to assess the young person's withdrawal from parental control then a young person can provide an undertaking and/or third party verification from a trusted adult, school guidance counsellor, children's aid society, police officers, physicians, or other legal and medical authorities.

## **E. Contact information for OW offices with best practices for youth focused service delivery**

Further to our discussion, we are including contact information for key stakeholders at regional offices who have a keen understanding of the unique issues affecting young people.

### **1) The Municipality of Durham**

This municipality is highlighted because they are committed to a youth rights and youth centered model. We have a very collaborative relationship with the Income and Employment Support Division that has existed for nearly 10 years.

They have specific case workers who exclusively handle 16- and 17-year-old recipients. The trustee requirement is defaulted to the Boys and Girls Club of Durham. When acting as the trustees, the Boys and Girls Club focuses on supporting a young person to connect to services in the community. They are experts in acting as a responsible adult or community agency rather

than only as a trustee consistent with Policy Directive 3.5. They believe their role is to ensure a young person has the appropriate support to help them thrive.

They do so with limited trustee funds because of their commitment to supporting this highly vulnerable population. The Boys and Girls Club would want to replace the trustee model with a responsible community agency role and would hope to receive financial support for providing this service.

Contact Information:

Katie Hill | Supervisor of Income and Support  
Income & Employment Supports Division | Social Services Department  
[Katie.Hill@durham.ca](mailto:Katie.Hill@durham.ca)

Mackenzie Robinson | Trusteed Youth Caseworker  
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Trustee Provider:

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## **2) Toronto Employment and Social Services**

The management team has made a conscious effort to ensure that case workers for young people can access management support if there are any youth focused issues that can be resolved without a need for an internal review or Social Benefits Tribunal appeal.

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## **F. Conclusion:**

We hope these submissions are helpful as you continue to explore ways to advance the rights and interests of young people in need of OW. We are available to discuss them at your convenience.

Thank you for your consideration and ongoing willingness to brainstorm how to best serve this population.

Sincerely,



Samira Ahmed, Staff Lawyer

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