

Your Life Your Rights

***A Guide to the Rights of
Young People in British Columbia***





fbcyicn.ca

This booklet was developed by the **Federation of BC Youth in Care Networks** in consultation with young people and supportive adults across British Columbia.

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Introduction & Overview

This ***Your Life – Your Rights*** booklet was developed by the **Federation of BC Youth in Care Networks** in consultation with young people and supportive adults from across BC. These young people told us they wanted more information about a wider range of their rights (e.g., **Youth Agreements**, health care and justice) and more resources to advocate for themselves.

We listened! This new and improved version of the previous *Know Your Rights under the Child, Family and Community Service Act* booklet (1999) is for young people under the age of 25, living in BC. If you have been involved with the child welfare, health care, or youth justice systems, this booklet is for YOU! And the great thing about this new booklet is the flexible format – updates and additional information about other rights and resources can be added based on your growing or changing needs.

Information about updates and additions to this booklet can be found at www.mcf.gov.bc.ca or www.fbcyicn.ca or by calling (toll-free) 1.800.565.8055

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RIGHTS & WHY THEY
ARE IMPORTANT

Rights & Why They Are Important

Rights are statements about what a person should have (or have access to) or how they should be treated. However, many young people receiving services aren't aware of their rights and don't know how to advocate for themselves. These youth often feel isolated and helpless.

Research has demonstrated that when children and youth learn about their rights they show increased self-esteem. They are also less likely to be harmed by others; more likely to engage with helpers;

more respectful of the rights of others; more likely to accept diversity in others; more socially responsible; and more likely to participate in a meaningful way in decisions affecting their lives.

Whether you are receiving services through a ministry, involved with the health care system or the justice system, you have rights and you have options when you feel your rights are not being respected.

Responsibility: Respecting the Rights of others

Not everyone has the same rights in the world but almost everyone has some rights. The trick is finding ways to make sure everyone's rights are respected. For example, as a youth in care in BC you have rights – but so do your caregivers, social workers, teachers and peers.

Until your 19th birthday your parents, and in some cases government, are responsible for your health and safety. That means they have to ensure your basic needs are met – it doesn't mean they have to give you what you want. You have the right to be taken care of and to be listened

to. But if you want these rights to be realized, you're going to need to communicate respectfully with the people around you. Most of us have heard the phrase... "treat people how you want to be treated" – this is basically what respect is.

Although your rights can't legally be taken away from you, they can be limited by your own actions or inaction. Family, friends, teachers, workers and government can all help you to realize your rights but you need to take some **responsibility** for letting people know what you need and how they can help you.



Responsibility: An obligation to do something or behave in a certain way. A form of trustworthiness.

UN Convention on the Rights of the Child

All children and youth (under age 18) around the world have rights that are written down in the ***UN Convention on the Rights of the Child*** – a document agreed on by almost every country in the world. There are 42 articles that outline young people's rights which fall into four general categories:

- **the right to be healthy**
- **the right to be safe**
- **the right to be heard**
- **the right to be yourself**

The convention also states that all rights must be 'guided' by the understanding that:

- **young people can't be discriminated against**
- **that the best interests of a young person always come first**
- **that a young person has a right to life, survival and development**
- **that a young person's views must be respected and taken into account**

Your Right to Participate

According to the *UN Convention on the Rights of the Child*, all young people have the right to be involved when decisions are being made about them. This means that **YOU** have a right to be informed about what is going on, to express **YOUR** views, to be heard, and to have **YOUR** views taken into consideration. Your right to participate becomes stronger as you get older and more mature.



RIGHTS OF YOUTH
IN CARE IN BC

Rights of Youth in Care in British Columbia

All young people in the care of the Ministry of Children and Family Development, a delegated Aboriginal agency or Community Living BC (CLBC) have rights. These rights are set out in a provincial law called the *Child, Family and Community Service Act* (Section 70) which was developed from the *UN Convention on the Rights of the Child*. This section of the **Your Life – Your Rights** booklet explains these rights, who they apply to, and what to do if you feel these rights aren't being respected.

The Ministry of Children and Family Development (MCFD) has developed special agreements with some Aboriginal communities to return responsibilities for child protection and family support to Aboriginal communities. These agreements are known as Delegation Agreements.

Through ***Delegation Agreements***, MCFD gives power to certain Aboriginal agencies, and their employees, to provide similar services as what MCFD provides. The amount of responsibility of each agency is different – some have full authority, including the ability to bring children and youth into care, and to be their ‘guardians.’

When youth are in the care of delegated agencies, they are still entitled to the same rights as those in ministry care (e.g., Section 70 of the Child, Family and Community Services Act).

Being in Care

You are 'in care' if the **Ministry of Children and Family Development**, a delegated Aboriginal agency, or **Community Living BC** is responsible for your welfare. You can come into care several ways including:

- If your parent(s) sign a ***Voluntary Care Agreement***
- If your parent(s) sign a ***Special Needs Agreement***
- If these don't ensure your safety, through a 'removal' (e.g., ***Temporary Custody Order***, ***Continuing Custody Order***)

If you are removed from your home because of concerns about your safety, there will be a court hearing very shortly afterwards.

At the hearing, the social worker presents a plan for how you will be looked after. Sometimes this means you will stay with your parents, but often it means you will live with other family members, family friends or even strangers. These people may be called foster parents, caregivers or staff if you live in a group home. This plan will often be short-term and focused on your immediate safety until a new longer-term plan can be developed that addresses your on-going needs and well-being.

Young people come into care for different reasons. It is important that you understand why you came into care. If you're not 100% sure why you came into care, ask your social worker.

Your Best Interests

When developing a plan for your care, the ministry (or delegated agency / CLBC) is responsible for bringing people together to discuss your best interests. It is important that you share your opinions about what you need and want. The following **criteria** must be used to plan for your best interests:

- Your safety
- Your physical and emotional needs and level of **development**
- Continuity
- Relationships
- Language, culture and religion
- Your views and opinions
- Effects of delayed decision-making

NOTES:



Criteria: *A basis for comparison. An ideal against which something can be judged.*

Development: *The process or phases of an individual's growth (physically and mentally/emotionally/spiritually).*

Your Rights

Section 70

These are your rights under Section 70 of the *Child, Family and Community Service Act* while you are in the care of the **Ministry for Children and Family Development**, a delegated Aboriginal agency or **CLBC**. They apply to you whether you are in care under an agreement or under a court order. And they apply to you no matter what approved caregiver you live with or what resource you are placed in.

Your social worker is responsible for explaining these rights to you when you come into care and again on an annual (yearly) basis:

You have the right to live in a caring, secure and nurturing environment where you are properly fed, clothed and looked after.

This means you should feel safe and welcome in your placement and that you have access to nutritional food and appropriate clothing.

This does not mean you get to demand certain foods or eat whenever you want to. Also, you do not get to demand new or name-brand clothing.

You have the right to be told what is in your plan of care.

Your plan of care describes your needs and how they will be met. You should be told what is happening or what will happen to you. You are also allowed to have a copy of your plan of care if you want it.

You have the right to be consulted and to express your views, according to your abilities, about important decisions that affect you.

You should be able to participate in meetings about your plan of care and say what you think you need. You should also ask questions about anything you don't understand or express concerns if there is something in your plan of care that you disagree with.

This does not mean that everything will go your way or that you will get everything you want.

You have the right to reasonable privacy and to have your own personal belongings.

As long as your safety or well-being isn't at risk, you should be able to use the bathroom, get dressed and use the telephone in private. It also means nobody can open your mail except you and it means you can have your own stuff and a safe place to keep it.

This right is subject to criminal law which means you do not have the right to things that can harm you or someone else (e.g., drugs or weapons) and you can't have stuff that is illegal (e.g., stolen property).

You have the right not to be punished physically or in any other abusive way.

This means you should not be hit, spanked, locked-up or deprived of your basic needs (e.g., food, shelter, clothing, and medical attention).

This does not mean there will be no consequences if you behave in a disrespectful or abusive manner.

You have the right to take part in social and recreational activities if they are available in the community, and suited to your interest and abilities.

This means that you should be allowed to participate in a sport or other activity that other young people in your community are participating in if you want to. It is important that you tell your worker and caregivers about your interests, so this can be addressed in your plan of care.

This does not mean that you can participate in a number of sports or other activities that you are interested in at one time. Cost, scheduling and your abilities will be factors in deciding which activities you are allowed to participate in.

You have the right to be told how your caregivers expect you to behave, and what will happen if you do not meet their expectations.

This means your caregivers have to tell you what their 'house rules' are and the consequences if you don't follow these rules. You must follow the rules of your placement (e.g., helping out around the house with chores) unless they breach your rights.

This does not mean your caregivers can make you do all of the household chores or make you do chores that interfere with school (or work).

You have the right to receive medical and dental care when you need it.

This means you should be able to go to a dentist for regular check-ups and cleanings and that you can see a doctor when you feel you need to. You are also allowed to speak with your doctor in private if you want to.

*Medical/dental expenses are not free – they can be expensive. Some medical/dental services are covered by the **Medical Services Plan** and some aren't. It is important that you go to a doctor or dentist for regular check-ups and when you feel you need to in order to stay healthy but you may not be able to go whenever you want to.*

[See: Basic Medical and Dental Coverage]

You have the right to receive religious instruction and to take part in the religious activities of your choice.

This means you should be able to learn about your religion, take part in related ceremonies and attend an appropriate place of worship (e.g., church) if you want. It also means you do not have to participate in activities related to other religions if you don't want to. If you would like to participate in religious activities, tell your worker and caregivers so this can be addressed in your plan of care.

This does not mean you will always be placed with caregivers who have the same religious beliefs as you.

You have the right to receive guidance and encouragement to maintain your cultural heritage.

This means that if your culture is important to you, you should be able to speak with culturally appropriate support people and practice your cultural traditions if you choose to. Tell your worker and caregivers if your culture is important to you so this can be addressed in your plan of care.

This does not mean you have the right to disrespect other cultures or practice cultural traditions that are harmful to you or others.

You have the right to an interpreter if language or disability prevents you from getting involved in plans for your care or custody.

This means you have the right to have someone available to explain to you what is being said so that you understand and have someone to help you describe what you are thinking or feeling.

You have the right to talk privately with members of your family unless a court order restricts your right to have contact with someone.

This means that you can talk in private with your parents or other members of your family unless a judge feels this isn't safe. If your safety is an issue, the judge may decide a worker or caregiver must be present.

You have the right to privacy during discussions with a lawyer, the Representative for Children and Youth British Columbia, the Ombudsman, a Member of BC's Legislative Assembly (MLA) or a Member of Parliament (MP).

This means you should be able to call (or when appropriate go to the office) and speak with a representative of these agencies in private if you feel your rights have been violated.

You have the right to be informed about the **Representative for Children and Youth of British Columbia**, and to have someone help you get in touch with them.

This means your worker or caregiver should tell you how to get in touch with the **Representative for Children and Youth** if you feel your rights aren't being respected.

You have the right to be told about your rights under the *Child, Family & Community Service Act*, and how to enforce them.

This means your worker and caregiver should tell you about your rights and explain what they mean so you understand them. You should also be told what you can do if you feel your rights have been violated.

Rights under section 70 of the *Child, Family and Community Service Act* do not apply to young people in a custody centre as defined under the *Youth Criminal Justice Act/Youth Justice Act* (eg. youth custody centres) or the *Mental Health Act* (eg. designated mental health facilities).

Child, Family & Community Service Act

www.qp.gov.bc.ca/statreg/stat/C/96046_01.htm



VOLUNTARY CARE & SPECIAL
NEEDS AGREEMENTS

Voluntary Care & Special Needs Agreements

If you are a parent experiencing difficulties coping with your child, you may need a break or some support services to help you. Whether you need to improve your parenting skills or develop skills for dealing with your child's special needs, or you need help with an addiction or mental illness, you may want to put your child in care temporarily while you address the issue(s).

Voluntary Care Agreements* and *Special Needs Agreements are contracts through which the parent(s) make an agreement with the **Ministry of Children and Family Development**, a delegated Aboriginal agency or **CLBC** for their child to go into temporary care. Care/needs agreements are only used after all reasonable and available alternatives have been attempted.

The agreement sets out the parent(s)' rights and responsibilities and the responsibilities of the ministry or agency while the child is in care under the agreement. The parent(s) retain guardianship of the child while the ministry or agency has day-to-day custody.

The goal of the agreement is to return the child to the parent(s) once the necessary services and supports are put in place to ensure the child's safety and well-being. The agreement will outline these services and include a plan for parent contact with their child. The parent(s) are entitled and expected to participate in any significant decisions in their child's life.

The duration and terms of the agreement will depend on the circumstances but the parent(s) are allowed to cancel the agreement at any time (based on the notice required in the agreement). Depending on their income, the parent(s) may be required to

contribute to the care of their child while they are in care under the agreement.

A social worker should review the terms of the agreement with the parent(s), and when appropriate with the child. It is important that everyone understand the terms of the agreement and their rights before signing it.

Voluntary Care & Special Needs Agreements: A Guide for Parents
www.mcf.gov.bc.ca/child_protection/pdf/voluntary_care.pdf

For more information about *Voluntary* or *Special Needs Agreements*, please contact your local Ministry of Children and Family Development office, delegated Aboriginal agency or CLBC. Contact information for your local office can be found in the blue pages section of your phone book.



INDEPENDENT
LIVING

Independent Living

Starting at age 15, social workers and caregivers should begin preparing young people in their continuing care for independence and adulthood. **Independent Living** refers to those young people between the ages of 16 – 19 who are still in care under the *Child, Family and Community Service Act* but not living in a supervised placement (eg. foster or group home). The purpose of **Independent Living** is to provide youth in care with support and practical experience in preparation for living independently when they exit the child welfare system on or before their 19th birthday.

This preparation should be included as part of your plan of care and should address the following:

- Promoting stability and continuity of healthy relationships between you and appropriate members of your family (e.g., parents, siblings, extended family), family friends, and members of the community that are significant in your life (e.g., cultural or religious supports)
- Your goals for the future
- Assisting you to get a **Social Insurance Number**
- Appropriate out-of-care or independent living options
- Services and supports required to prepare you for independence:

- Self-care skills (e.g., personal hygiene, nutrition, housekeeping)
- Money management skills (e.g., budgeting, banking)
- Advocacy (e.g., applying for entitlements, seeking advice)
- Social skills (e.g., communication)

While on Independent Living, youth in care can expect to receive the following financial support and services:

- Basic shelter support (i.e., rent)
- Security deposit
- Utilities (e.g., electricity, gas, basic telephone)
- Start-up costs (e.g., basic furniture, bedding, cooking supplies, dishes, cutlery, linens, etc.)
- Food (special diet allowance)

may be available based on medical conditions)

- Hygiene products and toiletries
- Household needs (e.g., cleaning supplies)
- Clothing allowance
- Transportation allowance
- Child care allowance
- Educational fees or employment-related equipment
- Medical costs

If you are a young person on a **Continuing Custody Order** (i.e., Permanent ward) and you are interested in exploring your **Independent Living** options, contact your Social Worker.

Young people on Independent Living are entitled to their section 70 rights under the Child, Family and Community Services Act.



Turning 19

Although Canada considers you to be an “adult” on your 18th birthday, the **BC Ministry of Children and Family Development** can maintain responsibility for your care until your 19th birthday. As an adult, society expects you to act responsibly and take care of yourself. However, it is recognized that some young adults may still require support and services after their 19th birthday, if they have not had the necessary opportunities to develop independence skills.

As you prepare to leave care, your **Social Worker** is responsible for ensuring you have an appropriate place to live and adequate means of support for when you are discharged from care. This includes:

- Finding an appropriate place to live
- Obtaining basic living essentials (e.g., food, clothing, furniture and household supplies)
- Obtaining adequate financial and social support (e.g., employment or income assistance)
- Obtaining information about health care coverage, therapeutic support and emergency assistance when necessary

- Obtaining identification and applying to access personal records
- Securing funding for post-secondary education or training (if appropriate)
- Providing information about applicable rights and responsibilities (e.g., employment and tenancy) and accessing advocacy services
- Identifying and maintaining relationships with family members (when appropriate), formal and informal supports, your cultural community, or other significant people in your life
- Obtaining information about any money or assets held in trust by the **Public Guardian and Trustee** (*if applicable*)

When you are discharged from care,
your worker should also:

- Ensure you have all of
your belongings
- Return all essential documents
to you (e.g., birth certificate,
Medical Services Plan CareCard)
- Ensure you have a medical exam
to identify any special needs
(if appropriate)

NOTES:



Youth Agreements

The Youth Agreement program is for youth ages 16-18, who are homeless or can no longer live with their families, and require significant supports to live independently. The program provides an alternative to bringing youth into care. Youth Agreements assist youth in overcoming challenges, building resiliency, and making healthy connections to family and community as they transition to adulthood and independence.

A Youth Agreement is a legal agreement between you and the Ministry of Children and Family Development. The purpose of the agreement is to help you:

- Become independent**
- Return to school**
- Get work experience**
- Develop life skills**
- Protect your rights**

Young people in a Youth Agreement have a right to have their basic needs met. Circumstances often differ for individual young people and therefore not all young people will have the same needs (e.g., rent may be higher in urban areas). Basic needs include such

things as: food, a safe place to live and utilities (e.g., heat, light, hot water), and clothing. A transportation allowance (i.e., cost of a bus pass) may also be included.

For those young people leaving care, needs may also include start-up costs including: utility connection fees, basic furnishings (e.g., bed and bedding, table and chairs, kitchen necessities, bathroom and cleaning supplies, etc.).

Depending on individual circumstances, youth in agreements may also request funds for special diets, educational fees, or exceptional medical costs NOT covered by **Medical Services Plan (MSP)**.

A young person in a Youth Agreement is not technically in the care of the Ministry of Children and Family Development and therefore is NOT entitled to rights under section 70 of the Child, Family and Community Services Act.

Eligibility Criteria

The ministry may be able to help you through a Youth Agreement if you feel you are at risk and:

- You are between the ages of 16 to 18
- There is no parent or other person willing to take responsibility for you
- You cannot return home to your family for safety reasons

Responsibilities

Together with a youth worker, you will determine whether or not a **Youth Agreement** is a good idea for you. If it does seem like a good idea, the youth worker will help you write your own agreement. It will spell out what the ministry's responsibilities will be and what your responsibilities will be. The youth worker will work with you to make sure your goals and responsibilities are realistic for you.

Examples of your responsibilities:

- Attend counselling (e.g., mental health or alcohol and drug)
- Take educational courses (e.g., complete Grades 10–12)

- Have regular visits with members of your family (when appropriate)
- Develop independent living skills (e.g., participate in independence workshops)

Youth Agreements are not part of an entitlement program; therefore there are no fixed financial rates. How much you receive will depend on your circumstances, needs, programs and services available and community resources. It is important that you clearly identify what your needs are when you are preparing to talk to a worker about a **Youth Agreement**.

Youth Agreements

www.mcf.gov.bc.ca/youth/agreements.htm

YOUTH EDUCATION
ASSISTANCE FUND



Youth Education Assistance Fund

The Youth Education Assistance Fund (YEOF) was established by the Ministry of Children and Family Development in 2002 and is now administered through the Ministry of Advanced Education. Its goal is to help young adults – formerly in the care of the provincial government or a delegated Aboriginal agency – pursue post-secondary education or training.

YEOF provides grants for 19–23 year olds attending university, college, a university-college, institute or designated private school. Grants can be provided for up to four years with the grant amount varying from year to year (e.g., in 2007/2008 the amount was \$5,500).

YEOF grant funds can be used towards tuition, books and/or living expenses.

Eligibility Criteria

You can apply for YEAF if you:

- Are between the ages of 19 and 23
- Were in government care or the care of a delegated Aboriginal agency until you turned 19 or you were adopted (or your guardianship was transferred to someone other than a parent)
- Are registered to take courses leading to a degree, diploma or certificate that is at least 12 weeks long at a qualifying educational institution
- You will have at least 60% of a full-time course load, or 40% if you have a permanent disability

You do not have to be eligible for student financial aid to receive a grant from YEAF.

How to Apply

1. Download and complete a **YEOF Application Form** from:

www.aved.gov.bc.ca/studentaidbc/specialprograms/yeaf.htm

2. Next, have a **Financial Aid Officer** from the educational institution you plan to attend complete a **Confirmation of Enrolment** form (available at the educational institution).
3. Next, you must get a letter from your social worker (or any **Ministry of Children and Family Development** office if you no longer have a worker) or if you are Aboriginal, you can get the letter from the Aboriginal agency that you received services from, stating you are a former youth in care.

4. Submit the complete package to:

StudentAid BC

Attention: Ministry of Advanced Education
PO Box 9173 - Stn Prov Govt
Victoria, BC, V8W 9H7

For more information about YEAF, its eligibility requirements, or the application process:

In Victoria: 250.387.6100

In the Lower Mainland: 604.660.2610

In Other Areas of BC (toll-free): 1.800.561.1818

TTY: 250.952.6832

AVED.SpecialPrograms3@gov.bc.ca

www.aved.gov.bc.ca/studentaidbc/specialprograms/yeaf.htm

The Federation of BC Youth in Care Networks (FBCYICN) is available to assist young people with completing the YEAF application form and can provide information about other scholarships and bursaries available to young people in BC. For more information about the FBCYICN's Education Resource Package or application assistance go to www.fbcyicn.ca or call (toll-free) 1.800.565.8055

AGREEMENTS WITH
YOUNG ADULTS



Agreements with Young Adults

On July 1st, 2008 the Ministry for Children and Family Development launched the Agreements with Young Adults (AYA) program.

Supporting the Transition to Adulthood

The Ministry of Children and Family Development can help young adults who until their 19th birthday were in continuing care or a Youth Agreement. Agreements with Young Adults (AYAs) can provide financial assistance and support services to young people who want to continue their education, get job training, or take part in a rehabilitative program.

You can get funding to:

- Finish high school
- Learn job and life skills
- Attend college or university
- Complete a rehabilitative program

Who Can Apply?

You can apply if you are at least 19 and not yet 24, and on your 19th birthday you were:

- In continuing custody (permanent care)
- In a **Youth Agreement**
- In a few other forms of care (ask your **Social Worker** if you have questions)

What is a 'Rehabilitative Program'?

If you have personal challenges such as mental health or addiction concerns that are creating obstacles and preventing you from becoming self-sufficient, **AYA** assistance may be available to support you to participate in a recognized rehabilitative program.

Supports Available

The Agreement may also provide for support services or financial assistance, or both, to assist you while you're enrolled in your program of choice.

This may include:

- Living expenses for yourself and any dependent children
- Child care if you have dependent children
- Tuition fees and related costs for books, supplies and uniforms if assistance is not available through the **Youth Educational Assistance Fund (YEAF)**
- Health care premiums
- Support from social workers

The amount of assistance you get will depend on your individual needs.

Your Responsibilities

You will be asked to prepare a written plan explaining your goals and the support you will need to reach them. Your plan must involve a minimum of 60% of a full-time educational or vocational program course load, or 40% if you have a permanent disability; or a minimum of 15 hours a week participation in a rehabilitative program; or a combination of educational/ vocational and rehabilitative program time equal to a minimum of 15 hours a week. If you are enrolled in a course, you will be expected to attend class regularly and maintain a satisfactory level of performance.

Your Contribution

A contribution may be expected depending on the amount of **AYA** assistance you need and your anticipated employment income during an **AYA**. A social worker will help you in determining whether a contribution is appropriate.

If you provide all required information quickly, financial support should be available within four to six weeks from the time you apply.

How Long do AYAs Last?

AYAs last up to six months at a time. The total of all AYAs cannot add up to more than 24 months and an AYA cannot extend past your 24th birthday. You do not have to apply for an AYA as soon as you turn 19. You can apply any time between your 19th and 24th birthdays.

For more information or to apply for an AYA:
www.mcf.gov.bc.ca/youth/pdf/aya_faq.pdf
or download the youth application form at:
www.mcf.gov.bc.ca/youth/pdf/CF0707_jun08.pdf

You can also pick-up an application form at the nearest MCFD District Office.

Contact the social worker you had when you were in care or in a Youth Agreement.

If you have moved since you were in care or in a **Youth Agreement**, phone your nearest ministry office and ask to speak to a social worker. Offices are listed in the provincial blue pages of the phone book.

If you need help finding an office, or if you need to call an office long-distance, phone **Enquiry BC** and ask to be transferred.

In Victoria call: 250.387.6121

In the Lower Mainland: 604.660.2421

In Other Areas of BC (toll-free): 1.800.663.7867

Outside BC: 604.660.2421

EnquiryBC@gov.bc.ca

The Federation of BC Youth in Care Networks is available to assist young people with completing the AYA application form. For more information, go to www.fbcyicn.ca or call (toll-free) 1.800.565.8055



COMPLAINTS
PROCESS

Complaints Process

The Ministry of Children and Family Development (MCFD) has its own process for addressing issues and making complaints when you feel your rights aren't being respected. You can access the **Complaints Process if you are a youth in care or receiving ministry services and you disagree with a ministry decision or action.**

The ministry's **Complaints Process** will address or deal with the following issues:

- Rights violations
- Being treated unfairly
- Not being involved in decisions that affect you
- Being denied ministry services that you need

Step 1: Talk to your worker and/or your worker's supervisor.

If you feel comfortable with your worker, share your concerns and feelings with them and tell them what you think should be done differently about the situation. If you're not comfortable talking to your worker (or if your worker is unavailable and the

issue can't wait for their return), ask to speak with your worker's supervisor and explain the situation to them.

Step 2: Make a formal complaint through the Complaints Process.

If you feel uncomfortable speaking with your worker or your worker's supervisor, or you feel the issue wasn't resolved adequately, you can contact your local ministry office and ask to speak with the **Complaints Resolution Consultant** in your region. You can also call the ministry's **Customer Service Centre** at 250.387.7027 or email: mcf.correspondencemanagement@gov.bc.ca

You do not have to give your name when requesting this contact information.

When you speak with the **Complaints Resolution Consultant**, be prepared to tell them what the problem is and what you have done about it so far. Let them know you want to make a formal complaint and they will guide you through the process. Be sure to ask questions if there is anything you don't understand.

MCFD Complaints Process for Children and Youth
www.mcf.gov.bc.ca/complaints/process_youth.htm

Delegated Aboriginal Agencies

All delegated Aboriginal agencies are required to have a process for resolving complaints about services. Generally, this process is similar to the **MCFD** complaints process.

For information about delegated Aboriginal agency complaints processes, ask your worker for the specific agency's complaints number or contact:

MCFD Aboriginal Services Branch

In Victoria: 250.387.8036

Community Living BC **(CLBC)**

CLBC also has its own complaints process. That process is similar to the **MCFD** process: you are expected to address the complaint first with the individual case worker, and then their manager, followed by the vice-president's review, and finally the **Chief Executive Officer's** review.

At any time throughout a complaints process, you can ask for help and support. Advocacy organizations can help you navigate the system, provide you with self-advocacy tips or advocacy assistance, and provide access to peer support networks in your area.

[See: Tips for Communicating Your Needs & Advocacy Support and Resources]



INCOME
ASSISTANCE

Income Assistance

For many former youth in care, government has been the guardian or “parent” for much of their childhood and they have not had the opportunity to develop traditional family supports to fall back on during unexpected hardship or crisis. Once you have left the care of the **Ministry of Children and Family Development**, a delegated Aboriginal agency or **CLBC**, the **Ministry of Housing and Social Development** (formerly **Ministry of Employment and Income Assistance** or **MEIA**) is a resource in times where you are in need of financial assistance.

A Ministry of Housing and Social Development (MHSD) worker will help you understand the application process and its requirements. If you require assistance as you prepare to leave care, you may request a "letter of introduction" from your last Social Worker. This may help you in getting your income assistance needs met when approaching a MHSD Employment Assistance Worker.

BC employment and assistance programs are income and asset-tested, meaning that the amount of money you qualify for will depend on your income and asset levels, as well as how many people are in your family unit. Applicants are expected to use all other sources of income and assets (e.g., savings) before qualifying for help. Those who are "employable" and receiving income assistance must either be actively searching for employment or participating in an employment program.

Eligibility Criteria:

- **Must be out of work or earning a minimal income**
- **Unable to work**
- **Working and in need of child care**

“Hardship” assistance may be issued in some situations when an individual isn’t eligible for income assistance.

Income Assistance Estimator

www.iaestimator.gov.bc.ca

To Apply:

Contact your local Ministry of Housing and Social Development office. To find your local office, call (toll-free) 1.866.866.0800.

- Obtain the **Work-Search Guidelines Information Sheet**
- Set-up an **Intake Interview Date** (typically within 3 weeks)
- Conduct a three-week work search and participate in an orientation session while waiting for your intake interview.
- Attend the **Intake Interview** where a worker will determine your eligibility for income assistance.

Ministry of Housing and Social Development
www.eia.gov.bc.ca/factsheets/2006/BCEP.htm



HEALTH CARE

Health Care

Medical Coverage for Young People

When young people entering into care or into a **Youth Agreement** are not covered under their parents' medical plan, they are provided basic **Medical Services Plan** and **PharmaCare** coverage (under **Plan C**), plus dental benefits and optical benefits. This coverage is the same for all **MCFD** young people, with the exception of youth in continuing care (**CCO's** or **Permanent Wards**) who receive additional dental/orthodontic coverage.

CareCards

Each BC resident enrolled with the **Medical Services Plan (MSP)** is given a **CareCard** with a unique lifetime identifier for health care called a personal health number. This number remains the same, regardless of any changes to personal status. A fee is not charged for a card issued when a person first enrolls with **MSP**. You should carry your **CareCard** at all times, to have it available to be presented whenever you need health care services. However, if you do not have your card with you, your physician or other health care provider can verify that you are enrolled with **MSP**.

Coverage

MSP provides the following benefits for MCFD young people:

- **Medically required services provided by a physician, or specialist (such as a surgeon, anaesthetist, psychiatrist, or ophthalmologist when referred by a physician)**
- **Emergency ambulance transportation by BC Ambulance Service**
- **Maternity care**
- **Diagnostic services, including x-rays and laboratory services, provided at approved diagnostic facilities and when ordered by a registered physician, podiatrist, dental surgeon or oral surgeon**
- **Dental and oral surgery, when**

medically required to be performed in a hospital

- Orthodontic services related to severe congenital facial abnormalities
- Eye exams
- Therapies for up to a total of 10 visits per year for any combination of the following: physiotherapy, chiropractic, naturopathy, massage therapy and non-surgical podiatry services (MSP contributes \$23 for each visit – an additional amount for therapies and eye exams maybe charged if the practitioner's fee is higher than the amount they get from MSP)

MSP does NOT cover the following:

- Services that are not deemed to be medically required
- Services of counsellors or psychologists

PharmaCare Coverage

PharmaCare provides assistance with the costs of prescriptions. Under this plan, you need to provide your **CareCare** (or personal health number) to the Pharmacist.

Dental Benefits

Pacific Blue Cross processes all dental claims on behalf of **MCFD** youth. **PBC Dental Cards** are issued to you or your caregiver automatically. Dental coverage is available to a maximum of \$700 per year and must be approved in-advance. If a dental treatment is expected to exceed \$700, an exemption must be requested in-advance.

Optical Benefits

This includes standard frames and lenses (glasses) to a maximum of \$150 per year.

Aboriginal Young People

Youth with status under the Indian Act may also be eligible for federal medical coverage through **First Nation and Inuit Health**. This federal coverage can be supplemented as required through the **Medical Benefits Program**.

For more information about federal coverage for Aboriginal young people:

Across Canada (toll-free): 1.800.317.7878

www.hlth.gov.bc.ca/msp/infoben/eligible.htm#native

IMPORTANT NOTE: *When you leave care or your Youth Agreement ends, PharmaCare benefits end IMMEDIATELY but your MSP premiums will continue to be covered FREE for 6 months. It is your responsibility to apply for MSP BEFORE the 6 months come to an end to ensure your access to medical services continues.*

Basic Medical & Dental Coverage for Adults

Under the Medicare Protection Act, enrolment with Medical Services Plan (MSP) is mandatory for all eligible residents and their dependents.

Eligible residents who qualify for medical coverage under MSP are those who meet all of the following conditions:

- Must be a citizen of Canada or be lawfully admitted to Canada for permanent residence
- Must make his or her home in BC
- Must be physically present in BC at least 6 months in a calendar year

Dependents (eg. spouse and/or children) of MSP recipients are eligible for coverage if they are also residents of BC.



Spouse: A person who is either married or is living in a marriage-like relationship (also known as Common Law). Same-sex couples are also included under this definition.

CareCards / Personal Health Numbers

Each BC resident enrolled with the **Medical Services Plan (MSP)** is given a **CareCard** with a unique lifetime identifier for health care called a **personal health number**. This number remains the same, regardless of any changes to personal status.

A fee may be charged to replace a lost, stolen or damaged card. However, if a **CareCard** is damaged through normal usage and you return the damaged card, you will not be charged for a replacement card.

MSP Coverage

The Medical Services Plan (MSP) insures medically required services provided by physicians and supplementary health care practitioners, laboratory services and diagnostic procedures. Services covered by MSP include:

- Medically required services provided by a physician enrolled with MSP**
- Maternity care provided by a physician or a midwife**
- Medically required eye examinations provided by an ophthalmologist or optometrist**
- Diagnostic services, including x-rays and laboratory services, provided at approved diagnostic facilities, when**

ordered by a registered physician, midwife, podiatrist, dental surgeon or oral surgeon

- Dental and oral surgery, when medically required to be performed in hospital
- Orthodontic services related to severe congenital facial abnormalities

Supplementary Health Care Benefits

For **MSP beneficiaries** receiving premium assistance, MSP pays \$23 per visit for a combined annual limit of 10 visits each calendar year for the following services: chiropractic, massage therapy, naturopathy, physical therapy and non-surgical podiatry.

Those who may be eligible for these supplementary **benefit** services include:

- **Income Assistance** recipients
- Convention refugees
- Inmates of BC correctional facilities
- Individuals enrolled with **MSP** through the **At Home Program**
- Residents of long-term care facilities receiving the **Guaranteed Income Supplement (GIS)**
- Individuals enrolled with **MSP** as mental health clients
- First Nations individuals with valid **BC Medical Plan** coverage through the **First Nations and Inuit Health Branch of Health Canada**

MSP does not provide coverage for the following:

- Services that are deemed to be not medically required (e.g., cosmetic surgery)
- Dental services, except as outlined under above
- Routine eye examinations for persons 19-64 years of age

- Eyeglasses, hearing aids, and other equipment or appliances
- Prescription drugs
- Chiropractic, massage therapy, naturopathy, physical therapy and non-surgical podiatry services (except for MSP beneficiaries with premium assistance status)
- Preventive services and screening tests not supported by evidence of medical effectiveness (e.g., routine annual "complete" physical examinations, whole body CT scans, prostate specific antigen (PSA) tests)
- Services of counsellors or psychologists
- Medical examinations, certificates or tests required for:
 - driving a motor vehicle
 - employment
 - life insurance
 - school or university
 - recreational and sporting activities
 - immigration purposes

[See: PharmaCare for information about prescription assistance.]

In BC, **premiums** are payable for MSP coverage and are based on family size and income. Assistance with the payment of premiums is available to Canadian citizens or holders of permanent resident status (landed immigrants) who have held that status and have been resident in Canada for the past 12 consecutive months.



Beneficiary: *The recipient of funds or other benefits.*

Benefit: *Financial assistance or something that promotes well-being.*

Premiums: *Payment for insurance.*

Subsidy: *Financial support or assistance to cover costs of a specific service or activity.*

Net income: *An individual's income after all deductions, credits and taxes are subtracted (ie. take-home).*

Threshold: *The starting point for a new level.*

Regular Premium Assistance

Regular Premium Assistance (RPA) offers **subsidies** ranging from 20% to 100%, based on an individual's net income (or a couple's combined net income) for the two preceding tax years, less deductions for age, family size and disability. If the resulting amount referred to as "adjusted **net income**" is \$28,000 or below, a subsidy is available.

The current adjusted net income **thresholds** and monthly premiums can be found online at:
www.health.gov.bc.ca/msp/infoben/premium.html#regular

*Or by phone in the Lower Mainland: 604.683.7151
In Other Areas of BC (toll-free): 1.800.663.7100*

Temporary Premium Assistance

Temporary Premium Assistance (TPA) offers a 100% subsidy for a short-term based on unexpected financial hardship. **TPA** is available to individuals and families who are not able to pay premiums due to unexpected financial hardship that they could not reasonably have budgeted for. Unlike **Regular Premium Assistance**, **TPA** is provided through the **Ministry of Small Business and Revenue** and is a one-time waiver of **MSP** premiums for a limited time frame.

To apply for **Temporary Premium Assistance**, you must submit a **Temporary Premium Assistance** form available at:

www.sbr.gov.bc.ca/individuals/Customer_Service/msp/faq.htm

For more information:

In Victoria: 250.356.8285

In Other Areas of BC (toll-free): 1.800.207.2051

TPA@gov.bc.ca

Medical Services Plan

An automated service is available 24 hours a day, 7 days a week, to provide information about your MSP account and general information about MSP benefits and services:

In Victoria: 250.382.8406

In the Lower Mainland: 604.683.7151

In Other Areas of BC (toll-free): 1.800.663.7100

www.health.gov.bc.ca/msp/

Families receiving full or partial premium assistance may be eligible for additional health care services through the Healthy Kids Program of the Ministry of Employment and Income Assistance.

For more information about the Healthy Kids Program, go to:

www.eia.gov.bc.ca/factsheets/2005/healthy_kids.htm

PharmaCare

PharmaCare subsidizes eligible prescription drugs and designated medical supplies, protecting British Columbians from high drug costs.

PharmaCare provides financial assistance to British Columbians under **Fair PharmaCare** and other specialty plans to cover the following:

- Eligible drugs prescribed by your physician, surgeon, dentist, midwife, nurse practitioner or podiatrist
- Insulin, needles, and syringes for people with diabetes and certain ostomy supplies
- Designated permanent prosthetic appliances and children's orthotic devices (e.g., braces)

The following items are **not** covered under **PharmaCare**:

- Medications prescribed by a physician, dentist, midwife, or podiatrist that have not been designated as approved **PharmaCare** benefits
- Herbal medicine products
- Antacids, laxatives, and other over-the-counter drugs
- Artificial sweeteners
- Bandages
- Eyeglasses
- Hearing aids or hearing aid batteries
- Wheelchairs, walkers, and other medical devices
- Drug costs which have been fully reimbursed by another insurer
- Drugs or supplies obtained while outside of British Columbia
- Drugs prescribed by a veterinarian
- Mail-order prescriptions requested from companies located outside the province

Residents of British Columbia are eligible for **PharmaCare** benefits under the following plans:

- **Fair PharmaCare** – BC families eligible for financial assistance under **Fair PharmaCare**, based on their net income;
- **Plan B** - Permanent residents of licensed long-term care facilities;
- **Plan C** - Individuals receiving income assistance from the Province of British Columbia;
- **Plan D** - Individuals registered with a provincial **Cystic Fibrosis Clinic**;
- **Plan F** - Children eligible for medical or full financial assistance through the **At-Home Program** of the **Ministry of Children and Family Development**
- **Plan G** - Clients eligible for financial assistance through mental health centres;
- **BC Palliative Care Benefits Program** - For BC residents who wish to receive palliative care at home

PharmaCare customer service representatives are available 8am – 8pm Monday to Friday and 8am – 4pm on Saturdays. Online registration is available 24 hours a day, 7 days a week.

In the Lower Mainland: 604.683.7151

In Other Areas of BC (toll-free): 1.800.663.7100

www.health.gov.bc.ca/pharme/

NOTES:

Healthy Kids Program

Healthy Kids benefits are available to children under the age of 18 who are in low or moderate-income families that are not already covered by federal or employer-sponsored insurance plans. It is a program that extends basic dental and vision care to these low and moderate-income children and to children receiving services through the **Ministry of Housing and Social Development (MHSD)** who are not eligible for enhanced **MHSD**-sponsored coverage. Eligibility for this program may be determined using the following **MSP Premium Assistance** information:

www.healthservices.gov.bc.ca/msp/infoben/premium.html#assistance

Physical & Sexual Health Resources

Staying healthy can be a challenge. It can be difficult to eat nutritional food, get enough exercise and reduce stress when you're on a limited budget, going to school, working and maybe even raising children. Knowing is half the battle. On the following pages there are a number of great resources that can help you achieve some balance and live a healthier lifestyle.

BC Health Guide

This handbook provides reliable health information and advice on health concerns, prevention tips, and home **remedies**. Pick-up a FREE copy of the **BC Health Guide** at your local pharmacy. The **BC First Nations Health Handbook** is a companion guide that provides information on unique health services available to First Nations people, how to access health services in First Nations communities, and other BC health resources.

BC Health Guide Program – Ministry of Health

4th Floor, 1515 Blanshard Street

Victoria, BC, V8W 3C8

From Anywhere in BC (toll-free): 1.800.465.4911

www.bchealthguide.org

BC NurseLine

Specially trained nurses are available 24 hours/7 days a week to provide **confidential** answers to questions about health topics and procedures; to assist you in identifying symptoms; and to help you decide when to see a health professional. They can also provide information and referrals to other appropriate services. Pharmacists are also available from 9am – 5pm every day to discuss questions you may have about medications.

You may be asked for your Personal Health Number (CareCard) but you cannot be denied service if you don't provide it.

In the Lower Mainland: 604.215.4700

In Other Areas of BC (toll-free): 1.866.215.4700

TTY: 1-866-889-4700

Dial-A-Dietician

A free nutrition information line
staffed by registered dietitians
providing easy to use nutrition and
medical nutrition advice from
9am to 5pm Monday to Friday.

In the Lower Mainland: 604.732.9191

In Other Areas of BC (toll-free): 1.800.667.3438

www.dialadietitian.org



Remedy: A medicine or therapy that relieves pain
or cures disease.

Confidential: Private information that must be
kept secret and can only be shared with special
permission.

Optimal: The ideal outcome.

OPT: Options for Sexual Health

Promotes **optimal** sexual health for all British Columbians by supporting reproductive choice, reducing unplanned pregnancy, and providing quality education, information, and clinical services.

Young people can access information about birth control options, sexually transmitted infections, sexuality and even submit their own sexual health questions.

In the Lower Mainland: 604.731.4252

www.optionsforsexualhealth.org/youth/index.htm

Condomania – PLANETAHEAD

A website designed specifically for young people that provides facts about sex, STD/HIV and pregnancy prevention, and talks about the pressures facing young people. There is also an online magazine for youth and a special section for parents.

www.planetahead.ca

Sexuality and U

This website provides factual information on everything from Sexually Transmitted Infections (STIs) to contraception awareness to lifestyle choices to talking about sex. They offer guidance and advice that will help young people develop and maintain a healthy sexuality.

www.sexualityandu.ca/teens/index.aspx

Youth CO AIDS Society

Youth Community Outreach AIDS Society is a youth-driven organization working with young people ages 15 to 29 throughout British Columbia to reduce vulnerability to HIV/AIDS and Hepatitis C. They provide outreach, prevention education, training, volunteer opportunities, advocacy and support to their peers.

In the Lower Mainland: 604.688.1441

In Other Areas of BC (toll-free): 1.877.YOUTHCO

www.youthco.org

Child & Youth Mental Health Services

For children and youth with mental illness, government provides a range of voluntary services through the **Ministry of Children and Family Development**. These services include support and information as well as assessment and treatment. Some residential and outreach assessment and treatment options for children and youth with mental illness are available at the **Maples Adolescent Treatment Centre** (Burnaby). For youth who have become involved with the law, **Youth Forensic Psychiatric Services** provides a similar range of services.

www.mcf.gov.bc.ca/mental_health

Referrals of a child or youth can be made to **Child and Youth Mental Health (CYMH)** by the child or youth themselves, or individuals who are directly involved with the child and youth such as family members and other agencies or service providers. The child/youth or parent/guardian must have knowledge of the referral and agree prior to referral by an agency or service provider.

Psychiatrists, as specialist physicians who assess and treat mental illness, require a referral from another physician. However, the CYMH program has contracted sessional psychiatrists who can see CYMH clients without a referral from another physician.

Clients go through an initial screening and intake process that ensures mental health services are appropriate for them. If a referral is judged to be inappropriate for **CYMH** services, attempts will be made to re-direct or link the referring person with a more appropriate agency or health provider. Once a referral is accepted to **CYMH**, the child or youth's need for service is prioritized according to their level of risk and impairment.

In a **collaborative** manner with the client and/or family, staff members provide services for the client such as assessment and planning, treatment, management of community issues, and consultation with individuals involved with the

client. Consultation with individuals other than the child or youth occurs after the child or youth has given **informed consent** to the sharing of information. If the child or youth is not able to consent to the sharing of information, the parent or **guardian** must provide consent.

As with adults, children and youth with a mental illness may be admitted to hospital for a short stay if they are not able to manage at home. Some larger communities have dedicated hospital psychiatric units for children and youth, and **BC Children's Hospital (Vancouver)** offers a specialized provincial facility for children and youth with mental disorders. In addition, as

with adults, other practitioners such as psychologists, clinical social workers or child care workers in private practice are available in some communities to provide fee-for-service assessment and treatment.

A list of Ministry of Children and Family Development offices where Child and Youth Mental Health services are offered can be found online www.mcf.gov.bc.ca/mental_health/pdf/services.pdf



Referral: A recommendation to consult with an individual or agency for information, support or service.

Collaborative: Working together.

Informed consent: Permission given by a person when they understand the potential risks or outcomes of their permission or involvement.

Guardian: A person responsible for the care and supervision of another person.

Youth in BC

Youth in BC is a website that provides resources and support to help young people work through difficult situations. Young people can talk live and confidentially with a volunteer listener between the hours of 2pm and midnight/7 days a week or go online for resources.

In the Lower Mainland: 604.872.3311

In Other Areas of BC (toll-free): 1.866.661.3311

www.youthinbc.com

Kids Help Phone

Kids Help Phone is a 24-hour, toll-free, confidential and **anonymous** phone and web counselling, referral and information service for children and youth across Canada. They provide counselling services to young people between the ages of 4 and 21 and help adults aged 21 and older find the counselling services they need.

Across Canada (toll-free): 1.800.668.6868

www.kidshelpphone.ca



Anonymous – Remaining unknown. Not using a name or other self-identifying information.

Maples Adolescent Treatment Centre

This provincial mental health facility provides assessment, residential and non-residential treatment, and outreach services for adolescents ages 12 to 17 in BC that have been diagnosed as having significant psychiatric and behavioural difficulties.

In the Lower Mainland: 604.660.5800

BC Children's Hospital

The Provincial Services Health Authority offers inpatient programs and a psychiatric emergency short-stay unit for children and youth up to 17 years of age. It also offers assessment, consultation, and short-term treatment through the following outpatient specialty clinics: General Psychiatry, Mood and Anxiety Disorders, Neuropsychiatry, Attention Deficit Hyperactivity Disorders, Infant Psychiatry, Urgent Assessment, and Youth Substance Use Disorders Clinic. (A medical referral is required).

In the Lower Mainland: 604.875.2010

In Other Areas of BC (toll-free): 1.888.300.3088

www.bcchildrens.ca/services/

[childyouthmentalhlth/programsandservices/default.htm](http://www.bcchildrens.ca/services/childyouthmentalhlth/programsandservices/default.htm)

Youth Forensic Psychiatric Services

Youth Forensic Psychiatric Services (YFPS) is a provincial program of the **Ministry of Children and Family Development**. Services are mandated under the authority of the *Youth Criminal Justice Act*, the *Criminal Code of Canada*, the *Mental Health Act* and other provincial legislation. Services are provided to 12 – 17 year olds (male and female) involved with the youth justice system who have been court-ordered for assessment and/or treatment because of mental health and/or behaviour problems.

Referrals are accepted from Youth Court, Youth Probation Officers and Youth Custody Centres.

Youth Forensic Psychiatric Services

In the Lower Mainland: 778.452.2200

Mental Health Services for Adults

Services to address adult mental illness are provided through general **practitioners** or family doctors, psychiatrists, regional health authorities, and other practitioners such as psychologists and clinical social workers in private practice who charge fees for their services. Often a mental illness is first detected or discussed with a general practitioner or family doctor, who will refer the patient, if necessary, to a psychiatrist and/or to a mental health centre. If a person is seriously ill and unable to manage at home, an admission to hospital, either planned or on an emergency basis, may be required.

BC Mental Health Information Line

The BC Mental Health Information Line puts free information about mental health and mental illness at your fingertips. Anyone can use it, 24 hours a day, seven days a week. The line provides pre-recorded information about mental health services across BC, as well as symptoms, causes, treatments, support groups, and publications on various mental illnesses including:

- Schizophrenia
- Depression and other mood disorders
- Anxiety disorders (including panic, obsessive-compulsive, post-traumatic stress and phobias)
- Eating disorders and body image
- Substance use problems and mental illness

- Personality disorders
- What family and friends can do to help
- Youth and their mental health problems
- Seniors and mental health

In the Lower Mainland: 604.669.7600

In Other Areas of BC (toll-free): 1.800.661.2121

www.heretohelp.bc.ca

Crisis Intervention and Suicide Prevention Centre of BC

In the Lower Mainland: 604.872.3311

In Other Areas of BC (toll-free): 1.800.784.2433

www.crisiscentre.bc.ca

Canadian Mental Health Association

In the Lower Mainland: 604.688.3234

In Other Areas of BC (toll-free): 1.800.555.8222

www.cmha.ca

Fraser Health Authority

In the Lower Mainland: 604.587.4600

In Other Areas of the Fraser Region (toll-free):

1.877.935.5669

www.fraserhealth.ca

Interior Health Authority

In Kelowna: 250.862.4200

www.interiorhealth.ca

Northern Health Authority

In Prince George: 250.565.2649

www.northernhealth.ca

Vancouver Coastal Health Authority

In the Lower Mainland: 604.875.4252

*In Other Areas of the Vancouver Coastal Region
(toll-free): 1.866.884.0888*

www.vch.ca

Vancouver Island Health Authority

In Victoria: 250.370.8699

*In Other Areas of the Island Region (toll-free):
1.877.370.8699*

www.viha.ca



***Practitioner: A person who
practices a learned profession.***

Addiction Services

The province-wide delivery of addictions services is also provided through BC's regional Health Authorities.

The recent **alignment** of addictions services with mental health services offers new opportunities for improving access and responsiveness.



Alignment: *Organizing people or the delivery of services to fit together.*

Regulate: *To impose rules and give direction.*

BC Alcohol and Drug Information & Referral Service

This organization provides information and referral services for people across BC needing help with any kind of substance abuse. This includes information and referral to education, prevention and treatment services and **regulatory agencies. This service is available 24 hours/7 days a week.**

In the Lower Mainland: 604.660.9382

In Other Areas of BC (toll-free): 1.800.663.1441

TTY: 604.875.0885

Kaiser Foundation

The mission of the **Kaiser Foundation** is to assist individuals and communities in preventing and reducing the harm associated with problem substance use and addictive behaviours. The **Kaiser Foundation** has created a ***Directory of Addiction Services in BC*** which is available online:

www.kaiserfoundation.ca

In the Lower Mainland: 604.681.1888



Mental disorder: A mental illness which can include a brain injury or dementia because they are regarded as illnesses subject to treatment.

The Mental Health Act

All Canadian provinces and territories have legislation to treat and protect people with severe **mental disorders** and to protect the public. The primary purpose of the *Mental Health Act* is to provide people with mental disorders the treatment and care they need when they are not willing to accept it. The *Mental Health Act* provides authority, criteria and procedures for involuntary admission and treatment. However, the *Mental Health Act* also contains protections to ensure that these provisions are applied in a way that protects the rights of the individual.

Guide to the Mental Health Act

(2005 Edition – British Columbia)

www.healthservices.gov.bc.ca/mhd/pdf/MentalHealthGuide.pdf

Voluntary Admission to a Hospital

Anyone 16 years or older may voluntarily seek admission to a designated facility for treatment of a mental disorder under either the ***Hospital Act*** or the ***Mental Health Act***. Anyone under the age of 16 may be admitted by their parent or guardian as a voluntary patient under the ***Mental Health Act***.

Voluntary admissions under the ***Mental Health Act*** require the person to request admission using a **Request for Admission** form. A physician and the director of the hospital facility must agree to the person's admission. A signed **Consent for Treatment** is also required. Voluntary patients may discharge themselves at any time, just like non-psychiatric patients admitted to a hospital under the ***Hospital Act***.

Inpatient: A patient who is living in the hospital or facility where they are receiving services.

Apprehend: Take into custody.

Justice of the Peace: A court official, sometimes a lawyer, who can take the place of a judge for minor legal hearings, including issuing warrants.



Involuntary Admission to a Hospital

A person can only be admitted as an involuntary patient under the ***Mental Health Act*** to facilities designated by the Minister of Health. The term "designated facility" in the ***Mental Health Act*** and in the ***Guide to the Mental Health Act*** refers to designated inpatient "Provincial mental health facilities", "psychiatric units" and "observation units".

There are three ways of arranging for involuntary admission:

Through a physician's Medical Certificate

A **Medical Certificate** is required to provide legal authority for an involuntary admission for a 48-hour period. The **Medical Certificate** is completed by a physician who examines a person and finds that the person meets the involuntary admission criteria of the ***Mental Health Act***. A second **Medical Certificate** by a different physician must be completed within 48 hours of admission; otherwise the patient must be discharged or admitted as a voluntary patient.

Once the second **Medical Certificate** is completed, the person may be admitted as an involuntary patient for up to one month from the day of initial admission. The patient must be informed that the second **Medical Certificate** has been completed. To extend involuntary hospitalization beyond the first month, a physician must examine the person and complete a **Renewal Certificate** before each certificate period expires.

In order for a physician to fill out a **Medical Certificate**, the physician must have examined the patient and be of the opinion the patient meets ALL four of the following criteria:

- Suffering from a mental disorder that seriously impairs the person's ability to react appropriately to his or her environment or to associate with others
- Requires psychiatric treatment in or through a designated facility
- Requires care, supervision and control in or through a designated facility to prevent the person's substantial mental or physical deterioration, or for the person's own protection or the protection of others
- Not suitable as a voluntary patient

Unless the person is admitted, a Medical Certificate is valid for only 14 days following the date of the examination. If the person is not admitted during this 14-day period, the certificate becomes invalid.

Through police intervention

If it is not possible for a person who apparently has a mental disorder to see a physician, the ***Mental Health Act*** authorizes the police to intervene in some circumstances. Police involvement with people who have mental disorders can arise from complaints about the person by others, direct observation of the person's behaviour by the police, or in response to requests for assistance from health professionals or family members. There is no need for the person to have committed a criminal offence before the police can be involved under the ***Mental Health Act***.

Before a police officer can apprehend a person under the ***Mental Health Act***, the officer must be satisfied that the person has a mental disorder and is acting in a manner likely to endanger their own safety or the safety of others. Where a police officer takes a person into custody under the ***Mental Health Act***, the police officer must immediately take the person to a physician for examination.

Through an order by a judge

Anyone (including family members, neighbours or health professionals) who has good reason to believe a person has a mental disorder and apparently meets the criteria for involuntary admission used by a physician, can apply to a provincial court judge (or, if no judge is available, a justice of the peace) to have the person involuntarily admitted to hospital. A special application for a warrant should be used which provides helpful guidance to those applying to the court. The **Apprehension of Person with Apparent Mental Disorder for Purpose of Examination** form can be obtained from a courthouse.

Being Informed About Your Rights

The designated facility must provide information to both voluntary and involuntary patients about their rights under the ***Mental Health Act***. This applies to newly admitted patients, transfers from another designated facility, changes from voluntary status to involuntary status, and when renewal certificates are completed.

Children and youth under age 16 admitted by a parent or guardian as voluntary patients must also be provided with rights information.

A staff member from a designated facility (or its agent) must verbally inform the person and provide written notification of the following rights promptly upon admission:

- The hospital's name and location
- To be informed promptly of the reasons why the person was admitted and is being kept in hospital
- To contact, retain and instruct a lawyer or advocate without delay
- To regular reviews of detention by a physician (renewal certificates)
- To apply for a **Review Panel** hearing
- To have the validity of the detention determined by a court (by way of a procedure known as *habeas corpus*, where the court is asked to determine whether there is legal authority for the detention)
- To apply to the court for discharge
- To a second medical opinion on the appropriateness of treatment

The Mental Health Act does not address issues such as personal possessions, private communications, or complaints about hospital services. Hospitals have their own policies regarding these issues and must provide you with this information if you request it.

Making a Complaint

The first step in making a complaint is to discuss the concern with a member of the treatment team. This can prove beneficial in many ways, such as clarifying how a decision affecting the patient was made. It also informs the treatment provider(s) that there is a concern or complaint. Complaints or suggestions can also be made to other hospital staff, the director, hospital administration, a health authority or the Provincial Ombudsman.

YOUTH
JUSTICE



Youth Justice

The *Youth Criminal Justice Act of Canada* (which replaced the *Young Offenders Act*) applies to young people between the ages of 12 and 17 who break laws passed by the federal government (eg. *Criminal Code* and the *Controlled Drugs and Substances Act*).

The federal *Youth Criminal Justice Act* (YCJA) says that young persons have the same rights and freedoms that all Canadians have under the *Canadian Charter of Rights*. In addition, the *YCJA* says that youth must be told about their rights and freedoms. They have a right to be heard and to participate in any hearings involving them, just as

adults are. Young persons' freedoms should not be interfered with more than is necessary to protect society and to support them in making positive changes in their lives. Also, youth should not be removed from their home or their home community unless there are no other options to protect the public.

Additionally, each province may have provincial legislation – in BC it's called the *Youth Justice Act*.



Freedoms: The ability to think and say what you want and to make your own choices without suffering injustice or persecution

Summons/Appearance Notice: A sheet of paper given by a police officer or the court that requires a person to show up for court on a certain day.

Dealing with the Police

If you commit a crime (i.e., break a law), then the police are required to take action. If you are charged with an offence, you may be released and given a paper called an **Appearance Notice** or **Summons** to appear in court on a specific day and time. They may decide to hold you in custody until you appear before a judge for a bail hearing (your first appearance must be within 24 hours or as soon as possible). The police will also inform your parents (or caregivers) of the offence and summons.

The police may decide to arrest you and take you to a police station to make a statement. They must tell you that you do not have to make a statement and that if you do so, it can be used against you in court. They also have to let you talk to a lawyer, your parents or another adult (of your choice) before you make a statement. If they do not tell you about these rights, they cannot use anything you say against you in court.

To make a complaint against the Royal Canadian Mounted Police (RCMP):

Commission for Public Complaints Against the RCMP

From Anywhere in BC (toll-free): 1.800.665.6878

To make a complaint against community police (i.e., Vancouver Police, Delta Police, Vancouver Transit Police etc.):

Call Enquiry BC (toll-free) at: 1.800.663.7867

and ask for the Office of the Police Complaint Commissioner.

Getting a Lawyer/ Legal Aid

If you have been arrested, you have the right to speak to a lawyer as soon as possible. A lawyer will help ensure that your rights are respected and you receive a fair hearing. The police must give you access to a phone so you can speak to a lawyer. If you don't have a lawyer, ask for the number for the **Lawyer Referral Service, Legal Aid, Prisoner's Line, or the Bridges Line** (a telephone advice service for people who are in custody). Tell the lawyer what you have been charged with and where you are. Try to arrange to meet in person with your lawyer before any hearings.

Anything you say to a lawyer in private is secret and can't be repeated by the lawyer in court without your permission.

If you don't get a chance to call a lawyer before you have to appear in court, there will be a lawyer (**Duty Counsel**) there who can help you. The **Duty Counsel** can help you talk to the judge about applying for **Legal Aid**; provide you with contact information to help you find a lawyer or apply for **Legal Aid**; set a date for your trial; ask the judge to set bail or release conditions, enter a **plea**; and find out if you qualify for a **diversion program**.

If you can't afford a lawyer, you may be able to get **Legal Aid**. If you get **Legal Aid**, the government pays for a lawyer for you. If you are under 18 and not eligible for **Legal Aid**, the **Youth Court** will appoint one for you. In order to qualify for **Legal Aid**, you must have a very low income and no other way to get help. Your legal problem must involve criminal charges, serious family law problems (e.g., violence, child protection); or immigration.



Plea: A Defendant's response to charges (ie. not guilty or guilty).

Diversion Program: Programs, generally for first-time offenders that may allow them to avoid jail and criminal records in return for community service work, apologies and meeting certain conditions.

Legal Services Society/ Legal Aid

If you have a legal problem but can't afford a lawyer, the **Legal Services Society (LSS)** may be able to help you. LSS is an independent, non-profit organization that provides legal aid for people with low incomes in BC. **Legal Aid** services range from legal information and legal advice to legal representation (a lawyer to handle your case). Assistance is available to callers from 9am to 4pm on Mondays, Tuesdays, Thursday and Fridays and from 9am to 2pm on Wednesdays through the **LAWLine**.

In the Lower Mainland: 604.408.2172

In Other Areas of BC (toll-free): 1.866.577.2525

www.lss.bc.ca

If you have any concerns about the lawyer who is representing you, contact the office that referred you to that lawyer for information about complaints and the procedure for changing lawyers.

Going to Court

Youth (under the age of 18) cases are usually handled in **Youth Court**. If you were initially held by police, the judge will make a decision about whether you should stay in custody or whether you should be released. The judge will tell you that you have the right to a lawyer and tell you about **Legal Aid** if your parents cannot afford a lawyer. The judge may also place conditions on your release (i.e., curfew, residency, "no go zones", etc.).

If you want to get a lawyer and one is not readily available, the judge will set another date for you to come back with your lawyer. The judge may feel that your parents or legal guardian should be there and if they are not, may adjourn the hearing to another day and order your parents or guardian to come. If you plead not guilty to the charge, the judge will set a date for a trial. And if you plead guilty, the judge may set a date for sentencing.

The judge can order that you be looked at by doctors to see if you are okay to go to your trial. The judge can order medical or psychological examinations and can send you to the Youth Forensic

Inpatient Assessment Unit or a custody centre (occasionally these assessments can be completed by a community-based forensic clinic). These assessments normally take 30 days to complete.

Under the *Youth Criminal Justice Act*, the judge can make many different orders. Some examples include:

- An absolute or conditional discharge
- A fine up to \$1,000
- Payment of **compensation** to the victim of your crime
- Payment of the costs of the crime (eg. replacing stolen goods)
- Up to 240 hours of community service
- Probation or other community supervision conditions
- Open or secure custody

The courtroom is a public place. However, the *Youth Criminal Justice Act* does give special rights of privacy to young people. The media is not allowed to publish the names or pictures of young people charged with offences, unless an adult sentence is imposed or in other unusual cases as ordered by a judge.



Compensation: Something (e.g., money or service) given or received as payment for a service or loss or injury.

Your Rights in Custody

If you are under 19 years old and remanded (held in custody while awaiting a court decision), or sentenced to a term of custody as the result of a criminal offence, you will most likely be sent to a youth custody centre. Your rights while in custody come from a number of laws and policies including the *UN Convention on the Rights of the Child*, *UN Rules for the Protection of Juveniles Deprived of Their Liberty*, *Canadian Charter of Rights and Freedoms*, *Youth Criminal Justice Act*, *Youth Justice Act*, *Youth Custody Regulation*, as well as internal policies of youth custody centres.

If you are in care, your section 70 rights do NOT legally apply to you while you are in custody. However, the following legislated (i.e. legal) rights apply to all youth while in custody in British Columbia:

- To be informed of your rights.
- To have your physical needs met (e.g., food, clothing, medical and dental care).
- To consent to your own health care as long as you understand the consequences of your decision.
- To be free from physical punishment.
- To be treated equally.
- To be free of discrimination, harassment based on your age, gender, ethnicity or sexual orientation.
- To participate in the religious activities of your choice.
- To have a lawyer represent you in court.
- To have your guardian notified if you are arrested or placed in custody.
- To have your personal information kept confidential and only released according to

law (e.g., child abuse reporting, court orders, if a crime has been committed, etc.).

- To apply to appeal your case.
- If you are sentenced, to apply to the judge for a review of your sentence for a transfer to open custody or an early release.
- If you are sentenced to more than one year in custody, to a review by the judge after one year from sentencing date.
- If you are remanded (awaiting a court decision), to a review of your bail status after 30 or 90 days depending on your charges.
- To apply for a reintegration (temporary) leave from custody.
- If you are restrained or separately confined (in a room alone), for it to be only for the minimum amount of time to ensure your safety or the safety of others, and to have the reasons for restraint or separate confinement explained to you.
- To have your separate confinement reviewed every 4 hours.
- To be informed of the reasons you are being searched and to be searched in a way that respects your privacy.

- If being strip searched, for it to be done by someone of the same gender as you unless it is an emergency.
- To be informed of the behaviour expected of you and what will happen if you break a rule.
- To make a complaint directly to someone at the centre (e.g., a Director, supervisor, staff member, teacher, etc.) or to an outside person (e.g., **Youth Custody Complaints Manager, Ombudsman, etc.**).
- To contact the **Representative for Children and Youth** for advocacy and assistance if you are having a problem.
- To have private discussions with and to send and receive mail from a lawyer, a judge, the **Ombudsman, the Representative, the Youth Custody Complaints Manager, MLA or an MP.**

In addition to legislative rights, youth custody centre policy also provides you with the following rights:

- To have the least possible restrictions on your freedoms necessary to ensure public safety while meeting your needs.

- To receive guidance and encouragement to maintain your cultural identity.
- To participate in social and recreational activities according to your abilities and interests.
- To be provided a minimum of 1 hour per day of recreational activities.
- To be offered programs that will assist with your rehabilitation, training and education.
- To look at your own personal information on the custody centre files.
- To be provided with an interpreter if you have difficulty understanding or communicating.
- To have visitors (e.g., parents, siblings, probation officer, social worker), subject to the rules of the custody centre.
- To have privacy during visits with your family subject to the rules of the custody centre.
- To be given reasonable opportunity to use the phone to contact approved people.
- To have input into your case management plan, to participate in decisions affecting you and to ask for a review of your plan.
- To have your personal things stored safely and to receive a written receipt for any valuables that are in storage at the custody centre.

Your Responsibilities in Custody

Although your rights can't be legally taken away from you, they can be limited by YOUR actions. While in a youth custody centre, you have the following responsibilities:

- Keep yourself and your room clean
- Follow any reasonable directions given to you by staff, which includes attending programs
- Treat everyone with respect, both with your words and actions
- Follow the rules of the custody centre, and respect the property
- Ensure you keep yourself and the people around you safe
- Let others know if you are having a problem and need assistance
- Actively participate in planning for your time in custody and your release

Complaints Process

There are a number of people who can help you understand your rights, teach you how to express your views, and provide you support throughout the process. If you feel your rights have been violated and you would like to make a complaint, you can talk to a **Youth Custody Centre Advocate**, contact the **Youth Custody Complaints Manager** or contact one of the agencies listed in the *Advocacy Support and Resources* section of the ***Your Life – Your Rights*** booklet.

Youth Custody Complaints Manager
1.250.387.1335

A young person can remain in a youth custody centre up to the age of 20 if they were sentenced for an offence committed before their 18th birthday. Once a young person is technically considered an adult (or their crime is considered serious enough to be tried as an adult), they will be sentenced or transferred to an adult correctional facility. Once this happens, the Youth Criminal Justice Act (BC Youth Justice Act) and other youth-based rights do not apply to you.

Ministry of Children & Family Development:

Youth Justice Services

www.mcf.gov.bc.ca/youth_justice/index.htm

Youth Justice Act

www.qp.gov.bc.ca/statreg/stat/y/03085_01.htm

Youth Criminal Justice Act (Canada)

www.justice.gc.ca/en/ps/yj/ycja/explan.html

Criminal Code

<http://laws.justice.gc.ca/en/C-46/index.html>

The Arrest Handbook: A Guide to Your Rights

The Arrest Pocketbook: A Guide to Your Rights

British Columbia Civil Liberties Association

In the Lower Mainland: 604.687.2919

www.bccla.org

**For information regarding Pardons of
an adult criminal record:**

National Parole Board

From Anywhere in BC (toll-free): 1.800.874.2652

www.npb-cnfc.gc.ca



COMMUNICATING
NEEDS

Tips for Communicating Your Needs

It is important to know the difference between a right, a need, and a desire so you can communicate your needs, advocate for your rights, and work towards your desires.

Right = Entitlement

Most rights are based on our basic needs as human beings but many are also based on dignity and respect for others. Rights are often standards for how people should be treated in order for them to live safely and grow up healthy.

Need = Survival

Needs are the basic things that all human beings require to survive. These are things we literally can't live without. Food, shelter and clothing are considered the most basic human needs. Connections with other people, medical attention and education are also considered needs when it comes to human development or growth as a person.

Desire = Want

Anything that isn't required in order to survive is considered a desire. Sometimes what we want seems like a need and often, our wants can contribute to our health and happiness.

It is also important to realize that demands don't work very well. You have a much better chance of making a positive change if you are willing to **negotiate**. If you feel like you aren't being treated fairly or you don't think the rules are **reasonable**, try thinking of a **compromise** that will give you the opportunity to **demonstrate** that you can be trusted to make good decisions. Ask for more responsibility but try to be realistic (i.e., only take on as much as you think you can handle at the time) and then follow through. Keeping your word goes a long way towards building trust, and building trust is the key to effective negotiation.

Whether advocating for yourself or for someone else, you will be most successful when you have the ability to say what is important to you and to listen to what other people are saying. By learning advocacy skills,

you can improve your ability to influence people and organizations that affect your life and increase people's awareness about your needs, issues and ideas. To be effective, it is important that you understand your true needs and interests; communicate as clearly and respectfully as possible; and that you ask for help when you need it.

Keep in mind... you may have to sacrifice some of your wants in order to get your needs met.



Negotiate: To discuss the terms of an arrangement.

Reasonable: Showing good judgement. Not excessive or extreme.

Compromise: Both sides agree to a middle ground.

Demonstrate: Prove through appropriate attitude and action.



ADVOCACY, SUPPORT
& RESOURCES

Advocacy, Support & Resources

Advocacy is speaking for yourself or someone else to make sure that an issue or cause is addressed. There are a few different forms of advocacy and each of the following may be important to you at some point in your life:

Self-Advocacy – speaking on your own behalf about something that affects you directly.

Peer Advocacy – speaking on behalf of a peer about an issue that affects them.

Professional Advocacy – a qualified 'expert' is paid to speak for a person, a group of people or a cause.

Systemic Advocacy – a person or group speaking for a cause that affects a larger group of people.

Understanding your rights and how to protect them can be difficult. It may take some time to figure out who to turn to and how best to help you with your problem so please try to be patient – there are a number of organizations and individuals in BC who are willing and able to help you!

Enquiry BC

Enquiry BC can assist you in contacting the government program, service or person that you need to speak to from 7:30am to 5pm Monday through Friday. You may need to give a bit of information (e.g., your community/ what service you're looking for, etc.) to assist the operator in figuring out which office is most appropriate if you're not sure when you call.

In Victoria: 250.387.6121

In the Lower Mainland: 604.660.2421

In Other Areas of BC (toll-free): 1.800.663.7867

Representative for Children and Youth of British Columbia

The Representative for Children and Youth (The Rep) is an independent Officer of the Legislature and does not report through a provincial ministry.

How they can help YOU...

The Rep and her team of Advocates are available to support children and youth from all over BC. If you are living in a foster or group home, in the home of a relative under a government program, or are in youth custody, you have rights and you may need some help to voice them. The Rep and her Advocates will support you to speak up for yourself and will also speak on your behalf if you are unable to. Ensuring that your voice is heard by the adults making decisions about your life is so important.

If you don't feel that you are being heard, please contact the Representative for Children and Youth:

In Victoria: 250.356.0831

In Other Areas of BC (toll-free): 1.800.476.3933

www.talktotherep.ca

Ombudsman of British Columbia

The **Ombudsman** is an officer of the provincial legislature and that makes the **Ombudsman** independent of government and political parties. The **Ombudsman** makes sure people have been treated fairly and is responsible for making sure that the administrative practices and services of public agencies are fair, reasonable, appropriate and equitable.

Examples of public agencies that the **Ombudsman can** investigate:

- Ministry of Children and Family Development (including Youth Agreements)
- Ministry of Housing and Social Development
- Public Guardian and Trustee
- Public schools, colleges and universities
- Mental health services, health services, hospital and clinic services, Medical Services Plan and PharmaCare
- Family Maintenance enforcement
- ICBC
- BC Hydro
- BC Human Rights Tribunal
- Workers' Compensation Board
- Self-Regulating Professions (e.g., Law Society, Registered Nurses Association and College of Physicians & Surgeons)

The **Ombudsman cannot** investigate the following:

- Banks, consumer inquiries (e.g., problem with WalMart), courts, doctors, lawyers, non-government employment issues, federal programs, home or property insurance, life or health insurance, landlord and residential tenant inquiries (e.g., rental agreements), lawyers, municipal police or the RCMP, or private schools.

How they can help YOU...

If you think you were treated unfairly or disagree with how a decision about you was made, the Ombudsman can help. The Ombudsman's staff give priority to calls from youth. The Ombudsman can provide you with information about what steps to take when you're dealing with a public agency; or conduct an independent review about a decision or action you think was unfair and try to settle complaints you may have about unfair treatment.

In Victoria: 250.387.5855

In Other Areas of BC (toll-free): 1.800.567.3247

www.ombudsman.bc.ca

Public Guardian and Trustee of BC

The Public Guardian and Trustee of British Columbia (PGT) operates under provincial law to protect the legal rights and financial interests of children; to provide assistance to incapable or vulnerable adults who need support for financial and personal decision making; and to administer the estates of deceased and missing persons where there is no one else able to do so.

As **Guardian of the Estate**, the **PGT** is responsible for the child's financial and legal interests. This includes collecting benefits to which the child is entitled, investing and managing a child's money and starting or defending legal action on the child's behalf, when required.

How they can help YOU...

The **Public Guardian and Trustee** is authorized to hold funds in trust for a child. This may be under a will, a trust agreement or a court order. A child may also be entitled to money as compensation for injuries from an insurance policy or from monies left to them by a family member. Money is paid to the **PGT** in trust for the child where it is invested and administered on the child's behalf. The **PGT** may release money to

assist with or cover the cost of a child's care, education, rehabilitation or other special opportunities.

Funds are held in trust by the **PGT** until the person reaches the age of 19, unless the Court orders that the funds be held longer. The **PGT** will release to the client any funds or assets it holds in trust, upon receipt of properly completed documents.

When a child is orphaned and no other adult is appointed guardian or when a child is in the care of the Province and a **Continuing Custody Order** has been made by the **Provincial Court**, the **Public Guardian and Trustee (PGT)** and the **Director of Child Welfare** in the **Ministry of Children and Family Development** become the child's guardians.

Child and Youth Services Division
In the Lower Mainland: 604.775.3480
www.trustee.bc.ca/services/youth/index.html

Members of Legislated Assembly (MLA) and Members of Parliament (MP)

Your **MLA** is an elected representative to the government of BC. Your **MP** is an elected representative to the government of Canada. Both are responsible for systemic advocacy.

How they can help YOU...

MLAs are responsible for making provincial laws, approving provincial finances, and **scrutinizing** government.

This means they can create laws based on the current needs of BC residents; approve where provincial funding goes or how

provincial money is spent; and monitor provincial government ministries to make sure they are accountable.

MPs are responsible for making federal (i.e., national) laws. When examining a matter before **Parliament**, MPs draw on the opinions of their constituents (that's YOU), the caucus, interest groups and regional needs (that's BC) as well as their own personal **convictions**. They also have access to consultants and research services that help them examine the many aspects of an issue before voting for or against it.



Scrutinize : To look at something and evaluate the details.

Convictions: An unshakable personal belief in something.

To contact your **MLA** or **MP**, go to the 'blue pages' section of your phone book and look under **"Province of British Columbia – Members of the Legislative Assembly"** or **"Government of Canada – Members of Parliament"** and look for your community to figure out the name and contact information for the appropriate **MLA** or **MP**.

You can also go to the **Legislative Assembly of BC** website www.leg.bc.ca where you can find your **MLA** by name, community or by using your postal code. **Elections BC** can also help you figure out who your **MLA** is and provide you with contact information. Call **1.800.661.8683** (toll-free from anywhere in BC).

You can also go to the **Government of Canada's** Parliament website www.parl.gc.ca where you can find your **MP** using your postal code or call (toll-free from anywhere in Canada):
1.866.599.4999

If you would like to send a letter to your **MLA** or **MP**, you can do so without having to use postage by mailing it to:

MLA's name

Parliament Buildings

Victoria, British Columbia

Canada

V8V 1X4

MP's name

House of Commons

Parliament Buildings

Ottawa, Ontario

Canada

K1A 0A6

Community Legal Assistance Society

The **CLAS** **litigates** test cases and seeks to reform laws relating to people who are economically, socially, physically, and mentally disadvantaged. **CLAS** can help process **Employment Insurance** appeals, **Worker's Compensation Board** appeals, and judicial reviews of welfare tribunal appeals and charitable tax law. **CLAS** also provides training to people who would like to be better community advocates and offers legal education to the public.



***Litigate:** Engage in legal proceedings or file a lawsuit.*

How they can help YOU...

The Mental Health Law Program of CLAS provides patients with information and free legal representation for mental health patients at review panel/board hearings. **The Disability Law Program of CLAS** develops and litigates test cases under the *Charter of Rights* and other legislation regarding equal rights and independence for people with disabilities.

In the Lower Mainland: 604.685.3425

In Other Areas of BC (toll-free): 1.888.685.6222

www.clasbc.net

Federation of BC Youth in Care Networks

The Federation of BC Youth in Care Networks (FBCYICN) is a youth-driven, provincial non-profit organization dedicated to improving the lives of young people in and from care in BC, between the ages of 14 and 24. This includes young people in and from foster and group homes, youth custody centres, residential mental health facilities and those on Youth Agreements.

How they can help YOU...

The **FBCYICN** is about support, education and advocacy. They can help you to understand your rights, teach you how to advocate for yourself and provide support throughout the process. They can also offer you opportunities to develop life and leadership skills; provide feedback and input into policies and programs that affect young people; and network with your peers from around BC and across Canada.

In the Lower Mainland: 604.527.7762

In Other Areas of BC (toll-free): 1.800.565.8055

www.fbcyicn.ca





Appendix

MCFD Services for Youth

According to the *Child, Family and Community Services Act*, the **Ministry for Children and Family Development** is able to provide the following:

- Support services for youth, including but not limited to safe houses, outreach services and supported living arrangements.
- Restraining orders against pimps, johns and drug-pushers who prey on children and youth.
- **Youth Agreements** with an independence plan for high risk youth.
- **“Post majority services”** or **Agreements with Young Adults** to assist with educational goals or rehabilitative programs.

Youth services provided by the Ministry of Children and Family Development include:

- **Youth Services Assessment and Safety Planning**
– an assessment to determine the most appropriate service(s).
- **Youth Agreements** – ability to provide one or more services, such as “residential, educational or other support services”, and/or “financial assistance” to provide a foundation for high-risk youth to implement change in their lives.
- **Outreach** – services for street youth to reduce the risk of street life and enhance opportunities to ‘re-connect’ youth with their families and communities.
- **Youth Semi-Independent Living Program (YSILP)** – a “supported independent living program for youth with serious mental disturbance to assist them to achieve maximum independence and health, and in transitioning to adult mental health services.
- **Mediation** – Parent/Teen conflict resolution is intended to keep families together and help families resolve problems on their own by recognizing and focusing on the things that are

- working within family member relationships.
- **Safe Houses** – provide sexually exploited youth and street youth who wish to leave the streets, who are in danger or at-risk, or who may become at-risk, with a safe and supportive place to stay.
 - **Youth Support Workers** – provide on-going support to sexually exploited youth and youth on Youth Agreements to assist in making successful transitions.
 - **Youth Mental Health** – provides youth with serious social, emotional and behavioural difficulties with specialized mental health services ranging from assessment to treatment and referral.
 - **Youth Justice Services** – including: alternative measures (diversion); supervision and case management of youth who are subject to a bail or probation order; preparation of reports for Court and Crown Counsel; community-based residential and non-residential programs; and custody of youth.
 - **Guardianship Services** – can be provided when youth are taken into the care of the Director due to protection concerns, or when their families need support through **Voluntary Care**

Agreements. While most children and in care on a temporary basis, others remain on a longer term or continuing basis. Whenever it assumes guardianship of a youth, whether temporarily or on a continuing basis, the ministry is responsible for all of the youth's needs. These needs are met through a range of out-of-home services such as foster homes, group homes and specialized resources.

NOTES:

References

Ministry of Children and Family Development
www.mcf.gov.bc.ca

Ministry of Health
www.health.gov.bc.ca

Ministry of Housing and Social Development
www.eia.gov.bc.ca

Ministry of Small Business and Revenue
www.rev.gov.bc.ca

Child, Family & Community Service Act:
Chapter 46 – Section 70 (1996)
Queen's Printer
www.qp.gov.bc.ca/statreg/stat/C/96046_01.htm

*Rights 2 Success Rights and Advocacy Workshop:
Learning about your rights and how to advocate on your
own behalf – Presentation to the Ministry of Children
and Family Development (June 8, 2005)*

*Rights 2 Success Rights and Advocacy Workshop:
Learning about your rights and how to advocate on your
own behalf (Youth version)*

*Rights 2 Success: Rights, Participation & Advocacy
Workshop (Adult version)*

Child and Youth Officer for British Columbia, Federation
of BC Youth in Care Networks & Ministry of Children and
Family Development

Child and Youth Family Development Service Standards
(June 28, 2004)

Ministry of Children and Family Development

www.mcf.gov.bc.ca/child_protection/pdf/cfd_ss_july04.pdf

Voluntary Care & Special Care Agreements: A Guide for Parents

Ministry of Children and Family Development

www.mcf.gov.bc.ca/child_protection/pdf/voluntary_care.pdf

Youth Education Assistance Fund

Ministry of Children and Family Development

www.mcf.gov.bc.ca/other_services/yeaf/index.htm

Guide to the Mental Health Act (2005 – British Columbia)

www.healthservices.gov.bc.ca/mhd/pdf/MentalHealthGuide.pdf

Youth Justice Act (BC)

www.qp.gov.bc.ca/statreg/stat/y/03085_01.htm

Youth Criminal Justice Act (Canada)

<http://laws.justice.gc.ca/en/Y-1.5>

Criminal Code of Canada

<http://laws.justice.gc.ca/en/C-46/index.html>

The Arrest Handbook: A Guide to Your Rights (2003)

The Arrest Pocketbook: A Guide to Your Rights (2003)

British Columbia Civil Liberties Association

www.bccla.org

The Red Book Online

Information Services Vancouver

www2.vpl.vancouver.bc.ca/redbook/