

YOUR LIFE, YOUR RIGHTS

RIGHTS OF YOUTH IN CARE IN BC

If you're a youth in government care in BC, you have rights under the law, specifically Section 70 of the Child, Family and Community Service Act.

You have these rights under any care status and in any living arrangement, whether you live in a foster home, group home, on your own or with family under an agreement.

Your social worker has to tell you about your rights when you come into care and every year that you're in care.

Please note that young people in youth justice custody centres or mental health facilities have different rights.

OFFICIAL RIGHT To be fed, clothed and nurtured according to community standards and to be given the same quality of care as other children in the placement

WHAT IT MEANS You have the right to clothes, **shelter, healthy food and to be cared about**, and you should get the same quality of care as other youth where you live.

OFFICIAL RIGHT To be informed about your plan of care

WHAT IT MEANS Your **care plan** is the plan for how you'll be taken care of and how your needs will be met. Care plans are created and updated by your social worker, other adults on your care team and sometimes you. Your social worker is responsible for going over your care plan with you when you come into care and every year that you're in care.

OFFICIAL RIGHT To be consulted and to express your views, according to your abilities, about significant decisions affecting you

WHAT IT MEANS You should be part of **discussions** about your care plan, and **your wants and needs** should be taken into consideration. You should be able to say what you think.

OFFICIAL RIGHT To reasonable privacy and to possession of your personal belongings

WHAT IT MEANS You should have **privacy** when you need it (like to take a shower or have a personal conversation) as long as it's safe for you. You should also have a safe place for your stuff.

OFFICIAL RIGHT To be free from corporal punishment

WHAT IT MEANS You shouldn't be **physically punished** for things. Some examples of corporal punishment are spanking, not letting you eat enough and locking you in your room.

OFFICIAL RIGHT To be informed of the standard of behaviour expected by your caregivers or prospective adoptive parents and of the consequences of not meeting the expectations

WHAT IT MEANS Your **caregivers should tell you what the rules are** and what will happen if you don't follow them.

OFFICIAL RIGHT To receive medical and dental care when required

WHAT IT MEANS You should be able to go to the doctor or dentist when you need to and get any medications you're prescribed. You have the right to a private conversation with your doctor.

OFFICIAL RIGHT To participate in social and recreational activities if available and appropriate and according to your abilities and interests

WHAT IT MEANS You should be allowed to do some **fun stuff**, like join a team or community group or explore a hobby.

OFFICIAL RIGHT To receive the religious instruction and to participate in the religious activities of your choice

WHAT IT MEANS You should be free and supported to **practice your religion**. You can talk to your social worker about making sure this is in your care plan. You also don't have to participate in other people's religious activities if you don't want to.

OFFICIAL RIGHT To receive guidance and encouragement to maintain your cultural heritage

WHAT IT MEANS You should be able to go to cultural events, learn from others in your culture and practice your traditions. You can talk to your social worker about making sure this is in your care plan.

OFFICIAL RIGHT Indigenous children have the right to receive guidance, encouragement and support to learn about and practise their traditions, customs and languages, and belong to their Indigenous communities

WHAT IT MEANS If you're Indigenous, you have the right to be connected to people who can support you to learn about your culture. You also have the right to participate in the ceremonies or practices of your **culture** and be part of your **community**.

Sources

Child, Family & Community Services Act
Freedom of Information and Protection of Privacy Act
Your Life, Your Rights: A Guide to the Rights of Young People in British Columbia, Federation of BC Youth in Care Networks and the Ministry of Children and Family Development, 2008

OFFICIAL RIGHT To be provided with an interpreter if language or disability is a barrier to consulting with you on decisions affecting your custody or care

WHAT IT MEANS You should have a **translator** or **support person** to help you communicate what you need and want, and to help you understand what decisions are being made about your care and why.

OFFICIAL RIGHT To privacy during discussions with members of their families, subject to any court order

WHAT IT MEANS Unless there's a court order saying family members aren't allowed to contact you, you should be able to have **private conversations with your family**.

OFFICIAL RIGHT To privacy during discussions with a lawyer, the representative or a person employed or retained by the representative under the Representative for Children and Youth Act, the Ombudsperson, a member of the Legislative Assembly or a member of Parliament

WHAT IT MEANS You should be able to have **private conversations with the people and organizations who can help** make sure your rights are respected.

YOUR RESPONSIBILITIES

You have some responsibilities as a youth in care, and they're things you can do to help others respect your rights.

RESPECT THE RIGHTS OF OTHERS

While people like your social worker, teachers and caregivers are responsible for respecting your rights, you're also responsible for respecting the rights of the people around you. As best you can, treat other people how you would want to be treated.

OWN YOUR ACTIONS

How you act can affect what your rights look like. For example, you have the right to join a soccer team, but you're responsible for being respectful to your teammates and following team rules. If you don't, you might not be allowed to join a team again until you can show that you take your responsibilities seriously.

SAY WHAT YOU NEED

Help the people in your life respect your rights by letting them know what you want. It's not always easy for people to understand each other or guess what someone else might want or care about. Do your best to be clear about what's important to you, and ask for these things to be included in your care plan.

OFFICIAL RIGHT To be informed about and to be assisted in contacting the representative under the Representative for Children and Youth Act or the Ombudsperson

WHAT IT MEANS Your social worker should tell you about the **Representative for Children and Youth** and the **BC Ombudsperson**. These organizations are responsible for making sure your rights are respected. Your social worker should tell you how to contact them and help you if you need it.

OFFICIAL RIGHT To be informed of your rights, and the procedures available for enforcing your rights, under the Child, Family & Community Service Act and Freedom of Information and Protection of Privacy Act.

WHAT IT MEANS Your social worker should tell you about your **rights** under Section 70 (the rights above), and your rights under the Freedom of Information and Protection of Privacy Act, which gives you the right to access personal information about yourself, including your care records. Your social worker has to go over your rights with you when you first come into care and every year that you're in care.

GET SUPPORT & FIND OUT MORE!

If you need help communicating with the adults making decisions for you, there are organizations that can help.

FEDERATION OF BC YOUTH IN CARE NETWORKS

The Federation of BC Youth in Care Networks (the Fed) is a youth-driven, peer-based, 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. If you feel your rights not being respected, you can connect with us and one of our friendly staff can help you.
fbcyicn.ca | info@fbcyicn.ca | 604-527-7762

REPRESENTATIVE FOR CHILDREN AND YOUTH

BC's Representative for Children and Youth (RCY) advocates for children and youth in care. They can help you make sure your rights are respected. You can connect with an advocate via text, online chat, email or over the phone.
<http://rcybc.ca/get-help-now> | 1-800-476-3933 | rcy@rcybc.ca

OMBUDSPERSON

The BC Ombudsperson looks into complaints about provincial and local governments. If you'd like to make a complaint about how you've been treated in care, you can reach out to the Ombudsperson's office and they can investigate it.
<https://bcombudsperson.ca> | 1-800-567-3247

UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

The rights of children in care laid out in Section 70 were based on the United Nations Convention on the Rights of the Child.
<https://www.unicef.org/child-rights-convention>

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UNDRIP)

UNDRIP was made into law in BC in 2019 through the Declaration on the Rights of Indigenous Peoples Act. It lays out the rights of Indigenous children.
<https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/19044>