

Know Your Rights

A Guide to Rights for Young People In Care



Are you a young person who is in the care of the Ministry of Children and Family Development or a Delegated Aboriginal Agency?

Do you know that you have special rights when you are in care?

Do you know what your rights are?

Do you know what to do if you feel your rights are not being respected?



Use your voice!

You have the right to be heard!

What does "in care" mean?

- ★ Your care is the responsibility of the Ministry of Children and Family Development (MCFD) or a Delegated Aboriginal Agency (DAA).
- ★ You may be living in a foster home, group home, or on your own.
- ★ Being "in care" can be temporary or permanent (or continuing custody).
- ★ Your parent(s) may have signed a Voluntary Care Agreement or Special Needs Agreement, or you may be in care through a court order.
- ★ If you are on a Youth Agreement, you are not "in care."

Who is my worker?

- ★ The person from the ministry or delegated agency who makes sure you are properly taken care of and tells you about your rights.
- ★ The person who hears your ideas and concerns.
- ★ The person who works with you to write your Plan of Care, which includes things like where you live, where you go to school, sports, activities and your other needs.

What are my rights?

All children and youth have rights, which are outlined in the United Nations Convention on the Rights of the Child. In addition to these, children and youth in care have rights outlined in a law called the *Child, Family and Community Service Act* (Section 70). You don't have to earn these rights and they cannot be taken away from you. The easiest way to remember your rights is the 4 Bs:

1

Be Safe – this is about being and feeling safe, which includes being protected from abuse, neglect, racism, exploitation and other forms of discrimination.

2

Be Healthy – this is about having a healthy body and mind, which includes things like access to food, clothing, shelter, proper medical and dental care.

3


Be Yourself – this is about having what you need to be free and proud to be yourself, which includes things like the opportunity to participate in your culture and language, social and recreational activities, and education.

4

Be Heard – this is about being able to express your feelings, thoughts and opinions when important decisions are being made about you.

While in care, you have the right to:

- ★ Have your rights explained to you.
- ★ Be properly fed, clothed and cared for the same as other kids in your placement.
- ★ Be protected from all kinds of abuse, neglect and discrimination.
- ★ Be told about and involved in your Plan of Care.
- ★ Have your views heard and considered and participate in decisions that affect you.
- ★ Be involved in social and recreational activities.
- ★ Practice your religion and receive religious guidance.
- ★ Be informed about the role of the Representative for Children and Youth and the Ombudsperson and help to contact them.
- ★ Be told about the rules and what will happen if they are not followed.
- ★ Medical and dental care.

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- ★ Have an interpreter if you need one.
 - ★ Maintain and explore your cultural heritage, and have help to do so.
 - ★ Private discussions with a lawyer, someone from the Representative's Office, the Ombudsperson, your local member of government (MLA or MP).
 - ★ Reasonable privacy and personal belongings (except for those that could cause harm or are against the law).
 - ★ Private discussions with your family, unless a court order says you can't.

Remember:

- ★ The adults in your life have a responsibility to make sure that your rights are being respected and upheld.
- ★ You need to respect the rights of others.
- ★ You need to respect and uphold your own rights by following the 4 Bs: Be Safe, Be Healthy, Be Yourself and Be Heard.

What if I feel my rights are not being respected?

You have the right to be heard! Use your voice and tell someone about your concern or problem.

Talking to your worker is often the quickest and easiest way to solve a problem. If this doesn't work talk to your MCFD or Delegated Aboriginal Agency complaints specialist, who will help you through the complaints process.

Call MCFD Client Relations toll-free at 1 877 387-7027 and they will help you find the right person to talk to.

For more information you can check out the ministry's complaints website at www.mcf.gov.bc.ca/complaints/youth.htm

Who else can help me?

An advocate is someone who will help you use your voice so you can be your own best advocate or someone who will speak on your behalf if you need help.

Your advocate could be a trusted friend, foster parent, caregiver, relative, teacher or worker. The Representative for Children and Youth and her staff are also advocates who you can call for help.

THE REPRESENTATIVE FOR CHILDREN AND YOUTH

When you call, someone from the Representative's team of advocates will listen to your problem, offer advice and if necessary, help you in other ways. Most importantly, they will help you speak up for yourself and ensure your privacy is respected.

Toll-Free: 1 800 476-3933

In Victoria: 250 356-6710

Email: intake@rcybc.ca

www.talktotherep.ca

THE OMBUDSPERSON

It is the Ombudsperson's job to listen to you, try to settle complaints and make sure you are treated fairly.

Toll-Free: 1 800 567-3247

In Victoria: 250 387-5855

www.bcombudsperson.ca

THE PUBLIC GUARDIAN AND TRUSTEE

It is the Public Guardian and Trustee's job to protect your legal and financial interests if you are in the continuing custody of MCFD or a Delegated Aboriginal Agency.

Phone: 604 775-3480

Email: cys@trustee.bc.ca

www.trustee.bc.ca

You will not get into trouble for calling these places and telling them about your concerns, making complaints or asking questions — ***it's your right.***

Additional Resources:

MCFD'S COMPLAINTS PROCESS WEBSITE

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

MCFD YOUTH SERVICES

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

FEDERATION OF BC YOUTH IN CARE NETWORKS

This is a great resource for youth in care. They can help you understand your rights, teach you how to advocate for yourself and provide support.

Toll-Free: 1 800 565-8055

www.fbcyicn.ca

B.C.'S HELPLINE FOR CHILDREN

If you have concerns about yourself or another child or youth who may be in need of protection, call 310-1234, 24/7, from anywhere in the province (*no area code required*).

UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

www.unicef.org/crc/files/Rights_overview.pdf

URBAN NATIVE YOUTH ASSOCIATION

In Vancouver: 604 254-7732

www.unya.bc.ca



The Ministry of Children and Family Development and the Delegated Aboriginal Agencies want to ensure that B.C. youth in care have their needs met and their rights respected while they are in care and/or transitioning to independence.

If you have concerns or questions about your care, it's important to ***speak up*** and ***be heard***. For more information on services available to you, please visit: ***www.gov.bc.ca/mcf***