

# Children's Rights Matter to Us

**Over 400 children and youth speak out**

Findings from the First Annual Listening Tour  
of the Ontario Provincial Advocate for Children and Youth

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FACEBOOK the Office of the Provincial Advocate for Children and Youth

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The Listening Tour project marks the occasion of the 25th anniversary of the United Nations signing of the United Nations Convention on the Rights of the Child, an international human rights treaty, recognizing the rights of all children.

**October 2015**



# Contents:

**The Office of the Provincial Advocate for Children and Youth..... 6**

**The Listening Tour ..... 7**

Why the Listening Tour now?..... 7

The Listening Tour meetings ..... 8

The Listening Tour Report ..... 8

**What Was Heard ..... 9**

1. We are vulnerable ..... 10

2. We are isolated ..... 13

3. We are left out of our lives ..... 16

4. No one is really there for us ..... 19

5. Care (and services) are unpredictable ..... 21

6. We keep losing who we are (First Nations youth) ..... 23

7. Some positive comments ..... 24

**Conclusion ..... 26**

**Appendix – The United Nations Convention on the Rights of the Child ..... 28**



*Dear Friends;*

*I want to take the opportunity to thank each young person whom I met during the Listening Tour.*

*You were honest and open. You were courageous. It takes strength to talk about your own experiences in hopes of changing things for others when you have been let down by many in your life. It takes courage to hope. I thank you for that.*

*I appreciate that the process of reflecting and deciding what to share was painful and difficult. I believe the Province is indebted to you for sharing your wisdom. I hope you see something of yourself in the ideas and quotes recorded here.*

*To the staff who organized the meetings and the service providers who agreed to be hosts, I thank you as well. At times what the young people had to say was difficult to hear. Your willingness to provide them with the opportunity to talk is hopeful and a sign of your willingness to make things better.*

*While my Office meets and listens to children and youth each and every day, we will formally hold a Listening Tour each and every year. We will use the process to encourage the Province to listen to children and young people as it writes its report on their behalf to the United Nations Committee on the Rights of the Child in 2018.*

*Only when the rights that come so easily to some in the Province are enjoyed by all children will the promise of the Convention become a reality.*

*Sincerely,*

*Irwin Elman*  
Provincial Advocate

# The Office of the Provincial Advocate for Children and Youth

The Office of the Provincial Advocate for Children and Youth (Advocate's Office) reports directly to the Legislature of Ontario. The Office provides an independent voice for children and youth in and on the margins of state care, including children and youth with special needs and First Nations children and youth. The Office strives to be an exemplar for meaningful participation of children and youth through all aspects of its advocacy services.

The Office is guided by the principles of the United Nations Convention on the Rights of the Child.

This commitment to the Convention is noted in the *Provincial Advocate for Children and Youth Act, 2007*, which says "That in interpreting the Act regard shall be given to the principles of the Convention."

The Advocate's Office takes this commitment seriously.

The guiding principles of the Convention include:

- Non-discrimination (Article 2).
- Adherence to the best interests of the child (Article 3).
- Right to life, survival and development (Article 6).
- The right to participate (Article 12).

Under the Advocate's Office legislation, the Advocate's Office must:

- Provide an independent voice for children and youth by partnering with them to bring issues forward.
- Encourage communication and understanding between children and families and those who provide them with services.
- Educate children, youth and their caregivers about the rights of children.



# The Listening Tour

## Why the Listening Tour Now

On November 13, 2014, the Advocate's Office launched its first annual listening tour, leading up to the National Day of the Child, on November 20th.

November 20th, 2015 marked the 25th anniversary of the signing of The United Nations Convention on the Rights of the Child, or UNCRC (see Appendix). The Advocate's Office wanted to hear from children and youth within its mandate about how Ontario was living up to its commitments under the UNCRC.

Every five years, the United Nations Committee on the Rights of the Child conducts a review to monitor the progress of each country that signed the Convention. As part of the process, each country is obligated to file an official report to the UN about how the country is living up to its commitment to children. Alternate or shadow reports from the country under review can also be submitted by organizations or individuals that have a key interest in children's rights.

Canada's next review by the United Nations is in 2018. In the past, when Canada has written a report to the United Nations, it has done so largely behind closed doors. Each Province is asked by the Federal Government to write its own report and submit it to Ottawa. Ontario's report is written by the Ministry of the Attorney General. There has been no public consultation process in the writing of these reports by either the Federal or Provincial government. In Ontario the report is written in silence. This process at best meets Canada's reporting requirement but belittles the importance and intention of the Convention.

The Advocate's Office believes this process should change. Our reporting to the United Nations and their assessment of us as a country is an opportunity for our governments to educate the public about the UNCRC and have a broad-based conversation with all of us about the status of our children.

During "UNCRC Week", from November 17 to 21, 2014, the Advocate undertook a listening tour, and met with children and youth in Toronto, London, Windsor, Thunder Bay, Manitoulin Island, Prince Edward County, Perth and Ottawa. He and his staff met with youth in the care of the Children's Aid Societies, children with special education needs, children with mental health needs, youth who were homeless, youth in custody and First Nations children – all groups of children within the mandate of the Advocate's Office.

The Advocate's Office heard directly from young people about their hopes, dreams and real life experiences. This report is a record of what the tour team heard.



## The Listening Tour Meetings

During the Listening Tour, the Advocate heard from young people in youth justice facilities, in schools for children with learning disabilities, youth in the care of the Children's Aid Societies, in youth shelters, in First Nations communities, youth centres, children's mental health treatment centres and group homes.<sup>1</sup> The Advocate heard from over 400 young people during the course of the listening tour.

At each stop of the Listening Tour, a meeting was organized with youth in a specific service. At each meeting youth attending were asked if they wanted staff to be present. More often than not, the staff left the meeting. Young people were able to talk freely in an open-ended discussion. They gave their permission for their comments to be recorded verbatim.

The Advocate asked each group of youth he met with about their hopes and about the challenges they faced in their lives. Everyone had a chance to speak, if they wanted to.

## The Listening Tour Report

This report represents the collective voice of the youth who participated. It is hoped that each young person involved will be able to see themselves in the report.

The meetings were powerful. In virtually every meeting young people at some point stated clearly that one of the things that would make a difference would be to have adults in their lives who really listened to them. Not just when they had something to say about what was going wrong, and there was plenty, but the type of listening that comes through dialogue and caring.

This report strives to give the reader a sense of what was heard. The quotes selected stand on their own. This report is part of the Advocate's Office promise to the children and youth who participated in the listening tour: they would be heard, and their words would be shared.

<sup>1</sup> *Youth justice facilities* are places of custody where young people up to the age of 18 are sentenced in a criminal court matter. Ontario has *demonstration schools* operated directly by the Ministry of Education where students with severe learning disabilities can live in residence and receive appropriate educational support. *Children's Mental Health residences* are institutions run directly by the Province or by non-profit and/or for-profit organizations. They are home to young people struggling with mental health challenges who are unable to live in a less intrusive setting, and who require specialized service. *Group homes* are staffed residences for young people.



# What Was Heard

During the Listening Tour, over 400 children and youth spoke out about their life situations and about what might be done to better their lives and the lives of their peers and other youth and families.

Youth spoke about their hopes and the challenges they experienced in their lives.

In 2013, a group of youth in and from children's aid care, supported by the Advocate's Office wrote a report called *My Real Lifebook*<sup>2</sup>. The Report stemmed from the Youth In Care Hearings held a year before. In *My Real Lifebook* the youth writers identified the following themes about what it was like in child welfare care:

1. We are vulnerable.
2. We are isolated.
3. We are left out of our lives.
4. No one is really there for us.
5. Care (and services) are unpredictable.
6. We keep losing who we are. (First Nations youth)
7. Some positive comments

What was heard during the Listening Tour from young people from all areas of the Advocate's Office mandate fit the themes identified above, even though many of the youth were not in care. The themes, in some way, were universal.

It is also accurate to say we heard some positive things from young people about what is working. The report is organized accordingly, using the themes from *My Real Lifebook*.

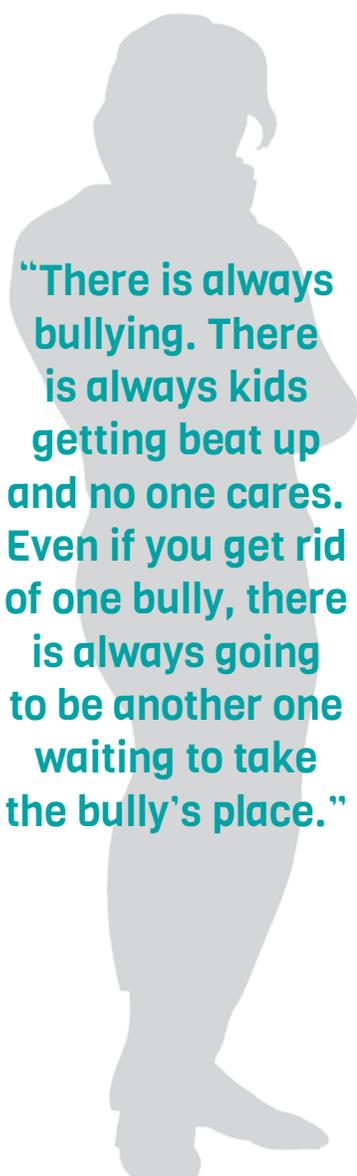
The Report is also organized in a manner that reflects the four principles of the UCRC:

1. Every child has the right to decisions that are made in their best interest.
2. Every child has the right to survive.
3. Every child has the right to live free from discrimination.
4. Every child has the right to participate and be heard in decisions that affect them.

What is shared here is shared not to offer blame, but to offer a voice to young people who matter, to share the urgent need for positive and fundamental change. As a youth at a Children's Mental Health Centre stated, "We need to make sure that youth voices are heard. We need the United Nations Convention on the Rights of the Child to apply to every child."

What you will read shows a need for fundamental change in the lives of the most vulnerable children in the Province. As a youth leader said, "It is more than a change in how things are done. It's a change that is needed in how people think. A change in mentality."

<sup>2</sup> *My Real Lifebook* is here: [http://www.provincialadvocate.on.ca/documents/en/ylc/TEXT\\_ONLY\\_REPORT\\_EN.pdf](http://www.provincialadvocate.on.ca/documents/en/ylc/TEXT_ONLY_REPORT_EN.pdf)



**“There is always bullying. There is always kids getting beat up and no one cares. Even if you get rid of one bully, there is always going to be another one waiting to take the bully’s place.”**

## 1. We Are Vulnerable

We know the basic needs of the majority of children in Canada are being met. However, evidence shows there is increasing inequity between children in Canada.<sup>3</sup>

During the Listening Tour, young people spoke about their need for the basic necessities of life. Some spoke about not having adequate shelter, others not having adequate food. They were vulnerable. They also spoke about feeling unsafe. Some felt unsafe in their families, pointing to the need for supports for their parents and caregivers, who they worried a great deal about. Others felt unsafe in the institutions in which they lived. Those who had found a refuge of safety often felt vulnerable in that they had no path forward for themselves, “nowhere to go.”

Young people spoke about bullying, drugs, abuse and suicide.

“Think of a time when you felt calm and strong”, the Advocate asked a group of 30 young people. “Here?” the group asked. “We never did.” [Youth at children’s residential treatment centre]

### Bullying

“There is always bullying. There is always kids getting beat up and no one cares. Even if you get rid of one bully, there is always going to be another one waiting to take the bully’s place.” [Youth at children’s residential treatment centre]

“We need something to help us feel safe. It is not only kids who bully. It is also adults. At my old school, teachers bullied me. One even pushed me down the stairs and no one did anything. We need a place for us where we can feel safe.” [Youth at children’s residential treatment centre]

“I saw people that were bullied because they had a disability. There were a lot of us who had disabilities. We became friends. If someone had trouble in math I would help them. They would help me with my reading. So we kind of grouped together and in that way we had an advantage over the bullies.” [Student with learning disabilities]

<sup>3</sup> Campaign 2000. Child Poverty 25 Years Later: We can Fix This. 2014 Report Card on Child and Family Poverty in Canada. <http://www.campaign2000.ca/anniversaryreport/CanadaRC2014EN.pdf>

## Lack of safety and security at home or in residence

“ My stepmom’s been through a lot. I think she is on 25 pills for all the stuff she has wrong. I think she is only 25 but she gets really, really angry and she is always yelling a lot of the time and to be honest I love visiting my dad. If it’s just me and my dad we have the greatest time ever, but when she is around she kind of spoils it.” [Youth]

“ My mom and stepdad say they love each other but I know there is something wrong because they always argue and my dad has a temper. That’s something wrong with him and he gets very verbally abusive. My mom is very negative when it comes to my problems and I have anxiety so whenever I get anxious or feel something is wrong she gets mad at me.” [Youth]

“ If I’m home alone with my stepdad, I would hide in my room because I’m afraid of him.” [Youth]

“ When a worker is coming to investigate a case, they are sitting in the house talking to the kids with the parents in the house. No matter where you go in the house you know that your parents can hear you. I didn’t feel safe to speak until I was out of the house and met my worker away from the house. That is what took me so long to say anything.” [Youth in care]

“ You have to carry your stuff around everywhere.” [Youth at children’s residential treatment centre]

“ So I’m in my bedroom, right? Someone is being restrained outside my room. I can’t come out. The restraint is in a hallway so if someone is being restrained there, all four of us can’t come out. This so all the staff can help do the restraint. We knock and say ‘what’s going on?’ They yell at us ‘don’t open the door.’” [Youth at children’s mental health treatment centre]

“ Basically once you are surrounded by friends, you don’t think about all the troubles that happen ... I went to a mental health centre ... I still dread the place because when I went there it was so depressing and I always felt sad. I never wanted to be there. They always tried to encourage me to tell them what happened but I didn’t want to tell them and I didn’t feel safe to tell them. If I don’t know someone, I don’t trust them. I think everybody is like that. If I don’t know you I am not going to just open up to you and tell you everything because for all I know you could come back and haunt me, or you are going to tell everyone and then it’s just going to make my life even worse.” [Youth]



**“Living on the streets is hell. I have been homeless since I was 12 or 13 years old. After a while my dad just stopped looking for me.”**



**“It’s good to talk about issues like suicide. We need to talk about it because we all know about it.”**

“Living on the streets is hell. I have been homeless since I was 12 or 13 years old. After a while my dad just stopped looking for me.” [Youth at children’s residential treatment centre]

### **Drugs**

“I call this town ‘Cracktown.’ You could literally go down the street and you could ask ... I bet you can ask ten people and probably eight of them either have or know where to get drugs. It’s not hard to find anything here. Basically, a lot of people know where it all is and once you live here long enough you can pick out all of the houses.” [Youth]

“Harm reduction is never really taught in schools. It should be. Harm reduction is about getting people what they need safely the way they want to live. Instead of saying ‘Drugs are bad. Don’t do them’, say what they are doing to their body and have info pamphlets in schools saying how youth can do things safely.” [Youth Leader]

### **Suicide**

“It’s good to talk about issues like suicide. We need to talk about it because we all know about it. I had to worry about making money just to help buy food for my family. I am only 12 years old and I have been doing that half my life.” [First Nations youth]

“I think youth have the right to have help when they need it. I recently lost someone who was stuck at a group home when she needed help. She needed help and did not get it. I think that if she did she would still be here.” [Youth at children’s residential treatment centre]

“70% of the students in this school have probably attempted or thought about suicide. There is help but the kids won’t go to it, because they feel like they will be bullied.” [First Nations youth]

“My friend took her own life because she was not getting the help she needed, like counselling or settlement services.” [Youth at children’s residential treatment centre]

“I had to talk my friend out of killing herself.” [First Nations Youth]

## 2. WE ARE ISOLATED

Many of the youth who spoke reported feelings of isolation within their families, at school, within service agencies, in facilities. Some felt isolated by others, some self-isolated in order to cope with so much. Many identified the experience of being treated differently from others as a major concern, whether they were in care, in a foster home or a mental health facility, at home or in school. Some felt disconnected from their culture, some felt isolated because of discrimination. Some felt that no one understood them.

A youth leader said it clearly: “Community. That’s what I think youth need. I think in terms of mental health one of the best things for people is just to have a sense of belonging. When people feel like they belong somewhere so many stresses are eliminated.”

### Isolation within family

“My stepdad is homophobic and I have a lot of friends who are gay and bisexual. I can’t really say anything because he had told me myself to burn in hell – ‘no one will ever love you.’” [Youth]

“Basically your parents had their relationship a few years and then you were born, and the next thing you know they split, and the problem is that once they split, your parents, because they are so mad at each other, they don’t really care how you feel because when you were born, you’re with both of them and it’s always been like that. Then as soon as they split it just becomes so depressing and they don’t understand how depressing it becomes.” [Youth]

“I ran away several times, but I haven’t gotten that far. I really just don’t like my place.” [Youth]

“Six years ago, my parents split up because my dad thought she was cheating on him, when my mom just had been sinking into a deep depression with my father, because he was verbally abusive. They both have their own stories. I actually don’t trust my parents for anything. I live a completely different life at my house than I do in society. My mom doesn’t know 90% of my problems.” [Youth]



“The parents I think won’t deal with their own problems. They kind of just want someone to blame.”



**“Nobody really wants a teenager. If they are going to adopt a kid they’re looking for an adorable, little baby that’s so precious and hasn’t been affected by life and anyone else.”**

“For me if it was not for my mom, we, my sister and I, probably would not know each other. We would not be the people we are today. If I lived with my dad I don’t know if I would be here today. It’s really crazy now because of my mom solving things between them. The parents I think won’t deal with their own problems. They kind of just want someone to blame.” [Youth]

### **Isolation within care**

“In my foster home right now they adopted a two year old. They had her live with them since she was born, straight from the hospital. Watching her sit and interact and hug and say goodnight and kiss her parents and everything kind of upsets me. I never got the opportunity to do that with my parents. Why can’t I do that? And I am sitting watching and I just close down. My foster parents want to hug me and I’m ‘look, don’t touch me. I don’t want to be touched.’” [Youth in care]

“I don’t trust my foster parents. Past experiences tell me not to.” [Youth in care]

“I’ve never been shopping in my life in foster care or even at my grandparents and I’ve never really been around many people.” [Youth in care]

“As a foster kid, I feel less equal to the birth kids.” [Youth in care]

“When I grow up I want to be with my baby sister and with my family.” [Youth at youth justice/ children’s residential treatment centre]

“I hope to get home one day to my baby sister.” [Youth at children’s residential treatment centre]

“They make it sound so easy. They’re like oh, people should just adopt kids more often.’ Nobody really wants a teenager. If they are going to adopt a kid they’re looking for an adorable, little baby that’s so precious and hasn’t been affected by life and anyone else. And that baby can be their child. When they’re teenagers and already have their own issues, they don’t really want all that baggage.” [Youth in care]

“ I never really liked all the places I was in so I was glad I wasn't adopted. Then I would have been stuck there.” [Youth in care]

### No one understands

“ Teachers are taught how to teach regular kids but when it comes to us, they have no clue what they're doing and no idea how to handle us, and no idea how we are feeling.” [Student with learning disabilities]

“ Staff don't understand that there is a bunch of angry kids here who do not want to be here. I don't care how nice they say it is here. It is not.” [Youth at children's mental health treatment centre]

“ When people think they are helping they are actually not. That's what I don't like about most support groups because they're like 'I think I'm helping you' but then really you are taking away my family and it's like, they might not be the greatest family, but frankly I don't want to leave them ...” [Youth]

“ When I get mad I flip out. I punch things. Things, not people. People look at me like I am a monster. Sometimes staff use unnecessary force. Staff don't really think about what they are doing. They don't look at the bigger problem, but focus on the small things.” [Youth at children's residential treatment centre]

“ The guidance counselors, they pretend to understand things. They don't, and I'd rather someone say 'I don't understand but I'm here for you,' rather than 'I understand completely what you're going through.'” [Youth].



**“Staff don't understand that there is a bunch of angry kids here who do not want to be here. I don't care how nice they say it is here. It is not.”**



### 3. We Are Left Out of Our Lives

A majority of young people do not know their rights or how to exercise them properly. They report their voices are not heard and they do not have opportunities to participate in decisions that affect them. They do not feel in control of their own lives. They feel that decisions are generally made for them, and not with them, sometimes with no explanation.

Most youth would like a say in what happens to them. They are appealing to caregivers and social workers to ask for their views on options for their lives, to be transparent with them about why decisions are made. Young people would like to participate in decisions that affect their lives, to make informed decisions, to actually speak for themselves.

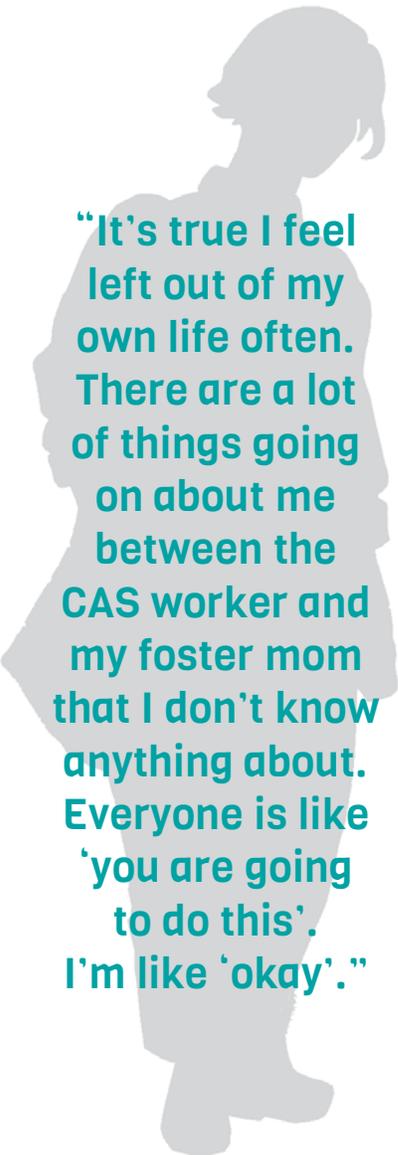
A youth leader recommended that "If schools were built on youth engagement models... equality instead of 'I am your superior', if youth were given the chance to actually speak and say what they want to say and teachers were more accepting of what youth said, they would be so much safer and would be a community."

#### Lack of choice (Decisions are made for me)

“ I am not too interested in sports or anything ... extracurricular activities. I talk to teachers a lot and I say 'I don't have too much fun at school'. They say 'You don't go to school to have fun. You go to learn.' And I think 'shouldn't school be fun?' [Youth]

“ I think the biggest problem about foster homes is the fact that you have a hard time expressing your individuality. For example, some foster homes choose your clothes for you.” [Youth in care]

“ It's true I feel left out of my own life often. There are a lot of things going on about me between the CAS worker and my foster mom that I don't know anything about. Everyone is like 'you are going to do this'. I'm like 'okay.'” [Youth in care]



**“It's true I feel left out of my own life often. There are a lot of things going on about me between the CAS worker and my foster mom that I don't know anything about. Everyone is like 'you are going to do this'. I'm like 'okay'.”**

“If your parents are not fit for you the CAS ships you off to another town ... A lot of kids they get angry and when they try to say something, they don't listen because they have no other backup plan for them. So the youth run away.” [Youth in care]

“They are always putting me in things. I have never consented to anything. They don't care about what I think. I feel I have no say in anything.” [Youth in care]

“Adoption as an option depends on the kid. You can't force us into something. It should be our choice.” [Youth in care]

### No control

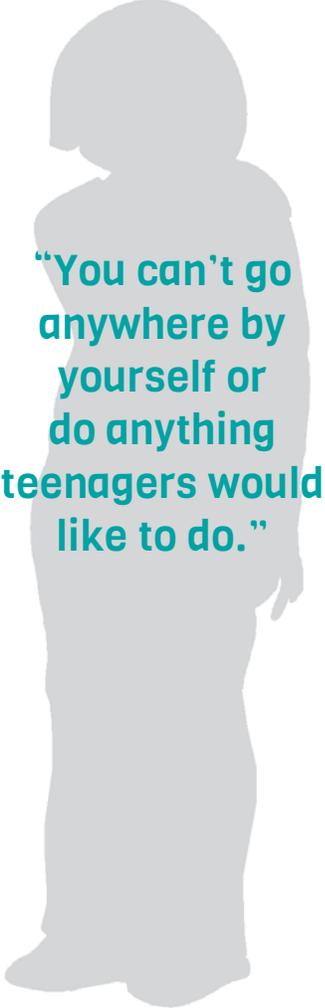
“I am only 10 years old. I look at the teenagers and really worry about them. I am too young to know I am powerless to change what is happening in my community. When I am a teenager, I will know and I will feel hopeless like them.” [First Nations Youth]

“It's supposed to be helpful here and supposed to make people less angry but we are teenagers and we are blocked off from everything. You can't go anywhere by yourself or do anything teenagers would like to do.” [Youth at children's mental health treatment centre]

“I want to get a job and my worker is like 'yeah, but you are not good at this and this.' I'm like 'well, there are some jobs I could do like Tim Horton's. Even if I get an extra \$20 a month it will help.' She is like 'no, you can't get a job.'” [Youth in care]

“Don't butter us up about the fact that 'oh, you are going to be fine in Grade 9. It's just like Grade 8.' It's not. It's very, very different. And don't baby the grade. That was one thing that drove me crazy when I was in Grade 8. I felt like I was still in Grade 6 because at this point I was just starting to become a young adult and they were treating me like a child.” [Youth]

“I was in the pool. I was getting upset and the social workers restrained me and pulled me out of the water and restrained me on land.” [Youth at children's mental health treatment centre]



**“You can't go anywhere by yourself or do anything teenagers would like to do.”**

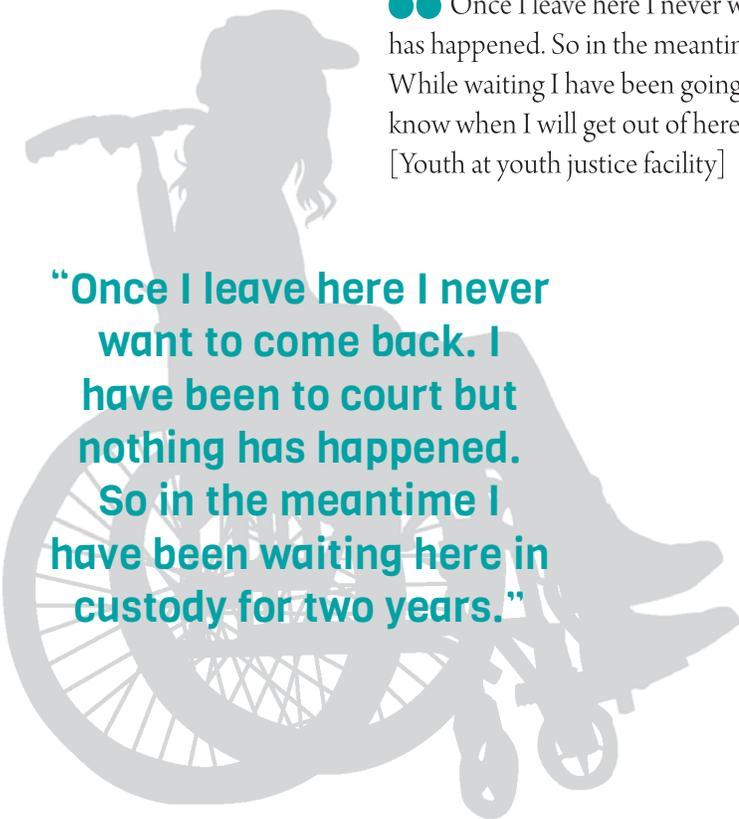
“ Sometimes when I go out for a walk, staff will follow me.” [Children's residential treatment centre]

### No information for decision-making

“ When I came here I was at home and my worker came and offered me to come here. I asked them before I came 'what is the place about?' They told me it had good educational supports, they have great programming. I got really excited. Then my worker dumped me off here and I never saw her again and this is what I get – you see what happens here.” [Youth at children's mental health treatment centre]

“ I do not get contact with my parents. I have no idea where my dad is. I only get to see my mom every five years. I live with my Grandfather. He is now 61. I do get to live with him but he is divorced from my Grandmother and I have three dogs. I am very close with my Uncle that lives with us too. I have no contact with them whatsoever. I have been in this place for eight years.” [Youth at children's mental health treatment centre]

“ Once I leave here I never want to come back. I have been to court but nothing has happened. So in the meantime I have been waiting here in custody for two years. While waiting I have been going to school. Now I am taking university courses. I don't know when I will get out of here or have my case heard. It makes no sense to me.” [Youth at youth justice facility]



**“Once I leave here I never want to come back. I have been to court but nothing has happened. So in the meantime I have been waiting here in custody for two years.”**

## 4. No One Is Really There For Us

**Youth reported feeling as if no one was there for them and often care, in whatever form the youth have found it (if they do), ends, sometimes abruptly. Youth struggle and feel alone in facing their lives. They feel as if there are no allies. They face a lack of services.**

**Young people in the mandate of the Advocate's Office who overcome the enormous barriers that face them can often point to a positive, supportive adult who made a difference to them. It is tragic that young people who spoke during the Listening Tour often could not identify that person in their lives, and felt alone.**

“ I think what if schools were an accepting, loving place?” [Youth Leader]

“ You said you were told ‘This is the last chance you have before jail.’ Have you ever been told ‘We know you are dealing with a lot of issues and this is a place where you can get help and move on with your life?’ asked the Advocate. “No” answered the youth. “That is not what anyone thinks this place is for.” [Youth at children's mental health treatment centre]

“ Once you turn 18, it's weird because to CAS, you are an adult but it's like what do you do on your own? It's worrisome. How do you pay bills? Just all ... I don't know.” [Youth in care]

“ You do the best that you can. Pain that is not transformed is transmitted. We all have things and pain that we have to deal with and if, on an individual level, we don't learn to overcome that in a way, then that's what happens. If you don't deal with your own inner trauma and stuff, as much as you might be well intentioned, you might just have that programmed into you. You will pass that on.” [Youth leader]

“ I'm 15 already. Even at home now I go to my foster mom and I say ‘Mom, what do I do? I'm almost 18. I have to leave soon. I need to save.’ Blah blah blah. She is like ‘just take it slow’. I say ‘I know’. I think ‘well, what if I was adopted?’ I say to myself ‘no’ because I'm already 15. I think ‘what about my brothers?’ I think that losing them would be a living hell. What happened to my grandma? What happened to this? What happened to that? So for me being adopted ... maybe for younger kids who don't

**“You do the best that you can. Pain that is not transformed is transmitted.”**



understand what moving and adoption is until they're older, but older kids who really understand – maybe not." [Youth in care]

““ The EA in my school, she would swear at us.” [Student with learning disabilities]

““ Everywhere is home. Wherever I lay my head.” [Youth at children's residential treatment centre]

““ I lived under a bridge for a couple of months. I knew there was a men's mission, but I did not want to get stabbed over there, so I decided to live outside.” [Youth at a children's residential treatment centre]

““ Social workers have always seemed hard on me. There is this reputation between what I am and what my worker hears about me. She always thinks negative things. It's not really fair because I am pretty good. I don't do anything. I don't really think about the bad.” [Youth in care]

““ Whenever one of us gets into a restraint here, after it happens they do a report on what happened. If they did something that is not proper they will change it in the report so it looks like it did not happen. So in real life we go to whoever is in charge and we say this happened and they read the report and say 'It doesn't say that here.'” [Youth at children's mental health treatment centre]

““ They don't teach you much in school. All school is, is them waiting for you to hit a certain age and then that age comes and it's like, okay, they are mature enough to go to work.” [Youth]



**“All school is, is them waiting for you to hit a certain age and then that age comes and it's like, okay, they are mature enough to go to work.”**

## 5. Care and services are unpredictable

**Youth reported unpredictability in care and services, services that did not meet their needs, and a lack of consistency or accountability in service delivery and in schools. They often commented they did not feel prepared for life, or for major changes or transitions in their lives.**

### Feeling unprepared

“ I did not feel prepared for the jump to Grade 9. When I made the jump all of a sudden there were people I did not know and I wasn't prepared for that. I wasn't ready for the homework jump. I had been having a half hour of homework and once in high school 2-3 hours of homework the first day.” [Youth]

“ I need a group home where I can learn life skills, such as laundry, cooking, money management ... and to be able to go into the kitchen and get something to eat or drink. I need a group home where I can come out of my room without knocking.” [Youth at children's mental health treatment centre]

### Inconsistency in service delivery

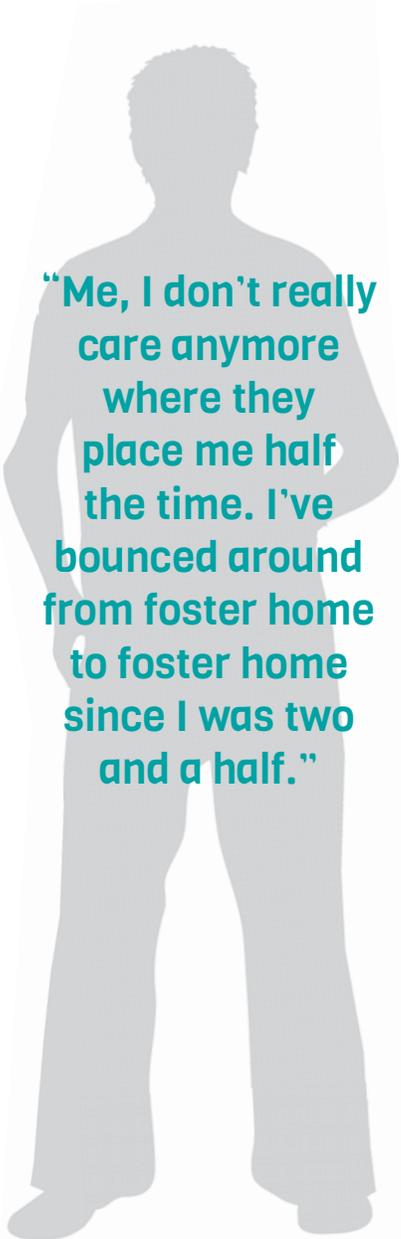
“ Staff come in here some days when they are having a bad day. They come here to take their anger out on us. Some don't speak up and we are powerless. Staff take each other's side when they are wrong. Some staff feel that we like and cover for each other. That is not the case.” [Youth at a children's residential treatment centre]

“ I never found integrating us in classrooms was very effective. Teachers at other schools, their idea of treating me fairly was different from your idea of treating me fairly. I never had an EA at my school so they just said 'well, here is the equipment for you to use. It's mandatory to be given to you.' But I was never taught really well how to use the equipment. Dictation is probably the most used program for us with learning disabilities, mostly because we are not particularly amazing at spelling ... but my dictaphone never worked and it was low level. It just did not work out for me.” [Student with learning disabilities]

“ My EA, he had no idea what a 'plus' symbol was and he was trying to help me do math.” [Student with learning disabilities]



**“I need a group home where I can come out of my room without knocking.”**



“Me, I don't really care anymore where they place me half the time. I've bounced around from foster home to foster home since I was two and a half.”

“ We had EAs but they didn't exactly do their job well. They basically just demanded 'Do your work'. They did not explain well. They just gave us work. Some definitely tried to help us. Some were really trying hard. I just never got the sense that they were doing it well or doing it right.” [Student with learning disabilities]

“ I found teachers say they want to help you. They want to try but the problem is they are not trained for this. They don't know how to help you. They are taught how to teach regular kids and they know how to do that, but when it comes to us, they have no clue what they are doing and no idea how to handle us and no idea how we are feeling. So that's the problem. They want to help and they try and they have no clue.” [Student with learning disabilities]

“ A lot of the teachers we had were really, really old. Most of the time we would have to show them how to use the computer.” [Student with learning disabilities]

“ At my school the first thing they told me about sex was 'you are going to get gonorrhoea'. That was number one. You are going to die. I remember watching videos of women saying 'I had sex and I got gonorrhoea'. What kind of education is that?” [Youth Leader]

### Care is sometimes unpredictable

“ Me, I don't really care anymore where they place me half the time. I've bounced around from foster home to foster home since I was two and a half.” [Youth in care]

“ There was one family, I loved it there. It was my second foster home after I was born. They were amazing. I don't know where it was but it was in the middle of nowhere. I have pictures and you can see there are no houses around. I have pictures of me and the whole family. You can see how happy I was. I tried to see if I could go back but they closed. So I won't be able to go back there.” [Youth in care]

“ I don't think it's right that when kids have got bad parents and they can't raise them properly, and for the first time the kid can choose who can foster them, and then the second time you can again, but the third time then they send you far away or to some other province.” [First Nations youth]

“ I have a best friend. His life is bad. I have known him since kindergarten. He's got stuff. He's not homeless but his parents, they broke up. It's kind of bad with him. His dad was hit by a car. He is doing foster care now. He has been through it twice. He says if something bad happens one more time he is going to be moved out of the province.” [First Nations youth]

## 6. We Keep Losing Who We Are (First Nations youth)

First Nations youth face many challenges. Some challenges include the loss of their culture and identity. Some include struggling with parents suffering from legacy issues of trauma, abuse or addictions as a result of being forced to attend a residential school, colonialism and displacement from traditional lands and territories. Others struggle with the prospect of losing their language or their rights as First Nations youth. The youth also reported feeling they do not receive the same quality of education as non-First Nations youth, and experience racism both on- and off-reserve.

While this section is included in the Listening Tour report, a special additional report is being created as part of the Listening Tour from conversations with Grade 5-6 students in a First Nations Community school. They were the youngest group of children who participated in the Listening Tour, just 10-14 years old.

### Loss of language

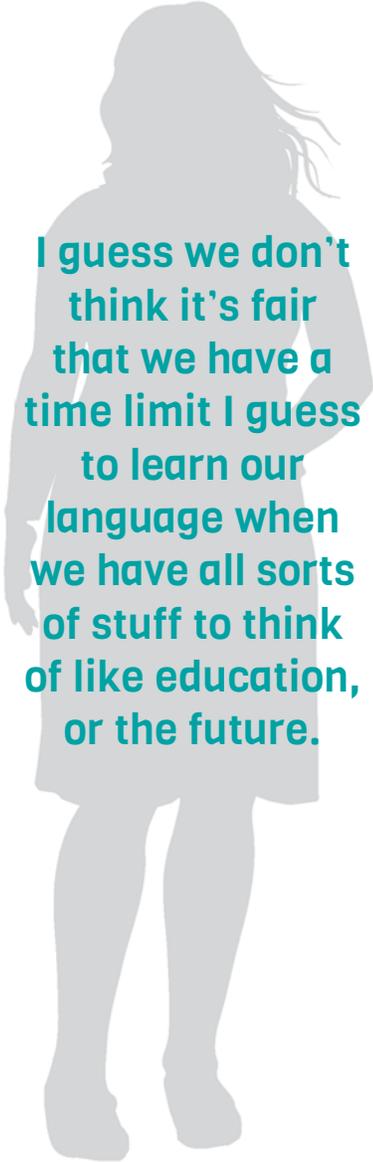
“ They were only teaching us French and they weren’t teaching us Native language.” [First Nations youth]

“ I don’t think it’s right that we lose our language.” [First Nations youth]

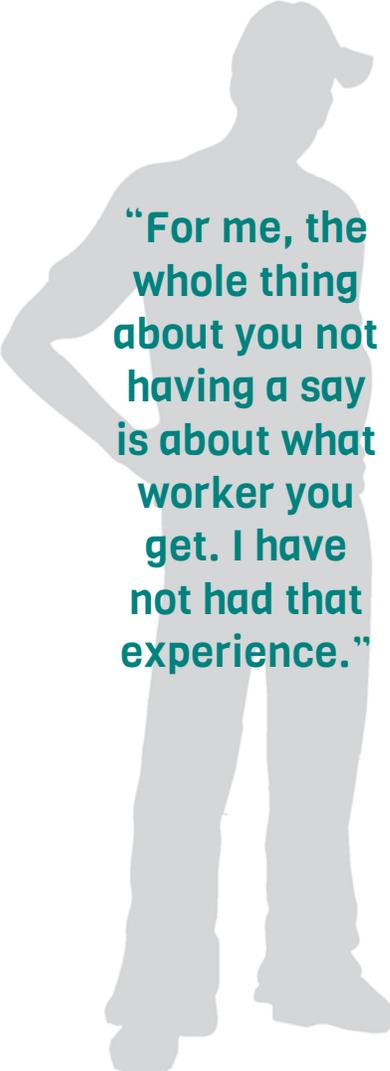
“ I guess we don’t think it’s fair that we have a time limit I guess to learn our language when we have all sorts of stuff to think of like education, or the future. It’s hard to think of just one thing, which is our language. I don’t think it’s right that we lose our rights and the language in order to speak it. We don’t think that’s fair that we have two years left to learn it.” [First Nations youth]

### Loss of culture

“ We barely get to see our elders. All the elders that are in the nursing home we get to visit only at least a half hour, not even an hour. They are either busy or there is some kind of maintenance problem when we’re there.” [First Nations youth]



I guess we don’t think it’s fair that we have a time limit I guess to learn our language when we have all sorts of stuff to think of like education, or the future.



“For me, the whole thing about you not having a say is about what worker you get. I have not had that experience.”

“They should include the truth about First Nations history for all students. We were a big part in making Canada. I think it’s completely unfair our history is not taught in school.” [First Nations youth]

“A lot of abuse, sexual abuse, abuse of drugs and alcohol, physical abuse. CAS doesn’t do anything helpful. They tend to take us out of our community as often there are no kin that can help us. Even though there are a few children in the family they only take one out and leave the rest at risk. But it is hard because they also have to place them out of the community.” [First Nations youth]

### Discrimination

“I find that when you are an Aboriginal going to public school or Catholic school they try to push you into special education. Only people of colour, none of the white kids ... They always think that we are dumb and we don’t succeed in life ... But if you give us a chance and better schooling then we can all succeed. It’s emotional ... I am going to cry...” [First Nations youth]

“Not all white people are racist. Some are. I’ve seen stuff. I’ve seen all the stuff actually, but no, I’m not going to be mad at all white people.” [First Nations youth]

## 7. Some positive comments

**During the Listening Tour, young people had positive comments for the Advocate. Some found what they needed in the services they were receiving. It was clear that there were adults who were trying to connect and meet their needs. It was clear that they had each other.**

“The kids here have kind of become a family over the last few years. I think it’s become a bit of a community... it’s a safe space.” [Youth]

“I have a best friend who is gay and he told someone who spread it around the school. Within a day he had three people come up to him wanting to beat him up. Me and a few other people told them to back off. Here, you walk in and know that people are not going to judge you. They are going to be more there for you than against you.” [Youth]

“For me, the whole thing about you not having a say is about what worker you get. I have not had that experience.” [Youth in care]

“I like the staff. They listen. They are laid back and outgoing.” [Youth at youth justice residential treatment centre]

“If you have a worker for a long time you can kind of build up the trust. They advocate for you. Without my worker I would not have been able to do so many things. It’s all in the relationship.” [Youth in care]

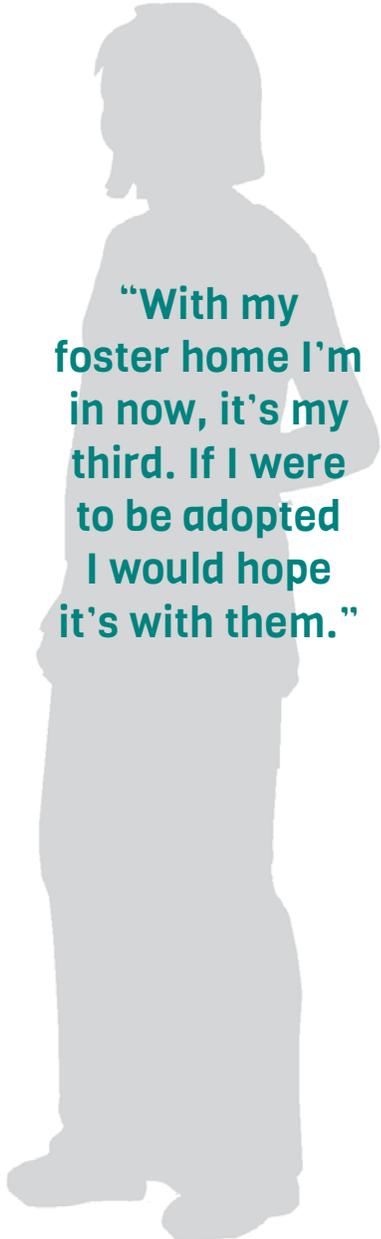
“I’ve been with the same home since day one. I have been there seven years and I have never felt different from their birth children or their adopted children. I don’t feel anyone ever feels left out. They never left anyone home when there was a family gathering. As soon as you come into the home, maybe a week later, at some family gathering you meet everybody and it is a big family. It’s like ‘Oh my gosh, how can I remember everyone’s name?!’ It’s kind of overwhelming but it’s part of the package and they just embraced me.” [Youth in care]

“With my foster home I’m in now, it’s my third. If I were to be adopted I would hope it’s with them.” [Youth in care]

“Sometimes the world is really intense. I’m like -I don’t know if I want to be responsible for bringing a human being into it. Like ‘Here’s the world – enjoy!’ But I would consider adopting because all children need a good family. If I felt like I was able to do that then I would do it.” [Youth leader]

“In the summer we go to the bush. We go biking almost every day. We know most everyone in our community. Our forest is a place of entertainment. We might look like we are really into technology and our phones but when the time comes we know we can go to the bush. I remember last summer we made a fort in the bush. It was awesome.” [First Nations youth]

“Some of the people are really nice and you have all the resources you need. You have the freshest water in the world, you can go fishing and mud bogging, and swimming in fresh water. There are a lot of fun things to do. You just have to be creative.” [First Nations youth]



**“With my foster home I’m in now, it’s my third. If I were to be adopted I would hope it’s with them.”**

# Conclusion

## “Why do so many children and youth have to struggle so hard for rights that come so easily to others?” [Youth]

We know from The KidsRights Index<sup>4</sup>, which takes a scientific approach to charting the status of the implementation of children's rights worldwide, that Canada's performance in the area of the enabling environment for child rights is very poor. Our score in that specific area is only 25 out of a possible 100, and we are ranked at #137 in a list of 165 countries. Specific concerns are that discrimination towards young people continues on the basis of ethnicity, gender, socio-economic background and national origin. Another concern is that the principle of the best interests of the child is not well known or integrated or applied consistently in legislative, administrative and judicial proceedings or in policies, programs and projects impacting children. There is no legislation that covers the full scope of the UNCRC in federal law in Canada, and a children-first approach is not used in budget planning or allocating provincial funding.

In this report, the children and youth we spoke with tell us about the ways in which Canada's poor performance in respect of the rights of the child impacts each and every one of them, often in profound ways. They tell us very eloquently that they are vulnerable in so many ways: bullying, drugs, abuse, suicide, and they don't feel safe and secure either at home or in a care facility. They talk about feeling isolated – because of discrimination, disconnection from families or culture, or because no one understands them.

Young people also feel left out of their own lives, that they are unaware of their rights, or are left out of decision making processes that concern them. Too often decisions are made for young people, rather than with them. They feel they have no control and no opportunity to make informed decisions about their own lives.

Many of the youth reported feeling as if no one was there for them, and that they lacked advocates, mentors or allies. There was no adult figure who could be trusted to help or to listen. In addition, the young people felt that care, as well as services, was unpredictable. They were left feeling unprepared, endured real inconsistencies in service delivery and were at the mercy of systems that moved them from place to place without involving them in the decision.

<sup>4</sup> The KidsRights Index takes a scientific approach to charting the implementation of children's rights in developed and developing countries. Of all the areas of evaluation, Canada scores lowest in the enabling environment for child rights at only 69. We are ranked at 79 overall in a ranking of 165 countries worldwide, which is not very high, and shows a great need for improvement. [www.kidsrightsindex.org](http://www.kidsrightsindex.org)

In the case of First Nations youth, they reported concerns about losing their culture, identity and language as well as struggling with the long-term effects of the legacy of residential schools. They also reported they felt they did not receive the same funding or quality of education as non-First Nations people, and often suffered racism and discrimination in their lives. What we heard echoed the final report of Canada's Truth and Reconciliation Commission.<sup>5</sup>

Some youth did have some positive comments, and reported they were able to find support via positive friendships, that some staff in facilities were excellent, and they were able to find a safe space in some environments in their lives, whether outside in the 'bush' or within services provided by a child serving agency. In this respect young people demonstrated their incredible resilience.

The Ontario government should be thinking about developing its part of Canada's next report to the United Nations Committee on the Rights of the Child. As it reflects on how this report will be written, the government must remember the young people and those like them whose voices are heard in this report. Young people want things to be different for those younger people who might come after them. They want things to change and they want to be part of making that change.

The Ontario government has the opportunity to make a difference. Change is not always found in *what* governments do but in *how* governments do things. By engaging and listening to its citizens, government can make a difference.

The Advocate's Office will continue to listen and learn from young people each and every day.<sup>6</sup> The next Listening Tour will take place in November 2015. The Advocate's Office will, at each step, encourage the government to engage and listen to young people in the next review of Canada by the UNCRC.

<sup>5</sup> Truth and Reconciliation Commission. *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada*. Truth and Reconciliation Commission, 25 June 2015. Web. 5 August 2015. [http://www.trc.ca/websites/trcinstitution/File/2015/Exec\\_Summary\\_2015\\_06\\_25\\_web\\_o.pdf](http://www.trc.ca/websites/trcinstitution/File/2015/Exec_Summary_2015_06_25_web_o.pdf)

<sup>6</sup> If you are a young person who would like to get involved, please contact the Office of the Provincial Advocate for Children and Youth. You can call toll free at 1-800-263-2841, find the office on Facebook or Twitter, TTY (416) 325-2648 or email [advocacy@provincialadvocate.on.ca](mailto:advocacy@provincialadvocate.on.ca).

# Appendix

## A summary of the United Nations Convention on the Rights of the Child<sup>7</sup>

**UNICEF HAS AN EXCELLENT PLAIN LANGUAGE VERSION OF THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD, WHICH WE REPRODUCE HERE:**

### **FACT SHEET: A summary of the rights under the Convention on the Rights of the Child<sup>7</sup>**

**ARTICLE 1 (DEFINITION OF THE CHILD):** The Convention defines a 'child' as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger. The Committee on the Rights of the Child, the monitoring body for the Convention, has encouraged States to review the age of majority if it is set below 18 and to increase the level of protection for all children under 18.

**ARTICLE 2 (NON-DISCRIMINATION):** The Convention applies to all children, whatever their race, religion or abilities; whatever they think or say, whatever type of family they come from. It doesn't matter where children live, what language they speak, what their parents do, whether they are boys or girls, what their culture is, whether they have a disability or whether they are rich or poor. No child should be treated unfairly on any basis.

**ARTICLE 3 (BEST INTERESTS OF THE CHILD):** The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

**ARTICLE 4 (PROTECTION OF RIGHTS):** Governments have a responsibility to take all available measures to make sure children's rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services, legal, health and educational systems, as well as levels of funding for these services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are being met. They must help families protect children's rights and create an environment where they can grow and reach their potential. In some instances, this may involve changing existing laws or creating new ones. Such legislative changes are not imposed, but come about

<sup>7</sup> UNICEF. FACT SHEET: A summary of the rights under the Convention on the Rights of the Child. UNICEF, 2014. Web. 5 August 2015. [http://www.unicef.org/crc/files/Rights\\_overview.pdf](http://www.unicef.org/crc/files/Rights_overview.pdf)

through the same process by which any law is created or reformed within a country. Article 41 of the Convention points out that when a country already has higher legal standards than those seen in the Convention, the higher standards always prevail.

**ARTICLE 5 (PARENTAL GUIDANCE):** Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly. Helping children to understand their rights does not mean pushing them to make choices with consequences that they are too young to handle. Article 5 encourages parents to deal with rights issues “in a manner consistent with the evolving capacities of the child”. The Convention does not take responsibility for children away from their parents and give more authority to governments. It does place on governments the responsibility to protect and assist families in fulfilling their essential role as nurturers of children.

**ARTICLE 6 (SURVIVAL AND DEVELOPMENT):** Children have the right to live. Governments should ensure that children survive and develop healthily.

**ARTICLE 7 (REGISTRATION, NAME, NATIONALITY, CARE):** All children have the right to a legally registered name, officially recognised by the government. Children have the right to a nationality (to belong to a country). Children also have the right to know and, as far as possible, to be cared for by their parents.

**ARTICLE 8 (PRESERVATION OF IDENTITY):** Children have the right to an identity – an official record of who they are. Governments should respect children’s right to a name, a nationality and family ties.

**ARTICLE 9 (SEPARATION FROM PARENTS):** Children have the right to live with their parent(s), unless it is bad for them. Children whose parents do not live together have the right to stay in contact with both parents, unless this might hurt the child.

**ARTICLE 10 (FAMILY REUNIFICATION):** Families whose members live in different countries should be allowed to move between those countries so that parents and children can stay in contact, or get back together as a family.

**ARTICLE 11 (KIDNAPPING):** Governments should take steps to stop children being taken out of their own country illegally. This article is particularly concerned with parental abductions. The Convention’s Optional Protocol on the sale of children, child prostitution and child pornography has a provision that concerns abduction for financial gain.



**ARTICLE 12 (RESPECT FOR THE VIEWS OF THE CHILD):** When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account. This does not mean that children can now tell their parents what to do. This Convention encourages adults to listen to the opinions of children and involve them in decision-making -- not give children authority over adults. Article 12 does not interfere with parents' right and responsibility to express their views on matters affecting their children. Moreover, the Convention recognizes that the level of a child's participation in decisions must be appropriate to the child's level of maturity. Children's ability to form and express their opinions develops with age and most adults will naturally give the views of a teenager greater weight than those of a preschooler, whether in family, legal or administrative decisions.

**ARTICLE 13 (FREEDOM OF EXPRESSION):** Children have the right to get and share information, as long as the information is not damaging to them or others. In exercising the right to freedom of expression, children have the responsibility to also respect the rights, freedoms and reputations of others. The freedom of expression includes the right to share information in any way they choose, including by talking, drawing or writing.

**ARTICLE 14 (FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION):** Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should help guide their children in these matters. The Convention respects the rights and duties of parents in providing religious and moral guidance to their children. Religious groups around the world have expressed support for the Convention, which indicates that it in no way prevents parents from bringing their children up within a religious tradition. At the same time, the Convention recognizes that as children mature and are able to form their own views, some may question certain religious practices or cultural traditions. The Convention supports children's right to examine their beliefs, but it also states that their right to express their beliefs implies respect for the rights and freedoms of others.

**ARTICLE 15 (FREEDOM OF ASSOCIATION):** Children have the right to meet together and to join groups and organisations, as long as it does not stop other people from enjoying their rights. In exercising their rights, children have the responsibility to respect the rights, freedoms and reputations of others.

**ARTICLE 16 (RIGHT TO PRIVACY):** Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.



**ARTICLE 17 (ACCESS TO INFORMATION; MASS MEDIA):** Children have the right to get information that is important to their health and well-being. Governments should encourage mass media – radio, television, newspapers and Internet content sources – to provide information that children can understand and to not promote materials that could harm children. Mass media should particularly be encouraged to supply information in languages that minority and indigenous children can understand. Children should also have access to children’s books.

**ARTICLE 18 (PARENTAL RESPONSIBILITIES; STATE ASSISTANCE):** Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments must respect the responsibility of parents for providing appropriate guidance to their children – the Convention does not take responsibility for children away from their parents and give more authority to governments. It places a responsibility on governments to provide support services to parents, especially if both parents work outside the home.

**ARTICLE 19 (PROTECTION FROM ALL FORMS OF VIOLENCE):** Children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them. In terms of discipline, the Convention does not specify what forms of punishment parents should use. However any form of discipline involving violence is unacceptable. There are ways to discipline children that are effective in helping children learn about family and social expectations for their behaviour – ones that are non-violent, are appropriate to the child’s level of development and take the best interests of the child into consideration. In most countries, laws already define what sorts of punishments are considered excessive or abusive. It is up to each government to review these laws in light of the Convention.

**ARTICLE 20 (CHILDREN DEPRIVED OF FAMILY ENVIRONMENT):** Children who cannot be looked after by their own family have a right to special care and must be looked after properly, by people who respect their ethnic group, religion, culture and language.

**ARTICLE 21 (ADOPTION):** Children have the right to care and protection if they are adopted or in foster care. The first concern must be what is best for them. The same rules should apply whether they are adopted in the country where they were born, or if they are taken to live in another country.

**ARTICLE 22 (REFUGEE CHILDREN):** Children have the right to special protection and help if they are refugees (if they have been forced to leave their home and live in another country), as well as all the rights in this Convention.



**ARTICLE 23 (CHILDREN WITH DISABILITIES):** Children who have any kind of disability have the right to special care and support, as well as all the rights in the Convention, so that they can live full and independent lives.

**ARTICLE 24 (HEALTH AND HEALTH SERVICES):** Children have the right to good quality health care – the best health care possible – to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy. Rich countries should help poorer countries achieve this.

**ARTICLE 25 (REVIEW OF TREATMENT IN CARE):** Children who are looked after by their local authorities, rather than their parents, have the right to have these living arrangements looked at regularly to see if they are the most appropriate. Their care and treatment should always be based on “the best interests of the child.” (see Guiding Principles, Article 3)

**ARTICLE 26 (SOCIAL SECURITY):** Children – either through their guardians or directly – have the right to help from the government if they are poor or in need.

**ARTICLE 27 (ADEQUATE STANDARD OF LIVING):** Children have the right to a standard of living that is good enough to meet their physical and mental needs. Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing.

**ARTICLE 28: (RIGHT TO EDUCATION):** All children have the right to a primary education, which should be free. Wealthy countries should help poorer countries achieve this right. Discipline in schools should respect children’s dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child’s human dignity. Therefore, governments must ensure that school administrators review their discipline policies and eliminate any discipline practices involving physical or mental violence, abuse or neglect. The Convention places a high value on education. Young people should be encouraged to reach the highest level of education of which they are capable.

**ARTICLE 29 (GOALS OF EDUCATION):** Children’s education should develop each child’s personality, talents and abilities to the fullest. It should encourage children to respect others, human rights and their own and other cultures. It should also help them learn to live peacefully, protect the environment and respect other people. Children have a particular responsibility to respect the rights their parents, and education should aim to develop respect for the values and culture of their parents. The Convention does not address such issues as school uniforms, dress codes, the singing of the national anthem or prayer in schools. It is up to governments and school officials in each country to determine whether, in the context of their society and existing laws, such matters infringe upon other rights protected by the Convention.



**ARTICLE 30 (CHILDREN OF MINORITIES/INDIGENOUS GROUPS):** Minority or indigenous children have the right to learn about and practice their own culture, language and religion. The right to practice one's own culture, language and religion applies to everyone; the Convention here highlights this right in instances where the practices are not shared by the majority of people in the country.

**ARTICLE 31 (LEISURE, PLAY AND CULTURE):** Children have the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities.

**ARTICLE 32 (CHILD LABOUR):** The government should protect children from work that is dangerous or might harm their health or their education. While the Convention protects children from harmful and exploitative work, there is nothing in it that prohibits parents from expecting their children to help out at home in ways that are safe and appropriate to their age. If children help out in a family farm or business, the tasks they do be safe and suited to their level of development and comply with national labour laws. Children's work should not jeopardize any of their other rights, including the right to education, or the right to relaxation and play.

**ARTICLE 33 (DRUG ABUSE):** Governments should use all means possible to protect children from the use of harmful drugs and from being used in the drug trade.

**ARTICLE 34 (SEXUAL EXPLOITATION):** Governments should protect children from all forms of sexual exploitation and abuse. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

**ARTICLE 35 (ABDUCTION, SALE AND TRAFFICKING):** The government should take all measures possible to make sure that children are not abducted, sold or trafficked. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

**ARTICLE 36 (OTHER FORMS OF EXPLOITATION):** Children should be protected from any activity that takes advantage of them or could harm their welfare and development.

**ARTICLE 37 (DETENTION AND PUNISHMENT):** No one is allowed to punish children in a cruel or harmful way. Children who break the law should not be treated cruelly. They should not be put in prison with adults, should be able to keep in contact with their families, and should not be sentenced to death or life imprisonment without possibility of release.

A decorative header image featuring a row of silhouettes in various shades of teal and blue. The silhouettes represent a diverse group of people, including children of different ages and ethnicities, as well as adults. One child in the center is shown in a wheelchair. The background is a light, textured teal color.

**ARTICLE 38 (WAR AND ARMED CONFLICTS):** Governments must do everything they can to protect and care for children affected by war. Children under 15 should not be forced or recruited to take part in a war or join the armed forces. The Convention's Optional Protocol on the involvement of children in armed conflict further develops this right, raising the age for direct participation in armed conflict to 18 and establishing a ban on compulsory recruitment for children under 18.

**ARTICLE 39 (REHABILITATION OF CHILD VICTIMS):** Children who have been neglected, abused or exploited should receive special help to physically and psychologically recover and reintegrate into society. Particular attention should be paid to restoring the health, self-respect and dignity of the child.

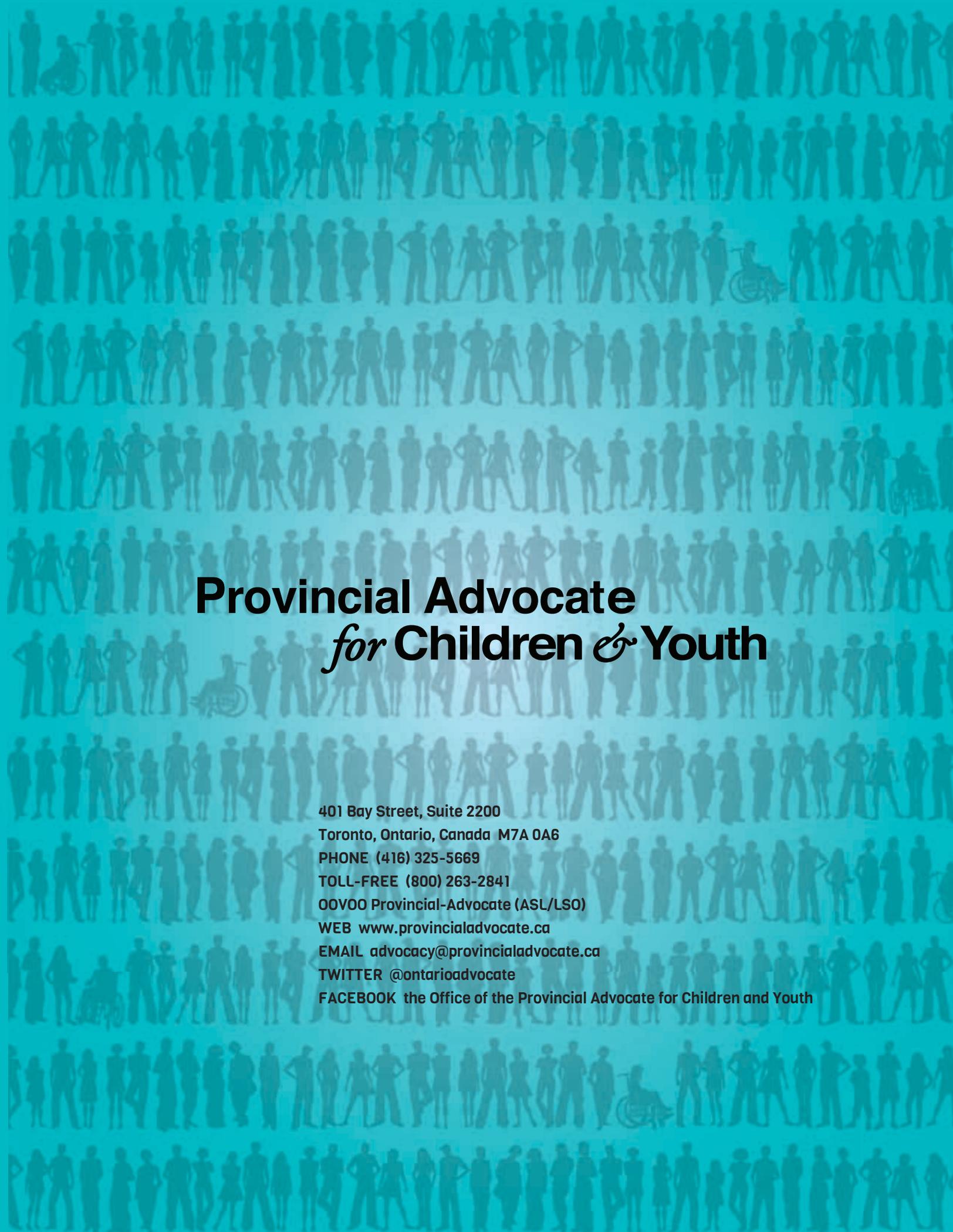
**ARTICLE 40 (JUVENILE JUSTICE):** Children who are accused of breaking the law have the right to legal help and fair treatment in a justice system that respects their rights. Governments are required to set a minimum age below which children cannot be held criminally responsible and to provide minimum guarantees for the fairness and quick resolution of judicial or alternative proceedings.

**ARTICLE 41 (RESPECT FOR SUPERIOR NATIONAL STANDARDS):** If the laws of a country provide better protection of children's rights than the articles in this Convention, those laws should apply.

**ARTICLE 42 (KNOWLEDGE OF RIGHTS):** Governments should make the Convention known to adults and children. Adults should help children learn about their rights, too. (See also article 4.)

**ARTICLES 43-54 (IMPLEMENTATION MEASURES):** These articles discuss how governments and international organizations like UNICEF should work to ensure children are protected in their rights.





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