

THE DROP

ON YOUR RIGHT... to contact with your family!

The **Office of the Children's Advocate** Newsletter for Youth

Winter 2014

THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC)

is an international agreement between many countries around the world. The UNCRC has been in place since 1989 and gives children and youth all over the world more than 40 major human rights. Canada was one country that agreed to protect and promote the rights of all children & youth under 18.

In this edition of our newsletter, we explore **UNCRC Article 9:**
Your right to contact with your family.

Article 9 (Separation from parents): Children have the right to live with their parent(s), unless it is dangerous for them. When children cannot live with their parents, or when their parents do not live together, those children have the right to stay in contact with both parents, unless this might hurt the child.^{1,2}



UNCRC Article 9

You have the right to have contact with both your parents, unless it's not safe for you.

REPRESENTATIVE FOR CHILDREN AND YOUTH Provincial Advocate for Children & Youth Children's Advocate Centre for Children, Youth & Families www.thehealthycanadian.net

Children are scared about being in care, and worried about family left at home.

- See more reflections shared with us by youth in care at a recent focus group on page 2

"CALL IT A CLAN, CALL IT A NETWORK, CALL IT A TRIBE, CALL IT A FAMILY; WHATEVER YOU CALL IT, WHOEVER YOU ARE, YOU NEED ONE."

Jane Howard

Q: What advice would you give other youth in care about being away from family?

A: "I would tell them to be strong and I'd give them the OCA phone number."

A youth reflects on his experience in care

"I am close to my sister who was 6 and I missed her. I was taking care of my sister and my mom was out drinking. I am so close to my sister - not seeing her for 4 months almost killed me."

- A youth shares in an OCA focus group what it was like to be away from her little sister.



FAMILY

"IT IS WITHIN THE FAMILY THAT CHILDREN LEARN THE VALUES THAT WILL GUIDE THEM FOR THE REST OF THEIR LIVES.

It is within the family that they form their earliest relationships, learn to communicate with others and interact with the world around them.

It is within the family that the notion of human rights becomes a reality lived on a daily basis. IF TOLERANCE, RESPECT AND EQUITY PERMEATE FAMILY LIFE, THEY WILL TRANSLATE INTO VALUES THAT SHAPE SOCIETIES, NATIONS AND THE WORLD."

Kofi Annan, Diplomat, Advocate, Nobel Peace Prize recipient



THE MINI DROP : YOU HAVE THE RIGHT TO STAY CONNECTED TO YOUR FAMILY!

One of the issues we frequently hear about from young people in care is how much they want to stay connected to their families and how difficult this can be for them. Last year, our office published a report called *Youth Focus Group Series: Transitioning From Care*, where we spoke with a group of older youth who were getting ready to leave care soon, or who had already left care.

The issue of **FAMILY CONNECTIONS** came up many times during the day.

Youth told us that they felt cut off from their families after coming into care. For some youth, this was the most difficult for them right after they were apprehended by an agency. Over and over we heard that it was the experience of being separated from brothers and sisters that was the hardest thing for youth in care.

The child welfare system has an obligation to protect children and youth from dangerous situations, and for some young people in care, visits with parents, siblings, or extended family members can be a risk to the young person in care. It is important that agencies and other caregivers understand how important maintaining family connections are to young people in care. And it's important for you, if you are a child or youth in care of an agency, that you know that **YOU HAVE THE RIGHT** to stay connected to your family, unless this is not in your best interests.

**Read the whole report from the focus group on our website!
WWW.CHILDRENSADVOCATE.MB.CA**

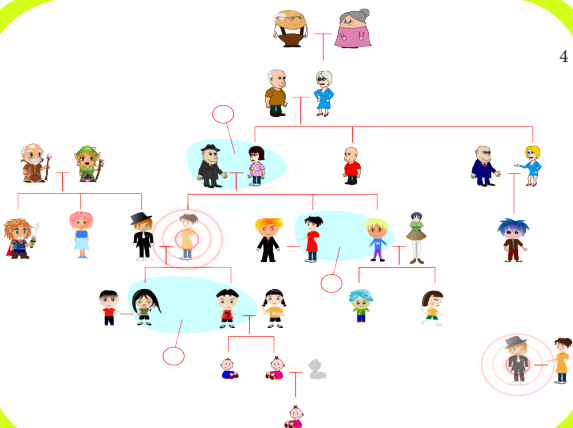
IS BEING IN CONTACT WITH YOUR FAMILY SAFE FOR YOU (...AND THEM)?

Family is important. When you are in foster care, the UNCRRC states you have the right to have contact with your parents. Sometimes contact may be supervised to ensure that it is a positive experience for you, and some times, due to concerns for your wellbeing, contact may be limited or prevented. If you would like to see your parents, in most cases the social worker must arrange contact for you.

The UNCRRC does not talk about contact with other family members such as your brothers and sisters. However, your social worker should allow you to have contact with siblings who are not placed with you as long as it is not harmful to you in any way.

Decisions around contact with family must be made carefully and any decision must consider what plan would be best for you. It is important that you speak up and share your wishes with your social worker so they can understand what you would like to have happen.

IF YOU NEED HELP SPEAKING WITH YOUR WORKER, CALL US - WE CAN HELP!



Q&A - ASK THE ADVOCATE!

Manitoba Children's Advocate, Darlene MacDonald, answers questions about staying connected with family while in care.



Q: I haven't seen my little brother for a year. We are permanent wards and live in different foster homes. When I ask my worker when I can see him she says that she will set up a visit but nothing ever happens. What can I do?

A: Your social worker needs to ensure that there is a plan for ongoing contact with your parents, siblings and/or extended family when you are not going to live with your family. This right is in the Child and Family Service Standards, Service Plan. There has to be a good reason(s) for you not to have visits, i.e. that there is risk for emotional or physical harm. If your social worker says that she will set up a visit and doesn't, you could speak with your supervisor about why visits aren't being planned.

You can call the OCA if you need help to talk to your social worker or supervisor about this.

SIBLINGS

Guest contributor - Marie Christian

Coming into care can be a traumatic experience. In what seems like an instant, everything changes. New people in charge, new bed, new school. A favourite shirt gets lost in the move. For those of us who also have siblings in care, the biggest loss we feel can be our connection to our biological brothers and sisters.

I was separated from my siblings when I came into care. We were eventually returned home together, but separated again after our mother passed away. The time we spent apart, living separate lives in vastly different foster homes created a distance that grew wider with time. And now, although we share the same blood, it is almost impossible to share the same room.

As an adult, I've fought hard to bring all of my siblings together, but it is still a struggle. When we're together, I feel like we're kids again, the three older siblings teasing the three younger ones. We fall into a familiar pattern, and then an old wound will surface and it all falls apart.

The system is doing better at keeping sibling groups together, but if you are separated from the ones you love, don't be afraid to make your voice heard. Ask for regular visit times, write letters and send cards. Be gentle and patient with one another. And in time, you may discover you are siblings again, by blood and by friendship.

Marie Christian is the Program Coordinator at Voices: Manitoba's Youth in Care Network (where YOU can find *siblings of choice*).

VOICES.MB.CA



Q: I don't want to be in care for another year but my social worker said I can't go to court to say what I want because I am only 11 years old.

A: The Child & Family Services Act (CFSA) has different rules for children under and over twelve. If you are under 12, your views/preferences may be considered if the judge thinks you are able to understand the court process and it would not be harmful to you to take part. If you are over 12, you are entitled to be told about the court proceeding and you should be given the chance to talk to the judge about your views/preferences. If you want the opportunity to have your views and preferences heard by the judge, you should let your social worker know, so arrangements can be made for the judge to decide if you can participate in court.

If you need help to talk to your social worker you can contact the OCA.



"I NEED my mom so much. I'm not saying I wanna live with her but I just wanna see her more...it's so sad to live this way."

A youth in care tells us about feeling lonely

word search!

EYART I CLENINEAA
 RTSLCYCCLRIGHTSFF
 NAAYMUYYIYINNRTCAA
 KTFCEGNCOECIOVYMA
 IHEYOYACOCALRSCIE
 YLTEEVERRLRBORILI
 EBYUIADVTCEICOSYY
 REKROWLAICOSRNTET
 IVPOYYITOVEWRAOUC

ADVOCATE
 ARTICLE NINE
 FAMILY
 IN CARE
 OCA
 PRIVACY
 MY VOICE

RIGHTS
 SAFETY
 SIBLING
 SOCIAL WORKER
 UNCRC
 WAVY GUY
 YOUTH

FAMILY LOVE

"Within me lies my family, within me lies my strength, true at heart my family i shall always keep. Ones and twos, people alike, people who love me, feels so right, days and nights go so fast why did I have to think about the past?"

A youth in care writes to us about missing family.



DIDYAKNOW?

The Guiding Principles for **THE CHILD AND FAMILY SERVICES ACT** in Manitoba include the following statements:

- *The safety, security and well-being of children and their best interests are fundamental responsibilities of society.*
- *The family is the basic unit of society and its well-being should be supported and preserved.*

SOURCES

1. Official transcript/UNCRC excerpt: <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
2. Article 9 interpretation from: http://www.unicef.org/crc/files/Rights_overview.pdf
3. Family banner - http://1.bp.blogspot.com/_ZLBv98G9X2M/TDvSNM17miI/AAAAAAAAA2M/aWUSi7oKFJA/s1600/family.png
4. Family tree image <http://www.languageguide.org/images/im/family.png>
5. Heart shaped candy: <http://us.cdn4.123rf.com/168nwm/jonoman1/jonoman10802/jonoman1080200011/2550786-a-miss-you-heart-haped-candy.jpg>

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