

# What's my role?

A youth guide to  
child protection



Public Legal Education  
and Information Service  
of New Brunswick

Public Legal Education and Information Service of New Brunswick (PLEIS-NB) is a non-profit organization. Its goal is to provide New Brunswickers with information about the law. PLEIS-NB receives funding and in-kind support from the Department of Justice Canada; the New Brunswick Law Foundation and the New Brunswick Office of the Attorney General.

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This booklet does not contain a complete statement of the law in the area and changes in the law may occur from time to time. Anyone needing specific advice on his or her own legal position should consult a lawyer.

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# Introduction

## How do I know if this booklet is for me?

- *you are between 12 and 16 years of age*
- *you and your family are involved in a child protection investigation or case*
- *you may not be able to live with your parents because there are concerns about your safety*
- *you want to know how decisions are made about your care*
- *you want to know your rights while you are in care*

This booklet is for youth who are going through the experience of being placed in care. When a social worker tells you that you cannot live at home with your parents, it can be scary and confusing. The information in this booklet will help answer your questions about what happens during a child protection investigation. It will explain how a youth is placed in care and how social workers and courts make that important decision. It will also explain your rights while in care and where to turn if you need help. If you have more questions, or need more information, talk to your social worker or foster parents.



Being involved with Child Protection can be stressful. You may feel angry and upset that other people are interfering with your private family matters. The thought of having family secrets out in the open may make you feel ashamed. While you may be relieved that your family is getting help, you may feel responsible or blame yourself for talking to someone. It is not uncommon to feel betrayed by the person who reported concerns about your safety. You should know that the person who contacted Child Protection cares about you and your well-being.

While you may feel no one else understands your emotions, there are people who care and will help you through this difficult time. Talk to your social worker, family, friend, teacher, or someone else you trust.

Some emotions young people may feel when Child Protection investigates their family or when they are part of an on-going child protection case include:

- *afraid*
- *worried*
- *angry*
- *alone*
- *betrayed*
- *confused*
- *ashamed*
- *relieved*
- *embarrassed*
- *hurt*
- *sad*



# Child Protection

## How does the law protect youth in New Brunswick?

In New Brunswick, youth under the age of 16 are protected by a law called the **Family Services Act**. The law says that parents must protect their children from abuse and neglect. Under this law it is the Department of Social Development who is responsible for the safety of young people. The Department has a program called Child Protection Services which investigates and makes arrangements for children and youth who may be in danger. The Minister of Social Development and the Child Protection social workers must take steps to make sure children and youth are safe.

The law says that people must tell Child Protection Services if they are worried someone might be harming or neglecting a person under 16 years old. When a person reports a concern, Child Protection will decide whether a social worker should investigate. An investigation may show that there is no need for Child Protection to become involved. However, if the investigation finds that a child or youth is being abused or neglected, Child Protection will take steps to keep the young person safe.

**You have the right to have a safe home.**

**The law is there to protect you from being abused or neglected.**

## Does Child Protection always take youth away from their parents?

Not necessarily. It is the goal of Child Protection to keep families together if it is best for the child. For their safety, Child Protection may remove youth from their home for a period of time. Youth who cannot live with their parents could live with other family members, in a foster home or a group home. This is called "being in care".

# Being Placed In Care

## Why can't I live with my parents?

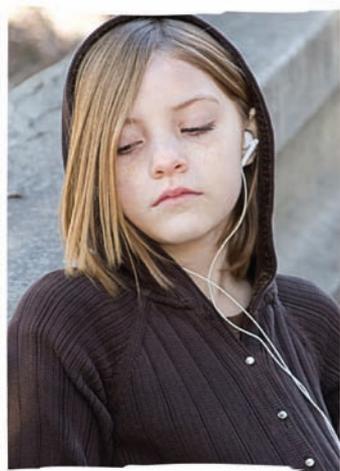
You may not be able to live with your parents because Child Protection social workers are worried that you are being beaten, sexually abused or treated badly at home. It could also mean that your parents cannot care for you because of an illness or addiction or they are not doing enough to keep you safe. Being placed in care means your parents or family are not able to care for you or it is not safe for you to live at home. Sometimes parents turn to Child Protection if they feel they need help to care for you or keep you safe from harm. Usually children are separated from their parents for only a short time.

## I'm a teen, why can't I make my own decisions?

The **Family Services Act** defines a child as anyone under the age of 16. If a child has a disability it can be up to 19 years of age. While you have the right to have your wishes and concerns heard and considered, the social worker can place you into protective care if there are good reasons to be concerned about your safety.

## When would a social worker start a child protection investigation?

When someone reports a concern about your well-being to Child Protection Services, a social worker will ask questions, gather information and decide if there should be an investigation. The police may also be involved in some investigations.



### **Child Protection social workers will begin an investigation when they suspect that:**

- *You are not getting proper care or supervision*
- *Your home is not safe or healthy for you*
- *Your parents are unable to properly care for you*
- *Your parents' behaviour puts your life, or mental and physical health, in danger*
- *You are being physically, emotionally or sexually abused or neglected*
- *You are living in a situation where someone else is being abused*
- *You are not getting proper medical treatment*
- *Your parents are not able to control your behaviour*
- *Your home life may lead you to harm yourself or someone else*
- *You are living with someone who is not legally able to care for you*
- *Your parents do not make sure that you attend school*
- *Your parents have not provided proper supervision and you have committed a crime.*

### **What happens during an investigation?**

A social worker may want to talk to you about your family and your life at home. They may interview your parents and other family members. It may also be important for them to talk to teachers, neighbours or other adults who can provide information about your situation.

In deciding what is best for you, the social worker will consider:

- *Your mental, emotional and physical health*
- *Your views and preferences, where appropriate*
- *How not living at home will change things for you, such as school and other activities and your contact with friends and family*
- *The ability of your parents to provide the support and care you need to grow and develop the skills you will need as an adult*
- *The importance of the connection to your culture and religion.*

## What will happen to me if there is an investigation?

A social worker will decide if there is reason to be concerned about your safety. In some cases children may be placed in “protective care” for a short time while an investigation is taking place. If it is not safe for you to live at home during the investigation a social worker will find a safe place for you to stay. You may stay there until they finish the investigation, or sometimes you may stay for a longer time while your social worker works with your parents to make sure things will be better for you. Just starting an investigation does not always mean you will have to leave your family home.

## Is it my fault I’m being taken away from my parents?

No. It is not your fault that Child Protection is investigating your family. The social worker is concerned about your parents’ ability to care for you and to make sure you are safe. They want to be sure that your parents are providing for your day-to-day needs.

Your behaviour is not their main focus. However, the social worker may also consider your actions, such as running away or using drugs and alcohol. Such behaviour may show that your parents cannot supervise and protect you.

## How much information will the social worker tell me about why Child Protection is investigating my situation?

The social worker will explain why they are concerned about your safety. They cannot tell you who reported concerns about your situation to Child Protection.



## Do I have to leave home even if I want to stay with my parents?

If the social worker finds that it is necessary, then you must go and live in a safe place while they get more information about you and your family.

## What if I have brothers and sisters?

The social worker will try to keep you together. Every family situation is different and it may not always be possible for brothers and sisters to stay together in care. You may only be separated for a short time. If you are separated it may be possible for you to visit and keep in touch.

## Can I have a friend or family member with me when I talk to the social worker?

If you are uncomfortable talking to the social worker alone it may be possible to have someone you trust with you while you are interviewed. The social worker can help you choose an appropriate support person.

## What can I take with me when I leave home?

Usually, you will be able to pack a suitcase with your clothes and some other items. In an emergency it may not be possible for you to bring anything from home. Your social worker will make sure you have clothes and other items you will need. He or she will try to get your belongings from your home as soon as possible.



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# Deciding on My Care

## What happens after the investigation?

After an investigation, the social worker will make a recommendation on where you should live and if your family should continue to get help from Child Protection.

If the investigation finds reasons to be concerned about your safety, the social worker will try to work with your parents to make a plan for your care.

If everyone cannot agree on what is best for you, your family and social worker can get help. To quickly make a short-term decision the social worker may recommend an Immediate Response Conference (IRC). For long-term plans or permanent care agreements, your social worker and your parents may be able to use Family Group Conferences or Mediation to create an agreement that deals with Child Protection's concerns.

If your parents and Child Protection cannot reach an agreement, the Minister of Social Development will ask a judge to decide what is best for you.

There are many ways Child Protection can make a plan for your care. In deciding what is best for you they may use one or several of the following options.

- *Immediate Response Conference*
- *Family Group Conference*
- *Mediation*
- *Agreements*
- *Court Process*

The following explanations of the different options will help you understand the process and your role in making the plan for your care.

## Immediate Response Conference

An Immediate Response Conference is a meeting that your social worker may set up with you and your family to make a short-term plan for your care because there are concerns about your safety. This can happen within a few days after Child Protection has become involved with your family. You will have the chance to say what you think should happen and who you think can help you and your family.

## Family Group Conference

Family Group Conferencing (FGC) is a process that allows family, friends and support people to help make a plan for your care. These people are your “family circle” and can include your parents, grandparents and other family members as well as close friends and others who know you and care about your safety. The goal is for your family circle to agree to a plan for your care.

### **Do I have a role in the Family Group Conference?**

You have an important role in the Family Group Conference. The person who organizes the Family Group Conference is called the Coordinator. The Coordinator will meet with you to explain the process, find out who you think should be involved and what should be discussed at the conference. You can also ask to have someone with you or have someone read a statement you have written to your family.

It is important that everyone know your feelings and concerns. The Coordinator will ask you to talk about what you like and do not like about your family situation. You will be able to ask questions and give information to help your family circle make a good decision.

### **What will happen at the Family Group Conference?**

The Coordinator will find a place for everyone to meet and make a list of things that need to be decided. Your family circle will talk about your family and the concerns about your safety. The social worker and other people who work with your family will also be there. These people will have the chance to share information and talk about what they feel is needed for your care.

After everyone has had a chance to speak, there will be a break for lunch. After lunch, your family will have a private family meeting to come up with a plan for your care. Youth are usually not part of this discussion. When your family decides on a plan they will meet with your social worker and the Coordinator to tell them what they think should happen. Your social worker will decide if the plan is enough to keep you safe. If everyone agrees, they will bring you back into the meeting to tell you the decision.

In some cases, a family may not be able to come to an agreement or the process may be stopped for other reasons. When a Family Group Conference does not work your social worker will consider other options such as mediation or going to court to develop a plan for your care.

## Mediation

Mediation is a process to help parents and social workers come to an agreement. It involves a person called a 'mediator' who is trained not to take sides; his or her job is to help make the discussions between your parents and your social worker easier. The mediator can help everyone understand each other's concerns.

### When does mediation happen?

Once Child Protection is involved, mediation can happen at any time. Your parents and your social worker can agree to meet with a mediator to work out an agreement for your care.

### What if my parents don't want to go to mediation?

Mediation must be voluntary – this means no one can force your parents or Child Protection to participate in mediation. Not even the Court can order someone to go to mediation.



## What role can I have in mediation?

Your views are an important part of the mediation process. After meeting with your parents and your social worker, the mediator will decide the best way for you to share your opinions. The mediator will look at your age, maturity and other factors to decide what your role will be in the mediation process. The mediator can meet with you to explain what will happen at the mediation and to answer your questions about the process.

You do not have to take part in the mediation if you do not want to. If you decide not to take part, or if the mediator decides it is not best for you to attend, you can still have a say about what is happening in your family and where you will live. You can write down what you want your parents and your social worker to know and someone you trust will read it at the mediation. If you have a lawyer, your lawyer can speak for you at the meeting.

## Agreements

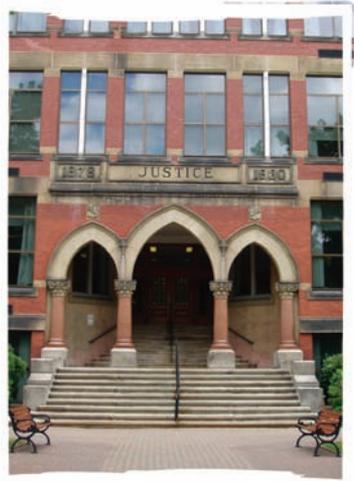
If your family and Child Protection agree about what should happen to you, there are different types of agreements that they can make. These agreements have many different conditions. Any agreement or conditions must be in your best interests. Here are a couple of examples of the types of agreements that can be made:

**Custody agreement:** This temporary agreement is made between your parents and the Minister of Social Development. When your parents sign a custody agreement, it means you will not live with them for a short while. This period of time must be less than one year. This does not mean they do not want to be your parents; it only means that they are still in the process of making a plan to keep you safe. The agreement usually includes information on how you will keep in touch with your family.

**Guardianship agreement:** Parents may decide that the best way to keep their children safe is to allow social workers to permanently make decisions about where the child will live and who will provide their care. This does not happen often. If a parent decides this is best, an agreement is made with the Minister of Social Development to provide for your care.

## Going to Court

Your parents and Child Protection Services may have to go to Family Court if they cannot agree on a plan for your care. The Minister of Social Development will ask the court to decide what is in your best interest. The lawyer working for the Minister of Social Development and the lawyer working for your parents will tell the Judge about your life and your family situation. In some cases, you will have your own lawyer to speak for you. Each lawyer will have a chance to present facts to the Court and ask questions.



### How does the Judge decide what is best for me?

The Judge listens to all the evidence presented by the lawyers who act on behalf of the Minister and your parents. To decide what is in your best interest, the Judge considers all the evidence and looks at a number of factors set out in the **Family Services Act**. These factors are:

- *Your mental, emotional and physical health*
- *Your views and preferences, where appropriate*
- *How not living at home will change things for you, such as school and other activities and your contact with friends and family*
- *The ability of your parents to provide the support and care you need to grow and develop the skills you'll need as an adult*
- *The importance of being connected to your culture and religion.*

### Will I have to go to court?

In most child protection cases, youths do not have to go to court. The court process may be quite stressful for the children and teens involved. If you do have to go to court your social worker will let you know. Ask your social worker if you have questions about what will happen in court. You may also have a lawyer of your own who can help you understand the court process.

## **Who will let the Judge know what I want to happen or what I think is best for me?**

If the Judge is making a decision about your care, you may have a lawyer who will speak for you in the courtroom. This lawyer is called "Counsel for the Child". The Judge will appoint this lawyer to represent you. The government will pay for your lawyer. It is your lawyer's job to go to court to make sure the Judge knows all about you, your life and how you are feeling.

To get as much information about you as possible, your lawyer will talk to you and others involved in your life. Your lawyer will meet with you at your home, foster home or another location before any court hearings. You can tell your lawyer if anything is worrying you about your court case, and what you would like to happen.

Your lawyer will go to court to tell the Judge all about you. Your lawyer will give the Judge information about your life and your wishes. The Judge will listen to your wishes but will make a decision about what is best for you based on all of the information presented during the court case.

## **How long will the court process take?**

Having the court make a decision about your care can take a long time. It is not unusual for court dates to be delayed several times. It can take several months or even over a year before everyone has a chance to present all their evidence to the Judge. The Judge may take a while to review all of the information and make a decision.

## **What types of decisions can the Judge make after listening to all of the lawyers?**

The Judge must consider everything that was said in court and decide if it is necessary to make an order for your care. If the Judge thinks it is safe for you to be at home with your parents without help from a social worker, the case is over and the Department of Social Development will no longer be involved with your family. If the Judge is concerned about your safety, he or she will make an order for your care. The Judge will choose the type of order which best suits your situation. The following list describes the types of orders a judge may use to keep you safe:

### 1. Supervisory Order:

*This order allows you to live at home with your family under the supervision of a social worker. You and your parents will have to obey certain conditions such as attending meetings with the social worker and going to counselling. This type of order can last up to 6 months. If there is still concern for your safety another order can be made to extend the supervision.*

### 2. Protective Intervention Order:

*This order allows you to live at home but sets conditions to protect you from someone who is a danger to you. The person (or people) the Court names in the order must stay out of your home. They cannot even contact you. A social worker will continue to be involved with you and your family to be sure you are safe. This type of order can last up to 6 months. If there is still concern for your safety, the Court can make another order to continue this protection.*

### 3. Custody Order:

*This type of order does not allow you to live at home. The Minister of Social Development acts in the place of your parents and will be responsible for your care for a short time. A social worker will find you an appropriate place to live and make sure you have the services and support you need. This type of order can last for up to 6 months. A judge will issue another order if there is still concern for your safety.*

### 4. Guardianship Order:

*This type of order will permanently remove you from your parent's care. The Minister of Social Development will act in the place of your parents. A social worker will find you an appropriate place to live until you are old enough to live on your own or until you are adopted by another family.*

### 5. Place of Safety Order:

*This type of order will remove you from a placement with a foster family or group home if there is concern that you are putting yourself at risk of harm. This type of order will be used if you are suicidal, running away or there are other concerns about your behaviour. You will be moved to a safe and secure location. This is not a jail; it is a place where you will be able to get help and counselling. This type of order can last up to 6 months but will be extended if there are still concerns that you will place yourself in danger.*

# Living Away from Home

## Where will I live while I can't live at home?

If you are in the care of the Minister of Social Development your social worker will find you an appropriate place to live such as a foster home or youth residence. The social worker will consider your age, the availability of foster families, and your specific needs.

### Foster Families

Some youth are placed with foster families. These are homes with caring adults who look after young people when they are unable to live with their families. Adults who become foster parents must have a lot of training. Foster families must be trained and approved before they can care for children. Social workers will visit the foster home to make sure it will be safe for you.

### Youth Residences

Living in a youth residence is an option when a foster home is not the best choice for you or a foster family is not available. A youth residence or group home is a place for young people who cannot live with their families. There may be several other youth in these homes. The youth are cared for by a team of youth workers. Youth workers are screened to make sure they have the training and skills to help youth through difficult times.



## How long will I be in a foster home or youth residence?

It is hard to say exactly how long you will remain in care. The goal is to make sure you have the care you need and to reunite you with your family if possible. Before you can move home, your parents must be ready to care for you and your home must be safe. If it is not safe for you to return to your parents' home, you will remain in care until you are old enough to live on your own or until you are adopted.

## Will I be allowed to contact family and friends?

Yes. You have the right to have relationships with people who are important to you. This includes both visits and phone calls. When there is concern for your safety, some family or friends will not be allowed to contact you or they may only be allowed to see you with your social worker. This information will be in your case plan. If you have questions, talk to your social worker. Your social worker will explain why certain restrictions have been put in place.

## Will I be able to go to the same school and activities?

If it is possible and safe for you, the social worker will try to make plans for you to go to the same school and take part in the same activities you did when you were living at home. If you cannot go to the same school your social worker will explain the reasons for this decision.

## What if I do not like my placement or don't want to be there?

Your foster family and social worker want to help you adjust to life away from your parents. Speak up if you are unhappy or have concerns about your placement. It is important that your concerns are heard. Keep in mind it may not be possible to change your placement or rules you do not like. Your safety is always the most important factor. Your foster family and other caregivers must follow the law and the rules that protect you and others in care.

## What if I don't feel safe in my placement?

You have the right to live in a safe home. This means a place that meets safety standards, and a home that is free from verbal, physical, sexual, and mental abuse, or neglect. If you feel that your placement is not safe, you should tell your social worker right away.

## Will I stay in the same placement while I am living away from my parents?

You may have to live in more than one placement. There are many reasons why you may be moved from your placement. Your social worker will explain why the move is best for you. Your social worker understands that it is not easy to move to a new home. Tell your social worker if you are worried about moving to a new home.

## What can I take with me when I change placements?

You can take your clothing and other belongings with you when you move. This includes anything you brought with you from home or things that were bought for you while you were in care. Talk to your social worker if you have questions about what you can take when you change placements or return home.



# Your Rights

Youth in care have the right to be cared for in a safe environment and to be treated fairly and with respect. There are laws and rules in place for youth residences, foster families and social workers to ensure your safety. Here are some of the rights you have while in care.

## Safety and Care

You have a right to live in a safe house, to have nutritious food and appropriate clothing. There are many rules and laws to ensure you have a safe place to live while you are in care. The following are some examples:

- *Your bedroom must have a window.*
- *Your foster family should not smoke in the house or in the car.*
- *Your care providers must teach you the household emergency plan where you are living, and let you practice it soon after you move in.*

You have a right to be protected against neglect, cruelty, abuse and exploitation. Your caregivers cannot

- *use any physical discipline such as spanking or hitting*
- *prevent you from having food, clothing, bedding or bathroom facilities*
- *humiliate, ridicule, or taunt you*
- *give you work or chores that may harm you*
- *lock you in a room*
- *ignore you or give you the silent treatment*
- *threaten to remove you from your placement*
- *prevent you from contacting your family, friends or social worker without a reason*
- *destroy or take away your belongings without a reason.*

## Respect and Dignity

You have a right to be treated with respect and dignity while you are in care. You have the right to have your social worker listen to your opinions when making decisions about your care. The people who are caring for you must include you as much as possible in making any decisions that affect your life.

## Privacy

You have the right to have a reasonable amount of privacy. Unless there are safety reasons, or some reason written in your case plan, you have the right to privacy when dressing, using the bathroom, spending time alone and when you are visiting with friends and family. You also have the right to a private area when making telephone calls.

## Access to records and files

You have the right to have information from your Child Protection records when you turn 16 years old. If you are under 16, only your legal guardian or social worker may look at your records. If there is something you want to know about your case, ask your social worker. He or she may be able to answer your questions. You have the right to know about any court hearings or decisions being made about your care. In many cases you will be able to go to court if you want to.



## Medical treatment and counselling

You have the right to health care. For example, you are entitled to a physical health exam and a dental exam once a year. You have the right to an eye exam every 2 years. When you are hurt, sick or experiencing pain, you will get the help you need. If you are injured or seriously ill, your foster family or the residence staff will get you emergency medical treatment as soon as possible.

In New Brunswick, the *Medical Consent of Minors Act* gives a teenager who is 16 years or older the same right to consent to health care treatment as an adult. This includes consenting to dental treatment, surgery and any treatment related to pregnancy.

If you are under 16 years old, you may still be able to consent to medical treatment if the doctor, dentist, nurse practitioner or nurse decides that you are able to understand the nature and consequences of a medical treatment. The treatment must be in your best interests for your continuing health and well-being. You must be at least 16 years old to consent to any type of surgery. If you are under age 16 and a doctor wants to operate on you, your legal guardian is the only person who can consent to the operation unless it is an emergency. Your legal guardian may be your parent or someone from the Department of Social Development if you are in care.



## Religion

You have the right to choose your religion and to choose whether or not you want to participate in religious activities. If your foster family or caregivers do not share your beliefs or culture, they must be respectful. Arrangements can be made to keep you in contact with people who can provide guidance and encouragement to maintain your own religious or cultural heritage.

You may decide to take part in religious or cultural activities with your foster family or caregiver but they cannot force you to practice a certain religion or take part in a cultural activity against your wishes.

## Education

You have a right to an education. It is important that you continue your education and prepare for your future. It may not be possible for you to attend the same school you did when you lived with your parents but you have the right to go to a school that meets your needs. At home, you should have a quiet workspace and school supplies, as well as the time and help you need to complete your homework.

## Recreation

You have a right while you are in care to participate in sports and other activities in your community. Your foster family receives a special allowance for you and your activities. Talk to your foster family or caregiver about the types of activities you would like to be involved in. If you and your caregiver cannot agree, your social worker can help decide what is reasonable.

## Contact with family and friends

You can use the phone where you live for local calls to friends and family. You may make long-distance calls with the permission of your foster parent or caseworker. There may be restrictions in your case plan about people you can contact.

If you have family and friends visiting you at your foster home or group home, you have the right to visit in a private place. If your case plan has restrictions on when and how you can have contact with family and friends, your social worker will explain why. The social worker can help you make suitable arrangements so you can stay in touch with the people who are important to you.

## Contact with your social worker

You have the right to call your social worker when you need to. If your social worker is not available, you can call your social worker's supervisor.

## Right to have personal belongings

You have a right to have space for your personal belongings and you can put up decorations in your bedroom as long as they are not permanent or too difficult to remove.

No one is allowed to destroy your belongings. No one can throw away or give away your belongings without your permission, including clothing that you buy or that someone buys for you.

If you have valuable belongings that you would like to protect, talk to your social worker or foster parent about finding a safe place for them.

## Allowance or spending money

The Department of Social Development gives your foster family money to buy you clothes and other necessities. Your foster family may arrange to have some of this money set aside for you in a bank account or for you to spend on special items that you have asked for. Your foster parents can make arrangements for you to receive a weekly spending allowance based on your age.

If you are living in a youth residence you can make arrangements to buy the things you need with the help of residence staff. If you are living in a youth residence, you will receive personal spending money. Depending on your age and situation, you may also be able to earn extra money in the community or by doing extra chores in the home.

## What are my responsibilities while in care?

It is your responsibility to follow the rules where you are living. Soon after you arrive in a placement, your foster parents or caregiver will explain the routines, expectations, rules and discipline procedures. This will include information about your chores and other tasks. You have the right to know what behaviour they expect of you. It is your responsibility to follow the rules. When you make mistakes or disobey rules you must take responsibility for your actions.

You should stay in touch with your social worker. Listen carefully to the information he or she gives you about being in care and your case plan. Your social worker will expect you to follow your case plan. If problems arise, contact your social worker to talk about it.

# Leaving Care

## What happens when I am no longer in care?

Children are in care for different reasons and stay in care for different lengths of time. When the time comes for you to return home or you become old enough to leave care and live on your own there is help to make it easier for you to leave care. There are several ways you may leave Child Protection:

### **A plan has been made for you to return home**

While you may be excited about returning home to live with your parents, you should talk to your social worker if you are concerned about going home. Your social worker can answer your questions and help you deal with your feelings about the move. In some cases, a social worker will continue to be involved with your family to make sure you are cared for and safe when you are living at home.

### **You are becoming old enough to make decisions about your care**

As you get older, the Department's authority to make decisions about your care changes. In New Brunswick, youth under the age of 16 are protected by a law called the **Family Services Act**. If you are over 16 years of age when someone first reports concerns about your safety there is little that Child Protection can do. They would no longer have the authority to remove you from your home or to support you if you are living away from your parents.

If you are already in care when you turn 16, the Department may be able to help you learn to live on your own. Talk to your social worker about programs and services that may be available to help you get the skills and support you need to live on your own, get an education, or find work.

### **Being adopted**

You can only be adopted if there has been a Guardianship Agreement or a Guardianship Order. Adoption means that you would have a new parent or parents. Your new parents may not be strangers; in some cases it may be a family member or it could be people who have cared for you while you were in foster care. If you are 12 years old or older you must agree before you can be adopted.

# Getting Help While in Care

You can ask for help if you have questions about being in care, concerns about your placement or if you disagree with a decision made about your care.

You should always feel that there is somebody you can talk to about being in care. First, consider discussing your situation with your foster parents or caregivers. You can always speak about your case with your social worker.

Here is a description of some of the people available to help when problems arise:



## **Foster parents or caregivers**

Your foster parents or caregivers are there to help you on a daily basis. They are often a great source of information and may have a lot of experience helping youth in your situation find the answers to their questions.

If you have disagreements about topics such as an allowance, chores, curfew and other day-to-day complaints you should first try discussing the topic with your foster parents or caregivers. If you still feel you are being treated unfairly or without respect, you may want to talk to your social worker.

## **Social Worker**

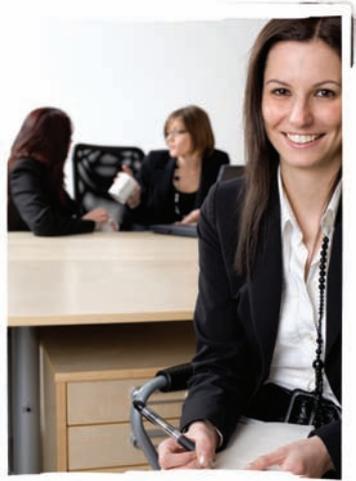
While your foster family or caregivers will have more time to deal with your day-to-day concerns, your social worker may be able to help as well. You can discuss your concerns about your placement, the investigation or court process. Your social worker can answer questions you may have about the Child Protection process. If you feel unsafe in any way, you should contact your social worker immediately.

## **A lawyer**

When there are legal issues and decisions being made in court you may need to have a lawyer who speaks for you. You can ask your foster parent or social worker to make arrangements for you to talk to a lawyer if you have specific questions about your case.

## **Victim Services Coordinator**

If you have been the victim of a crime, the Crown Prosecutor may ask to talk to you about what happened. You may have to answer questions in the courtroom. A Victim Services Coordinator can explain the court process and arrange for help to prepare you for your role in court.



## **Child and Youth Advocate (1-888-465-1100)**

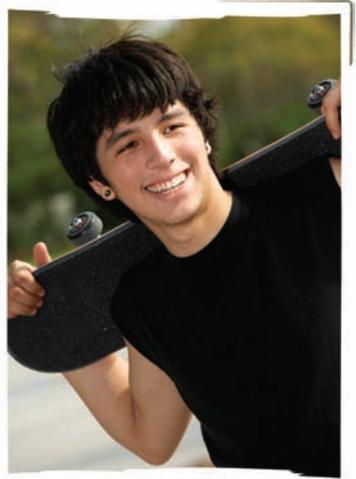
The Office of the New Brunswick Child and Youth Advocate is an agency that helps protect the rights and interests of all children and youth. When youth living in care have concerns about the way decisions have been made or feel their voice has not been heard, the Child and Youth Advocate may be able to help. If you have talked to your foster parents or caregiver and your social worker and still have concerns about your safety or your rights you may contact the Child and Youth Advocate or have your foster parent or another adult contact the Child and Youth Advocate for you. They can look into how and why decisions were made and can help find a solution.

## **Police**

If you are in immediate danger, you should call 911. The police will respond in an emergency or if a crime is being committed.

## What if I have more questions or concerns?

There are lots of places to look for help. There are groups and programs that help youth who have been placed in care deal with their emotions and concerns. The best way to find help is to ask. Talk to your foster family or social worker to find out if there are support groups or counselling in your area for youth in care. You can also check the websites in the next section of this booklet to find other groups and information for youth in care.



## Online Resources

It can be helpful to have contact with others who have lived in foster care and group homes. There are a number of websites that can help you connect and find more information about living in care. Check out the links below for helpful websites:.

### Office of the Child and Youth Advocate

[www.gnb.ca/0073/Child-YouthAdvocate/eng.html](http://www.gnb.ca/0073/Child-YouthAdvocate/eng.html)

### National Youth in Care Network

[www.youthincare.ca](http://www.youthincare.ca)

### Kids Help Phone

[www.kidshelpphone.ca](http://www.kidshelpphone.ca) (1-800-668-6868)

### Centre of Excellence for Child Welfare – What youth want to know

[www.cecw-cepb.ca/faqs/what-youth-want-know](http://www.cecw-cepb.ca/faqs/what-youth-want-know)

# Important Contact Information

Name: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email: \_\_\_\_\_

Who is this person? \_\_\_\_\_

Name: \_\_\_\_\_

Phone number: \_\_\_\_\_

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Public Legal Education  
and Information Service  
of New Brunswick

[www.legal-info-legale.nb.ca](http://www.legal-info-legale.nb.ca)



Child & Youth  
**Advocate**  
**Défenseur**  
des enfants et de la jeunesse

[www.gnb.ca/ombudsman/Child-YouthAdvocate](http://www.gnb.ca/ombudsman/Child-YouthAdvocate)