



SENATE
SÉNAT
CANADA

DECEMBER 2025

NOTHING TO CELEBRATE

The Crisis of Youth Aging Out of Care

Report of the Standing Senate Committee
on Human Rights

The Honourable Paulette Senior, Chair
The Honourable Wanda Thomas Bernard, Deputy Chair

Nothing to Celebrate: The Crisis of Youth Aging Out of Care



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ACKNOWLEDGEMENT

The Standing Senate Committee on Human Rights (the committee) would like to thank all of the witnesses who took the time to appear or to submit written materials as part of this study. Their diverse experiences and valuable insights were critical to the committee's understanding of this important topic, and helped inform the committee's recommendations.

The committee wishes to acknowledge that children often enter care with significant trauma, which can be compounded by their experiences within care and upon aging out. As such, it can be difficult and in some cases retraumatizing to discuss these experiences. The committee applauds the courage, strength and resilience of the individuals who came forward with their stories. The committee also wishes to recognize that it did not necessarily hear the voices of those who have experienced the most profound failures of Canadian child protection systems.

Finally, the committee notes that all testimony for this study was received during the First Session of the Forty-fourth Parliament, during which the committee membership was substantially different. The committee wishes to thank the Honourable Senator Ataullahjan, who was Chair of the committee at the time, as well as the Honourable Senators Gerba, Manning, Pate, and Osler for their contributions to this study.

THE COMMITTEE MEMBERSHIP

At the time of the adoption of the report by the committee



The Honourable
Paulette Senior
Chair



The Honourable
Wanda Thomas
Bernard
Deputy Chair

The Honourable Senators



David M. Arnot



Mary Coyle



Nancy Karetak-Lindell



Marilou McPhedran



Mary Robinson



Kristopher Wells

Ex-officio members of the committee:

The Honourable Pierre Moreau, P.C., or the Honourable Patti LaBoucane-Benson
The Honourable Leo Housakos or the Honourable Yonah Martin
The Honourable Raymonde Saint-Germain or the Honourable Bernadette Clement
The Honourable Scott Tannas or the Honourable Rebecca Patterson
The Honourable Brian Francis or the Honourable Judy A. White

THE COMMITTEE MEMBERSHIP

At the end of the First Session of the Forty-fourth Parliament



The Honourable
Salma
Ataullahjan *Chair*



The Honourable
Wanda Thomas
Bernard
Deputy Chair

The Honourable Senators



David M. Arnot



Amina Gerba



Fabian Manning



Flordeliz (Gigi) Osler



Kim Pate



Paulette Senior

Ex-officio members of the committee:

The Honourable Marc Gold, P.C., or the Honourable Patti LaBoucane-Benson
The Honourable Donald Neil Plett or the Honourable Yonah Martin
The Honourable Raymonde Saint-Germain or the Honourable Bernadette Clement
The Honourable Scott Tannas or the Honourable Rebecca Patterson
The Honourable Pierre J. Dalphond or the Honourable Judy A. White

Senators who participated in the study during the First Session of the Forty-fourth Parliament:

The Honourable Senators Muggli, Omidvar (retired), Robinson, Ross, Simons, Youance and Wells (Alberta)

Research and Education, Library of Parliament:

Madalina Chesoi, Analyst

Robert Mason, Analyst

Laura Salter, Analyst (until November 2024)

Senate Committees Directorate:

Caroline Woodward, Committee Clerk

Annie Trudel, Administrative Assistant

Communications, Broadcasting and Publications Directorate

Amely Coulombe, Manager, Strategic Communication

Chelsea DeFazio, Communications Officer

ORDER OF REFERENCE

Extract from the *Journals of the Senate* of Thursday, September 25, 2025:

The Honourable Senator Senior moved, seconded by the Honourable Senator Arnot:

That the Standing Senate Committee on Human Rights be authorized to examine and report on aging out of foster care;

That the papers and evidence received and taken and work accomplished by the Standing Senate Committee on Human Rights during the First Session of the Forty-fourth Parliament as part of its study of such issues as may arise from time to time related to human rights generally be referred to the committee;

That the committee be permitted, notwithstanding usual practices, to deposit its reports on this study with the Clerk of the Senate if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate; and

That the committee submit its final report to the Senate no later than December 31, 2026, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

The question being put on the motion, it was adopted.

Shaila Anwar

Clerk of the Senate

First Session of the Forty-fourth Parliament

Extract from the *Journals of the Senate* of Thursday, March 3, 2022:

The Honourable Senator Ataullahjan moved, seconded by the Honourable Senator Wells:

That the Standing Senate Committee on Human Rights, in accordance with rule 12- 7(14), be authorized to examine and report on such issues as may arise from time to time relating to human rights generally; and

That the committee submit its final report to the Senate no later than June 12, 2025.

The question being put on the motion, it was adopted.

Gérald Lafrenière

Clerk of the Senate

EXECUTIVE SUMMARY

All children have a legal right to receive the level of care that is necessary for their well-being. When a parent¹ is unable to provide such care, children are often traumatized, and governments take on the role of a parent. The vulnerability of children in care is substantial, particularly at the point when they age out of care and begin the transition to adulthood.

While Canadian provinces and territories offer a patchwork of varying supports to those leaving care, none compare to the level of care and support that would be provided by a loving parent. Too often, vulnerable youth instead face an abrupt transition on an arbitrary birthday, and are more vulnerable to poverty, homelessness, mental health challenges, and involvement with the criminal justice system.

Between October and November 2024, the Standing Senate Committee on Human Rights (the committee) held five meetings to study the complex issue of aging out of care. The committee heard from 28 witnesses and received five briefs that outlined the rights and vulnerabilities of children and youth aging out of child protection systems and other forms of out-of-home care. This report reflects the testimony received during that period.

The committee heard about the challenges associated with aging out of care, as well as positive practices in various provinces and territories. Throughout its study, the committee focused on the appropriate role of the federal government, considering that child protection systems are primarily within provincial, territorial and, increasingly, Indigenous jurisdictions.

The report is divided under five headings. First, under “Experiences of Aging out of Care,” the report unpacks Canada’s legal obligations and responsibilities regarding children’s rights. It recounts the vulnerabilities of aging out of care based on the testimony it received, including from those with lived experiences. This section also includes the vulnerabilities encountered by those in and out of care with a precarious immigration status, as well as those who face involvement with the criminal justice system. The committee notes that, while it was privileged to hear from several individuals formerly in care who showed great courage and resilience in overcoming significant obstacles, it did not hear from those with less positive outcomes who were failed by Canadian child protection systems.

Second, under “Jurisdiction over Child and Youth Protection in Canada,” the report discusses the jurisdictional complexities relating to child protection systems, including the federal government’s responsibility with respect to Indigenous child welfare. This bridges into the third section of the report, which provides an overview of the different approaches to post-majority support for youth who have aged out of care. This section highlights several promising programs throughout the country. It also discusses the post-majority support provided by Indigenous Services Canada

¹ For the purpose of this report, “parent” refers to a permanent caretaker responsible for the wellbeing of a child, including through their transition to adulthood.

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stemming from findings by the Canadian Human Rights Tribunal that the federal government discriminated against children and youth in the First Nations Child and Family Services Program.

Fourth, the report calls for a paradigm shift in Canada's child protection systems. The committee echoes calls for a more prevention-based approach to childcare and child protection to ensure the well-being of children and families. This section discusses the eight *Equitable Standards for Transitions to Adulthood for Youth in Care*, a roadmap developed by the Child Welfare League of Canada.

In the fifth and final section, entitled "Has Nothing Changed?" the committee acknowledges past work on this issue, including its own. This report builds on decades of previous recommendations by civil society as well as parliamentary and international organizations. The committee hopes that the time is now ripe for reforming the transition period for children and youth aging out of care.

Throughout the report, the committee provides recommendations for changing the way that Canada cares for children and youth in out-of-home care, to ensure that vital support networks are in place. The committee urges the federal government to carefully consider and respond to each of its recommendations.

FULL LIST OF RECOMMENDATIONS

The recommendations listed stem from the body of the report. They have been arranged here in thematic order, which does not necessarily reflect order of priority.

Recommendation 1:



National children and youth commissioner

That the Government of Canada introduce legislation to establish an independent, national children and youth commissioner with a mandate to monitor and report to Parliament on children’s rights and those of people in emerging adulthood in the country.

Recommendation 2:



National summit and action plan

That the Government of Canada convene a national summit with Indigenous governments, rights holders and organizations, the provinces and territories, and stakeholders with lived experience to develop a national action plan on supporting the transition to adulthood for youth in care. Guided by the *Equitable Standards for Transitions to Adulthood for Youth in Care*, and taking into account the unique vulnerabilities of certain youth based on factors such as age, sex, sexual orientation, gender identity and expression, disability, geographic location, race, ethnic and national origin and socioeconomic background, the action plan should:

- work toward a uniform readiness-based approach to aging out of care;
- extend Jordan’s Principle past the age of majority;
- address the child-welfare-to-prison pipeline; and
- set priorities, targets and respective responsibilities, respecting the jurisdiction of Indigenous Peoples, the provinces and territories over child and family services, including their authority to choose differing program models based on unique contexts and needs.

Recommendation 3:



Framework to implement human rights commitments

That the Government of Canada introduce a national framework for implementation of the principles and obligations that Canada has committed to through the United Nations *Convention on the Rights of the Child* and of the *International Covenant on Economic, Social and Cultural Rights*, as it did with the *United Nations Declaration on the Rights of Indigenous Peoples*.

Recommendation 4:



National database

That Statistics Canada establish a national database on child welfare by entering into agreements with provincial, territorial and Indigenous governments to obtain anonymized data disaggregated by age, sex, sexual orientation, gender identity and expression, disability, geographic location, race, ethnic and national origin and socioeconomic background, and by conducting surveys to track outcomes after leaving care.

Recommendation 5:



Wraparound supports for youth aging out of care

That the Government of Canada consult with relevant stakeholders, including provincial and territorial governments, to develop supports for youth aging out of care that are adequate to meet their needs, including access to post-secondary education, housing, mental health care and life skills training, as well as other forms of wraparound supports based on the eight pillars of *Equitable Standards for Transitions to Adulthood*.

Recommendation 6:



Support for 2SLGBTQI+ children and youth

That the Government of Canada increase understanding, resources, and support for the unique experiences of 2SLGBTQI+ children and youth in care who are at increased risk and overrepresented within child welfare and protection systems.

Recommendation 7:



Citizenship support

That Immigration, Refugees and Citizenship Canada ensure that children in care who arrived in Canada as immigrants, refugees or asylum seekers be provided with support to complete their pathway to citizenship, and that those who age out of care are protected from deportation.

Recommendation 8:



Support for families

That the Government of Canada increase support for vulnerable families to reduce the need for out-of-home care, including through the Canada Child Benefit and the Child Disability Benefit.



The long description of recommendations and icons included on the infographic are available on: [Full list of recommendations](#)

Systemic changes



National children and youth commissioner

That the Government of Canada introduce legislation to establish an independent, national children and youth commissioner with a mandate to monitor and report to Parliament on children's rights and those of people in emerging adulthood in the country.



National summit and action plan

That the Government of Canada convene a national summit with Indigenous governments, rights holders and organizations, the provinces and territories, and stakeholders with lived experience to develop a national action plan on supporting the transition to adulthood for youth in care. Guided by the *Equitable Standards for Transitions to Adulthood for Youth in Care*, and taking into account the unique vulnerabilities of certain youth based on factors such as age, sex, sexual orientation, gender identity and expression, disability, geographic location, race, ethnic and national origin and socioeconomic background, the action plan should:

- work toward a uniform readiness-based approach to aging out of care;
- extend Jordan's Principle past the age of majority;
- address the child-welfare-to-prison pipeline; and
- set priorities, targets and respective responsibilities, respecting the jurisdiction of Indigenous Peoples, the provinces and territories over child and family services, including their authority to choose differing program models based on unique contexts and needs.



Framework to implement human rights commitments

That the Government of Canada introduce a national framework for implementation of the principles and obligations that Canada has committed to through the United Nations *Convention on the Rights of the Child and of the International Covenant on Economic, Social and Cultural Rights*, as it did with the *United Nations Declaration on the Rights of Indigenous Peoples*.



National database

That Statistics Canada establish a national database on child welfare by entering into agreements with provincial, territorial and Indigenous governments to obtain anonymized data disaggregated by age, sex, sexual orientation, gender identity and expression, disability, geographic location, race, ethnic and national origin and socioeconomic background, and by conducting surveys to track outcomes after leaving care.

Direct supports

Wraparound supports for youth aging out of care

That the Government of Canada consult with relevant stakeholders, including provincial and territorial governments, to develop supports for youth aging out of care that are adequate to meet their needs, including access to post-secondary education, housing, mental health care and life skills training, as well as other forms of wraparound supports based on the eight pillars of *Equitable Standards for Transitions to Adulthood*.

2SLGBTQI+ children and youth

That the Government of Canada increase understanding, resources, and support for the unique experiences of 2SLGBTQI+ children and youth in care who are at increased risk and overrepresented within child welfare and protection systems.

Citizenship support

That Immigration, Refugees and Citizenship Canada ensure that children in care who arrived in Canada as immigrants, refugees or asylum seekers be provided with support to complete their pathway to citizenship, and that those who age out of care are protected from deportation.

Support for families

That the Government of Canada increase support for vulnerable families to reduce the need for out-of-home care, including through the Canada Child Benefit and the Child Disability Benefit.

The long description of recommendations and icons included on the infographic are available on: [Full list of recommendations](#)

EXPERIENCES OF AGING OUT OF CARE

The Standing Senate Committee on Human Rights (the committee) held five meetings between October and November 2024 to study the issue of aging out of care. The study examined the rights and vulnerabilities of children and youth in care, the challenges associated with aging out of care, positive practices in various provinces and territories, and the appropriate role of the federal government. This report outlines the committee's findings and recommendations for the federal government.

Overview of Canada's Child Protection Systems and Children's Rights

All children are rights holders who begin their lives as totally dependent beings in need of nurturing, love, guidance, and support from adults – usually their parent(s) – to be able to grow into young people who become independent adults themselves. When neither of the parents, who are the primary caregivers, can meet the child's needs, it is up to the government, as the duty bearer, to find an alternative in the best interests of the child.

In Canada, the alternatives to out-of-home care include placements with extended family members, in foster homes, in group settings or in institutions that are, generally, under the jurisdiction of provinces and territories. The next section of this report will further discuss the jurisdictional aspects of child protection governance and administration in Canada.

When young people in a child protection system reach the age of majority, a threshold that differs in Canada depending on the province or territory of residence, they are no longer eligible for government care due to legislated age cut-offs. While most jurisdictions offer various post-majority supports and services, they are not obliged to do so by law and these supports are often accompanied by restrictive eligibility criteria. The third section of this report further elaborates on these post-majority supports and services.

Generally, the patchwork of post-majority supports and services results in a majority of youth not accessing, or only partially accessing, the transition supports they need, leaving them vulnerable as they move into life as an adult. As explained by Barbara Fallon, Professor, Factor-Inwentash Faculty of Social Work and Canada Research Chair in Child Welfare, University of Toronto:

children and youth who grow up in care do not come from an equal starting point compared to their peers. They face greater challenges and poorer life outcomes, including educational attainment, difficulty finding employment, housing instability, among others. Yet children in foster care do have an equal right to access the supports

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they need to thrive and succeed. This is even more important during the critical period in which they transition into adulthood.²

Regarding the rights of young people aging out of care, the committee heard that:

if the state is going to assume the responsibility for raising children away from their families, then it has a duty to sustain support for these young people into adulthood, as much as those with family privilege enjoy. The responsibility to care, nurture and support young people doesn't end at 18 or 19 years of age in any other context.³

Indeed, Melanie Doucet, who is the Project Lead at the National Council of Youth in Care Advocates as well as an Adjunct Professor at the School of Social Work at McGill University, informed the committee that:

[a]ccording to Statistics Canada, nearly 63% of youth aged 20 to 24 in the general population are still living with their parents, with many continuing to live at home up until the age of 30, at about 43%. Youth in care do not have that luxury.⁴

Linda Clemens-Spurrell, the Child and Youth Advocate for Newfoundland and Labrador, added that the “process of becoming an adult is not fixed.” It is “a gradual progression characterized by trial, error, and exploration.”⁵ Generally, young people “have the opportunity to vacillate between dependence and independence from their families as they discover themselves as individuals in the adult world,” whereas those in out-of-home care do not have the same opportunity “given the stark cut-off of services in many provinces and territories, typically tied to a numeric age and not level of readiness.”⁶

The committee underscores that Canada, at all levels of government, has a legal obligation and ethical responsibility to protect, respect and fulfill the rights of children.⁷ These obligations are

² Standing Senate Committee on Human Rights (RIDR), *Evidence*, October 28, 2024 (Barbara Fallon, Professor, Factor-Inwentash Faculty of Social Work and Canada Research Chair in Child Welfare, University of Toronto – As an Individual).

³ RIDR, *Evidence*, November 18, 2024 (Jennifer Charlesworth, Representative for Children and Youth, Office of the Representative for Children and Youth of British Columbia)

⁴ RIDR, *Evidence*, October 21, 2024 (Melanie Doucet, Project Lead, National Council of Youth in Care Advocates and Adjunct Professor, School of Social Work, McGill University - As an Individual).

⁵ RIDR, *Brief*, November 18, 2024 (Linda Clemens-Spurrell, Child and Youth Advocate, Office of the Child and Youth Advocate of Newfoundland and Labrador).

⁶ Ibid.

⁷ RIDR, *Evidence*, November 4, 2024 (Lisa Broda, Advocate for Children and Youth, Saskatchewan Advocate for Children and Youth's Office; President, Canadian Council of Child and Youth Advocates); *Brief*, November 27, 2024 (Lisa Broda, Advocate for Children and Youth, Saskatchewan Advocate for Children and Youth's Office).

codified in the United Nations *Convention on the Rights of the Child* (the Convention), which Canada ratified in 1991.

Fundamentally, the Convention, adopted more than 35 years ago, in November 1989, recognizes the human dignity of all children, the need to ensure their well-being as well as the conditions to develop to their full potential.

More specifically, the Convention recognizes the obligation of states to ensure that children receive the level of protection and care necessary for their well-being (Article 3). It states that it is the responsibility of parents or guardians to raise a child (Article 18), and that government must help them, including by providing alternatives to the family environment – such as foster care – when in the child’s best interests. When finding alternatives to out-of-home care, the government must consider “the desirability of continuity in a child’s upbringing and to the child’s ethnic, religious, cultural and linguistic background” (Article 20). It also calls on governments to review a child's placement: if a child is in out-of-home care, they have a right to have their circumstances checked regularly to ensure that everything is going well and assess whether the placement is still in their best interest (Article 25).

The Convention provides that authorities must not separate children from their parents against their will, unless authorities have legally determined “that such separation is necessary for the best interests of the child ... such as [in cases] involving abuse or neglect of the child by the parents” (Article 9). It further reiterates that governments must protect children from violence, abuse and being neglected by anyone who looks after them (Article 19).

The Convention calls on governments, and adults more generally, to respect children’s views and opinions on issues that affect them (Article 12). It states that children have the right to health care, clean water, healthy food, and a clean and safe environment to live and grow in (Article 23). The Convention adds that governments must take appropriate measures to support families and children who cannot afford food, clothing and a safe place to live (Article 27), as well as to promote physical and psychological recovery of child victims of neglect, exploitation or abuse (Article 39). Annette King, Yukon Children and Youth Advocate and Vice-President, Canadian Council of Child and Youth Advocates, described this latter provision as the most important in her experience, explaining that “when we look at aging out of care in a culturally appropriate way, it has to have a strong healing lens.”⁸

Canada took on broad obligations through the Convention to support children’s well-being. While these obligations are primarily focused on protecting those below the age of 18, it is clear to the committee that a child’s well-being includes the prospect of a secure future. Indeed, as acknowledged in the Convention’s preamble, every child “should be fully prepared to live an individual life in society.”⁹

⁸ RIDR, *Evidence*, November 4, 2024 (Annette King, Children and Youth Advocate, Yukon Child and Youth Advocate Office; Vice-President, Canadian Council of Child and Youth Advocates).

⁹ United Nations, *Convention on the Rights of the Child*.

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Lisa Broda, Advocate for Children and Youth, Saskatchewan Advocate for Children and Youth's Office, explained that:

Young people retain their human rights after their 18th birthday. For instance, all individuals have the right to an adequate standard of living, the highest attainable standard of physical and mental health, and equal accessibility to higher education under the International Covenant on Economic, Social and Cultural Rights (ICESCR), which has also been ratified by Canada. Additionally, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and Canada's UNDRIP Act guarantee special measures for Indigenous people to ensure the improvement of their economic and social conditions, including in the areas of education, employment, training, housing, health and social security. These are all areas in which young people transitioning from care – and Indigenous young people in particular – require additional support than what they are currently receiving. Canada has found a constitutional path to commit to its obligations under UNDRIP, so it ought to be able to do the same for the UNCRC [United Nations Convention on the Rights of the Child] and the ICESCR – treaties to which it is legally bound.¹⁰

The committee was informed that Canada is one of very few Western countries that does not have national legislation or standards supporting the transition to adulthood for youth in care.¹¹ This can have multiple consequence for young people aging out of care. Since a child's earliest experiences in life significantly influence their future development, the committee heard that the actions or inactions of the government greatly impact children.¹²

Young People Aging out of Care: Vulnerabilities and Lived Experiences

The committee heard that young people aging out of care face complex and intersecting issues, including inadequate housing, employment barriers, inadequate access to needed health care, discrimination and marginalization, limited financial and social support, involvement in the criminal justice system and low levels of educational attainment.¹³ Witnesses explained that “young people aging out of the care system have significantly poorer life outcomes than their peers not in care,

¹⁰ RIDR, [Brief](#), November 27, 2024 (Lisa Broda).

¹¹ RIDR, [Evidence](#), October 21, 2024 (Melanie Doucet); [Brief](#), November 27, 2024 (Lisa Broda). According to Melanie Doucet, most Western countries have a federal legal framework, which include elements such as accountability mechanisms, a national database tracking youth-in-care outcomes, and/or national standards or guidelines that establish equitable entitlements for youth in care as they transition to adulthood. See also Organisation for Economic Co-operation and Development, [Assisting Care Leavers: Time for Action](#), 2022.

¹² RIDR, [Evidence](#), October 28, 2024 (Ashley Bach, First Nations Former Youth in Care & Advocate, National Council of Youth in Care Advocates); [Evidence](#), November 18, 2024 (Kelly A. Lamrock, Child and Youth Advocate, Office of the New Brunswick Child and Youth Advocate), (Jennifer Charlesworth); [Brief](#), November 27, 2024 (Lisa Broda).

¹³ RIDR, [Evidence](#), October 21, 2024 (Jacqueline Gahagan, Associate Vice-President Research, Mount Saint Vincent University – As an Individual).

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across a range of indicators,”¹⁴ and noted that an abrupt transition to adulthood carries significant costs both to young people and to society as a whole.¹⁵

Professor Doucet provided a national snapshot:

Youth aging out of care tend to begin their adulthood living below the poverty line, with a higher reliance on social assistance, at 40%, compared to their peers in the general population, at 2.5%. Youth in care are also up to five times more likely to be affected by post-traumatic stress disorder than their peers in the general population, with rates comparable to those of Vietnam War veterans. Youth in care are more likely to end up in the criminal justice system, at 36%, than to graduate high school, at 26%. They also have a 1 in 6 chance to be detained or sentenced to custody compared to a 1 in 50 chance for their peers.¹⁶

Illustrating the depth of these vulnerabilities, Ingrid Palmer, Board Chair of the Child Welfare Political Action Committee, shared her experience aging out of care and facing many intersecting challenges relating to health, anti-Black racism, misogyny and ableism, stating:

I lived precariously, in poverty. I was legally blind, homeless several times, and I was denied service and opportunities, publicly spat at, called names, threatened and even once assaulted. Like many others who aged out of the care system, I felt alone and vulnerable in an ominous, predatory world.¹⁷

As of March 2022, there were an estimated 61,104 children in Canada who were in out-of-home care, with most (84.3%) placed in a family-based care setting such as a foster home or with extended family (e.g. in a kinship home).¹⁸ While the available programs and data vary by jurisdiction, Saskatchewan provided the committee with an illustrative example of out-of-home care options. As of 30 September 2024, 57% of children and youth in care in Saskatchewan were in various forms of extended family placements, 16% were in foster care placements, 16% were residing in group homes and 11% were in other types of care, such as inpatient addictions treatment facilities.¹⁹

¹⁴ RIDR, [Brief](#), November 18, 2024 (Linda Clemens-Spurrell).

¹⁵ RIDR, [Evidence](#), October 21, 2024 (Christina Loc, Youth and Lived Expert Engagement Manager, Children's Aid Foundation of Canada).

¹⁶ RIDR, [Evidence](#), October 21, 2024 (Melanie Doucet).

¹⁷ RIDR, [Evidence](#), October 28, 2024 (Ingrid Palmer, Board Chair, Child Welfare Political Action Committee).

¹⁸ Nathaniel J. Pollock et al., "[Original quantitative research – Rates of out-of-home care among children in Canada: an analysis of national administrative child welfare data](#)," *HPCDP Journal*, February 2024.

¹⁹ RIDR, [Brief](#), November 27, 2024 (Lisa Broda).

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At the national level, the committee was informed that, due to lack of public data in each province and territory, the best available data are unofficial estimates from 2003. Professor Doucet told the committee that in 2003, approximately 6,700 young people aged out of child protection systems each year, noting that the number has likely only risen in the ensuing decades.²⁰

Reflecting the complexity of the portrait of children in care, Indigenous children are vastly overrepresented in the foster-care system. As of 2021, 53.8% of all foster children were Indigenous, despite Indigenous children representing only about 7.7% of all children under age 15 in Canada.²¹ These statistics reflect the enduring legacy of residential schools – which operated from the late 1800s until the last school closed in 1996 – and the “Sixties Scoop,” in which Indigenous children were adopted into or fostered by non-Indigenous families between the 1960s and the 1980s.²² Experts contend that, historically, Canada’s “child welfare system was based on colonial policies with the goal of assimilating Indigenous children and was an extension of the residential school system.”²³ Moreover, Linda Clemens-Spurrell informed the committee that “Indigenous youth still bear the brunt of our colonial system when aging out of care.”²⁴ She pointed out that “the mere notion of “aging out” contradicts Indigenous ways of knowing and being that reflect a continuum of support throughout the life span.”²⁵

Similarly, the committee heard that there is an over-representation of Black, racialized and 2SLGBTQ+ youth and those with disabilities in the care system.²⁶ Marci Macomber, Director, Investigations and Systemics, Saskatchewan Advocate for Children and Youth’s Office, noted that there is “qualitative evidence from young people who are gender and sexually diverse about how their needs are not necessarily being met in terms of transitioning out of care,” including needs relating to health and employment.²⁷ However, several witnesses emphasized that the lack of rigorous data across jurisdictions makes it difficult to identify and ultimately address intersectional challenges.²⁸

²⁰ RIDR, *Evidence*, October 21, 2024 (Melanie Doucet).

²¹ Tara Hahmann, Hyunji Lee and Sylvie Godin, *Indigenous foster children living in private households: Rates and sociodemographic characteristics of foster children and their households*, Indigenous Peoples Thematic Series, Statistics Canada, April 18, 2024.

²² Truth and Reconciliation Commission of Canada, *Canada’s Residential Schools: The Legacy – The Final Report of the Truth and Reconciliation Commission of Canada*, Vol. 5, 2015, pp. 14–15; and Pauktuutit Inuit Women of Canada, *Proceedings Report: Pauktuutit-Hosted Child and Family Services Legislation Engagement Session*, September 18–19, 2018. See also Sara Fryer and Marlisa Tiedemann, *Legislative Summary of Bill C-92: An Act respecting First Nations, Inuit and Métis children, youth and families*, Publication no. 42-1-C92-E, Library of Parliament, November 7, 2019.

²³ First Nations Child & Family Caring Society, *Report of the Royal Commission on Aboriginal Peoples*.

²⁴ RIDR, *Brief*, November 18, 2024 (Linda Clemens-Spurrell).

²⁵ Ibid.

²⁶ RIDR, *Evidence*, October 21, 2024 (Melanie Doucet), (Wendy Chan, Associate Director, Program Impact, Children's Aid Foundation of Canada), (Jacqueline Gahagan); *Evidence*, November 18, 2024 (Marie Suzie Casséus, Manager of Option Protection Program Montreal Haitian Community Office), (Marie Pierre Ulysse, Board Chair, Montreal Haitian Community Office); *Brief*, November 18, 2024 (Linda Clemens-Spurrell).

²⁷ RIDR, *Evidence*, November 4, 2024 (Marci Macomber, Director, Investigations and Systemics, Saskatchewan Advocate for Children and Youth’s Office).

²⁸ Ibid, and RIDR, *Evidence*, October 21, 2024 (Melanie Doucet), (Wendy Chan).

Nothing to Celebrate: The Crisis of Youth Aging Out of Care

The committee heard that regardless of a young person’s identity, aging out of care is often an abrupt transition that occurs with limited resources and supports available. In some instances, children as young as 16 can be transitioned to independence, sometimes due to lack of sufficient resources that can support older youth in care²⁹ or sometimes due to legislative discrepancies.³⁰

The committee also heard that the challenges faced by young people in out-of-home care were often not adequately addressed during their time in care – and sometimes even exacerbated while in care.

These challenges can include histories of trauma, the additional trauma of being removed home, struggles related to mental health, and substance misuse that can arise through attempts to cope. Tragically, some children and youth even face further neglect or abuse while in care, despite being in a system intended to protect them from it.³¹

Daniell Sunshine, a former youth in care, shared her firsthand experiences of abuse with the committee. She spoke about the “severe mental health challenges, including major depressive disorder, social anxiety and PTSD” that she endured due to sexual, physical and emotional abuse in foster care, where she lived from the age of two until her early teens, before she was kicked out of her foster home.³² She, like other young people, could not find another foster home that would take her in since she was so close to the care cut-off age. As a result, she had to rely on the shelter system.

Throughout the committee’s study, the issue of housing was a recurring theme. The committee heard that four out of five young people reach out to the Children’s Aid Foundation of Canada to request emergency funding to pay their rent. Christina Loc, Youth and Lived Expert Engagement Manager at the Children’s Aid Foundation of Canada, informed the committee that “youth aging out of care are 200 times more likely to experience homelessness than their peers outside of the system.”³³ She also shared that she is aware of several “young advocates and leaders with lived experience in our network right now who are living in shelters because they have maxed out their resources with no one to count on. This puts a lot of stress, both physically and mentally, on a young individual.”³⁴ Christina Loc further added that without support systems, family or parents to

²⁹ RIDR, [Brief](#), November 18, 2024 (Linda Clemens-Spurrell).

³⁰ RIDR, [Evidence](#), November 4, 2024 (Jane Bates, Representative for Children and Youth, Nunavut Representative for Children and Youth’s Office).

³¹ RIDR, [Brief](#), November 27, 2024 (Lisa Broda).

³² RIDR, [Evidence](#), November 25, 2024 (Daniell Sunshine - As an Individual).

³³ RIDR, [Evidence](#), October 21, 2024 (Christina Loc).

³⁴ Ibid.

Nothing to Celebrate: The Crisis of Youth Aging Out of Care

help out, “many young people transition out of care into homelessness, with a perpetual looming fear that they will continue to return to poverty.”³⁵

For many young people, these challenges are exacerbated by the feeling that no one is listening, and that they have to navigate these complex systems without adequate support. Marci Macomber highlighted that many children and youth do not know “who their case worker is, how to get in touch with them or what the plan is. Having their voices heard throughout the process can impact their well-being as they move forward in their care and as they transition out.”³⁶

The committee also heard about the specific difficulties faced by Indigenous youth, who are often placed outside their communities and suffer irreversible consequences as a result. For example, Derek B. Montour, President of the First Nations of Quebec and Labrador Health and Social Services Commission, shared that:

*Most young people who were placed in non-Indigenous foster family return to their community from which they came when they reached the age of majority. These young people, who grew up without their families and points of reference, have lost, in most cases, their identity, culture and languages. They no longer have any, or very few at least, ties with their family or their community. They return broken and uprooted.*³⁷

Similarly, Jane Bates, Representative for Children and Youth, Nunavut Representative for Children and Youth’s Office, shared that there are approximately 159 young people currently in care in the territory. Of those, 88 were placed outside Nunavut. Almost half of those 88 individuals “are in permanent care, which results not only in a loss of community and familial supports but a loss of language and culture. Without comprehensive support, many will face extreme challenges when they age out.”³⁸

³⁵ Ibid

³⁶ RIDR, [Evidence](#), November 4, 2024 (Marci Macomber).

³⁷ RIDR, [Evidence](#), November 4, 2024 (Derek B. Montour, President First Nations of Quebec and Labrador Health and Social Services Commission)

³⁸ RIDR, [Evidence](#), November 4, 2024 (Jane Bates).

Ashley Bach, a former youth in care and advocate from the National Council of Youth in Care Advocates, coming from the Mishkeegogamang First Nation, shared the story of a young Indigenous person she met in Ottawa in 2020, stating:

I met a young Indigenous person who was sitting on the ground outside of the Ottawa Public Library. There had just been an incredible downpour, and she was wearing a neon shirt without a sweater. Her backpack and reusable grocery bags full of things were spread out around her, and she was crying and didn't look okay. This young person was from a remote First Nation community in northern Ontario. She had been in a group home in Ottawa over 1,000 kilometres away from her home community but had recently had her birthday and reached the age of majority, aging out of care. Since then, she'd stayed in different shelters but didn't feel safe. She couldn't go back to her home community, and she didn't want to live anymore. That day, she tried to end her life. On that day in 2020, there was nothing I could do to support her. There weren't dedicated supports for First Nations youth leaving care, and I felt so helpless as she took other steps to harm herself.³⁹

Vulnerability of Immigrants, Refugees and Asylum Seekers in Care

Children who end up in care after arriving in Canada as immigrants, refugees or asylum seekers face unique vulnerabilities upon aging out of care, including the possibility of deportation to a country that they do not know. The committee heard that unaccompanied or separated children arriving in Canada as foreign nationals receive different services in care and post-majority, due to jurisdictional divisions, as further explained in the next section of this report.

The committee heard from Prasad Nair, who is Director of Youth Success and Innovation at Peel Children's Aid Society and Director of the Child Welfare Centre of Immigration Excellence, where he advocates "for children and youth with precarious immigration status, ensuring their needs are addressed comprehensively."⁴⁰ Like other youth aging out of care, those with precarious immigration status experience financial and housing instability, mental health challenges, and difficulty accessing basic services. That is in part because there are "inconsistent definitions of who is eligible for services,"⁴¹ especially when immigration status is unresolved. However, unlike their peers, these youth may also be at risk of deportation. Prasad Nair emphasized that if the child is in Canada, and in the care of government, then Canada has "a moral and ethical obligation to ensure that that young person continuously stays in Canada."⁴²

³⁹ RIDR, [Evidence](#), October 28, 2024 (Ashley Bach).

⁴⁰ RIDR, [Evidence](#), November 25, 2024 (Prasad Nair, Director, Youth Success and Innovation Peel Children's Aid Society).

⁴¹ Ibid.

⁴² Ibid.

Since January 2024, the federal government has authorized, through a temporary public policy, the granting of permanent residence status to all children in care, subject to certain eligibility requirements, including continuously residing in Canada for at least three years prior to the application. The policy also provides permanent residence status for in-Canada family members who meet certain conditions.⁴³ However, media reports have underscored the limitations of this policy, and the profound impacts that such limitations can have on young people.⁴⁴

Prasad Nair recommended to the committee that the Parliament of Canada move quickly to adopt Bill S-235, An Act to amend the Citizenship Act and the Immigration and Refugee Protection Act.⁴⁵ However, the bill died on the Order Paper at the end of the First Session of the Forty-fourth Parliament. The preamble to that bill recognized that there are gaps in the protection of the rights of children who arrive in Canada as immigrants, refugees and asylum seekers, and that “citizenship is required to ensure that persons who were in care as children do not face, following their transition out of care, an increased risk of deportation from Canada to states with which they have no connection.” Bill S-235 sought to amend the *Citizenship Act* to provide a path to citizenship in such cases, and sought to amend the *Immigration and Refugee Protection Act* to ensure that young people in these circumstances are not removed from Canada until a final decision is made on their citizenship application.

Criminalization

Over the course of its study, the committee heard that young people, especially those who experienced trauma, too often end up in the criminal justice system. While the committee did not directly hear from youth within the criminal justice system, some witnesses reflected on peers who “fell through the cracks,”⁴⁶ with some referring to the issue as a “child-welfare-to-prison pipeline.”⁴⁷

In particular, the committee heard that Canada, as a society, is failing Indigenous youth, who, while “a relatively small percentage of the Canadian population,”⁴⁸ end up overrepresented by over 500% in the youth criminal justice system.⁴⁹ This overrepresentation is due to Canada’s colonial history and the “harms that have been acted against Indigenous people and how these systems have been set up”⁵⁰ to control Indigenous people. For example, witnesses pointed to the fact that

⁴³ Government of Canada, [Updated temporary public policy to grant permanent residence to certain individuals in Canada who came to Canada under the age of 19 and were under the legal responsibility of the child protection system](#), January 19, 2024.

⁴⁴ See for example Léa Beaulieu-Kratchanov, [“Déporté à cause d’une ‘coquille’ sur le site Web d’Immigration Canada,”](#) Pivot, November 12, 2024.

⁴⁵ Bill S-235 was adopted by the Senate on October 3, 2024 and died on the Order Paper at the end of the First Session of the Forty-fourth Parliament.

⁴⁶ RIDR, [Evidence](#), October 21, 2024 (Melanie Doucet).

⁴⁷ RIDR, [Evidence](#), October 28, 2024 (Ashley Bach).

⁴⁸ RIDR, [Evidence](#), October 21, 2024 (Jacqueline Gahagan).

⁴⁹ RIDR, [Evidence](#), October 21, 2024 (Melanie Doucet).

⁵⁰ RIDR, [Evidence](#), October 28, 2024 (Jessica Knutson, Leader, Clinical Education & Special Projects, Indigenous Health, BC Children’s & Women’s Hospital, Provincial Health Services Authority, British Columbia – As an Individual).

“Indigenous people are policed at a different rate and in different ways than non-Indigenous people [which] relates to the higher rates” of criminalization.⁵¹

To put this in perspective, Anayah De Andrade, a former youth in care and Founder, CHEERS Mentorship for Youth in Care, asked the committee to understand young people’s first touchpoints with the criminal justice system. She explained that, for some young people in care, it could have been an avoidable call to the police for a minor incident, such as being an hour late for curfew, slamming a door, or a nonviolent conflict that group or foster home staff do not know how to manage.⁵² Witnesses highlighted that young people in care and transitioning out of care often lack the emotional support to regulate and channel their feelings, such as anger and sadness, which can also contribute to their vulnerability.⁵³

Another story was shared by Professor Doucet who spoke about her encounter with a young person going through a psychotic episode, who had previously experienced abuse and was physically acting out. Professor Doucet recounted that, “Instead of de-escalating and providing trauma-informed responses, the staff [in out-of-home care] would call the police and charge them for destruction of property or assault. That would begin the cycle that they would often never come out of into the criminal justice system.”⁵⁴

Highlighting the need for trauma-informed approaches to supporting children in care, Dr. Ashley Vander Morris, Staff Paediatrician, Division of Adolescent Medicine, Hospital for Sick Children, explained that “exposure to trauma in childhood has profound neurocognitive effects”⁵⁵ that can lead to negative outcomes later in life. At the same time, she emphasized that there is also enormous opportunity to intervene during adolescence, stating, “This is not set in stone. There is neuroscience that underpins the potential for youth to have positive trajectories regardless of their early experiences, but it does require commitment and responsiveness.”⁵⁶

To prevent the criminalization of young people, the majority of witnesses recommended trauma-informed approaches, harm-reduction approaches, housing-first approaches and low-threshold access to mental health supports.⁵⁷

Some witnesses asked the committee to see the investment in youth from a long-term perspective. Marie Pierre Ulysse, Board Chair, Montreal Haitian Community Office, pleaded to break the cycle of

⁵¹ Ibid.

⁵² RIDR, [Evidence](#), November 25, 2024 (Anayah De Andrade, Founder, CHEERS Mentorship for Youth in Care).

⁵³ RIDR, [Evidence](#), November 25, 2024 (Anayah De Andrade), (Daniell Sunshine), (Amber Moon, Youth Advisory Committee Member, Vancouver Aboriginal Child and Family Services Society – As an Individual).

⁵⁴ RIDR, [Evidence](#), October 21, 2024 (Melanie Doucet).

⁵⁵ RIDR, [Evidence](#), October 28, 2024 (Dr. Ashley Vander Morris, Staff Paediatrician, Division of Adolescent Medicine, Hospital for Sick Children – As an Individual).

⁵⁶ Ibid.

⁵⁷ RIDR, [Evidence](#), October 21, 2024 (Melanie Doucet), (Jacqueline Gahagan); [Evidence](#), October 28, 2024 (Ashley Bach); [Evidence](#), November 25, 2024 (Daniell Sunshine), (Amber Moon).

a vulnerable child becoming a vulnerable parent.⁵⁸ Ashley Bach echoed that call, explaining that the “child-welfare-to-prison pipeline” is a cyclical form of intergenerational trauma, stating:

I think of someone who may be a youth who is in care and has transitioned out of care and into adulthood and ends up on the streets, commits some sort of crime and ends up in prison, but at the same time, they may have been in a relationship with someone and had a child with that person. What happens to that child now that their parent has been placed in prison? That child may be at higher risk of ending up in the system or may already be in the system. It then just keeps going and going.⁵⁹

Given Canada’s children rights framework and the numerous vulnerabilities experienced by young people in care as well as aging out of care, the committee recommends:



Framework to implement human rights commitments

That the Government of Canada introduce a national framework for implementation of the principles and obligations that Canada has committed to through the United Nations *Convention on the Rights of the Child* and of the *International Covenant on Economic, Social and Cultural Rights*, as it did with the *United Nations Declaration on the Rights of Indigenous Peoples*.



Citizenship support

That Immigration, Refugees and Citizenship Canada ensure that children in care who arrived in Canada as immigrants, refugees or asylum seekers be provided with support to complete their pathway to citizenship, and that those who age out of care are protected from deportation.

⁵⁸ RIDR, [Evidence](#), November 18, 2024 (Marie Pierre Ulysse).

⁵⁹ RIDR, [Evidence](#), October 28, 2024 (Ashley Bach).



Support for 2SLGBTQ+ children and youth

That the Government of Canada increase understanding, resources, and support for the unique experiences of 2SLGBTQ+ children and youth in care who are at increased risk and overrepresented within child welfare and protection systems.

JURISDICTION OVER CHILD AND YOUTH PROTECTION IN CANADA

When Canada – with the agreement of all of the provinces – ratified the United Nations *Convention on the Rights of the Child*, it took on international legal obligations regarding child welfare, including a far-reaching commitment to ensure that children receive such protection and care as is necessary for their well-being.⁶⁰ As stated by Lisa Broda, this means that “all levels of government in Canada have a shared legal and moral obligation to protect, respect and fulfill the rights of children.”⁶¹

At the same time, Canada’s constitutional structure can present obstacles to the equitable realization of child well-being across the country. In general, child and family services and youth protection are matters of provincial jurisdiction stemming from sections 92(13) and 92(16) of the *Constitution Act, 1867*.⁶² As a result, each province and territory has its own legislative and policy approach to child welfare.

This is particularly evident with respect to supports for young people aging out of government care, which vary widely between Canadian jurisdictions. For example, the committee heard that in Manitoba, transitional supports past the age of 18 are only provided in special circumstances,⁶³ while in British Columbia, various supports are available up to the age of 27.⁶⁴ The committee was disturbed to hear that in Nunavut, children as young as 16 can in some cases age out of care and be left without any government support until the possibility of an extended support agreement beginning at age 19.⁶⁵

⁶⁰ United Nations, *Convention on the Rights of the Child*, Article 3.

⁶¹ RIDR, *Evidence*, November 4, 2024 (Lisa Broda).

⁶² *Constitution Act, 1867*, 30 & 31 Victoria, c. 3 (U.K.).

⁶³ RIDR, *Evidence*, November 18, 2024 (Sherry Gott, Advocate for Children and Youth, Manitoba Advocate for Children and Youth’s Office).

⁶⁴ RIDR, *Evidence*, November 25, 2024 (Amber Moon).

⁶⁵ RIDR, *Evidence*, November 4, 2024 (Jane Bates).

As explained by Sherry Gott, Advocate for Children and Youth, Manitoba Advocate for Children and Youth's Office, legal designations of adulthood often fail "to align with a young person's readiness and ability to navigate adult responsibilities, particularly for youth with cognitive disabilities."⁶⁶

Moreover, as a result of differing approaches between jurisdictions, young people who move within Canada may lose access to essential supports. For example, Keauna Moulaison informed the committee that she lives in Ontario during the school year, and therefore is unable to access some of the programs and supports that would otherwise be available to her through Nova Scotia's Path program.⁶⁷ Similarly, Lisa Broda raised the issue of interjurisdictional transfers of young people between provinces and territories, noting that this can be particularly challenging for young people who leave their home community and ultimately transition out of a care in a different province.⁶⁸

In addition, witnesses noted that different data collection practices across provinces and territories make it difficult to know such basic information as the number of children in government care, let alone the extent to which certain groups are overrepresented, what challenges they are facing, and what interventions are working.⁶⁹

To address these issues, witnesses emphasized that the federal government has a role to play in ensuring national standards relating to post-majority supports, both through its ability to take a leadership role in convening a national dialogue, as well as through specific initiatives it can take using its spending power.⁷⁰

While recognizing privacy concerns and the sensitivity of data relating to child welfare, several witnesses called for a national database. As explained by Jacqueline Gahagan, Associate Vice-President of Research at Mount Saint Vincent University, "if we're not asking the provinces and territories to provide that data to Statistics Canada [such as through annual reports] we're left with this patchwork where perhaps some provinces might make information available and others don't."⁷¹ At the same time, Wendy Chan, Associate Director, Program Impact, Children's Aid Foundation of Canada, noted the importance of being mindful that young people involved in child welfare often have little control over the disclosure of their personal information, and are sometimes distrustful of organizations that are ostensibly there to support them.⁷²

Similarly, several witnesses called for a national strategy for supporting youth transitioning out of government care, including consistent standards of care across jurisdictions, and federal legislation that would protect the rights of young people exiting care.⁷³ Professor Doucet highlighted the links between such a strategy and existing federal initiatives and priorities that also overlap with provincial jurisdiction, including relating to housing, homelessness, poverty reduction, public

⁶⁶ RIDR, [Evidence](#), November 18, 2024 (Sherry Gott).

⁶⁷ RIDR, [Evidence](#), November 25, 2024 (Keauna Moulaison, PATH program participant – As an Individual).

⁶⁸ RIDR, [Evidence](#), November 4, 2024 (Lisa Broda).

⁶⁹ RIDR, [Evidence](#), October 21, 2024 (Melanie Doucet), (Jacqueline Gahagan).

⁷⁰ RIDR, [Evidence](#), October 21, 2024 (Jacqueline Gahagan); [Evidence](#), November 18, 2024 (Kelly A. Lamrock).

⁷¹ RIDR, [Evidence](#), October 21, 2024 (Jacqueline Gahagan).

⁷² RIDR, [Evidence](#), October 21, 2024 (Wendy Chan).

⁷³ RIDR, [Brief](#), November 18, 2024 (Linda Clemens-Spurrell).

health, employment, continuing education and the overrepresentation of Indigenous, Black, and racialized people in the criminal justice system.⁷⁴ Lisa Broda supported the idea of national standards for post-majority supports so long as jurisdictional boundaries are appropriately considered. She emphasized the need for dialogue between federal, provincial and territorial governments as a first step toward such a collaboration.⁷⁵

Acknowledging that the federal government has “a far more limited set of levers” than provincial governments, Kelly A. Lamrock, Child and Youth Advocate, Office of the New Brunswick’s Child and Youth Advocate, pointed to the federal government’s ability to make direct transfers to individuals, stating that “there could be no better investment than making sure that children in care have a predictable set of benefits, ones that aren’t bureaucratically means-tested to the point of discouraging them from going on but actually responds in a timely way to their real needs.”⁷⁶ More specifically, he suggested that children in care be allowed to keep their benefits and savings from programs such as the Child Tax Credit, which “are often used by provincial governments to subsidize their expenditures and obligations to their kids rather than preserving them for the children.”⁷⁷

The committee also heard from Irwin Elman, Former Ontario Provincial Advocate for Children and Youth, who spoke supportively of several bills that were then before Parliament which sought to address child well-being within the federal sphere. He specifically highlighted bills relating to a national strategy for children and youth in Canada, a national framework for a guaranteed livable basic income, repealing the *Criminal Code* defence relating to corporal punishment, and providing a path to citizenship for youth who were not citizens when they transitioned out of the care of a child welfare agency or foster parent.⁷⁸ While these bills underscore important areas of potential federal action, the committee notes that all four died on the Order Paper at the end of the First Session of the Forty-fourth Parliament, that none were government bills, and that the federal government has both an opportunity and an obligation to lead on issues relating to child well-being, particularly with respect to aging out of care.

Indigenous Child Welfare

Nowhere is the federal government’s obligation to support child well-being clearer than with respect to Indigenous children. Section 91(24) of the *Constitution Act, 1867* grants the federal government jurisdiction over “Indians, and lands reserved for Indians,” while section 88 of the *Indian Act* provides that First Nations people are subject to provincial laws of general application.⁷⁹

⁷⁴ RIDR, *Evidence*, October 21, 2024 (Melanie Doucet).

⁷⁵ RIDR, *Evidence*, November 4, 2024 (Lisa Broda).

⁷⁶ RIDR, *Evidence*, November 18, 2024 (Kelly A. Lamrock).

⁷⁷ Ibid.

⁷⁸ RIDR, *Evidence*, November 18, 2024 (Irwin Elman, Former Provincial Advocate, Office of the Provincial Advocate for Children and Youth, Ontario - As an Individual). See [Bill S-282, An Act respecting a national strategy for children and youth in Canada](#), [Bill S-233, An Act to develop a national framework for a guaranteed livable basic income](#), [Bill S-251, An Act to repeal section 43 of the Criminal Code \(Truth and Reconciliation Commission of Canada’s call to action number 6\)](#) and [Bill S-235, An Act to amend the Citizenship Act and the Immigration and Refugee Protection Act](#).

⁷⁹ Ibid.; and *Indian Act*, R.S.C. 1985, c. I-5, s. 88.

As explained by the Supreme Court of Canada, “While the provinces are generally ‘the keeper[s] of constitutional authority over child welfare’ ... the federal government also has jurisdiction to legislate in relation to child and family services for Indigenous children.”⁸⁰

Indigenous Services Canada (ISC) is responsible for the First Nations Child and Family Services Program, which provides funding to First Nations child and family services agencies.⁸¹ In regions where no such agencies exist, this program funds services provided by the provinces and Yukon.⁸² In the Northwest Territories and Nunavut, child and family services are supported by Finance Canada through transfer payment agreements.⁸³ ISC is also responsible for Jordan’s Principle, which funds and reimburses services and equipment related to health, social services and education for First Nations children.⁸⁴

In its 2024 *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, the Supreme Court of Canada reaffirmed that there is overlapping federal and provincial jurisdiction with respect to Indigenous child welfare, and that “concerted action by them is necessary.”⁸⁵ It noted that the importance of cooperation is reflected in Jordan’s Principle, “according to which intergovernmental disputes may not interfere with the right of Indigenous children to access the same services as other children in Canada.”⁸⁶

In testimony to the committee, witnesses emphasized the importance of adhering to and expanding Jordan’s Principle. For example, Professor Doucet pointed to a 2021 policy brief by the Child Welfare League of Canada, which recommended that Jordan’s Principle be extended past the age of 18, noting that the expiration of these benefits at the age of majority leave high needs youth without essential services.⁸⁷ The committee is aware that a significant increase in the numbers of requests under Jordan’s Principle has resulted in recent changes to operational procedures by Indigenous Services Canada.⁸⁸ However, the committee agrees that post-majority supports for all young people aging out of care must be enhanced, and that, in the spirit of Jordan’s Principle, this must be done on an equal basis for First Nations, Inuit and Métis youth, regardless of jurisdictional divisions.

On 1 January 2020, *An Act respecting First Nations, Inuit and Métis children, youth and families*⁸⁹ came into force, which established a federal legislative framework for the provision of First Nations, Inuit and Métis child and family services across Canada. The Act – which was developed in cooperation with Indigenous peoples and in accordance with Call to Action 4 of the

⁸⁰ [Reference re An Act respecting First Nations, Inuit and Métis children, youth and families](#), 2024 SCC 5, para. 98.

⁸¹ Government of Canada, [First Nations Child and Family Services](#).

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Government of Canada, [Jordan’s Principle](#).

⁸⁵ [Reference re An Act respecting First Nations, Inuit and Métis children, youth and families](#), 2024 SCC 5, para. 99.

⁸⁶ Ibid. See also Government of Canada, [Jordan’s Principle](#).

⁸⁷ Melanie Doucet and Varda Mann-Feder, [Supporting Equitable Transitions to Adulthood for Youth in Care in Canada](#), October 4, 2021.

⁸⁸ Indigenous Services Canada, [Jordan’s Principle Operational Bulletin](#).

⁸⁹ Formerly [Bill C-92, An Act respecting First Nations, Inuit and Métis children, youth and families](#), 42nd Parliament, 1st Session.

Truth and Reconciliation Commission – affirms that Indigenous peoples have the inherent right to self-government, including jurisdiction over child and family services. Specifically, the Act grants Indigenous child welfare laws the force of federal law if they meet the conditions of the Act. These include national principles for providing child and family services to Indigenous children relating to the best interests of the child, cultural continuity, and substantive equality.⁹⁰ In its 2024 Reference, the Supreme Court of Canada unanimously confirmed that the Act was a valid exercise of federal jurisdiction.⁹¹

In testimony to the committee, Jennifer Charlesworth, Representative for Children and Youth, Office of the Representative for Children and Youth of British Columbia, explained that the resumption of jurisdiction for First Nations to self-determine the way in which they raise their children represents a very significant time in history, presenting a tremendous amount to be learned, as well as significant risks. She highlighted the need for the federal government to provide equitable resources to support healing from the “colonial violence perpetrated on communities and the resulting intergenerational violence and violence perpetrated against children.”⁹²

In a similar vein, Derek Montour explained some of the challenges associated with the resumption of jurisdiction for First Nations, and the need for interjurisdictional collaboration. He noted that in Quebec, despite a legislative obligation:

one community was not informed of the placement of 60 children outside of their home, outside of their community. Some of these placements were made permanently. Most of these children were placed in non-Indigenous families. Some have even been forbidden contact with their parents. The community was only recently informed because it has been exercising its jurisdiction over child and family services since 2020, and it is trying to collaborate with the institutions of the Quebec health and social services network for children who live outside the community.

*The Youth Protection Act is clear on this subject. This type of situation is not supposed to happen. This is a glaring example of why communities are seriously considering creating their own laws regarding child and family services.*⁹³

Considering the absence of basic information regarding youth in care across Canada, the committee recommends:

⁹⁰ See Sara Fryer and Marlisa Tiedemann, [Legislative Summary of Bill C-92: An Act respecting First Nations, Inuit and Métis children, youth and families](#), Publication no. 42-1-C92-E, Library of Parliament, November 7, 2019.

⁹¹ [Reference re An Act respecting First Nations, Inuit and Métis children, youth and families](#), 2024 SCC 5.

⁹² RIDR, [Evidence](#), November 18, 2024 (Jennifer Charlesworth).

⁹³ RIDR, [Evidence](#), November 4, 2024 (Derek B. Montour).



National database

That Statistics Canada establish a national database on child welfare by entering into agreements with provincial, territorial and Indigenous governments to obtain anonymized data disaggregated by age, sex, sexual orientation, gender identity and expression, disability, geographic location, race, ethnic and national origin and socioeconomic background, and by conducting surveys to track outcomes after leaving care.

FEDERAL, PROVINCIAL AND TERRITORIAL APPROACHES TO POST-MAJORITY SUPPORT

Across Canada, some young people who exit government care continue to receive support, while others do not. In large part, the difference simply comes down to where the young person lives. This section summarizes what the committee heard about various approaches to post-majority support in Canada.

Indigenous Services Canada Post-Majority Support Services Program

In 2016, in *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, the Canadian Human Rights Tribunal found that Canada discriminated against First Nations children on reserve and in the Yukon through the manner in which the First Nations Child and Family Services (FNCFS) Program was designed, managed, controlled, and underfunded. The Tribunal ordered that Canada cease this discriminatory practice and reform the FNCFS Program to prevent it from reoccurring.⁹⁴

Among the reforms stemming from the ensuing series of decisions by the Tribunal is a critical program that supports First Nations youth aging out of care, which ISC has had in place since April 2022.⁹⁵ The program originated from a consent order requiring that Canada fund post-majority care at actual cost for First Nations youth aging out of care and young adults who were formerly in care up to and including the age of 25 across all provinces and territories.⁹⁶ This followed a temporary pause in the FNCFS Program on aging out of care during the COVID-19 pandemic, as well as a federal government commitment in budget 2021 to fund post-majority supports for up to two years after an individual is no longer eligible for child and family services. In its order, the

⁹⁴ Canadian Human Rights Tribunal, *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (Representing the Minister of Indian Affairs and Northern Development Canada)*, 2016 CHRT 2.

⁹⁵ RIDR, *Evidence*, November 4, 2024 (Derek B. Montour).

⁹⁶ Canadian Human Rights Tribunal, *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (Representing the Minister of Indigenous and Northern Affairs Canada)*, 2022 CHRT 8; and Government of Canada, *Final settlement agreement on Compensation and Agreement-in-Principle for long-term reform of First Nations Child and Family Services and Jordan's Principle*.

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Tribunal acknowledged evidence indicating that First Nations youth aging out of care may have higher needs due to the multi-generational trauma of residential schools and other hardships arising from federal discrimination, stating that, “Youth in care and former youth in care are a marginalized group with unique needs that require specific supports.”⁹⁷

In July 2022, the federal government, the Assembly of First Nations and the plaintiffs in the related class action litigation announced a joint settlement agreement, which the Federal Court approved in October 2023.⁹⁸ However, in October 2024, First Nations Chiefs voted down a resolution to accept the final settlement agreement during a Special Chiefs Assembly. A majority of Chiefs were opposed to the agreement, with 267 voting against the agreement and 147 votes in favour.⁹⁹

In testimony to the committee, Ashley Bach explained that ISC’s post-majority support program aims to provide First Nations youth and young adults who have been in the FNCFS Program with culturally appropriate supports up to the age of 26 based on their self-identified best interests, including relating to housing, food, financial security, mental health, addiction, and healthy relationship supports. However, she shared that there is deep concern about the precarity of the program in light of the rejection of the proposed settlement agreement, stating that:

the post-majority support services program doesn’t have guaranteed funding under the consent order. Instead, after March 31, 2023, the post-majority support services program was intended to be funded by reforming the First Nations Child and Family Services Program. Unfortunately, that program has not been reformed yet, and a proposed final settlement agreement for it was not ratified by the AFN chiefs. To my understanding, ISC is still funding the post-majority support services program. However, there is no certainty that the program will continue in the next fiscal year or if the government changes. This means there could be a gap in or end to the provision of these services.¹⁰⁰

Derek Montour explained the impact that this uncertainty has in communities, stating:

we do not know what we will get next year. There is no guarantee... We know, of course, that there was a potential agreement between the AFN and the Chiefs of Ontario and the Nishnawbe Aski Nation, as well as Canada. We were all involved in the decision. It

⁹⁷ Ibid.

⁹⁸ Indigenous [Services Canada](#), [Federal Court approves settlement agreement to compensate First Nations children and families](#), News release, October 24, 2023.

⁹⁹ Ka’nhehsí:io Deer, [“First Nations vote down resolution to endorse \\$47.8B child welfare reform offer,”](#) *CBC News*, October 18, 2024.

¹⁰⁰ RIDR, [Evidence](#), October 28, 2024 (Ashley Bach).

*was unclear to me how much post-majority care would be funded long term after that and what that would look like and how that would move on.*¹⁰¹

In addition, in a brief submitted to the committee, Lisa Broda raised concerns about benefits not being accessible to all young people, noting that many Indigenous youth do not meet the eligibility requirements for federal post-majority supports, such as those in care of a province and not ordinarily resident on reserve.¹⁰² Derek Montour shared this concern, stating that “it is imperative to ensure that this funding is available to all First Nations youth in care, regardless of where they live and where they are reported. For these services, it will be particularly important for provincial institutions to work closely with communities to develop and implement collaboration mechanisms.”¹⁰³

Witnesses emphasized that adequate and reliable post-majority supports are required to fulfill Canada’s obligations, including under Canada’s *United Nations Declaration on the Rights of Indigenous Peoples Act*. Lisa Broda highlighted obligations relating to the improvement of economic and social conditions, including in the areas of education, employment, training, housing, health and social security, noting that “[t]hese are all areas in which young people transitioning from care – and Indigenous young people in particular – require additional support than what they are currently receiving.”¹⁰⁴

Provincial and Territorial Approaches to Post-Majority Support

Across Canada, the age limit for child protection services varies between provinces and territories, as does the availability of transitional services once young people age out of these systems. The committee heard about several provincial programs that provide transitional services, including: British Columbia’s Strengthening Abilities and Journeys of Empowerment program (SAJE); Manitoba’s Agreements with Young Adults and Supports for Young Adults Grant; Ontario’s Ready, Set, Go program; and Nova Scotia’s Path Program (Path).¹⁰⁵

Stacey Greenough, Director, Child and Family Wellbeing, Nova Scotia Department of Community Services, explained that the objective of Path is “to build a support system for youth to ensure that they are safe, healthy, have positive connections to their communities and have equitable opportunities to access the supports needed to thrive and reach their fullest potential as they journey into adulthood,” including 24-hour, on-call access to a community-based social worker.¹⁰⁶

¹⁰¹ RIDR, *Evidence*, November 4, 2024 (Derek B. Montour).

¹⁰² RIDR, *Brief*, November 27, 2024 (Lisa Broda).

¹⁰³ RIDR, *Evidence*, November 4, 2024 (Derek B. Montour).

¹⁰⁴ RIDR, *Brief*, November 27, 2024 (Lisa Broda).

¹⁰⁵ See [Ready, Set, Go program](#). Similar programs in other provinces include Alberta’s [Transition to Adulthood Program](#), Quebec’s [Programme qualification des jeunes](#), and Prince Edward Island’s [YES Program](#).

¹⁰⁶ RIDR, *Evidence*, October 21, 2024 (Stacey Greenough, Director, Child and Family Wellbeing, Nova Scotia Department of Community Services).

The committee heard from participants in the Path and SAJE programs, who highlighted the benefits of reliable supports at critical points in the lives of vulnerable young people.

Amber Moon, Youth Advisory Committee Member, Vancouver Aboriginal Child and Family Services Society described receiving SAJE funding for rent, food, clothes, and, by request, occasional extra funding to help with textbooks while enrolled at a university. Noting a long break from post-secondary education due to the COVID-19 pandemic and the loss of a parent, Amber Moon explained that many youth face delays in their education due to personal barriers or systemic inequalities, and recommended that if former youth in care are in school, they should get financial support for their entire degree.¹⁰⁷

Similarly, Keauna Moulaison explained that before the Path program came into effect, the limited funding provided to her was not enough to cover basic needs, and she developed an eating disorder stemming from the stress of budgeting for food. She stated:

Path funding has been life-changing for me. It has alleviated some of the financial stress of trying to stretch a limited budget to cover everything from groceries to school supplies. The consistency of this funding has allowed me to focus more on my education and personal growth rather than constantly struggling to meet my basic needs. I feel a sense of financial stability, which has made an incredible difference in my overall well-being.¹⁰⁸

However, she also noted that she would soon lose access to mental health care, and that the coverage through her university would not allow for her to continue with the private therapist with whom she has developed a relationship of trust.¹⁰⁹

Lanell Murphy similarly recounted the ways that Path has allowed him to accomplish goals and learn about resilience, responsibility and overcoming obstacles. He explained that Path has helped him to afford groceries, dental appointments, and his cell phone bill, as well as enabling him to complete driver's education and take a home inspection course at Dalhousie University. He also credited a youth outreach worker with helping him obtain employment.¹¹⁰

While Path and SAJE were the most comprehensive provincial programs that the committee heard about, witnesses described other positive practices being led by communities and non-profit organizations. For example, Sherry Gott highlighted the Shawenim Abinoojii Inc. Memengwaa Program in Winnipeg, which offers a holistic, First Nations-led approach to supporting youth

¹⁰⁷ RIDR, [Evidence](#), November 25, 2024 (Amber Moon).

¹⁰⁸ RIDR, [Evidence](#), November 25, 2024 (Keauna Moulaison).

¹⁰⁹ Ibid.

¹¹⁰ RIDR, [Evidence](#), November 25, 2024 (Lanell Murphy, PATH program participant – As an Individual).

transitioning out of care who are at risk of homelessness, including a range of services and relationship-based approaches to service delivery.¹¹¹

Another positive program shared with the committee underscored the importance of relationship-based support in the context of preventative support to families. Marie Suzie Casséus, Manager of Option Protection Program at the Montreal Haitian Community Office, explained that the Montreal Haitian Community Office's Option Protection program aims to address the over-representation of children from the Black community in child protection services, including by taking proactive steps to prevent circumstances of neglect and abuse. The program works directly with vulnerable families that might fear, mistrust or resist services, offering a range of supports to demystify school, health and justice systems for families, including accompanying families to health care appointments and to court. She explained that, "We're really in the trenches with them. We really help at every step of the child protection process... We're right in their homes, and we help them deal with all the systems that they find so hard to navigate."¹¹²

Similarly, while noting concerns about the availability of resources, Marci Macomber highlighted the work of the Saskatchewan First Nations Family and Community Institute, a non-profit organization that supports child protection workers and agencies.¹¹³

Lisa Broda explained that even in provinces and territories with adequate policies for transitioning out of care, "the reality of the practice does not always meet the requirements of policy. Across Canada, systems are challenged with recruitment and retention of experienced child welfare staff, particularly in rural, northern and remote communities."¹¹⁴ In a written brief, she noted similar challenges with recruiting and retaining foster parents.¹¹⁵

Additionally, witnesses highlighted that some jurisdictions in Canada face unique challenges. Sherry Gott noted that Manitoba has the highest rates of child removal and out-of-home placements in Canada, with Indigenous children disproportionately affected due to systemic racism and colonial structures. In Manitoba, a shocking 91% of children in government care are First Nations, Métis, or Inuit, with nearly one-third of First Nations children in Manitoba experiencing time in care. Sherry Gott emphasized that these disproportionate impacts mirror the harmful effects of residential schools and the Sixties Scoop. She recounted one young person explaining that child welfare is just another form of generational trauma.¹¹⁶

Citing reports from her office and from the Auditor General of Canada, Jane Bates explained that in Nunavut, the Department of Family Services struggles to meet obligations under the *Child and Family Services Act*, leaving children with inadequate care. For example, in a 2023 report on child

¹¹¹ RIDR, [Evidence](#), November 18, 2024 (Sherry Gott).

¹¹² RIDR, [Evidence](#), November 18, 2024 (Marie Suzie Casséus).

¹¹³ RIDR, [Evidence](#), November 4, 2024 (Marci Macomber, Director, Investigations and Systemics, Saskatchewan Advocate for Children and Youth's Office).

¹¹⁴ RIDR, [Evidence](#), November 4, 2024 (Lisa Broda).

¹¹⁵ RIDR, [Brief](#), November 27, 2024 (Lisa Broda).

¹¹⁶ RIDR, [Evidence](#), November 18, 2024 (Sherry Gott).

and family services in Nunavut, the Auditor General of Canada called for “urgent and necessary concrete actions to help safeguard Nunavut’s children,” finding that:

*the Department of Family Services consistently failed to take action to protect and support the well-being of vulnerable children, youth, and their families in accordance with legislation, policy, and program requirements. In addition, the Department of Health and the Department of Human Resources have not provided needed support and resources, such as in the areas of training, staffing, and staff housing.*¹¹⁷

Moreover, Jane Bates explained that extended support agreements are often difficult for young people to access, and those who obtain them face additional obstacles due to requirements for compliance that may be unrealistic for young people who have been subject to trauma. Additionally, she raised concerns that when youth are placed outside the territory, they risk losing connection to their culture, language, and community.¹¹⁸

PARADIGM SHIFT: FROM PROTECTION TO WELL-BEING

The committee was asked to “imagine a world where every young person, regardless of their walk in life, steps into adulthood with confidence, stability and hope — a world where youth aging out of care are not merely surviving, but thriving.”¹¹⁹ Witnesses called for a society where youth in care are valued, loved, nurtured and invested in and where they are interdependently supported throughout their entire lives, from childhood to adulthood.¹²⁰

As explained by Irwin Elman, Former Ontario Advocate for Children and Youth, Canadian child protection systems have, since their inception, been based on risk and liability, with surveillance as their primary tool. Such systems “cannot possibly raise a child.”¹²¹ Professor Gahagan asked the federal government “to fix the system and, through that process, actually lift up these individuals who, by no choice of their own, find themselves with the state as their parent.”¹²² The committee heard examples of provinces and territories, such as Nova Scotia, British Columbia, and Yukon, that have reformed their systems of care. Even the nomenclature is reflective of this change: moving away from child protection and favouring the concept of child well-being.¹²³

¹¹⁷ Office of the Auditor General of Canada, *Child and Family Services in Nunavut*, 2023.

¹¹⁸ RIDR, *Evidence*, November 4, 2024 (Jane Bates).

¹¹⁹ RIDR, *Evidence*, November 25, 2024 (Anayah De Andrade).

¹²⁰ RIDR, *Evidence*, October 21, 2024 (Melanie Doucet), (Stacey Greenough).

¹²¹ RIDR, *Evidence*, November 18, 2024 (Irwin Elman).

¹²² RIDR, *Evidence*, October 21, 2024 (Jacqueline Gahagan).

¹²³ RIDR, *Evidence*, November 18, 2024 (Jennifer Charlesworth); *Evidence*, November 4, 2024 (Annette King); *Evidence*, October 21, 2024 (Stacey Greenough).

Other witnesses called on the federal government to collaborate with its counterparts to reform child protection systems in Canada. Such reform can be approached in three stages: prevention, belonging, and transition to adulthood.

Prevention

While the committee focused this study on issues relating to youth aging out of care, several witnesses spoke about the importance of considering the full spectrum of child well-being, including working to prevent the need for intervention.¹²⁴

Jennifer Charlesworth, Representative for Children and Youth, Office of the Representative for Children and Youth of British Columbia, stressed the need to do things differently, considering that Canada’s “current systems consistently and pervasively lead to poor outcomes.”¹²⁵ She believes that modifying some policies or adding “some money here or a program there”¹²⁶ is too little, too late. Both witnesses from the British Columbia Office of the Representative for Children and Youth argued that Canada needs to reimagine its models to support the well-being of children and youth in the context of their families, culture and communities.¹²⁷

Derek Montour also spoke about First Nations’ approaches in which communities and families work together to “prevent youth protection-related issues,” by focusing “on solutions centred on the family rather than the individual.”¹²⁸ He stressed that:

*It is necessary to remain flexible throughout the youth protection intervention process to allow parents to mobilize and be stakeholders in solutions to resolve the issues they face, which is not the case with the Youth Protection Act. The Youth Protection Act places strict deadlines that may prove unrealistic to respond to and respect parents who have experienced multiple traumas and, often, multigenerational traumas.*¹²⁹

Representatives from the Montreal Haitian Community Office, Marie Pierre Ulysse, Board Chair, and Marie Suzie Casséus, Manager of Option Protection Program, highlighted a similar approach. They work with families newly signalled to the Quebec Director of Youth Protection to help them

¹²⁴ RIDR, [Evidence](#), October 21, 2024 (Stacey Greenough); [Evidence](#), November 4, 2024 (Derek B. Montour), (Annette King), (Jane Bates); [Evidence](#), November 18, 2024 (Jennifer Charlesworth), (Marie Pierre Ulysse), (Marie Suzie Casséus); [Evidence](#), November 25, 2024 (Daniell Sunshine).

¹²⁵ RIDR, [Evidence](#), November 18, 2024 (Jennifer Charlesworth).

¹²⁶ Ibid.

¹²⁷ RIDR, [Evidence](#), November 18, 2024 (Jennifer Charlesworth), (Jennifer Dreyer, Executive Director, Systemic Advocacy, First Nations, Metis and Inuit Research, Office of the Representative for Children and Youth of British Columbia).

¹²⁸ RIDR, [Evidence](#), 4 November 2024 (Derek B. Montour).

¹²⁹ Ibid.

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prevent their children and young people from entering out-of-home care. This includes working with families on parenting skills and demystifying the child protection system.¹³⁰

Marie Pierre Ulysse added that their work thrives on “a strength-based model with the parents,”¹³¹ where the parents are valorized by the workers who are helping them solidify their strengths to be able to raise their children. She referred to this model as community centric, which is similar to the approach used in Nova Scotia. As explained by Stacey Greenough:

*The vision that we are seeking to support is that the community supports the safety and well-being of children, youth and families. That is a shift. You’ll hear folks talk about child protection and needing to give up that authority and that power so that the family and the child have the voice at the heart of this and the community has the support that they need. It also becomes about strengthening the community, considering their culture and how we are bringing that at the very beginning.*¹³²

Overall, witnesses argued that prevention reduces the social costs associated with involvement in the judicial system and youth placements in protection services. It requires that families get better childcare or funding support.¹³³ Amber Moon told the committee that this lack of support to their family is what led to out-of-home care.¹³⁴

While innovation and change are urgently needed, Annette King emphasized the importance of being vigilant about potential unintended consequences, stating:

*We have seen some creative initiatives and alternatives and solutions with good intentions and a reconciliation lens. Sometimes they are good. I would love to go into many examples, but I think there is an intention to try to not have kids in care or to try to help kids leave care younger into a family situation or putting them on a youth agreement and creating independence even younger. Sometimes those have unintended consequences that create different problems. So I think whenever decisions are made, we really are recommending a full child rights lens and analysis of the solutions. You don’t want to just fix one problem but create another one.*¹³⁵

¹³⁰ RIDR, [Evidence](#), November 18, 2024 (Marie Suzie Casséus).

¹³¹ RIDR, [Evidence](#), November 18, 2024 (Marie Pierre Ulysse).

¹³² RIDR, [Evidence](#), October 21, 2024 (Stacey Greenough).

¹³³ RIDR, [Evidence](#), November 18, 2024 (Marie Pierre Ulysse), [Evidence](#), November 4, 2024 (Jane Bates); [Evidence](#), October 21, 2024 (Stacey Greenough).

¹³⁴ RIDR, [Evidence](#), November 25, 2024 (Amber Moon).

¹³⁵ RIDR, [Evidence](#), November 4, 2024 (Annette King).

The committee agrees that a child rights lens and the best interests of the child must be paramount as all levels of government find ways to better support children and families.

Belonging

The committee heard that, in child development, there is a period called “emerging adulthood,” which is between the ages of 19 and 29. This period is key for young people to become thriving adults, because it is when they solidify their identity formation, problem solving, and sense of belonging. According to Professor Doucet, the current negative outcomes for young people aging out of care in Canada stem from youth “missing a key piece in their journey that they need to be experiencing.”¹³⁶ Currently, as explained by Jennifer Charlesworth, while “[p]ractical services and supports are important,” “they are transactional, and they are not sufficient for healthy growth and development”¹³⁷ of youth aging out of care.

The committee heard several firsthand accounts from witnesses on what belonging meant for them. Anayah De Andrade stressed that with a stronger sense of belonging to a group, to a community, to society, young people will be able to create meaningful relationships, build careers, and contribute to their communities.¹³⁸

Amber Moon highlighted the importance of trust, stability, and consistency in relationship-based social work, which plays a key role in creating meaningful connections with youth and in serving as a guide in the transition out of care. In addition, Amber Moon explained to the committee that belonging does not equate to belonging in a biological family or with extended biological family members, stating that “family is definitely more, to me, what you choose rather than what you were born into.”¹³⁹

Daniell Sunshine explained that social connections were critical to her during her emerging adulthood, noting:

I also have a social worker I still keep in contact with and check-in with monthly. Having the sense of permanency of having someone there beside you, cheering you on and not giving up is highly beneficial and impactful. I would have moments where I would be looking down on myself, but having them pick-me-up, cheer me on again, reminds me I am not alone and I can do what I can do.¹⁴⁰

Similarly, Ingrid Palmer credited several strong connections in helping her throughout her trajectory in out-of-home care, telling the committee:

¹³⁶ RIDR, [Evidence](#), October 21, 2024 (Melanie Doucet).

¹³⁷ RIDR, [Evidence](#), November 18, 2024 (Jennifer Charlesworth).

¹³⁸ RIDR, [Evidence](#), November 25, 2024 (Anayah De Andrade).

¹³⁹ RIDR, [Evidence](#), November 25, 2024 (Amber Moon).

¹⁴⁰ RIDR, [Evidence](#), November 25, 2024 (Daniell Sunshine).

I am the product of many programs, services and individual people who left their fingerprints on my spirit, and that also speaks to what we talked about here — about the need for connection, about the need to incentivize youth from care to uptake into their development, into higher education.

I had different people over the years — I lived in a variety of foster homes and group homes — so whether it was one foster parent, a staff at the group home, another girl that I met or a teacher one year in school who saw past my hardness, my anger, my behaviours that I exhibited and saw potential in me and encouraged that, who spoke a word of kindness, who smiled, who opened the door that I couldn't get open, that showed me how to navigate a barrier that I was facing, who invited me to dinner once I had aged out and had nowhere to go.¹⁴¹

The committee also heard positive examples of a sense of belonging while in care. For example, Keauna Moulaison stated that her foster family understood the grief and instability she was experiencing as she entered out-of-home care. In her words:

They accepted me for who I was, even when I struggled to process everything happening around me. My foster mom treated me like her own, offering me unconditional love and unwavering support in everything I did. She made me feel valued and seen, celebrating my accomplishments and ensuring I was included in every holiday and milestone. This provided me with a sense of belonging.

The transition to foster care was difficult, but the love and acceptance I found within my foster family made all the difference. They gave me a sense of stability and belonging that I desperately needed, and I am eternally grateful for that, but there were still moments when I felt lost. Decisions about my life were suddenly in the hands of strangers, and it was hard to adjust to that.¹⁴²

While the committee heard that love cannot be legislated,¹⁴³ witnesses argued that the care system should be reformed to be able to foster a sense of belonging, a sense of community, and to cultivate continued connections.¹⁴⁴ The committee heard that other jurisdictions are exploring this model, such as in Scotland, where the concepts of connectedness and belonging are part of needs-

¹⁴¹ RIDR, [Evidence](#), October 28, 2024 (Ingrid Palmer).

¹⁴² RIDR, [Evidence](#), November 25, 2024 (Keauna Moulaison).

¹⁴³ RIDR, [Evidence](#), November 18, 2024 (Irwin Elman), (Jennifer Charlesworth).

¹⁴⁴ RIDR, [Evidence](#), October 28, 2024 (Jessica Knutson); [Evidence](#), November 4, 2024 (Marci Macomber); [Evidence](#), November 18, 2024 (Jennifer Charlesworth).

led assessments for youth in care, and community supports are offered to young people before they age out of care.¹⁴⁵

Transition to Adulthood

The committee was referred to the Child Welfare League of Canada’s 2021 report entitled *Equitable Standards for Transitions to Adulthood for Youth in Care*. Wendy Chan called it a roadmap for reforming the child protection systems and developing the proper supports for youth transitioning to adulthood.¹⁴⁶ Professor Doucet explained that these equitable standards “provide step-by-step, rights-based solutions that are centred on lived expertise, research and best practices.”¹⁴⁷

The report called on federal, provincial and territorial governments to voluntarily adhere to standards relating to eight pillars supporting the transition to adulthood, which it summarized as follows:

Financial: Every young person should have the financial resources required to meet their needs. Youth in care deserve to have a financial starting point that is above the poverty line, and allows them to pursue their career interests and dreams.

Educational & Professional Development: Every young person should experience an environment where they can learn and grow in ways that are meaningful to them and at their own pace.

Housing: Every young person should have a place they can call home, without strict rules and conditions to abide by.

Relationships: Every young person should have people in their life that they can count on unconditionally and interdependently. Youth in care need to feel that they belong, have worth and are valuable members of their communities.

Culture & Spirituality: Every young person should be connected to their culture and spirituality, in ways that are meaningful to them, safe, and at their own pace.

Health & Wellbeing: Every young person should be provided with timely ongoing services and benefits that support their lifelong health and well-being. These supports need to be offered within a trauma-informed, non-judgemental harm reduction approach, without significant wait times.

¹⁴⁵ RIDR, [Evidence](#), November 4, 2024 (Marci Macomber).

¹⁴⁶ RIDR, [Brief](#), 1 November 2024 (Children’s Aid Foundation of Canada).

¹⁴⁷ RIDR, [Evidence](#), 21 October 2024 (Melanie Doucet).

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Advocacy & Rights: Every young person should have their rights respected and should experience environments where their voices are heard, and their silence is addressed holistically.

Emerging Adulthood Development: Every young person should experience environments that cultivate personal growth and development as they transition into adulthood.¹⁴⁸

The committee echoes the Child Welfare League in noting that these voluntary standards represent the minimum key elements that need to be in place before young people age out of care and transition to adulthood, regardless of age, place of residence, legal status, and placement type.¹⁴⁹

Several witnesses called on Canada to establish national standards for equitable entitlements for youth exiting care by endorsing or adopting the Child Welfare League’s *Equitable Standards for Transitions to Adulthood for Youth in Care*.¹⁵⁰ As noted by Wendy Chan, “The federal government has a role to play in leveling the playing field and ensuring that young people aging out of care have equitable access to the supports they require.”¹⁵¹ In addition, these equitable standards could ensure that young people have centralized access to available supports. Currently, with the jurisdictional patchwork, as explained in previous sections, there is inequitable availability of supports between jurisdictions, which exacerbates the difficulty in finding clear and accessible information about those supports.¹⁵² Lisa Broda suggested that a collaborative approach be taken by all levels of government in order to find “any common practice, conditions or standards” that would lead to “an agreement between and support from the federal government to the provinces and territories.”¹⁵³

As explained by Professor Doucet, it is critical that Canada’s care systems have:

*unconditional support for young people to be able to access the services that they need, which meets them where they’re at in the situation they’re in and recognizes that their journey to adulthood is not going to be a linear one. These people need trauma-informed supports and services. They can’t be expected to jump through hoops, fit into boxes and over-perform what a youth in the general population would be expected to achieve. That’s why we call for standards that are national and also equitable.*¹⁵⁴

¹⁴⁸ Child Welfare League of Canada, *Equitable Standards for Transitions to Adulthood for Youth in Care*, 4 October 2021.

¹⁴⁹ Ibid.

¹⁵⁰ RIDR, *Evidence*, October 21, 2024 (Melanie Doucet), (Jacqueline Gahagan); *Evidence*, November 4, 2024 (Lisa Broda).

¹⁵¹ RIDR, *Brief*, November 1, 2024 (Children’s Aid Foundation of Canada).

¹⁵² Ibid.

¹⁵³ RIDR, *Evidence*, November 4, 2024 (Lisa Broda).

¹⁵⁴ RIDR, *Evidence*, October 21, 2024 (Melanie Doucet).

Jennifer Charlesworth stated that at the federal level, “the big levers to pull” to better support the transition to adulthood are “childcare and early-year supports, housing, mental health care, access to basic income and food security, and access to timely health care and accessible health care across all jurisdictions.”¹⁵⁵

Specifically addressing the need for financial support, Daniell Sunshine explained that “unconditional income supplements would be very helpful as a lot of my friends and peers are maybe falling through the cracks at this very moment. Having the stepping stone of the financial stability can help promote their growth and their success into adulthood.”¹⁵⁶

Throughout the committee’s study, several witnesses also recommended that Canada replace its age-based system with a readiness-based system for youth leaving out-of-home care.¹⁵⁷ For Daniell Sunshine, a program based on readiness “can help with IDs, preparing your taxes, knowing how credit cards work. I personally had to figure all of that out by myself with some help. Having a program to help build these skills is crucial for one’s success.”¹⁵⁸

Strongly in favour of moving away from failed elements of existing child protection models, and instead centering child rights and well-being, the committee recommends:



National summit and action plan

That the Government of Canada convene a national summit with Indigenous governments, rights holders and organizations, the provinces and territories, and stakeholders with lived experience to develop a national action plan on supporting the transition to adulthood for youth in care. Guided by the *Equitable Standards for Transitions to Adulthood for Youth in Care*, and taking into account the unique vulnerabilities of certain youth based on factors such as age, sex, sexual orientation, gender identity and expression, disability, geographic location, race, ethnic and national origin and socioeconomic background, the action plan should:

- **work toward a uniform readiness-based approach to aging out of care;**
- **extend Jordan’s Principle past the age of majority;**

¹⁵⁵ RIDR, [Evidence](#), November 18, 2024 (Jennifer Charlesworth).

¹⁵⁶ RIDR, [Evidence](#), November 25, 2024 (Daniell Sunshine).

¹⁵⁷ RIDR, [Evidence](#), October 28, 2024 (Jessica Knutson), (Dr. Ashley Vandermorris), (Barbara Fallon), [Evidence](#), November 4, 2024 (Marci Macomber); [Evidence](#), November 18, 2024 (Jennifer Charlesworth), (Sherry Gott); [Evidence](#), November 25, 2024 (Daniell Sunshine); [Brief](#), November 18, 2024 (Linda Clemens-Spurrell).

¹⁵⁸ RIDR, [Evidence](#), November 25, 2024 (Daniell Sunshine).

- address the child-welfare-to-prison pipeline; and
- set priorities, targets and respective responsibilities, respecting the jurisdiction of Indigenous Peoples, the provinces and territories over child and family services, including their authority to choose differing program models based on unique contexts and needs.



Wraparound supports for youth aging out of care

That the Government of Canada consult with relevant stakeholders, including provincial and territorial governments, to develop supports for youth aging out of care that are adequate to meet their needs, including access to post-secondary education, housing, mental health care and life skills training, as well as other forms of wraparound supports based on the eight pillars of *Equitable Standards for Transitions to Adulthood*.



Support for families

That the Government of Canada increase support for vulnerable families to reduce the need for out-of-home care, including through the Canada Child Benefit and the Child Disability Benefit.

HAS NOTHING CHANGED?

Over the course of this study, witnesses referenced decades of reports relating to child welfare, and expressed deep frustration that vulnerable young people continue to be abruptly cut off from vital support. The committee shares this frustration. As expressed by Irwin Elman, “There have been so many reports and studies... and here is the truth: Over the 45 years I’ve journeyed with young people in and from care, nothing has changed.”¹⁵⁹

Indeed, Lisa Broda drew the committee’s attention to its own previous work on this issue.¹⁶⁰ In a 2005 interim report entitled *Who’s in Charge Here? Effective Implementation of Canada’s International Obligations with Respect to the Rights of Children*, this committee called on the federal government to enact legislation establishing an independent Children’s Commissioner to monitor implementation of the *Convention on the Rights of the Child* and report annually to

¹⁵⁹ RIDR, *Evidence*, 18 November 2024 (Irwin Elman, Former Provincial Advocate, Office of the Provincial Advocate for Children and Youth, Ontario, as an individual).

¹⁶⁰ RIDR, *Brief*, November 27, 2024 (Lisa Broda).

Parliament.¹⁶¹ Two decades later, no such office has been established, and this committee must reiterate its previous recommendation.

Similarly, in its final 2007 report entitled *Children: The Silenced Citizens*, this committee raised concerns about different cut-off ages for support in provincial child welfare legislation across Canada, noting that children and youth may be left “stranded at a place and time in life where they may already feel significantly marginalized and vulnerable. The legislation may effectively strip them of a support system when it is most needed.”¹⁶² That report included a recommendation for the federal government to organize federal-provincial-territorial consultations focusing on, among other things, “The need for continuing support for youth exiting the child protection system.”¹⁶³ Once again, the committee finds itself repeating its past recommendations in the face of longstanding federal inaction.

Moreover, these recommendations continue to be echoed by experts and stakeholders, including the United Nations treaty body responsible for monitoring implementation of the *Convention on the Rights of the Child*. In its concluding observations on Canada’s most recent periodic reports, the Committee on the Rights of the Child made several recommendations to promote the full realization of children’s rights in Canada, including that the Government of Canada:

- develop a comprehensive federal law on children’s rights;
- adopt a national strategy that sets priorities, targets and respective responsibilities, and that includes adequate resources for its implementation, monitoring and evaluation;
- improve data collection to allow nationwide comprehensive monitoring of the rights of children, with data disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background;
- establish an independent office at the federal level for monitoring children’s rights, with a mandate to produce public reports; and
- strengthen preventative measures aimed at avoiding the removal of children from their family environment by providing appropriate assistance and support services to parents and caregivers.¹⁶⁴

Some witnesses explicitly called on the federal government to implement all of these recommendations,¹⁶⁵ while others emphasized particular elements.

¹⁶¹ RIDR, [Who’s in Charge Here? Effective Implementation of Canada’s International Obligations with Respect to the Rights of Children](#), Nineteenth report, November 2005.

¹⁶² RIDR, [Children: The Silenced Citizens](#), Tenth report, April 2007, p. 104.

¹⁶³ *Ibid.*, p. 105.

¹⁶⁴ United Nations Committee on the Rights of the Child, [Concluding observations on the combined fifth and sixth periodic reports of Canada](#), CRC/C/CAN/CO/5-6, 23 June 2022.

¹⁶⁵ See for example RIDR, [Evidence](#), November 4, 2024 (Lisa Broda).

The committee also heard from Jessica Knutson, Leader of Clinical Education and Special Projects, Indigenous Health, BC Children’s and Women’s Hospital, Provincial Health Services Authority, British Columbia, who emphasized that decades of previous research and advocacy relating to child well-being continue to be relevant to issues facing youth in care and should guide policymakers. She noted that these include reports that are grounded in the sacred stories of Indigenous Peoples, such as the 1996 Royal Commission on Aboriginal Peoples, the Truth and Reconciliation Commission’s 2015 Calls to Action, and the 2019 report of National Inquiry into Missing and Murdered Indigenous Women and Girls. In particular, she drew the committee’s attention to Call for Justice 12.11 of the latter report, which states:

We call upon all levels of government and child welfare services for a reform of laws and obligations with respect to youth “aging out” of the system, including ensuring a complete network of support from childhood into adulthood, based on capacity and needs, which includes opportunities for education, housing, and related supports. This includes the provision of free post-secondary education for all children in care in Canada.¹⁶⁶

Finally, several witnesses pointed to the Child Welfare League of Canada’s 2021 report, *Equitable Standards for Transitions to Adulthood for Youth in Care* as a roadmap for child welfare reform.¹⁶⁷ These eight pillars reflect a growing consensus that there is no single solution to prepare children in care for the transition to adulthood; wraparound supports are essential to improving outcomes and ensuring that children are fully prepared to live in and contribute to society. Moreover, as illustrated by several reports referred to the committee from provincial and territorial child and youth advocates, providing such support is both a responsibility and a prudent investment.¹⁶⁸

Mindful of the decades of similar recommendations that have come before, the committee recommends:



National children and youth commissioner

That the Government of Canada introduce legislation to establish an independent, national children and youth commissioner with a mandate to monitor and report to Parliament on children’s rights and those of people in emerging adulthood in the country.

¹⁶⁶ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, Vol. 1b, 2019, p. 195.

¹⁶⁷ Child Welfare League of Canada, *Equitable Standards for Transitions to Adulthood for Youth in Care*, October 4, 2021.

¹⁶⁸ See for example: *A Parent’s Duty: Government’s Obligation to Youth Transitioning into Adulthood; 25 Is the New 21*

CONCLUSION

Canada has a responsibility to safeguard the rights of children and youth, ensuring they receive the protection and care necessary for their well-being. Those in government care are particularly vulnerable, often carrying the weight of trauma that without proper care and support will too often lead to poorer life outcomes. Throughout its study, the committee heard that this vulnerability can contribute to people who have been in care experiencing significantly higher rates of homelessness and unemployment, lower academic achievement, mental health challenges, and involvement with the criminal justice system. Moreover, unlike most other children in Canada, those who age out of care often lack the vital support networks needed during the transition to adulthood, and are consequently missing a fundamental sense of belonging and community connectedness.

The committee heard that these challenges can be particularly acute for overrepresented groups who are in care or have aged out, including Indigenous, Black, and 2SLGBTQI+ children and youth, and children and youth with disabilities. More needs to be done to gather information on the scope and needs of these and other vulnerable groups, including through national data collection and intersectional analysis.

For young people aging out of care, the transition to adulthood is often abrupt, with limited government resources and supports available. While some provinces and territories have programs to assist youth in this transition, others do not. All jurisdictions in Canada have a shared obligation to advance the rights of children; jurisdictional divisions must never be obstacles in the way of their rights and well-being.

Although this report and its recommendations focus on areas requiring federal action, it is clear that all levels of government and child protection agencies must work together to create an environment in which all young people can thrive and feel a sense of belonging. It is also clear that these young people need a national voice and representation, reinforcing the need for the establishment of an independent national children and youth commissioner to coordinate a response to this growing national crisis.

Finally, the committee notes that it heard from several individuals whose successful transition from care to adulthood demonstrated extraordinary resilience. The committee wishes to underscore that many others who were once in care do not have the same positive outcomes, and that in Canada, a child's well-being should not depend on their capacity for extraordinary resilience.

APPENDIX A – Witnesses

Monday, October 21, 2024

Wendy Chan, Associate Director, Program Impact, Children's Aid Foundation of Canada

Melanie Doucet, Project Lead, National Council of Youth in Care Advocates and Adjunct Professor, School of Social Work, McGill University - As an Individual

Jacqueline Gahagan, Associate Vice-President Research, Mount Saint Vincent University - As an Individual

Stacey Greenough, Director, Child and Family Wellbeing, Nova Scotia Department of Community Services

Christina Loc, Youth and Lived Expert Engagement Manager, Children's Aid Foundation of Canada

Monday, October 28, 2024

Ashley Bach, First Nations Former Youth in Care & Advocate, National Council of Youth in Care Advocates

Barbara Fallon, Professor, Factor-Inwentash Faculty of Social Work and Canada Research Chair in Child Welfare, University of Toronto - As an Individual

Jessica Knutson, Leader - Clinical Education & Special Projects, Indigenous Health, BC Children's & Women's Hospital, Provincial Health Services Authority, British Columbia - As an Individual

Ingrid Palmer, Board Chair, Child Welfare Political Action Committee

Dr. Ashley Vandermorris, Staff Paediatrician, Division of Adolescent Medicine, Hospital for Sick Children - As an Individual

Monday, November 4, 2024

Jane Bates, Representative for Children and Youth, Nunavut Representative for Children and Youth's Office

Lisa Broda, Advocate for Children and Youth, Saskatchewan Advocate for Children and Youth's Office; President, Canadian Council of Child and Youth Advocates

Annette King, Children and Youth Advocate, Yukon Child and Youth Advocate Office; Vice-President, Canadian Council of Child and Youth Advocates

Nothing to Celebrate: The Crisis of Youth Aging Out of Care

Marci Macomber, Director, Investigations and Systemics, Saskatchewan Advocate for Children and Youth's Office

Derek B. Montour, President, First Nations of Quebec and Labrador Health and Social Services Commission

Monday, November 18, 2024

Marie Suzie Casséus, Manager of Option Protection Program, Montreal Haitian Community Office

Jennifer Charlesworth, Representative for Children and Youth, Office of the Representative for Children and Youth of British Columbia

Jennifer Dreyer, Executive Director, Systemic Advocacy, First Nations, Metis and Inuit Research, Office of the Representative for Children and Youth of British Columbia

Irwin Elman, Former Provincial Advocate, Office of the Provincial Advocate for Children and Youth (Ontario) - As an Individual

Sherry Gott, Advocate for Children and Youth, Manitoba Advocate for Children and Youth's Office

Kelly A. Lamrock, Child and Youth Advocate, Office of the New Brunswick Child and Youth Advocate

Marie Pierre Ulysse, Board Chair, Montreal Haitian Community Office

Monday, November 25, 2024

Anayah De Andrade, Founder, CHEERS Mentorship for Youth in Care

Amber Moon, Youth Advisory Committee Member, Vancouver Aboriginal Child and Family Services Society - As an Individual

Keauna Moulaison, PATH program participant - As an Individual

Lanell Murphy, PATH program participant - As an Individual

Prasad Nair, Director, Youth Success and Innovation, Peel Children's Aid Society

Daniell Sunshine - As an Individual

APPENDIX B – Briefs and Supplementary Evidence

Stacey Greenough, Director, Child and Family Wellbeing, Nova Scotia Department of Community Services

Melanie Doucet, Project Lead, National Council of Youth in Care Advocates and Adjunct Professor, School of Social Work, McGill University - As an Individual

Children's Aid Foundation of Canada

Linda Clemens-Spurrell, Child and Youth Advocate, Office of the Child and Youth Advocate (Newfoundland and Labrador)

Lisa Broda, Advocate for Children and Youth, Saskatchewan Advocate for Children and Youth's Office

