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# **SUPPORTING EQUITABLE TRANSITIONS TO ADULTHOOD FOR YOUTH IN CARE IN CANADA**

Policy Brief

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## **Policy Brief**

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Prepared by:

**Melanie Doucet**, PhD, Child Welfare League of Canada

**Varda Mann-Feder**, D.Ed., Department of Applied Human Sciences, Concordia University

Child Welfare League of Canada  
123 Slater Street, 6<sup>th</sup> Floor,  
Ottawa, ON K1P 5H2

Email: [Melanie@cwlc.ca](mailto:Melanie@cwlc.ca)

[cwlc.ca](http://cwlc.ca)

## Summary

Research confirms that young people who are forced to leave the child welfare system at the age of a majority face major intersecting challenges: these include higher risks of experiencing homelessness, poverty, unemployment, mental health and addictions issues and involvement in the criminal justice system.

What is happening in Canada is consistent with care leaver outcomes in other Western countries. However, unlike most Western countries, Canada has no legal framework, standards or guidelines that establish entitlements for youth in care as they transition to adulthood.

Consequently, the level of entitlements to services and supports is deeply inequitable across provincial and territorial jurisdictions, with First Nations, Inuit and Métis, Black and racialized youth, 2SLGBTQ+ youth and youth with disabilities experiencing the greatest harm.

Federal, Provincial and Territorial governments should respond to the opportunity presented by temporary moratoriums for youth leaving care and implement equitable standards for transitions to adulthood for youth in care that promote coherence and equity across jurisdictions.

## Background: The outcomes of youth leaving care before they are ready in Canada

According to national estimates from 2003,<sup>i</sup> approximately 10% (6,700) of the youth in care population transitions out ('ages out') of the Canadian child welfare system every year. However, this estimate underestimates the number of youth who 'age out' of care every year today, given that many provinces and territories do not publicly report this data, and there is no national database tracking this information in Canada.

Young people who are placed in out-of-home care within the child protection system suffer from family separation and disconnection from culture and community. The social and cultural isolation they experience is often exacerbated by economic hardship because they are forced to make life transitions without the family supports that are available to their peers who are not in care. A pattern of legislated service cut-off, leads to negative outcomes, including a heightened risk for homelessness, unemployment, poverty, poor mental health, addiction issues, involvement in the criminal justice system and early parenthood.<sup>ii</sup>

- 57.8% of homeless youth in Canada report involvement with the child welfare system in general at some point in their lives.<sup>iii</sup>
- Youth who must leave the child welfare system at the age of majority have a high degree of reliance on government assistance.<sup>iv</sup>

Most youth in Canada take on adult responsibilities gradually and with the emotional and financial support of their families. Today, young people are taking progressively longer to transition into adulthood<sup>v</sup>, with 43% of Canadian youth between the ages of 20 and 29 living with their parents<sup>vi</sup>. Societal shifts have led to a developmental period called "emerging adulthood", when young people ages 18 to 25 are afforded time to explore their roles in larger society<sup>vii</sup>. They also become "more interdependent on their support networks rather than independent from them"<sup>viii</sup>, as they continue to rely on friends, parents, and community members for advice and support throughout their adult lives<sup>ix</sup>.

This is not the case for youth in the child protection system, who abruptly lose support from the state when they reach the age of majority, regardless of their readiness, or their emotional and financial needs<sup>x</sup>. Due to mandated age cut-offs in child protection legislation, youth are

forced to leave care at 18 or 19 years of age and are tasked with adult responsibilities without the support of family, friends or community. Child protection legislation, policy and practice have not kept pace with the social and economic changes that make it much more difficult for young people to live independently<sup>xi</sup>.

All provinces and territories, except for Quebec, provide financial support to youth as they exit care, mostly in the form of payments to subsidize housing and living expenses<sup>xii</sup>. Stipends vary in terms of what is provided and until what age. The uniformity and degree to which young people can access extended supports vary within jurisdictions, suggesting provincial/territorial oversight may also be inconsistent.

The federal government offers no post-care payments or services to on-reserve First Nations youth, and Jordan's Principle benefits expire at age of majority (18 or 19 depending on province/territory of residence), leaving high needs youth without essential services.

Because post-care programs in Canada are poorly documented<sup>xiii</sup>, it is difficult to evaluate their overall impact. Existing programs are almost exclusively available only to youth who work or are in school, with strict eligibility criteria imposed. Consequently, many youth exiting care are excluded from receiving the supports and services they need, especially those who are most vulnerable. Youth, particularly those who have experienced trauma and family separation, cannot be expected to succeed with the sudden removal of housing, relationships and community supports, financial assistance, and health benefits.

COVID-19 and the socio-economic upheaval associated with the pandemic are exacerbating the already precarious situation of youth in care. As documented in Quebec, the pandemic has diminished access to housing and strongly accentuated risks linked to mental health problems in already vulnerable populations<sup>xiv</sup>. While many jurisdictions have implemented temporary moratoriums on youth transitions out of care during COVID-19, the conditions in place prior to the pandemic were not producing positive outcomes in young care leavers. As we start thinking about pandemic recovery, we must also imagine a just recovery for young people in care.

For over thirty years, youth in care networks and advocates have called on the federal government to develop national standards on youth transitions to adulthood<sup>xv</sup>.

**Federal leadership is key** to reducing the inflow of youth in care transitioning into homelessness and to reducing poverty for care leavers who are also young parents.

## How does Canada compare to other, similar countries?

Canada is one of only a handful of countries in the global North with no nationally legislated entitlements for youth exiting care. National legislation exists in many other parts of the world in which entitlements, including the option to stay in placement, are framed as rights without any exclusions or admissions processes. Youth who grow up in out-of-home care in Canada are subject to considerable inequities, placing them at a disproportionate level of risk.

**Federal, Provincial and Territorial governments should respond to the opportunity presented by temporary moratoriums for youth leaving care and implement equitable standards for transitions to adulthood for youth in care that promote coherence and equity across jurisdictions<sup>xvi</sup>.**

A 2019 study<sup>xvii</sup> of 36 countries across North America, Europe, Africa and the Middle East indicates that Canada is far behind other industrialized countries in assuming responsibility for young people leaving care. Nearly half of the countries surveyed have a national legal framework for care leaving. Only six countries in the Global North, including Canada, have no federal legislation that protects the rights of youth leaving placement. Even in other places where Child Welfare is administered regionally, federal standards guarantee coherence, continuity, and consistent access to specialized services as well as economic resources. Such legislation eliminates inequity based on place and promotes optimal transitions to adulthood everywhere.

Further comparative research<sup>xviii</sup> reveals that, in addition to post-care programs, a significant number of countries have made provisions for placements in the Child Welfare system to be extended until age 21 and beyond. This reflects mounting evidence<sup>xix</sup> that staying in care longer is associated with better outcomes, including reduced homelessness, increased educational attainment, improved odds of employment and greater future earnings<sup>xx</sup>.

**With every year spent in care after age 18, the likelihood of positive outcomes increases significantly. Extending care is thus the foundation for ensuring a normative transition to adulthood for youth leaving care, “based on developmental capacity rather than age”<sup>xxi</sup>.**

Two examples of countries that have federal legislation that sets consistent standards for post-care programs, and also provides for extended care, are the U.S. (Foster Care Independence Act, 1999; Fostering Connections Act, 2000) and England (Children Leaving Care Act, 2000; Children and Family Act, 2014)<sup>xxii</sup>. In both these countries, legislation ensures federal funding to subsidize increased costs associated with implementation at the local level.

Cost-benefit analyses have been undertaken that indicate that the costs of not safeguarding aftercare and extended care benefits result in far greater costs to society in the long term because with these provisions, youth leaving care are less likely to rely on social assistance as adults and more likely to become successful taxpayers<sup>xxiii</sup>. A 2012 cost benefit analysis by the Ontario Provincial Advocate for Children and Youth<sup>xxiv</sup> found that for every dollar the province of Ontario spends on supporting youth up to age 25, \$1.36 would be saved or earned over the working lifetime of each young person supported. For an entire cohort of 3,000 youth who typically 'age out' from the child welfare system in Ontario every year, extending supports to age 25 translates to a savings of \$132 million over 40 years. The analysis was replicated by The Vancouver Sun in 2015 to examine the benefits of extending care from age 19 to 24 in British Columbia. The analysis findings indicated a return of \$1.11 for every dollar spent on extended care, with an annual net benefit of \$6.3 million dollars<sup>xxv</sup>.

## **Federal commitments to addressing inequity, poverty and homelessness**

The Federal government has a responsibility to ensure fairness and equity of services for Canadians. Ensuring fairness and equity for young people transitioning out of child welfare services is an important part of realizing Canada's Youth Policy vision that young people be equipped to live healthy and fulfilling lives and feel empowered to create positive change for themselves, their communities and the world.

In this, it is essential that the voices of young people with lived experience in child welfare in many different jurisdictions are heard and respected and that accessible supports are in place that meet their specific and evolving needs. The Federal government has committed to mitigating inequalities and responding to the particular needs and circumstances of all young people.

Through Reaching Home, part of Canada's Homelessness Strategy, the Federal government has also made a strong commitment and invested considerable resources to address chronic homelessness, including reducing new inflows into homelessness by preventing individuals who are being discharged from public systems, such as child welfare, from becoming homeless.

Addressing inequities for young people transitioning out of child welfare would also help the government implement The Truth and Reconciliation Commission of Canada's Calls to Action and the National Inquiry into Missing and Murdered Indigenous Women and Girls' Calls for Justice. Specifically **call for Justice 12.11**:

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.

With its *Act respecting First Nations, Inuit and Métis children, youth and families*, the government affirmed and recognized the inherent jurisdiction of Indigenous peoples with regards to child and family services. Canada has a distinct obligation to First Nations, Inuit and Métis children and youth, who still find themselves vastly overrepresented in child welfare.

## What are the options available to governments?

We acknowledge and recognize the sovereignty of First Nations, Inuit and Métis nations and peoples, their inherent jurisdiction over child and family services, and their approach to raising and caring for children in community, which has existed since time immemorial. We are committed to equity for all youth who are in care and we welcome the knowledge and guidance of Indigenous youth and Elders, for whom 'aging out' is a foreign, imposed and harmful colonial concept. As we seek to hold Provinces, Territories, and the Federal government to the highest standards of care for children and youth, we recognize that Canada has a distinct obligation to First Nations, Inuit and Métis children and youth as enshrined in both Treaty and modern laws. The laws and knowledge that existed pre-colonization, and that survived through genocide, have a lot to teach us about how to raise children to be capable people, living meaningful and purposeful lives. First Nations, Inuit and Métis nations and communities are best placed to safeguard and advance the rights and well-being of their children.

The National Council of Youth in Care Advocates<sup>xxvi</sup>, made up of people with lived experience and allies from across the country, have researched, developed, and validated Equitable Standards for Transitions to Adulthood for Youth in Care<sup>xxvii</sup>. The first of their kind, these Equitable Standards provide a solid foundation for government action. The Equitable Standards are presented across eight transition pillars defining the areas in which youth in care need support to ensure a successful transition to adulthood, with key supports provided as actionable items to ensure jurisdictions, organizations and caring community members are meeting the outlined standards.



## The Equitable Standards

- 1 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.
- 2 Education & 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.
- 3 Housing:** Every young person should have a place they can call home, without strict rules and conditions to abide by.
- 4 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.
- 5 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.
- 6 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.
- 7 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.
- 8 Emerging Adulthood Development:** Every young person should experience environments that cultivate personal growth and development as they transition into adulthood.

## To ensure fairness and equity for young people in care and improve their life outcomes, we call on the Federal government to:

- 1** Implement post-care financial and social services for all on-reserve First Nations youth who were placed in out-of-home care, regardless of guardianship status. The timeline for the provision of these post-care supports should be based on a young person's sense of readiness for the transition to adulthood rather than age, as extending the 'aging out' process simply creates a later sudden cut-off date and does not guarantee that young people will leave care fully supported for success.
- 2** Extend Jordan's Principle past the age of 18.
- 3** Endorse and adopt the Equitable Standards for Transitions to Adulthood for Youth in Care.
- 4** Make the *Equitable Standards* the basis of financial incentives for Provincial and Territorial jurisdictions that offer extended care and transitional resources that meet these standards.

## We call on Provincial and Territorial governments to:

- 1** Implement post-care financial and social services for all youth who were placed in out-of-home care, regardless of guardianship status. The timeline for the provision of these post-care supports should be based on a young person's sense of readiness for the transition to adulthood rather than age, as extending the 'aging out' process to a later age simply creates a later sudden cut-off date and does not guarantee that young people will leave care fully supported for success.
- 2** Endorse and adopt the Equitable Standards for Transitions to Adulthood for Youth in Care.
- 3** Intentionally create opportunities for the voices of young people in and from care to inform policy and practice, by funding and championing youth in care/peer networks.

## End Notes

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<sup>iii</sup> Gaetz, S. et al. (2016). [Without a Home: The National Youth Homelessness Survey.](#)

<sup>iv</sup> Schaffer & Anderson (2016). [Opportunities in transition: An economic analysis of investing in youth aging out of foster care.](#)

<sup>v</sup> Doucet, M. et al. (2018). [Relationships Matter for Youth 'Aging Out' of Care.](#)

<sup>vi</sup> Stats Can (2011). [Living arrangements of young adults aged 20 to 29.](#)

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<sup>ix</sup> Molgat, M. (2007). [Do transitions and social structures matter? How "emerging adults" define themselves as adults.](#)

<sup>x</sup> Rutman, D. et al. (2007). [When Youth Age out of care where to from there.](#)

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<sup>xii</sup> Public Health Agency of Canada (2018). [Provincial and Territorial Child Protection Legislation and Policy 2018: Protecting and empowering Canadians to improve their health.](#)

<sup>xiii</sup> Jones, A. et al. (2015). [Children and youth in out-of-home care in the Canadian provinces.](#)

<sup>xiv</sup> Goyette, M. (2020). [The COVID-19 Pandemic and Needs of Youth Who Leave Care.](#)

<sup>xv</sup> Doucet, M. & National Council of Youth in Care Advocates (2020, October 20). [A Long Road Paved with Solutions: 'Aging out' of care reports in Canada. Key recommendations and timelines \(1987-2020\).](#)

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<sup>xvi</sup> Mann-Feder, V. & Goyette, M. (2019). [Leaving Care and the Transition to Adulthood: International Contributions to Theory, Research, and Practice.](#)

<sup>xvii</sup> Strahl, B. et al. (2020). [A multinational comparison of care-leaving policy and legislation.](#)

<sup>xviii</sup> van Breda, A. et al. (2020). [Extended Care: Global dialogue on policy, practice and research.](#)

<sup>xix</sup> Mendes, P. & Rogers, J. (2020). [Young people transitioning out-of-home-care: What are the lessons from Extended Care Programmes in the USA and England for Australia?](#)

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<sup>xxi</sup> Ibid.

<sup>xxii</sup> Mendes, P. & Rogers, J. (2020). [Young people transitioning out-of-home-care: What are the lessons from Extended Care Programmes in the USA and England for Australia?](#)

<sup>xxiii</sup> Ibid.

<sup>xxiv</sup> Ontario Provincial Advocate for Children and Youth (2012). [25 is the new 21: The cost and benefits of providing care & maintenance to Ontario youth until the age of 25.](#) Ottawa, ON: Ontario Provincial Advocate for Children and Youth.

<sup>xxv</sup> Sherlock, T., & Culbert, L. (2015, January 15). The costs and benefits of extending foster care to age 24. *The Vancouver Sun.*

<sup>xxvi</sup> <https://www.cwlc.ca/canadian-council>

<sup>xxvii</sup> Doucet, M. & National Council of Youth in Care Advocates (2021). [Equitable Standards for Transitions to Adulthood for Youth in Care.](#) Ottawa: CWLC.