



# My Rights & Responsibilities

## IF YOU'RE JUST GETTING THIS...

If you've just been given this pamphlet, then you are in one of the following situations:

- Have received a community-based sentence, like probation
- Are in custody
- Are in a detention facility

This pamphlet is part of your orientation package. It tells you your rights and responsibilities while you are receiving youth justice services.

You should understand what goes on at your orientation. This is important information – these are your rights and responsibilities.

If you don't understand something in this pamphlet or at the orientation, you can ask someone for help, like:

- Your Probation Officer
- Staff at the facility
- Your lawyer

You can also talk to them or the Ombudsman of Ontario about any concerns or complaints that you have.

The contact for the Ombudsman of Ontario is on the last page.

**This document is only for informational purposes and does not replace legal advice that you should get from your lawyer.**



## WHAT SHOULD YOUR ORIENTATION INCLUDE?

When you get to the custody/detention facility, your orientation should include:

- An explanation of your rights, in language you understand, including this Rights and Responsibilities pamphlet
- An explanation of how to request your file information and your obligations respecting the confidentiality and privacy of yourself and others
- An explanation of how services will be provided in language you understand
- How to make an internal complaint (what forms to fill out and/or who to talk to about your complaint)
- How to make an external complaint or get help through the Custody Review Board, the Ombudsman of Ontario and the Ontario Human Rights Commission (See the last page for contact information.)
- The rules of where you are staying, including disciplinary procedures
- The rules for visiting with your family or others
- Your responsibilities while in the custody/detention facility
- Information on education opportunities and services
- Introductions to staff and other young persons
- Where possible, a tour of important areas (e.g. classroom, dining area, gymnasium)

- If it applies to you, an explanation about the possibility of being transferred to a provincial correctional facility/federal penitentiary for adults, when this may occur, and the procedures involved



## Did you know?

**Whether you are in custody/detention or serving a community sentence, you also have responsibilities:**

- To follow the rules
- To respect the rights of others
- To be involved in your case planning
- To work cooperatively with staff
- To respect the confidentiality and privacy of yourself and others

## WHAT ARE YOUR RIGHTS IN A CUSTODY/DETENTION FACILITY?

**On admission to the custody/detention facility, a staff member should explain that you have the right:**

- To be told your rights in language you understand
- To participate in your religious and cultural practices and to speak your language
- To privacy and to have your own approved belongings (with limitations)
- To speak in private with, or receive visits from, members of your family (unless a court has restricted contact, or where a visit would not be safe)
- To speak in private with, or receive visits from, your lawyer, or another person representing you, the Ombudsman of Ontario, a member of the Legislative Assembly of Ontario or of the Parliament of Canada
- To receive medical and dental care
- To participate in school, work and recreational activities that match your ability and interests, in a community setting whenever possible
- To be properly fed, clothed and cared for, and to not be physically punished
- To send and receive mail. Your mail may not be examined or read if it is to or from your lawyer, the Ombudsman of Ontario, or a member of the Legislative



### Did you know?

**Your orientation should occur within the first 12 hours of your arrival.**

Assembly of Ontario or the Parliament of Canada

- To be told how to make complaints about where you are or your care (these are called internal and external complaint procedures). You can ask for help from the Ombudsman of Ontario and the Custody Review Board of Ontario, facility staff or others



### Did you know?

**You have the right to ask for a review of your custody sentence at any time, but you automatically have a review one year after the date you are given on your most recent sentence. A secure custody order can be changed to open custody, or changed to conditional supervision if the judge believes you have shown sufficient progress.**

- To be told about the rules of where you are staying, including disciplinary procedures
- To be told about your responsibilities while in the custody/detention facility
- To be asked and listened to when decisions are being made about your medical treatment, education, religion, discharge, or transfers
- To a plan of care or case management/reintegration plan designed to meet your needs, and to have a say in making or changing these plans
- To be told about the Ombudsman of Ontario and how to contact their office



## DO YOU HAVE A COMMUNITY BASED SENTENCE?

If you have a community based sentence, your orientation will be your first meeting with your Probation Officer. During this meeting your Probation Officer should:

- Use language that you understand
- Tell you how to make a complaint
- Tell you how to appeal or review your sentence
- Go over the conditions of your order with you, including the consequences if you do not follow these conditions
- Tell you what is expected of you

- Tell you how to request your file information and your obligations to respect the confidentiality and privacy of yourself and others
- Give you a copy of the Rights and Responsibilities pamphlet

Your Probation Officer should also tell you about your rights, including your right:

- To be consulted, heard and to participate in the decisions that affect you
- To get legal counsel for hearings and appeals
- To participate in your case management/reintegration plan, including when changes are made



## DON'T THINK ANYONE IS LISTENING? WANT TO MAKE A COMPLAINT?

Upon your arrival, the facility or probation staff must inform you of the internal and external complaint procedures.

**Internally, you can:**

Talk to your Probation Officer or facility staff, or you can file a complaint using the internal complaint procedures.

**Externally, you can contact...**

**The Office of the Ombudsman of Ontario: Children and Youth Unit**

Toll free: 1-800-263-2841  
TTY: 1-416-325-2648  
483 Bay Street, 10<sup>th</sup> Floor  
Toronto, ON M5G 2C9  
[ombudsman.on.ca](http://ombudsman.on.ca)

**The Custody Review Board**

Toll free: 1-888-728-8823  
TTY: 1-800-855-0511  
15 Grosvenor St  
Toronto, ON, M7A 2G6  
[TribunalsOntario.ca/crb](http://TribunalsOntario.ca/crb)

**The Ontario Human Rights Commission**

Toll free: 1-800-387-9080  
TTY: 1-800-308-5561  
180 Dundas St West, 9<sup>th</sup> Floor  
Toronto, ON, M7A 2G5  
[ohrc.on.ca](http://ohrc.on.ca)