

It's your right:

Legal information for youth in NS



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Before we start

Everyone has rights, but not everyone knows what they are.

It is important to know what rights the law gives you. It's also good to know what responsibilities you have, because that can keep you out of trouble.

This book aims to help Nova Scotians between the ages of 16 and 25 understand your rights and responsibilities under the law. Some of this information is also useful for youth in other Canadian provinces, but most of the laws affecting youth are slightly different in each province.

You should also know about local rules.

Towns, villages, and cities have their own rules, called by-laws. These don't give you rights, but they explain responsibilities, especially if you live on your own: noise by-laws, recycling and garbage by-laws, and by-laws about where you can ride your bike or skateboard, and these are just a sample. We don't talk about by-laws in this book. But your town or city website will have the information.

First Nations band councils can also make some of the rules for their communities. They can make rules about policing, schools, and child welfare services. You can find information about rules, events, and services in your community on your band council's website.

CONTACTS YOU SHOULD KNOW

At the end of each chapter of the book, we give you some resources. However, some resources help everywhere.

▶ 911

Call 911 if you're in danger now. Don't text.

Call 911 to report online harassment and abuse. Don't text.

▶ 211

Call or text 211 for help finding services in your area.

▶ ns.211.ca

▶ 211 (text)

▶ 711 (Bell Relay Service)

▶ 1-855-466-4994 (toll-free)

Kids Help Phone

▶ Call 1-800-668-6868

▶ Text 686868

Legal Information Society of Nova Scotia (LISNS) services

- ▶ www.legalinfo.org

LISNS Youth Text Line

- ▶ Text: 1-902-510-5646

NS Human Rights Commission

- ▶ <https://humanrights.novascotia.ca/contact-us>

Nova Scotia Legal Aid

Halifax Region (Youth Justice Office)

- ▶ (902) 420-7800
Email: hfxyouth@nslegalaid.ca
In person: Suite 401, 5475 Spring Garden Road, Halifax

Outside Halifax Region

- ▶ [Local Nova Scotia Legal Aid Offices](#)

Nova Scotia Mi'kmaq Crisis and Referral Line

- ▶ 1-855-379-2099 (toll-free)

Centre d'Information Juridique

Services gratuits offert aux résidents de la Nouvelle-Écosse sur rendez-vous seulement.
de 8 h à 15 h, du lundi au vendredi

- ▶ 902-433-2085 / 1-844-250-8471: Veuillez laisser un message.

The law and your health



The law and your health

People in Canada have rights as patients or when they get health care. You may have rights to privacy and rights to some services. You should know that doctors may have to report some health issues you face even if you don't want them to.

In this section we talk about

- ▶ how your maturity affects your rights
- ▶ your privacy rights
- ▶ what doctors must report if they see it
- ▶ your right to mental health treatment

ARE YOU A MATURE MINOR?

A minor in Nova Scotia is someone under 19 years old. You are not legally an adult, and you usually need an adult, like your parents or a guardian, to agree to health care treatment. But you do not always need your parent or guardian's permission. Some people mature faster than others, so the law lets doctors, pharmacists, nurses and other healthcare providers decide if you can consent to medical care if you are a minor.

If you are mature enough to make your own healthcare decisions, you are called a "mature minor." Some people might be mature enough at 12, while others might not be mature enough at 16. Your healthcare providers will decide whether you are a mature minor based on how well you understand:

- ▶ your health problem
- ▶ the reason you are getting treatment
- ▶ what could be good or bad if you say yes or no to treatment

Any medical or health care treatment can help you or hurt you. This is called the benefits and risks of treatment. Side-effects are an example of how medicine can hurt you. For example, if you are getting an operation, your doctor will make sure you understand how successful the surgery can be and what could go wrong, like the chance of infection.

Whether you are a mature minor may change depending on the situation. This includes things like:

- ▶ how complex your healthcare problem is
- ▶ the type of treatment you will get
- ▶ how high the risks are



For example:

Marcus is 17. He broke his wrist during a tricky parkour move that went sideways. Literally. At the Emergency Room, the doctor believed he was mature enough to agree to getting a cast. He might not be considered mature enough to say yes or no to a life-or-death decision or if his doctor believed that refusing a scary treatment would seriously harm his health.



PRIVACY AND YOUR HEALTH INFORMATION

Treatment and care

If you are a minor, you can use health care services in Nova Scotia on your own if you have a health card or health card number. But what about privacy when you are a minor? You may not want your parent or guardian to know that you are going somewhere for treatment, such as a hospital, sexual health centre, or walk-in clinic.

If you feel this way, tell the doctor, nurse, pharmacist, or other health care provider that you want this information to be private. They must report if they think you are in danger, but they will do their best to keep your information private while they help you get well. If you have given them consent to share your health information with your parents in the past, you can change your mind at any time.

There is an important exception to this. Every hospital has its own policy on abortions, and that includes how they treat your privacy. If you go to a hospital for an abortion, you should ask what their policy is on telling your parents about your decision.

You do not need permission from a parent or guardian to use these health care services:

- ▶ birth control
- ▶ gender-affirming services
- ▶ mental health services
- ▶ treatment for drug or alcohol abuse
- ▶ treatment for sexually transmitted infections (STIs)

Using health insurance

If you use your parent's or guardian's health insurance to help pay for your treatment, the insurance company may have your personal health information. This means that your parent or guardian may see the services you used if you ask the insurance company to pay for the services or pay you back for services. This is called making an insurance claim.

Many insurance companies want the person who owns the policy to put in claims, and that would be your parent or guardian. The insurance company and your parent or guardian will be able to see the information you give them for the claim, like receipts for your treatment.

If you are hurt in an accident (like a car accident), your parent or guardian may sue to help pay for your medical treatment or for any time you or they miss from work or school to help you recover. They would sue the person who was responsible for the accident. If they do, you may have to give a statement or information about your injuries. Your lawyer, insurance company, or a court may need to know about your injuries to decide how much money is fair for you.

If you decide to let your doctor share your medical information, you can tell your doctor and your lawyer about how they can use this information and who is allowed to see it. If your medical record includes information unrelated to your case, you can ask them to not share that information. The court calls this “redacting” your file.

Things a health care provider must report

Your doctor must report certain things they notice even if they believe that you are mature enough to make your own healthcare decisions. There are some things that they cannot keep private even if you want them to. They must report if they believe you are in danger or that you are a victim of abuse. Abuse can include physical abuse, emotional abuse, sexual abuse, or neglect. Once your doctor tells the government about this, social workers will check into the report and decide what to do.

If you are a victim of a crime

If someone abuses you or assaults you, that could lead to criminal charges. In that case, you may have to be a witness in the trial. You have the right to speak with a lawyer about what will happen in court. Your past medical history or sexual activity can't be used in court to say that you were at fault for what happened or that you were asking for it.

If you are the victim of a crime, you can also ask for support from Victim Services. Nova Scotia's provincial Victim Services program helps victims of crime. This may include giving money for counselling or therapy, helping with transportation costs to go to court, or sending a support person to court with you. The Child Victim/Witness Program helps minors who are victims or witnesses of a crime. You can find contact information for Victim Services at the end of this chapter.



MENTAL HEALTH TREATMENT

You can use mental health services even if your parent or guardian does not agree. You can find contact information at the end of this section.

If a doctor thinks that you might hurt yourself or others, they may say that you need treatment even if you do not agree.

If you are a minor or can't make your own decisions, someone else might make decisions for you until you can make your own decisions. This person is called a substitute decision maker.

Your doctor or other health care provider will ask your closest family member or guardian to be your substitute decision-maker. If that person can't or won't do it, they will ask other people, including:

- ▶ a guardian the court names for you
- ▶ a grandparent
- ▶ an aunt or uncle
- ▶ other relatives
- ▶ Nova Scotia's Public Trustee

The Public Trustee is a Nova Scotia government office that helps people who cannot make important legal decisions for themselves.

If you are **over 19** and your doctor says you must have mental health treatment, the hospital will assign a Patient Rights Advisor to help you. This person helps patients understand their rights and makes sure that your doctors act in a way that respects your rights. A Patient Rights Advisor can help patients get legal advice or to apply to have experts review your case. These experts are called a Review Board.



Resources

Criminal Injuries Counselling Program

- ▶ 1-888-470-0773

General health services

- ▶ Health Link: 811
- ▶ Help for Hearing impaired: 711

NS Child Victim/Witness Services

- ▶ 1-888-470-0773

NS Victim Services (adult)

See https://novascotia.ca/just/victim_services/contact.asp for contact information for your regional Victim Services office.

NS Legal Aid

Halifax Region (Youth Justice Office)

- ▶ (902) 420-7800
 - ▶ Email: hfxyouth@nslegalaid.ca
- In person: Suite 401, 5475 Spring Garden Road, Halifax.

Outside Halifax Region

- ▶ [Local Nova Scotia Legal Aid Offices](#)

MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH

IWK Health Centre

- ▶ 1-855-922-1122
- ▶ iwk.nshealth.ca/mental-health

You can also ask your doctor, other health care professionals, or community agencies familiar with your concerns to refer you to the IWK.

Healthy Minds Cooperative

- ▶ (902) 404-3504

Mental Health Mobile Crisis Team (offers telephone support province-wide)

- ▶ (902) 429-8167
- ▶ Toll-free: 1-888-429-8167

Provincial Mental Health and Addictions

- ▶ mha.nshealth.ca/en
- ▶ Crisis line: 1-888-429-8167

Self Help Connection

- ▶ (902) 466-2601

SEXUAL ASSAULT CENTRES

Avalon Sexual Assault Centre

- ▶ Halifax: (902) 422-4240
- ▶ Crisis line: (902) 425-0122

Colchester Sexual Assault Centre

- ▶ Truro: (902) 897-4366

SEXUAL HEALTH SERVICES

- ▶ Amherst Sexual Health Centre: (902) 667-7500
- ▶ Bridgewater Sexual Health Centre: (902) 527-2868
- ▶ Cape Breton Centre for Sexual Health: (902) 539-5158
- ▶ Halifax Sexual Health Centre: (902) 455-9656
- ▶ IWK Health Centre: Women's Clinic: (902) 470-8888
- ▶ Pictou County Centre for Sexual Health: (902) 695-3366
- ▶ Sheet Harbour Sexual Health Centre: (902) 885-2789
- ▶ Yarmouth Centre for Sexual Health: (902) 742-0085

Healthy Relationships



Relationships

In good, healthy relationships, you can trust each other and talk about anything. You can disagree without hurting each other. And you always make sure your partner consents to any kind of sex.

Sometimes, a relationship isn't healthy. In this section, you can learn how Canada's laws try to protect people in unhealthy friendships and romantic relationships.

FAKE FRIENDS

Healthy friendships give us so much: People to hang out with. Someone who listens to you and supports you. A feeling that you belong. Having friends helps us learn to get along with others and to solve problems without drama.

Unhealthy friendships may make you feel bad about yourself. Fake friends might lead you to do things that make you feel guilty or that get you in trouble—at school, with your parents or teachers, or with the law. A friendship may be “toxic” if your “friend” puts you down, pressures you, leaves you out, or is mean when you're together or on social media.

If a friend's actions make you feel bad or if you are acting in ways you want to change, think about it. If you want to talk to your friend but think it will start an argument, you can ask someone else to help. Someone who is not involved in the argument can help you see both sides and understand each other better.

Here are some other things you can do.



A healthy friendship supports you.

- ▶ Tell your friend how their actions made you feel.
- ▶ Use language that won't feel judgmental (for example, you could ask "What happened?" instead of "Why did you do that?")
- ▶ Apologize if you are wrong.
- ▶ Listen without interrupting.
- ▶ Think about how your actions affect others.
- ▶ Fix your mistakes if you can (for example, replace things if you damage them).

Sometimes you can't have a healthy relationship if the other person keeps treating you badly. You might want to end that "friendship." It can be hard to end a difficult friendship, but making a plan can help.

A plan might include:

- ▶ trying new hobbies
- ▶ meeting new people through a sport or activity
- ▶ thinking about how you will answer questions about what happened (it's ok to say "I just wanted to try something new" or "I've been really busy lately")
- ▶ talking to other friends, a trusted adult, or a therapist about your feelings
- ▶ thinking about how to manage changes in your social circle



"I just wanted to try something new!"

If you see signs of abuse in a friend's life or relationships – like bruises, isolation, sadness, depression, or falling grades – offer your support. This might mean listening without judging, reminding your friend that no one deserves to be treated badly, or helping them talk to a trusted adult.

BAD ROMANCE

Sometimes a friendship turns into a crush. It's totally normal to want some kind of relationship and it's also normal not to be in a relationship.

If a crush grows into hanging out or dating, you have the right to be in a healthy, safe relationship.

But sometimes a relationship can be bad for you. If your crush treats you badly, that's called abuse.

Abuse can be sexual, emotional, or physical. Here are some examples:

- ▶ Your partner (your bf or gf or crush) keeps you away from family and friends.
- ▶ Your partner calls you names or spreads rumours.
- ▶ Your partner is possessive or jealous.
- ▶ Your partner touches you in ways you don't like or consent to.
- ▶ Your partner pressures you to go further sexually than you are comfortable with.

If someone treats you in a way that makes you uncomfortable, you have the right to say “no.”

An abusive partner may try to make you think their actions are your fault. This is not true. In Canada, the law says that everyone has the right not to be harmed, no matter how they dress or act, or whether they were under the influence of drugs or alcohol.

If you are uncomfortable with how a romantic partner treats you, you can do something about it.

- ▶ Go to a safe place or call 911 if you are in danger now.
- ▶ Tell a friend or trusted adult.
- ▶ Talk to a guidance counsellor, psychologist, doctor, nurse or other health care professional.
- ▶ Think about calling the police if you have been physically or sexually assaulted.
- ▶ Go to a doctor or emergency room if you have been sexually assaulted.
- ▶ Remember that you have the right to break up with someone who does not treat you well.
- ▶ Know that using drugs or alcohol may make it hard for you to deal with a dangerous situation.



CONSENTING TO SEX

If you're thinking about sex, think about consent because that's a huge part of sex. Everyone taking part needs to be good with exactly what you are doing and how long you do it. Consent is so important that it's a crime to try to have sex with someone who has not consented. That's the law in Canada and many other countries.

The law talks about how old you and your partner should be if you're having sex. In Canada you have to be 16 to consent to any sexual activity. This includes kissing, touching, sending sexual messages, pictures or videos, and sexual intercourse.

There are two exceptions to this law about age and sex:

- ▶ **A 14- or 15-year-old can consent to sex if their partner is less than 5 years older. This means that if the partner is 5 years older (or more) than the 14- or 15-year-old, any kind of sex is a crime.**
- ▶ **A 12- or 13-year-old can only consent to sex with a partner who is less than 2 years older. This means that if the partner is 2 years older (or more) than the 12- or 13-year-old, any kind of sex is a crime.**

Sex of any kind is never okay if the older person is a teacher, coach, babysitter, relative, or your boss. In these relationships, one person has power over the other. They are called "relationships of trust, authority, or dependency." Even if your babysitter is 14 and you are 13, they are in a position of trust and authority and it's wrong for them to try to have sex with you. In fact, it's against the law.

You should also know about exploitation. When you're a teenager, you start to see the world in new ways. You see things you didn't notice as a kid. New things to do, new places to go, new people to meet. Older people know this and some will use this knowledge to get things they want. It could be things you wouldn't want to give them if you really understood what it could mean. This is called "exploitation." It means taking advantage of someone's trust or lack of knowledge. Some exploitation is against the law. In a court case, a judge would think about

- ▶ the young person's age
- ▶ the age difference between the young person and their partner
- ▶ how the relationship developed (for example: quickly, secretly, or over the internet)
- ▶ whether the partner may have controlled or influenced the young person

This all sounds a bit scary, but most relationships don't turn out this way. Your friends are usually good to you. Your teachers and coaches nearly always just want the best for you and don't want anything in return. Your crush might not work out, but most people don't abuse others. However, now if something does go wrong, you will see what is happening and be ready to deal with it.

Resources

HELP LINES

Call 211

- ▶ Women's Help Line
- ▶ Men's Help Line
- ▶ All Genders Help Line

VIOLENCE PREVENTION RESOURCES

- ▶ [Native Women's Association of Canada](#)
- ▶ [Nova Scotia Domestic Violence Resource Centre](#)
- ▶ [Offering Support to Someone Who is Abused](#)
- ▶ [Promoting Relationships & Eliminating Violence Network \(PREVNet\)](#)
- ▶ [Men's Intervention Programs](#): Help for men who have been violent with partners and want to change.

SEXUAL ASSAULT CENTRES

Avalon Sexual Assault Centre

- ▶ Halifax: (902) 422-4240
- ▶ Crisis line: (902) 425-0122

Colchester Sexual Assault Centre

- ▶ Truro: (902) 897-4366

Cyberbullying and online abuse



Cyberbullying and online abuse

This section talks about bullying and sharing pictures that should be private. It tells you what Canada's laws say and what you can do about cyberbullying, bullying at school, and private pictures or videos. It also talks about people trying to force other people to do sexual things they wouldn't normally do, which is called "sexual exploitation."

WHAT IS CYBERBULLYING?

Cyberbullying is bullying where the meanness happens online or in email, text messages, online chat, or social media. It can make you feel really bad. The person might be doing it to hurt or scare you, or they might not care how you feel about it.

Cyberbullying can look like a lot of things. For example:

- ▶ creating a website, blog, poll or profile to make fun of someone
- ▶ sending mean, rude or threatening messages
- ▶ pretending to be someone or hacking their email or social media account
- ▶ tricking someone into giving personal or embarrassing information and then sharing it with others
- ▶ spreading rumours, secrets or gossip about another person through email, texts or social media
- ▶ sharing a private, intimate picture or video of someone or posting it online without their consent.

Cyberbullying can also include encouraging or forcing someone else to do these things.

What the law says

It is against the law to cyberbully someone. Nova Scotia has a law about cyberbullying, and the Criminal Code also talks about it. This means cyberbullying can be a crime and someone could have to go to court for doing it. In really bad cases, they could go to jail. Another Nova Scotia law says people can't lie about you to try to ruin your reputation.

What you can do

If someone is bullying you online, you can do something about it.

- ▶ Talk with police to find out if they might charge the person with a crime.
- ▶ Apply for a cyber-protection order or a peace bond if you are afraid for your safety. You can learn more about these below.
- ▶ Talk with a lawyer if someone is telling lies to make you look bad.
- ▶ Talk with someone at Nova Scotia's CyberScan Unit to learn more about your legal options. Read more about CyberScan below.

A cyber-protection order is when a judge makes someone:

- ▶ stop sharing an intimate image or sending bullying messages
- ▶ take down a post
- ▶ make the bully take part in negotiation or mediation
- ▶ give you money, called damages.

A peace bond is a court order that can help when a person threatens or hurts you or damages things you own. Even if the person tried to threaten or harm you, you might be able to get a peace bond. The court asks the person to stop their behaviour and to stay away from you. This person is called the defendant. If the defendant does not agree, the court may order them to not call, text, or contact you in any way.

CyberScan is a free service offered by the government of Nova Scotia to help people who face cyberbullying. CyberScan staff can talk with the person who is bullying you to try to sort out the problem. They talk to the person, give advice, negotiate and mediate between the two of you. You don't have to take part if you don't want to. (The bully also doesn't have to take part, but then the police might charge them with a crime.) CyberScan can also answer your questions about the Nova Scotia justice system.

WE HAVE A
CYBER-PROTECTION
ORDER. YOU HAVE
TO TAKE DOWN
THAT POST!



AT WORK OR AT SCHOOL

Schools and workplaces must be safe environments for students and employees. This means a school might punish a student for the way they act in person or online.

What the law says

In Nova Scotia, a principal may suspend a student if they believe that the student is cyberbullying others. The principal can do this even if the cyberbullying happens off school grounds.

What you can do

If you feel harassed at school, tell a counsellor, teacher, principal, or vice-principal.

If you feel harassed at work, tell your supervisor. You can also ask someone you trust about your employer's harassment policy.

You could sue a school or employer that does not do everything it can to provide a safe environment.

Kids at Keisha's school were sharing a picture that looked like Keisha was having sex with someone. Keisha told their principal, but the principal said it had nothing to do with the school. But a lot of students saw the picture, and they sent Keisha mean messages and said things that hurt so much, Keisha had to change schools. Keisha's parents talked to a lawyer to see if they could sue the student who first shared the picture and the school for not protecting Keisha. They also called Nova Scotia's CyberScan Unit to find out what else they could do to stop the picture being shared. Her parents didn't want the picture to be shared at the new school.



INTIMATE IMAGES AND THE LAW

It is a crime to take a picture or video of anyone who is naked or taking part in sexual activity if they don't know or don't consent. This is true no matter how old the person is. But if they're under 18, it might be child pornography.

When one person records people in this kind of private moment, they must be careful about the image. Sharing an image or video like that can hurt a person in ways you don't expect.

What the law says

The Criminal Code says an intimate image is a recording that shows someone's breasts, genitals, or anal region for a sexual purpose. Or it could be an image that shows someone doing something sexual, or who is naked.

An intimate image is legal only when ALL of the following things are true.

- ▶ everyone in the image is over 18
- ▶ everyone gives their consent to any sexual activity shown in the image
- ▶ everyone in the image consents to having the image taken and shared.

If any of these things is not true, like if the person thinks the image will be private, then sharing it is a crime in Canada. If someone in the image is under 18, the image might be child pornography, which is another crime in Canada.

What you can do

If you send intimate images to someone or post them online, you may want to think about how to hide your identity. Some people call this "safer sexting." This means not showing your face or tattoos or other markings people might recognize.

Use passwords on all accounts and devices. Keep your passwords private, especially if the accounts hold private photos or conversations.

If someone takes an intimate image of you or shares one without your consent, tell someone you trust. This could be a family member, a school counsellor, or a youth worker in your community. Ask them to help you get help from a victim services worker or the police, for example.

Save messages, texts, and videos that people send you, even if you are embarrassed. You may need to show them to police if a crime has been committed.

If you don't feel comfortable going to the police, find a community organization that helps people. You can find a list at the end of this section.



Remember, it's not your fault if someone is taking advantage of you, and you can get help. Even if you are embarrassed or feel like you've made mistakes, it will be better if you get help from experts and from people who care about you.

SEXUAL EXPLOITATION

Sexual exploitation is when a person takes advantage of you for sexual purposes. It often starts with the person getting you to trust them. They may ask you about your home life, interests or other topics that seem harmless. They may try to be friendly and make you feel comfortable. They may try to get your parents to trust them. Then they may use that trust to control you. If a person gains your trust to use you later for sex, that's called "grooming." It can happen online or in real life, and it is a crime.

Online, a new friendship becomes exploitation if the person says something sexual that makes you uncomfortable. Or they might send intimate images or ask you to send them. You can block that person on social media and delete their contact information. You can also report the person to whatever social media platform you are using to talk with the person.

In person, an adult you trust or who has power over you may abuse the relationship or trust for a sexual purpose. The adult could be a teacher, coach, or family member. They might sexually touch you or invite you to sexually touch someone else, or to send or receive intimate images.

Sometimes a person uses threats to make you do what they want. This is called "extortion." For example, someone might say they will share your personal information or photos to force you to do what they want. Extortion is also a crime.



Resources

911

Phone 911 if you're in immediate danger.

You can also phone 911 to report online harassment and abuse.

CyberTip

Canada's national tipline for reporting online sexual exploitation of children

CyberScan

▶ 1-855-702-8324

Get Cyber Safe

Learn about steps you can take to be safe online.

Just the facts: Cyberbullying

Cyberbullying information from the RCMP

Mental Health Mobile Crisis Team

▶ 1-888-429-8167

NeedHelpNow.ca

NeedHelpNow.ca helps teens stop the spread of sexual pictures or videos and provides support along the way.

Promoting Relationships & Eliminating Violence Network (PREVNet)

Public Safety Canada - Cyberbullying for Youth

Family Law



Family law

Family laws protect children and teens, as well as setting out rules for things like divorce and child support. They deal with things like:

- ▶ where a child will live
- ▶ who will support a child financially
- ▶ what happens when parents or caregivers don't agree

In Nova Scotia, the law says a person is a child when they are younger than 19 years old. The law refers to all children and teenagers as “children” or “minors.” All minors have the right to be safe and cared for no matter who they live with.

Sometimes the government will get involved in a child's or a teen's life. If they are in danger, or if their parents or guardians can't look after them, Child Welfare Services may get involved. This is often called child protection, and you can read more about it in Chapter 5.

DECISION-MAKING RESPONSIBILITY AND PARENTING TIME

When parents have a child together but are parenting their child separately family law rules help make important decisions. Those rules also help when grandparents or guardians are caring for a child. Grandparents, step-parents, and other important people in a child's life may ask a court to give them decision-making responsibility for a child or contact with a child.

When parents, grandparents, or guardians make decisions about children, they have to base their decisions on what is best for the child. If parents or caregivers can't agree on what is best, a judge will decide. Things a judge will think about are:

- ▶ the child's physical, emotional and mental well-being
- ▶ relationships with parents, siblings, grandparents, and other important people in their lives
- ▶ what the child wants
- ▶ cultural and spiritual background, including Indigenous upbringing and heritage

There is no set age when a child gets to decide who they will live with. A judge will think about what is best for each child in each situation.

Nova Scotia Legal Aid can help youth aged 12-18 if your parents or guardians disagree about a decision and you have questions or want a voice.

VOICE OF THE CHILD

A Voice of the Child report is one way courts give children and teens a chance to be heard in family law cases. A professional therapist or social worker interviews the child or teen and writes the report. The report tells the court about the child's views on any parenting issues.

Children and teens don't make decisions about parenting arrangements. But the report lets them share their views and talk about their worries, concerns and experiences. This helps the judge make a decision that is best for them.



CHILD SUPPORT

Child support is the money one parent or caregiver pays to another for a minor's living expenses. In Nova Scotia, child support is paid until the minor turns 19. The parent might also pay support after the teen turns 19 if they have special needs or are still in school. School includes college or university. The amount of child support depends on how much money the paying parent earns.

One adult pays child support to another, but the money is to look after the child. If one parent or caregiver refuses to help support a child, the other adult can ask a judge for a court order.

YOUNG PARENTS

Unmarried parents or parents who don't live together can decide together what their plan is to care for their child. If a pregnant person doesn't want the other parent in their life, that is their decision to make. After the baby is born, the other parent has a right to be in the baby's life.

Both parents have a responsibility to support their child. They both also have a right to be involved in the child's life. If the parents can't agree on this, they can ask a judge to decide on a parenting plan.

If you are a young parent and need financial help, you can ask the Department of Community Services (DCS) for help. Tell the caseworker you speak to that you want to apply for Income Assistance. They will ask you questions about your situation. Have these things with you when you make the call:

- ▶ bank statements for your account
- ▶ your Social Insurance Number (SIN)
- ▶ any other information that can help the caseworker understand your situation

Contact information for DCS is in the Resources section at the end of this chapter.

When a baby is born, the baby's last name can be the same as either parent, or a combination of both last names. The parent who gives birth can also choose not to put the other parent's name on the birth certificate. If the other parent disagrees with this choice, they can ask a court to change it. A same-sex partner can be put down as the baby's parent. If you ask together, the baby's last name can be the same as your same-sex partner's last name.

If you have an unplanned pregnancy and don't want to raise a child, you can think about abortion or adoption. You can read more about abortion in Chapter 1, The Law and Your Health.

ADOPTION

In Nova Scotia, if someone wants to adopt a child, they must have permission from both of the child's parents or legal guardians. If someone wants to adopt a teen who is 12 or older, or to change the teen's last name, the teen gets to decide if they agree.

Example: Dee is 14 years old. They live with their mom and their mom's partner, Lana. Their father lives in another province. They don't see him much, but he pays child support and sends Dee a birthday present each year. Dee's mom and partner are getting married, and Lana wants to adopt Dee. Dee's mom asks their dad if he will agree to the adoption. He says yes, so Dee's mom and Lana get a lawyer to send him court forms to sign. Dee also speaks with the lawyer to say they agree to the adoption. They decide that they are happy to be adopted by Lana, but they don't want to change their last name to match Lana's.

The only time a parent or guardian's permission is not needed for adoption is if they have had no contact with the child for the past two years or more.



FAMILY VIOLENCE

Many people think of physical abuse when they think of family violence, but family violence includes mental or emotional abuse, sexual abuse, and controlling behaviour. In Canada, family violence also means if children see other family members being abused.

Everyone has the duty to report child abuse, even possible abuse. Anyone can report and they can report without giving their name. Once someone reports abuse, child protection staff decide if they need to investigate.



If family violence is part of your life, you can get help from:

- ▶ a teacher, guidance counselor, or Schools Plus worker
- ▶ trusted adults, like an aunt/uncle or a friend's parents
- ▶ multicultural or newcomer centres, like the Immigrant Services Association of NS (ISANS)
- ▶ a healthcare professional
- ▶ police
- ▶ a religious leader, like your imam, priest, or rabbi
- ▶ an elder in your community

Resources

Child Protection (if a child is in danger of abuse)

- ▶ 1-877-424-1177 (between 8:30 am and 4:30 pm on weekdays)
- ▶ 1-866-922-2434 (between 4:30 pm and 8:30 am on weekdays and weekends or holidays)
- ▶ 211

For help finding services in your area

- ▶ ns.211.ca
- ▶ 211 (text)
- ▶ 711 (Bell Relay Service)
- ▶ 1-855-466-4994 (toll-free)

BGC Canada: safe, supportive places where children and youth can experience new opportunities, overcome barriers, build positive relationships, and develop confidence and skills for life.

- ▶ www.bgccan.com/en/find-your-club/

Department of Community Services - Income Assistance

- ▶ 1-877-424-1177 (8:30am to 4:30pm on weekdays)
- ▶ Evening hours: Tuesday to Thursday 4:30pm to 7:00pm.

Mi'kmaq Legal Support Network

- ▶ 1-877-379-2042

NS Department of Community Services

- ▶ novascotia.ca/coms/families/index.html
- ▶ 1-877-424-1177

NS Education and Early Childhood Development - African Canadian Services

- ▶ 902-424-3151

NS Legal Aid

Halifax Region (Youth Justice Office)

- ▶ (902) 420-7800
- ▶ Email: hfxyouth@nslegalaid.ca
- ▶ In person: Suite 401, 5475 Spring Garden Road, Halifax.

Outside Halifax Region

- ▶ [Local Nova Scotia Legal Aid Offices](#)

The Youth Project

For general inquiries and support sessions:

- ▶ carmel@youthproject.ns.ca
- ▶ (902) 429-5429

The Valley Youth Project

- ▶ valleyyouthproject@gmail.com

Trans Family Nova Scotia

- ▶ facebook.com/groups/transfamilynovascotia/

Youth Text Line at Legal Information Society of NS

- ▶ Text: (902) 510-5646

Child Welfare Services and Child Protection



Child Welfare Services and Child Protection

Child Welfare Services are government offices that help make sure children and youth are safe and cared for properly. This includes:

- ▶ supporting families that need help raising their children
- ▶ investigating reports of abuse or neglect
- ▶ supporting children in care, like foster care or adoption

In Nova Scotia, child protection services are to help anyone under 19 who needs protection.

Everyone has a duty to report any possible abuse or neglect of a child. You can report without giving your name (anonymously) by calling a Child Welfare Services office near where the child lives.

You can see the full list of Child Welfare Services offices here:

<https://novascotia.ca/coms/departments/contact/ChildWelfareServices.html>

WHAT HAPPENS WHEN SOMEONE REPORTS ABUSE OR NEGLECT?

When someone reports possible abuse or neglect, a social worker checks to see if a child or youth needs help. They might talk to the child and their friends, family, and teachers. They might also get medical help or counseling for the child. The social worker can also help parents or caregivers learn how to look after their children properly.

If a caregiver can't look after a child, the social worker might ask a judge to decide what is best for the child. The judge might say the child should live somewhere else. This might be with other family members, with a foster parent, or in a group home. Children will live with family members or community members whenever possible.

Youth who need more help than a family member or foster parent can provide may stay at a group home. This is a place where more than one youth - usually teens - live together with adult supervision. The group home will help youth set goals, finish school, learn life skills, and get mental health support.

A social worker will give you a schedule that shows when and where you can visit your parent or caregiver. Each visit is for a set time, such as from 3 p.m. to 4 p.m. Visits might have to be in a certain place or be supervised by the social worker.



WHAT HAPPENS NEXT?

If the social worker and your parent or caregiver can't agree on where you should live or how often visits will happen, a judge will decide. If you are staying with family, a foster parent, or in a group home, the judge will look at your case after 30 days to see how you are doing. They might decide that your parent or caregiver is able to look after you again. They might also decide that it is better for you to stay where you are.

If your social worker still thinks your parent or caregiver can't look after you, the judge will look at your case again in three months. The judge will decide what help you and your parents or caregiver need and where you will live for the next year.

If you have been living somewhere else for a year and your parent or caregiver is still not able to look after you, the judge might order "permanent care and custody." This means that you will not go back to living with your parent or caregiver. Instead, you might live with a family member permanently or be adopted by another family.

If you are older than 12, you can't be adopted without your agreement.

YOUR CULTURE IS IMPORTANT

A social worker will create a "cultural connection plan" for all children and youth in permanent care. This means that steps are taken to make sure you have a connection to your racial and cultural community, religion, and language. This could include things like attending powwows, going to a French language school, or carrying out African Nova Scotian traditions.



INFORMATION FOR YOUNG PARENTS

If you are under 19 years old and you have a child, you still have the right to see your child, even if they are living somewhere else. If you can't look after your child on your own, a social worker can help you with parenting classes and financial support. You and your child might need to live with another adult who can help you. This might be your own parent or another family member, or a foster parent.

For more information about what happens when your child is taken into care, or if you have to go to court, you can read this brochure: [“What you need to know when Child Protection takes your children into care”](#).

Nova Scotia Legal Aid offers one-hour appointments to parents who need advice when they are involved with Child Protection.



Resources

Call Child Welfare Services right away if you think a child is in danger of abuse.

Weekdays, 8:30 a.m. - 4:30 p.m.:

- ▶ 1-877-424-1177

Evenings (4:30 p.m. - 8:30 a.m.), weekends, holidays:

- ▶ 1-866-922-2434

For children and families living in Mi'kmaw communities, contact Mi'kmaw Family and Children's Services 24/7:

- ▶ 1-800-263-8686 (mainland)
- ▶ 1-800-263-8300 (Cape Breton)

Black Youth Helpline

Every day, 9 a.m. - 10 p.m.

- ▶ 1-833-294-8650
- ▶ info@blackyouth.ca

Child Protection Early Legal Advice

1-866-420-3450

Nova Scotia Youth Outreach Program

Support for youth who are at risk of being subjected to or perpetrating sexual violence, and who are in temporary or permanent care

- ▶ <https://novascotia.ca/coms/families/prevention-and-early-intervention/youth-outreach-program.html>

Your rights at school



Your rights at school

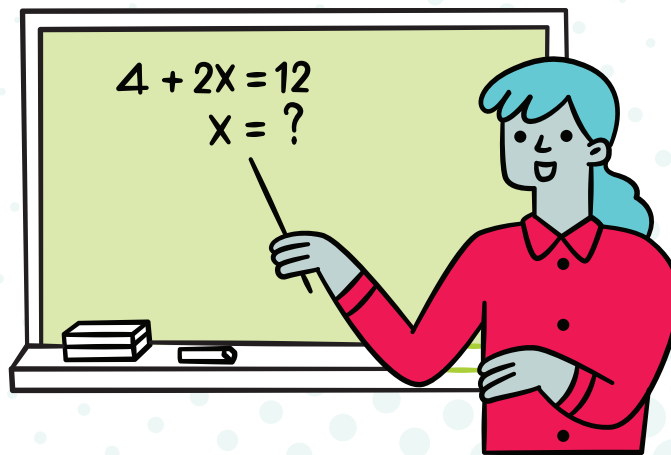
If you go to a public school in Nova Scotia, you have rights. You also have responsibilities to school staff and other students. This includes

- ▶ respecting the rights of others
- ▶ avoiding all types of violence or racism
- ▶ following school rules

At the end of this section is a list of places you can go for help, called Resources.

Nova Scotia's **Provincial School Code of Conduct Policy** is for all public schools in Nova Scotia. Your school might also have more rules and its own code of conduct. You can look at your school's Code of Conduct or Student Handbook to see what rules you have to follow.

Everyone between ages 5 and 16 has to go to school in Nova Scotia. If your parents or guardian teach you at home, they have to follow certain guidelines and courses.



EDUCATION IS A HUMAN RIGHT

Everyone has the right to feel safe at school. This includes physical, mental, and emotional safety. No school can discriminate against you because of race, religion, gender identity, mental illness, or disability. That's against the law.

Students have the right to the support they need at school. Some examples of things your school has to provide are:

- ▶ classrooms, hallways, and washrooms everyone can use
- ▶ a classroom support person for students who need extra help
- ▶ learning materials that respect Mi'kmaq and African Nova Scotian history
- ▶ classes and technology that help students with learning disabilities succeed

SEARCHES AT SCHOOL

If you are at school or a school event and a teacher, vice principal, or principal thinks you have broken a school rule, they can search you or your things. They have to believe that a search will help them find out the truth. And they have to have a good reason to believe it.

That reason might be information they get from other students or from a teacher or staff person. This could include things like:

- ▶ seeing or hearing something that makes them think you have broken a school rule
- ▶ smelling drugs or alcohol on you or your things
- ▶ someone saying they saw a weapon in your bag or your locker

You have a right not to be searched without a reason. They can't search your clothes or pockets, your backpack, or your locker.

You do not have to take off your clothes to be searched, but you might be asked to take off your shoes or a sweater or jacket. If they are searching your clothes, it should be in private and the person doing the search should be someone who identifies as the same gender as you.

DISCIPLINE AT SCHOOL

If you break school rules, you might lose privileges like going to dances or sports games. You might also get detention or be suspended from classes if your behaviour makes it harder for the teacher to teach or for students to learn or if it could harm someone else or damage school property.

Schools are not allowed to punish you by:

- ▶ slapping or hitting you
- ▶ punishing a whole group
- ▶ taking you out of a course for not going to class
- ▶ lowering your mark or grade
- ▶ giving you extra school work

SUSPENSION AND EXPULSION

Breaking school rules can get you suspended, even if it's outside of school hours, say if you are at a school event, like a dance or sports game. You can also be suspended for breaking rules if you are on or beside school property, like at a school bus stop or on a school bus.

You can also be suspended if you are not on school property or at a school event if the way you are acting could hurt another student or a staff person. This can include things like cyberbullying or fighting.

A vice principal or principal can suspend you for up to 10 days. They have to give you a written reason for being suspended. If you don't think you should have been suspended, you or your parent or guardian can ask the school board or regional education centre to look at your suspension. They must do it within 5 days of when you get the written reason for being suspended.

You can't be expelled or suspended for more than 10 days without the school board or regional centre for education agreeing in writing. If this happens, they have to help you find other ways to continue your education.

You can read more about what you can do if you are suspended or expelled [here](#).



Resources

A Place to Belong

Positive, after-school experience for youth aged 5-16

- ▶ novascotia.ca/coms/families/prevention-and-early-intervention/a-place-to-belong.html

Autism Nova Scotia

- ▶ 1-877-544-4495

Child and Youth Programs

- ▶ www.autismnovascotia.ca/programs-services/children-and-youth

Family Resource Centres

- ▶ Search for a centre in your area at novascotia.ca/coms/families/prevention-and-early-intervention/family-resource-centres.html

Halifax Public Libraries

Programs, safe space, technology, and learning support for children, youth, and families

- ▶ www.halifaxpubliclibraries.ca

LOVE Nova Scotia

Youth programs and one-on-one support

- ▶ www.lovenovascotia.ca

Native Council of Nova Scotia Education and Student Services

- ▶ Toll free: 1-800-565-4372
- ▶ Direct: (902) 895-1523
- ▶ Email: education@ncns.ca
- ▶ Website: www.ncns.ca

NS Human Rights Commission

Help solving disagreements or filing a complaint about discrimination

- ▶ 1-877-269-7699
- ▶ humanrights.novascotia.ca/contact-us

NS Youth Outreach Program

Support for youth who are at risk of experiencing or committing sexual violence and who are in temporary or permanent care

- ▶ novascotia.ca/coms/families/prevention-and-early-intervention/youth-outreach-program.html

Phoenix Youth Programs

Supporting youth aged 11-21

- ▶ phoenixyouth.ca/who-we-are

RiseUp

Text service for Black youth powered by Kids Help Phone

- ▶ Text RISE to 686868

SchoolsPlus

Mentoring, homework clubs, mental health support, food support, youth groups, and more

- ▶ [List of participating schools](#)

The Youth Project

Support and resources for lesbian, gay, bisexual and transgender youth

- ▶ (902) 429-5429
- ▶ carmel@youthproject.ns.ca

Moving out



Moving out

There are many reasons you might not want to live at home with your parents or guardians. Maybe you don't get along with them or you don't agree about friends, politics, or social issues. If you are over 19, you are considered an adult in Nova Scotia. This means you don't need anyone's permission to live on your own.

If you are under 16, you need permission from a parent or guardian to live with someone else. Some children and teens live with other family members, or with a friend's family, when they have trouble getting along with their parents. Some live in group homes or foster care.

In movies or on TV, you might have heard the term "emancipation." This means asking a court to say you are an adult even if you are under 19. You should know that this is an American term, and we don't use it in Canadian law.

Toni's story

Toni and his dad have argued about everything since he was 15. Last month, an argument turned into a fist fight. Now at 16, Toni just needs to go. He can crash on a friend's couch for a few weeks, until he can make a plan and find a job. He calls 211 for help in figuring out what else to do. He's packed a backpack, got his identification and his phone. Now the hard part begins: starting life on his own...

SIGNING A LEASE

Contracts involving minors usually aren't legal. But if you are under 19, you can sign a contract for things that a person needs to survive, like food and shelter. These are called "necessities of life." Even though that's true, landlords are not always willing to rent to someone under 19. If you need a place to stay, look at the Resources section at the end of this chapter.

A landlord can ask you about how much money you make. They can also ask you to agree to a credit check and to give them references. This is to help make sure you can pay for the apartment and that you have paid your bills in the past.

When you sign a lease, you have to pay a security deposit to the landlord. The most this can be is half of 1 month's rent. The landlord has to hold onto it and give it back to you when you move out. If you cause damage to the property, they can apply to the Residential Tenancies Program to keep the money.



Landlords can't charge an application fee or pet fee, or charge extra if you have children. The lease will say whether you can have pets and what the rules are for living there. Some leases include power, water, and internet. These are called "utilities." Some leases don't include utilities. Make sure to ask what is included.

If you don't make enough money or you have bad credit, you might need to get a roommate or ask someone to co-sign the lease.

TENANCY BASICS

Being a tenant means that you pay rent to the owner of the place where you live. This could be an apartment, a mobile home, or a room in a house where you live with other people, and some people call it a "rental unit." Landlords and tenants both have rights and responsibilities.

The two most common types of leases in Nova Scotia are renewable leases (also called "periodic" leases) and fixed-term leases.

A renewable lease renews itself at the end of the time period you agree to live there, whether you have a monthly or yearly lease. This means the landlord can't make you move out unless

- ▶ you don't pay your rent
- ▶ you break the rules of your lease
- ▶ they need the unit for themselves or their family.

A landlord can only increase your rent 2% per year in Nova Scotia. In January 2024, this will go up to 5%.

A fixed-term lease means the lease won't renew. It is for a set period of time. The landlord doesn't have to agree to a new lease and they can make you move out at the end of the lease. Sometimes fixed-term leases are good for tenants and landlords. An example is when a student only needs an apartment from September to June because they move home in the summer.

Sometimes landlords use fixed-term leases to make sure they have more power than a tenant, or to get around the rent cap in Nova Scotia. An example of this is when a landlord will only agree to a fixed-term lease so they can rent the apartment to someone else for a lot more money after the lease ends.



YOUR RIGHTS AS A TENANT

As a tenant, you have the right to privacy and safety.

Your landlord must keep the apartment or room or house in good shape.

They also have to follow the **Residential Tenancies Act**. This is a law that says how a landlord must treat their tenants. For example, a landlord has to give you 24 hours' notice if they want to go into your apartment, or if a maintenance person needs to be there. The only time they don't have to give you notice is if there is an emergency that needs to be dealt with right away, like a flood.

Landlords can't discriminate against you because of gender, race, religion, disability, or family status. If a landlord discriminates against you, you can file a complaint with the Nova Scotia Human Rights Commission.

You can read more about your rights as a tenant [here](#).

If you have a problem with your landlord, you can ask the Residential Tenancies Board to decide what should happen. You can also apply to Nova Scotia Legal Aid or Dalhousie Legal Aid for legal help.

YOUR RESPONSIBILITIES AS A TENANT

As a tenant, you must

- ▶ pay your rent on time,
- ▶ tell your landlord right away of any problems
- ▶ not bother your neighbours with loud music, parties or by damaging their property.

You are responsible for fixing any damage you cause. This is why it is usually a good idea to get tenant's insurance. You can get this from an insurance company.

LIVING WITH ROOMMATES OR OTHER PEOPLE

If you sign a lease with someone else or you co-sign for someone who has bad credit, you are both responsible for everything in the lease. This means that if the other person damages the property, you might have to pay for the damage. If the other person doesn't pay their share of the rent or breaks the rules, the landlord can make both of you leave, called "eviction."

If someone lives with you and does not sign the lease, they are an "occupant." This means they are not legally responsible for paying rent or for what happens to the unit. You are responsible for their behaviour and the behaviour of any guests you have over. An occupant also does not have the same rights as a tenant and can be asked to leave at any time.



ENDING A LEASE

You can end your lease by giving written notice. It's called "notice to quit," and you have to give notice using the right form. [You can get tenancy forms here.](#)

If you have a month-to-month lease, you must tell your landlord you are leaving at least 1 full month before the end of any the month you plan to leave.

If you want to move out at the end of a year-to-year lease, you must give at least 3 full months' notice before the anniversary date. This means that if your lease was from January 1 to December 31, you need to give notice by September 30.

If you can't pay the rent or live in the unit because of health issues, you can give 1 months' notice. You will need to give your landlord information from a doctor about your health.

As a tenant you can choose to sublet your unit to someone else. This means you let someone else live there. To do it, you need permission from the landlord. The landlord can't refuse without a good reason. The landlord can ask the new person to fill out an application and there may be a fee to sublet. Since you signed the original lease, you are still responsible for the condition of the unit, and you must pay the rent to the landlord. The new person must follow the same rules of the lease and pay rent to you for the rest of the lease.

If you live with roommates and one person gives notice to end the lease, the lease ends for everyone who lives there. If you and the rest of your roommates want to stay, you can sign a new lease with your landlord.

SUPPORTING YOURSELF

To live on your own, you will need money to pay for rent, groceries, heat, and other things. You might have to get a job or apply to the government for Income Assistance (IA). IA helps you when you are not able to support yourself or your family. You may get money for your basic needs or help with other special needs. [There is more information about IA here.](#)



If you have children, the other parent might pay child support. You might also get the Canada Child Benefit and Nova Scotia Child Benefit. You don't need to apply for these benefits, but you do need to file a tax return so the government knows how much money you should get. If you have never filed a tax return before, you can get free help from volunteer programs. [You can find free tax clinics in your area here.](#)

You also need to get a social insurance number (a SIN) to get a job and file taxes. [You can apply for a SIN here.](#)

To get help finding a job, you can go to an employment support centre in your area. This is a free service that can help you write a resume, apply for jobs, and get ready for interviews. There are resources for finding a job at the end of this chapter.

WHERE TO GET HELP

Your parents or guardians have to support you until you turn 19. If you are living with family or friends, your parents might pay them child support. If you have children of your own and the other parent won't help support them, you can ask the court for help.

If you are thinking about going to court, you should get advice from a lawyer. Contact information for Nova Scotia Legal Aid is at the beginning of this book.

If you don't have a safe place to stay or you don't have enough to eat, you can go to a shelter or food bank. Community centres and church groups might also be able to help. Information about how to find support in your area is at the end of this chapter.

Resources

Emergency Shelter and Housing Index

- ▶ www.ementalhealth.ca/Nova-Scotia/Emergency-Shelter-and-Housing/index.php?m=heading&ID=19

Feed Nova Scotia

Use their website to find a food bank near you.

- ▶ www.feednovascotia.ca/find-food

Housing Nova Scotia

Call 211 for information about public housing.

Housing Toolkit

Information about housing in Pictou County

- ▶ <https://www.parl.ns.ca/projects/healthroom/pdf/PictouCountyHousingToolKit.pdf>

Immigrant Services Association of NS, Employment Services

- ▶ <https://isans.ca/find-employment/>

Nova Scotia Human Rights Commission

- ▶ <https://humanrights.novascotia.ca/contact-us>
- ▶ 1-902-424-4111
- ▶ Email: hrcinquiries@novascotia.ca

Nova Scotia Provincial Housing Agency

- ▶ <https://nspha.ca/services>

Nova Scotia Residential Tenancies Program

Contact Residential Tenancies by going to an Access NS location or calling 1-800-670-4357

Nova Scotia Works

Find an employment support centre near you.

- ▶ <https://novascotiaworks.ca/nsdc/contact-us>

Phoenix Centre for Youth

Phoenix Centre for Youth helps youth in their day-to-day lives with housing support, advocacy, crisis intervention, counseling, parenting support, referral to community and internal resources, health services, financial advocacy, food, clothing, shower and laundry facilities, computer and phone access.

- ▶ <https://phoenixyouth.ca/programs>
- ▶ 1-902-420-0676 or toll-free: 1-866-620-0676, Monday-Friday
- ▶ Email: pcf@phoenixyouth.ca

Shelter Nova Scotia

Use their website to find a shelter and services near you.

- ▶ www.shelternovascotia.com/contact

Transition House Association of Nova Scotia

Shelters for people facing abuse from a partner

- ▶ <https://thans.ca/our-shelters-2/>

Your rights at work



Your rights at work

No matter how old you are, you have rights at work. You have the right to work in a safe place and to be treated with respect. There are also laws about things like how much your boss has to pay you and when you get breaks. These laws are called the Labour Standards Code.

Your employer must not discriminate against you because of age, gender identity, race, religion, or any other status. They must also make changes you need to be an effective employee if their policies, rules, or environment have a negative effect on your mental or physical health. This is called “accommodating” an employee. Accommodating you might include things like changing your schedule or giving you time off.

At the end of this section is a list of places you can go for help, called Resources.

WORKING AS A MINOR

For some types of jobs, employers can only hire people who are 16 or older. These are:

- ▶ mining
- ▶ manufacturing
- ▶ construction
- ▶ forestry
- ▶ work in garages and automobile service stations
- ▶ work in hotels
- ▶ work in billiard rooms, pool rooms, bowling alleys or theatres

For some other jobs, you must be 19 or older. This includes jobs where you sell alcohol.

Workers under 14

It is against the law to hire someone under 14 to do work that:

- ▶ is likely to harm the child’s health or development
- ▶ is likely to keep the child out of school or make it hard to learn at school

It is also against the law to hire someone under 14 to work:

- ▶ in a restaurant
- ▶ for more than 8 hours a day
- ▶ for more than 3 hours on a school day unless the provincial government gives the employer a certificate to allow the child to work

- ▶ during any day when work time plus school time adds up to more than 8 hours
- ▶ after 10 p.m. and before 6 a.m.

Workers who are 14-15 years old

If you are 14 or 15, you can work in restaurants as long as:

- ▶ you are not operating cooking equipment
- ▶ your employer gives you safety training on all equipment
- ▶ Your employer supervises you properly

PAY AND BREAKS

Your employer has to pay you at least minimum wage. When the provincial government decides workers need more money to keep up with costs like food and shelter, they may increase the minimum wage. [You can find the current minimum wage for Nova Scotia here.](#)

Here is what the law says about breaks at work:

- ▶ If you work full time, you get at least one full day off every week.
- ▶ You must get a full-half hour break every 5 hours.
- ▶ If your shift is 12 hours or more, you get another 30 minutes in breaks. You can take this all at once as a half-hour break, or in two 15-minute breaks.
- ▶ If you need breaks at other times for medical reasons, your boss has to let you take them.

After you have been working at a job for a year, you get two weeks of vacation time. Your employer also has to set aside vacation pay for you. Vacation pay is 4% of whatever you earn before taxes. Your vacation pay can be paid in two ways:

- ▶ Your employer can set it aside for you and pay it at least one day before you take vacation time, or
- ▶ Your employer can add it to each cheque so you get at least minimum wage plus 4%

Many workplaces let workers choose when to take vacation, but your boss has the right to decide for you.



HOLIDAYS

There are six holidays in Nova Scotia that employers must give employees. Most workers get a paid day off on these days. The days are New Year's Day, Nova Scotia Heritage Day, Good Friday, Canada Day, Labour Day, and Christmas Day.

[You can read more about statutory holidays here.](#)

MATERNITY LEAVE, LEAVES OF ABSENCE & EMPLOYMENT INSURANCE

If you need time off work because of pregnancy, domestic violence, or an emergency, your employer has to let you take the time off. [You can read more about taking a leave from work here.](#)

If you lose your job or need to take a leave, you might be able to get employment insurance (EI). This is money the government gives people who can't work for some time. You can't get EI if you have been fired from your job for bad behaviour or if you quit without a good reason.

If you leave your job, apply for EI benefits as soon as you stop working. You can apply for benefits even if your boss hasn't given you your record of employment yet. You can apply for EI online or by going to a Service Canada location.

[Read more about EI or apply for EI here.](#)

PROBLEMS AT WORK

If you have a problem with a customer or coworker, a good first step is to talk to your manager. If you aren't sure what to do in a situation, you have the right to ask questions and get help at work. If you have an issue with your manager, you might need to talk to their supervisor or the Human Resources department.

Some people might think they can get away with bullying or taking advantage of younger workers. This is against the law. If someone makes you feel uncomfortable at work or you think your employer is not following the law about things like pay or breaks, talk to your manager.

If your manager can't or won't help you, you can file a complaint with the Nova Scotia Labour Standards Division. You must file your



complaint within six months.

If your employer or someone at work discriminates against you, you can file a complaint with the Nova Scotia Human Rights Commission.

If you see a safety issue at work or in a public place, you can report it to the Nova Scotia government's Safety Branch. You can make a report without your boss finding out it was you.

Contact information for these resources is in the section below.

Resources

Nova Scotia Human Rights Commission

- ▶ <https://humanrights.novascotia.ca/contact-us>
- ▶ 1-902-424-4111
- ▶ E-mail: hrcinquiries@novascotia.ca

Nova Scotia Labour Standards Division

- ▶ 1-888-315-0110
- ▶ LabourStandards@novascotia.ca

Nova Scotia Labour, Skills & Immigration – Safety Branch

- ▶ 1-902-424-5400
- ▶ Toll-free: 1-800-952-2687 (24 hours a day, 7 days a week)
- ▶ E-mail: ohsdivision@novascotia.ca

Nova Scotia Works

- ▶ [Find an employment support centre near you.](#)

Service Canada

- ▶ [Sign up for a Service Canada account to access Employment Insurance benefits.](#)
- ▶ [Find a Service Canada location near you.](#)

Human Rights



Human Rights

It is against the law to treat a person differently because of who they are. This is called discrimination. In Nova Scotia and the rest of Canada, the law says you can't be treated differently because of:

- ▶ age
- ▶ race
- ▶ religion
- ▶ where you were born
- ▶ gender
- ▶ sexual orientation
- ▶ disability or health issues
- ▶ family status or marital status
- ▶ how you make money
- ▶ your political beliefs

Everyone in Canada has rights, whether they were born here, moved here, or are visiting. The Canadian Charter of Rights and Freedoms says you have the right to:

- ▶ practice any religion
- ▶ speak your mind
- ▶ enter and leave Canada when you want to
- ▶ be treated fairly by the government
- ▶ be treated fairly at school, at work, and by the police

At the end of this section is a list of places you can go for help, called Resources.

LIMITS ON YOUR RIGHTS

Everyone has the right to say and do what they want in Canada, but there are some limits on this. You aren't allowed to break the law, and your behaviour can't hurt other people. An example of this is freedom of speech. The law says you can say what you think or believe, but you can't encourage someone to be violent or to discriminate against others.

"Hate speech" and "hate crimes" means attacking people because of things like race or religion. It might happen in person or online. If you are a victim of hate speech, you can report it to police or file a complaint with the Nova Scotia Human Rights Commission.

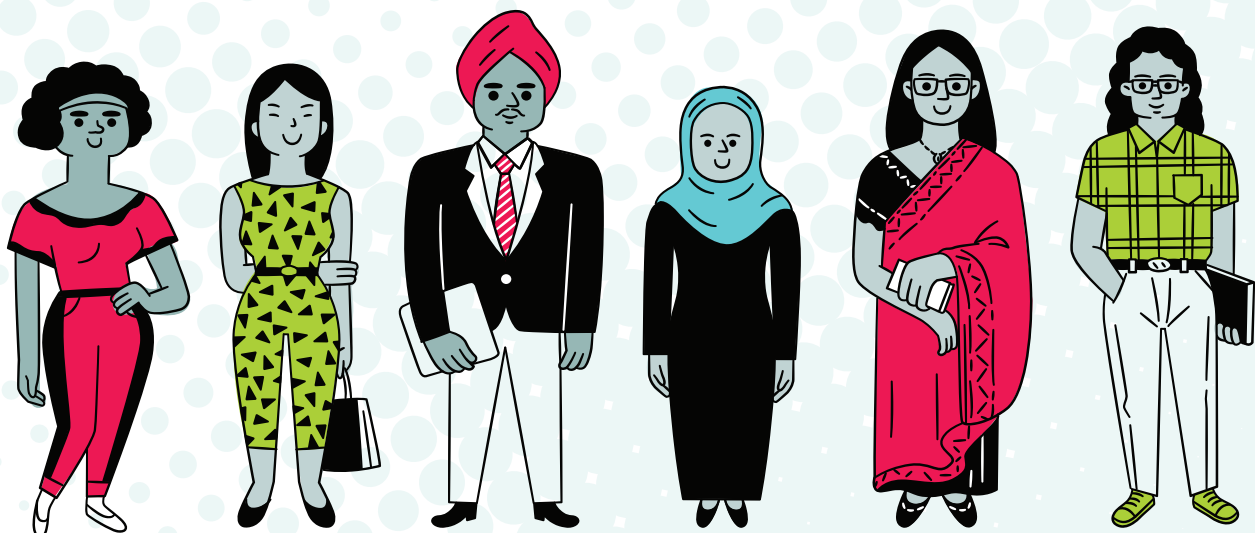
Some rights can also be put on hold if there is an emergency. If there is a forest fire or flood, the government can tell people not to travel until it is safe. The government can also tell people to do things that help protect everyone, like wearing a mask in public places during a pandemic.

WHAT TO DO IF SOMEONE DISCRIMINATES AGAINST YOU

Some examples of discrimination are:

- ▶ firing someone from a job because they are pregnant
- ▶ not renting an apartment to someone because they are gay or transgender
- ▶ racial profiling or street checks (police stopping someone because they aren't white)
- ▶ paying a woman less than a man who is doing the same job

If someone discriminates against you at school or at work, you can talk to a teacher or your manager. If someone in your apartment building is harassing you, you can tell your landlord. If that doesn't help, or if you don't have a safe person to talk to, you can think about filing a human rights complaint with the Nova Scotia Human Rights Commission. **You must file this complaint within one year.**



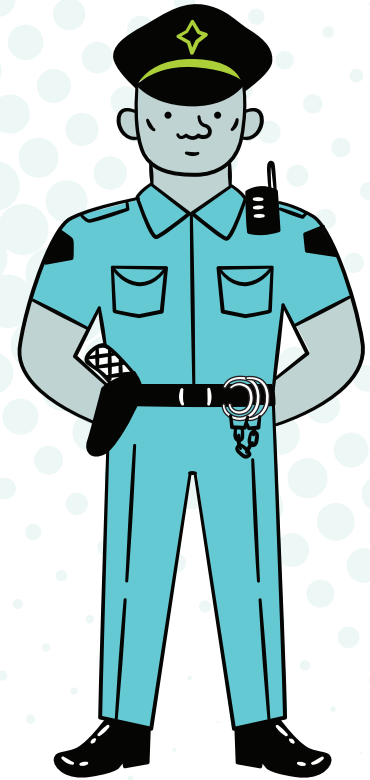
If someone is harassing you or discriminating against you online, you can get help from CyberScan. This is a free service offered by the government of Nova Scotia to help people who face cyberbullying. CyberScan staff can talk with the person who is bullying you to try to sort out the problem. They talk to the person, give advice, negotiate and mediate between the two of you. You don't have to take part if you don't want to. (The bully also doesn't have to take part, but then the police might charge them with a crime.) CyberScan can also answer your questions about the Nova Scotia justice system.

If someone makes you feel unsafe, you can report their behaviour to the police. You have the right to feel safe at all times, whether you are at home, at school or work, or in public.

WHAT IF THE POLICE DISCRIMINATE AGAINST ME?

If you think the police have stopped you, searched you, or arrested you because of discrimination, talk to a lawyer. You can also file a complaint against the police. There is a deadline of one year to file a complaint.

There is information about how to file a complaint against the police at the end of the section on Criminal Law.



WHAT HAPPENS WHEN YOU FILE A HUMAN RIGHTS COMPLAINT?

If you are under 19, you need a parent or guardian to submit a complaint for you.

When you file a complaint with the Nova Scotia Human Rights Commission, you fill out a form that asks:

- ▶ who you are
- ▶ who you are complaining about
- ▶ what happened
- ▶ why you think it was because of your personal characteristics

It is very important to keep copies of any online posts, texts, emails, photos, or videos that help tell your story or show what happened.

You and the other person will both have a chance to explain your versions of what happened. You might be asked to come to a meeting called a settlement meeting. This is a chance for you and the other person to agree on a solution.

If you can't agree, there might be a hearing, which is like a court trial. It's called a tribunal hearing. A tribunal member (who is like a judge) will hear your case. They will decide if there was discrimination or not. If there was discrimination, the tribunal will decide what happens next. This might include things like the other person giving you your job back if they fired you unfairly. They might also have to pay you money to make up for the harm they caused.

OTHER WAYS OF SOLVING HUMAN RIGHTS PROBLEMS

Sometimes people decide not to talk to the Human Rights Commission or the police, even if they experience discrimination. They might feel anxious, or might not want to think about what happened anymore.

If you experience discrimination and aren't sure what to do, some options are:

- ▶ talk to a trusted adult
- ▶ talk to a friend
- ▶ talk to a counsellor or therapist
- ▶ get advice from a lawyer
- ▶ think about talking to a reporter

Remember that it is never your fault if someone discriminates against you. It is up to you how you want to deal with what happened.



Resources

- ▶ [Read more about human rights law in Nova Scotia.](#)
- ▶ [Read more about children's rights in Canada.](#)

Canadian Human Rights Commission

- ▶ [Learn more about your rights in Canada.](#)

Canadian Museum for Human Rights

- ▶ [Learn about the history of human rights in Canada.](#)

Disability Rights Coalition of Nova Scotia

- ▶ [Read more about disability rights.](#)

Persons with Disabilities Resources: Rights & Legislation

A guide from the Nova Scotia Community College

Accessibility Nova Scotia

- ▶ <https://accessible.novascotia.ca>

African Nova Scotian Justice Institute

- ▶ www.ansji.ca

Human Rights Handbook for First Nations

Immigrant Services Association of Nova Scotia

- ▶ <https://isans.ca>

Inclusion Nova Scotia

Help for people with intellectual disabilities and their families.

- ▶ 1.844.469.1174
- ▶ inform@inclusionns.ca

Mi'kmaq Rights Initiative

- ▶ <https://mikmaqrights.com/#home>

Nova Scotia Human Rights Commission

- ▶ <https://humanrights.novascotia.ca/contact-us>
- ▶ 1-902-424-4111
- ▶ E-mail: hrcinquiries@novascotia.ca

Nova Scotia Rainbow Action Project

Helping 2SLGBTQIA+ people be included, valued, and celebrated.

- ▶ <https://nsrap.ca>

reachAbility

Help for people with disabilities. Monday–Friday, 8am–4pm

- ▶ Email: info@reachability.org
- ▶ (902) 429-5878

Criminal Law



Criminal Law

In Canada, a law called the Criminal Code says what behaviour is acceptable and what is actually a crime. The law applies to everyone. It says that if you are over 18 and you break the law, you will be treated like an adult. This can be confusing in Nova Scotia, where the law says that you have to be 19 for other things, like moving out or signing a contract.

At the end of this section is a list of places you can go for help, called Resources.

CRIME AND YOUTH

If you are 12 to 17 years old and police charge you with a crime, another law also applies to you. It is called the Youth Criminal Justice Act. This law says youth are different from adults in the courts in some ways.

- ▶ The justice system should help young people learn how to stay out of trouble and contribute to their community in a positive way.
- ▶ Young people have the same rights as adults. The police have to tell young people about their rights and explain what is happening to them.
- ▶ Young people don't go to the same court as adults. There is a special Youth Court. The judge in Youth Court will make sure young people get a lawyer.

GETTING STOPPED OR QUESTIONED BY POLICE

If police stop you and question you, you do not have to answer their questions. You do not have to tell them your name, but if they think you are guilty of a crime, they can arrest you until they find out who you are. If you lie about your name, you can be charged with "obstructing justice".

The police are allowed to search you if they have a good reason to believe you have illegal drugs, weapons, or alcohol. If they arrest you, they have the right to search you.

If you believe you are being searched without a good reason, tell the police you don't agree to the search and talk to a lawyer as soon as possible.

If you are driving and you see a police car with flashing lights, pull over. The police might stop you for many reasons. Maybe you were driving too fast or didn't stop at a stop sign or a tail light isn't working. Sometimes police check all vehicles on a section of road to make sure inspection stickers are up to date.



If the police stop you:

- ▶ Tell them your name and address.
- ▶ Say whose car it is.
- ▶ Show your driver's licence, the car ownership paper, and the insurance papers. It is illegal to drive without a licence and insurance.

DISCRIMINATION

In Nova Scotia and many other places, there is a history of police stopping Black people and other people of colour more often than white people. This is illegal. The police are not allowed to discriminate against you because of your race, religion, or gender identity.

If you think the police have stopped you, searched you, or arrested you because of discrimination, talk to a lawyer. You can also file a complaint against the police. You have one year after the incident happens to file a complaint.

You can learn more about how to file a complaint against the police at the end of this chapter.

GETTING A TICKET

Police give tickets less serious offences that are not covered by the Criminal Code, but are still against the law. This can include things like speeding or causing too much noise at night. If you get a ticket, you have two choices.

- ▶ You can pay the amount on the ticket. This is the same as admitting you are guilty, but you will not have a criminal record. Speeding tickets might affect your licence or car insurance.
- ▶ You can go to the provincial court and fill out a form to tell the court you don't agree with the ticket. The court will give you a hearing date and you will have a trial.

Sometimes people want to admit they are guilty but also want to explain to the judge what happened. They hope this might convince the judge to give them a lower fine. But the judge does not have the power to reduce your fine. This is because the amount of a ticket is set by the laws the government has made. If you need more time to pay a fine, you can ask the judge to give you more time to pay.



GETTING ARRESTED

There are rules for the police when they arrest people. You have rights.

- ▶ The police officer has to say who they are and why they are arresting you.
- ▶ You don't have to answer any questions that a police officer asks you. Ask to talk to a lawyer or have your parents or guardian there.
- ▶ The police officer has to let you phone a lawyer right away.
- ▶ If you want to talk to the lawyer alone, the police officer has to let you.
- ▶ The police have to take you to court or let you go within 24 hours.



The police are allowed to lie to you. They might say that your friend has confessed to a crime or that they have evidence when they don't. Anything you say to the police might be used against you in court. If you are arrested, it is important to talk to a lawyer before you talk to the police.

BEING CHARGED WITH A CRIME

There are different types of crimes in Canada. They are called “summary offences” and “indictable offences” (pronounced in-die-ta-ble).

A summary offence is a less-serious crime with a less-serious sentence. Examples are

- ▶ breaking probation
- ▶ trespassing
- ▶ causing a disturbance in public

An indictable offence is a more serious crime. The sentence for these offences might include jail time. Examples are

- ▶ assault
- ▶ breaking and entering
- ▶ murder

If you are under 18 and you are charged with a crime, you can get a free lawyer from Nova Scotia Legal Aid.

GOING TO COURT

It is important to talk to a lawyer before you plead guilty or innocent. Having a criminal record can stop you from traveling to other countries and getting certain jobs. If you have to go to court and you don't have a lawyer yet, you can get basic, free advice from a lawyer who works at the courthouse. They are called duty counsel lawyers.

When you go to court, you will probably have to wait for your case to be heard. Other cases might go first, but you must arrive on time and wait in the courtroom.

When you go to court, try to look and act your best. It will help if you wear clean clothes, speak clearly, and take going to court seriously. Do not eat or drink or use your phone in court.



RESTORATIVE JUSTICE

If you have been charged with a less-serious crime or it is your first offence, you can ask the court for “diversion” or “restorative justice.”

Restorative justice is a program to help you make up for a crime you committed. You might have to apologize to someone you harmed, pay for any damages, or go to counseling. If you complete the program, you will not have a criminal record.

Resources

If you have been charged with a crime, contact Legal Aid to apply for a lawyer. Contact information for Nova Scotia Legal Aid and Dalhousie Legal Aid is at the beginning of this book.

Read more about criminal law and Nova Scotia Legal Aid [here](#).

To file a complaint about the police

- ▶ **You can file a complaint about the RCMP [here](#).**
- ▶ **To file a complaint about other police departments, contact the NS Office of the Police Complaints Commissioner.**

Coverdale Courtwork Society

Support for women and gender-diverse people involved in the justice system.

- ▶ **www.coverdale.ca**
- ▶ Halifax: (902) 422-6417

Elizabeth Fry Society

Help for women who have been charged with crimes.

- ▶ **www.efrymns.ca**
- ▶ Halifax: (902) 454-5041
- ▶ Sydney: (902) 539-6165
- ▶ Toll-free: 1-877-619-1354

John Howard Society

Help for people who have been charged with crimes.

- ▶ **www.jhsns.ca**
- ▶ Toll-free: 1-877-409-6429

LOVE Nova Scotia

Support for youth.

- ▶ **www.lovenovascotia.ca/programs**
- ▶ (902) 580-0320

Mi-kmaq Young Offender Project, Eskasoni

- ▶ (902) 379-2042

For legal information services in French

Centre d'Information Juridique

Services gratuits offert aux résidents de la Nouvelle-Écosse sur rendez-vous seulement.

Heures d'ouverture: du lundi au vendredi, de 8 h à 15 h

- ▶ 1-902-433-2085 / 1-844-250-8471.
Veuillez laisser un message.