



June 11, 2024

Dear Honourable Members of the Senate;

We are writing to strongly encourage you to support the passage of Bill S-235 at third reading to ensure that child welfare survivors without citizenship status have a pathway to obtaining Canadian citizenship.

The Canadian Civil Liberties Association (CCLA) is a member of the Our Children, Our System, Our Responsibility (OCOSOR) Coalition, a coalition of agencies and advocates serving immigrants, refugees and children, and allied organizations. The CCLA is a national, independent, non-partisan, nongovernmental organization dedicated to defending and protecting rights and freedoms for all of us in Canada.

The CCLA supports Bill S-235 and encourages the Honourable Senators to pass this Bill as amended by the Standing Senate Committee on Social Affairs, Science and Technology to ensure that this Bill operates as intended to protect the rights and freedoms of young people without citizenship status who were under state care.

By the time children who are not Canadian citizens age out of care, many have no idea that their legal status is any different from that of their peers: many of these young people spent their critical formative years growing up in Canada, and many were not even aware of their lack of citizenship status. Often times, the first these young people learn that they have not been recognized as full members of the country in which they have grown up is when told as much by Canada Border Services Agency (CBSA) officers, once the removal process is engaged.

Many of these young individuals are racialized and uniquely disadvantaged. In Toronto, for example, 57% of youth in state care identify as Black, in a city where only 8% of the general population identifies as such. That over-representation continues in Canada's prisons. For young people who were in care and who do not have citizenship status, there is a well-documented, long-lasting impact. Even though in many cases they have lived in Canada their whole lives, they are denied their democratic and *Charter* rights and lack legal protection. They lose critical educational, employment, and healthcare opportunities. They suffer a deep loss of belonging, identity, culture, and community.

Bill S-235 offers a meaningful step forward for supporting these young people who are falling through the cracks. As these individuals were under the care of the state, it is the state's responsibility to ensure that these individuals' fundamental human rights are protected, even as they transition out of care. To borrow from Senator Mobina Jaffer's words at the Second Reading, "[a]s these children are taken away from their parents by our government, the government becomes their parent."

Yet, sometimes the governments fail to carry out their responsibility as surrogate parents to these young people in care by failing to secure their citizenship status and legal protection. As Senator Jaffer put it, "Bill S-235 will address this issue of minors coming to Canada, being taken into government care and never becoming a citizen because the government failed to secure their citizenship. Bill S-235 is the only way to meaningfully and comprehensively address this injustice. It is the only way to ensure that young people who come to Canada as immigrants and refugees are fairly protected and represented in our country while simultaneously ensuring that their most basic rights are upheld."

Honourable Senators, Bill S-235 provides us all with the opportunity to properly care for **our children**, who are or were in **our system**, and who remain **our responsibility**, to ensure that their rights and freedoms are protected. We respectfully ask that you support this bill.

Should you have any questions about supporting Bill S-235, we invite you to reach out to CCLA or any member of the OCOSOR coalition to discuss these issues further. Thank you for your consideration.

Yours sincerely,



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The CCLA office is located on the traditional territories of many Indigenous nations, including the Anishanabeg, the Chippewa, the Haudenosaunee, the Huron-Wendat and Petun Nations and the current treaty holders the Mississaugas of the Credit.