

Ontario's Minimum Age Laws Minimizing Children's Rights

Research Question

- Do youth view Ontario's minimum age laws, such as the voting, driving, drinking and smoking age, along with the legal age to work and legally be considered an adult, as a form of protection, or as affecting their ability to practice their rights stated within the United Nations Convention on the Rights of the Child (UNCRC)?
- This project explores four participants' views of Ontario's voting, driving, drinking and smoking age, along with the legal age to work and legally be considered an adult, and whether they view these laws as affecting their ability to practice their rights stated within the UNCRC.
- Currently, there is very little research that takes into account children's views toward minimum age laws, and since they are largely excluded from the policy making process, it is important to have their views toward these laws represented.

Methods

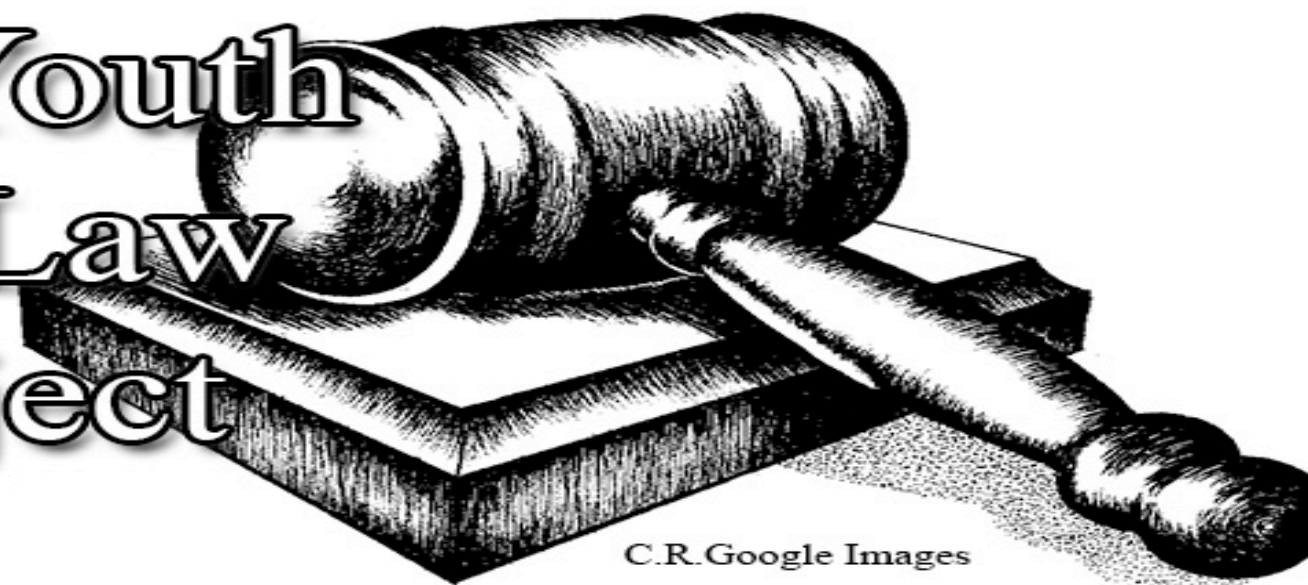
- A qualitative approach was used during two sets of informal interviews.
- Each interview consisted of two participants and myself, the interviewer.
- By posing open-ended questions and having an informal discussion with the participants; I was able to avoid steering the children's opinions and discussion, enabling them to have a multidirectional dialogue, where they expressed their thoughts and perspectives.
- The twelve year old age group and fifteen year old age group were interviewed on separate occasions, so the children of different ages did not influence each other's perspectives.
- A supplemental quantitative research approach was utilized in the form of two questionnaires, and served as a catalyst to the discussions.
- The first questionnaire tested the participant's knowledge of the ages that coincide with Ontario's minimum age laws. The second questionnaire asked the participants what age they would choose to coincide with Ontario's minimum age laws if they were given the opportunity to change the existing ages.

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Abstract

As children grow older, their birthdays not only mark the completion of another year of life, but can also deem them legally able to participate in certain aspects of society, such as being able to vote or attain a driver's license. This research project explores the views and perspectives of four children, aged 12-15, on some of the minimum age laws in Ontario. Through informal interviews and discussions, I have gained an understanding as to whether the participants view these laws as a form of protection, or a denial of their participation in society, if a particular age-based law has more relevance to the participants, and whether they feel certain legal ages should be reassessed. The collected data has been analyzed using articles in the United Nations Convention on the Rights of the Child, in order to assess whether the participants feel age-based laws are a way for the government to protect or deny children of their participation rights.

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Conclusion

- All participants felt that Ontario's minimum age laws, excluding the voting law, have the intention to work for the best interests of the child, and such laws only minimally impact their participation in society.
- Ontario's minimum age laws directly pertain to the lives of children and youth, yet at no point during the legislative process is a child's perspective taken into consideration.
- It is vital that future policy making also takes into account children's perspectives and assessments of the ages that coincide with each law, in order to create laws that work in the best interest of all citizens.

Sample Questions

- Which age based laws do you agree or disagree with? Why?
- Do any of these laws affect your life in any way? How?
- Why do you think that these ages were chosen for these laws?
- Do you think that any of the ages of the laws should be changed? Why?
- Do any of these laws limit your daily activities?
- Do you think these laws work to protect children from taking part in any of these acts, such as smoking, drinking, or driving?
- Do you think that these laws enforce your rights written within the UNCRC?
Specifically:
 - o Article 3: "In all actions concerning children, the best interests of the child shall be primary consideration" (UNCRC).
 - o Article 12: "States parties shall assure that children have the right to express their views in all matters affecting the child" (UNCRC).

Results

- The participants viewed Ontario's minimum age laws as promoting safety and health through drinking and smoking restrictions, but felt that the voting age contradicts with their rights stated within the United Nations Convention on the Rights of the Child (UNCRC), since it limits their contributions and decision making abilities within society.
- The twelve year old age group felt that Article 42 of the UNCRC, making the convention widely known among adults and children, should be a Canadian law since they had no prior awareness of the convention or their rights.
- The fifteen year old age group felt 18 years old is an appropriate age to be considered an adult, because by this age most people have completed high school and will be going on to some sort of post-secondary education.
- The twelve year old group argued that the legal age to be an adult should not be 18 years old, and that one should not be given the legal identity of an adult based on solely their age, and that the maturity of individuals should be taken into consideration.
- In regards to Ontario's drinking age, the fifteen year old age group felt that by 19 years of age, one should be mature enough to make their own decisions and be responsible enough to know their limit. One participant argued, "If the drinking age was made any lower, then kids my age would go crazy and buy out the LCBO and be immature about the whole thing".
- Participants felt that Ontario's voting age prevents them from exercising their right to a voice in matters that concern them (UNCRC Article 12), and does not look out for the "best interests of the child" (UNCRC Article 3). They felt the voting law assumes young children don't understand the voting process and that their vote doesn't count.