

March 26, 2019

## Statement on Children's Rights in Canada

Children's rights in Canada were under siege in 2018. Young people who are marginalized, vulnerable and involved with government systems, saw their rights curtailed and voices silenced. It is imperative that Canadians join us to demand their governments act to advance and uphold the rights of children and youth. To not take action is to fail them.

Children's rights are important. Every child deserves to have a voice in the decisions that impact them. As advocates, we help the voices of young people be heard in the government systems that support and protect them. When they do not have that support, they may find themselves exploited, marginalized, or even seriously injured. This is why independent provincial/territorial advocates are important. We see young people on a daily basis, listen to their stories, and support them when needed.

The *United Nations Convention on the Rights of the Child* (UNCRC) is the most comprehensive treaty in support of children. Canada ratified the UNCRC in 1991, and enshrined its commitment to protect and uphold children's rights in Canada. Even with the UNCRC as a guiding document, public systems that serve young people are failing them, and those who support them are being silenced and marginalized.

The lack of support for, and commitment to the rights of young people was never more evident than with the elimination of the Ontario Child Advocate's office. The country's most populous province will soon be without an independent voice whose work focuses on supporting and educating young people who are dependent on public services, and advocating on their behalf when those services fail to meet their needs. The office has advocated for youth who are: Indigenous; receiving child welfare and mental health services; residing in youth justice facilities; living with disabilities; or attending Ontario's Provincial and Demonstration Schools. The office has been an example to the rest of the country in amplifying the voices of youth and advocating for their rights.

In a recent development, after repeated demands by opposition parties, numerous calls by groups such as UNICEF, and a 2015 coroner's inquest recommendation, young people in Prince Edward Island now have a dedicated child advocate. It is ironic that the smallest province in confederation is moving toward a child advocate model, while the largest province is losing its independent advocate. However, Ontario is not the only part of the country where the rights of young people are being curtailed.

The Northwest Territories does not have an independent child advocate. The auditor general found the territory is not meeting key responsibilities to protect children in care, and noted that two-thirds of foster homes are not screened for criminal record checks. Children who are permanent wards live in unstable placements – moved around an average of 12 times. In 2018, social workers failed to check on children in care at least every two months in 88 per cent of cases. We have seen the tragic events that can transpire when children in government care are not properly supported or monitored.

Federally, the long promised national children's commissioner has not come to pass. For years, we have called for the creation of an independent parliamentary officer, with a focus on Indigenous children, young people migrating to Canada, and those involved with youth justice, health, and mental health systems. There are still too many children who fall outside of our legislated mandates as they rely on federally-funded services. The lack of rights-based resources for these young people is glaring. This is despite the commitments made to *all* children in Canada through our ratification of the UNCRC nearly 30 years ago.

We know that Canadians value healthy public services and a strong democracy, where public systems are held accountable for how services are provided. We also know that Canadians join us in believing that all children deserve our very best efforts to ensure they can grow to their full potential, surrounded by love and safe from harm.

We are allied in principle with any level of government that seeks to ensure young people are valued as rights holders and active participants in our communities. We challenge federal, provincial, and territorial governments to review the commitments that have been made to young people, whoever they are and wherever they live, and to ensure the required institutions and resources are in place to safeguard their rights.

As Canadians, we pride ourselves in standing up for the rights and freedoms of all people. When it comes to children's rights, there has been progress in some areas. In other areas, there has been either no progress or a reduction in attention to the rights of young people.

Government systems are not perfect. We need institutions to safeguard the rights of children. As provincial/territorial advocates we will challenge those systems that fall short, and push for greater accountability. Young people deserve more from their governments and from all of us. They should be able to expect that we will do all we can to uphold and value their rights. In fact, we owe it to all Canadian children to build a country that the rest of the world looks to as a beacon of hope.

*The Canadian Council of Child and Youth Advocates is an association of government-appointed children's advocates, ombudsman and representatives from nine provinces and two territories: Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Nunavut, Ontario, Québec, Saskatchewan, and Yukon. Advocates are independent officers of the legislatures in their respective jurisdictions.*

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