

Child Engagement on 5th/6th UN Review of Children's Rights in Canada

FINAL REPORT - JANUARY 2023

“If children's rights were respected, more children
would be safe, healthy, and happier”

- Anonymous Survey Respondent

CANADIAN COALITION FOR THE RIGHTS OF CHILDREN



IN PARTNERSHIP WITH



FACILITATION SUPPORT PROVIDED BY

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Executive Summary

Children and young people are experts on their own lives. They are the ones who are living their lives and know best how certain situations affect them. They can provide valuable feedback and insight into their circumstances and can inform decisions and policies related to them. They can be powerful advocates for themselves and can help create better outcomes for their lives.

As a State Party to the United Nations Convention on the Rights of the Child (UNCRC), Canada has a duty to participate constructively in the periodic review of implementation. Current global best practice is for that participation to include meaningful consultation of children and young people throughout the various stages of the review process. This project brought together some of Canada's leading child rights and participation organizations to engage children and young people on the federal government's behalf.

It is important to consult children about their rights under the UN Convention because it ensures that children are aware of their rights and that they are being respected. It also gives children a sense of ownership and empowerment, as they are in control of their own rights and have a say in how they are implemented. Additionally, consulting children about their rights can help to identify any gaps in the implementation of the Convention and help to ensure that all children's rights are being respected and upheld.

The Canadian Coalition for the Rights of Children (CCRC), UNICEF Canada and the Students Commission of Canada (SCC) were pleased to have the opportunity to partner with the Government of Canada to lead a process of child and youth engagement with relevant officials in government leading up to the UN 5th/6th Review. There is a real need for transparent conversations with children and young people both before meeting with the UN Committee and after concluding observations are received.

Stakeholders engaged in a four-phase project working together with Canadian Heritage (PCH), Justice Canada, and the Public Health Agency of Canada (PHAC) in the lead up to the UN Review to provide the government with a chance to engage with children and young people. This involved i) a broad survey of children and young people, in order to better understand their priorities for this Review; ii) in-person sessions for children and young people on the UN Review within a dedicated ‘children’s rights theme’ group embedded at the existing SCC’s #CanadaWeWant conference; iii) three virtual roundtables with government officials and children and young people drawn from the CCRC’s member organizations; and iv) a children and young people-led report, presented at a final roundtable, to Canada’s delegation to the United Nations Committee on the Rights of the Child and other government officials.

Overall, this project focused on ensuring that children and young people participation in the Review process in Canada is meaningful, genuine, and sustained.

Data from the first three phases was analyzed by a team made up of CCRC members, young people involved in the engagement sessions, and contributions from SCC & UNICEF Canada.

All three phases of the research revealed overarching themes of child rights failing to be protected, particularly for marginalized children and young people with identities such as Indigenous, otherwise racialized, disabled or foster children. Some major themes that emerged included the lack of attention to children and young people’s voice; discrimination of marginalized communities; inaccessible services for some children and young people; and more.

The one thing that all young people involved in this engagement project agreed upon was the need to see the government take *action* to more fully implement the UNCRC here in Canada. Discussion alone is not enough to empower children and ensure that their voices are heard and their rights are respected. Young people want to see a clear plan that outlines the steps the government needs to take to ensure that the rights of all children are protected, promoted, and involves their continued participation.

By working *with* children and youth—and not just “for them”—governments in Canada will find a willing partner that can help identify areas where children’s rights could be better upheld, so that more appropriate intervention and support can be provided. It is the hope of all involved that this report contributes to that collective goal.

OVERALL RECOMMENDATION #1: “What we want is action.” Children and youth want to see a clear strategy for the implementation of children’s rights in Canada that includes reporting back to young people what the government is doing to ensure that they can realize their rights.

- **RECOMMENDATION #2:** *Implement accountability systems for government and child welfare agencies that are visible, accessible, understandable, and accountable to children and young people.*
- **RECOMMENDATION #3:** *Implement meaningful opportunities for young people to engage with governments, institutions, and systems.*
- **RECOMMENDATION #4:** *Increase mental health support for children and young people, especially in the wake of the pandemic.*
- **RECOMMENDATION #5:** *Prioritize the rights of Indigenous children and young people, including their rights to health and environment (clean water, healthcare, climate change).*
- **RECOMMENDATION #6:** *Prioritize eliminating racism and discrimination faced by too many Canadian children by ensuring cultural rights are met, and that structurally vulnerable communities are prioritized.*
- **RECOMMENDATION #7:** *Increase awareness and education on children’s rights at an early age*



Acknowledgements

We wish to thank the roughly 400 children and young people who took the time to share their views, experiences and ideas as part of the child engagement in the UN Review process 2022.^[1]

We also wish to say a special thank you to the nine children and young people from across the country involved in the post-engagement Advisory Team. It has been a joy and a privilege working with you and learning from you and, as child human rights defenders, you have each played a key role in ensuring children and young people's views and experiences are heard.

This consultation would not have been possible if it were not for the many passionate advocates for children's rights within the federal government. We thank each and every one of you for your dedication, time and support. We look forward to continued work together to ensure the views, ideas and recommendations outlined in this report are seen, heard and acted upon at local, provincial, territorial, and national levels.

Finally, we thank our partners at the [Students' Commission of Canada](#) and [UNICEF Canada](#) for being a part of this process. It was a pleasure to work with you and undergo this project together. Thank you for your attention to detail, your thoughtful expertise concerning children's rights, and your ongoing commitment to making Canada a better place for children.

^[1] 222 for the survey; 35 for the government roundtables; 104 for Students Commission of Canada forums; 10 for the Post Engagement Advisory Team

Glossary of Terms

CANADIAN DELEGATION

Federal, provincial and territorial government officials who represent Canada when it appears before the UN Committee on the Rights of the Child. The Canadian delegation is responsible for communicating Canada's progress on children's rights and for responding to questions from the Committee.

CHILDREN'S HUMAN RIGHTS

Rights are things that every child, young person or adult should be able to have, enjoy, or do. Children (anyone under 18) have additional rights as set out in the United Nations Convention on the Rights of the Child (UNCRC) and the First and Second Optional Protocols to recognize the extra protection and empowerment they need to experience their rights equally.

CHILDREN AND YOUNG PEOPLE

The Convention defines the 'child' as those under the age of 18. In this report, we use the terminology 'children and young people' recognizing that the term 'young people' is often used by older children themselves instead.

LIST OF ISSUES

The List of Issues is put forward by the Committee on the Rights of the Child before the Review as a list of specific topics on which the Committee would like to receive more information and clarifications.

OPTIONAL PROTOCOLS

Anchored on the CRC, two optional protocols have been approved: one on the involvement of children in armed conflict; and the second on the sale of children, child prostitution and child pornography. There has been widespread ratification of both, and their implementation is gaining momentum.^[2]

UNITED NATIONS COMMITTEE ON THE RIGHT OF THE CHILD

The United Nations Committee on the Rights of the Child is a group of 18 experts that check if governments around the world are making sure children and young people experience their human rights.

UNITED NATIONS CONVENTION ON THE RIGHT OF THE CHILD

Children's human rights are enshrined in the United Nations Convention on the Rights of the Child. The Convention was created in 1989, and is the most signed international treaty in the world. The Convention has 54 articles that cover all aspects of a child's life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to. It also explains how adults and governments must work together to make sure all children can enjoy all their rights. Every child has rights, whatever their ethnicity, gender, religion, language, abilities or any other status. Read about the United Nations Convention on the Rights of the Child [here](#) and the Optional Protocols [here](#).

^[2] See [UNICEF](#) for more details.

Letter to Members of Canadian Delegation

Dear Members of the Canadian Delegation to the UNCRC,

We are the members of the Post-Engagement Children and Young People's Advisory Team, located across the country. Together, we have created this letter to you to introduce our report for the children's engagement project of 2022.

Children and young people in Canada are calling for serious change. Although every child and young person has their own unique story, it stings to see that so many of us have had similar experiences of our rights being unheard. As a result, our mental health, our right to a healthy environment, and our cultural rights suffer from intensifying harm, even as we write this letter.

Before you meet with Canadian civil society groups, and Indigenous organizations, we hope that this report will help you to better understand the situation for children and young people. We hope it helps you to be more empathic to and aware of the issues we are facing. However, this report is not just for you. We need the views, ideas and experiences in this report to reach as many people as possible that are working with, and making decisions about, children and young people locally, provincially and nationally.

We need duty bearers of all jurisdictions to take collective action to make the situation for children in Canada better. During this process, there must be accountability systems put in place to ensure that our rights can be realized appropriately. At the same time, we know that there needs to be targeted action towards different children and young people, as not everyone faces the same challenges and barriers.

Our final message to you is that the mentality of governments towards children's rights must change. We must stop arguing over who is responsible and move towards a system in which children's rights are at the front of all decisions. Children and young people are the future of society. Accordingly, we must be respected, loved and cared for, regardless of cultural background, ability, race, gender, sexual orientation, and/or religion.

With thanks,

Post-Engagement Youth Advisory Team

January 2023

Introduction

Canada as a State Party to the United Nations Convention on the Rights of the Child (UNCRC), and the Optional Protocols 1 and 2, has a duty to participate constructively in the periodic review of implementation. Current global best practice is for that participation to include meaningful consultation of children and young people throughout the various stages of the review process. This project brought together some of Canada's leading child rights and participation organizations to engage children and young people on the federal government's behalf.^[3]

The Canadian Coalition for the Rights of Children (CCRC), UNICEF Canada and the Students Commission of Canada (SCC) were pleased to have the opportunity to partner with the federal department of Canadian Heritage (PCH), the Public Health Agency of Canada (PHAC), and the department of Justice Canada to facilitate meaningful dialogue between children and young people from across Canada and relevant officials in government leading up to the UN 5th/6th Review. There is a real need for transparent conversations with children and young people both before meeting with the UN Committee and after concluding observations are received.

Throughout the three-phased engagement project, the Canadian Coalition for the Rights of Children (CCRC); UNICEF Canada, and the Student's Commission of Canada (SCC), gathered various forms of data through a diverse range of mediums. Over a three-month period, representatives from the CCRC, UNICEF Canada, and the SCC collaborated in consulting children and young people across Canada by holding in-person and online conference discussions, surveys, and profound roundtable discussions over zoom.

An important principle of the UNCRC is that children have participatory rights. This means that they can and should participate in decisions that affect them, and that adults must provide opportunities for children to voice their opinions. This engagement is just one of the many ways that young people can make their voices heard to duty-bearers under the Convention, including the federal and provincial governments. Governments can and should prioritize this kind of engagement session moving forward, and should provide regular opportunities for young people to participate in the realization of their rights.

[3] Student's Commission of Canada's 2018 report mentioned many of the same issues. It can be found [here](#). The report is the culmination of SCC's activities and reflects children and youth's perspectives on the UNCRC in 2017 & 2018. The hope of this report was that it would be a call to action to all adults and governments across Canada to ensure that all children and youth in Canada know their rights and can see them exercised.

Some topics were explored in more detail than others. This is because we know they are important for young people. These include mental health, discrimination, and the child welfare system. All of these involve federal, provincial and territorial governments as duty bearers, and as such, should be a priority for all levels of government.

This report describes the work that was undertaken, the main findings, including highlighted recommendations, and a brief conclusion.

Methodology

“I appreciated the formatting, as it was well communicated and I was aware of what I would be doing at the round-table. It was an easy setting to share my thoughts as I felt a collaborative environment was achieved”. (Indigenous Children’s Rights round-table participant).

Stakeholders engaged in three phases, working together with PCH, Justice Canada, and PHAC in the lead up to the UN Review to provide the government with a chance to engage with children and young people.

This involved:

- 1** **Phase One:** A broad survey of children and young people, in order to better understand their priorities for this Review;
- 2** **Phase Two:** In-person sessions for children and young people on the UN Review within a dedicated ‘children’s rights theme’ group embedded at the existing SCC’s #CanadaWeWant conference;
- 3** **Phase Three:** Three virtual roundtables with government officials and children and young people drawn from the CCRC’s member organizations.

Upon completion of these three phases, a smaller group of young people was brought together to compile this report. This youth-led report will be presented to the Canadian delegation at a final roundtable in January 2023.

A NOTE ON THE PANDEMIC CONTEXT

Over the past two years, due to the pandemic, children and young people were in a precarious position. They faced various hardships affecting their wellbeing whether it be mental, physical, spiritual and were unable to access consistent supports such as in-person services (i.e., counseling and children and young people groups). By having three different types of engagement, we were able to accommodate children and young people in diverse circumstances, amplifying their voices towards decision makers.

1 PHASE 1: SURVEY

In February and March 2022, UNICEF Canada in collaboration with the CCRC, conducted an online survey of children and youth concerning the state of children's rights in Canada. The results were insightful in their own right, and also helped to determine the focus topics chosen for the roundtable discussions in Phase 3.

The Phase 1 survey was conducted exclusively online across two platforms: SurveyMonkey and UNICEF Canada's U-Report survey tool.

SurveyMonkey is a free online tool that can be used to create, distribute and respond to polls and questionnaires.

U-Report is a digital platform for children and young people that asks poll questions to get their perspectives on issues and decisions that affect them. It is an opportunity for young people to be part of the change they want to see in Canada and speak out on issues that matter to them. UNICEF Canada develops poll topics and questions in collaboration with the U-Report Canada Steering Committee and Youth Ambassadors. Previous poll topics have included climate change, mental health, immigration, and the impacts of COVID-19. There are over 1000 U-Reporters across Canada with representation from every province and territory.

It includes a strategy to reach 'harder to reach' children and young people who do not often get a chance to participate in these conversations. Globally, there are more than 20 million U-Reporters in over 90 countries. U-Report Canada is free, confidential, and open to anyone ages 13-24.

In terms of sharing the opportunity to participate, UNICEF Canada widely promoted the survey on social media and through their U-Report networks. The CCRC shared the survey with their networks on social media, newsletters, and in meetings. The federal government also helped distribute the survey - particularly the Public Health Agency of Canada, who shared the survey on social media and in their networks. The main purpose of the survey was to ask children and youth for their opinion about their rights, and to identify the specific topic areas to be discussed in greater detail during the Phase 3 roundtables. The survey questions were designed to respond to the List of Issues (LOI) issued to Canada by the UNCRC Committee, and addressed a wide range of topics, such as COVID-19, education, and rights violations.^[4] The surveys were administered through survey-monkey and U-Report for children and young people. In total, there were 222 responses, providing a large sample of diverse data.

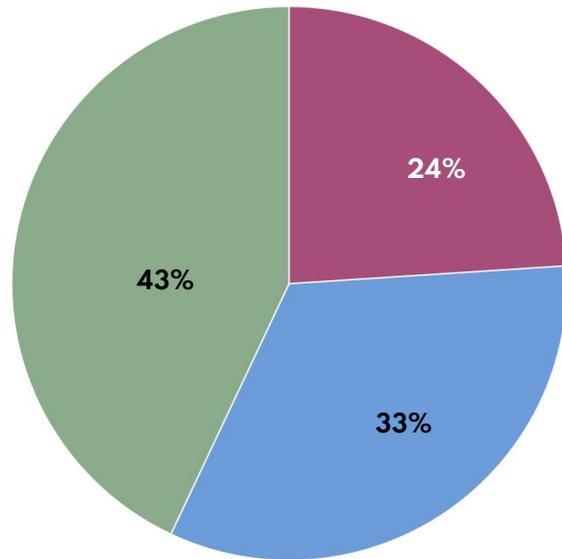
[4] The List of Issues is put forward by the Committee on the Rights of the Child before the Review as a list of specific topics on which the Committee would like to receive more information and clarifications.

The questions were a mix of open-ended and close-ended survey queries, leading to a variety of responses. Some questions were about young people’s experience with rights, such as, “ If all children’s rights were respected and protected in Canada, what is one thing that would be different than it is now?” Others were broader and referred to children’s well-being in Canada in a more general way.

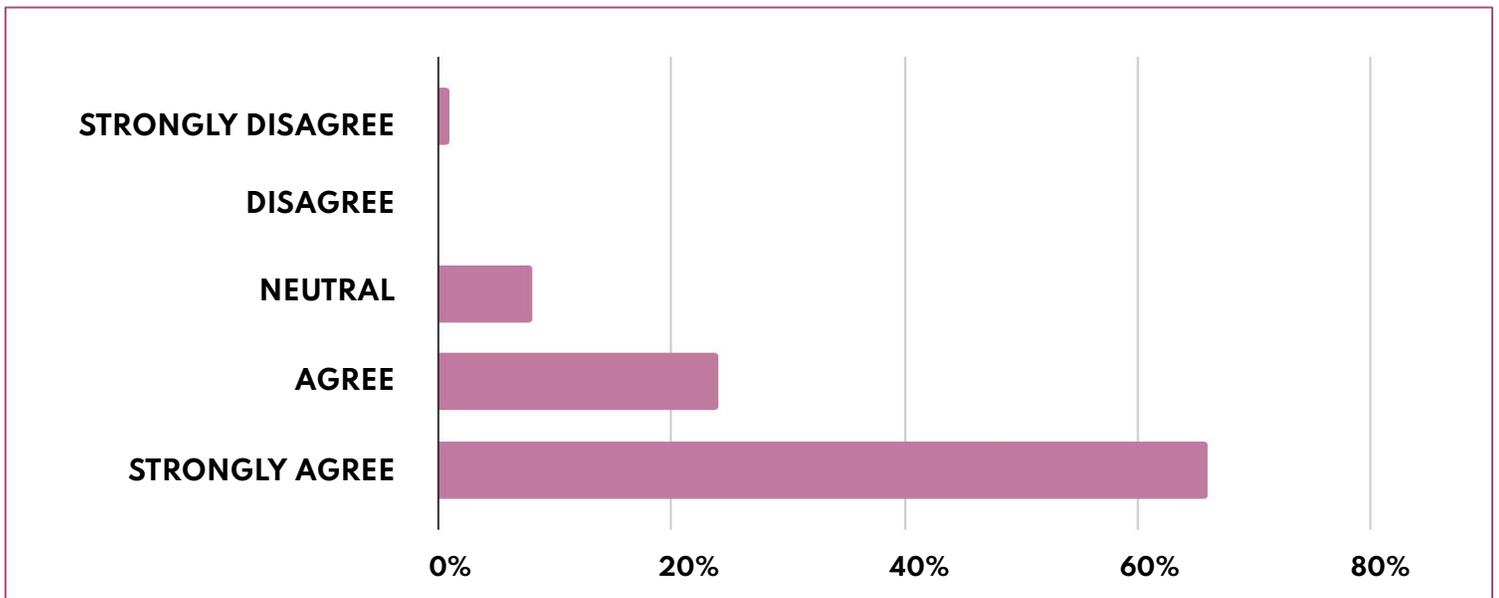
The following graphs represent quantitative data from all 222 responses of the surveyal process.

Q1 - Children’s rights have been protected during the COVID-19 pandemic:

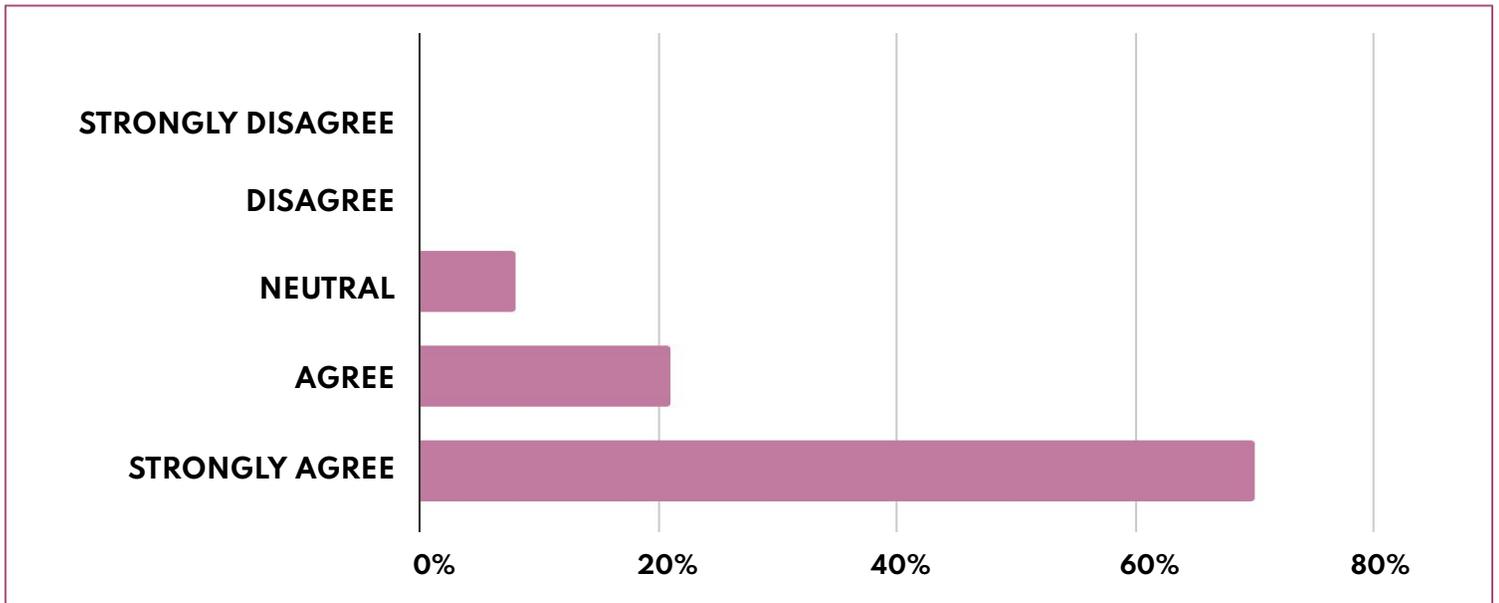
- YES
- NO
- NOT SURE



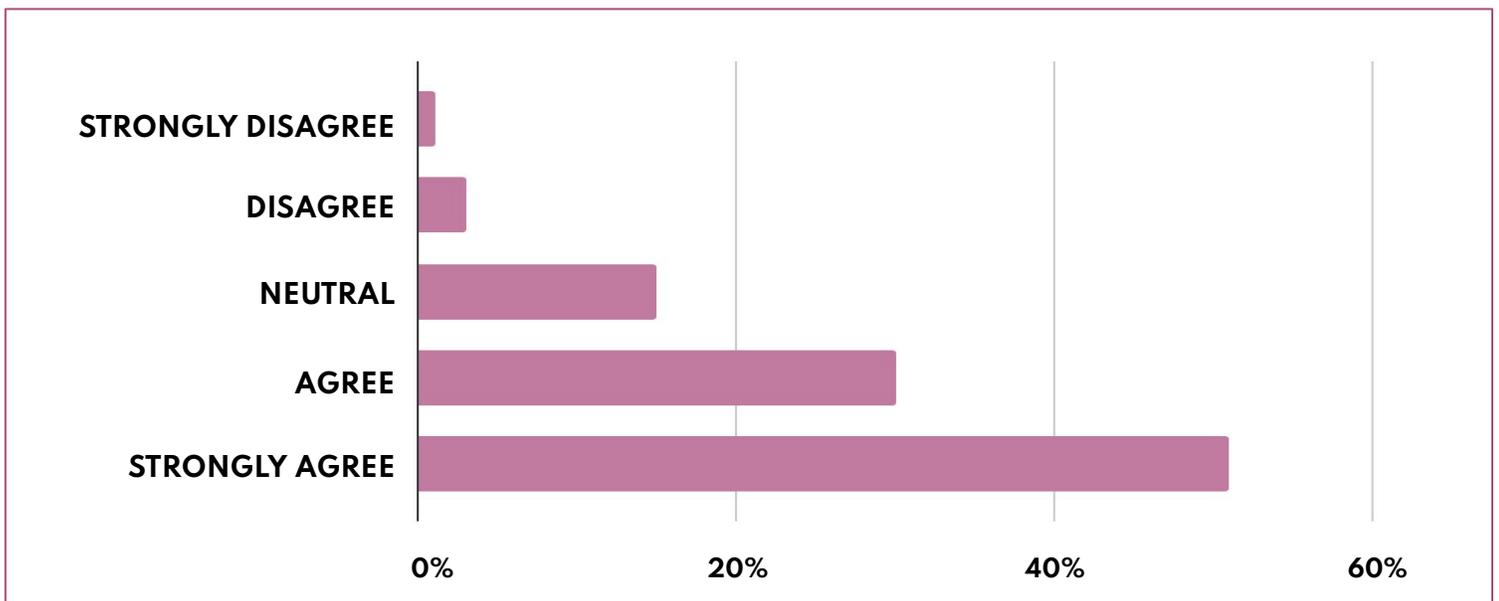
Q2 - Parliament should pass a law that says that children’s rights apply to all children in Canada, and outlines steps the government must take to protect those rights:



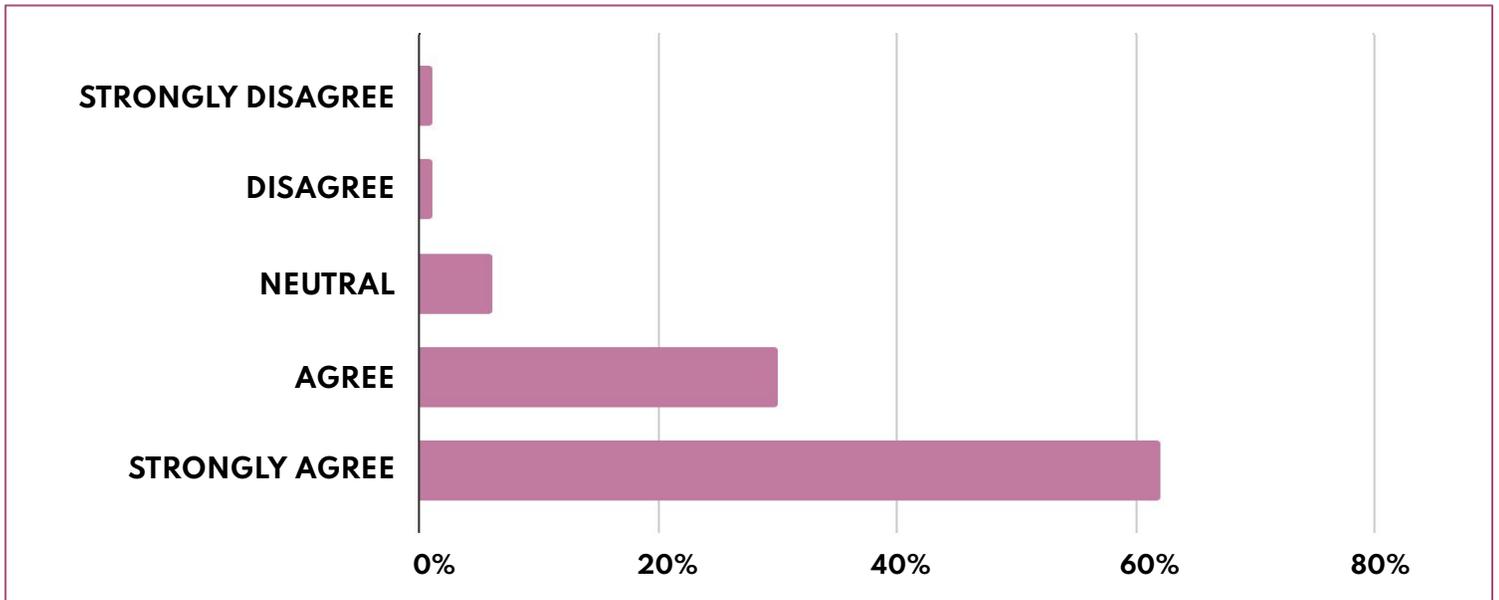
Q3 - Parliament should review all new laws and policies to make sure that they protect and promote children's rights:



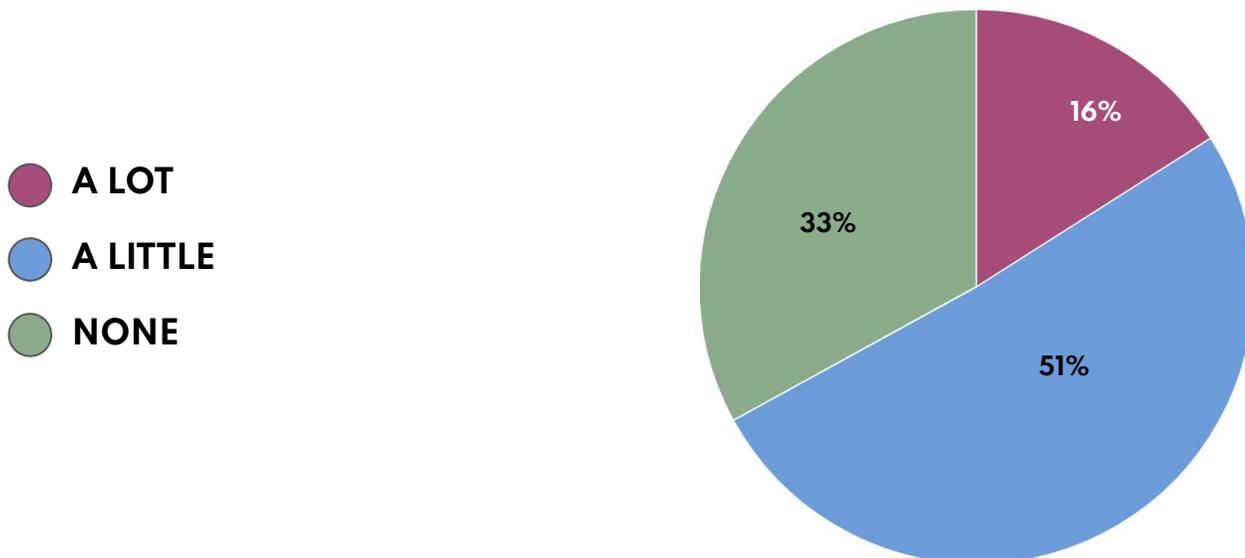
Q4 - Children and youth in Canada should be able to make a complaint to the United Nations if they feel their rights have been violated:



Q5 - Canada should have a Children's Commissioner responsible for making sure children's rights are protected in all government work:



Q6 - Thinking back on all the education you've completed so far, how much have you been taught about children's rights in school?



2 PHASE 2: IN-PERSON & VIRTUAL CHILDREN AND YOUNG PEOPLE FORUMS

For Phase 2 of the project, the CCRC worked with the Students Commission of Canada (SCC) to hold two children and young people forum discussions on children's rights.

The SCC is a charitable organization that works to improve the livelihood of children and young people across the country. They conducted work in 2017 and 2018 on child and youth engagement, with the hope of drawing attention to important children's rights issues.

The SCC considers their annual children and young people forums, titled #CanadaWeWant, to be a pivotal element of their engagement with young people.

In March 2022, the SCC invited CCRC and UNICEF Canada representatives to facilitate two children's rights discussions among children and young people participants from diverse social locations.^[5]

During the forums, the children and young people participants shared their lived experiences in relation to the UNCRC. Especially due to loss of in-person interactions during the COVID-19 pandemic, we considered it to be crucially important to include in-person engagement when working with children and young people.



[5] The conference methodology is grounded in the SCC's Young Decision Makers (YDM) model which focuses on Studying, Discussing, Deciding and Disseminating children and young people recommendations. Youth identify a theme they'd like to explore and then spend the conference working through the YDM process to generate their recommendations. They then share their findings with other children and young people attending the group in an exercise called cross-pollination. This model was used to produce an [excellent report](#) at the 2018 #CanadaWeWant conference.

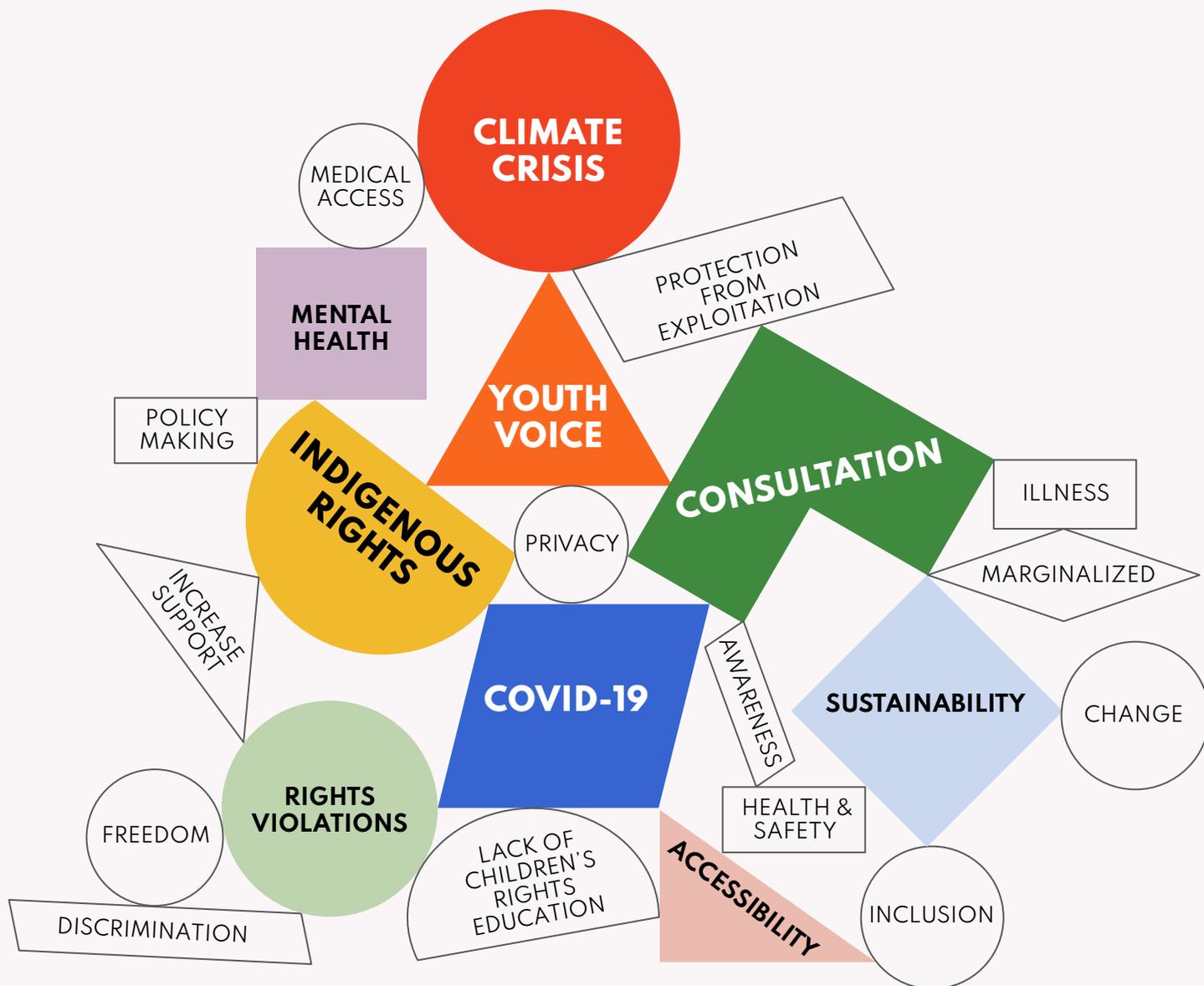


Figure 1: #CanadaWeWant Thematic Word-map

Throughout the group discussions at the #CanadaWeWant Conference, many perspectives of the children and young people participants were similar and shared overarching themes. Figure 1 is an amalgamated depiction of the ideas that were put forward at the conference using keywords. The themes that were most popularly addressed are larger in size in order to highlight the importance that it has in the lives of children and young people participants.

3 PHASE 2: ROUNDTABLE DISCUSSION

The third phase of the project included the three roundtables for children and young people with relevant government representatives leading up to the Review. The topics for these three roundtables were decided by children and young people themselves (through the Phase 1 poll discussed above), and in consultation with the CCRC & federal government stakeholders to coordinate securing participation by the relevant representatives. The CCRC invited member organizations to participate in this process by inviting children and young people, and their allies to be part of these conversations.

The goal of these roundtables was to look at the List of Issues and Canada's responses, and give government representatives a chance to hear from children and young people about how to make the review productive. The roundtables occurred virtually in the weeks leading up to the UN appearance by Canada in front of the Committee.

All three children and young people engagement sessions were held over Zoom, which resulted in trans-regional participation from children and young people all over Canada. To ensure that the discussions reflected a wide variety of children and young people's experiences, participant selection was framed around diversity, with attempts made to look at ethnicity, gender, region, class, ability, and education.

Delegates and other key government officials were invited to participate in the sessions, including the Head of the Canadian delegation for Canada's appearance before the Committee provincial counterparts from Nova Scotia, Quebec, and Saskatchewan, and civil servants from the Department of Indigenous Services, Justice Canada, PHAC and PCH.

The government hosted the sessions over Zoom, with the help of facilitators, and took care of technical issues. Each session lasted for an hour and a half, including breaks and check-ins with group facilitators. The Indigenous children's rights session was led by Assembly for Seven Generations, and the other two sessions were led by [Co-LAB](#), a facilitation group based in Halifax.

Children and young people, along with the government, decided to connect on three separate themes: Children and Youth in and from Care; Mental Health and Disabilities; and finally, Indigenous Children's Rights. These topics, in particular, were chosen in order to provide adequate focus and attention to marginalized identities that are often discriminated against or overlooked.

Findings

Among all the participants in the 3 phases of the project, there were some overall themes, which we will explore in more detail in the following sub-chapters. We can broadly see these as fitting in line with the **3 Ps** of children's rights:

Protection, **P**articipation, and **P**rovision.

PROTECTION

Respondents are concerned both about issues of immediate physical and emotional safety, child welfare system issues, and longer-term threats to children's collective safety. They also want governments to ensure their rights are protected in the process.

PARTICIPATION

Respondents want to know how their interests and views are being prioritized in policy- and decision-making. Children and young people want meaningful opportunities to participate in decisions that affect them, and they need to be empowered and supported to do so.

PROVISION

When it comes to the services, supports, and resources required for protecting the rights of all children in Canada, respondents are concerned about equity and accountability for Indigenous children, racialized children, and children in and from care.

It is important to note that the 3 Ps are cross-cutting through all the findings. We know that participation is a big issue in child welfare systems, and also in mental health. Protection is a right that encompasses safety in a variety of ways, including mental and emotional health, along with safety in the home, the school, and the community. Provision can mean having social and economic rights met within foster care, but also in the family home, schools, and more.

Overall, the main point made by children and young people is that they want to see action on children's rights, and they want to hear what the plans are.

OVERALL RECOMMENDATION (#1):

“What we want is action.” Children and youth want to see a clear strategy for the implementation of children's rights in Canada that includes reporting back to young people what the government is doing to ensure that they can realize their rights.

This recommendation is echoed in the barriers listed below. As you will see, there are many ways that systems could be more accountable to young people, and do a better job of upholding children's rights. With this in mind, we now explore some of the major findings in more detail.

A **Child protection systems' lack of responsiveness:**

“(If we listen to children) there would be more trust”

Children in care face particular vulnerabilities that both government and civil society are aware of. Children in care are less likely to graduate from high school, less likely to receive treatment for mental health issues, and more likely to become involved in the youth criminal justice system (that applies to children and young people aged 12-17). These pervasive and structural problems in the child welfare system need to be addressed for all children who come into care. Investigations into the deaths of children in care have repeatedly pointed to the need for systemic reform.

In each of the previous reviews of children's rights in Canada, the UN Committee on the Rights of the Child has also made recommendations to address the failures to respect the rights of children in child welfare systems.

As noted above, all three phases of the project oversampled young people in and from care. This meant that we were able to gather particularly rich data about this important topic. While children in and from care face numerous challenges in realizing their rights, the young people engaged in all three phases of this project consistently emphasized their belief that Canada's child protection systems are not responsive to children's rights to provision, protection and participation.

The following issues were particularly important to young people in and from care:

- i. That young people found that there was inadequate and inequitable access to physical and mental health care services, food, and housing;
- ii. Youth voice is too separate from policy in the child welfare system;
- iii. The large caseload of social workers is detrimental to providing quality care;
- iv. Trauma-informed child-welfare systems would better suit children in and from care.

For some young people in care, the situation felt very dire: they reflected on the stigma of growing up as a foster child and expressed concern about becoming a statistic, i.e.: becoming homeless, not finishing school or becoming pregnant early. Once brought up, homelessness and related anxiety was a shared experience among children and young people. One participant noted: “growing up, a really big fear of mine wasn’t of spiders or of heights; it was of being homeless.”

Children in and from care spoke about the need for an amplified children and young people voice, both from a systems perspective, and on an individual level. Several children and young people talked about the lack of opportunity to express their views during the child welfare process.

In terms of people working with children in care, respondents noted that teachers, school guidance counselors, group home staff, other children in care, and therapists were helpful, along with some social workers.

However, the feeling was that social workers tended to have overwhelming caseloads, and be working within a system that wasn’t designed to prioritize children’s rights. Respondents repeatedly mentioned specific service providers who positively impacted their lives, but often described them as being exceptional, going “the extra mile,” or otherwise working against the general trend of systems and institutions.

For many young people in the care system, trauma was close to the surface, and deeply impacted how they saw the world. The young people who participated in the project noted that they would change the care system to ensure the importance of the voice of children, to emphasize the importance of providing care is trauma-informed, fully screened and trained, and that service providers understand cultural differences. Some expressed concern with the entire child protection regime and said that the system causes more harm than good, suggesting that it be entirely dismantled.

Finally, there is the important issue of knowing your rights while in care. When asked if they knew about their rights, some indicated that they became aware because it was part of the mandatory topics covered during their “plan of care” meetings with their worker. However, it was usually addressed in a rushed and shallow manner. Others said that they became more aware of their rights through self-education. Few of the young people with care experience reported learning any of their rights at school. One participant shared that they are “surprised that children in care have so many rights and that almost all of them are broken in care.”

RECOMMENDATION #2:

Implement accountability systems for government and child welfare agencies that are visible, accessible, understandable, and accountable to children and young people.

Young people expressed the need for accountability in institutions and systems such as the child welfare system which are complicit in the infringement of children’s rights. It is by holding government and child welfare agencies accountable that children’s rights will be best implemented and respected for Canadian children, regardless of their gender, race, ethnicity, geography, class, ability, and/or religion. Especially given the power that the government and child welfare agencies have, it is imperative that they hold accountability and take responsibility to instigate the system change that children and young people are advocating for.

B Children and young people aren’t treated as decision-makers or experts with lived experience

“If all children’s rights were respected and protected in Canada, children would be able to share their voice on different opinions without being belittled”

Article 12 of the UNCRC states that children should have the right to participate in decisions that affect them. Furthermore, participation is one of the principles of the UNCRC.

Respondents emphasize the need for decision-makers to create opportunities for children and young people to have a say in matters that affect their lives, and seriously consider their views on relevant issues.



In order to exercise their rights and effectively influence decision-making, children and young people need to be empowered and supported by adults. Respondents recommend educating children about their rights, building their capacities to express themselves, and providing appropriate supports to facilitate their participation in decision-making.

One of the interesting findings was that young people talked about their ability to have a say in laws and policies that affect them. They saw themselves as being able to advocate for themselves, and a language of rights provides the framework to do that. One young person stated: *“Children and young people would have a say in laws and policies that affect them. Children would not need their parents and other adults to advocate for them.”* While having adult advocates is important, it is also crucial that young people are given the ability to articulate their rights and what they think.

Young people care about issues that adults may not: a prominent example being climate change. Many young people talked about how Canada should be doing more on climate change. One young person noted, “I think there would be a lot more done about climate change and environmental issues (if young people were listened to).”

If their voices were listened to as experts with lived experience of children’s rights, perhaps more would be done to combat environmental damage.

The importance of being listened to also came out in discussions about resources. This was in relation to a whole host of issues that young people faced including those in and from care, as well as others. One of them mentioned: *“[Children wouldn’t] feel lost in terms of accessibility to resources and knowledge (if they were listened to) - about the general world. They would be equipped to be mobilized into movements to create change that needs to happen.”*

RECOMMENDATION #3:

Implement meaningful opportunities for young people to engage with governments, institutions, and systems on important issues like climate change.

Young people as rights-holders should have built-in opportunities to engage with decision-makers about policies, programs, and systems that affect them. This could look like children and young people advisory teams involved in child welfare systems, or opportunities for federal, provincial or territorial governments to engage with young people regularly. When we look at international examples, we can see that some countries, such as Scotland and South Africa, do a good job of providing many opportunities for young people to meet with duty-bearers, and that this can lead to stronger policies for protecting children's rights.



Lack of coordinated mental health resources/strategy

“Our mental health isn’t looked at in a holistic view”

Many young people noted that mental health was one of the major issues facing young people today. The COVID-19 pandemic and subsequent lockdowns triggered the onset of mental health conditions such as anxiety and depression in children and young people^[6]. The quality of and right to education suffered considerably, which in turn worsens emotional well-being. Furthermore, access to mental healthcare is inaccessible and includes economic, time and location barriers to service.

The biggest theme that the participants expressed was that policymakers should do more to prioritize accessibility when developing mental health policies and programs. Other major themes include mental health decline and disability in relation to the COVID-19 lockdown, education, and isolation.

[6] Youth Mental Health in the Spotlight Again, Stats Can:
<https://www.statcan.gc.ca/o1/en/plus/907-youth-mental-health-spotlight-again-pandemic-drags>

Focus on mental health challenges was exacerbated by pandemic restrictions. Children and young people noted the struggles associated with not being able to see friends and loved ones in-person and that pandemic restrictions forced them to be confined in abusive home environments, which added to the struggles of maintaining a balance between a healthy home and school life. They noted that these struggles increased their levels of anxiety and depression. Youth also expressed that their educational rights were negatively impacted, specifically around not being consulted on COVID protocols during their transitions from virtual to in-class learning.

Simply put, the right to education was denied through the drastically lowered quality of education, leading to children failing classes in successive years.

Some children and young people expressed concerns that adults did not take their mental health needs seriously and expressed frustration over the lack of targeted mental health resources available to them. They suggested that government officials do more to lower the barrier to access services, including addressing wait times, the high cost of services, and raise public awareness of the need and importance of having mental health professionals in the health system. Concerns about accessibility were the most common points made.

RECOMMENDATION #4:

Increase mental health support for children and young people, especially in the wake of the pandemic

With school moving online in March 2020, and subsequent further lockdowns, children and young people expressed the adverse consequences that it may have on their mental health due to isolation, domestic violence, and lack of accessibility that comes with staying at home. Students lack the resources they would get from in-person schooling, bringing concerns about the right to education. Youth talked about the fact that mental health resources are scarce and inaccessible due to multiple factors, like its difficulty in understanding how to access them. There was a lack of a smooth transition in changes made in education and recreation because of the pandemic affecting mental health. While more mental health supports are re-opening, some are still using a hybrid model, which works well for some young people but not all. There is a call towards the reintegration of in-person supports. Some organizations are experimenting with hybrid models to accommodate larger demographics at all stages and comfort levels as these aspects of virtual delivery have been a positive experience for many children and young people.

Some children and young people voiced their experience of the reintegration of in-person supports, with both positive and negative experiences. Overall, the need for in-person supports and services is voiced by many children and young people across the country.

D Discrimination faced by Indigenous children on and off-reserve

“Why aren’t all children being treated equally (despite what is promised)?”

Article 2 of the UNCRC is unequivocal in stating that all children should be able to realize their rights without discrimination. In Canada, we know that our history of colonialism and systemic racism continues to impact structurally vulnerable populations to this day.

Respondents demonstrated an understanding of the disparity in Canada regarding access to basic needs, including housing, medical services, and clean drinking water. They expressed concern about discrimination and inequality in the provision of services and resources, and emphasize the need for equitable access for *all* children and young people in Canada. Young people noted that the governments are responsible for these services and resources, and must be transparent, committed, and accountable. Respondents asked for concrete plans and real evidence of action taken to protect and advance children’s rights in Canada.

Indigenous children should be set up to be able to be happy, respected, safe, and empowered.

Jordan’s Principle states that all First Nations children should be able to access services when they need them, and that governments should not be disagreeing over who is in charge. Young people alluded to Jordan’s Principle many times in their comments. For instance, one young person in the phase 3 roundtable noted:

“How are you ensuring that each child has access to an environment that he/she can thrive in and have opportunities in without necessarily having the monetary means?”

Other young people specifically wanted to talk about issues in their own communities, such as what they viewed as the law’s lack of responsiveness to anti-Indigenous violence, and issues with accessing basic needs such as clean drinking water. They were also able to connect these local issues to broader concerns about climate change and the disproportionate impact on Indigenous children.

On the topic of lived experiences of Indigenous children living in Canada, the children and young people participants focused on the difference between their lived experience and those of their non-Indigenous friends in school. They stressed the difficulties of coping with discrimination or lack of understanding of the challenges they face. They spoke to the difficulty of having to live up to the expectations of others with regards to Indigenous knowledge, to the difficulty of finding trustworthy sources of Indigenous knowledge in their communities, to not having an outlet to speak with someone about their struggles, and on the lack of accommodation and understanding in the education system for the way that Indigenous people learn.

Another key concern was with regards to the low-quality education available on reserves. Education was cited as an example of inequality that forces some children and young people to leave their communities to pursue better quality or higher levels of education, which in turn leads to a feeling of isolation. Beyond education, other issues raised by the children and young people participants included: discrimination faced by children in foster care and a lack of supports for these children; safety concerns of Indigenous children and young people who worry about facing violence or sexual assault when they leave the house, often due to stereotyping; higher rates of drug use, alcohol and abuse in Indigenous families and a lack of societal understanding of the legacy of residential schools.

RECOMMENDATION #5:

Prioritize the rights of Indigenous children and young people, including their rights to health and environment (clean water, healthcare, climate change)

Recommendations on how to improve Canada's relationship with Indigenous children and young people included a need for better school supports for Indigenous children, be that through the creation of an Indigenous support room in schools to allow Indigenous children and young people to connect with their culture, or through offering more supports for individuals dealing with sexual abuse or substance abuse. Some children recognized that the curricula had integrated Indigenous content, but the issue was that the teachers didn't have sufficient knowledge or understanding of Indigenous culture and end up conveying wrong messages that impact Indigenous children negatively in the classrooms. They also recommended that schools need to offer Indigenous language courses and that supports need to be offered to younger students and not only high school students. Other recommendations included better mental health supports and access to essential services like safe drinking water.

When asked about what it would feel like to have all their rights as Indigenous children and young people met, they responded that they have never felt that way, but to some that would only happen when they can do the following:

- i. Leave their house without being scared to do so;
- ii. Feel neutral, and not targeted, by the police;
- iii. Not feel overrepresented within social services
- iv. Feel fully supported to learn and know their own culture;
- v. Live beyond poverty, and when they feel like an important part of the country.

They encouraged Canada to take a proactive approach and not to wait for something bad to happen to react, citing the example of Jordan's Principle. They also added that more resources are needed to make sure Indigenous children and young people can participate in extracurricular activities regardless of the financial situation of their parents.

E Racism/discrimination against Black, Indigenous, Persons of Colour (BIPOC), low-income, children with disabilities, and LGBTQ2S+ children and young people

“Are you considering all children or just the white, straight, cis, neurotypical, male, able bodied ones?” - youth participant

Many of the children and young people in all three phases of the project mentioned that they felt that they faced discrimination and racism at some point in their lives.

- i. Discrimination and injustice still affect the daily lives of Indigenous and racialized children in Canada, as well as those with disabilities, and those who identify as LGBTQ2S+;
- ii. BIPOC children and young people suffer a great disconnect from their culture;

Cont'd

- iii. BIPOC & LGBTQ2S+ children and young people in foster care are over-represented; and
- iv. There continues to be a lack of protection for the safety of BIPOC and LGBTQ2S+ children , as well as those with disabilities;

Article 2 of the UNCRC, touched upon in the above section on Indigenous children, is also important for BIPOC and LGBTQ2S+ children and young people, as well as those with disabilities. This is because too many of our systems are still not working well for all young people. The engagement over-represented these young people in both phases 2 and 3 of the consultations, because we wanted to ensure their voices were heard.

Some of their concerns were similar to ones echoed by non-racialized children and young people. For instance, concerns about child welfare and mental health were prominent. However, there was also an emphasis on the fact that racism is too often still a part of their daily lives, and that there is more that can be done by duty-bearers and responsibility-bearers.

Young people from structurally vulnerable groups are some of the most vulnerable in society. It is imperative that they are prioritized since they have historically been overlooked and excluded from policymaking and discourse. Given the pandemic and its exacerbation of various issues marginalized communities face, the broader public has been made more aware of specific hardships that they face, which children and young people discussed with various movements during the pandemic. With this in mind, children and young people mentioned that marginalized communities must be prioritized and at the forefront of the decision-making processes. They are disproportionately affected by various issues including socioeconomic hardships. Thus, children and young people want to advocate for marginalized children and young people and their rights to food, water, shelter, and security/safety.

RECOMMENDATION #6:

Prioritize eliminating racism and discrimination faced by too many Canadian children by ensuring cultural rights are met, and that structurally vulnerable communities are prioritized.

Children identified the important role that culture plays in understanding their rights, wants and needs. Increasingly amongst cultural minorities such as racialized and immigrant children and young people, the importance of sustaining cultural integrity throughout their lives into adulthood, in and outside of school, was an area of high importance to participants. In a country as increasingly diverse as Canada, a cultural lens on rights needs to be adopted in order for children to know and understand their rights. Framing rights from different cultural viewpoints will go a long way to increasing knowledge and understanding on children's rights.

Recently, more and more children and young people are advocating for the importance of there being more diversity in leadership, whether this be government bodies or child welfare workers. The call towards more diversity not only stems from the need for representation, which of course is imperative for children and young people to see themselves in positions of power, but also due to the need for advocacy.

With more diversity in leadership, whether it be with race, language, dis/ability etc., a holistic and intersectional understanding and view can be applied to issues given the context, knowledge and experiences of having diverse leaders. Youth advocated that having more diversity ensures that all people are represented and included in conversations and policy-processes can result in substantial and long-standing change for children's rights

F

Lack of knowledge about children's rights

*"Don't know too much about them. I can't say I have learned about them."
- Youth participant*

While some children and young people were very familiar with a children's rights discourse, others did not have much knowledge about child rights and protections. They talked about confusion on what exactly rights are, especially compared to privileges, or that they only have a very general knowledge surrounding the topic. The first place that they look for information is from UNICEF Canada, rather than government, parents, schools, or social workers.

Young people reported that their knowledge of children's rights falls on the spectrum of null to knowledgeable. Those who know about rights learned it mostly from interactions with systems (child welfare, justice) or post-secondary education. Most children and young people otherwise do not know about them. Some of the confusion lay in how children's rights can be implemented in various situations ranging from official court cases to broader political issues like the environment.

It was evident in conversations with children and young people that education about children's rights is not made a priority. They voiced that they are often a second thought when it comes to policy making, mentioning their frustration and anger not being included in discourses of issues that affect them. Youth are vital to society and their importance is often overlooked. Their contributions are significant, and when given the chance they are able to make amazing strides towards advancing issues that are important to them.

Though children and young people don't have the opportunity to learn about children's rights from their regular social circles, the three phases of the project gave them the opportunity to learn from their peers' lived experiences. It provided an opportunity for children and young people to delve into deeper discourses pertaining to child's rights and the issues surrounding it. Through lived experiences and the connections made through safer spaces, children and young people were able to learn and grow together sharing their knowledge with each other.

RECOMMENDATION #7:

Increase awareness and education on children's rights at an early age

Early integration of children's rights in education and elsewhere is needed specifically for children and young people as they should be made of their own rights specifically. Young people should learn their rights specifically when they are children, not after the fact when they're in their adult years. Many children and young people reported that knowing their rights made them "feel good."

This feeling was explored in further discussions as the children and young people elaborated the reasons behind this positive feeling; it stemmed from feelings of empowerment, increased confidence, and validation. Children — who had never been told their voice mattered, or their thoughts were valued — experienced this powerful sentiment (for what was the first time, for many) through learning that there are rights in place to help improve their lives in various capacities.

Children and young people expressed heightened desires to bring their new-found knowledge on children's rights back to many of their services and centres and share it with their communities. The raising of awareness on children's rights and initiative to share the previously mentioned "good feelings" has led to further outcomes beyond increased knowledge, including an overall increase in life satisfaction, civic engagement, and participation.

Conclusion

Realizing children’s rights in Canada is not an easy task, but the engagement of children and young people, alongside adults, is crucial to ensure that we can live up to our international standards and norms.

We’ve listed recommendations throughout, but want to note them again in our conclusion:

- 1** *“What we want is action.” Children and youth want to see a clear strategy for the implementation of children’s rights in Canada , that includes reporting back to young people on what the government is doing to ensure that they can realize their rights.*
- 2** *Implement accountability systems for government and child welfare agencies that are visible, accessible, understandable, and accountable to children and young people.*
- 3** *Implement meaningful opportunities for young people to engage with governments, institutions, and systems.*
- 4** *Increase mental health support for children and young people, especially in the wake of the pandemic.*

- 5** *Prioritize the rights of Indigenous children and young people, including their rights to health and environment (clean water, healthcare, climate change).*
- 6** *Prioritize eliminating racism and discrimination faced by too many Canadian children by ensuring cultural rights are met, and that structurally vulnerable communities are prioritized.*
- 7** *Increase awareness and education on children's rights at an early age.*

There is goodwill in Canada for realizing children and young people's rights, but more needs to be done to make these rights a reality. This report highlights some of the main issues that children and young people see when they talk about children's rights, and how they want to see change happen. The recommendations mentioned here are proposed ideas for ways forward, but we know that everyone will need to work together – children, young people, government, civil society - to make these a reality.