

# A Look into Our Thoughts:

A Collaborative Initiative on the Creation of a  
Commissioner for Canada's Children and Youth



THE HONOURABLE | L'HONORABLE  
**Rosemary Moodie**  
SENATOR | SÉNATRICE  
CANADA



# **A Look into Our Thoughts: A Collaborative Initiative on the Creation of a Commissioner for Canada's Children and Youth**

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## Foreword Message from Senator Rosemary Moodie

As a paediatrician and neonatologist, children and youth have been the centre of my work and focus for many decades. When I was appointed to the Senate in 2018, I carried this focus with me. As a legislator, children and youth have been my priority, and I have actively worked to amplify their voices and experiences.

Having spent significant time working on the issues facing our children, it has become increasingly clear that children do not enjoy the full rights and privileges of Canadian society. Their needs, voices and realities are often left out of the public dialogue, systems and institutions. Canada has been steadily dropping in global rankings over the past decade with respect to the well-being of our children.

In fact, according to recent reports from UNICEF Canada and Children First Canada, out of 38 wealthiest countries in the global community, Canada is ranked

30th overall, 31st in mental health and happiness, 30th in physical health and survival and 18th in education and skills development. Likewise, Campaign 2000's 2021 National Report Card statistics tell us that child poverty is a pervasive issue in every jurisdiction of Canada, with poverty reduction measures stalling in the wake of the COVID-19 pandemic. Nearly one in five children lived below the poverty line in 2019, and at the current pace of progress, it would take 54 years to eradicate child poverty in Canada. Additionally, concerning is that the burden of child poverty is most felt in Indigenous and northern and rural communities.

Indeed, these issues are even more disproportionately felt by children from racialized and marginalized groups, like children of Indigenous communities.

Indigenous children are subject to hardship, inequality and trauma and still lack appropriate protection and access to essential services. For example, the application of Jordan's Principle has not been effectively implemented despite its crucial role as a mechanism of eliminating inequities and improving equitable access to health care and other services for Indigenous children. These are only some of the various alarming data that have shed light on how far behind we are in protecting and supporting our children. Canada is one of the world's most important and wealthy democracies.

These failures are unacceptable in a G7 country. What we have and continue to witness is the continued relegation to second-class citizenry of 8 million people. Notice, I use the term 'people' here to help us remember that children are people, and like any other age group, they deserve to live in conditions of optimal social, physical, mental, cultural and spiritual development. These are not privileges; these are their rights.

“

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As Canadians, we are familiar with our country's commitment to being a global leader in human rights and social issues, contributing to our work across the board to build a more inclusive, equitable and just Canadian democracy.

Yet, despite our obligations under the UN Convention on the Rights of the Child, and repeated calls by UN bodies, Canada has failed to take many of the steps needed to ensure children's rights are respected. One of these steps is the creation of an independent advocate for children and youth.

This is why I introduced it by S-210. After 18 months of research and engagement with actors across Canada and the global community, I decided Canada's government needed a push to do the right thing.

And with this tabling of the bill, my office knew our next step was clear: a comprehensive and systematic collaboration process with children and youth across Canada.

After a year of diligent work, we are now ready to share with you what young people have to say about a Children's Commissioner for Canada.

Thank you for taking a look into their thoughts.

**The Hon. Rosemary Moodie,  
Senator for Ontario**





## Foreword Message from the Honourable Landon Pearson

Over 40 years ago a Canadian Commission for the International Year of the Child (1979) was created by the Government of Canada at the request of the United Nations to celebrate children everywhere in Canada and, with their help, to identify the challenges to their health and well-being that many of them were confronting as they grew up. In 1980 we (I was the vice-chair) issued a report entitled “For Canada’s Children: A National Agenda for Action”. Having noted the significant impact that decisions made at the federal level of government were having on the determinants of children’s lives one of our strongest recommendations was to establish a “federal responsibility centre for children” to ensure that legislation and policy development took them into account. This did not happen then nor has it happened since despite the many efforts made by

Parliamentarians including me when I was a Senator to legislate such an institution into being. Unable to vote children under the age of 18 continue to need a legislated entry point through which their voices can reach the corridors of power. Senator Rosemary Moodie, whose office is issuing this report, is to be strongly commended for taking up this task and for doing so with the help of young people themselves.

The report that follows reflects the value that Senator Moodie places on children and youth and on their right, enshrined in Article 12 of the UN Convention on the Rights of the Child (CRC), to be heard in matters that concern them. It is clear from the words collected from the consultations with youth that structure this report that children and adolescents welcome opportunities to contribute to the body politic but they are frustrated that without a vote they have no voice. They are, in effect, what a 2007 Senate report studying the implementation of the CRC in Canada called them: “Silenced Citizens.”

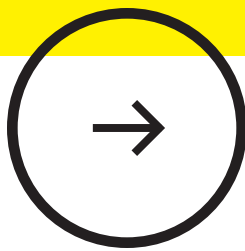
When the Government of Canada ratified the CRC in December 1991 it did so on behalf of all Canadians, transforming those of us over 18 into duty-bearers with the responsibility to ensure that children’s rights are respected, promoted and, to the degree possible, fulfilled. A body that could focus children’s concerns and channel them through to the powers that be would greatly facilitate the carrying out of the responsibilities we have undertaken by being a state party to the CRC. Please read what the young people have said in this report about their desire to be part of the solution rather than part of the problem. We need to listen to them seriously so that they can help us to redress the wrongs we have committed in creating a world that may soon no longer be fit for them nor, indeed, for any of us.

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The Hon. Landon Pearson O.C.



## Foreword message from Youth Report Participants



From my first time facilitating an engagement session for this bill, I knew a child commissioner is something that youth felt mattered. More than ever, children and youth like myself are struggling through these hard times. The pandemic, lack of mental health resources, racism, and much more are issues that too many children are struggling with. Having a report for children and youth by children and youth is incredibly important to me.

Working throughout the process of the report made myself and many others like me feel like we have a spot at the table to voice our concerns on a federal level. The child commissioner is a beacon of hope for Canadian children nation-wide.

In the past few years, my eyes have been opened on the state of children wellbeing, both through my own experiences and the challenges my friends faced. Things have unfortunately gone downhill.

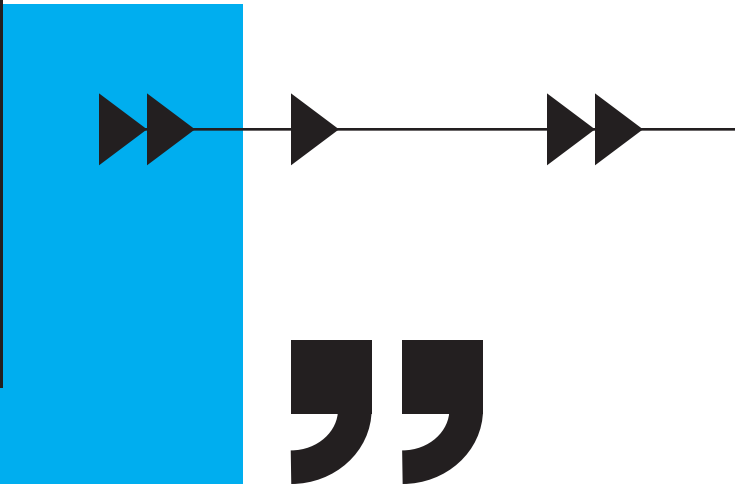
Youth is the future and I am convinced that having a commissioner looking out for us will help make Canada the best place for children to grow up once again.

**Megane Jacques** (she/her)

Chair of Children First Canada's Youth Advisory Council

**Simi Sahota** (she/her)

Member of Children First Canada's Young Canadians' Parliament and Youth Advisory Council









## ACKNOWLEDGEMENTS

This project would not have been possible without the children and youth who participated every step of the way. We would like to sincerely thank the participants for their time, for making the engagement session a success and for allowing us to gather feedback that will help shape the future of this initiative. We truly appreciate your time and willingness to share your thoughts, ideas and experiences.

To the youth facilitators, thank you for leading the engagement sessions across the country with such passion. Your professionalism, dedication, leadership and enthusiasm for this project made it possible and resulted in meaningful engagement.

We would also like to express our deep appreciation to all the organizations that contributed to this project. We appreciate the time and effort you put into this project from start to finish. Your assistance in recruiting participants, promoting the sessions, and supporting the delivery of the engagement sessions was invaluable.

In particular, we would like to thank the following organizations: Youth Leadership Society of BC, Volunteer Manitoba, Regina Open Door Society, Key Assets, Federation BC of Youth in Care Networks, Fresh Voices, YMCA, Regional Multicultural Youth Council, Centre for Addiction and Mental Health (CAMH), Young Canadians Roundtable on Health, Saskatchewan Advocate for Children and Youth, Adoption Council of Canada, Assembly of Seven Generations, FCJ Refugee Centre, Centre for Immigration and Community Services, Boys and Girls of Canada, Youth Project, Children First Canada, Project Outsiders, YCAN, Voices: Manitoba's Youth in Care Network, Feathers of Hope, Youth Coalition for Sexual and Reproductive Rights (YCSRR) and the International Youth Alliance for Family Planning (IYAFFP).

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# INTRODUCTION

## Contextual Overview

Following the ratification of the *United Nations Convention on the Rights of the Child in 1989* (“CRC”), many countries began to develop and establish independent children’s rights institutions, known primarily as children’s commissioners and ombudspersons (Bendo & Mitchell, 2017; UNICEF Canada, 2010).

The CRC is an international agreement that sets out the civil, political, economic, social, and cultural rights of every child.

Following the adoption and ratification of the CRC by 196 nations, over 70 countries, particularly in Europe, Asia, the Pacific and Latin America, have appointed a commissioner or an ombudsperson for children and youth at the national level, Canada not being one of them (Bendo, 2017; UNICEF Canada, 2010).

In general, these institutions have broad mandates to promote children’s rights, raise public awareness and monitor progress on matters relating to children and youth (Bendo 2017; UNICEF Canada, 2010). As a result, these institutions have helped improve policies, services, laws, and practices related to children’s well-being and rights



(UNICEF Canada, 2010; Senate of Canada, 2007). Children make up nearly one-quarter of the Canadian population<sup>1</sup>, yet Canada has not established an independent national office to promote, monitor and investigate children’s rights.

In recent years, there have been several attempts to establish an independent Children’s Commissioner at the national level.

Between 2009 and 2019, private members of the government made several attempts to introduce legislation related to the establishment of a Children’s Commissioner, none of which were passed.

These include Bill C-418, “*An Act to establish a Children’s Commissioner of Canada the Children’s Commissioner Act*,” Bill C-420 “*An Act to establish the Office of the Commissioner for Children and Young Per-*

sons in Canada” Bill C-701 “*An Act to establish the Office of the Commissioner for Children and Young Persons in Canada*,” Bill C-451 “*An Act to establish a Children’s Health Commissioner of Canada*,” and Bill C-441 “*An Act respecting the Office of the Commissioner for Young Persons in Canada*” (Bendo, 2017, 2021). Over 25 years ago, Senator Landon Pearson put forth a recommendation to establish a federal Commissioner for Canada’s children (Pearson, 1997).

Subsequently, in 2001, she and her parliamentary colleague Karen Kraft-Sloan produced the report titled *A Commissioner for Canada’s Children* (Pearson & Sloan, 2001), updated in 2016, describing the potential role for a Commissioner in Canada. Furthermore, in its 2007 report titled “*The Silenced Citizens: Effective implementation of Cana-*



## DEFINITIONS

da’s international obligations with respect to the rights of Children,” the Standing Senate Committee on Human Rights recommended that Canada establish an independent Children’s Commissioner at the national level (Senate of Canada, 2007). In June 2020, Senator Rosemary Moodie introduced Bill S-217 (now S-210), *An Act to establish the Office of the Commissioner for Children and Youth in Canada*.

Bill S-210 proposes the establishment of an appointed Commissioner for Children and Youth to promote, monitor and report on the implementation of Canada’s obligations under the United Nations Convention on the Rights of the Child.

The legislation also proposes the creation of an Assistant Commissioner to ensure focus on matters related to First Nations, Metis and Inuit children and youth.

### **United Nations Convention on the Rights of the Child (UNCRC):**

The UNCRC is an international human rights Convention setting out the civil, political, economic, social and cultural rights of every child.

### **Children’s Commissioner:**

In general, a Children’s Commissioner is a body that is responsible for promoting and protecting the rights of children.

### **Canadian Council of Child and Youth Advocates:**

An association of provincial and territorial child and youth advocates from across Canada who have legal mandates to protect, promote, and implement children’s voices and rights more broadly.

### **Bill S-210:**

An Act to establish a Children’s Commissioner of Canada — the Children’s Commissioner Act.

### **Child:**

The legal definition in Canada refers to a person under the age of 16.

### **Youth:**

Statistics Canada defines youth between 16-28 years.

2009-2010  
BILL C-418

2010-2011  
BILL C-418

2012-2013  
BILL C-420

2019-2020  
BILL C-451

2019-2020  
BILL C-441

2020-2021  
BILL S-217

2021-2022  
BILL S-210

# Statistics from recent reports by UNICEF Canada (2019) and Children First Canada demonstrate that:



The establishment of a Children's Commissioner in Canada has garnered broad, non-partisan support.

The Truth and Reconciliation Commission of Canada has called on Canada to take action to promote the rights of Indigenous children, highlighting the creation of a Child and Youth Advocate in each jurisdiction, with a specialized unit with a mandate for Indigenous children and youth, as well as the creation of a National Commissioner for Children and Youth as a measure to strengthen the accountability for the rights of Indigenous children in Canada (Truth and Reconciliation Commission of Canada, 2015).

Many organizations have also supported the call for a Children's Commissioner at the national level, including the Canadian Coalition for the Rights of Children, the Canadian Pediatric Society, the Canadian Student Association for Children's Rights, the Ontario Children's Advancement Coalition, the Child Welfare League of Canada, Children First Canada, the Canadian Bar Association, members of the Prime Minister's Youth Council, UNICEF Canada, and the United Nations Committee on the Rights of the Child (Bendo, 2017).

Over the past decade, Canada has steadily fallen in global rankings when it comes to the well-being of children. Despite the con-





- **1/3 children do not enjoy a safe and healthy childhood**
- **1 in 3 Canadians report experiencing abuse before the age of 15**
- **1 in 5 children live in poverty**
- **Suicide is the leading cause of death for 10- to 14-year-olds (It's the second cause of death for 15- to 17-year-olds)**
- **Only 1 in 5 Canadian children access mental health services they need**
- **Costs for early childhood care are increasing, making it difficult for lower-income families to prepare their children for entry into the elementary school**
- **There have been 2,500 hospitalized every year due to self-harm injuries (2019 numbers)**

siderable and growing support, Canada remains one of the many industrialized countries that has yet to appoint a Children's Commissioner on a national level. When compared to other industrialized countries, Canada's national indicators of child survival, health, development, and protection are at or below average (UNICEF Can-

ada, 2010). Indeed, Canada's national rates of child poverty, injury, children in state care and detention, and child mortality are higher than the average of other industrialized countries (UNICEF Canada, 2010). As noted, one of the primary purposes of a Children's Commissioner would be to support and serve children. Therefore, we rec-



ognize how crucial and important it was to hear directly from those who would be directly affected by the creation of such an office.

Following the introduction of Bill S-210, our office reached out to various organizations across the country with diverse youth networks to collaborate and engage with youth on the content and direction of Bill S-210. Our goal was to engage with children and youth from across the country from different equity groups, as we found it instrumental to hear directly from them about their thoughts, opinions, and concerns regarding this bill.

We organized engagement sessions, led by youth facilitators, where children and youth from diverse networks were invited to participate and express their views and opinions. After the engagement sessions concluded, we formed child and youth roundtables to collaborate with young people on what the report should look like, what it should include, and to ob-

tain additional insight on this initiative/project.

Although the current report contains important descriptive/methodological information about the project as well as important contextual background information, the main objective of the project was to obtain insight from young people directly about a Commissioner for Canada's children and youth. As a result, a child- and youth-friendly condensed version of the report will be launched shortly along with an executive summary to further highlight and focus on the participants suggestions and ideas, as these findings are the most important element(s) of the project.

## Provincial and Territorial Child and Youth Advocates in Canada

While there is no national Commissioner, there are many provincial and territorial advocates for children and youth in Canada.

These independent officers across the country collectively form the Canadian Council of Child and Youth Advocates (CCCYA), a council of child and youth advocates from across the country with a mandate to advance and promote the rights of children and youth (Bendo, 2017, 2021; Bendo & Mitchell, 2017). These advocates operate independently of

government authority or control and report directly to the Legislative Assembly of their respective jurisdictions. Through the Council, advocates identify areas of concern and work together to find ways to address issues at the national level.

In British Columbia, the Office of the Representative for Children and Youth is guided primarily by the Representative for Children and Youth Act. In Alberta, the mandate of the Child and Youth Advocate is guided by the Child, Youth Family and Enhancement Act.

In Saskatchewan, the mandate of the Advocate is defined by the Advocate for Children and Youth Act. The Manitoba Advocate for Children and Youth is an independent office that consists of a Children and Youth Advocate and two Deputy Children's Advocates. In May 2019, the Ontario Child Advocate's Office was closed, and jurisdiction was transferred to the Ontario Ombudsman. Office responds to concerns from children, youth and families who are seeking or receiving services under the *Child, Youth and Family Services Act* and the *Education Act*, but there is not direct focus on children's rights or on children and young people specifically. When the transfer occurred, the systemic advocacy responsibilities were not carried over, and as a result, key elements of meaningful and adequate participation have not been incorporated since the office's erasure. In Québec, the

Commission des droits de la personne et des droits de la jeunesse is an independent body whose work is guided by the Québec Charter of Human Rights and Freedoms, the *Youth Protection Act* and the *Youth Criminal Justice Act* are respected. In New Brunswick, the Child and Youth Advocate's mandate is guided by the *Child and Youth Advocate Act*. In Nova Scotia, the Ombudsman's office has a Youth services division under the *Ombudsman Act*.

In Prince Edward Island, the Office of the Child and Youth Advocate has a Child Youth Advocate that is an independent officer of the Legislative Assembly. In Newfoundland and Labrador, the Office of the Child and Youth Advocate is governed by the *Child and Youth Advocate Act*. The Yukon Child and Youth Advocate's Office is governed by the *Child and Youth Advocate Act*, and in Nunavut, the Representative for Children and Youth's Office is guided by the *Representative for Children and Youth Act*. On the other hand, the Northwest Territories do not have a child and youth advocate office. Given Canada's federal structure and the division of powers on children's issues, these offices oftentimes have limited authority to intervene on matters relating to children that fall under federal jurisdiction.

Children's rights and issues fall under all jurisdictions, from child protection and family law, which are primarily under provincial ju-

# One criticism is that creating another government institution only adds an unnecessary level of bureaucracy

jurisdiction, to immigration and criminal law, both of which are under federal jurisdiction.

As a result of these jurisdictional divides, some young people who face challenging circumstances cannot access the appropriate advocacy support/services that they need to address issues that impact their lives.

## Benefits and Arguments Against Establishing a Children's Commissioner

The following section highlights the benefits of creating a Children's Commissioner, as well as some of the potential concerns.

### i. Federal Representation

The establishment and appointment of a federal Children's Commissioner in Canada would not only ensure that the interests of children and youth are represent-

ed at the federal level but would also assist the Canadian Council of Child and Youth Advocates in overcoming jurisdictional barriers. In particular, having a commissioner at the national level will assist in addressing issues that fall under federal jurisdiction as well as broader issues that are systemic in nature ( Bendo & Mitchell, 2017).

### ii. Representing Children's Voices at the Federal Level

Nearly all areas of government action and policy affect children to some degree, yet there is no mechanism to ensure that the voices and viewpoints of children, as well as the rights of children, are considered in the development of these policies. The establishment of a national Children's Commissioner is a direct mechanism for bringing the missing voices, viewpoints and lived experiences of children to the federal level. Having an independent national representative focused entirely on the rights and

welfare of children will aim to ensure that children's voices, perspectives, and suggestions are on the public agenda and will encourage government departments to coordinate their efforts and promote better laws, policies and services for children.

### iii. Having Direct Access

There are significant barriers that prevent the representation of children's voices in government. Not only are they limited by the voting age, but their opinions rarely influence government actions, and as a result, their rights are more easily restricted and overlooked (UNICEF Canada, 2010). For instance, weak child employment legislation in some provinces has resulted in higher rates of workplace injury for children than for adults (UNICEF Canada, 2010). In British Columbia, the government recently made changes to the *Employment Standards Act*, raising the general working age for youth in the province from 12 to 16. It was also revealed that the Worker's Compensation Board of British Columbia (WorkSafeBC) paid out a total of \$5.2 million in workers' compensation benefits to children aged 15 and under between 2007 and 2017 (CBC News, 2021). The age amendment was introduced following consultations with over



1,700 youth, parents and employers from multiple sectors, which shows that not being part of the dialogue when implementing legislation not only leaves young people out of this crucial conversation but also has dire consequences (CBC News, 2021) Youth have limited access to complaint mechanisms, as the current mechanisms used by adults to protect their rights, such as the legal system and tribunals, are largely inaccessible to children and are generally inadequate to address issues related to their rights and well-being (UNICEF Canada, 2010).

The presence of a Children's Commissioner would not only allow for regular assessment of the impact of proposed policies, laws and programs on the rights and best interests of children but would also ensure direct communication and access to an office.

While there are many benefits associated with the establishment of a Children's Commissioner in Canada, criticisms have also emerged regarding its creation. One criticism is that creating another government institution only adds an unnecessary level of bureaucracy (UNICEF Canada, 2010).

It is important to note that the creation of an Office of the Children's Commissioner would be an independent body from government, with clearly defined powers and duties enshrined in legislation. In fact, independence is a common feature found internationally among coun-

tries that have established a Children's Commissioner's Office.

Some would argue that since Canada has provincial and territorial child and youth advocates and most policies affecting children are developed at the provincial level, a national child advocate may seem unnecessary (UNICEF Canada, 2010). As discussed in the section above, while most provinces and territories have advocate offices, the legislation that governs the creation of these bodies may potentially limit jurisdictional authorities over issues that impact children and youth. The Canadian Council of Child and Youth Advocates expressed concern about its scope and called for the creation of a national children's commissioner to address national issues that fall outside of its mandate and jurisdiction.

They recognized that there is a significant gap in the protection, promotion, and implementation of children's rights in Canada in the absence of a federal counterpart, and that the creation of an independent office at the national level would help to address this gap.

Concerns have also been expressed regarding the impact that the office of a national Children's Commissioner would have on the allocation of funds for other services to support children (UNICEF Canada, 2010). As described in the UNICEF Canada report, the cost of creating an office for a national Children's Commissioner would be minimal

compared to the costs of failing to protect and promote children's rights. In addition, the Children's Commissioner would be responsible for assisting the government in preventing violations of children's rights, thereby avoiding costly and lasting social and economic problems (UNICEF Canada, 2010).

Concerns were also expressed that the Children's Commissioner, as currently constituted, would not address the concerns, or needs of Indigenous children and youth, as stated by the Assembly of Seven Generations in the report titled "Accountability in Our Lifetime: A Call to Honour the Rights of Indigenous Children and youth." There is a lot of work to be done with and for Indigenous children, who have been subject to hardship, inequality and trauma and who still lack appropriate protections and access to essential services.

An example of inequitable access is the application of Jordan's Principle, which has not been effectively implemented despite its goal of eliminating inequities and improving equitable access to health care and other services for Indigenous children.

The final report of the Truth and Reconciliation Commission and National Inquiry into Missing and Murdered Indigenous Women and Girls called for transformative actions in the areas of health, security, justice and culture, with one of the recommendations being establish-



ing a National Indigenous and Human Rights Ombudsperson to increase accountability for the rights of Indigenous children in Canada.

The creation of an independent commissioner could be a step forward in promoting the rights of Indigenous youth, given that the federal government has the primary responsibility for providing services to Indigenous children and youth. Such an initiative requires a nation-to-nation framework, respect of the self-governance rights of Indigenous peoples, and recognition and understanding of the inequalities that Indigenous youth currently face. It is clear that there are arguments for and against the establishment of a Children's Commissioner/Office in Canada.

However, in order to better understand how a Children's Commissioner could play a role in Canada, the following section will provide an overview of available literature to highlight what other offices and countries have achieved both nationally and internationally, through the appointment of a Commissioner/Office.







# LITERATURE REVIEW

## i. National Level

Various academic sources have explored the roles, mandates and objectives of children's commissioners around the world. In Canada, the role of Canadian child and youth advocates has not been studied in sufficient depth by academics and civil society (Bendo & Mitchell, 2017). However, the existing literature on this topic indicates that there are general recurring themes regarding the role, mandate, and purpose of such an office.

To begin with, there is a consensus that efforts to monitor the implementation of the United Nations Convention on the Rights of the Child would be enhanced if a national commissioner were appointed (Bendo, 2017, 2021; Bendo & Mitchell, 2017). UNICEF Canada suggested that the creation of a federal Children's Commissioner is critical as it would help put children's issues on the national agenda, strengthen advocacy, encourage coordination among different departments and levels of government and promote better laws, policies and services for children (UNICEF Canada, 2010).

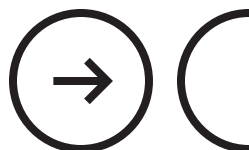
It was also suggested that in addition to the establishment of independent children's rights commissions and tribunals, a fundamental shift in the way we think about children's basic human rights is needed (Grover, 2004). This entails viewing and treating children and young people as equal members of the community.

Studies have also revealed findings indicating that despite the powers of the Canadian Council of Child and Youth Advocates, they are somewhat limited in their authority and can face independent barriers

that significantly constrain their work (Grover, 2004).

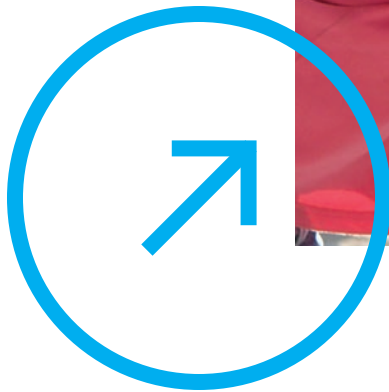
For instance, if a particular issue falls outside the mandate of the office or the legislation that governs its function, the Advocate will have difficulty addressing that issue. In addition, the findings of a study examining the impact of child advocacy offices in Canada revealed that the offices that appeared to be most effective and have the greatest impact were those that were independent of government and accessible to children (Howe, 2009). In addition to Senator Landon Pearson's recommendation to establish a federal Commissioner for Canada's children back in 1989 and subsequently, in 2001, in 2002, the UN Committee on the Rights of the Child called for the appointment of a children's commissioner in Canada (Pearson & Sloan, 2001).

Further calls for the appointment of a Children's Commissioner were made in the 2005 Senate Committee interim report titled "Who's in charge here: Effective Implementation of Canada's International Obligations with respect to the rights of children."





This recommendation was further reaffirmed in the 2007 Senate Committee report titled *“The Silenced Citizens: Effective implementation of Canada’s international obligations with respect to the rights of Children,”* which also highlighted the potential role of a Children’s Commissioner. The report describes what effective implementation of the Convention on the Rights of the Child would look like in Canada, while outlining what the statutory responsibility of the Office of the Children’s Commissioner should include.



These recommendations propose that the national Children’s Commissioner should, among other things (Senate of Canada, 2007):





- **Conduct ongoing reviews of federal legislation, services and program funding affecting children and their rights**
- **Report annually to Parliament with an assessment of the federal government's implementation of the Convention**
- **Have significant independent investigative powers**
- **Act as a general advocate for children and conduct systemic investigations**
- **Conduct public education campaigns regarding the Convention and its rights, as well as on specific issues affecting children**
- **Strive to make the Office visible and accessible to children, parents and those who provide services to them across Canada**
- **Have a high-level officer responsible for investigating and monitoring the protection of Indigenous children's rights**
- **Liase with the Canadian Council of Provincial Child and Youth Advocates to further facilitate the protection of children's rights and effective monitoring across Canada**

The report also strongly suggests that the Children's Commissioner should have a statutory obligation to involve children in its operation and that Parliament should establish a working group that focuses on children's rights at the federal level (Senate of Canada, 2007).

The role of the working group would be to ensure that a public education strategy is developed for youth and the public regarding the CRC, to report to Parliament on the status of children's rights, and to work with the Children's Commissioner to ensure that children's rights are implemented throughout the country (Senate of Canada, 2007).

The establishment of a First Nations Children's Ombudsman has also been briefly discussed. The report in question outlines the potential role of a First Nations Ombudsman (Atimoyoo, 1999):

- Investigation of complaints and grievances
- Dispute resolution and mediation between various parties
- Advocacy for individual clients and for improved child welfare services
- Ensuring that the rights of clients are fully protected
- Provision of education and awareness programs

One recommendation that emerged from this report was the establishment of a Council of Elders that could provide support



At the international level, several countries have established Children's Commissioners to fulfill their obligations under the CRC







and guidance during the process. The Standing Senate Committee on Human Rights has strongly suggested that the Office of the Children's Commissioner have a senior official responsible for investigating and monitoring the protection of Indigenous children's rights and has recognized the jurisdictional barriers faced by provincial advocates (Senate of Canada, 2007).

The New Zealand Children's Commissioner provides a notable example of how Indigenous children's issues can be prioritized within the Children's Commissioner's Office. The Office has a newly created position of Assistant Māori Commissioner, dedicated to ensuring that particular attention is given to protecting the rights of Indigenous children in the country.

## ii. International level

At the international level, several countries have established Children's Commissioners to fulfill their obligations under the CRC.

In fact, this type of office exists in more than 60 international jurisdictions, including England, France, Denmark, Slovenia, Scotland, Australia, New Zealand, Sweden and Norway, among others

(UNICEF Canada, 2010). Therefore, the various academic sources that have further explored this role are based on the practical experiences of those offices and lived realities in the different jurisdictions.

### i. New Zealand

In New Zealand, the work of the Office of the Children's Commissioner is shaped and governed by the Children's Commissioners Act 2003. The New Zealand Office consists of the Children's Commissioner as well as an Assistant Māori Commissioner. Under current legislation, the Children's Commissioner has extensive powers of access to documents, information and court records, as well as powers of investigation. The legislation also requires the Commissioner to develop ways to consult periodically with children to ensure that their views are considered in the performance of duties.

The Children's Commissioners Act 2003 specifically outlines the responsibility for the Commissioner to give serious consideration to the views of children and take those views into account, and to recognize the diversity of children in New Zealand. Although the position of Children's Commissioner was es-





established through the Children, Young Persons and Their Families Act (1989), the independence of the office was strengthened by the Children's Commissioners Act, 2003, which made the office an independent entity of the Crown. The Children, Young Persons and Their Families Act (1989) also states that any person exercising authority under the Act must be guided by the principles of the CRC.

In addition, the Commissioner has the power to investigate individual cases, as well as systemic issues affecting the rights, welfare and interests of children. These investigative powers extend to the investigation of health authorities, schools and non-governmental organizations.

## ii. Wales

The Children's Commissioner for Wales was the first position created in the UK, with the position appointed every seven years. In 2015, the appointment process involved collaboration between a cross-party Ministerial selection panel and a diverse panel of young people. The Commissioner is required to provide an annual report to the Welsh Government on the actions, initiatives and progress made by the office, along with recommendations.

The Children's Commissioner for Wales specifically serves every child in Wales:

- Up to the age of 18
- Up to the age of 21, if they've been in care
- Up to the age of 25, if they've been in care and are still in education

A unique element of the Office is its ability to provide advice and support surrounding service delivery systems and legal issues. The Children's Commissioner for Wales provides advice, information, representation or assistance to a child or young person making a complaint to a service provider or taking legal action (Hillman et al., 2010). A participatory research study evaluated the role of the Children's Commissioner in Wales with the active participation of children and young people. The study concluded with recommendations to improve the role, function, and awareness of the work of the Commissioner, which included the following (Hillman et al., 2010):

- An action plan to address the low awareness of the Commissioner among children and young people, including the government, the media and other UK Commissioners

- An improved information package for schools to introduce the Children's Commissioner in the context of a rights and citizenship learning curriculum

- Consider the establishment of a small, dedicated team to focus directly on the interests of children in care and youth out of care.

## iii. Northern Ireland

In Northern Ireland, the Commissioner for Children and Young People (Northern Ireland) Order 2003 is the guiding legislation that frames the role of the Commissioner. The Commissioner's position has been developed and strengthened as a result of numerous campaigns and policy initiatives.

The Commissioner for Children and Young People, who reports to the Assembly and Parliament, is appointed by the First Minister and the deputy First Minister and has a role in safeguarding and promoting the rights and best interests of children and young people. A unique feature of the legislation is that it gives the Commissioner the authority to provide financial or other assistance for research or educational activities relating to the rights or best interests of children and youth or the performance of his or her duties.

In addition, the Commissioner for Children and Youth has the ability

to intervene in any proceeding involving a law or practice affecting the rights or welfare of children or youth and to act as *amicus curiae* in such proceedings. As noted above, the provincial and territorial advocates in Canada are unable to provide legal assistance to children and youth under the legislation governing their offices. The ability to support children and youth in legal matters is an important advance in child advocacy and can be seen in many offices abroad.

#### iv. Sweden

In Sweden, the Ombudsman for Children is a government agency under the Ministry of Health and Social Affairs that is tasked with promoting and advancing children's rights based on the CRC.

The Ombudsman's role includes the implementation and interpretation of the CRC in Sweden's municipalities, county regions and government agencies, and proposing changes to legislation and policy as required. The Ombudsman is also responsible for submitting an annual report to the government, which includes analysis and recommendations for improvements benefiting children.

In addition, the office places a strong emphasis on children's participation and provides numerous mechanisms to ensure meaningful participation of children and





youth in its work. While the office has no regulatory authority or the mandate to intervene in specific individual cases, it does have the legal authority to request information and to convene discussions with the parties (Senate of Canada, 2007).

## **v. Australia**

In Australia, the legislation establishing the position of National Children's Commissioner was passed by the federal Parliament in 2012. The commissioner, who is considered a member of the Australian Human Rights Commission, participated in a selection process that involved the direct participation of children aged 9 to 11.

Similar to the other jurisdictions, the National Children's Commissioner does not have the capacity to deal with complaints or cases involving individual children, this role being vested solely in the Commissioner President.

However, just as the Commissioner in Northern Ireland, the Commissioner may seek leave of the court to appear as an intervener or *amicus curiae* in cases involving children's rights. In addition, part of the National Children's Commissioner's mandate is to work collaboratively with state and territory Children's Commissioners and Guardians through the Australian

Children's Commissioners and Guardians group. Collectively, the national and international sources that have examined the concept/role of a children's commissioner seem to have recurring common themes regarding the role, objectives, and responsibilities of such an office.

### **i. Liaison and Accessibility**

Firstly, a key function that has been voiced across many sources is the need for the Children's Commissioner to serve as a liaison between young people and the government.

Another common theme is the importance of the visibility and accessibility of the Children's Commissioner's office to children, parents and those providing services to them (Senate of Canada, 2007).

It was suggested that this could be achieved by the Commissioner's office creating an advisory body of youth representatives (Bendo, 2017).

In fact, an accessible office has been deemed a crucial element in ensuring effective protection of children's rights. For example, the New Zealand Children's Commissioner is assisted by a Youth Reference Group, which provides the Office with representation and perspectives on issues facing children and youth (Senate of Canada, 2007).

### **ii. Accountability**

Another recurring theme is accountability, where the Children's Commissioner is accountable to the children, not just for them. In general, national human rights institutions have two levels of accountability, one to the state and the other to the public (Joint Committee on Human Rights, 2010).

While being accountable to the public reinforces independence, being accountable to children is crucial when it comes to the institutions that represent them, especially since their participation in informing government action is absent in many jurisdictions (Bendo, 2017).

The United Kingdom Committee for UNICEF has highlighted that accountability to children and young people can be demonstrated through "publishing reports that children can understand, by encouraging children's involvement in monitoring and evaluating their work, and by ensuring that the Commissioner is always open to public scrutiny and comment" (Joint Committee on Human Rights, 2010).

This is an element that has been included in many statutes across international jurisdictions. For example, as part of its statutory obligations, the National Children's Commissioner in Australia is re-

quired to submit an annual report to the Federal Parliament on the enjoyment and exercise of human rights by children and young people in Australia.

In addition, the Australian government reports to the UN Committee every five years on its progress on children's rights. These reports not only affect the lives of young people but also contribute to the understanding of their rights and can serve as an educational tool.

### iii. Independence

The independence of the Children's Commissioner is also a common theme observed across jurisdictions. Children's commissioners must be independent and not be subject to interference by government or political parties in the performance of their duties (Bendo, 2017, 2021; Bendo & Mitchell, 2017). It is recognized that, given the nature of their work, these institutions must have a close relationship with government, but this relationship should not extend to the point where government determines the institution's agenda and priorities.

A strong basis for the independence of a human rights institution for children is the strength of the legislation that governs the office (Bendo & Mitchell, 2017). The institutions established by statute are

more likely to be sustainable in the long run as they cannot be easily interfered with.

The appointment and dismissal process can also ensure independence through a transparent selection and appointment system. This plays a key role in defining the independence of the office and its ability to influence policies and practices affecting children.

### i. Education

One element that varies from jurisdiction to jurisdiction is the role of the Children's Commissioner in education and advocacy. The emphasis on promoting children's rights through education, awareness, publications and training varies across jurisdictions.

For example, the Office of the Children's Commissioner in New Zealand has a strong educational approach and conducts intensive workshops on child advocacy throughout the country and publishes a quarterly newsletter on children's issues (Senate of Canada, 2007).

In fact, it was reported that in order to adequately monitor children's rights, advocates should not only have the capacity to influence youth-related laws and policies but also promote and engage in research and ensure that public education on children's rights is avail-

able. Despite the existence of many institutions that promote child and youth advocacy, as well as children's rights internationally, there is limited literature on the subject in general.

In Canada specifically, although there has been many advances made at the provincial level over time, there is a significant gap in the literature on this topic. In particular, there is a lack of literature that focuses on this area from the perspective of children and youth.

Our project and the engagement sessions we held on this particular topic are unique because in contrast to other studies that have focused on the topic of provincial and territorial child and youth advocates and children's commissioners from the viewpoint of adults, this project includes direct and meaningful engagement with children and youth across the country.



## RESEARCH METHODOLOGY



The project employed a mixed-methods approach to data collection and used a technique known as concurrent transformative design (Hanson et al., 2005). A concurrent transformative design is useful when a project seeks to apply an advocacy lens to exploring the project objective(s). This approach is complementary to projects that aim to understand the implications of the data gathered, including ways that the data may contribute to action or change (Creswell et al., 2003). Additionally, this approach is useful for its focus on prioritizing the voices of groups that are oftentimes under-represented, as well as diverse groups of participants (Hanson et al., 2005). In fact, this approach also aims to advocate for the participants that take part in the research.

A concurrent transformative design is also valuable when projects aim to understand an area of focus

that may be changing as a result of being researched (Tashakkori & Teddlie, 2003). Through this design, both qualitative and quantitative data are collected. One form of data is typically prioritized, while the other form of data serves to augment or complement the dominant form of collection.

Data analysis occurs separately, and both sets of data are brought together in the data interpretation stage of the research process (Hanson et al., 2005).

Given the objective of the project to understand young people's perspectives, suggestions and insights on Bill S-210, a concurrent transformative design was adopted for data collection and analysis procedures. A concurrent transformative design was selected over other methods considering the findings of the project will be used to advocate for young people's suggestion(s) to develop an office of a commissioner for children and youth in Canada, and to make use of these insights to understand the best possible structure and features that may constitute this role and office.

In order to implement this methodological approach, we combined two modes of data collection:



1. Qualitative engagement sessions with young people and...
2. A descriptive/exploratory survey with young people.

In the context of our project, qualitative data is prioritized (engagement sessions/exploratory elements of the survey) and shaped the analysis of the key findings, while the quantitative data (descriptive elements of the survey) is presented visually to situate the broader qualitative themes.

These techniques complement one another in their integration. The surveys were utilized to offer young



people who could not or did not want to participate in the engagement sessions opportunities to contribute their thoughts and perspectives. The qualitative approach to data collection was prioritized over quantitative methods for various reasons.

To start, qualitative procedures adopt a humanist approach that enables researchers to share in the perceptions of participants and their understandings of the topic or phenomenon under study (Blaikie & Priest, 2019; Denzin & Lincoln, 2008). One of the key objectives of qualitative research is to devel-

op connections with participants and analyze the phenomenon from their viewpoint (Denzin & Lincoln, 2008). Projects that engage a qualitative approach aim to explore social and contextual settings, as well as the individuals who are immersed in these settings in order to answer key questions (Bradshaw, Atkinson & Doody, 2017; Creswell, 2013). In particular, qualitative research seeks to empower participants by providing space for their stories and insights to be told and heard (Corden, 2006).

These acts aim to deconstruct and limit power imbalances that fre-

quently exist between researchers and research participants (Corden, 2006; Wolcott, 1994).

Considering the aim of the project was to understand young people's perspectives, suggestions, and insights on Bill S-210, a qualitative methodology was vital in creating spaces for young people to share their insights and viewpoints, rather than simply quantifying their perspectives. The concurrent transformative design was also paired with a co-production participatory action research (PAR) approach (Baum, MacDougall & Smith, 2006).

One of the key qualities of PAR is its focus on partnership and collaboration throughout the research process (Kemmis, McTaggart, & Nixon, 2014; McIntyre, 2007). PAR aims to deconstruct power relations that oftentimes exist between researchers and participants as it centres on principles of equality, reciprocity, and agency (Baum, MacDougall & Smith, 2006).

These principles are applied from the start of the research process and are integrated into the research design throughout data collection, data analysis, and dissemination of knowledge; collaborative decision-making guides the research process (Cook-Sather, Bovill, & Felten, 2014). As a result, PAR is particularly useful when working with social groups that are considered vulnerable, or who face challenging circumstances (Kemmis, McTaggart, & Nixon, 2014).

PAR provides diversified and flexible approaches to engaging with participants as it recognizes that engagement can take various forms.

Co-production is particularly important when considering the use of PAR (Bell & Pahl, 2017). Through co-production, the researcher and researched engage in dialogic strategies that enable participants to offer valuable suggestions and feedback that can strengthen the research approach and process as it unfolds (Bell & Pahl, 2017). In the context of research with children and youth, PAR is useful as

it can provide opportunities for young people to participate in the research design and for children and youth to engage not only as research participants but as coproducers of knowledge (Shamrova & Cummings, 2017). Considering young people are predominately viewed as a vulnerable social group in need of protection, their capabilities, competencies and insights are oftentimes overlooked. The use of a co-production PAR approach was therefore beneficial as it provided young people with an important role in engaging and reflecting on the research project, as well as providing feedback on the research approach and outputs. It also served to acknowledge the importance of recognizing young people as meaningmakers in their own lives and as experts on matters that will impact their lives. In this case, we employed a co-production PAR approach as it was useful in obtaining the insights, perspectives and viewpoints of young people and their thoughts about Bill S-210.

### **Engagement Sessions**

In February and March 2021, we reached out to various child and youth-serving organizations across Canada. The organizations were informed about the objective of the project and were invited to participate in a meeting.

The meeting focused on discussing the content of Bill S-210 - An Act to establish the Office of the Com-

missioner for Children and Youth in Canada, and the purpose of the engagement sessions with young people. The organizations were informed about the main objective(s) of the project: to discuss the content of Bill S-210, to obtain and listen to young people's perspectives, thoughts, concerns, and suggestions about the bill.

The organizations were then invited to participate in the project and were asked if they would like to host engagement sessions with young people at their respective institution(s) and/or with their respective networks of young people.

Organizations that were interested in participating in the project were offered two options for participation:

1. Organizations could provide a youth facilitator that the office would train to conduct the engagement session (see Appendix A and Appendix B, which outlines training material that was provided to facilitators who led the engagement sessions).
2. Organizations could provide a trained facilitator to conduct the engagement session.

With both options, facilitators were provided with all of the tools and materials that were necessary to carry out the engagement sessions (including the same engagement session question guide that was used across all sessions). Engagement sessions took place from







**FIGURE 1.**

**LOCATION OF PARTICIPANTS  
ACROSS CANADA\***



\* 9 additional national organizations representing various provinces/territories across Canada participated in this study.

For the full list, please see Appendix D on page 80.

## LEGEND

1. BRITISH COLUMBIA
2. ALBERTA
3. SASKATCHEWAN
4. MANITOBA
5. ONTARIO
6. NEW BRUNSWICK
7. NOVA SCOTIA
8. PRINCE EDWARD ISLAND
9. NEWFOUNDLAND AND LABRADOR



February to April 2021. All organizations that participated in the project were responsible for recruiting participants through their respective networks.

Each organization posted advertisements with information about the study and also reached out to their networks by providing a letter of invitation. None of the organizations had any restrictions on recruitment; rather, all organizations included participants that fit the appropriate age criteria (10 to 18 years old). The initial focus of the project was on participants aged 10-18 years old; however, once the organizations started advertising the project, a lot of young people aged 19-29 expressed interest in participating in the study.

The team did not want to exclude the valuable viewpoints of young people in this age range, and as a result, opened the study to older participants who were quite keen to provide their insights. We found these perspectives valuable because a lot of these participants reflected on their experiences receiving services as children under the age of 18 years old.

These viewpoints, therefore, augmented and enriched the perspectives of the participants aged 10-18 years old. We wanted to ensure that the engagement sessions captured diverse regional representation, and as a result, organizations from various regions in Canada were included in the study (see Appendix

D for a list of participating organizations)<sup>2</sup>. While organizations from specific provinces took part in the project, eight national organizations also participated to represent the various provinces and territories across Canada. Additionally, various equity-seeking groups were included and categorized by six groups: Racialized Youth, Youth in and from Care, Refugee and Immigrant Youth, LGBTQ2S+ Youth, Indigenous Youth, Young people who have experienced Mental Health Issues and/or Substance Use.

A total of 35 engagement sessions were held across the country, involving 402 young people. Figure One provides an overview of the breakdown of participants.

Each organization provided young people with preliminary information focusing on the role of a Children's Commissioner and a Commissioner's Office through the form of an information poster (see Appendix C) and a short information video developed by Senator Rosemary Moodie<sup>3</sup>.

Engagement sessions ranged in length from 60 – 90 minutes and included, on average, ten to 15 participants. The smallest sessions included two to five participants, while the largest session included 51 participants. For the larger engagement sessions, breakout rooms were used to ensure that each participant had opportunities to speak/contribute. Engagement sessions were delivered in English and

French. Each engagement session included ten guiding questions that related to the project's objective to understand young people's viewpoints on the role and responsibilities of a Children's Commissioner in Canada (see Appendix B). Each facilitator that led engagement sessions was provided with a \$200.00 cash honorarium.

### Surveys

Surveys were provided to organizations that had young people who expressed interest in participating in the study but who could not attend the engagement sessions. The surveys were sent out to participants directly and included shorter versions of the questions posed in the engagement sessions (see Appendix E). In total, 89 surveys were completed; each participant completed one survey. The survey was also published on Senator Rosemary Moodie's website.

### Follow-Up Roundtable Engagement Sessions

In line with the co-production PAR approach, we employed follow-up roundtable engagement sessions

with a select sample of the participants who initially participated in the engagement sessions. The purpose of the follow-up roundtable engagement sessions was to ensure that young people could offer feedback on what the final report should include/what it should look like, and any additional insights on the project findings.

The first set of follow-up engagement sessions focused on what the final report should include/what it should look like. The roundtables were organized by the following age groups<sup>4</sup> and included the following number of participants:

- One roundtable with young people aged 12 to 14 years old (3 participants)
- One roundtable with young people aged 15 to 18 years old (7 participants)
- One roundtable with young people aged 19 to 29 years old (4 participants)

The second set of follow-up engagement sessions focused on obtaining additional insights on the project findings. The roundtables were organized by the following

age groups and included the following number of participants:

- One roundtable with young people aged 12 to 14 years old (2 participants)
- One roundtable with young people aged 15 to 18 years old (3 participants)
- One roundtable with young people aged 19 to 29 years old (1 participant)

Each participant took part in the follow-up roundtable engagement sessions based on their willingness to participate in another engagement session, their geographical location(s), and status as individuals belonging to equity-seeking group(s). Participants were included from across Canada and represented viewpoints from the six equity-seeking groups, including: Racialized Youth, Youth in and from Care, Refugee and Immigrant Youth, LGBTQ2S+ Youth, Indigenous Youth, Young people who have experienced Mental Health Issues and/or Substance Use.

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2 The office also sent out letters of invitations to various child and youth serving organizations in Québec, Prince Edward Island, and the Territories. These invitations were either declined or unanswered. The office reached out to additional organizations to try to recruit from every province and territory but ultimately focused on the regions where invitations were accepted.

4 The team attempted to recruit young people aged 8-12 years old to participate in the follow-up roundtable engagement sessions in order to obtain the perspective(s) of younger children.







## DATA ANALYSIS & KEY FINDINGS

All of the engagement sessions included various note-takers who captured young people's viewpoints and perspectives verbatim on a note-taking form (see Appendix G). Upon completion of the engagement sessions, the data was compiled and sorted by the question(s) that were posed in the sessions. The data underwent thematic analysis procedures, which included description and analysis (Denzin & Giardina, 2014; Wolcott, 1994).

Description involves describing, defining and explaining the details of the data without expanding deep into the analysis (Denzin & Lincoln, 2011; Wolcott, 1994). In the description phase, surface-level data is gathered based on the participants' insights which often include a snapshot of their key messaging (Leavy, 2014).

We started with this step in the analysis to highlight the descriptive information that emerged from the engagement sessions with young people. The data was then input into NVivo, a qualitative data analysis software program, which was used to search for patterns and similarities amongst the descriptive data. Colour coding schemes were used to group segments of the data into various categories.

The data was analyzed line by line, and codes were assigned to the data to summarize the participants' key words and phrases. The main

themes and sub-themes were generated based on these selections and interpretations (Denzin & Giardina, 2014). Themes were derived when the data revealed numerous consistent examples that contributed to the patterns of meaning.

Through this process, we developed an understanding of young people's perspectives, suggestions, and insights on Bill S-210.

In the following section, we highlight the key findings based on the engagement sessions with young people. We start by providing a brief overview of key findings stemming from each individual question that was posed in the engagement sessions. For each question, we reveal young people's direct responses (descriptive analyses) based on the patterns that emerged during data-analysis. In the section that follows the brief overview of findings, we build on this information to provide a deeper analysis of broader thematic findings that emerged from the engagement sessions.

### **Brief Overview of Findings**

The following section outlines a brief snapshot of the key findings which were derived from both the qualitative and (some of the) quantitative data.

QUESTION 1:

# Should there be a Commissioner for Children and Youth?

TOTAL SURVEYED: 402 PARTICIPANTS



YES



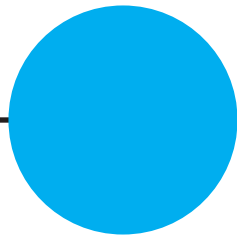
NO



DID NOT SPECIFY<sup>5</sup>



UNSURE



**83%**

Based on  
335 respondents



LESS THAN

**1%**

Based on  
5 respondents



**12%**

Based on  
51 respondents



LESS THAN

**1%**

Based on  
11 respondents

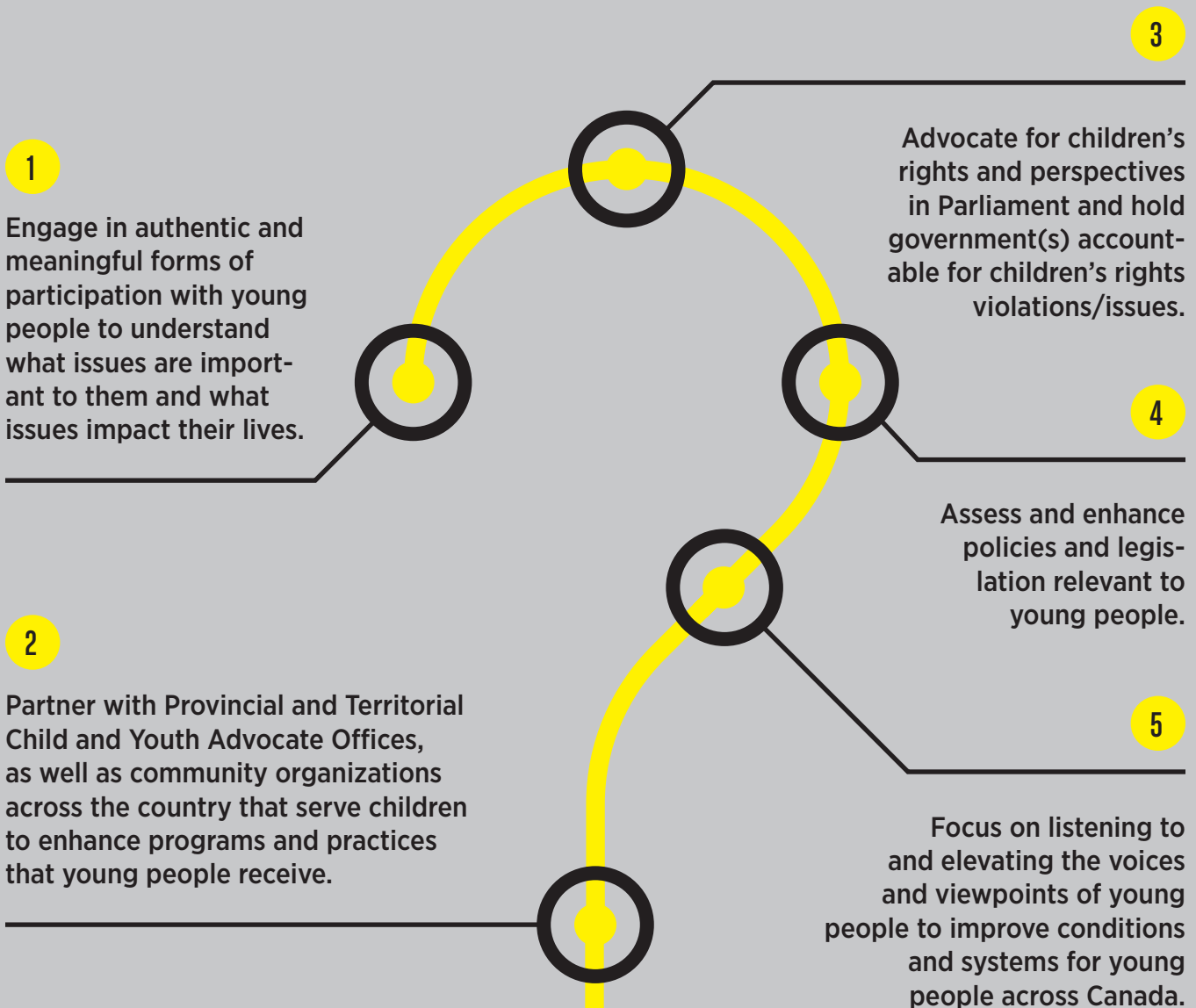
**This finding highlights the importance of establishing/appointing a Children's Commissioner/Office in Canada, based on young people's perspectives.**



QUESTION 2:

# What should the purpose of the Commissioner be?

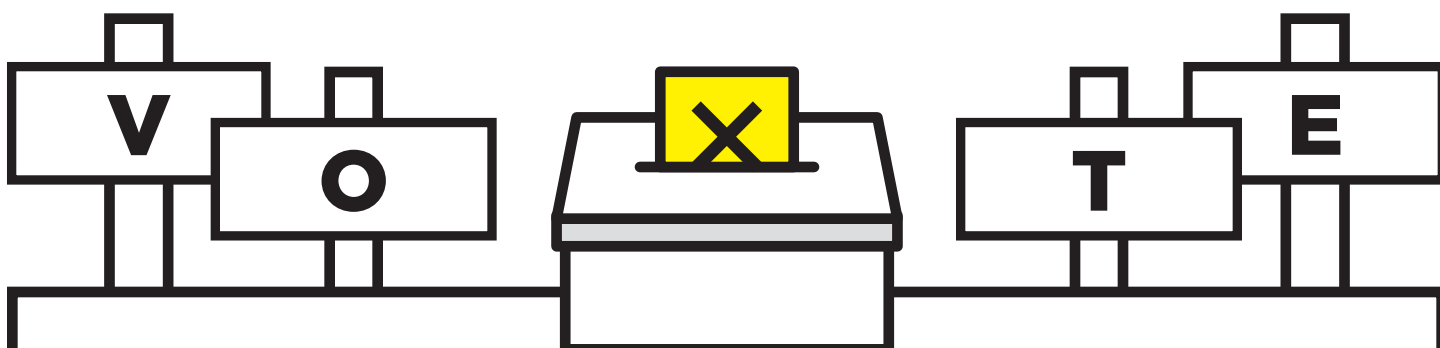
In our engagement sessions with young people, the participants identified five key purposes that they believed would be important for a Commissioner for Children and Youth to fulfill:



QUESTION 3:

# How and who should choose the Commissioner for Children and Youth?

Young people suggested that a Commissioner should be voted into the position rather than appointed through governmental processes.



The participants agreed that a range of individuals and groups across each province and territory should be involved in voting for a Commissioner for Children and Youth in Canada, including:



### Community Organizations

that serve children and youth.



### Professionals

that work in child-service delivery systems, including education, law, healthcare, and social services.



### Parents and Civil Society Stakeholders



### Young people across Canada

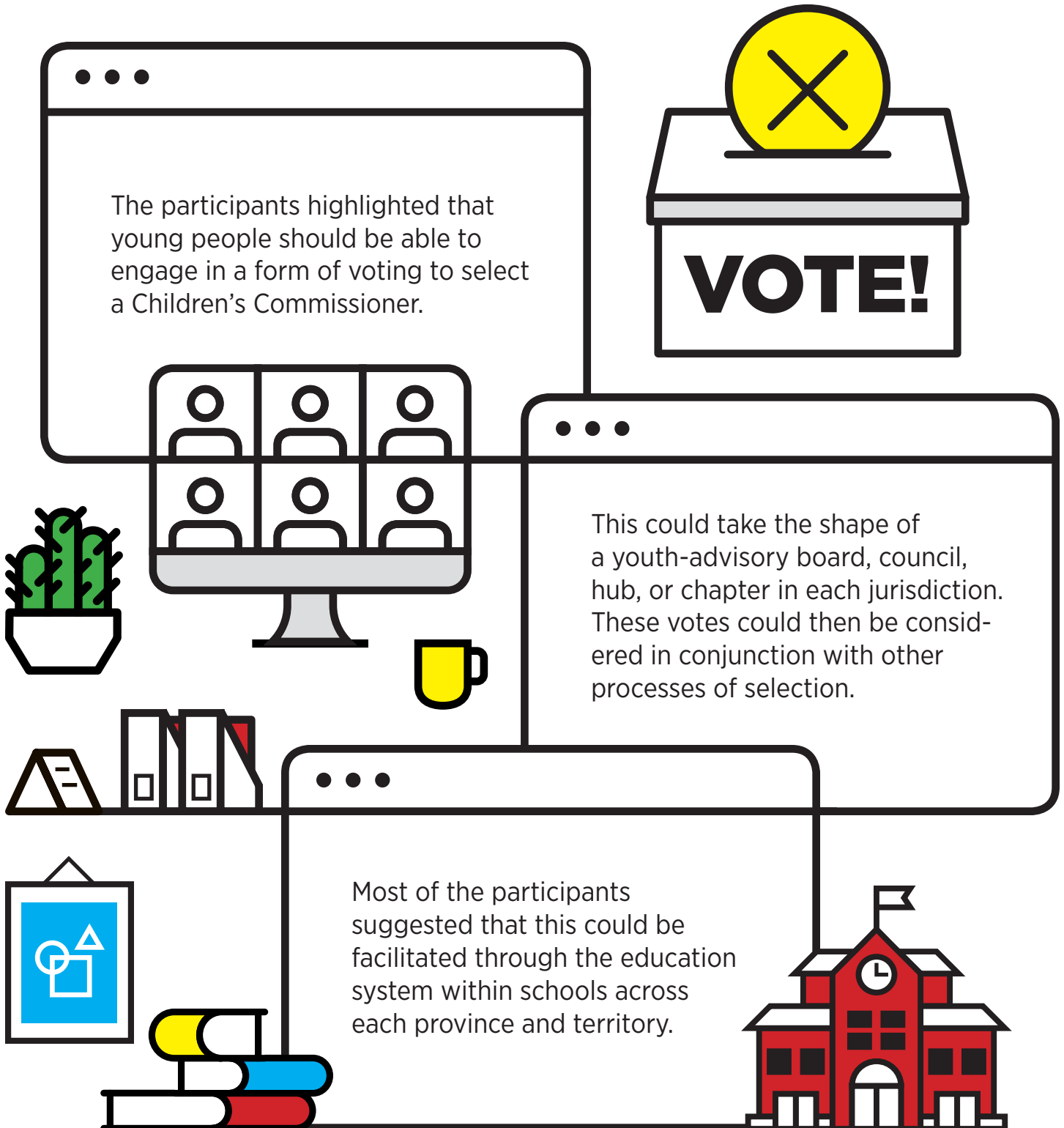
including children and youth who face challenging circumstances.

Some suggested that a selection committee, advisory group, or board from across Canada comprised of these various representatives (independent from government), could vote collectively to establish a Commissioner for Children and Youth.



QUESTION 4:

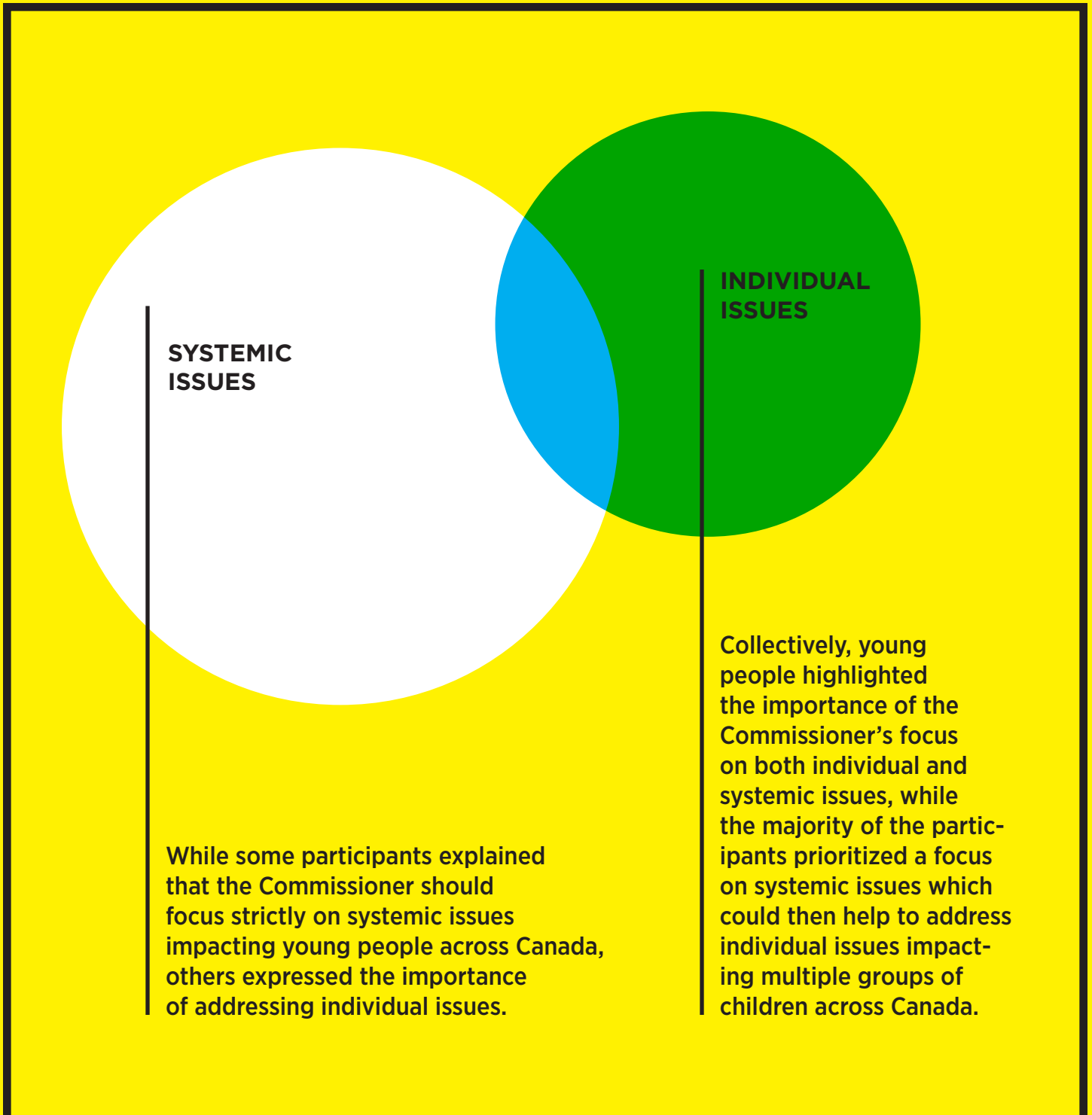
# What role should children have in choosing the Commissioner?





QUESTION 5:

# Should the Commissioner work with individual children or focus on systemic issues?



QUESTION 6:

## What powers should the Commissioner have?

The participants agreed that it would be important for the Commissioner to have the following powers:

**Investigative powers.**

**Power to bring young people's voices to decision-makers.**

**Power to enhance policies and legislation impacting young people.**

**Power to advocate for children's rights in Parliament.**

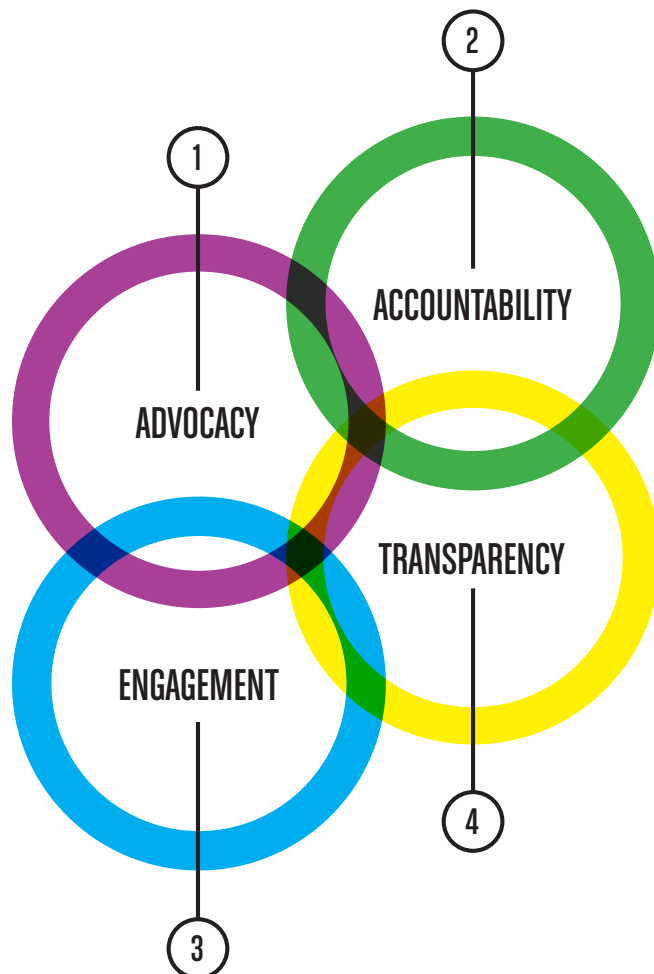
**Power over Federal jurisdictions that impact young people.**

**Power to hold government accountable for issues impacting children.**

## QUESTION 7:

# What does accountability, transparency, advocacy, and engagement look like?

Young people outlined some of the following characteristics as central to defining and unpacking the concepts of accountability, transparency, advocacy, and engagement.



### 1 **Advocacy**

- Engaging directly with young people
- Providing space for young people to express their perspectives/stories (in person and online)
- Listening to young people's viewpoints and suggestions
- Valuing their lived experiences in decision making

### 2 **Accountability**

- Setting metrics and goals
- Showcasing timelines/pressing benchmarks
- Providing evaluations
- Including young people in decision making

### 3 **Engagement**

- Establishing collaborations with young people
- Developing initiatives with children and youth
- Partnering with Provincial and Territorial Child and Youth Advocate Offices
- Connecting with various groups of young people from different social lines of difference

### 4 **Transparency**

- Outlining intentions and expectations
- Publicizing data to the public (reports)
- Developing annual reports about issues impacting young people
- Keeping promises



QUESTION 8:

## What age group and who should the Commissioner focus on?

The participants agreed that the Commissioner should focus on supporting all groups of young people across Canada, especially young people facing challenging circumstances.

# 25

Most of the participants recommended that the Commissioner support young people up until the age of 25.



# 29

Although some of the participants explained that support should be available up until the age of 29.

For instance, newcomer children and youth, young people with disabilities, young people engaged in the child welfare system/youth justice system, young people struggling with mental health issues, BIPOC (Black, Indigenous, People of Colour) young people, 2SLGBTQ+ youth, among others.

Most of the participants recommended that the Commissioner support young people up until the age of 25, although some of the participants explained that support should be available up until the age of 29 for various reasons.

For instance, young people who are institutionalized through systems such as the child welfare system may require additional support and protections, as their development and complex trauma histories can impact their access to rights and resources and realization of rights and recourses.



QUESTION 9:

## How can the Commissioner help kids who need them most?

The participants provided a range of proposed recommendations on how a Commissioner can help young people across the country. The following points highlight some of these key suggestions:



Visit service-delivery sites to provide support and obtain insight on how services can be improved to better young people's lives.



Meet with young people to understand what issues are impacting their lives, listen to their lived experiences, and support their recommendations for change.



Develop initiatives for young people to work with the Commissioner's office to combat systemic issues impacting young people.

Represent children in Parliament.



Provide avenues through social media for young people to express their viewpoints and reach out for support.

## KEY THEMATIC FINDINGS: YOUNG PEOPLE'S PERSPECTIVES ON BILL S-210



The following section builds on the brief overview of findings to provide a deeper analysis of broader thematic findings that emerged from the engagement sessions.

### Valuing Voices and Viewpoints

One of the most apparent themes that emerged in our discussions with young people was the importance of listening to and valuing young people's viewpoints, perspectives, experiences, and voices. Young people explained that this should be the primary focus of a children's Commissioner/Office. The participants highlighted the importance of having someone

at the Federal level to represent young people's lived realities, proposed solutions/recommendations, suggestions on how to enhance service-delivery systems, policies, legislation, practices, and to advocate for change concerning issues that impact children and youth. They explained that oftentimes the viewpoints of children and youth are overlooked or silenced in systems that serve them, and as a result, the participants made it clear that listening to their voices directly should be the Commission's objective. While this idea of elevating young people's viewpoints and perspectives emerged as a common finding amongst the engagement sessions, young peo-





ple distinguished the difference between one universalized voice for children and youth and the importance of recognizing the diversified voices of young people across Canada. For instance, one participant expressed concern over having “one person who will have all the power to be the voice of youth” as well as broader concern over having one representative universalize their voices.

Young people, therefore, proposed that a Commissioner focus on ensuring that diverse viewpoints are elevated at the national level to reveal young people's varied, lived realities and experiences. Some participants also suggested that

it would be useful to establish a team or council of Commissioners rather than just one person. As one participant explained, “*I think there should be more than one Commissioner or a team supporting the Commissioner because one person will work less effectively and would be less focused on all the work that needs to be done. One person is not enough for the objectives this role is trying to achieve.*”

Another participant expressed a similar perspective: “*It would be good to have a council of Commissioners that work together to split up the work so that they're more effective – also each province and territory could have a representative that would communicate with the Commissioners about the needs in their communities.*”

One of the participants also explained that a Friendship Centre model would be a useful approach to consider:

“*Going through child and youth-focused community groups such as Friendship Centers would help to both identify the issues facing children and youth broadly (i.e., the more systemic issues), and possibly also connect the Commissioner to individual children.*” In addition to thinking critically about the notion of voice, the participants dis-

tinguished the difference between listening to young people's voices, representing young people's voices, and supporting young people so that they can elevate their own voices. While some of the participants placed emphasis on ensuring that young people's voices are elevated and represented at the Federal level, others expressed the importance of simply listening to the voices and perspectives of children and youth.

Collectively, the participants showcase the complexity surrounding the notion of voice and the importance of analyzing the different dimensions of young people's voices that are significant to children and youth.

They further emphasize the value of listening to young people's voices and viewpoints in order to determine how to support children and youth in a way that is relevant to their lives and experiences. Whether the Office was to appoint a single Children's Commissioner or establish a Team/ Council/Friendship Centre, it is evident that: listening, elevating, representing, and amplifying young people's voices are expressed by children and youth as a top priority and a leading proposed recommendation.



The following excerpts from the engagement sessions highlight young people’s direct perspectives:

I think having a Commissioner for children and youth is a good idea because a lot of times the youth would like to have a say on what happens to them and what could benefit them...

*YP, Multicultural Youth Centre engagement session, Ontario*

**YP = Youth Participant**

The Commissioner must listen to children and youth. That’s the most important duty. They must advocate for what they hear and for children’s rights. They must listen and advocate for what children want, and not for what the Commissioner wants.

*YP, Children First Canada & Fresh Voices engagement session, Ontario*

They should go to different places in the country and listen to youth and their needs.

*YP, Children First Canada & Fresh Voices engagement session, Ontario*

Amplify youth voices and engage youth so that they can connect with and learn from policy makers and contribute to changing systems that directly impact youth.

*YP, CAMH engagement session, Canada*

[The Commissioner] should represent diverse youth and all aspects of youth identities — not just one individual idea of ‘youth.’

*YP, FCJ Refugee Centre engagement session, Ontario*

[The Commissioner] should be a voice for children and youth, shed light on day to day obstacles faced by youth, and take the challenges of youth and turn them into solutions.

*YP, YCAN engagement session, Newfoundland*

**It’s very important that the [Commissioner’s] office would amplify the voice of youth and not speak over them.**

*YP, Youth Project engagement session, Halifax*

**[The Commissioner] must give youth a platform to speak to communities and to Parliament.**

*YP, Children First Canada & Fresh Voices engagement session, Ontario*

The Commissioner should represent the voice of children and youth and pass the information to those in power.

*YP, YCAN engagement session, Moncton*

The Commissioner should improve the lives of children and youth by actually listening to the kid's voices and taking what they say seriously instead of letting them continue to stay in the same bad conditions.

*YP, Multicultural Youth Centre, Ontario*

**It would be important to have a Commissioner as there are 60 other countries that have implemented one.**

*YP, CAMH engagement session, Canada*

[The Commissioner] should represent us [youth].

They should just be there (their presence is enough) and they should tell those higher up our ideas and those ideas should get passed on to other politicians.

*YP, Children First Canada & Fresh Voices engagement session, Ontario*

[The Commissioner] should reflect on, and advocate for the voices of children and youth within Canada, create programming and initiatives across Canada for the betterment of children and youth.

*YP, CAMH engagement session, Canada*

**Give children/youth a voice on issues that affect them... Provide opportunities for youth involvement/engaging in dialogue.**

**Giving children and youth a voice is very important.**

*YP, YMCA engagement session, Canada*











## Protecting, Promoting and Implementing Children's Rights in Practice

In our discussions with young people, it was evident that children and youth prioritized the importance of having a Children's Commissioner/Office who could focus on protecting, promoting, and implementing children's rights in practice.

Many of the participants highlighted that there is no one at the federal level in Canada that is advocating for the protection, promotion, and implementation of children's rights.

As a result, many of the children and youth expressed concern over the fact that children's rights are not being protected in service delivery systems (for instance, in the youth justice system), children's rights are not being promoted or taught to young people, and children's rights are not being implemented in practice (in particular, within legislation and policies that pertain to children and youth).

Young people suggested that the Commissioner/Office should have a role to play in protecting young people's rights on behalf of children and youth, but also, the role should focus on partnering with young people to help them advocate for their own rights through self-advocacy.

Children's rights should therefore be enforced by the Commissioner/Office and by children themselves. In order to ensure that children's rights are prioritized within the Commissioner's Office/work, the participants highlighted the importance of selecting a Commissioner who has a strong background in, and understanding of, children's rights.

Some of the young people explained that this should be someone who has a strong history of advocating for children's rights so that they can draw upon their experiences, knowledge, skills, and expertise on children's rights to ensure that they are protected, promoted, and implemented in practice, at the federal level.



There should be focus on systemic issues that are not being seen and basic human rights in Indigenous populations. This role should be focusing on legislation and policies, especially in the [youth] justice system.

*YP, YMCA engagement session, Vancouver*

The following quotes are from children & youth reveal young people’s insights, verbatim:

The Commissioner must listen to children and youth — that’s the most important duty. They must advocate for what they hear and for children’s rights. They must listen and advocate for what children want, not for what the Commissioner wants.

*YP, YMCA engagement session, Vancouver*

**The Commissioner must help and work with children to bring them [a] light of hope.**

*Rachel Zhang, age 16, Ontario*

Protection of children and youth — ensuring that the rights of children and youth are being protected; this is what the Commissioner should do.

*YP, Volunteer Manitoba engagement session, Manitoba*

[The Commissioner should] advocate for the rights of children and youth. Give children/youth a voice on issues that affect them.

To engage with youth, give children voice. Provide opportunities for youth involvement/ engaging in dialogue.

*YP, YMCA engagement session, Canada*

**YP = Youth Participant**



**We should have a Commissioner for Children and Youth – there is no one designated to represent children’s rights, right now, it’s mostly to the general population.**

*YP, Adoption Council of Canada engagement session, Canada*

The Commissioner will help children know their rights and how to take their own actions, but also go back and forth to parliament to amplify youth’s voice and get the issues that are important to kids heard by the government.

*YP, Children First Canada & Fresh Voices engagement session, Ontario*

We should have a Commissioner for Children and Youth – there is no one designated to represent children’s rights, right now, it’s mostly to the general population.

Their main duty should be to bring the best interests of children and youth in the public agenda and promote better law and policies to youth.

They need to make children voices be heard.

*YP, Adoption Council of Canada engagement session, Canada*

Giving children and youth a voice is very important. Youth Empowerment, make them feel valued and important – give them a voice. Federal oversight on provincial ministries of children, community and social services.

*YP, YMCA engagement session, Canada*

The Commissioner should be someone who knows the law and the rights of children. Children cannot represent themselves, so they need someone to advocate for them.

They need a program to protect children through legal representation at the federal level, perhaps.

*YP, Project Outsiders engagement session, Canada*



These insights reveal that in addition to listening to and valuing young people's viewpoints, perspectives, experiences and voices, the participants are also alluding to the importance of taking a rights-based approach to working with young people.

In this context, the participants' suggestions speak to broader notions about the potential role of a Commissioner/Office and ensuring that the legal mandate of the Office incorporates a rights-based framework for carrying out other roles and responsibilities listed under the Commissioner's mandate. Prioritizing the protection, promotion, and implementation of children's rights within the Office is one way that the Commissioner could begin to adopt a rights-based approach to their interactions and engagements with young people directly.

In order to do so, the organizational framework of the Office must be grounded in a rights based approach which may, in turn, impact the Office's behaviours, practices and relationships with children, young people, decision-makers, professionals working with young people, families, adults, and communities at large.







## Pathways and Potential: Representing Young People in Parliament

Throughout the engagement sessions with young people, the participants continuously mentioned the role that a potential Commissioner/Office could play in representing children in Parliament.

The children and youth expressed a range of different viewpoints on what a Commissioner/Office could do at the parliamentary level to represent young people across Canada. For instance, some children explained that it would be important for a Commissioner/Office to present different child-related issues to Parliament to inform government officials about rightsbased issues

that require attention. Others highlighted the potential role of a Commissioner/Office in providing platforms for young people to express their ideas and recommendations directly to Parliament.

This could include planning events or providing pathways so that young people can visit Parliament to present their ideas, suggestions, and lived experiences to government officials.

Some of the participants also explained that the Commissioner/Office could focus on providing solutions/recommendations to Parliament and advocating for change at the parliamentary level to address systemic issues impacting young people. Others also noted that the Commissioner/Office could play a central role in developing, revising, and enhancing policies and legislation to better serve children and youth. The young people suggested that the Commissioner/Office could assume an accountability/monitoring role to ensure that chil-

dren's issues are prioritized and addressed in Parliament. Interestingly, the participants also explained the importance of establishing an appropriate balance between the Commissioner/Office's role in engaging directly with young people and with Parliament, as one participant noted:

*"It would be important to see them [the Commissioner/Office] in the community being present instead of sitting at a desk in Parliament."*

Another participant also expressed a similar concern:

*"A big worry for many children would be seeing the Commissioner in Parliament and if they can't meet certain expectations that the youth or children have, they should state it to them and be clear... We do not want another parliament person not listening to us!"*





**These young people express concern over ensuring that the Commissioner does not deviate away from engaging with children and youth directly.**

**While others expressed their viewpoints on the importance of having a Commissioner/Office to represent children in parliament.**

A way for youths voices to be heard in parliament. To advocate for solutions to issues that affect children in Canada. Looking at general and specific needs of children and youth at the moment and working along that line. Ensuring all parties involved are held accountable to any solutions that arise. Increasing youth voice and on legislation that have an impact on them, advocate for the respect and promotion of children and youth rights.

*YP, YMCA engagement session, Canada*

They must travel a lot and meet with children and youth. They must give youth a platform to speak to communities and to Parliament.

*YP, Children First Canada & Fresh Voices engagement session, Ontario*

Could have each Province and Territory represented by a youth council. However — there needs to be a lead Commissioner — to have the voice in parliament.

*YP, Centre for Immigration and Community Service engagement session, Ontario*

**YP = Youth Participant**

Another role that they may be able to support is to be active in the community and also be an active advocate. It would be important to see them in the community, being present instead of sitting at a desk in parliament.

*YP, CAMH engagement session, Canada*

The Parliament must listen to the Commissioner and the Commissioner must have the power to speak to Parliament.

*YP, Children First Canada and Fresh Voices engagement session, Ontario*

The Commissioner/Office' should hold government accountable for their actions, have the power to speak against parliament if deadlines are not met and if agreements are not followed through with.

*YP, YCAN engagement session, Calgary*

**There should be communication between youth and the Commissioner, as well as the Commissioner and Parliament.**

*YP, YCAN engagement session, Calgary*

There should be a Commissioner for every level of parliament so they can listen to the communities and pass along the problems through chains of command (Municipal, Provincial and finally Federal). This way, the Federal Commissioner doesn't have to travel all over Canada, at all times, to complete their duties.

*YP, Regina Open Door Society engagement session, Saskatchewan*

## **The Parliament must listen to the Commissioner and the Commissioner must have the power to speak to Parliament.**

*YP, Children First Canada and Fresh Voices engagement session, Ontario*

As evidenced by young people's direct quotations, it is apparent that the participants see value in having a Commissioner/Office represent their voices and viewpoints in Parliament as they highlight that there is no one in Parliament representing children and youth.

Although young people presented different viewpoints on how the Commissioner/Office could represent them in Parliament, this was a focal point of the engagement sessions. This finding is interconnected with the previous findings surrounding the voices and viewpoints of children and youth and the importance of protecting, promoting, and implementing children's rights in practice.

It suggests that valuing young people's voices and viewpoints and taking a rights-based approach to working with children and youth is a potential pathway that the Commissioner/Office could create to represent children at the Parliamentary level.



## Cultivating a Culture of Change

Amongst the participants was a desire for change in communities across Canada. Young people's messages were clear:

"[The Commissioner/Office should advocate for change – we need to see change happen because we have been trying for years to see change.]"

Collectively, children and youth discussed different ideas about what they would like to see change, as well as what the Commissioner/Office could do to help better the lives of Canadian young people.

For example, some of the participants placed emphasis on the importance of having a Commissioner/Office advocate for policy changes that would be relevant to children and youth.

The participants also explained that the Commissioner/Office should focus primarily on systemic issues that impact young people and strive to advocate for systemic change across Canada at the federal level. A lot of the participants also proposed that the Commissioner/Office should focus on advocating for young people in challenging circumstances (for instance, young people struggling with mental health issues, young people in the child welfare system, the youth justice system, BIPOC young people).



**The following quotes from young people exemplify these perspectives:**

Balance between both a systemic and individual focus would be good, because helping out the individual is where we want to see the change, as well as in systems.

*YP, Volunteer Manitoba engagement session, Manitoba*

**YP = Youth Participant**



The [Commissioner/Office] should be responsible for reviewing and changing policies in the child and social services sector.

*YP, CAMH engagement session, Canada*

## **It would help youth get in touch with the ‘higher-ups’ to affect change.**

*YP, YCAN engagement session, New Brunswick*

Mental health and consulting with Indigenous groups is really important to focus on — really important for so many young people.

*YP, YCAN engagement session, New Brunswick*

It’s not practical or realistic to focus on individual issues — it would be better if the Commissioner worked with marginalized communities to make real change.

A lot of individual cases will fall under different cases (ex: bullying, abuse, etc) and that’s a lot of work for the Commissioner to fix. Perhaps the Commissioner can focus on systemic categories to help individuals.

*YP, Adoption Council of Canada engagement session, Canada*

**In many reserves or small towns, most kids are trapped in negative cycles, and they need someone to speak up for them to change the toxic lifestyle...**

*YP, Multicultural Youth Centre engagement session, Ontario*

**Youth could help tell the commissioner what they want to see impacted and changed.**

*YP, YCAN engagement session, Calgary*

Overall, the participants refer to the fact that change is important to them and there is space and opportunity for young people to work directly with a Commissioner/Office to cultivate change at individual and systemic levels and in different ways.

Reflecting on the previous findings, it is clear that creating a culture where children’s voices are valued and heard, a rights-based approach is adopted to working with young people, and children and youth are represented in parliament, there is potential for a Commissioner/Office to create change that will be impactful to Canadian young people; especially those facing challenging circumstances.





## **Key Observations from Follow-Up Roundtable Engagement Sessions**

To ensure that the report accurately reflected the viewpoints of the participants, and in line with the co-production PAR approach, the team re-connected with the participants through follow-up roundtable engagement sessions. Young people offered their viewpoints on the key findings outlined in the report, as well as suggestions on what the report should look like/include.

As per young peoples' suggestions, we have integrated these recommendations into the design of the report and into the content of the literature review/analysis of findings.

The following viewpoints reflect the participants' ideas and thoughts:



1. The report included an acknowledgement section thanking the participants for their time and for sharing their experiences during the engagement sessions. The participants highlighted that this was an important section to include in the report.
2. Participants appreciated the inclusion of arguments against and for the establishment of a Children's Commissioner/Office but suggested that including counterarguments/resolutions for the arguments against would be helpful. The team included these counterarguments in the introduction of the report.
3. Participants suggested including direct quotes from children and youth, with their associated organization and region, to make the report more personal.
4. The children and youth highlighted the importance of including bright, visually appealing graphics in the report and suggested that it would be helpful to include their direct quotes in bubbles. Each 'findings' section includes bubbles to highlight direct quotations.
5. Participants suggested including definitions in the introduction of the report, and proposed that square boxes would help to distinguish key terms used throughout the report. These definitions are included at the beginning of the report.
6. Given that the bill calls for the creation of an Assistant Commissioner position to ensure that there is a focus on issues related to First Nations, Inuit and Métis children and youth, the participants suggested including information throughout the report about issues that impact these groups of young people. Some of this information has been integrated throughout the contextual overview, literature review, and most importantly, young people's perspectives on this area are outlined in the findings section.



## Key Quantitative Findings from Survey Data

Although the brief overview of key findings section provides a snapshot of some of the main findings based on both the qualitative (engagement sessions) and the descriptive/exploratory data (surveys), this section outlines some of the distinct findings based on the quantitative data.

In general, the quantitative findings complemented the qualitative themes and revealed similar patterns that aligned with the main qualitative findings: Valuing Voices and Viewpoints, Protecting, Promoting and Implementing Children’s Rights in Practice, Representing Children in Parliament, and Cultivating a Culture of Change.

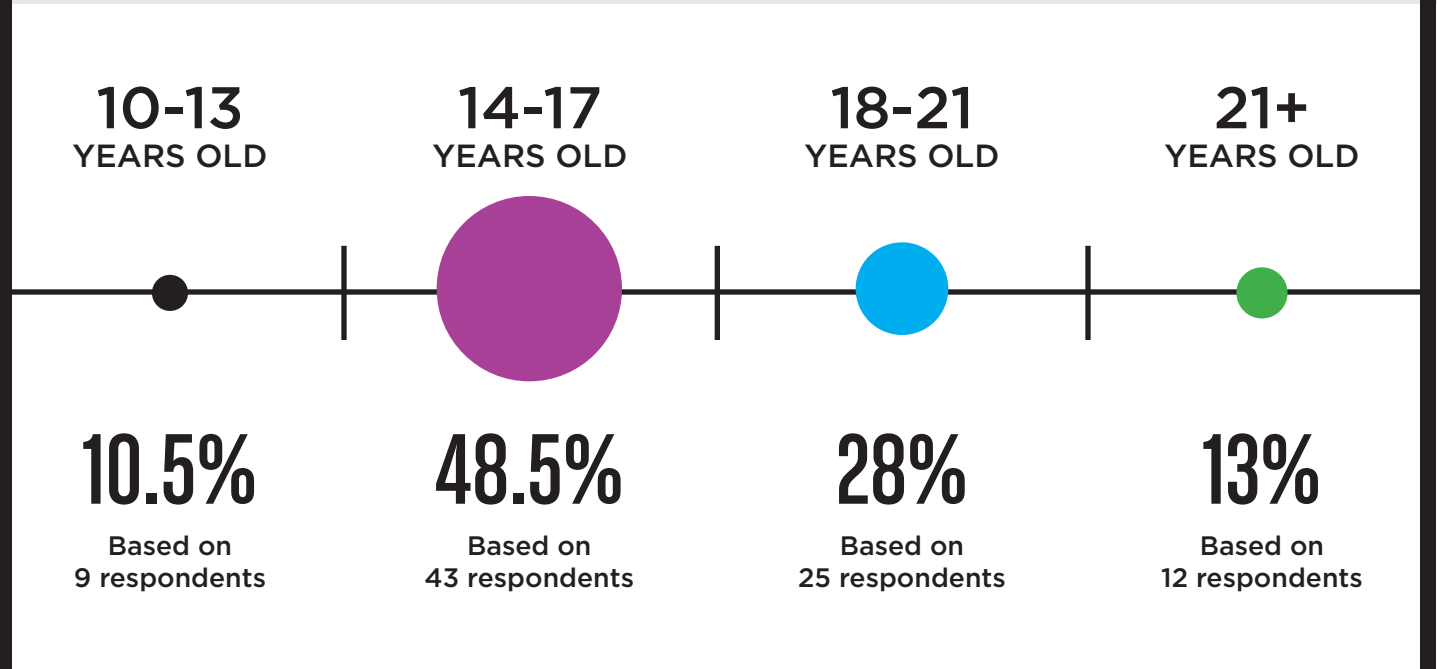
The following snapshots of data provide additional supplementary (quantitative) findings to support these key themes.



KEY FINDING 1:

## Ages of Young People who Participated in the Survey

The survey included 89 young people from four age brackets:



WHEN ASKED:

Should a Children's Commissioner/Office be established?

TOTAL SURVEYED: 89

97%

of respondents were in support of this role. While 3% of participants stated that there should not be.

KEY FINDING 2:

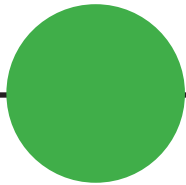
## Focusing on Systemic & Individual Issues

WHEN ASKED:

What issues should a Children's Commissioner and/or Office focus on?

TOTAL SURVEYED: 89 PARTICIPANTS

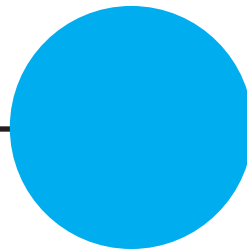
INDIVIDUAL & SYSTEMIC ISSUES



**36%**

Based on 32 respondents

SYSTEMIC ISSUES



**49%**

Based on 44 respondents

INDIVIDUAL ISSUES



**15%**

Based on 13 respondents



KEY FINDING 3:

## Age of Children that the Commissioner/Office Should Focus On

WHEN ASKED:

What age demographic should a Children's Commissioner and/or Office focus on?

TOTAL SURVEYED: 89 PARTICIPANTS

17-18  
YEARS OLD

20-25  
YEARS OLD

25-30  
YEARS OLD

ALL  
AGES

36%

Based on  
31 respondents

21%

Based on  
19 respondents

5%

Based on  
5 respondents

13%

Based on  
12 respondents

25% of the participants did not specify an age range

## Conclusion

This landmark report is a key look into the mind of Canadian children and youth. It outlines how our current systems and policies have failed to serve our children and youth and substantively improve their lived realities in an in-depth and youth-informed way.

Canada's ratification of the UN Convention on the Rights of the Child over two decades ago has not led to the systemic transformations Canada needs because the Convention has never been fully implemented. Establishing a Children's Commissioner is not the only step we need to take forward for young people in Canada.

Still, it comes at little cost and with significant support from young people and children's advocates

and a promise that it would be a strong first step towards deeply needed change. In Canada, children represent 22% of our population and represent not only our future but the people who need to be considered and consulted with the same level of commitment as we would adults.

Like other marginalized groups, children and youth can no longer be regarded as tokens that only are involved in decision-making and policymaking when convenient or uncomplicated.

In fact, the statistics at our disposal are alarming, particularly for children in challenging circumstances like those from marginalized, underserved and underserved communities. And these numbers are



Youth participants in this study state that the Commissioner needs to advocate for substantive and palpable change for children and youth in Canada.





only becoming more glaring in the wake of a pandemic for which we are still trying to solidify a recovery plan to move forward.

The voices of young people are needed in our political discourse now more than ever. While Bill S-210 is no longer, the work and voices put into this consultation process are still here and ready to be realized. 491 young people from across Canada from diverse backgrounds were consulted on the question of a Children's Commissioner and what one would look like in Canada. And following 35 engagement sessions and preceding roundtables, it is clear that a strong majority of children and

youth want to see a federal Commissioner representing them in Ottawa. They want this Commissioner to listen to them and elevate their voices, provide authentic and meaningful opportunities for participation, partner with stakeholders who serve youth and work with Parliament to produce policies that consider children and youth and will improve their lives.

Put simply, youth participants in this study state that the Commissioner needs to advocate for substantive and palpable change for children and youth in Canada. The careful thought and research that has been put into this report by youth participants reflect a youth

population that is ready, willing and excited to be involved in our democracy, institutions and decision-making. This report should not be an end but rather a beginning. We must continue to be intentional in our approach and create opportunities for engagement with young people.

Youth voices are underrepresented in our governance and until we can change the societal habit around this, amplifying their voices means having to work outside the box. If you're a leader with a platform, it means lending that platform to youth and working with them to strengthen their voice.

Young people are ready to be engaged, and as Canadians, they deserve the same protections, respect and voice for which we advocate for adults. This is all the more important in this time of social and political upheaval. As parliamentarians, leaders, policymakers, and advocates, it is our responsibility to make this a reality. We've heard their thoughts. Let's get to work.



# APPENDIX A

## Commissioner for Children and Youth: Facilitators Background Brief

### A. The Problem

Canada has been steadily dropping in global rankings over the past decade with respect to the well-being of our children. Statistics from recent reports from UNICEF Canada and Children First Canada:

- 1/3 children do not enjoy a safe and healthy childhood
- 1 in 3 Canadians report experiencing abuse before the age of 15
- 1 in 5 children live in poverty
- Suicide is the leading cause of death for 10-14 year old
  - Second cause of death for 15-17 year old
- Only 1 in 5 Canadian children access mental health services they need
- Cost for early childhood care are increasing, making it difficult for lower income families to prepare their children for entry into the elementary school
- There have been 2500 hospitalized every year due to self-harm injuries (2019 numbers)
  - 90% increase of those injuries between 2009-2014

Furthermore, the reports state that Canada ranks out of 38 rich countries:

- 30<sup>th</sup> overall
- 31<sup>st</sup> in mental health and happiness
- 30<sup>th</sup> in physical health and survival
  - 33<sup>rd</sup> in immunization rates
  - 29<sup>th</sup> in obesity
  - 31<sup>st</sup> in infant mortality
- 18<sup>th</sup> in education and skills development
- 26<sup>th</sup> in child poverty rates

22% of Canadians, nearly 8 million, are children. Each should be able to live in conditions of optimal social, physical, mental, cultural and spiritual development. It is their right. These statistics are not acceptable.

### B. The UN Convention on the Rights of the Child

Canada has obligations towards children under the UN Convention on the Rights of the Child, signed in December of 1991. According to the Convention, children have a right to:

- **Protection** from abuse, exploitation, harmful substances etc;
- **Provision** of health care, education, adequate standards of living; and
- **Participation** in society through attention to their views and perspectives.

Canada seeks to be a leader in human rights and all social issues, yet it has **not fully implemented the recommendations of this Convention**. One that has a **great impact at little cost** would be the creation an Office for the Commissioner of Children and Youth.

### C. Commissioner for Children and Youth

In June of 2020, Senator Moodie introduced a bill to establish an office of a Commissioner for Children and Youth. She aims to reintroduce this bill in the fall of 2020. This legislation's design and approach is supported by 18 months of research and engagement with various actors from within Canada and in other jurisdictions.

A Commissioner for Children and Youth was a central recommendation of a 2007 report by the Senate Human Right's Committee and before then, and ever since then, many stakeholders, activists and politicians have called on the government to establish a Commissioner for Children and Youth.

#### 1. What does the bill envision?

The bill envisions an office lead by a Principal Commissioner as well as Assistant Commissioners who could be tasked to focus on specific groups, such as First Nations, Métis and Inuit's peoples or immigrant and refugees. We envision the office taking a distinction-based approach, wherein it does not view populations as a monolith but considers the diverse needs, cultures and histories of the people it serves.

This type of office exists in most provinces and territories and in many international jurisdictions including Belgium, Australian, New-Zealand, Sweden and Norway. Though it would not deal with specific local

issues, it would serve as a liaison between local authorities and the federal government. This bill has received the endorsement of multiple organizations that serve and support children and youth in Canada.

#### 2. What would the Commissioner do?

Briefly put, the Commissioner would be an independent officer of Parliament (like the Parliamentary Budget officer or the Privacy Commissioner) with three main roles:

- Evaluate and report on government actions including legislation and regulatory changes. The Commissioner would assess the impact of Government action on children and youth.
- Advocate for the well-being of children and youth, including championing certain issues or conducting studies to highlight the needs of specific populations or the impact of specific events or issues.
- Engage with children and youth to elevate their voices and provide a platform for engagement with Parliamentarians.

### General Questions

#### 1. What is the Parliament of Canada?

The Parliament of Canada is the federal legislature of Canada, seated at Parliament Hill in Ottawa. It is composed of three parts: The Queen, the Senate, and the House of Commons. Within the Canadian system, the Queen, the Senate and the House of Commons must agree with a given law before it is enacted. Furthermore, the Parliament has two branches, the executive and the legislative.

## 2. What is the Senate of Canada? And what is a Senator?

The Senate is the Upper House of the Parliament of Canada. It has 105 senators that are appointed by the Governor General on the advice of the prime minister and serve until the age of 75. Seats are allocated on a regional basis of four regions: Ontario, Quebec, the Maritime provinces and the Western provinces. The purpose of the Senate is to examine and review legislation, study national issues and give the regions of Canada an equal voice in Parliament. Senators can also propose their own bills and initiate debate on issues of national importance.

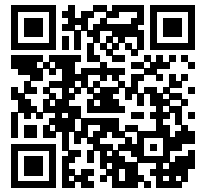
## 3. How does a bill become a law?

Ideas for laws can come from anywhere a community, a political party's platform, or issues raised by citizens. Once written out, these ideas are called "Bills", which is a draft proposal for a law. Bills can start in the Senate or in the House of Commons. When a Bill is introduced in the House of Commons, members of parliament will debate its strengths and weaknesses. Then, they vote to see if the Bill should go to a committee for further study. In committee, Members examine every detail of the Bill, hear from experts and other witnesses, and finally decide if they need to make any amendments. The Bill then goes back to the Chamber, where Members of Parliament debate it a final time, including any amendments.

Then they vote to see if it passes the House of Commons. If it's passed, the Bill goes to the Senate for review. After being introduced in the Senate, the Bill travels through the same process, where Senators debate, vote, and study the Bill in committee. If the Senate committee makes changes, these amendments must go back to the

House of Commons for approval. Senators then debate the Bill one last time before putting it to a final vote. After the Bill passes both chambers, it's signed into law by the Governor General or their representative. After receiving Royal Assent, the Bill is now a law.

To view this video, scan the QR code or follow the link:  
<https://www.youtube.com/watch?v=4O8syj77goQ>



## 4. Who is Senator Moodie and why is she doing this?

Senator Moodie is an independent Senator from Ontario. Before coming to the Senate, she was a pediatrician and did work on the behalf of women and girls. When she came into the Senate, she wanted to focus on giving children and youth a greater voice and role in our democracy, so that there can be changes on the issues that matter to them. This is why she is proposing this Bill.

## 5. If there is a Bill for a Children's Commissioner already, why are you asking us now?

Bills are proposals that have to go through Parliament and be debated. By introducing the bill, Senator Moodie is showing she is committed to this idea and making it work but until the bill is passed through Parliament, there can be changes. This is the perfect time to bring in the youth voice because Parliament is paying attention to this bill and its progress.



## 6. Why doesn't Canada have a Children's Commissioner already?

There is no good answer. Canada committed to the UN Convention on the Rights of the Child for 30 years and has been told by experts, advocates, the UN and children that there needs to be a priority. The best answer is we do not have a commissioner because it has not been a priority for our government.

Canada does have a number of provincial and territorial advocates that focus on children in their regions, but there is not a national commissioner to focus on broader systemic issues.

## 7. What are you doing with the information you are gathering?

We are using it to improve the Bill and inform our next steps. Your voice will guide what is in this bill—this bill is for you and your voice will be instrumental.

## 8. What rights do children have in Canada?

Children rights are set out in the *United Nations Convention on the Rights of the Child*.

This Convention outlines the rights of children around the world: the right to survival; the right to develop to the fullest; the right to protection from harm, neglect and exploitation; and the right to participate fully in family, cultural and social life. In 1991, Canada signed the *Convention on the Rights of the Child* to strengthen its efforts to protect children.

## 9. What is the United Nations Convention on Children's Rights?

The United Nations Convention on the Rights of the Child is an international human rights treaty that sets out the civil, political, economic, social, health and cultural rights of children. The Convention provides a framework for governments to prioritize the best interests of children in all decisions, to put in place governance processes to ensure children are a priority, to implement children's rights under the Convention into law, and to treat children equitably when developing laws, policies and services to protect them and promote their development.

Specific information for relevant group. The facilitator may want to provide additional information or tailor the content to the group they are speaking to.

For example, the facilitator may want to take some extra time to tailor their presentation and make sure the right information is available for:

- Indigenous children and youth
- Immigrant and Refugee children and youth
- Racialized children and youth
- Children and Youth with Disability
- LGBTQ children and youth
- Children and Youth in and from care
- Children and Youth from a specific province, territory or region.

Facilitators may wish to spend some time during the presentation on the role of the Commissioner for Children and Youth and what their responsibility would entail in term of protecting and promoting the rights of the groups mentioned above.

# APPENDIX B

## Commissioner for Children and Youth Workshop – General Guide

### 1. Before the session:

- Make sure slides are ready to be shared on screen
- Make sure you have prepared and included information that may be important for the specific group you are speaking too

### 2. During the breakout:

- Ask open-ended and encouraging questions to get youth talking, for example:
  - “what do you think?”
  - “how do you feel about this topic?”
  - “what do you want to know about this?”
  - “what has your experience been?”
- Be mindful if one young person is speaking a lot more than others
  - What if: If this happens, you can speak up and say: “that’s very interesting, Reem! Let’s see what the other’s have to say about that idea.”
- Be mindful if a young person isn’t speaking at all
  - What if: If this happens, you can ask “do you have anything to add Alyssa?”, or “What do you think about that idea Reem?”. Some people are shy so try and include them but if they don’t want to say anything, that’s okay! You could also message them in the chat and ask if they have anything to share.
- If anyone is causing “trouble” in the group - you can always refer back to the community guidelines the group will create.
  - What if: If this happens, you can pause the meeting and say: “Before we keep going, I’m just going to bring us all back to our community guidelines slide so we can be reminded of how we agreed to work together.”
- Keep the group on time
- If you need help or run into any issues speak to *Alexandra Alayche* at [Alexandra.Alayche@sen.parl.gc.ca](mailto:Alexandra.Alayche@sen.parl.gc.ca)

### 3. After the session:

- Make sure any final notes are in your template

## A Commissioner for Children and Youth Breakout Guide - English

**Note:** You don't have to follow or read the script word for word, this is to help guide you.

### Approx. Time breakdown:

- 1 min on agenda
- 5 mins on introductions
  - this might take a little longer and don't rush this its okay, people feeling comfortable is important :)
- 10 mins on the *proposal*
  - ask if anyone has questions on this
- 50 mins discussion
- 2 mins ending
  - Briefly end by thanking participants and letting them know they can directly contact the office of Senator Moodie to share other thoughts or ideas.

### SLIDE #1 - Title

- Share your name, and that you will introduce yourself more soon but for now we're going to get started then move to the next slide.

### SLIDE #2 - Land acknowledgment and Closed Captioning\*\*\*\*\*

- Land acknowledgment
- Let people know that there is closed captioning by reading slide.

### SLIDE #3: Partnership of the engagement + Introductions\*\*\*\* (if needed, depending on the number of YP)

- Introduce yourself first as an example first
- Ask the participants to introduce themselves by the guide on the slide:
  - Name
  - Pronouns
  - Age
  - City
  - One thing you'd like everyone to know about you

## APPENDIX B cont'd

### Slide #4: Agenda

- Read the agenda for the day.
- Mention that the purpose of this meeting is to get the young peoples voices and opinions heard.
- Let youth know that the group discussion will start with some guided questions to get specific information, but they are free to share any comments or concerns they may have.

### SLIDE #5: Community Guidelines

- Community Guidelines = the rules we set with each other for our time together.
- The purpose of community guidelines are to make sure we all feel comfortable and supported in the space.
- Read out the sample guidelines:
  - It's okay to not use a camera, whatever you're comfortable with.
  - Listen when others are speaking and wait until they finish.
  - It's okay to take a break if you need.
  - If someone hasn't spoken in a long time, maybe we should ask their opinion.
  - If someone doesn't want to share that's okay
- Ask if there are other things that folks would like to add.
- Say that we can always add something if we need later
- Note: This activity is important and shouldn't be rushed.
- **Make sure** to mention here that if anyone needs to speak to someone there will be helplines in the chat.

### SLIDE #6: Proposal

- Play video

### SLIDE #7 -What is a Commissioner for Children and Youth

- Summary of the video that focuses on mandate and powers and other important elements such as independence.



## **Guiding Brainstorm Questions: Ideas, Issues, Questions**

In this section, **record as much information as possible.**

### **BRAINSTORM**

- 1. Should there be a Commissioner for Children and Youth?**
- 2. What should the Commissioner's purpose be?**
- 3. Who should choose the Commissioner?**
- 4. What role should children have in choosing the Commissioner ?**
- 5. Should the Commissioner work with individual children and youth or focus on system issues?**
- 6. What powers should the Commissioner have?**
- 7. How can the Commissioner hold the government accountable to its responsibilities towards children?**
- 8. What age and who should the Commissioner focus on?**
- 9. How can the Commissioner help the kids who need them most?**
- 10. What other comments or thoughts do you have?**

# APPENDIX C

## Information Posters Shared with Participants

**Federal Commissioner for Children and Youth**  
**Briefing Note for Youth Participants**

**Parliament**  
Parliament is Canada's legislature, seated at Parliament Hill in the city of Ottawa. The Parliament of Canada has three parts: 1) The **Senate**; 2) The **House of Commons**; and 3) The **Queen** (Governor General)

**Senate**  
The **Senate** of Canada is one of the parts of **Parliament**. It has 105 Senators that represent the regions in Canada: Ontario, Quebec, Maritime provinces and Western provinces.  
Before a **Bill** becomes a law, the **Senate** must approve it.

**Accountability**  
**Accountability** is when a person experiences consequence for their actions. This is very important because without **accountability**, it is very difficult to get people to take responsibility for their own actions.

**Bill**  
Laws start out as ideas that can come from many different places. The idea must be written down and explained. When written down, the idea is called a **Bill**.  
The **Bill** is then introduced either to the House of Commons or the Senate where it is assigned a number and officially recorded as a **Bill**.

**The United Nations Convention on the Rights of the Child**  
Canada joined an agreement created by the United Nations in 1991 called the **United Nations Convention on the Rights of the Child**. The Convention is important because it gives special rights to every child.  
By approving the **Convention**, Canada promised to protect children's rights.

**Advocacy**  
**Advocacy** is any action that promotes, supports or argues for a cause. Children and youth advocates are people who act in the best interests of children and youth.

**Substantive rights**  
**Substantive rights** are fundamental rights that people have in a society. The Government of Canada has a specific obligation to ensure that these substantive rights are respected.

Source: Office of Senator Rosemary Moodie

# A VOICE FOR YOUNG PEOPLE

Establishing the Office of the Commissioner for Children and Youth in Canada



There are eight million children in Canada. **More than 15% live in poverty.** Mental health-related hospitalizations of young people have been steadily increasing. And First Nations, Inuit and Métis children are disproportionately affected.



Children don't have a vote. But they can have a voice.



That's why Senator Rosemary Moodie has introduced **Bill S-210**, which would establish the Office of the Commissioner for Children and Youth in Canada.

## THE COMMISSIONER'S MISSION

To advocate at the national level for the promotion and protection of the rights, well-being and views of children and youth.



## WHY DOES CANADA NEED A COMMISSIONER?



**1 out of 7** shelter users is a child



**1 out of 3** foodbank users is a child



**1 out of 2** First Nations, Inuit and Métis children live in poverty

**2,500**

Children — mostly girls — hospitalized every year due to self-harm

**90%**

Increase in child self-harm hospitalizations between 2009 and 2014

**66%**

Increase in emergency department visits of young people due to mental health concerns between 2007 and 2017

## HOW THE COMMISSIONER COULD HELP

The commissioner would serve a seven-year term and have the power to:



Review legislation to assess the impact it will have with children and youth



Inspect without warning institutions that house and care for youth.



Work with First Nations, Inuit and Métis communities on the needs of their children and youth.



Engage with children and youth to get their thoughts on what matters most to them.



THE HONOURABLE / L'HONORABLE  
**Rosemary Moodie**  
SENATOR / SÉNATRICE  
CANADA

HELP GIVE CHILDREN THE VOICE THEY DESERVE.

Contact your senator or MP and urge them to support Bill S-210.

## APPENDIX D

### List of Participating Organizations across Canada

1. Saskatchewan Advocate for Children and Youth (SACY) — *Saskatoon, SK*
2. Youth Leadership of BC — *Coquitlam, BC*
3. Adoption Council of Canada — *Ottawa, ON (National Organization)*
4. Volunteer Manitoba — *Winnipeg, ON*
5. FCJ Refugee Centre — *Toronto, ON (National Organization)*
6. Regina Open Door Society — *Regina, SK*
7. Centre for Immigration and Community Services (CICS) — *Toronto, ON*
8. Key Assets — *Mississauga, ON (National Organization)*
9. Youth Project — *Halifax, Nova Scotia (National Organization)*
10. Project Outsiders — *Ontario*
11. Federation of BC of Youth in Care Networks — *New Westminister, BC*
12. Children First Canada *Toronto, ON*
13. Fresh Voices — *Vancouver, BC*
14. YMCA — *Toronto, ON*
15. YCAN — *Toronto, ON (National Organization)*
16. Regional Multicultural Youth Council — *Thunder Bay, ON*
17. Voices: Manitoba's Youth in Care Network — *Winnipeg, MB*
18. Regional Multicultural Youth Council — *Thunder Bay, ON*
19. Centre for Addiction and Mental Health (CAMH) — *Toronto, ON*
20. Feathers of Hope — *Thunder Bay, ON (National Organization)*
21. Young Canadians Roundtable on Health — *Toronto, ON*
22. Boys and Girls of Canada — *Toronto, ON (National Organization)*
23. Canadian Council of Young Feminist *(National Organization)*
24. Canadian Council for Refugees *(National Organization)*



# APPENDIX E

## Survey Questions

1. Have you participated in a virtual engagement on this topic? /  
Avez-vous participé à un engagement virtuel sur ce sujet ?
2. Name of the city and province you are from /  
Nom de la ville et de la province dont vous êtes originaire
3. What is your age group ? /  
Quel est votre groupe d'âge ?
4. Please check any of the following characteristics with which you self-identify /  
Veuillez cocher les caractéristiques suivantes avec lesquelles vous vous identifiez
5. Do you think Canada should have a Commissioner for Children and Youth ? /  
Pensez-vous que le Canada devrait avoir un Commissaire à l'enfance et à la jeunesse ?
6. What should the purpose of the Commissioner be? /  
Quel devrait être le rôle du Commissaire ?
7. Who should choose the Commissioner? /  
Qui devrait choisir le commissaire?
8. What role should children have in choosing the Commissioner? /  
Quel rôle les jeunes devraient-ils jouer dans la sélection du commissaire?
9. Should the Commissioner work with individual children and youth or focus on system issues? /  
Le commissaire devrait-il travailler avec des enfants et des jeunes à titre individuel ou se concentrer sur des questions systémiques ?
10. What powers should the Commissioner have? /  
Quels devraient être les pouvoirs du Commissaire ?
11. What age should the Commissioner focus on? /  
Sur quel âge le commissaire devrait-il se concentrer ?
12. What other comments or thoughts do you have ? /  
Avez-vous d'autres commentaires ou pensées ?

A video of Senator Moodie explaining Bill S-210 was included in the survey.  
Link to the video: <https://www.youtube.com/watch?v=UJ3kvRqW8CI>



# APPENDIX F

## PARTICIPATION AND CONSENT FORM

Youth Roundtables: A Report on Youth Engagement focusing on Bill S-210

### Purpose

You have been selected to participate in the youth roundtables regarding Bill S-210. We held engagement sessions across the country with youth networks from various organizations to hear their views and discuss the content of the bill. The next step is to produce a report on the engagement sessions that took place. As a member of the youth advisory group, you will be actively involved in discussing and providing input throughout the report writing process.

1. \_\_\_\_\_ (Name of participant) agrees to serve as a youth participant for the roundtables and will be required to:

- a. attend two mandatory virtual discussion sessions and be placed in a group of 4-7 people;
- b. become familiar with Bill S-210 and the outline of the report prior to the sessions
- c. respect the privacy and confidentiality of roundtable participants and not disclose information obtained in connection with the roundtables except to the office of Senator Rosemary Moodie or as required by law; and
- d. practice respect and empathy and support the establishment of “brave spaces” in all interactions related to the roundtables.

2. Staff from Senator Moodie’s office will attend the discussion sessions and a note-taker will be present.

3. \_\_\_\_\_ (Name of participant) will receive an honorarium of \$100 (\$50 per meeting) from a third party in recognition of their efforts.

*I understand this information and agree to participate fully under the terms stated above.*

Name of Participant: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Parent or Guardian Signature (*only if participant is 18 years or younger*): \_\_\_\_\_

## APPENDIX G

### Note-taking Form used in the engagement sessions

Number of participants in the session:

1. Should there be a Commissioner for Children and Youth?  
Please note how many people say yes, how many say no, and how many are unsure.
2. What should the purpose of the Commissioner be?
3. Who should choose the Commissioner?
4. What role, if any, should children/youth have in choosing the Commissioner?
5. Should the Commissioner work with individual children or focus on systemic issues?
6. What powers should the Commissioner have?
7. What does accountability and transparency, advocacy and engagement look like?
8. What age group and who should the Commissioner focus on?
9. How can the Commissioner help kids who need them most?
10. What other comments or thoughts do you have?

**Note taker's name:**

**Date of Engagement:**

**Name of group consulted:**

**Facilitator(s) name(s):**

I, \_\_\_\_\_ (note-taker), have reviewed these notes for accuracy. These notes represent an unbiased summary of the conversation to the best of my knowledge.

I, \_\_\_\_\_ (facilitator[s]), have also reviewed these notes and agree they are an accurate reflection of the conversation.

Please email 3-5 key themes to Alexandra at Senator Moodie's office at:

[Alexandra.Alayche@sen.parl.gc.ca](mailto:Alexandra.Alayche@sen.parl.gc.ca)

Date submitted to Senator Moodie's office: \_\_\_\_\_

## APPENDIX H

**Memorandum of understanding for youth facilitators  
Memorandum of Understanding**

**Between**

**The office of Senator Rosemary Moodie**

**and**

**XXX (name of youth facilitator)**

**On Consultations with Young People on the Potential Establishment  
of a National Commissioner for Children and Youth**

1. The parties to this memorandum of understanding (hereinafter “MOU”) agree to collaborate on a consultation or series of consultations with young people on the potential establishment of a National Commissioner for Children and Youth (hereinafter “the consultations”), the specific modalities of which will be agreed upon by the parties to this MOU.
2. Nothing in this agreement is to be construed as modifying or limiting the privileges, immunities and powers of the Senate or its members.
3. XXX agrees to serve as youth facilitator for the consultations and will
  - a. Facilitate or co-facilitate the consultations with young people as detailed in the guidance document provided by the office of Senator Rosemary Moodie;
  - b. Become familiar with Bill S-210 and the legislative process at the federal level in advance of the consultations;
  - c. Respect the confidentiality of all participants in the consultations and not disclose information obtained in connection with the consultations except to the office of Senator Rosemary Moodie or as required by law;
  - d. Practice respect and empathy and support the establishment of “brave spaces” in all interactions related to the consultations; and
  - e. Provide, in support of a request to receive the honorarium referred to in paragraph 5, a written request to the third-party identified separately by Senator Moodie that describes the volunteer work that was performed and includes the specific dates and times that the volunteer work was performed.



4. The parties acknowledge that XXX will receive a \$200 honorarium from a third-party to acknowledge their efforts, regardless of how many times that XXX facilitates an engagement.
5. Senator Moodie's office will:
  - a. Provide a guidance document for use by XXX during the consultations;
  - b. Provide support to XXX, as required and appropriate, before, during and after the consultations;
  - c. Act or provide an individual to act as a key support person for each consultation;
  - d. Schedule and organize the consultations, including notification to potential consultation participants; and
  - e. Respect the confidentiality of all participants in the consultations and not disclose information obtained in connection with the consultations except within the office of Senator Rosemary Moodie or as required by law.
6. The parties will resolve any disputes that may arise between them in relation to this MOU amicably and will not refer any dispute to arbitration or adjudication by a third party.
7. This MOU becomes effective on the date the last signature is added to it.

For the office of Senator Rosemary Moodie

Date	Signature
XXX	
Date	XXX Signature
Date	XXX Parent or Guardian Signature

# APPENDIX I



# POLICY BRIEF

BILL S-210

## I. EXECUTIVE SUMMARY:

The Youth Coalition for Sexual and Reproductive Rights (YCSRR) and the International Youth Alliance for Family Planning (IYAFA)<sup>1</sup> have come together to present this policy brief to highlight some key concerns and recommendations for the creation of the Office of the Commissioner for Children and Youth as introduced in Bill S-210.

This document reflects on three key aspects: (i) our concerns around the content of Bill S-210; (ii) the lack of mechanisms to ensure meaningful youth engagement/participation in the discussions and future implementation of Bill S-210 and creation of the Office of the Commissioner; (iii) and the need of a youth-led framework to ensure meaningful youth engagement in all decision-making processes affecting young people's lives across Canada and aligning the local policies with the Feminist Foreign Canadian Policy.

One of our motivations to present this document is our desire of being involved in the process, in a more proactive and co-leading role to ensure meaningful youth engagement and participation from across Canada.

<sup>1</sup> The Youth Coalition (YC) is an international organization of young people based in Ottawa committed to promoting youth sexual and reproductive rights. The YC works to ensure the meaningful participation of all young people in decision-making that affects their lives through advocacy, knowledge generation, information sharing, partnership building and the capacity strengthening of young activists. The International Youth Alliance for Family Planning (IYAFA) is an alliance of young people, organizations, and global communities with a mission to support the provision of comprehensive and equitable reproductive health care. The Canadian Chapter of IYAFA is a for-youth, by-youth organization to advance the state of sexual and reproductive health, access, rights, and justice in what is currently known as Canada.

## II. CONTEXT:

Though we, as youth-led organizations, appreciate the efforts initiated by your office about engaging with young people to discuss the development of the Commissioner for Children and Youth, we think that these efforts can be improved to ensure that through all their diversity, young people's voices are heard, and their concerns are addressed. While analyzing Bill S-210, we've determined five (5) priority concerns with the Commissioner for Children and Youth:

### **A) Age:**

In order to address the multiple realities and concerns of young people and to comply with the provincial and international laws, the Commission for Children and Youth must expand its age parameters of youth from 21 and under, to all people 29 and under. As well, the Child and Youth Commissioner himself should be a young person under the age of 35, with demonstrated experience in youth-led movements/initiatives.

### **B) Accountability:**

Throughout the Bill, there is a lack of long-term engagement, accountability, and sustainability processes, which fail to highlight how the government will allow for young people to hold the Commissioner and other public servants accountable for laws that have a direct impact on their lives.

### **C) Priority Areas:**

The Federal Government created Canada's Youth Policy (2018), which utilized a survey process to identify six (6) priorities listed by Canada's youth, which are as follows: (i) leadership and impact, (ii) health and wellness, (iii) innovation, skills and learning, (iv) employment, (v) truth and reconciliation and (vi) environment and climate action; Bill S-210 must acknowledge and address these priority areas and develop measures to follow-up with these needs of young Canadians. Bill S-210 represents an important opportunity to address these priorities in a meaningful way.

### **D) Consultation Process:**

The consultation and tool designing processes must be co-led and co-designed by a diverse pool of young people through their networks, collectives and organizations. The processes must revolve around young people as co-leaders, instead of participants, to ensure that their knowledge is fully utilized during the creation of the Commissioner.

### **E) Monitoring and Evaluation Framework:**

A monitoring and evaluation (M&E) framework should be created by young people and be shared to communities, organizations, and collectivities to ensure meaningful youth engagement through the Bill's process and within the Commissioner's work.

Surveys are not an effective tool to engage youth due to the lack of space available for nuanced and critical dialogues. Based on previous national consultations,

surveys also have the potential to centre identities that are most privileged and are often only circulated amongst small networks. Data from the “Building a Youth Policy for Canada” survey, which was utilized to create the 2018 Canada Youth Policy, received a 47% response rate from youth in Ontario, showcasing that surveys are not accessible, inclusive, or an accurate representation of Canada’s youth. The survey that is currently in circulation regarding Bill S-210 is made up of language that is not youth/child friendly, making it difficult for children and youth to properly respond and participate. For example, the questions themselves, such as, “What should the purpose of the Commissioner be,” and, “Who should choose the Commissioner,” can be difficult to answer for young people with little experience in civic engagement or knowledge of the roles and responsibilities of higher-level public servants. The window of opportunity to receive rich responses from young people who may be unsure of political processes is diminished through survey-based consultation.

As well, we believe that consulting with young people separately, in silos, is not the best way to ensure meaningful youth engagement. Young people mobilize differently than adults. For this reason, we suggest youth-centered and youth-led consultations to gather information and ensure that young people are being placed at the centre of the process. Research in Canada has also shown that young people are more likely to participate in civic or political processes, such as group activities, meetings, or volunteering, in comparison to their adult counterparts.

#### **F) Meaningful Youth Engagement (MYE) across Canada:**

Young people are both driven and keen to support projects and initiatives that actively engage them throughout all levels of project development. We need to ensure that young people are leaders in the spaces where decisions about their rights are being made. According to Canada’s Youth Policy, one of the six youth-identified priorities was leadership and impact. In order for youth leadership to be materialized, there must be ample opportunities for young people to be placed at the centre of systemic change. There should be substantive funding opportunities for youth-led organizations and collectives, as it is imperative for the growth, sustainability, and movement of young people to best represent themselves. By allowing young people to be at the forefront of these consultations, it will ensure that the resources that are being created are youth-friendly and youth-centred. The lack of MYE in Canada has translated into the absence of strong, connected youth movements which have left young people disarticulated and disconnected from each other. Moreover, it is a reality that governments at all levels lack the knowledge on how to engage with youth; therefore, youth-friendly materials/information are rarely produced, which prevents young people from understanding political processes and to actively participate in them. Bill S-210 has the opportunity to create a purposeful impact on the lives of future generations and young people must be offered their rightful place at the table to be catalysts for change. Bill S-210 is also an important opportunity for the Canadian Government to allow young people who are experts in MYE to co-create a framework for MYE that can be used and implemented at the federal, provincial and local levels.



### III. POLICY ALTERNATIVES:

Since Bill S-210 revolves around creating an Office of the Commissioner for Children and Youth, young people must be in the center of this process, and should be the individuals and collectives leading the consultation process. By centering this process around youth, the Commissioner ensures that policies are legitimately youth-centric and that these groups can meaningfully engage in decision-making spaces that affect their rights, building off of Canada's commitment to the Convention on the Rights of the Child. To fully capture the needs and priorities of young Canadians, this Bill must recognize that young people are the experts in their field, that encompass an array of nuanced and unique lived experiences, and not only as participants but as subjects of rights and responsibilities. For this reason, young people require financial and tangible resources to actively engage in these processes. While addressing the need for resources, we'd like to specifically address:

(i) Accessible, age-appropriate, adequate and culturally safe information about Bill S-210, the consultation processes and ways for young people to become engaged, which has been made by young people;

(ii) Enabling environments that ensure young people are leaders in the consultation processes and that young people in all their diversity can participate meaningfully in this procedure;

(iii) Based on the principles of the Young Feminist Manifesto, developed by the youth-leaders<sup>2</sup> at the Generation Equality Forum (GEF), where Canada is also a co-leader<sup>3</sup>, we call upon Senator Moodie and other actors to implement the following revisions to Bill S-210:

- Co-ownership between diverse actors, including children and youth, should be ensured throughout the Commissioner for Children and Youth's process, within the various decision-making bodies.
- Substantive Participation is essential, we will not accept tokenistic participation. Our roles should include decision-making, leadership, strategizing and co-ownership with particular emphasis on inclusion and participation by and for First Nations, Metis and Inuit children and youth as well as marginalized and underrepresented youth.
- Transformative Design and Leadership is leadership for sustainable change and addresses the root causes of inequalities, to challenge and shift power and to dismantle systems of inequality and oppression holistically.
- Co-Creation helps us to tap into our collective knowledge, it is about equitable redistributing power, challenging structural top-down thinking models

2. The Youth Coalition for Sexual and Reproductive Rights has been selected as co-leader at the GEF.

3. The Government of Canada has been selected as co-leader of the GEF Action Coalition on Feminist movements and Leadership.

and changes the way we approach ownership.

- Intersectionality sheds light on the multi-dimensionality of lived experiences in which multiple axes of oppression intersect. An intersectional approach recognizes power dynamics and systems of inequality, and meaningfully and intentionally works to counter them. Bill S-210 makes reference to intersectionality as it acknowledges the various challenges and experiences of Indigenous, Metis and First nations youth, and other marginalized and underrepresented groups of young people.
- Accountability. We take our responsibility as youth representatives very seriously to be transparent and accountable to our young peers and other youth-led organizations. We also seek to hold other actors and leaders accountable to the mission and principles underpinning the Commissioner for Children and Youth.

**The YC and IY also believe that Bill S-210 is an important opportunity for the Canadian Government to align its internal policies with its Feminist Foreign Policy.**

#### IV: POLICY RECOMMENDATIONS

**To improve Bill S-210, we recommend improving the following points:**

- A)** Changing the scope of Bill S-210 in terms of age to include children and youth ranging from ages 10 to 29.
- B)** To include a monitoring and evaluation framework where young people take the lead on creating tools to capture how youth are being engaged in the work of the Commissioner and to ensure said Commissioner is accountable for addressing their concerns.
- C)** Create an advisory body composed of young people and youth-led organizations, which will allow for the inclusion of diverse viewpoints leading to build new and innovative approaches that will lead to positive change.
- D)** To include specific, tangible and measurable actions to ensure that the priority areas identified by youth in Canada's Youth Policy (2018) receive appropriate resources and funding.
- E)** Ensure that Bill S-210 puts youth at the centre of decision-making processes and ensures that meaningful youth engagement and young people's expertise and lived experiences are recognized.
- F)** Address systemic inequities, intersectional oppressions, and gaps to meaningful youth engagement and inclusion in federal policies.

**We would also like to propose the following recommendations on how to meaningfully engage youth in the creation process of Bill S-210:**

- A)** Indigenous, Black, racialized, disabled, 2S and LGBTQIA+ young people must be meaningfully addressed and centered within the Bill.
- B)** Allow for youth to be at the centre of the creation and implementation of Bill S-210, and not only used as participants. Young people's roles should include decision-making, leadership, strategizing and co-ownership.
- C)** Provide appropriate resources to youth-led organizations to organize themselves appropriately for meaningful engagement with Bill S-210.
- D)** Create a work plan in which the Office of the Commissioner commits to working with youth in a co-leadership process. Youth leadership must be harnessed for the sustainability of the Commissioner's office. Youth must be utilized to challenge and shift power and to dismantle systems of inequality and oppression.
- E)** Allow young experts in meaningful youth engagement to be involved and to guide the Government on how to properly engage with young people.
- F)** To conduct appropriate consultation where we will be able to identify the needs of youth-led organizations and collectives and connect those needs to Bill S-210 and the Commissioner. **Allow for the YC and IYAFP along with other youth-led organizations to co-lead this process.**
- G)** Co-create a meaningful youth engagement framework for Government officials so that they can become familiar with how to properly engage with youth.

## V. CONCLUSIONS:

In conclusion, while the Office of the Commissioner for Children and Youth brings great potential for young people's active participation in civil and political processes, more is needed to ensure that young people are meaningfully engaged in its processes.

The Bill and those working to implement it must consider processes of co-development, sustainability, co-creation, intersectionality, and accountability. Without these vital insights, the Commissioner's office will fail to address areas of improvement and meaningful calls to action for children and youth across the country.

## References

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## ENDNOTES

- <sup>1</sup> The child population estimate was obtained from the Government of Canada, Statistics Canada.
- <sup>2</sup> The office also sent out letters of invitations to various child and youth serving organizations in Québec, Prince Edward Island, and the Territories. These invitations were either declined or unanswered. The office reached out to additional organizations to try to recruit from every province and territory but ultimately focused on the regions where invitations were accepted.
- <sup>3</sup> Link to preliminary information video by Senator Rosemary Moodie:  
<https://www.youtube.com/watch?v=UZ3kvRqW8CI>
- <sup>4</sup> The team attempted to recruit young people aged 8-12 years old to participate in the follow-up roundtable engagement sessions in order to obtain the perspective(s) of younger children.
- <sup>5</sup> These findings are based on the qualitative data derived in the engagement sessions. On page 39, we highlight the findings from the surveys with young people.

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