## AN ACTION FRAMEWORK FOR CHILDREN AND YOUTH IN CANADA

National Alliance for Children and Youth

THE NATIONAL ALLIANCE FOR CHILDREN AND YOUTH (NACY) BRINGS TOGETHER diverse nonprofit organizations in a *collaborative network* dedicated to enhancing the well-being of children and youth in Canada by providing national leadership and knowledge, mobilizing, and linking practice and research to policy development.

SUMMARY

The National Alliance for Children and Youth (NACY), in conjunction with its members and other partners, is proposing an Action Framework for Canada's children and youth that identifies strategies to protect and enrich the lives of young people. NACY is seeking support from all who work to improve the lives of children and youth in Canada. Together we can draw on this Action Framework and, based on compelling evidence, make the healthy development of our children and youth truly a national priority.

This article identifies priority issues of concern to NACY members and makes recommendations in seven areas:

- 1. Support for young families
- 2. Mental health and well-being
- 3. Education
- 4. Youth employment
- 5. Youth justice
- 6. Violence, bullying, and peer victimization
- 7. Good governance for children and youth

#### INTRODUCTION

Canada is a wealthy country, and yet too many of Canada's children, youth, and families are struggling. Despite current attention focused strongly on the importance of economic prosperity, Canada is at risk of neglecting one of the most important elements underpinning a strong society and a successful economy: child and youth well-being.

At a national strategy session convened by NACY in September 2012, 50 leaders from across a wide range of non-profit organizations that serve children and youth came together to discuss common concerns. The result of the meeting was a commitment to

The National Alliance for Children and Youth (NACY) is a coalition of agencies and organizations from across Canada who support and work with children, youth, and their families. For complete information about NACY and for a list of the working group members who produced this report, please visit www.nacy. com . Email: info@nacy.ca .

work collectively on an "action framework" for children, youth, and families. Over the next months, 25 individuals worked together and in small groups to create a framework that identifies key issues and serves as a call for action.

This document, An Action Framework for Children and Youth in Canada, is the result of that collective effort. It is organized around a series of policy briefs on key priority areas: children, youth, and families; mental health and well-being; education; youth employment; youth justice; violence, bullying and peer victimization. Each brief provides an overview of the issues and potential strategies to effect positive change. A final section on governance roles and structures looks at the institutional changes needed to take into account children's needs and rights.

This Action Framework is intended only as a beginning – neither its scope nor its recommendations are complete, but it reflects our members' current top priorities for broader attention and more vigorous action. By design, this work draws heavily on the research, experience, and recommendations of NACY's members and others. It is a compendium of ideas and insights designed to bridge some of the traditional gaps in our approach of dealing only with certain age groups or developmental periods. For example, the agenda speaks to the needs of children and youth from birth to age 25, emphasizing the continuum of developmental stages and the need for integrated approaches. While we deal directly with the needs and rights of children themselves, we also emphasize the importance of families as core to fostering nurturing and supportive environments for children and youth. We have sought to show the importance of mental, physical, and economic health, as well as the interdependency and intersection of issues, very much grounded in the theory of social determinants of health.

We have deliberately chosen not to segregate the story of the serious and urgent problems facing Canada's Aboriginal children and youth into a separate section, but rather have highlighted these concerns and our recommended solutions within each topic area. We believe that this shows more clearly that First Nations, Inuit, and Métis children, youth, and families should not be treated differently than others – should not be stigmatized – and that their needs should indeed be addressed in the same agenda and with the same commitment and sense of urgency as for all Canadians.

NACY's intention is to facilitate broader sector agreement and consensus around priority issues affecting children and youth and their families in order to create a more powerful collective voice on the need for the well-being of Canada's children and youth to become truly a national priority.

The most important activity of the National Alliance for Children and Youth, as a national collaborative network of child-and-youth serving organizations, is to actively advocate for the healthy development of our young people. NACY emphasizes the importance of involving our members and other stakeholders, notably children and youth, in meaningful ways in thinking about these important issues. Young people can lead the way with new ideas, new ways of thinking, and their own lived experience. The *Action Framework for Children and Youth* was developed with significant input from youth, and our hope is that their authentic voice comes through loudly and clearly.

#### 1. SUPPORT FOR YOUNG FAMILIES

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Many of the things we need can wait. The child cannot. Right now is the time his bones are being formed, his blood is being made, and his senses are being developed. To him we cannot answer 'Tomorrow', his name is today.

- GABRIELA MISTRAL (May, 1948, quoted in Health in All Policies, 2013)

Every child in Canada deserves a bright future. For their healthy development, all children need warm, nurturing environments, the opportunity to build secure attachments to their primary caregivers, and the feeling that they are part of a broader community that looks out for them. However, we know that many children do not receive this good start for a variety of reasons. As a result, throughout their lives they are likely to draw more heavily upon the resources of systems such as healthcare, welfare, and criminal justice. We can do much better.

There is very strong evidence that investments in the well-being of children yield a significant financial return over time, and that strategies designed to prevent problems are far less expensive to implement than remedial responses later (OECD, 2006).

#### What we know

The past few decades have brought dramatic changes and increased pressure for families in which parents are working longer hours with lower incomes while shouldering the higher cost of housing, tuition, and childcare, with the expectation that they can still save for retirement (Kershaw & Anderson, 2013). Parents are on a constant treadmill trying to meet their children's most basic needs as well as their own.

The Human Early Learning Partnership at the University of British Columbia has described those who are experiencing these pressures as the "Generation Squeeze" (Kershaw & Anderson, 2013a). Because, in relative terms, two earners barely bring home today what one breadwinner did in the 1970s, the typical family work-week has shifted from 40 to closer to 80 hours. Those who are raising young children are squeezed for time at home. They are also squeezed for income because the extra hours of work do not make up for the fact that the real costs of living have increased faster than wages. They are squeezed for services like childcare that make it possible for parents to spend enough time in the labour market or upgrade their skills. Childcare spaces remain in short supply and cost more in a year than university tuition (UNICEF, 2008; Friendly, Halfon, Beach, & Forer, 2013). Families who have recently immigrated have the added stress of adapting to a new environment, finding employment, and perhaps learning a new language while supporting their children.

#### Why it matters

Taken together, these and other factors are having an impact on children and families that Canada can ill afford. For example, current research has linked high maternal stress levels to low birth weight, which has serious implications in terms of short-, medium-and long-term healthcare costs. Stress is a contributing factor for family violence and child abuse, with rates on the rise. Adversity during the early years affects a child's

development. This in turn has been linked to poor self-regulation, lack of success in school and in the workplace, and increased rates of chronic adult health problems (Hertzman, 2013; Boivin & Hertzman, 2012).

A secure attachment – the bond that forms between caregivers and infants – is one of the greatest predictors of children's emotional health, social and cognitive functioning, and life-long prospects. The critical importance of parent-child relationships is not limited to the early years. Families continue to exert the greatest influence on children as they grow. Family relationships and parenting styles affect a child's achievement in school and influence whether the child engages in positive activities or high-risk behaviours (McCain, Mustard, & Shankar, 2007).

#### What we can do about it

Canada is a caring nation. In the past, governments have responded to economic pressures facing seniors by allocating significant amounts in their budgets to ensure their well-being. Spending is currently about \$45,000 per retiree, mostly for healthcare, pensions, and retirement income subsidies.

However, this spending is nearly four times more than government spending per younger Canadian. Grade school, postsecondary education, healthcare, childcare, parental leave, employment insurance, and workers' compensation all combine with recent investment in skills training for a total of around \$12,000 annually per person under age 45 (Kershaw & Anderson, 2013b).

The high level of spending per retiree has yielded results. Public investments in pensions and healthcare have dramatically reduced the economic pressures facing millions of seniors today compared to the past. Now poverty among seniors is around 6% – lower than any other age group, and as little as half what it is for families with children (for example, 33% of persons in families whose major earner is under 24 are poor, as are 12% of persons in families whose major earner is 25-34; Statistics Canada, 2005).

Canadians do not want budgets that pit the health of grandparents against the well-being of their children and grandchildren. Although we would not expect these allocations to be equal, it is important that they are fair and equitable and that public policy responds to the pressures that today's families are facing.

Poverty and other challenges affecting Canadian children, youth, and their families are a national priority. They require prompt and coordinated response from all levels of government. It is time to include adequate support and services in our budgets so that everyone has an opportunity to achieve his or her full potential to become a healthy, contributing member of society.

All children and families benefit from access to high-quality comprehensive programming that supports the emotional, social, cognitive, and physical development of young children and helps parents as the primary caregivers and first teachers of their children. This programming should provide safe, nurturing environments that reflect research and best practice, place an emphasis on strong relationships that support children's learning through play, and build connections between learning and development inside

and outside the home. It is essential that families have access to programs and support in their home communities that meet the needs of children with differing abilities and from different cultural, linguistic, and socio-cultural backgrounds (McCain, Mustard, & McCuaig, 2011).

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#### Recommendations

- Reduce the financial squeeze through a combination of measures that reduce or
  offset costs encountered by young families, including access to quality early care
  and learning. Through tax measures and other means, ensure that all families
  have adequate income to meet their basic needs.
- 2. Reduce the time squeeze by making parents' time at home with infants more affordable 18 month's sharable leave for all parents, including self-employed and adoptive parents.
- 3. Encourage policies that recognize the importance of personal and family time (such as a shorter work week, more options for working part-time without penalty), and protect the right to return to one's previous position for up to 18 months after the birth of a child.
- 4. Build a comprehensive system of universal, high quality programs and support for children and families that can respond to the complex needs of children and families; build a sense of belonging; promote healthy child development; increase parental knowledge, skills and confidence; and enhance community development. This should include a healthy child check-up for all children around 18 months of age and provide early intervention support for families whose children do not meet early benchmarks.
- 5. Address the inequitable funding for child welfare services on reserves, thus increasing support for families and reducing the number of youth in care.
- 6. Provide low-cost or free early care and learning programs in accessible locations that meet children's learning and developmental needs and parents' needs for quality care while they are studying, working, or upgrading their skills.

#### 2. MENTAL HEALTH AND WELL-BEING

Mental health is a right not a privilege.

- Mental Health Commission of Canada, 2010

Most youth and young adults in Canada (77%) describe their mental health as very good or excellent (Statistics Canada 2009, cited in PHAC, 2011). Of the estimated 1.2 million children and youth in Canada affected by mental illness, however, fewer than 20 percent will receive appropriate treatment (Mental Health Commission of Canada, 2010). When we consider that "up to 70 percent of young adults say symptoms started in childhood" (Mental Health Commission of Canada, 2010), we can appreciate the importance of healthy

social and emotional development for mental health in adulthood. Canada can do more to promote mental health and to identify and support young people who are struggling.

#### What we know

Many factors can affect the mental well-being of children and youth, such as "poverty, having a parent with a mental health or substance use problem, or family violence" (Mental Health Commission of Canada, 2012). Mental health problems and illnesses can affect anyone, but financial marginalization and exclusion from essential services, housing, safe neighbourhoods, and supportive social networks can place young people at increased risk of mental distress (McCay, 2011; CMHA, 2011).

Those young people who have experienced abuse or neglect are at higher risk of suffering from depression, anxiety, and substance abuse (Gladstone & Beardslee, 2009). Children in public care experience a combination of risk factors that make them particularly vulnerable to mental health issues (Schneiderman et al., 1998). Furthermore, historical and ongoing discrimination significantly impact the mental health of Aboriginal children and youth (Kirmayer et al., 2011).

It is imperative that mental health difficulties are recognized and addressed when they are beginning. When mental health problems and illnesses are not identified early, they persist into adolescence and adulthood (PHAC, 2006; Mental Health Commission of Canada, 2010). According to the Evergreen report produced by the Mental Health Commission of Canada, "mental disorders in young people are the most prevalent medical conditions causing disability in this population" (Mental Health Commission of Canada, 2010).

#### Why it matters

The Mental Health Commission found that "most mental disorders begin prior to age twenty-five and tend to be chronic, with substantial negative short and long term outcomes. They are associated with poor academic and occupational success, substantial personal, interpersonal and family difficulties, increased risk for many physical illnesses, shorter life expectancy and economic burden" (Mental Health Commission of Canada, 2010).

Undiagnosed and untreated, mental health problems and illnesses can also lead to risk-taking and suicidal behaviours. Suicide follows motor vehicle accidents as the leading cause of death among Canadian youth; adolescents are the only age group in which suicide is on the rise (Dagnino, 2009). There is an even higher rate of suicide among Aboriginal youth; five times as many Aboriginal youth will commit suicide than the rest of the Canadian youth population (National Children's Alliance, 2005). Approximately 90% of completed suicides are preceded by a previously noted mental illness (UNICEF, 2007).

#### What we can do

The Mental Health Commission of Canada has released two ground-breaking reports on mental health and well-being: the *Evergreen Report: A Child and Youth Mental Health Framework for Canada* in 2010 and the *Mental Health Strategy for Canada, Changing* 

*Directions Changing Lives* in 2012. Both reports have strong recommendations for improving the mental health and well-being of children and youth in Canada.

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Early diagnosis is important and must go hand-in-hand with appropriate services that maintain a high standard of privacy. "Early interventions and easily accessed effective treatments may improve both short- and long-term outcomes. These outcomes include, but are not limited to, the prevention of some disorders, reduction in disability, and enhanced civic and economic participation in a cost-effective manner. Presently, in Canada, few of these domains have been adequately addressed" (Mental Health Commission of Canada, 2010).

In addition to the importance of supporting children and youth who have been diagnosed with a mental illness, it is also critical to provide all children and youth with the support necessary for their social and mental well-being. Promoting resiliency, helping youth feel a connection to others (adults, peers, animals, community), encouraging help-seeking behaviour, and ensuring positive, safe learning environments are a few of the ways we can help encourage positive mental health among Canada's youth. Promoting the mental health and well-being of young people also involves addressing a lack of awareness and the stigma associated with mental illness, and making appropriate services accessible (Dagnino, 2009). More must be done to recognize problems when they first emerge and provide the proper support. Article 24 of the United Nations Convention on the Rights of the Child gives every child the right to enjoyment of the highest attainable standard of health, to facilities for treatment of illness, and to rehabilitation of health.

When it comes to mental health, Canada can do better to ensure that the mental health of young people is a priority and that child and youth mental health services have a prominent place in Canadian healthcare (Mental Health Commission of Canada, 2010).

#### Recommendations

- Promote and enable healthy social and emotional development in infancy and early childhood, paying special attention to those at high risk by increasing support for parents, caregivers, educators, and health providers.
- Expand initiatives to identify developmental, social, and emotional delays in infants and young children, as well as the range of services and support to address them.
- 3. Promote mental health awareness, anti-stigma, and mental health literacy initiatives for healthcare providers, educators, parents, caregivers, and service providers for children in and out of homecare, and the public, with a particular emphasis on youth-led activities.
- 4. Increase comprehensive school health and postsecondary mental health initiatives that promote mental health for all students and include targeted prevention for those who are at risk.

- 5. Increase the availability of family-centred and community-based mental illness prevention programs for children and youth who are most at risk.
- 6. Provide an easily accessible and coordinated range of services to meet both immediate crises and the long-term needs of children and youth, and to offer the necessary support for family members.

#### 3. EDUCATION

By learning and sharing knowledge, we collectively strengthen our communities, our societies and the world. A commitment to learning is fundamental to Canadian innovation. At its core, innovation is about crafting new ideas to improve our lives. In this era of rapid change and globalization, it is important to strengthen our ability to think creatively and to solve problems, while reaffirming our commitment to the best of our traditions.

– His Excellency the Right Honourable David Johnston, Governor General of Canada

In its most recent report, *State of Learning in Canada 2009-2010*, the Canadian Council on Learning found that while most Canadian children and youth are doing well in learning compared to other developed countries, there are a number of areas that deserve attention: early childhood education, Aboriginal learning, school-based learning, high school completion rates among certain segments of the population, and postsecondary education. Canada can invest further in lifelong learning and secure a sustainable future and quality of life for its people while minimizing pressures on Canada's economy – social assistance, healthcare, criminal justice – that reduce the country's economic competitiveness.

#### What we know

Canada has relatively high levels of educational attainment, providing a solid foundation for further education, training, and employment. More young people are graduating from high school, with non-completion rates dropping from 16.6 percent in 1990/1991 to 8.5 percent in 2009/2010 (Statistics Canada, cited in Franke, 2010). Canada can also celebrate the fact that "55% of Canadians between the ages of 25 and 34 (68% of non-Aboriginals and 42 percent of Aboriginals) completed a postsecondary program of study, compared to an average of 33 percent among all OECD countries" (2006 Census, cited in Franke, 2010). First- and second-generation immigrant youth are much more likely to participate in postsecondary education (Picot & Hou, 2012), and young women now represent 58 percent of those enrolled in undergraduate programs (Statistics Canada, 2010).

Despite these positive trends, Canada should be concerned that thousands of young Canadians fail to acquire the minimum educational requirements to access the labour market and higher education. Most striking is the high dropout rate among Aboriginal youth, Francophone Quebecers (Québécois), youth with disabilities, homeless youth, those living in rural and remote communities (in Manitoba, Quebec, and Alberta, in particular; Hankivsky, 2008), and young men. For example:

- 1. The gap in education is most striking in First Nations communities where less money for schools and educational support on reserves, accompanied by a severe need for new and renovated schools, and the legacy of residential schools, is contributing to an unacceptable gap in attainment. "Only 39% of First Nation people aged 20 to 24 living on reserves have completed high school or obtained an equivalent diploma. By comparison, the Canadian average for high school completion of non-Aboriginal people aged 20-24 is more than 87%" (Haldane, Lafond, & Krause, 2012).
- 2. First Nations people living off reserves, Inuit, and Métis are faring a bit better, although a gap still exists. The 2012 Aboriginal Peoples Survey found that 72% of those aged 18 to 44 had a high school diploma or equivalent, whereas 89 percent of the non-Aboriginal population had at least a high school diploma (Statistics Canada, 2013).
- 3. French-language public schools in Montréal have a high school completion rate of 63 percent for girls and 49 percent for boys. By comparison, the completion rate in English-language schools is 86 percent for female students and 79 percent for male students (Richards, 2009).
- 4. "Young adults with intellectual disabilities are five times more likely than those without disabilities to have no formal education certificate" (Canadian Association for Community Living, 2010).
- 5. Housing insecurity is a strong predictor of poor academic performance and school abandonment (Hyman, Aubry, et al., 2011).
- 6. Dropout rates in rural Canada are 16.8 percent but only 8.8 percent in urban areas (Department of Education, Newfoundland & Labrador, 2009).
- 7. Across Canada, young men are abandoning high school at higher rates than young women 10.3 percent of males and 6.6 percent of females drop out (Statistics Canada, 2010).

The importance of postsecondary education for successful entry into the labour force cannot be overstated, but barriers inhibit some youth from pursuing and completing a degree, diploma, or postsecondary training. Youth from low-income families, Aboriginal youth, and Francophone youth in Québec are less likely to enrol in postsecondary institutions. The gap in university enrolment can be attributed to several factors, including poor achievement during high school, the quality of the high school, and parental influences. Cultural factors – whether or not school is valued, whether a parent has a postsecondary degree, etc. – are the most significant barriers to postsecondary education (Frenette, 2007). Financial constraints, however, are also a factor, leading to record debt among young graduates. According to the Canadian Federation of Students, the share of university operating budgets funded by tuition fees more than doubled between 1985 and 2005, rising from 14 percent to 30 percent, as universities scrambled to increase revenues. While the Association of Universities and Colleges in Canada points out that the level of average student debt has declined since 2009, 59 percent of students still

graduate with significant debt, an average of \$24,579 per student (Tausig Ford, 2013). The Canadian Federation of Students estimates that Canada Student Loan Debt currently totals more than \$15.3 billion.

#### Why it matters

Canada's future prosperity depends on the academic success of its young people. High school incompletion and low participation in postsecondary education have long-term effects, including higher rates of youth unemployment and long-term unemployment (Marshall, 2012). Conversely, a well-educated population is linked to a vibrant economy and enhanced personal growth opportunities (Council of Ministers of Education, 2008).

Inadequate educational attainment is costly to Canadians, especially in the context of Canada's aging population and the need for a skilled and educated workforce. The tangible costs of not completing high school are high and include costs related to social assistance, crime, health, labour, and employment. The annual cost of providing social assistance to someone who has not completed high school is estimated at over \$4,000, for a total of \$969 million per year. The annual cost to the criminal justice system is estimated at over \$220 per high school dropout, or \$350 million per year (Canadian Council on Learning, 2009). On a personal level, there is a strong correlation between education and health – those who abandon high school have a lower quality of life. They can also expect to lose over \$3,000 per year in income compared to those who have graduated (Canadian Council on Learning, 2010).

#### What we can do

While education is under the exclusive jurisdiction of the provinces and territories, the federal government has a special responsibility for funding the education of First Nations children and youth. First Nations children on reserves receive \$2,000 to \$3,000 less per year for elementary and secondary education than children going to school off reserves. This funding gap translates into less special education and fewer teaching resources. There are no funds available for libraries, computers, teacher training, or resources that would help preserve First Nations languages and develop culturally appropriate curricula (Office of the Provincial Advocate for Children and Youth, 2011).

The gap in achievement between Aboriginal and non-Aboriginal youth is of great concern to NACY and to all Canadians. The Government of Canada would do well to "commit to raising the educational attainment rate of First Nations, Inuit and Metis people to national averages" (Association of Canadian Community Colleges, 2011). NACY calls on governments to work with First Nations leadership to develop a plan that will address this unacceptable loss of potential and ensure First Nations' ability to deliver quality education on reserves.

It is also important to ensure that alternative pathways to postsecondary education are well supported and funded so that youth who abandon high school are able to find their way into adult education skills training and/or the workforce. Culturally appropriate community-based programs could encourage learning and formal education, helping youth gain

transferable skills. Increased opportunities for youth through "more non-repayable post-secondary grants, and essential skills development tied to work experience" would provide skills transferable to employment (Association of Canadian Community Colleges, 2012).

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In 2008, the Council of Ministers of Education, Canada (CMEC) committed to enhancing Canada's education systems, learning opportunities, and overall education outcomes. *Learn Canada 2020* sets ambitious goals to address the most pressing education and learning issues facing Canadians, encompassing the four pillars of lifelong learning:

#### • Early childhood learning and development

All children should have access to high quality early childhood education that ensures they arrive at school ready to learn.

#### • Elementary to high school systems

All children in our elementary to high school systems deserve teaching and learning opportunities that are inclusive and that provide them with world-class skills in literacy, numeracy, and science.

#### Postsecondary education

Canada must increase the number of students pursuing postsecondary education by increasing the quality and accessibility of postsecondary education.

#### · Adult learning and skills development

Canada must develop an accessible, diversified, and integrated system of adult learning and skills development that delivers training when Canadians need it.

NACY supports these goals and emphasizes the urgency of ensuring that the Ministers' promise to "all children" is upheld – especially where Aboriginal children and youth are concerned.

#### Recommendations

- 1. Ensure that all children and youth in elementary and secondary school systems benefit from teaching and learning opportunities that are inclusive and that provide them with world-class skills in literacy, numeracy, and science.
- 2. Provide all children with access to safe and comfortable schools that offer equitable education and make bridging the education gap for First Nations, Inuit, and Métis children and youth a priority. Collaborate with First Nations communities to immediately respond to the pressing educational needs of Aboriginal children and youth.
- 3. Involve youth in developing policies and practices that celebrate the diversity of students and address discrimination.
- 4. Increase the number of students pursuing higher education by increasing the quality and accessibility of postsecondary education and by offering additional support to groups least likely to pursue postsecondary studies. Provide increased

opportunities for unemployed youth through more non-repayable postsecondary grants and essential skills development tied to work experience.

- 5. Monitor tuition fees and student debt levels to ensure that cost is not a barrier to access.
- Enhance on-the-job training, skills and professional development, and trade
  qualifications for youth to ensure a qualified and competitive labour force
  that meets labour market needs.

#### 4. YOUTH EMPLOYMENT

Youth in Canada continue to be overrepresented among the unemployed and in low-paying jobs. Disconnection from the labour force, especially early in one's career, can have far-reaching life path consequences that are costly to individuals and to all Canadians. More can be done to ensure youth are prepared for today's labour market and have the opportunities they need to help build a stronger nation.

#### What we know

Young Canadians may be faring better than their international counterparts (OECD, 2012), but youth unemployment is still unacceptably high. The youth unemployment rate increased with the 2008 recession and remains consistently double that of older workers (Dagnino & Min-Young, 2012; StatsCan, 2012). Youth aged 15 to 24 were unquestionably the hardest hit by the recession, accounting for half the job losses incurred, despite the fact that they represent only 16% of the labour market (Fong, 2012). The downturn had an especially large impact on Aboriginal youth. "From 2008 to 2009, the employment rate for Aboriginal youth (excluding those on reserves) fell by 6.8 percentage points, compared with a decline of 4.2 percentage points among non-Aboriginal youth. In 2009, the employment rate was 45.1% for Aboriginal youth, whereas it was 55.6% for their non-Aboriginal counterparts" (Statistics Canada, 2011).

This situation is not new. "An examination of Canada's last three recessions reveals a pattern, wherein youth have consistently experienced the highest unemployment rates compared to other groups" (HRSDC, 2012).

Some youth are even more disadvantaged in the labour market. "52% of young adults with an intellectual disability (aged 20-29) are neither working nor attending school, compared with 12% of those without a disability" (Canadian Association for Community Living, 2010). Youth in rural Canada and First Nations youth have especially high dropout rates, 16.8 percent and 61 percent respectively, making them less likely to be employed than their counterparts with diplomas (StatsCan, 2010; Department of Education, Newfoundland & Labrador, 2009).

Young people are also competing in a crowded job market. The Baby Boom generation is working longer or retiring from full-time jobs only to return as part-time staff, on contract, or in consultative or mentoring roles (Sauvé, 2012).

Paradoxically, high youth unemployment rates are accompanied by skill shortages. In July 2012, just under 30 percent of Canadian firms reported skilled labour shortages that posed a challenge for their ability to meet demands (Bank of Canada, 2012). Some youth are missing out on job opportunities because they lack basic skills or the specialized knowledge to fill available positions.

Employers are finding young people ill-prepared for today's workforce – lacking oral and written communication skills, critical thinking, professionalism, problem solving, and even creativity (Pathways to Prosperity, 2011). A surprising 37.8 percent of Canadian youth aged 16 to 25 lack the literacy and essential skills they need to be successful in a knowledge-based economy. "This is especially problematic when we consider that basic skills such as reading, writing, computer use and oral communication are integral in employing effective job search strategies, such as completing a job application (in person or online) or excelling in an interview" (HRSDC, 2012). Young people may also have unrealistic expectations of the job market and a poor understanding of the skills and attitudes they need to obtain employment in their field (HeartWood, 2013).

Youth who are employed are over-represented in low-paying, temporary, contract, and seasonal jobs that do not provide benefits or career prospects (OECD, 2012). Working at minimum wage, they must complete 16 weeks of full-time work to cover the cost of postsecondary tuition alone – an average of \$6,704 per year (Yalnizyan, 2011) – to say nothing of the cost of housing, food, and other living expenses.

Even those with a postsecondary education are finding the transition to employment difficult. One out of three 25-39 year-olds with a college or university diploma moved into low-skilled occupations after graduation (Marshall, 2012). Faced with these dire prospects, some return to postsecondary institutions for more or different education, increasing their debt levels and further delaying their entry into the job market (Penhorwood, 2012). Such delays translate into other postponed life transitions such as marriage, home ownership, and starting a family.

#### Why it matters

The whole process of trying to get to where you wanted to be when you got out of university takes years longer than it used to. Taking a lower wage than you were initially expecting has significant repercussions for your long-term career.

- Francis Fong, TD Bank Economist

Long-term unemployment and underemployment have profound impacts, including earning losses that take years to recuperate, de-skilling, and a lifelong risk of poor attachment to the labour market (HRSDC, 2012). A mere one percent increase in unemployment rates leads to an initial wage loss of 6 to 7 percent. It can take between 10 to 15 years to recuperate from such a loss in wages (Fong, 2012).

Debt, unemployment, underemployment, lower wages, and historically high housing costs push many young people into poverty. The youth poverty rate has been consistent for over a decade (Sauvé, 2012) and has cost Canadians greatly in social services and

support. In 2009, the poverty rate in households where the major income earner was under the age of 25 was 33.8 percent.

#### What we can do

Canada's aging population will create opportunities, and we must ensure that young people are well prepared to take full advantage of them. Having the right skills and training are critical to finding work, achieving financial security, and being able to contribute to society. Youth need genuine opportunities to build their employability and entrepreneurial qualities.

Corporations, the non-profit sector, the education system, and government need to invest in our young workforce through measures such as providing opportunities for apprenticeships and job shadowing, and offering programs to develop employment skills. The Federal Youth Employment Strategy is one way of doing this, as are incentives for the private sector to hire and train young workers. Supporting entry into the labour market remains important and could include methods such as on-the-job training programs or work-and-learn arrangements (e.g., internships or job placements).

Service learning, apprenticeships, and career counselling go a long way to prepare youth for employment and civic responsibility. Youth who have been involved in sports, youth groups, and after-school and summer programs acquire skills, networks, leadership capacities, and confidence, which they use to land their first job. Every young person should have a positive and rewarding first-time job experience that will ensure they have a sense of attachment to the work force. We all have a role in making this a reality.

Many youth rely on entry-level or part-time jobs, or turn to the informal sector to gain much-needed work experience. Many jobs available to youth continue to be low paid, insecure, and with few benefits or prospects for advancement. It is therefore important to institute measures that sustain existing jobs and make these jobs more secure. Tax breaks or wage subsidies encourage employers to hire young people and could also help stabilize existing positions. Labour laws could help mitigate the precariousness of part-time or temporary employment. Youth entrepreneurship can also be promoted, providing opportunities for youth to be self-sustaining outside of the traditional or formal employee role.

As noted, the incidence of long-term youth unemployment has increased and labour market participation has fallen. Traditional employment policy instruments may not be suitable in assisting young persons who have been removed from the labour force for a significant amount of time. The longer young people have been unemployed, the more difficult and costly it becomes for them to reintegrate into the labour market. Specific policy measures and programs are necessary to support hard-to-employ youth (including Aboriginal youth, racialized minorities, new immigrants, youth in care, and youth with physical or mental disabilities), which could include targeted training and education programs combined with other social programs like housing, welfare, and social support.

Effective youth employment strategies involve young people. No matter how well intentioned a program or policy may be, successful implementation must take into

consideration effective methods to reach and work with youth. Indeed, youth participation on a small scale could help encourage participation on a larger one.

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#### Recommendations

- Create opportunities and incentives for youth to gain job skills, training, and experience to build employability and entrepreneurial qualities, with companies, the nonprofit sector, the education system, and government all taking a role in investing in the young workforce.
- 2. Collaborate across sectors to ensure positive and rewarding first-time job experiences for youth.
- 3. Increase pathways to gain work experience. Support entry into the labour market through methods such as on-the-job training programs or work-and-learn arrangements (e.g., internships or job placements).
- 4. Enhance job quality and security, helping to mitigate youth's early dependence on entry-level jobs, part time jobs, and the informal sector.
- 5. Focus on youth most at risk. Specific policy measures and programs are necessary to support hard-to-employ youth (including Aboriginals, racialized minorities, new immigrants, youth in care, and youth with physical or mental disabilities), which could include targeted training and education programs combined with other social programs like housing, welfare, and social support.
- 6. Increase youth participation in program design, development, and implementation.

#### 5. YOUTH JUSTICE

Youth crime rates have been declining for the past few decades. The factors that contribute to delinquency are well known, and we know that those who enter the justice system at a young age are most often victims themselves. More can be done to reduce victimization and ensure safer communities.

#### What we know

More young people experience violence than perpetrate it. In 2009, youth aged 14 to 24 were nearly 15 times more likely than seniors to be victimized (Perreault & Brennan, 2010). Youth crime rates and the severity of crimes committed by youth decreased by 10 percent in 2011, continuing a downward trend (Statistics Canada, 2012). The majority of crimes committed by young people are non-violent property offences. Only a small number of youth are involved with serious and repeat crimes such as drug trafficking or aggravated assault, and even these numbers are decreasing.

It is well understood that young people who are most likely to be drawn into criminal activity are living in low-income circumstances, experience social isolation, are generally

less successful in school, and have less hope for later success in life. More than 70% of those who enter federal prisons have not completed high-school; 70% have unstable job histories; four out of five have substance-abuse problems when they are convicted; and two out of three youth in the criminal justice system have been diagnosed with two or more mental health problems or illnesses (Statistics Canada, 2005).

Gangs are also responsible for drawing youth into criminal behaviour. Canada has more than 400 youth gangs with roughly 7,000 members nationally, almost half of them under the age of 18 (Public Safety Canada, 2007). Long-term studies of adolescents in Canadian and American cities suggest that the most important risk factors for gang involvement include negative influences in a young person's life; limited attachment to the community; over-reliance on anti-social peers; poor parental supervision; alcohol and drug abuse; poor educational and/or employment opportunities; and a need for recognition and belonging (Public Safety Canada, 2007). Youth most likely to join gangs or those already involved in gangs tend to be from groups that suffer from the greatest levels of inequality and social disadvantage. Participating in a criminal lifestyle can provide a sense of belonging, status, protection, and a source of income (Corrado & Freedman, 2011).

Several provinces and territories have taken action to address underlying factors to help prevent crime and victimization. Saskatchewan has recently developed an integrated response system to increase support for families in time of need. Known as a hub, this system focuses its interventions on high crime areas and integrates social services to more effectively prevent crime, thereby alleviating pressure on policing, the justice system, healthcare, and other social services. This approach is showing great promise.

The National Crime Prevention Strategy, introduced by the federal government in 1998, was updated with additional funds in the 2008 budget and focuses on root causes, supporting interventions to address risk factors among vulnerable populations with grants available to community-based groups to develop local strategies.

In 2003, the federal *Youth Criminal Justice Act (YCJA)* replaced the *Young Offenders Act*. The YCJA's implementation favoured a restorative approach to youth crime – the rate of youth diverted from the formal justice system has since exceeded the rate of youth formally charged. The number of youth between 12 and 17 years of age held in custody declined from 25,000 in 1999-2000 to 17,100 in 2003-2004 (Andreychuck & Fraser, 2007). In 2010-2011, 14,800 youth were under the supervision of Canada's correctional system – 13,300 of them were supervised in the community and 1,500 were being held in custody (Statistics Canada, 2012b).

Although these statistics demonstrate a positive trend and a shift toward a restorative approach to youth crime, there is still a disproportionately high detention rate for racial and ethnic minorities and Aboriginal youth. The past decade has seen a 40 percent increase in Black inmates, making Black Canadians the fastest growing subgroup in federal prisons (Office of the Correctional Investigator, 2012). Aboriginal youth comprise only 6 percent of the Canadian population, yet they represent a shocking 31 percent of those in custody (Monchalin, 2009).

#### Why it matters

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The criminal justice system has an important role to play in community safety. When it comes to children and youth, however, the proportion of spending between that system and crime prevention should align with the evidence showing the cost-benefit of investing in secondary prevention programs. New investments are needed to su pport youth development programs that will keep Canada's young people on a positive life path.

Prevention measures will also save taxpayer dollars. Crime costs \$83 billion in harm to victims of crime, not to mention the \$18-20 billion that Canadians spend on policing, and the justice and correctional systems (Waller, 2011). In the 1990s, the Horner Commission and the Shaunessy Cohen Committee both recommended that 5 percent of federal expenses on the criminal justice system be allocated to prevention. Overwhelming evidence demonstrating the effectiveness of secondary prevention measures has only made this recommendation more relevant.

#### What we can do

Investments in quality social services, education, and health will set the stage for children and youth to make strong and positive contributions to Canada over their lifetimes. Evidence-based secondary prevention programs and community-based programs that reach out to those who face the greatest risks are tried-and-true ways of reducing victimization and making communities safer.

Most children and youth involved with the justice system are victims themselves, having "experienced violence domestically, in care and/or on the street" (Canadian Coalition for the Rights of Children, 2011). Aboriginal youth, who are overrepresented in the justice system, report violent victimization at double the rate of their non-Aboriginal peers (Perreault & Brennan, 2010). Reducing these levels of violence would also reduce juvenile crime. The challenges that lead children to come into conflict with the law in the first place need to be addressed, as criminalizing children only increases their marginalization and vulnerability (Andreychuck & Fraser, 2007).

The experience of incarceration has lasting consequences for youth, strengthening the influence of criminal peer networks (Cullen, Jonson & Nagin, 2011) and creating barriers to future employment. Considering that 50-75 percent of youth struggle with mental health issues before they are incarcerated (Leschied, 2011), they are likely to continue to face this difficulty in prison and upon release, posing additional challenges for their healthy reintegration into society.

According to the United Nations Convention on the Rights of the Child, children and youth should be imprisoned only as a last resort and for the shortest appropriate period of time. States are encouraged to promote the child's reintegration and beneficial role in society, which, according to the UN, can best be accomplished through alternative sentencing and rehabilitation programs.

In 2012, federal policy made changes to the youth justice system that strengthened penalties and imposed minimum mandatory sentences for children and youth who commit

crimes. Deterrence and denunciation have been added as objectives for sentencing of young people, thereby weakening the primary focus on rehabilitation and reintegration. This policy goes as far as imposing adult sentences at first consideration with permission given to publish the names of young offenders. Child- and youth-serving organizations have expressed concern about the effects that these changes will have on young people's ability to repair past mistakes and lead productive and law-abiding lives as adults. These new changes require monitoring to ensure the best interests of children and youth.

#### Recommendations

- 1. Ensure accelerated and transparent monitoring of the impact of recent changes to the Youth Criminal Justice Act, including the impact of minimum mandatory sentences on Aboriginal and racialized youth, to ensure the well-being of Canada's youth. Allocate 5 percent of what is spent on the criminal justice system to prevention efforts, including positive youth development programs.
- Ensure development of a rehabilitative approach for youth who run afoul of the law and support initiatives that can help youth learn from their mistakes, make amends, and reintegrate into society.

#### 6. VIOLENCE, BULLYING, AND PEER VICTIMIZATION

Canadians are increasingly concerned about bullying and cyberbullying – an extension of bullying that has far-reaching consequences. A number of resources exist to help parents, caregivers, and schools address bullying and keep youth safe online, but few evidence-based programs exist. Youth are increasingly taking leadership on the issue, and there is much that adult allies can do to support them.

How bullying and cyberbullying are addressed depends a great deal on how they are defined. The most frequently adopted definition of bullying includes three criteria: 1) involves aggressive behaviour or intentional harm doing; 2) is carried out repeatedly and over time; and, 3) occurs within an interpersonal relationship that is characterized by an imbalance of power (Olweus & Limber, 1999). Cyberbullying takes this behaviour to another level, extending the reach of bullying through the use of information and communications technology.

#### What we know

Bullying and cyberbullying have similar underlying factors, the most significant being an imbalance of power in relationships. It is no surprise then that peer violence is shaped by gender, racial and ethnic characteristics, ability, sexual identity and orientation, and class inequalities.

Bullying and peer victimization have become an increasing concern for youth and a matter of public concern, with good reason. Some argue that it is the most prevalent form of youth violence (Farrington et al., 2010; Smokowski & Kopasz, 2005). The World

Health Organization's Young People's Health Survey, conducted in 35 countries and regions, found that "roughly 34 percent of youth reported being bullied at least once in the past two months, with a distribution from 2 to 41 percent" (Morgan & Abdul-Razzaq, 2013). The Survey ranked Canada 26th and 27th out of 35 countries on how it deals with bullying and victimization respectively (Andreychuck & Fraser, 2007).

Prevalence statistics for cyberbullying range from 5.5 percent to 72 percent, with an average of 24 percent of young people having encountered cyberbullying. A survey conducted by the University of Toronto found that "between 10% and 30% of Canadian children surveyed experience bullying at school at least some of the time" (Andreychuck & Fraser, 2007).

While many are attempting to address the problem with legislation, programs, and raising awareness, the lack of evaluation and coordination undermines success. A plethora of anti-bullying programs exist, but few have been evaluated. Among those that have, some were found to produce negative results (Senate Standing Committee on Human Rights, 2012), making rigorous evaluation all the more important when selecting and implementing programs. Unfortunately, educators are not selecting programs based on what has been proven to work but rather on their knowledge of a given program, often through a colleague (Senate Standing Committee on Human Rights, 2012). Others simply do not have the financial or human resources to implement evidence-based programs in a consistent and effective way, undermining their best efforts to address bullying.

#### Why it matters

Bullying can have serious negative consequences for children and youth and can affect them academically, socially, psychologically, emotionally, and physically (Andreychuck & Fraser, 2007). It is also one of the factors that have led young Canadians to take their lives. This makes appropriate and effective action all the more urgent.

#### What we can do

In reaction to high profile cases involving bullying and cyberbullying, governments have overwhelmingly responded by introducing new legislation. "Politicians are falling over themselves to promote anti-bullying strategies and laws, with formal policies now in place in half a dozen provinces and under development in others ... Legislation is becoming the bed rock of provincial governments' response to bullying" (Keller, 2012). Several private members' bills and a government bill have been introduced at the federal level in an attempt to address gaps in the criminal code with regard to bullying and cyberbullying. The legal landscape across the country is currently a patchwork of legislation in need of national leadership and coordination. Cyberbullying is a national issue and is not unique to specific provinces or territories. There is a need for greater consultation and collaboration throughout this process and for the development of a coherent national strategy to address bullying and cyberbullying.

Legislation can play an important role, but it is only part of the solution. More needs to be done to prevent bullying and cyberbullying through education in the form of awareness and prevention programs that help young people become more informed and

responsible citizens in school, in their communities, and online. Improving school climate through peer support and mutual respect can go a long way to enhancing students' sense of security and self-confidence and help potential victims speak out when they are targeted (Srabstein et al., 2008). Peer victimization is not solely a legal issue; it thus requires the involvement of justice, education, and health ministries and departments. Again, the federal government has an important role to play through the work of Public Safety Canada, the National Crime Prevention Centre, the RCMP, and the Public Health Agency of Canada (Senate Standing Committee on Human Rights, 2012).

In trying to protect one group of youth, governments need to ensure they are not overly criminalizing another group. We can expect to see increasing numbers of youth charged with these new offences. In all but the most severe cases, restorative justice approaches, including mediation between victim and perpetrator, that are designed to provide for the developmental stage of adolescence should be prioritized. Restorative justice programs should be developed collaboratively by all levels of government and should involve young people's active participation.

Most importantly, more needs to be done to ensure that young people have a voice in shaping responses to an issue that has such a profound impact on their lives. The Standing Senate Committee on Human Rights can be commended for consulting with youth in the course of its study on cyberbullying – this represents the first such consultation by a legislative committee. Our efforts to end peer victimization will benefit greatly from young people's participation. All governments should prioritize a rights-based approach that puts children and youth at the forefront of anti-bullying policies, laws, and programs that will affect them.

#### Recommendations

- 1. Involve children and youth in any efforts to develop legislation or programs that address bullying and cyberbullying.
- 2. Ensure that legislation on bullying and cyberbullying defines and prohibits these forms of peer violence, while requiring and supporting the implementation and evaluation of prevention programs in schools and community settings that can strengthen peer-to-peer social relations.
- 3. In dealing with youth who contravene new bullying and cyberbullying laws, prioritize restorative justice approaches.
- Coordinate efforts across jurisdictions to create safe spaces and supportive communities.

#### 7. GOOD GOVERNANCE FOR CHILDREN AND YOUTH

We want a world fit for children, because a world fit for us is a world fit for everyone.

- Youth delegates, Special Section on Children, General Assembly of the United Nations, May 2002

The question of good governance for children and youth does not focus so much on *what* set of policy goals is to be implemented, but rather on *how* those goals are identified and implemented and how they can be supported by effective governance roles and structures. This is particularly important in the case of children and young people, who often seem invisible and relatively powerless in the political and policymaking process.

Introducing governance processes that would assist decision-makers in considering the needs of and impacts on children would complement and strengthen the work of government at both the executive and legislative levels. These new processes would enable a focus on children that is sometimes overlooked in adult-oriented governance systems. Many comparable governments (e.g., UK, Australia, and New Zealand) have implemented fairly simple, feasible changes to make governance processes more child-sensitive. What is at stake is the place of children in our aging, economically constrained societies, and a commitment to intergenerational fairness. Accordingly, NACY proposes the following measures to adjust the way a political system devised for adults can better take into account children's needs and rights.

# Independent statutory children's rights institutions, national commissioner for children and young people, and provincial/territorial child and youth advocates in every Canadian jurisdiction

In 2012, the United Nations Committee on the Rights of the Child reviewed Canada's record on children's rights and made several recommendations, including that Canada: establish a federal Children's Ombudsman ... to ensure comprehensive and systematic monitoring of all children's rights at the federal level ... and to raise awareness among children concerning the existing children's Ombudsman in their respective provinces and territories. (para. 23)

An independent national Commissioner for Children and Young People, established by and reporting to the Parliament of Canada, would support federal departments and parliamentarians in developing and analyzing policies for potential impact on children; in monitoring the well-being of Canada's children to help guide investments in our rising generations; in promoting equitable public policies affecting children; and in helping coordinate federal and provincial/territorial action where necessary, including a focus on Aboriginal, immigrant, and other vulnerable children.

There are close to 7 million children in Canada – about a quarter of the population – yet they do not have the means or resources to meaningfully engage with adult decision-makers or access effective complaint mechanisms when they are denied the services and protection to which are they entitled. Nor are children and youth typically consulted as stakeholders in society.

In 2007, the Standing Senate Committee on Human Rights noted "that Canada is one of the few countries in the developed world that does not have a permanently funded mechanism designed to monitor the protection of children's rights" and recommended that "Parliament enact legislation to establish an independent Children's Commissioner to monitor implementation of the Convention on the Rights of the Child and protection

of children's rights in Canada ... [who] should report annually to Parliament." In both 2011 and 2012, this recommendation was again reaffirmed by the Committee.

Differences in the protection and promotion of children's rights between non-Aboriginal and Aboriginal children – with many of the latter group living on reserves and falling under federal jurisdiction – suggest that not all of Canada's children have equitable opportunities to develop to their full potential. Children and young people need a dedicated champion at the federal level to amplify their voices and move their interests higher up on the public agenda.

Children and youth also need an independent Child and Youth Advocate that falls under provincial and territorial jurisdiction to address matters that impact them, including child welfare, health, and education. The right to call upon an independent statutory children's rights institution for assistance should not be contingent upon that child's place of birth or residence. Currently, Prince Edward Island, the Northwest Territories, and Nunavut do not have such a position in place, although Nunavut has legislation before its Legislature to create one. The mandates of all Child and Youth Advocates should be strengthened to effectively address all areas of government and statutory institutions.

#### Federal Minister of Children and Youth Services

Even though a national Children's Commissioner for Children and Young People would make an enormous difference in advancing the rights, well-being, and voices of Canadian children and youth, a Federal Minister of Children and Youth Services – a portfolio that does not currently exist within the federal government – would serve a necessary and complementary role. The minister would have direct responsibility for developing and delivering policies and programs for the benefit of children and youth in areas that fall under federal jurisdiction and would lead government-wide collaboration with other departments. This would include matters such as citizenship and immigration, youth criminal justice, health promotion, the funding and provision of services to Aboriginal children and youth on reserves, taxation and benefits, and the aspects of divorce legislation that affect children and youth.

In those provincial jurisdictions where a Ministry of Children and Youth Services (or ministries or departments with similar names) exists, there has been a greater focus on identifying and addressing the needs and best interests of children and youth. A federal Minister of Children and Youth Services could have a similar role and work collaboratively with the national Commissioner for Children and Young People, as well as with his/her provincial and territorial counterparts.

### Law reform and the incorporation of the Convention on the Rights of the Child into Canadian law

The 2012 "Concluding Observations" on the Convention on the Rights of the Child recommended that Canada:

find the appropriate constitutional path that will allow it to have ... including [in] its provinces and territories, a comprehensive legal framework which fully incorporates the provisions of the Convention and its Optional Protocols and provides clear guidelines for their consistent application. (para. 11)

Due to Canada's dualist constitutional structure, while Canada has assumed binding international obligations by ratifying the Convention on the Rights of the Child, the Convention does not have automatic effect in Canada, because it has not yet been incorporated into Canadian domestic law. Canada requires a more consistent and coordinated approach to law reform and to incorporating the Convention into Canadian domestic law, in statute and in the courts, in conjunction with the structured use of Child Rights Impact Assessments (see below).

Rather than taking a piecemeal approach to reviewing legislation, which can lead to the unequal treatment of children according to province or territory or service sector, what is required is a more uniform and consistent approach to legislating and enforcing children's rights against the normative standards for children set out in the Convention on the Rights of the Child.

#### Child rights impact assessments

The 2012 "Concluding Observations" on the Convention on the Rights of the Child recommended that Canada:

ensure that the principle of the best interests of the child is appropriately integrated and consistently applied in all legislative, administrative, and judicial proceedings as well as in all policies, programmes and projects relevant to and with an impact on children. (para. 35)

One approach to ensure that children's best interests are given priority consideration and that potential discriminatory impacts are regularly taken into account in decision-making affecting children is through the use of standardized child rights impact assessments. A child rights impact assessment (CRIA) can be defined as:

a systematic process or methodology of ensuring children's best interests and the potential impacts of policy change upon them are considered in the policy-making process. CRIA involves examining a proposed law or policy, administrative decision or action in a structured manner to determine its potential impact on children or specific groups of children, and whether it will effectively protect and implement the rights set out for children in the Convention on the Rights of the Child. (www.unicef.ca)

From time to time, notwithstanding the best of intentions, legislation and policy lead to unintended negative consequences for the very children they are meant to benefit. In some instances, children are not considered at all in the process, even when it is likely that a proposed course of action will have an impact upon them. A child rights impact assessment could be effectively used to avoid or mitigate adverse impacts and enhance the benefits of policy, particularly for vulnerable children and youth.

The Government of New Brunswick has initiated a process to use child right impact assessments, which may serve as a useful model and an incentive for other jurisdictions to explore this approach.

#### Resource allocation and children-visible budgets

The 2012 "Concluding Observations" on the Convention on the Rights of the Child recommended that Canada:

establish a budgeting process ... at the national, provincial and territorial levels, with clear allocations to children in the relevant sectors and agencies, specific indicators and a tracking system ... [and] establish mechanisms to monitor and evaluate the efficacy, adequacy and equitability of the distribution of resources allocated to the implementation of the Convention ... [and further] define strategic budgetary lines for children in disadvantaged or vulnerable situations that may require affirmative social measures (for example, children of Aboriginal, African Canadian, or other minorities and children with disabilities). (supra, note 1 at para. 17)

Establishing a "children's budget" and providing a clear account of what governments spend on children, at least in direct benefits, programs, and services, is a simple fiscal management practice. It can be introduced at all levels of government to provide elected and administrative officials, as well as the public, with an understanding of what proportion of government expenditures are invested in children; whether the expenditure is inter-generationally fair and sensible, and whether the investments are achieving value for money in terms of impact on children's well-being. A number of models supporting child-sensitive budgets exist in other countries. In some countries, where governments fail to achieve such transparency in fiscal reporting, independent budget monitoring activities have emerged.

## Data collection, monitoring and reporting (including indicators of child and youth well-being)

The 2012 "Concluding Observations" on the Convention on the Rights of the Child recommended that Canada:

set up a national and comprehensive data collection system and ... analyse the data ... to help design policies and programmes to strengthen the implementation of the Convention. Data should be disaggregated by age, sex, geographic location, ethnicity, and socio-economic background to facilitate analysis on the situation of all children, [with] data on children in special situations of vulnerability ... collected and analysed to inform policy decisions and programmes at different levels. (para. 21)

In Canada, complex data collection systems employ different definitions, concepts, approaches, and structures across provinces and territories. This makes it difficult for elected legislators and the public to assess the state of children and the impact of policies and programs on their well-being. There is no national or sub-national data system that regularly and comprehensively collects information on all dimensions of the situation of children from birth to age 18 that are relevant for the implementation of the Convention.

The federal and provincial/territorial governments and various research institutes and organizations publish detailed data on certain aspects of child well-being for specific age groups. The difficulty in both aggregating and disaggregating data on children is due

in part to disparate data collection systems that utilize different definitions, concepts, approaches, and structures. Some data collection systems fail to disaggregate children from adults (e.g., Statistics Canada employment data); others employ arbitrary age limits inconsistent with the Convention's definition of a child (e.g., census data on children up to age 14 in foster care). Certain vulnerable groups of children are often left out or are masked by averages, or gender and cultural differences are not considered. Data to describe some aspects of child well-being, including early childcare and child poverty, is subject to ongoing dispute, which can stalemate progressive action. In a holistic sense, there is no clear picture of the state of children to inform the public or guide broad policy-making and governance decisions.

In 2007, the Standing Senate Committee on Human Rights expressed regret at the lack of a "coordinating mechanism to bring [existing] research [and data] together to create a national portrait of children in Canada." The effective use of data to inform public awareness and parliamentary priorities is, at present, insufficient. This is a significant concern, since a failure to protect and promote the well-being of children is associated with increased risk of a wide-range of negative later-life outcomes to the individual child and to society as a whole as s/he moves into adulthood.

The federal government should support stakeholder consultations to develop indicators and a database that would allow independent users to assess the situation of children across the comprehensive conditions of childhood in the framework of the Convention, including disaggregated information on the situation of different vulnerable groups of children in various parts of the country. This should be done in cooperation with provincial/territorial governments and in broad consultation with researchers and civil society organizations that work with children.

#### Youth engagement and leadership

Article 3 of the Convention on the Rights of the Child states that:

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, *the best interests of the child* shall be a primary consideration.

While the convention does not make specific recommendations on how these best interests are to be determined, it is clear that children and youth must have a voice in developing policies and programs that affect them. Youth engagement is a well-established practice that creates meaningful benefits to youth and the communities in which they live (www.engagementcentre.ca). Furthermore, youth are showing tremendous leadership in creating their own solutions and resolutions to problems that affect them and the next generations. We believe that all of the governance processes recommended above advance the protection of the rights of children and youth and should be further strengthened through the implementation of deliberate processes of engagement to ensure an authentic youth voice.

#### Recommendations

1. Establish the position of an independent national Commissioner for Children and Young People responsible for promoting and protecting children's rights,

and ensure an impartial appointment process and appropriate funding for the Commissioner's effective functioning.

- 2. Pass enabling legislation to make the Convention on the Rights of the Child and its Optional Protocols part of Canadian law.
- 3. Establish and appoint a qualified Minister of Children and Youth Services at the federal level.
- 4. Support convening a national multi-stakeholder group to develop a system for collecting and analyzing data, so that a wide range of stakeholders and governments at all levels have adequate data to inform the effective allocation of resources in programs and policies.
- Establish Offices of independent Child and Youth Advocates in every Canadian
  province and territory, and ensure an impartial appointment process and
  appropriate funding for their effective functioning.
- 6. Seek meaningful youth engagement and leadership in all matters pertaining to the development of policies and programs affecting children, youth, and families, and empower children and youth to influence decisions and determine outcomes in all matters affecting their lives.
- 7. Implement a process of Child Rights Impact Assessments for translating the United Nations Convention on the Rights of the Child and the child's best interests into practice in a concrete and structured manner before any law, policy, or regulation is instituted.
- 8. Produce a disaggregated children's budget statement with the public release of each budget to indicate the specific areas and amount of investment in children (those with direct or significant impacts) at the federal and provincial/territorial government levels.

#### 8. WHAT WE ASK OF YOU

We now have an opportunity to develop a more cohesive action plan and a stronger collective voice around the priority issues facing children and youth and their families in Canada.

National Alliance for Children and Youth (NACY) sees this *Action Framework for Children and Youth in Canada* as the next step towards a more collective and collaborative approach to promoting the health and well-being of children and youth in Canada. As we stated in the introduction, NACY's intent is to try to create a comprehensive and integrated portrait of the well-being of children and youth in Canada that will help to mobilize a consensus for further action on issues that affect all of us.

#### We ask you to:

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- debate and discuss the Action Framework with your colleagues,
- engage youth and other key stakeholders, and
- provide feedback and input.

We also ask for your commitment to join the action with your ideas, your concerns, your strategies, your support, and your participation to help define what is most needed for all our children and youth. How can we work collectively to achieve it.

All people in Canada benefit when we collectively commit to and invest in our most treasured natural resources, our children and youth. Let's make that commitment. Together.

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