Written Submission for the Pre-Budget Consultations in Advance of the 2020 Budget
Stand Up For Kids: Building Capacity to Improve the Health and Wellbeing of Canada’s children and youth

A written submission to the Pre-Budget Consultations in advance of the 2020 Federal Budget

Recommendations:

1. The Government of Canada establish through legislation an independent Commissioner for Children and Youth in Canada to advocate for and advance policy in the best interests of children and youth.

2. The Government of Canada commit to an annual budget of $8 million to operate the office of a Commissioner for Children and Youth.
INTRODUCTION

Canada has been steadily dropping in global rankings over the past decade with respect to the wellbeing of our children. Canada currently ranks 25th out of 41 OECD countries on measures of children's health and wellbeing, according to UNICEF's child wellbeing report card. [1] These figures represent a significant decrease from Canada's 12th place ranking in 2007. Fully one third of Canada's children do not enjoy a safe and healthy childhood. [2]

What can the Government of Canada do to advance the health and wellbeing of children and youth? The child health stakeholders collaborating on this proposal (Canadian Paediatric Society, Children First Canada, Children's Healthcare Canada, Pediatric Chairs of Canada, UNICEF Canada) believe the answer lies in an independent federal Commissioner for Children and Youth. The establishment of such an office would fulfill a central recommendation made repeatedly to Canada by the United Nations Committee on the Rights of the Child.

To improve the lives of children and youth in Canada, this office would support Parliament in achieving the identified goals and objectives of the current government's spending priorities:

I. Strengthening the Middle Class
Investments in children and families under the previous Parliament have made a real difference in young people's lives. That work can and must continue. A Commissioner for Children and Youth would support Parliamentary committees and the budget process to ensure that legislation, policies, and investments that pertain to children and youth consider their rights and well-being in order to maximize impact and avoid unintended consequences and costs.

II. Reconciliation
Indigenous children in Canada bear the brunt of intergenerational, colonial trauma and continue to face adverse and inequitable outcomes in health, education, and economic conditions. The future of Canada's nation-to-nation relationship with First Nations, Métis and Inuit peoples will depend in large part on the government's willingness to fulfil the rights of Indigenous children.


III. Climate Change and Protecting the Environment
Climate change is the defining issue of our time. Children have the most at stake. In working to address this monumental challenge, the voices and opinions of young people must be heard. A Commissioner mandated to promote and amplify the voices of children and youth, who cannot vote in federal elections, will help ensure that their priorities are considered in government decision-making.

IV. Health and Safety of Canadians

While it is commonly assumed that Canada is one of the best countries in the world to raise a family, the reality for children and youth is quite different. Canada ranks 8th globally for prosperity yet shockingly ranks 21st for Child Poverty, 27th for Children's Health and Safety, 27th for Child Obesity, 21st for Bullying, and 24th for Children's Life Satisfaction. [3]

With the number 1 and 2 leading causes of children's deaths being preventable injuries and suicide, investing in kids is not only a moral imperative but an economic one. In 2018, Children First Canada's Raising Canada report put a price tag on the cost of inaction: Child Abuse - $23B per year, Childhood Obesity - $22B per year, and Bullying - $4B per year and growing. [4]

There is an urgent need for action.

In many measures of health and safety, material wellbeing, and protection from violence, Canada is a nation “stuck in the middle”, making little overall progress relative to wealthy, peer countries over the past two decades. [5]

- Only 55% of children in Canada report a high level of life satisfaction. [6]
- 1 in 4 young people sometimes goes to bed or school hungry. [7]
- More than 1/3 of young people experience discrimination. [8]
- One third of young Canadians do not enjoy a safe and healthy childhood. [9]
- Hospitalization due to self-harm increased 90% between 2009-2014. [10]
- 1 in 4 children with disabilities lives in poverty. [12]

The good news is that Canadians support the need for action. In a poll conducted by Children's Healthcare Canada and the Pediatric Chairs of Canada in January 2020, 75% of Canadians support the creation of a Commissioner for Children and Youth. When asked how effectively children and youth are represented and engaged in the development of public policy in Canada, 74% of Canadians believe this vulnerable population is not well represented. [13]

More can and must be done to ensure children and youth in Canada are put on a course for life-long health and well-being. Childhood represents a unique, time-bound period of rapid physical and mental development. Nations with policies and legislation that are attentive to the social, physical, spiritual, psychological wellbeing of their youngest and most vulnerable reap the dividends of a healthy, productive and innovative population and avoid unnecessary costs of poor health, failure to graduate high school and other adverse outcomes. A Commissioner is a very affordable and important missing voice for and with children and youth.

The Government of Canada establish through legislation an independent Commissioner for Children and Youth in Canada to advocate for and advance policy in the best interests of children and youth.

Close to 60 countries have established a Children's Commissioner / Ombudsperson. These offices are found in countries comparable in population and wealth to Canada, and in federal states, including New Zealand, Australia, Germany and across the United Kingdom. International evidence demonstrates that an independent, non-partisan, collaborative approach can support government decisions that advance the health and well-being outcomes of all children and youth.

A federal Commissioner for Children and Youth would play a number of key roles:

- Ensure Canada is making progress in implementing the UN Convention on the Rights of the Child and in achieving measurably better outcomes for children. The UN Committee on the Rights of the Child has repeatedly called upon Canada to fulfil its obligations under the UNCRC to establish a federal Children's Ombudsman / Commissioner and to ensure they are provided with the necessary human, technical and financial resources for independence and efficacy. [14]
- Facilitate meaningful engagement with children and youth, families, NGOs and other stakeholders on important children's priorities to advise the federal government and other entities that have responsibility for issues affecting childhood, federally and nationally.
- Act as a resource for the development of federal legislation and other decisions affecting children and youth – a substantial group affected.
- Collaborate with federal, provincial, and territorial policy makers, with government agencies and parliamentary bodies, and with others to ensure the best interests of children and youth are respected.

The Office of the Commissioner would be expected to follow international best practices as outlined by the UN Committee on the Rights of the Child in General comments 2 and 5 along with the Paris Principles for Independent Human Rights Institutions. These are the essential elements:

- Be independent, to be free to conduct their duties without fear or favour of Government, children's agencies, and the voluntary and private sectors;
- Be established in legislation with clearly defined powers and duties;
- Report to Parliament annually, as to ensure accountability to all citizens;
- Have a broad mandate that includes the power to study, investigate, raise awareness, and monitor progress
- Have a statutory obligation to listen to and involve children.

Importantly, this Commissioner should not act in isolation. Many provincial jurisdictions have Child Advocates or Commissioners in place. The Federal Commissioner for Children and Youth should work to establish protocols with provincial and territorial Child and Youth Advocates on inter-jurisdictional matters. Also, and significantly, this Commissioner should be tasked to promote collaborative efforts across Canada as appropriate.

The Government of Canada commit to an annual budget of $8 million to operate the office of a Commissioner for Children and Youth.

This is comparable to the annual budget of other Offices of Parliament with similar form and function to the proposed Commissioner for Children and Youth. It would also correspond to a symbolic rate of $1 per child, as there are currently 8 million children and youth in Canada, the equivalent of 22% of the nation's population. This significant segment of the population is projected to grow to 9.2 million by the year 2036; it would be expected that the office's budget would grow in correlation to the size of the population of children and youth that it serves.

CONCLUSION

The idea of an independent federal Commissioner for Children and Youth in Canada is not new. In fact, many parties have recognized this need. Over the course of twelve years, there have been no less than five private member's bills advocating for an Office of the Commissioner for Children and Youth, tabled by the Liberals (three times), Conservatives (once) and the NDP (once). Two seminal reports (produced by Senator Landon Pearson, and The Senate Standing Committee on Human Rights) reiterated a call for this long overdue action.

Young people are a significant population that has very limited influence in government, despite the many government decisions that affect them, directly and indirectly, today and long into their future. Children have unique concerns and rights. They deserve a champion for their voices, to bring to parliament the insight that only this population holds.

The UN Committee on the Rights of the Child has repeatedly called upon Canada to fulfil its obligations under the UNCRC to establish a federal Children's Ombudsman / Commissioner. The UN Committee's next report is expected in 2021. The time to act is now.

If the Commissioner is to address the health and wellbeing of First Nations, Métis and Inuit children and youth, it will need appropriate representation and support. We encourage the federal government to work nation-to-nation, respecting the self-governance rights of Indigenous peoples and their self-determined goals for children, when considering this proposal.
APPENDIX A: About Us

Canadian Paediatric Society
The Canadian Paediatric Society (CPS) is the national association of paediatricians, committed to working together to advance the health of children and youth by nurturing excellence in health care, advocacy, education, research and support of its membership. Founded in 1922, the CPS is a voluntary professional association that represents more than 3,600 paediatricians, paediatric subspecialists, paediatric residents, and others who work with and care for children and youth.

Children First Canada
Children First Canada has a bold and ambitious vision that together we can make Canada the best place in the world for kids to grow up. We are a strong, effective and independent voice for all of Canada's children. We are harnessing the strength of many organizations that are committed to improving the lives of Canada's children, including children's charities and hospitals, research centres, government, corporations, community leaders, and children themselves.

Children's Healthcare Canada
Children's Healthcare Canada is a national association representing health service delivery organizations serving children and youth. Our members include all sixteen Canadian Children's Hospitals, Regional Health Authorities, Community Hospitals, Rehabilitation and Children's Treatment Centres, and Home Care Agencies. Through purposeful partnerships, we accelerate excellence and innovation in health systems caring for children and youth.

Pediatric Chairs of Canada
The Pediatric Chairs of Canada is the national network of academic leaders in pediatric medicine strengthening the future of pediatrics and improving the health outcomes of all children, by working together to advance evidence-based care, education and research.

UNICEF Canada
UNICEF is the world's farthest-reaching humanitarian organization for children. Across 190 countries and territories, and in the world's toughest places, we work day in and day out to help children survive. To defend their rights. To keep them protected, healthy and educated. To give them a fair chance to fulfil their potential. UNICEF Canada works with governments, civil society organizations, the private sector and children and youth, in Canada and internationally, to advance their rights and well-being.
APPENDIX B: Important Canadian milestones relating to a National Commission for Children and Youth

1979 The Commission for the International Year of the Child recommended in a report that “children should be a first priority” for any state and that a mechanism must be devised to support that.


2008 Reaching for the Top: A Report by the Advisor on health Children and Youth, Dr. K. Kellie Leitch, conducted on behalf of the Government of Canada.

2012 Second Private Member’s Bill (C-420) is introduced in Parliament on May 3 by Marc Garneau (Lib) for an Office of the Commissioner of Canada.

2015 Third Private Member’s Bill (C-701) is introduced in Parliament on June 19 by Irwin Cotler (Lib) for an Office of the Commissioner for Children and young Person in Canada.

2019 Fourth Private Member’s Bill (C-441) is introduced in Parliament on April 9 by Anne Minh-Thu Quach (NDP) for an Office of the Commissioner for Young Persons in Canada.

2019 Private Member’s Bill (C-451) is introduced in Parliament on December 3 by K. Kellie Leitch (Con) for a Children’s Health Commissioner of Canada

2020 Senator Rosemary Moodie (Independent) is expected to introduce a new bill in the Senate for an Office of the Commissioner for Children and Young Person in Canada.