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Ce document est également disponible en français.
SECTION I
Message

With the commitment to children so clearly stated in the Speech from the Throne on January 30, 2001, we believe the time is now right to move on a national responsibility centre for children. We offer this proposal to address the need for a focal point for children and for children's issues at the Federal Government level.

Building a more inclusive Canadian society includes developing the capacities of children and young people to participate meaningfully and appropriately in society by providing opportunities and removing barriers for children to benefit from and contribute to community life. Canada's children represent 24% of the country's population -- about seven million young Canadians are under the age of 18. As children under 18 are unable to exert influence through voting and are generally removed from the instruments of governance, they need a special mechanism which holds governments to account for commitments and responsibilities towards them and their families. A Commissioner for Canada's Children, with responsibilities adapted to Canada's constitutional structure, holds promise for the effective promotion of the rights and best interests of children, as framed by the United Nations Convention on the Rights of the Child which Canada ratified in 1991, at the level of the Federal Government.

Our two previous discussion papers describing the concept of a Commissioner for Canada's Children grew from a review of international, federal, and provincial commissioners, advocates and ombudsmen, especially those designed specifically for children. More than 700 copies have been circulated to Members of Parliament, central agencies, federal-provincial-territorial government officials, Aboriginal groups, non-governmental organizations serving children and youth, judges, lawyers, child advocates, social workers, child care specialists, mental health workers, parents, researchers and educators, as well as children and youth themselves. Over 200 notebooks and letters of comments and support have been returned to our Hill offices. We have also met personally with federal ministers whose portfolios concern children's issues to lobby for such an office.

This third version of the proposal has been edited to reflect the observations and recommendations which emerged from these consultations.

Hon. Landon Pearson, Senator
Advisor on Children's Rights to
The Minister of Foreign Affairs

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York North, Ontario
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SECTION II
Guiding Principles

When Canada ratified the United Nations Convention on the Rights of the Child, it recognized that children, by virtue of being human, have rights -- civil and political rights as well as economic, social and cultural rights. In addition, by virtue of being young and vulnerable, they have some special rights: to protection from harm, to promotion of their growth and development, and to participation in decisions affecting them in an appropriate manner according to their age and maturity. The Convention strongly supports the central role of families in safeguarding these rights and reinforces the State's obligation to help families meet the basic needs of their children.

To ensure that the Federal Government fulfils its commitments and responsibilities, a Commissioner for Canada's Children would be guided by the following principles and approaches:

1. That all activities of the Federal Government respect the rights, dignity and worth of children.
2. That the primary role of parents or guardians in raising children be recognized and respected. The rights of children and the rights and responsibilities of parents are mutually supportive.
3. That children be treated in ways that reflect the importance of the traditions and cultural values of the communities and families from which they come. In particular, a federal Commissioner would respect the role and influence of Aboriginal people in Canada.
4. That children have the right to participate appropriately and meaningfully in political and social life.
5. That an office that works on children’s behalf would engage directly with children -- not only as clients but as partners whose views must be given due weight in all matters affecting them.
6. That respectful working relationships with federal departments, child and youth serving agencies, as well as children’s natural advocates, especially their parents, are essential to the promotion of children's rights.
7. That the Commissioner's work be visible, accountable, accessible and appropriate to children’s developmental stages.

SECTION III
Overview

The federal, provincial and territorial levels of government share jurisdictional responsibility for Canadian children. At the federal level, this responsibility cuts across many departments – there are few policies and programs that do not affect children either directly or indirectly. The challenge facing Parliament and the Federal Government is to ensure that decisions and activities that have an impact on children are mutually consistent, complementary and reflect Canada’s commitments to children. Moreover, a democratic system of governance requires that citizens have opportunities to participate meaningfully in decisions that affect their lives. So a second challenge for the federal system is to learn to listen to children below the voting age and to take into account what they have to say.
A. Mandate, Roles and Responsibilities

The mandate of a Commissioner for Canada's Children would be to promote the human rights of children under 18 years of age, as framed by the United Nations Convention on the Rights of the Child, within the Federal Government and civil society. Ideally, a Commissioner would be an independent officer of Parliament with legislative authority to fulfil the following three objectives:

1. Promote a coherent and effective federal approach to children within the Federal Government.
2. Ensure that there is accountability for federal commitments and responsibilities made to children both nationally and internationally.
3. Engage children below the age of 18 (voting age) so that they can participate meaningfully and appropriately in federal-level decisions that affect their lives.

B. Objectives

1. Promote a coherent and federal approach to children

The House of Commons Standing Committee on the Environment articulated the role that a Commissioner can play in the federal policy-making process:

…proactive role is the purview of a Commissioner whose functions typically include policy evaluation, forward-looking advice, anticipation, prevention, advocacy, and the coordination of diverse initiatives (Commissioner of the Environment, 1994).

A Commissioner for Canada’s Children would examine policy choices from the perspective of the child who is to be affected by them and advise federal departments on ways to coordinate their efforts and build on best-practices and lessons learned. A coherent and effective federal approach to children requires cooperation on many fronts – not just in programs or policies specifically targeted towards children. A Commissioner would bring a “child-centered lens” to policy areas that might not normally be evaluated for their impact on children.

How would this be accomplished?

A Commissioner for Canada's Children would consult with federal departments and civil society. In particular, a Commissioner would:

• work with federal departments and Parliamentary committees to promote a higher political priority for children and give a greater visibility to children's issues within government and civil society;
• work to improve public attitudes to children and increase public awareness of children's rights by developing advocacy programs on children's rights;
• identify policy issues relevant to children;
• provide advice to federal departments on issues of concern to children;
• ensure that departments and Parliamentarians have access to the best possible research on the
impact of proposed policies on children (See appendix, A Model for a Child Impact Analysis);

• monitor progress and follow-up on Canada's commitments and responsibilities to children and their families;

• engage children and their natural advocates, especially parents and their family members;

• liaise regularly with the Canadian Council of Provincial Child and Youth Advocates, Aboriginal youth serving organizations and other stakeholders; and

• assist federal departments to organize consultations with young people and their advocates (youth roundtables).

2. Ensure accountability

Good governance with respect to children requires an accountability framework or structure. Independent offices such as the Auditor General or the Privacy Commissioner enhance responsible government by ensuring that both Parliament and Canadians have accurate information about the performance of Federal Government programs and activities. Knowing how well programs and services that target children are doing would enable policy-makers to make better decisions. As children cannot exert influence through voting and face greater barriers than those who can to participation in public life, they need a special mechanism that encourages governments to be accountable for and to them. Research in fields as diverse as neurology, economics, sociology, and psychology supports the view that a country’s prosperity depends on the well-being of its children. The costs of failing children are enormous in both human and socio-economic terms. A Commissioner for Canada's Children would help the Government of Canada work co-operatively with concerned members of civil society of all ages towards ensuring the best possible outcomes for children. A Commissioner would not fulfil Parliament's or the Federal Government's obligations to Canada's children, but would monitor how those obligations are being met for all children, and where necessary, suggest measures as to how they should be met.

Creating a Commissioner would also respond to the Concluding Observations of the Committee on the Rights of the Child to Canada’s first report in 1995: "The Committee is concerned that sufficient attention has not been paid to the establishment of a permanent monitoring mechanism that will enable an effective system of implementation of the Convention in all parts of the country. Disparities between provincial or territorial legislation and practices which affect the implementation of the Convention are a matter of concern to the Committee."

How would this be accomplished?

A Commissioner for Canada's Children would promote program effectiveness. In particular, a Commissioner would:

• review federal department policies, programs and legislation which impact on children, such as the Young Offenders Act (or proposed Youth Criminal Justice Act) and the Divorce Act; and, submit recommendations for improving initiatives where appropriate;

• track Canada’s progress in ensuring that federal laws and practices conform with the provisions of the United Nations Convention on the Rights of the Child and other international agreements.
related to children to which Canada is a signatory; assist in the process of developing Canada's periodic country report to the United Nations Committee on the Rights of the Child; and monitor the government's response to the Committee's 'Concluding Observations';

- assist in the development of national standards, in collaboration with the Canadian Council of Provincial Child and Youth Advocates, Aboriginal youth serving organizations and other stakeholders including relevant federal-provincial-territorial committees, to be used to assess the effectiveness of strategies developed within the context of the National Children's Agenda and the Social Union Framework Agreement;
- undertake, commission or collate, as well as disseminate research relevant to children's rights; and
- report to Parliament annually on the state of Canada’s children.

In addition, a Commissioner might:

- seek intervenor status as a third party in court proceedings where decisions impact on children's rights; and provide legal advice on cases concerning the human rights of children; and
- explain the opportunities provided by the Federal Government’s fiduciary relationship with Aboriginal children and youth and make recommendations.

3. Engage meaningful youth participation

By ratifying the *United Nations Convention on the Rights of the Child*, Canada made a commitment “to assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.” (Article 12)

Democratic principle and practice require that those who are subject to laws and policies have the opportunity to participate in the political process. However, children under 18 cannot vote or play a significant part in our democratically elected government. As well, they have more difficulty accessing the judicial system so their impact on our political system is indirect. Children also lack the economic resources to force consideration of their views. As a result, the voices of children are grossly underrepresented in public debate and in the media. Even where an opportunity for participation exists, children often encounter difficulty with the language and practices through which various decisions are made. Nevertheless, children are expected to respect laws such as the *Criminal Code* as prescribed in the *Young Offenders Act* (or proposed *Youth Criminal Justice Act*). This respect can only be meaningful if young people under the age of 18 understand the laws that directly impact on their lives and they have had an opportunity to influence the law-making process.

Democratic citizenship is a learned skill and should begin before adulthood. This means that young people under the age of 18 should be given the opportunity to acquire experience in the decision-making processes that affects their lives. By engaging directly with children, a Commissioner would foster the understanding and skills that children need to acquire in order to participate fully in our democracy.
Our institutions of government and the systems they have created must also discover how to listen more effectively to children’s voices and understand their experiences. Most Canadian provinces have developed child and youth advocates or ombudsmen to help the system learn what works for children. Other countries have created similar offices. The federal system is served by Commissioners for Human Rights, Freedom of Information, Privacy and Official Languages. Experience shows that a properly designed commissioner’s office can complement and enrich democratic institutions without compromising the proper lines of responsibility.

How would this be accomplished?

A Commissioner for Canada’s Children would cultivate the capacity to engage with children about their concerns. In particular, a Commissioner would:

- provide a channel for children's views by engaging with children directly in environments where they are comfortable; and by including young people in the decision-making process, notably through a youth Advisory Board to the Commissioner's Office;
- encourage the involvement of children from diverse backgrounds, including children traditionally marginalized (Aboriginal children, children with disabilities, at-risk children, and immigrant and refugee children) by hosting workshops, roundtables, conferences, meetings and focus groups to share ideas on topics of federal importance;
- solicit children’s views using interactive age-appropriate technologies;
- poll children’s priorities through “children’s elections”, such as those conducted by UNICEF in Canada in 1999, Mexico, Columbia and other countries;
- develop ‘child and youth-friendly’ educational and promotional material, including a children's version of the Commissioner's report and publications; and
- report regularly to children through SchoolNet.

C. Societal Context

**Canada's commitments to children**

The Office of the Commissioner for Canada's Children would demonstrate Canada's willingness to fulfil its national and international commitments to children under the *United Nations Convention on the Rights of the Child*. Spurred by its participation in the 1990 World Summit on Children, Canada created an action plan for children which has since led to numerous federal initiatives for children and youth, including the Community Action Plan for Children (CAPC), the Canada Prenatal Nutrition Program (CPNP), the National Child Benefit, the Aboriginal Head Start Program, the Early Child Development Accord, the Employment Insurance Maternity/Parental Leave, and the Centres of Excellence for Children's Well-Being.

Over the years, the Government of Canada has committed itself "to work together [with the provinces and territories] to improve the well-being of Canadian children, by putting in place the investments and plans to help all families ensure that their children grow to be healthy, ready to learn and able to seize opportunities later in life […] including appropriate indicators
of progress which will guide our joint investment" (Annual Premiers' Conference, August 2000). On January 31, 2001, the Prime Minister reaffirmed the Government of Canada's commitment in his address in reply to the Speech from the Throne: "We must ensure that our children are a national priority. We must make this great national objective a major focus of what are always limited resources. During the course of this mandate, in the budgets that we bring down, we will establish an investment timetable that will allow us to make real progress in ensuring opportunity for all Canadian children." A Commissioner for Canada's Children would provide an accountability framework or structure to support these commitments.

The National Children's Agenda
In the spring and summer of 1999, a public dialogue was initiated to discuss ways governments and Canadians could measure children's progress and share information about how to improve children's well-being within the context of a National Children's Agenda. What emerged from the public discussions were goals that define what Canadians want for their children in four areas: physical and emotional health; safety and security; success at learning; and social engagement and responsibility. Participants stressed the need for these goals to be inclusive of all children -- to take into account the needs of children with disabilities and children from diverse cultural and linguistic backgrounds, no matter where they live in the country. A Commissioner for Canada's Children would monitor progress in achieving these goals.

Within Canada's Social Union Framework Agreement, each province and territory has the flexibility to develop programs and services and deliver them in a manner which best responds to the needs and priorities of its communities. A Commissioner, in collaboration with the Canadian Council of Provincial Child and Youth Advocates, Aboriginal youth serving organizations and other stakeholders including relevant federal-provincial-territorial committees, could help to develop national standards regarding the effectiveness of strategies within the context of the National Children's Agenda. A Commissioner for Canada's Children would report these findings to Parliament.

Building a human rights culture
Children are holders of human rights. They are not simply objects of concern, of charity or persons-in-the-making. They are individuals now with views, feelings and rights. Human rights start with children’s rights. And the building of a human rights culture is in the hands of our children and young people. A society that respects the human rights of children could, within a generation, become a society that respects all human rights. The protection and promotion of children’s rights can be an effective entry point into the broader arena of human rights. 1

Children's human rights have become an internationally acknowledged priority. At the 1990 World Summit for Children, 71 heads of state came together and said: "The well-being of children requires political action at the highest level. We are determined to take that action. We ourselves make a

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solemn commitment to give high priority to the rights of children." The near universal ratification of the *United Nations Convention on the Rights of the Child* over the decade since its adoption in 1989 provides the context for promoting the development of independent offices -- children's commissioners, advocates and ombudsmen -- as an essential measure for implementing the Convention (article 42).

**D. Organization of the Office**

**Title**

The position could be referred to as ombudsman, advocate or commissioner. However, the term commissioner has been used several times in the federal context and seems most appropriate given the functions of a Commissioner for Canada’s Children. This title reflects an office that is responsible for systemic advocacy rather than individual casework.

**Status**

A Commissioner for Canada’s Children should be an independent, non-partisan officer of Parliament. This is preferable to a position within a Ministry or within the Auditor General’s Office where there could be real or perceived limits to the Commissioner’s ability to promote the rights and interests of children or where there could be a possible diminishing of the Commissioner’s profile. Furthermore, as an independent officer the Commissioner would be accountable to Canadians through Parliament as opposed to answering to a particular Minister.

**Powers**

The Commissioner for Canada’s Children would need to possess administrative and statutory powers necessary to perform the following functions:

- consult children on issues and policy proposals;
- access federal information and institutions, with the power to subpoena when access is denied;
- make statements, reports, and recommendations; and
- delegate and enter into legal agreements. For example, the Commissioner would be able to engage a multi-disciplinary team to undertake research.

**Appointment**

The selection process should be non-partisan and the appointment should be based on careful consideration of candidates’ capabilities. A preferred method would involve an all-party committee review of potential candidates, and the submission of a list to Parliament for final vote or ratification. According to the guiding principles, children would be asked to participate in this process. The appointment would be for a non-renewable fixed term to preserve the independence of
the Commissioner. A term of seven years would allow the Commissioner to become known to
children and confident in the Office. Furthermore, seven years would span approximately two terms
of government. Having a non-renewable term means that during a childhood of 0-18 years, three or
four commissioners would serve.

Administration

The administration of a Commissioner for Canada’s Children's office would reflect the principle of
accessibility to and by all Canadian children and those who support and care for them. Particular
attention would be paid to rural areas and remote regions in Canada, including Aboriginal and
northern communities. A Deputy Commissioner would assume responsibility for advocating on
behalf of Aboriginal children. For example, the Deputy Commissioner would liaise regularly with
advocates of Aboriginal children, such as First Nations, Métis and Inuit community groups; Band
and Tribal Councils; education authorities and First Nations academic institutions; First Nations,
Métis and Inuit women's organizations; and other First Nations, Métis and Inuit organizations that
work with children.

Budget

The budget for the Office of the Commissioner for Canada's Children would be an investment in
Canada’s children. The budget allocation for the Office should be determined by a statutory
expenditure included in the Main Estimates pursuant to a Commissioner for Canada’s Children Act
and subject to change only by amendment to the Act (as in the case of the Chief Electoral Officer).

Reporting

The Commissioner for Canada’s Children would report to Parliament at least once a year. The report
would be tabled simultaneously in the Senate and the House of Commons and then referred to the
appropriate standing committees. Both Houses of Parliament might consider establishing Standing
Committees on Children and Youth. A permanent reference point on an existing committee would
be another possibility.
Organizational Structure

![Organizational Structure Diagram]

Planned spending

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<th>Planned Spending 2002-03</th>
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<th>Planned Spending 2004-05</th>
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<td>3,072.0</td>
<td>3,164.2</td>
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<tr>
<td>Total Net Planned Spending</td>
<td>3,251.8</td>
<td>3,072.0</td>
<td>3,164.2</td>
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<tr>
<td>Plus: Cost of services received without charge</td>
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<tr>
<td>• Accommodations by PWGSC</td>
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<tr>
<td>• Contributions: Employees’ Insurance premiums paid by TBS</td>
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<td>• Workman’s Compensation by HRDC</td>
<td>296.8</td>
<td>305.7</td>
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<tr>
<td>Net Program Cost</td>
<td>3,548.6</td>
<td>3,377.7</td>
<td>3,479.1</td>
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<td>Full-Time Equivalents</td>
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SECTION IV
Advocacy for Children: Existing Models

International
Norway established the first ombudsman for children in 1981. Since then, similar offices have been established in countries and states, including Australia, Austria, Belgium, Columbia, Costa Rica, Denmark, Finland, France, Germany, Guatemala, Hungary, Iceland, Israel, Luxembourg, Macedonia, Michigan, Morocco, New Zealand, Nicaragua, Northern Ireland, Peru, Philippines, Poland, Portugal, five of the 89 regions of the Russian Federation, South Australia, South Africa, Spain, Sweden, the Ukraine, and Wales. In 1997, Europe launched the European Network of Offices for Children (ENOC) and is pursuing a European Child Ombudsman Act to improve the lives of all children in Europe. In unitary states or in provinces, these offices generally combine a case-by-case ombudsman role with systemic advocacy. In federal states or systems, children’s commissioners are more oriented towards systemic investigations, information sharing, and public awareness.

A recent UNICEF study praised the work of these established offices for children and succinctly stated their importance: “The act of establishing an ombudsman for children is an expression of commitment not only to respect the rights of children, but also to be held to account on that commitment.”

Canada’s federal context
In Canada, the laws and policies that shape the conditions of childhood are the responsibility of all levels of government. Most policies and practices that directly affect children, such as health, education and social services, fall under provincial jurisdiction. However, some decisions made at the federal level have a direct impact on children, such as taxes and child benefits under the income-tax law. Youth justice legislation, immigration, and divorce law are clearly within federal jurisdiction. The Federal Government also has a special relationship to Aboriginal children under its fiduciary responsibility for Aboriginal people.

Children in several provinces have recourse to commissioners, advocates or ombudsmen for specific grievances relating to areas of provincial jurisdiction. But there is no independent officer presently representing children at the federal level.

The idea of a federal reference point for children is not new. The Canadian Commission for the International Year of the Child 1979 noted in its report that the “need for a children’s advocate is a very real one” (For Canada’s Children: National Agenda for Action, 1980). In 1984, the Badgely Committee on Sexual Offences against Children recommended the creation of an “Office of the Commissioner.” Although Rix Rogers was appointed as Special Advisor to the Minister of National Health and Welfare, a commissioner was not established. Following the Rogers report, the Minister of Health and Welfare was designated as the Children’s Minister in October 1990. The Federal Government of the day established a Children’s Bureau in 1991 within Health Canada to give greater focus to activities on behalf of children, to monitor policies, and to follow-up on international commitments. Although it shared many of the functions of a Children’s Commissioner,
the Children’s Bureau lacked the independence of a true ombudsman, advocate or commissioner that is essential to serving the whole federal level including Parliament. In 1996, the Secretary of State for Children and Youth was established jointly within Health Canada and Human Resources Development Canada. More recently, the Special Joint Committee on Child Custody and Access recommended that the Federal Government create a Children’s Commissioner to advance child-centered approaches under the Divorce Act and in other areas of federal responsibility (For the Sake of the Children, 1998). And the Law Commission of Canada recommended that "Jurisdictions that do not have independent bodies to act as children's advocates should consider enacting legislation to establish them" (Restoring Dignity: Responding to Child Abuse in Canadian Institutions, 1999).

**Provincial children’s advocates**

Over the past decade, child and youth advocate offices have been established in the provinces of Nova Scotia, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, and British Columbia, either through express Acts of provincial legislatures or under the governing legislation/mandates of provincial ministries. The proposal for a federal Commissioner for Canada’s Children is meant to complement, never replace, the work of the provincial offices.

In 1997, the six (now seven) existing provincial children’s advocate offices formed the “Canadian Council of Provincial Child and Youth Advocates.” This Council meets twice yearly to share information and explore possibilities for effective advocacy on behalf of children and youth. In general, the provincial child and youth advocate offices share certain features that include:

- investigating, reporting, and advocating functions;
- providing advocacy services to children and youth up to the age of 21 or 24 who are receiving or eligible to receive provincial services/welfare, including youth in care or custody on extended care arrangements; and
- dealing with case management involving individual children.

The provincial child and youth advocate offices do, however, differ greatly with respect to legislative/implementing authority, scope and method of operation, resources, and breadth of systemic advocacy.

Several of the provincial child and youth advocates share concerns relating to degrees of freedom in decision-making, access to information, and insufficient resources. The variation in the mandates of the provincial child and youth advocate offices and the multi-level jurisdiction in matters affecting children point towards the need for a federal-level commissioner or advocate for children.

The Federal Government has committed itself to work with the provinces and territories to improve child well-being within the context of the National Children's Agenda and the Social Union Framework Agreement. Establishing a Commissioner for Canada’s Children with a structure complementary to provincial child and youth advocates will allow all governments to collaborate on issues concerning children.
Provincial Offices for Children

<table>
<thead>
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<th>P.E.I.</th>
<th>Nfld.</th>
<th>N.S.</th>
<th>N. B.</th>
<th>Quebec</th>
<th>Ontario</th>
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<tbody>
<tr>
<td>Legislation/possible position proposed</td>
<td>Children's Advocate (2002)</td>
<td>Children's Ombudsmen</td>
<td>Committee created to examine establishing an Advocate's office</td>
<td>Commission des droits de la personne et des droits de la jeunesse</td>
<td>Office of Child &amp; Family Service Advocacy</td>
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<tr>
<td>legislator</td>
<td>Children's Advocate</td>
<td>Children's Advocate</td>
<td>Office for Children &amp; Youth (2002)</td>
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<td>Office of the Children's Lawyer</td>
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</table>

**SECTION V**

**Conclusion: The Time is Now Right**

Over the past years, Canadian governments have made significant commitments to children. The majority of the provinces have instituted children's commissioners or advocates. With the commitment to children so clearly stated in the Speech from the Throne on January 30, 2001, the time now appears to be right for the Government of Canada to solidify its promises to children and their families by creating an independent officer of Parliament. A Commissioner for Canada’s Children would help Parliament and the Federal Government ensure that decisions and activities that have an impact on the lives of children are mutually consistent, complementary and fulfill Canada’s national and international obligations. Moreover, a Commissioner would promote a more inclusive Canadian society by creating opportunities for young people under the voting age to participate meaningfully in decisions that affect them.

By establishing the Office of a Commissioner for Canada’s Children, Canada would make a positive display of goodwill towards children by joining the many other countries and Canadian provinces who have made a similar commitment to their children. This would be fitting at the start of a new millennium after a decade that began with Canada's leadership at the 1990 World Summit on Children and the worldwide ratification of the *United Nations Convention on the Rights of the Child* and closed with Canadian governments co-operating to produce the National Children's Agenda within the context of Canada's Social Union Framework Agreement.
APPENDIX:


A Model for a Child Impact Analysis

1. Guidance

   through the basic articles of the CRC
   (nos. 2, 3, 6 and 12 and other articles with a bearing on
   Child Impact Analyses)

2. Preconditions

   Through statutory texts, travaux préparatoires, regulations, guidelines and policy with reference to the matter in hand

3. Scientific basis

   Knowledge derived from research, expert participation, studies and surveys of children with reference to the matter in hand

4. The working process

   (through the character and mandate of the activity)

   Mapping
   Describing
   Analysing
   Testing
   Evaluating

Questions relating to the current proposal

What impact will the proposal have on the child/children?

How does the proposal relate to the provisions of the CRC?

What particular problems or conflicts of interest may the proposal entail?

How does the proposal affect, or how is it affected by, other factors?

What allowance has been made in the proposal for the viewpoints of the child/children, and how have those viewpoints been obtained?

What compensatory measures may be needed?

What costs and benefits will the proposal entail from the viewpoint of society, individual persons to particular groups?

Other issues of relevance to the matter in hand?