

B. General Measures of Implementation

1. Please provide information on the important initiatives relevant to children adopted after 1997, noted in paragraph 9 of the Report.

Social Union Framework Agreement

A Framework to Improve the Social Union for Canadians (known as the Social Union Framework Agreement or SUFA) was signed by the Prime Minister and Canada's Premiers, except for the Premier of Québec¹, on February 4, 1999. The agreement guides intergovernmental cooperation on social policy in Canada. The primary objective of the social union initiative is to reform and renew Canada's system of social services and to reassure Canadians that their pan-Canadian social programs are strong and secure. In working to build a strong social union, the Government of Canada and provincial and territorial governments have reached a broad consensus that the first priorities should be children in poverty and persons with disabilities.

Within SUFA, each provincial and territorial government tailors its early childhood development services to meet the unique local needs of children and their families. For Canadian families, these investments mean better access to services such as pre-natal classes and screening, pre-school programs and child care, and parent information and family support. To give Canadians a clear idea of the progress being made, governments will report regularly to Canadians on how young children are doing and on their involvement in programs and services.

For example, to inform Canadians on progress made, federal, provincial and territorial governments work collaboratively to produce an annual report; this year's instalment, *The National Child Benefit Progress Report: 2002* was released in July 2003.

This Report demonstrates that for the fourth consecutive year, the number of low-income families with children has continued its downward trend (post-tax LICOs):

- The incidence of low-income among families with children dropped from a peak of 15.8 percent in 1996 to a low of 11.4 percent in 2000, and
- The number of children living in low-income families is down by more than 307,000 from a peak of 1,174,800 in 1996 to 867,600 in 2000.

¹ While sharing the same concerns regarding social services, Québec did not adhere to the Social Union Framework. However, the Government of Québec continues to ensure the establishment of social services, through the appropriate legislation, policies and programmes. With regard to child poverty, considered a priority issue, Québec invests significant resources under its family policy and gives special weight to early intervention towards children and their families, particularly through family income support measures, special allocations for day care services, psychosocial services for children attending early childhood education centres (Centres de la Petite enfance), subsidies for accommodation for low-income parents, etc.

National Children's Agenda

As discussed in Canada's Second Report on the *Convention on the Rights of the Child*, the federal, provincial and territorial governments agreed in January 1997 to work together to develop the National Children's Agenda (NCA), a compliment of the SUFA. As part of the NCA, in the 1997 Speech from the Throne, the Government of Canada committed to develop the National Child Benefit system; Learning Readiness Indicators; Aboriginal Head Start for on-reserve First Nations children; and five Centres of Excellence for Children's Well-Being.

The NCA is a co-operative effort by governments in Canada to ensure that all Canadian children have the best opportunity to develop their potential. As a first step in the development of the NCA, governments collaborated on a "shared vision" for Canada's children. The shared vision includes government goals for all Canadian children: to be healthy (physically and emotionally), safe and secure, successful at learning, and socially engaged and responsible.

The vision also identifies six areas in which collaboration by governments could enhance child well-being:

- Enhancing early child development;
- Supporting parents and strengthening families;
- Improving income security for families;
- Providing early and continuous learning experiences;
- Promoting healthy adolescent development; and
- Creating safe, supportive and violence-free communities.

Governments sought feedback from Canadians on their vision in the Spring/Summer of 1999 and refined the vision to reflect comments received.

Early Childhood Development Agreement

In September 2000, the Government of Canada announced an investment of \$2.2 billion in early childhood development (ECD) over five years through the Canada Health and Social Transfer. Through the ECD Agreement, the Government of Canada is transferring funds to provincial and territorial governments to invest in any or all of the following four areas:

- Promote healthy pregnancy, birth and infancy;
- Improve parenting and family supports;
- Strengthen early childhood development, learning and care; and
- Strengthen community supports.

Canada Child Tax Benefit Program and the National Child Benefit Supplement

The Canada Child Tax Benefit (CCTB) is the main federal instrument for the provision of financial assistance to families with children. The program provides monthly tax-free benefits to low- and middle-income families with children on behalf of each dependent child less than 18 years of age. The CCTB is income-tested and has two main elements: a basic benefit and the National Child Benefit (NCB) Supplement.

The National Child Benefit (NCB), which is a joint initiative between federal, provincial, and territorial governments and First Nations, was launched in July 1998. The goals of the NCB are outlined on page three of Canada's Second Report.

By 2004, Canada will have made a third significant investment in the NCB for low-income families with children, bringing the total increase in child benefits for low-income families to \$2.5 billion annually. Once fully implemented, total federal child benefits will reach approximately \$9 billion annually, compared to approximately \$5 billion in 1996. Maximum federal child benefits will rise to \$2,500 for the first child and \$2,300 for each additional child. Middle-income families will also receive increased support. In all, changes to federal child benefits will assist nine out of ten Canadian children.

Canada Child Tax Benefit (CCTB) and National Child Benefit Supplement payment amounts

		1998	1999	2000	2001	2002	2003
Basic benefit *		\$1,020	\$1,020	\$1,104	\$1,117	\$1,151	\$1,169
Supplement for 3 rd and each subsequent child		\$75	\$75	\$77	\$78	\$80	\$82
Supplement for children under age seven		\$213	\$213	\$219	\$221	\$228	\$232
Base threshold		\$25,921	\$25,921	\$30,004	\$32,000	\$32,960	\$33,487
Benefit reduction rates ***	- 1 child	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
	- 2 or more children	5%	5%	5%	5%	5%	5%
(NCBS) amount for	- 1st child	\$605	\$785	\$977	\$1,255	\$1,293	\$1,463
	- 2nd child	\$405	\$585	\$771	\$1,055	\$1,087	\$1,254
	- each additional child	\$330	\$510	\$694	\$980	\$1,009	\$1,176
NCBS threshold		\$20,921	\$20,921	\$21,214	\$21,744	\$22,397	\$21,529
NCBS phase-out rate	- 1 child	12.1%	11.5%	11.1%	12.2%	12.2%	12.2%
	-2 children	20.2%	20%	19.9%	22.5%	22.5%	22.7%
	- 3 or more children	26.8%	27.5%	27.8%	32.1%	32.1%	32.6%

* Slight variances exist for the basic benefit amount for residents of Alberta

** The amounts for July 2000, 2001, 2002, and 2003 include indexing

*** Effective July 2004, the 2.5 percent will be reduced to 2 percent and the 5 percent will be reduced to 4 percent.

The NCB Supplement was increased by \$150 per child in July 2003, and will be increased to \$185 per child in July 2004, and \$185 per child in July 2006. With these increases, plus full

indexation, the maximum Canada Child Tax Benefit is projected to reach \$3,243 for the first child, \$3,016 for the second child, and \$3,020 for each additional child in 2007. These increases to the NCB Supplement will provide approximately \$965 million annually in additional benefits to low-income families in 2007.

While the strong performance of the Canadian economy in the last few years was a key factor, the NCB initiative has also contributed to this trend. For the first time, the *NCB Progress Report: 2002* shows the NCB is making progress toward meeting all three of its goals. In 2000, as a direct result of the NCB:

Reducing child poverty: 55,000 children in 22,900 families were not living in low income, a 5.1 percent reduction in the number of low-income families:

- These families with children saw their average disposable income increase by almost \$1,800, or 7.5 percent;
- Families with children living in low income were, on average, about \$700 better off, representing an increase in their average disposable income of 4.1 percent;
- The low-income gap was reduced by \$320 million, a decline of 9.6 percent.

Promoting labour market attachment: in most jurisdictions, the NCB is making paid work financially more attractive than social assistance for families by improving the difference between minimum wage employment and social assistance. This improvement was associated with a reduced dependency on social assistance among families with children.

Reducing program overlap and duplication: simplified administration of child benefits allowed many jurisdictions to combine the NCB Supplement with provincial/territorial child benefits into a single integrated payment.

One-Parent Families: The reduction in the proportion of single-parent families living in low income over the last five years has been particularly significant:

- The proportion of one-parent families living below the post-tax (Low Income Cutoff (LICO) declined from 42.5 percent in 1996 to 28.6 percent in 2000;
- By contrast, the proportion of two-parent families living below the post-tax LICO showed a more modest decline, from 9.8 percent to 7.5 percent over the same period;
- Before the introduction of the NCB in 1998, single parents with two children faced a reduction in disposable income of more than eight percent when leaving social assistance for minimum wage employment; and
- By 2001, their disposable incomes were two percent higher after leaving social assistance, an overall improvement of more than 10 percentage points since 1997 — the NCB was responsible for 72 percent of that improvement.

Children's Special Allowances: The Children's Special Allowances (CSA) supports children in the care of foster parents, government departments, or agencies. Increases to the CSA were made based on increases to the National Child Benefit Supplement and the base Canada Child Tax Benefit. CSA monthly payment amounts are as follows:

- For the months of July 2002 to June 2003 — \$203.67 per child/per month
- For the months of July 2001 to June 2002 — \$197.67 per child/per month
- For the months of July 2000 to June 2001 — \$173.42 per child/per month
- For the months of July 1999 to June 2000 — \$150.42 per child/per month
- For the months of July 1998 to June 1999, inclusive — \$135.42 per child/per month
- For the months prior to July 1998 — \$85.00 per child/per month

The increases to the NCBS outlined in the 2003 Federal Budget will result in corresponding increases to the Children's Special Allowances. The CSA will also be increased to add a benefit parallel to the new Child Disability Benefit.

Other Tax Measures

Goods and Services Tax/Harmonized Sales Tax Credit (GST/HST Credit): The GST/HST Credit is a tax-free payment to help low- and modest-income individuals and families offset part or all of the GST or HST they pay. This credit is based on marital status, number of children, and family income. The GST/HST Credit was changed to assist single parents by eliminating the phase-in rate for the single supplement, and has been made more responsive to changes in a family's personal circumstances.

Child Care Expense Deduction (CCED): The CCED provides a deduction for child care expenses incurred to allow parents to work or attend school either full or part-time. The CCED has been increased to allow additional amounts in respect of eligible children qualifying for the Disability Tax Credit or who have a mental or physical infirmity.

The Education Tax Credit (ETC): The ETC provides a non-refundable tax credit for students enrolled in qualifying programs. The credit has been doubled and made available to part-time students. Children as young as 16 and enrolled in a qualifying institution and taking a qualifying educational program may benefit from this credit.

Personal Income Tax rates: Changes made to reduce personal income tax rates, to increase the amount that Canadians can earn tax-free, and to increase basic personal and spousal exemptions provide a financial benefit for families with children.

Tax Measures for Families with Children with a Disability

Disability Tax Credit (DTC): The 2000 federal Budget introduced a supplement to the Disability Tax Credit specifically for qualified children. The 2000 Economic Statement increased both the supplement and the basic DTC amount. Additional changes made to the DTC include adding eligibility for individuals with severe disabilities who must spend extensive time in therapy each week, and expanding the list of persons able to certify for the purposes of determining an individual's eligibility for the DTC. Also, in addition to a parent and grandparent being able to claim the DTC on behalf of their qualified child or grandchild, as of 2000, a brother, sister, aunt, uncle, niece or nephew of the child could similarly claim the DTC on the child's behalf.

Child Disability Benefit (CDB): In June 2003, the new Child Disability Benefit was introduced for low-and modest-income families which will provide up to \$1,600 per year for a child

qualifying for the DTC. The CDB will be administered as a supplement added to the monthly Canada Child Tax Benefit (CCTB) for eligible families with a qualified child. An annual amount of \$1600, payable in equal monthly payments, will also be added to the monthly CSA payments for agencies caring for a qualified child who meets the eligibility requirements of the DTC program.

Child Disability Benefit (CDB) calculation amounts

CDB amount for each qualified child with a disability - starting July 2003		\$1,600CDB
Threshold		\$33,487 *
CDB phase-out rate	- 1 qualified child with a disability	12.2%
	- 2 qualified children with a disability	22.7%
	- 3 or more qualified children with a disability	32.6%

* The total number of children for whom the recipient is receiving CCTB determines the CDB threshold. For families with three or less children, the CDB threshold is \$33,487. For families with four children, the threshold is \$37,078; five children \$40,685; six children \$44,293, seven children \$47,900, eight children \$51,508, etc.

Medical Expense Tax Credit (METC): Parents of children with a disability benefit from changes made to the METC. The list of eligible expenditures for services and equipment qualifying for the METC has been expanded several times; for example, to include costs such as training for individuals to provide care, tutoring services that are supplementary to the primary education of an individual with a learning disability or a mental impairment, and reasonable costs relating to the construction of a new principal place of residence of an individual who lacks normal physical development or has a severe and prolonged mobility impairment.

Child Care Expense Deduction (CCED): The CCED provides a deduction for child care expenses incurred to allow parents to work or attend school either full or part-time. The CCED has been increased to allow additional amounts in respect of eligible children qualifying for the Disability Tax Credit or who have a mental or physical infirmity.

RRSP/RRIF rollovers for an infirm child: The level of income used to determine the financial dependence of an infirm child has been increased, allowing more infirm children or grandchildren to receive a tax-free rollover of a deceased parent's or grandparent's RRSP or RRIF proceeds.

Provincial and Territorial Child Benefit Programs

The Canada Customs and Revenue Agency (CCRA) administers several child benefit programs on behalf of provinces and territories. The Alberta Family Employment Tax Credit, British Columbia Family Bonus, New Brunswick Child Tax Benefit, Nova Scotia Child Benefit, Saskatchewan Child Benefit and the Yukon Child Benefit were mentioned in the Canada's Second Report and continue to be administered by the CCRA. Several of these programs have

been revised to reflect provincial or territorial requirements. New provincial and territorial child benefit programs have been introduced by Nunavut, Northwest Territories and Newfoundland and Labrador since 1998 and are administered by the CCRA on their behalf.

Employment Insurance maternity and parental benefits

Effective December 2000, the Government of Canada extended Employment Insurance maternity and parental benefits from six months to one year. Maternity benefits remain at 15 weeks while 35 weeks of parental benefits are now available to both biological and adoptive parents. Access to these benefits has been improved with a reduction in the number of hours worked required to qualify for the benefits. In 2001-2002, the Government of Canada invested over \$2 billion in these benefits.

Child-Centred Family Law Strategy and Child Support

On December 10, 2002, the Minister of Justice announced the Child-centred Family Law Strategy (CCFLS) and tabled legislation (Bill C-22) aimed at helping parents focus on the needs of their children following separation and divorce. The Strategy is designed to achieve three main objectives:

- Minimize the potentially negative impact of separation and divorce on children;
- Provide parents with tools to assist them in reaching parenting arrangements that are in the child's best interests; and
- Promote a non-adversarial legal process such that only the most difficult cases go to court.

To achieve these objectives, the Strategy is composed of three interrelated components: enhanced support for family law services; expansion of Unified Family Courts; and legislative amendments to the *Divorce Act* and related legislation (Bill C-22). First, the Government of Canada will devote \$63 million in new funding over five years to the provinces and territories in support of family justice services such as mediation and parent education. The Government of Canada also will also contribute \$47.3 million, over five years, for the continued expansion of Unified Family Courts, which consolidate jurisdiction over all family law matters within a single court. Finally, there are also proposals to amend the *Divorce Act* to eliminate the use of the terms "custody" and "access" for the purpose of parenting arrangements, and adopt an approach based on parental responsibilities.

The Strategy also includes improvements to the administration of federal support enforcement programs to increase their efficiency.

Child Support

A new child support system was announced in the March 1996 federal budget and came into effect on May 1, 1997. The changes were intended to improve and modernize Canada's child support system and included the following four key features:

- Creation of guidelines to make child support determinations more fair, predictable and consistent,
- New tax rules for child support, introduction of a no-deduction/no-inclusion tax treatment,
- Enforcement procedures were strengthened to help provincial and territorial enforcement agencies ensure that family support obligations are respected, and
- An increase in the Working Income Supplement (since superseded by the new National Child Benefit).

On April 29, 2002, the Honourable Martin Cauchon, Minister of Justice and Attorney General of Canada, tabled in Parliament the Report: *Children Come First: A Report to Parliament Reviewing the Provisions and Operation of the Federal Child Support Guidelines* (“The Report”). The Report provides a comprehensive review of the provisions and operation of the *Federal Child Support Guidelines*, five years after they were implemented. The Report also provides a comprehensive analysis of the Guidelines’ overall impact, as confirmed by statistical and survey research undertaken by the Department of Justice, with the help of the provinces and territories.

The overwhelming conclusion that may be drawn from the Report is that the Guidelines are a solid success and that their objectives have been promoted. Child support amounts are fairer, more predictable and consistent, ensuring that children receive the financial support they need from both parents. The Guidelines have reduced conflict and tension between parents by making the calculation of child support more objective. This, in turn, has improved the efficiency of the legal process and most parents are setting child support amounts without going to court. For a more detailed evaluation of the Guidelines, please see the Department of Justice Internet site at: www.canada.justice.gc.ca/en/ps/sup/rp/report2002.html.

While the guidelines have been largely successful, the Government of Canada is recommending several relatively minor changes to some Guidelines provisions to improve consistency, predictability and fairness. The recommendations include:

- Adding an optional formula for the determination of quantum in shared custody situations
- Clarifying to the operation of the ‘special expenses’ provision of the guidelines by defining ‘extraordinary’
- Adding a disclosure requirement relative to children the age of majority or over for whom support is paid
- Improving the fairness of the Comparison of Household Standards of Living Test by accounting for certain statutory deductions in the calculation of income.

Further amendments to replace or remove the words custody and access from the Guidelines may also be required as a consequence of Bill C-22, a Bill to amend the *Divorce Act* and related legislation, as discussed above. The Guidelines are *Divorce Act* regulations and may therefore be amended by regulation, outside of the usual Parliamentary process. The Government of Canada is consulting the provinces and territories in detail regarding the proposed Guideline regulatory amendments and their implementation.

Urban Aboriginal Strategy

In 1998, two new initiatives were created under the Government of Canada's *Urban Aboriginal Strategy*, a component of *Gathering Strength: Canada's Aboriginal Action Plan* (1998).

In December 2002, the Government of Canada announced new federal investments for preservation, revitalization and promotion of Aboriginal languages and cultures. The proposed Aboriginal Languages and Cultures Centre strategy to preserve Aboriginal language and culture is cognizant of the fact that youth are the largest and growing segment of the Aboriginal population and represent a key resource for intergenerational transmission of languages and cultures.

Gathering Strength provided the spark to develop the *Aboriginal Languages Initiative (ALI)* and the *Urban Multipurpose Aboriginal Youth Centres Initiative (UMAYC)*. ALI's objective is to help revitalize, maintain and promote Aboriginal languages for future generations of Aboriginal peoples and to increase the rate of intergenerational transmission. UMAC provides services to address a wide range of Aboriginal youth issues and needs. The initiative provides urban Aboriginal youth with accessible, Aboriginal community-based, culturally relevant and supportive projects, and professional and peer counselling, to improve their economic, social and personal prospects.

Centres of Excellence for Children's Well-Being

Health Canada's Centres of Excellence for Children's Well-Being Program was launched in October 2000 to carry out knowledge transfer activities in order to foster better integrated research, policy and practices. The Program's mandate focuses on ensuring that important knowledge about children and their healthy development is broadly distributed among families, community-based organizations, educators, health professionals, NGOs and governments. The funding allocated to the Program is \$20 million to five Centres over five years (2000-2005). The work of each Centre of Excellence focuses on an issue of national significance: Early Childhood Development; Children and Adolescents with Special Needs; Youth Engagement; Child Welfare; and, Child and Youth in Prairie Communities. The Program is additionally guided by principles underlining the importance for the Centres to give special consideration to a number of issues, one of them being the unique needs of Canada's Aboriginal children, their families and communities.

Fetal Alcohol Spectrum Disorder (FASD)

From the 1999 budget, Health Canada received \$11 million over 3 years with \$5 million annually in ongoing funding to provide a focal point for FASD. Health Canada currently has a number of activities which focus both on prevention of FASD and improving the outcomes for those affected by prenatal alcohol exposure. The 2002 Speech from the Throne announced \$15 million annually for FASD work for the on-reserve First Nations population.

Federal Tobacco Control Strategy (FTCS)

In April 2001, the Government of Canada invested \$560 million over five years in the Federal Tobacco Control Strategy (FTCS) to help prevent and reduce tobacco use among Canadians of all ages, especially high risk groups, including youth (current smoking rate is 22 percent) and young adults (31 percent). The FTCS has adopted a comprehensive, integrated and sustained approach to reducing youth smoking and exposure to second-hand tobacco smoke, which includes research, policy, programming, mass media and regulation and enforcement.

Canada's Drug Strategy

The renewal of Canada's Drug Strategy was announced on May 27, 2003. This Strategy takes a balanced approach to reducing both the demand for, and supply of, drugs. The Government of Canada will invest \$245 million over five years to this end. Highlights of the new Strategy include: community-based initiatives to address a range of prevention, health promotion, treatment and rehabilitation issues; public education campaigns on substance abuse with the specific focus on youth; and new funding for research activities on drug trends to enable more informed decision-making. The renewed Strategy seeks to ensure that Canadians can live in a society increasingly free of the harms associated with the abuse of drugs. Therefore, the Strategy includes measures to inform Canadians, and particularly youth, about the real harms of all forms of substance abuse.

Youth Criminal Justice

The Government of Canada's Youth Justice Renewal Initiative was launched in May 1998. The Initiative is based on three key directions: prevention, meaningful consequences for youth crime, and intensified rehabilitation and reintegration to help youth safely return to their communities. Although the new *Youth Criminal Justice Act* (YCJA) is a key element of the Initiative, the Youth Justice Renewal Initiative looks beyond legislation and the youth justice system to explore how society as a whole can address youth crime and its associated factors. The Government's commitment to this Initiative is reflected in the \$1 billion allocated over five years for cost-sharing agreements that will help provinces and territories implement youth justice renewal.

Youth Criminal Justice Act (YCJA): The YCJA creates a comprehensive regime to deal with all aspects of the youth justice system. The new Legislation (April 2003) respects the rights of young persons, and aims to increase community responses to youth offending, reduce over-reliance on incarceration, and increase rehabilitation and reintegration of young people. It sets out measures to deal with early intervention outside the formal court process; the youth court process following a charge; special rules for sentencing of young persons found guilty of an offence; the treatment of young persons sentenced to custody along with measures respecting their reintegration and rehabilitation; the safeguarding and use of information about young persons. In addition, it enhances the role of victims to be informed of and participate in the process and strengthens the involvement of parents and family. Key elements of the legislation include the following:

- *Preamble and principles:* Guidance on the use of these measures is found in the preamble to the Act, and in the Act itself, in several statements of principles (which refers to the *Convention on the Rights of the Child*).
- *Non-court measures:* The YCJA promotes the use of measures outside the court process, particularly through police diversion and youth committees, as the most timely and effective way to address most types of youth crime.
- *Judicial measures:* Limits the use of pre-trial detention, and eliminates transfer of a youth to adult court – all proceedings are to take place in youth court.
- *Sentencing:* There is a clear statement of the purpose and principles that should govern youth sentencing, emphasizing rehabilitation and proportionality and restricting the use of custody.
- *Custody and reintegration:* Youth custody sentences are to include a period of supervision in the community, with support during this critical period aimed at reintegrating youth.
- *Publication and records:* The publication of names of youth is prohibited, except for the most serious violent crimes.

The National Crime Prevention Centre (NCPC): The NCPC of the Department of Justice has a National Crime Prevention Strategy aimed at preventing crime and victimization using a social development approach that targets social and economic risk factors. The National Strategy promotes the integrated action of key government and non-government partners to reduce crime and victimization, and to assist communities in developing and implementing community-based solutions.

Begun in 1994, the Strategy is currently in Phase 2 and receives \$32 million per year in base funding. The NCPC funds a multitude of initiatives related to children and youth across the country and collaborates with other sections in the Department in identifying priority areas for funding.

In 2001, Phase II of the National Strategy was expanded by providing an additional \$145 million over 2001-05 to better reach out to high-risk, high need communities and population groups such as seniors, persons with disabilities, members of ethnic, racial and other minority groups (including the gay and lesbian community and homeless persons and official language minority communities. Diverse sub-groups of children and youth are being addressed through these new priority groups.

The Aboriginal Justice Strategy

The Aboriginal Justice Strategy (AJS) was announced in 1996 to address over-representation of Aboriginal people in the criminal justice system and to respond to the desire of Aboriginal communities for greater control over the administration of justice. Although the AJS was originally to end on March 31, 2001, in the Speech from the Throne (January 30, 2001), the Government of Canada made a commitment to renew the AJS in order “to significantly reduce the percentage of Aboriginal people entering the criminal justice system, so that within a generation it is no higher than the Canadian average.” This Strategy has therefore been renewed for another five years with approximately \$57.5 million over five years, which represents a slight increase over previous funding levels.

The AJS provides funding, including funding in regards to spousal violence, most of which is cost-shared with provinces and territories, to community-based justice programs. These programs are aimed at reducing the rates of crime and incarceration among Aboriginal people, assisting Aboriginal people to assume greater responsibility within communities and making the mainstream justice system more sensitive to the needs and culture of Aboriginal communities.

Citizenship and Immigration

A new *Immigration and Refugee Protection Act (IRPA) and Regulations* were implemented in June of 2002, incorporating references to the best interests of the child throughout. The new immigration legislation includes provisions:

- Promoting family reunification by extending the age of dependent children eligible for family sponsorship up to 22 from 19 and by exempting spouses, common law partners and dependent children from medical inadmissibility.
- Promoting family reunification by allowing family members abroad to be processed for permanent residence in Canada at the same time as protected persons (including Convention refugees) in Canada.
- Authorizing school attendance of minor children in Canada regardless of immigration status (except for the children of visitors prohibited from studying).
- Incorporating the best interest of the child as an element of decisions to grant permanent residence on humanitarian and compassionate grounds, to grant administrative appeals overturning removal orders from Canada, and decisions concerning the retention of permanent residence status in the context of a breach of residency obligations
- Affirming the principle that a minor is detained only as a measure of last resort and listing special considerations that must be considered in the application of this principle including the availability of alternative arrangements.
- Protecting children by barring sponsorship for immigration by persons convicted of a sexual offence against a child. Persons are also barred from sponsoring for immigration purposes if they are in arrears of court-ordered child or spousal support payments.
- Defining the best interest of the child in the context of inter-country adoption consistent with child protection measures and safeguards derived from international Convention obligations.
- Extending provisions for designating a representative for minors to apply in all quasi-judicial proceedings before the Immigration and Refugee Board.
- Creating a new inadmissible class to bar entry to Canada of persons who engage in people trafficking.
- Making trafficking in persons an offence punishable by life imprisonment, or a fine of up to \$1 million or both.

In addition to these positive changes in IRPA, recent changes to the *Canada Student Loans Act* will allow protected persons as defined in IRPA to obtain student loans, thereby enhancing access to education for youth.

New Citizenship Act: A proposed new Citizenship of Canada Act, currently before Parliament and anticipated to come into force in 2004, includes provisions that would facilitate access to Canadian citizenship for children born outside Canada who are adopted by Canadian citizens.

Under the terms of this draft legislation, adopted children who are minors may qualify for citizenship without first obtaining permanent resident status, provided the adoption is in the best interests of the child, creates a genuine parent-child relationship, is in accordance with the laws of the place where the adoption took place and the laws of the country of residence of the adopting citizen and was not intended to circumvent the requirements under any enactment for admission to Canada or citizenship.

Protecting children from sexual exploitation and abuse

The Government of Canada has declared the well being of children and youth to be a top priority and, to that end, the Government is continually working to make Canada a safer place for children to live and grow up. In order to achieve the goal of protecting children from exploitation, the Government has taken a multi-pronged approach. First of all, tough *Criminal Code* provisions and policies are in place to directly combat exploitation. These measures are constantly being reviewed and, when needed, improved to better protect children from harm. Secondly, federal police services have developed a variety of law enforcement tools and strategies to address the problem of exploitation of children. Thirdly, in recognition that legislation and law enforcement alone cannot provide the solution, programs and initiatives are undertaken to encourage the mobilization of communities and non-governmental organizations as they work to protect children and youth from exploitation.

Current criminal legislative reforms before the Parliament of Canada that seek to better protect children against abuse, neglect and sexual exploitation are:

a) *Bill C-20 (protection of children and other vulnerable persons)* (introduced December 5, 2002) proposes criminal law reforms that will:

- strengthen the existing child pornography provisions by broadening the definition of written child pornography and narrowing the existing defences to one defence of public good;
- strengthen protection for young persons against sexual exploitation;
- increase penalties for offences against children including for sexual offences, neglect and abandonment;
- facilitate testimony by child and other vulnerable victims and witnesses; and
- create a new offence of voyeurism.

b) *Bill C-23 (Sex Offender Information Registration)* (introduced December 11, 2002) proposes reforms that would convicted sex offenders to register specific information (e.g., addresses and telephone numbers, names and alias(es) and identifying marks and tattoos) upon release from incarceration and to re-register annually or upon change of address. Penalties are proposed for failure to comply or to comply truthfully. The new database would be maintained by the R.C.M.P. as part of the Canadian Police Information Centre (CPIC) system that is accessible to accredited law enforcement agencies and serves over 60,000 law enforcement officials in every province and territory.

These proposed reforms build upon 2000 legislative reforms to the *Criminal Records Act*. These earlier amendments result in the flagging of the records of pardoned sex offenders on the CPIC

to allow the un-sealing of such records regarding applications for child-sensitive positions. This process provides additional information for screening purposes and better protects communities from convicted sex offenders by enhancing the ability of police to thoroughly explore the criminal background of persons seeking to work with children, including the criminal records for designated sex offences where a pardon has been granted.

Recent related legislative reforms and supporting initiatives that provide increased protection to children from exploitation and abuse include:

Child Pornography and sexual exploitation through the Internet: In July 2002, Canada's 1993 child pornography prohibitions were further strengthened to address the growing misuse of new technologies, such as the Internet, to commit child pornography. New offences created included transmitting, making available and accessing child pornography; and using the Internet to lure a child for the purpose of committing a sexual offence against a child. The amendments also included new provisions to enable courts to order the deletion of child pornography posted on Canadian computer systems, such as Web sites.

Such legislative reforms support the Government of Canada's Strategy to Promote Safe, Wise and Responsible Internet Use ("Cyberwise Strategy"). This Strategy, which was launched in February 2001, has five priorities:

- Supporting initiatives
- Promoting effective industry self-regulation;
- Strengthening the enforcement of laws in cyberspace;
- Implementing hotlines and complaint reporting systems; and
- Fostering consultation between the public and private sectors, and their counterparts in other countries.

Research conducted as part of the Strategy and released in March 2000 examines children's and parents' views, perceptions and practices regarding the Internet and children's use of the internet.

In 1998, Canada's federal law enforcement authorities developed the National Coordinated Law Enforcement Strategy that serves as a framework for federal law enforcement activities, including for investigations into child pornography offences. In 2003, the Government of Canada announced the formation of a National Steering Committee on Internet Child Pornography, co-chaired by the Royal Canadian Mounted Police and the Ontario Provincial Police. The National Steering Committee is currently exploring options to enhance domestic coordination and collaboration on child sexual exploitation issues across the country.

Canada is involved in the G8 strategy addressing on-line child sexual exploitation, which includes measures aimed at improving international cooperation, prevention, public awareness, outreach to other countries and the possibility of establishing an international child pornography database.

Trafficking in children: The new *Immigration and Refugee Protection Act (IRPA)* (proclaimed into force on June 28, 2002) includes a new trafficking in persons offence. The new offence

provides for severe penalties: fines of up to \$1 million and imprisonment for up to life. Moreover, it lists specific aggravating factors that a court can take into account when determining the appropriate penalty such as subjecting a trafficking victim to humiliating or degrading treatment, including with respect to work or health conditions or sexual exploitation. As well, in the new IRPA, the “best interests of the child” shall be considered in the context of applications for permanent residence on humanitarian and compassionate grounds and certain decisions taken by the Immigration Appeal Division.

On December 11, 2001, Passport Canada implemented a “one person, one passport” policy to help prevent trafficking in children by limiting the illegal movement of children by adults holding passports with children’s names in them.

Child Sex Tourism (CST): Building upon amendments made to the *Criminal Code* in 1997, amendments were made to the *Extradition Act* in 1999, to facilitate obtaining the testimony of witnesses/victims from outside Canada, including through the use of video and audio-link technology. These reforms provided a more efficient, cost-effective and victim-sensitive means of obtaining evidence in child sex tourism cases. The child sex tourism provisions were further amended in July 2002 to simplify the process for a Canadian prosecution of a child sex tourism case by deleting the requirement of a formal request from the destination country for non-commercial child sexual exploitation.

The Government of Canada has also undertaken measures to facilitate implementation of the child sex tourism prohibitions. For example, in 1999, the Department of Justice prepared and distributed a fact sheet for law enforcement professionals on the CST legislation. This fact sheet was also used by the Department of Foreign Affairs and International Trade (DFAIT) to develop consular guidelines on the CST legislation (these are currently being updated). DFAIT has included a reference to the legislation in its publication *Bon Voyage* and produced a pamphlet for Canadian tourists entitled, “What No Child Should Endure” (currently being updated) which explains that it is a crime to engage in child sexual tourism.

Child Prostitution: Following *Criminal Code* amendments in 1997 and 1999 to protect children from child prostitution (which are discussed in Canada’s Second Report), the Government of Canada has supported a multitude of activities that have had, as part of their objectives, enhanced education and awareness for children/youth, social service and criminal justice professionals, and the general public, relating to the sexual exploitation of children, including through the sex trade.

In November 2000, criminal justice and social service sector officials from across Canada met to discuss best practices and to explore areas of collaboration regarding children and youth involved in prostitution. This, in turn, led to the establishment of an on-going information network on these issues for officials in both sectors, across the country.

Female genital mutilation: Although the criminal law already prohibited the practice of female genital mutilation (FGM) in Canada or the removal of a girl child from Canada for the purpose of having FGM performed on her, the *Criminal Code* was amended in 1997 to specifically prohibit FGM as a form of aggravated assault. The Government of Canada adopted an integrated, multidisciplinary approach to promoting public and professional awareness of FGM

issues — for justice, health, social service sector professionals as well as community members. For example, the Government of Canada held consultations on the issue with affected communities in September 1999 and a Network on FGM was formed, consisting of representatives from affected communities, government, non-governmental organizations and health care providers. The resulting document, “Female Genital Mutilation and Health Care: Current Situation and Legal Status: Recommendations to Improve Health Care of Affected Women” was released in the fall of 2000. The Government of Canada also supported the development of *Female Genital Mutilation: Workshop Manual* (1998), in consultation with affected communities, for use as a training tool for these communities, addressing FGM related health, legal and cultural issues.

Policy Centre for Victims Issues (PCVI): The PCVI was established within the federal Department of Justice in 2000 to co-ordinate federal initiatives related to victims of crime. The Centre has been allocated \$5 million per year (2000-2005) for strengthening the role of victims and facilitating their participation in the criminal justice system, including victims of family and sexual violence. The Victim’s Fund, administered by the PCVI, provides grants and contributions for innovative projects including new approaches to service delivery, increasing access to services and providing information about existing services for victims of crime. The Centre’s activities address all victims of crime, including child victims.

Phase II, National Strategy on Community Safety and Crime Prevention, launched in 1998, targets the root causes of crime and victimization. Children are amongst its four priority groups. The initiative receives \$32 million a year in funding with an additional amount of \$145 million for the period 2001-2005. The National Strategy has supported hundreds of projects that focus on children and youth including on child sexual exploitation and other forms of victimization. These initiatives included: public awareness programs that promote services for women and children who witness, or are subject to, domestic violence; counselling for victims of violence; training for safe home volunteers and other crisis workers; conflict resolution and anger management workshops for parents; and positive parenting programs for young fathers.

Family Violence Initiative

As was mentioned in Canada’s Second Report, in 1997, the Government of Canada reconfirmed its commitment to reduce family violence in Canada, particularly violence against women and their children, through the launching of the third phase of the Family Violence Initiative (FVI).

Housing

For a description of initiatives regarding housing, please see the Canada Mortgage and Housing Corporation’s Shelter Enhancement Program (SEP) in Part-A-2-g) above.

Transportation

Tabled in Spring 2003, proposed amendments to the *Canada Transportation Act* include a policy statement that recognizes that transportation services without undue obstacle to the mobility of persons with disabilities is essential to serve the needs and maintain the well-being of Canadians.

Child and Family Services

Youth Employment Strategy (YES): The YES was streamlined in 2003, resulting in a more flexible and effective system to deliver youth services by increasing partnerships among all levels of government, youth-serving agencies, employers and communities. The three programs are:

- Skills Link offers a range of programs and services that can be tailored to meet individual needs to provide more intensive assistance over longer periods of time. Skills Link targets youth facing barriers to employment — such as single parents, Aboriginal youth, youth with disabilities.
- Summer Work Experience creates summer employment opportunities for secondary and post-secondary students and supports the operation of summer employment offices. This program also exposes students to career possibilities in their communities, provides them with access to job search assistance, tools and techniques. As well, it offers group information and one-on-one sessions on resume writing, preparing for interviews and looking for a job.
- A program to help immigrant youth living in rural and remote areas, and early school leavers, develop the skills, knowledge and work experience they need to participate in the current and future job markets.

International Development and Foreign Policy

The Government of Canada continues to maintain its commitment to the world's children. In April 2000, Canada and Ghana co-organized a Conference on War-Affected Children in West Africa, which produced a comprehensive Declaration and Plan of Action addressing the range of problems faced by war-affected children. Canada carried this approach to the International Conference on War-affected Children that took place in Winnipeg in September 2000. Following the Winnipeg Conference, the government is committed to timely, effective follow-up and implementation of the *Agenda for War-Affected Children*, agreed to at the Ministerial level meeting attended by over 40 ministers and representatives from 132 governments.

On September 5, 2000, Canada's Minister of International Cooperation unveiled *Social Development Priorities: A Framework for Action*. The Framework outlines how Canada will bolster and strengthen programming devoted to four priority areas of social development: health and nutrition, basic education, HIV/AIDS, and child protection, with gender equality as an integral part of all these priority areas. The Framework will also strengthen Canada's international aid programming by building on existing expertise in these priority areas and by implementing new and innovative approaches to development. Over a five year period, \$2.8 billion has been budgeted for these four priorities (2000-2005).

2. Please provide additional information on the current areas of priority attention identified by the Secretary of State for children and youth, referred to in para. 14 of the State party report.

Of the many issues facing Canada's children and youth, the Secretary of State (Children and Youth) has identified several key priorities for action, such as addressing the prevention of fetal alcohol spectrum disorder; reducing tobacco-abuse amongst youth; youth unemployment; sexual exploitation of children and youth; bridging the gap between Aboriginal and non-Aboriginal life chances for children and youth; juvenile diabetes; children with disabilities and special needs; children's health and their environment; and mental health and suicide prevention.

3. Please provide information on the reasons some of the recommendations contained in the Committee's previous observations (CRC/C/15/Add.37) have not yet been fully implemented, in particular those related to:

a) Para. 18, referring to the possibility of withdrawing reservations;

Possibility of withdrawing reservation regarding Aboriginal adoption: When Canada ratified the *Convention on the Rights of the Child*, it entered a reservation to article 21 to ensure that customary adoptions and forms of alternative care among Aboriginal peoples were respected. Consultations were conducted with national Aboriginal groups before ratification, leading to this reservation. A primary purpose of entering this reservation was to address the concerns of Aboriginal peoples that the language of the CRC might be inconsistent with customary forms of care practiced within Aboriginal communities to address the best interests of the child. The practice of these customary forms of care have been termed "custom adoptions" within the common law and the laws of Canada.

The Statement of Understanding entered by Canada upon ratification of the Convention, to the effect that it would take into account article 30 in adopting measures to implement the Convention for Aboriginal children, was requested by Aboriginal groups, to address their concern that Aboriginal heritage be respected in all decisions concerning the best interests of Aboriginal children. Aboriginal groups and First Nations have not requested that this Reservation or Statement of Understanding be withdrawn.

Possibility of withdrawing reservation regarding detention of juveniles: On February 4, 2002, the Canadian House of Commons passed the *Youth Criminal Justice Act* (YCJA), which replaces the *Young Offenders Act*. It was proclaimed into force on April 1, 2003. Under the new legislation, non-court measures, rather than an automatic appearance before a judicial hearing, is the focus. Any youth charged with a criminal offence who does appear before a Justice will be brought before a Youth Court, which specializes in juvenile justice. As well, the vast majority of convicted youth will receive youth community sentences. The YCJA retains the general rule that a young person who is serving a youth custody sentence is to be held separate and apart from adults.

Adult sentences can only be given to young offenders who commit a serious violent crime — such as murder, attempted murder, aggravated assault or aggravated sexual assault. With adult

sentences, the presumption remains that a youth under the age of 18 will be placed in a youth custody facility unless the judge is satisfied that it would not be in the best interests of the young person or would jeopardize the safety of others.

However, the YCJA also creates a presumption that if a young person in a youth facility reaches the age of twenty, he or she should be transferred from the youth facility to an adult facility to serve the remainder of the sentence. This allows young adults, aged 18 to 20, to remain in youth facilities with those under 18 in certain circumstances.

With regard to pre-trial detention, the YCJA also introduces many limitations on the use of pre-trial detention of young people. If detained prior to trial, a young person must be held separate and apart from any adult, unless a youth court judge is satisfied, having regard to the best interests of the young person, that this is not possible due to safety concerns or where no separate detention for youth is available within a reasonable distance. This factor comes into play in Canada, where immense distances may exist between where a trial takes place and where youth custody facilities are located.

A Parliamentary Committee, in reviewing the Bill proposing the *Youth Criminal Justice Act*, thoroughly examined whether the Act complies with the *Convention on the Rights of the Child*. Parliament determined that the very limited circumstances of pre-trial detention of a young person with adults was reasonable, given Canada's geography. It also concluded that the limited circumstances under which a young person following conviction could be detained in an adult institution, i.e.: only if an adult sentence was imposed and only if it was in the young person's best interests or for the safety of others (such as other young offenders), was an appropriate balance between competing rights. Thirdly, Parliament decided that it is often in the best interests of a young adult offender (ages 18 to 20) for that offender to remain in a youth facility rather than to be transferred to an adult institution; the result being that individuals under the age of 18 often reside with individuals who are between the ages of 18 and 20.

Immigration and Refugee Protection Act

Canada accepts the general principles of article 37(c) of the Convention, but continues to reserve the right not to detain children separately from adults where this is not appropriate or feasible. Canada has recently implemented new immigration legislation that affirms the principle that a minor child shall be detained as a measure of last resort, taking into account the following criteria:

- the best interests of the child;
- the availability of alternative arrangements with child care agencies or child protection services for the care and protection of minor children;
- the risk of continued control by organized human smugglers or traffickers who brought the children to Canada;
- the type of detention facility envisaged and the conditions of detention;
- the availability of accommodation that allows for the segregation of the minor children from adult detainees who are not a parent or an adult legally responsible for the detained minor child; and

- the availability of services in the detention facility, including education, counselling and recreation.

Officers are required to assess these criteria as well as alternatives to detention when determining whether to detain a minor. Departmental policy stipulates that the detention of minor children is to be avoided whether he/she is accompanied or unaccompanied by a parent or legal guardian.

Detention of minor children may be unavoidable particularly in the following circumstances: the minor is considered a security risk or danger to the public; parent(s) have indicated that the minor is to remain in his/her custody; limited immigration facilities to segregate minors from adults; and to facilitate removal from Canada. In all circumstances, detention should be for the shortest period of time, with active monitoring by officials of Citizenship and Immigration Canada.

b) Para. 20, with respect to data collection;

The lead responsibility for the development of Canada's statistical system remains with Statistics Canada.

Canadian Centre for Justice Statistics

The National Justice Statistics Initiative (NJSI), through the Canadian Centre for Justice Statistics (CCJS) at Statistics Canada, collects information to support the administration of justice, and to ensure that accurate information regarding the nature of criminal and civil justice is available to the Canadian public.

The CCJS has developed and maintains on-going surveys that collect adult and youth data on:

- Nature and extent of police reported crime in Canada;
- Court caseloads, case characteristics and outcomes;
- Correctional populations, both in detention and under community supervision;
- Resources, personnel and expenditures for police, courts and corrections agencies/departments in Canada;
- Criminal victimization;
- Legal aid; and,
- Family violence.

In recent years, the Centre has been very active in survey re-development and implementation. The three major thrusts of this work have been to accommodate new and emerging information needs, to identify the necessary survey adjustments to reflect the *Youth Criminal Justice Act*, and to implement a microdata survey in the corrections sector.

Since 2002, the Department of Justice has been working with CCJS and other Federal/Provincial/Territorial partners to modify information systems to accommodate the provisions of the new *Youth Criminal Justice Act*. The work associated with the YCJA will

generate case-history information for young offenders to understand repeat contact with the corrections sector and further contacts with the police and the court.

CCJS has conducted feasibility studies into the measurement of organized crime, hate crime, and cyber crime.

Family Law

In December 2002, the Government of Canada approved funding for the Child Centred Family Justice Strategy. One part of the Strategy includes converting a current, on-going, aggregate survey of spousal and child support cases to a microdata survey that collects case characteristic, financial and enforcement information on each case registered with provincial and territorial maintenance enforcement programs. Also, a new survey of civil courts that includes family law cases is to be developed and implementation begun during the Strategy.

Health

In 2000, the Canadian Institutes of Health Research (CIHR), Canada's premier federal agency for health research was developed. The Institute of Human Development, Child and Youth Health (IHDCYH) is one of 13 Institutes of the CIHR. The mission of the Institute is to promote and facilitate research at the highest international standards in reproductive and developmental biology, pregnancy and birth, and the health and development of newborns, children, youth and their families. Other Institutes include: Aboriginal People's Health, Population and Public Health, Neurosciences, Mental Health and Addiction. Various Institutes work on issues related to children's health.

Government of Ontario

The Program Effectiveness Measurement initiative enables the collection and analysis of data, which is used to track progress in improving early years' programs. This will facilitate future planning. The Child Outcome Measurement Initiative measures child outcomes in Ontario with a particular focus on children up to the age of six. The Perinatal and Child Health Survey initiative collects baseline measures for a broad range of outcomes and risk factors related to maternal, pregnancy and infant health. These initiatives are designed to help planners and service providers at the local and provincial levels determine what services are required for young children. These efforts support, in part, the provisions set out in paragraph 20 of Canada's Second Report.

c) Para. 23 related to ensuring that the general principles are reflected in domestic law;

The Government of Canada has authority to ratify international conventions on behalf of Canada.

International conventions that Canada has ratified do not automatically become part of the law of Canada. Rather, legislative transformation of the international obligation is required to

implement the obligation within domestic law. Nonetheless, international instruments, such as the *Convention on the Rights of the Child*, constitute a persuasive source for the interpretation of the *Canadian Charter of Rights and Freedoms*, as explained in the Supreme Court of Canada case *Slaight Communications*, [1989] 1 S.C.R. 1038.

There is also a presumption in interpreting legislation that the legislature does not intend to violate Canada's international obligations. Moreover, the Supreme Court has stated that the values reflected in international human rights law can be used to help inform the contextual approach to statutory interpretation and judicial review, as described in the *Baker* case, [1999] 2 S.C.R. 817. The Department of Justice has a mandate to review all legislation to ensure that all federal statutes and regulations comply with the *Canadian Charter of Rights and Freedoms*.

Moreover, specific references to the *Convention on the Rights of the Child* are included in federal legislation which serve to highlight both the importance of the Convention and Canada's commitment to it. Recent examples of such citations include the *Youth Criminal Justice Act*, the *Immigration and Refugee Protection Act*, and Bill C-20 (protection of children and other vulnerable persons).

Please see description of jurisprudence under Part 1-B-4 for examples as to how the Convention is being considered by Canadian courts.

Government of British Columbia

The provincial law of British Columbia applies the general principles of the Convention, especially those relating to non-discrimination, the best interests of the child and respect for the views of the child, including in judicial and administrative proceedings, taking into account the responsibility to protect children from harm and according due consideration to the child's expressed interests and wishes, and the child's age and maturity.

d) Para. 24, related to implementation of art. 22;

The new *Immigration and Refugee Protection Act* (IRPA) extends provisions for designating a representative for minors to apply in all quasi-judicial proceedings before the Immigration and Refugee Board (IRB). These proceedings include refugee hearings, deportation hearings, and appeals of deportation decisions. The role of the designated representative is to act in the best interests of the child, including informing the child about these processes and assisting the child to make any decisions that may be required. Any person who is the subject of any of these proceedings, including a child, has a right to be heard.

As well, the IRPA allows the Minister of Citizenship and Immigration Canada to grant permanent residence to persons facing removal on the basis of humanitarian and compassionate grounds, including the best interests of a child directly affected by the decision. This authority may be used to avert removal that would cause separation of families, depending on the circumstances of the case.

Thirdly, Canada has instituted a new measure to better promote family reunification in the context of the IRPA by allowing family members abroad to be processed for permanent residence to Canada at the same time as protected persons who are in Canada.

This new Canadian immigration legislation also affirms the principle that a minor is detained only as a measure of last resort, as discussed in Part 1-B-3-a).

e) Para. 25 suggesting the review of penal legislation allowing corporal punishment.

The Government of Canada has carefully considered the Committee's concluding observations and recommendations regarding the issue of corporal punishment of children. The Government's response to the issue of corporal punishment of children by parents has been two-pronged: it supports programming and policies that promote child development and well-being and which include parenting education materials that advocate against the use of physical child discipline and support the use of alternative measures of discipline; and it continues to support the use of criminal sanctions in all situations that raise the potential for harm to a child. The Government maintains, however, that it is not in the best interests of children or Canadian society to bring the full force of the criminal law to bear on parents who give a mild, non-injurious spank to a child. Legal protection of children's best interests is also provided through child protection laws enacted by each province and territory.

In this manner, the Government of Canada's response to the issue seeks to protect the rights and interests of the child in the context of their socialization within the family unit in Canadian society. This response reflects the well-developed and interconnected panoply of Canadian legal and social systems that include the criminal law, provincial/territorial child protection laws and non-legal measures. It is also a response that is consistent with that of the international community.

This issue and the Government's response to it has been recently reviewed by Canadian courts in *Canadian Foundation for Children, Youth and the Law v. The Attorney General of Canada*. Both, the Ontario Superior Court of Justice (July 2000) and the Ontario Court of Appeal (January 2002) have upheld the constitutionality of this response; the judgment of the Supreme Court of Canada is pending (oral argument heard June 6, 2003).

4. Please indicate whether the Convention on the Rights of the Child has been invoked directly in courts, and if it has, please provide examples of such cases.

Please see Appendix T for relevant jurisprudence.

- 5. Please give information on the implementation and content of (i) any child rights policy and explain how such policies are developed. Please also explain (ii) how the Convention's implementation is coordinated across the action of different relevant ministries, including at provincial and territorial levels. Is there a single body with overall responsibility for coordination? If so, what are its mandate, powers and budget?**

Children's Rights Policy

Currently, Canada's approach to children's issues is child-centred. The Government has made the interests and well-being of Canadian children one of its top priorities and demonstrated that commitment through various initiatives and policies, including Speeches from the Throne and the National Children's Agenda (NCA). Indeed, much of the recent work by the Government of Canada in relation to children is based on the collaborative work of federal, provincial and territorial governments in relation to the NCA. One of the targeted areas for funds relating to the NCA includes the strengthening of community supports.

In Canada, policies relating to children's rights are often developed with the participation of children and youth. Indeed, youth participation is enshrined in federal legislation relating to the youth criminal justice system, as well as in the child welfare system at the provincial level. Youth participation in public policy-making is a growing practice in Canada. For example, in 2001 the Department of Justice consulted with young people on child custody and access issues in the scope of joint federal-provincial-territorial consultations on family law reform. In three Canadian cities, the consultations had a youth component for those aged 10 to 17. Each level of government recognized the importance of consulting children in order to hear, in their own words, their unique perspectives with respect to separation and divorce. In addition, consultations with youth were a major factor in the development of the new *Youth Criminal Justice Act*.

As an overall policy, the Justice Department continually assesses the impact of its policies, programs and legislation on children. In addition, there are specific areas within the Department that deal with children's issues relating to federal jurisdiction, as well as specific Justice initiated programs directed towards or impacting on children. These areas maintain ongoing links with other federal government departments, provincial and territorial governments, non-governmental organizations and others involved in children's issues.

Federal/Provincial/Territorial Co-ordination and Cooperation

International human rights treaties ratified by Canada apply throughout Canada in all jurisdictions. Under Canada's Constitution, however, responsibility for the implementation of these treaties, including the *Convention on the Rights of the Child*, is shared by the federal and provincial and territorial governments. Neither the Government of Canada nor the provincial or territorial governments can compel compliance in areas that do not fall within their jurisdiction. Rather, treaties are implemented by legislative and administrative measures enacted by the competent authorities.

In a federal state like Canada, there may sometimes be differences in the way rights are implemented in various jurisdictions. Human rights are protected in a variety of ways throughout the country, reflective of the assessment by governments of the particular conditions prevailing in their jurisdictions when deciding on appropriate methods of implementation.

While there is no uniform method of implementation, there are mechanisms in place which ensure governments in Canada share information on human rights and children's issues and favour coordination in this area.

The federal-provincial-territorial (FPT) Continuing Committee of Officials on Human Rights (CCOHR) is the principal mechanism for consultation and information sharing on the ratification and implementation of international human rights treaties. The CCOHR is a consultative committee and not a decision-making body; decisions are made by the respective FPT ministers responsible for human rights. The Committee fulfills its mandate by encouraging information exchange among governments with respect to the interpretation and implementation of international human rights instruments and related programs; by facilitating the preparation of reports on the implementation of international human rights instruments; by providing views with respect to the development of Canada's positions on international human rights issues; and by encouraging research on issues related to the development and implementation of international human rights instruments.

In addition to the CCOHR, a number of other FPT mechanisms exist that consider children's issues more particularly. These include the FPT Coordinating Committee of Senior Officials (CCSO) on Family Justice, the CCSO on Youth Justice, and the FPT Working Group of Justice and Social Services Officials on Issues Related to Commercial Sexual Exploitation of Children and Youth.

The provinces and territories are primarily responsible for the administration and enforcement of laws relating to children and youth, as well as the provision of socio-legal services geared towards children. Where appropriate, each jurisdiction works collaboratively to assist the other in meeting and enhancing their policies and programs relating to children. For example, in the area of child support, the Government of Canada has helped the provinces and territories with enforcement by putting a law into place that allows federal employees' wages and pension benefits to be garnished to satisfy support obligations. Another law permits the provinces and territories to use federal databases to trace parents who are not paying their support, and to garnish federal payments such as income tax refunds and employment insurance payments. To address chronic default this law also allows provinces and territories to apply to the Government of Canada to suspend or deny federal licences and certificates including passports.

Federal Initiatives

When Cabinet approved the ratification of the Convention in 1991, responsibility for co-ordination of its implementation at the federal level was given to Health Canada and The Department of Justice. These two departments share responsibility for drafting the federal portion of reports to the UN Committee, while the Department of Canadian Heritage (PCH), which has overall responsibility for the preparation of reports, co-ordinates provincial and territorial input into the reports and promotes human rights awareness. Transmission of the

reports to the UN is undertaken by the Department of Foreign Affairs and International Trade (DFAIT).

A Committee of Federal Deputy Ministers on Human Rights and its supporting interdepartmental committee of officials, jointly chaired by DFAIT, Justice and PCH, provides a high level forum on human rights issues within the Government of Canada, particularly regarding the interaction of international human rights norms and domestic law and policy.

The Interdepartmental Policy and Program Working Group on Children (IPPWGC) is chaired by Health Canada officials. It is an interdepartmental coordinating body on federal issues and activities which have an impact on children and youth. There are 22 federal government departments and agencies represented in this committee. The mandate of the IPPWGC is to:

- Provide a mechanism for the exchange of relevant program, policy and research information; and
- ensure the coordination and complementarity of policies and programs for children and youth across the Government of Canada.

The Government of Canada does periodic tracking of federal expenditures for children.

Health Canada's Child Rights Team within the Division of Childhood and Adolescence also provides advice and analysis on children's rights in the policy and program development for children within the Government of Canada. Its annual budget for 2003-04 is \$162 K and \$110K for 2002-03. Furthermore, the Division of Childhood and Adolescence compiles, analyses reports, and monitors data on children.

6. a) Please provide information on the drafting process and content of the national plan of action for children being prepared in response to "A World Fit for Children" following the United Nations General Assembly Special Session on Children. b) Please also explain implementation processes and modalities of monitoring and evaluating its implementation.

As follow-up to the adoption of *A World Fit for Children* by the United Nations General Assembly, the Prime Minister asked the Ministers of Health and Human Resources Development to accept joint responsibility for developing Canada's National Plan of Action (NPA). The Prime Minister also asked Senator Landon Pearson to act as his personal representative to the Special Session on Children follow-up process. Health Canada and Human Resources Development Canada are working collaboratively with Senator Pearson and other government departments to engage children, civil society, Aboriginal groups and provinces and territories in the development of Canada's National Plan of Action for children, with a target date of completion being the end of 2003.

The development of Canada's NPA allows for the sharing of a wide range of opinions, thoughts and ideas. Young people have been working closely with governmental and non-governmental officials as well as with other concerned adults to make sure that children's voices are heard.

There are a variety of activities that provide Canadians with the opportunity to directly inform the development of Canada's NPA:

- Senator Landon Pearson invited Canadians to write letters describing priorities for action on behalf of children, strategies for getting there, and emerging issues of concern. To date, hundreds of letters have been received reflecting the diverse realities of Canadian children.
- Four Regional *Dialogues* have been held across Canada (West, Prairie, Central, East — each engaging participants from the northern territories). They were designed to bring regional and/or national perspectives and encourage a holistic approach by involving a cross-section of Canadian society, including children.
- Partner events have taken advantage of existing conferences, meetings or mailings to seek input on the NPA.
- Independent focus groups also have explored specific issues affecting children, including children in care of the state; street-involved children and war-affected children.
- Governmental departments at all levels have incorporated discussions of the NPA in relevant consultation activities with stakeholders or within their departments, and are contributing to the development and drafting of Canada's NPA.

Canada firmly believes that its actions must be guided by the United Nations *Convention on the Rights of the Child* (CRC). The CRC remains the instrument of reference, the essential legislative basis for the achievement of children's rights. Overall, the principles of the best interests of the child, non-discrimination, participation and survival and development provide the framework for Canada's actions concerning children. The NPA will not only reinforce Canada's ongoing commitment to children, but will also address emerging issues and look forward to the future, guided by the CRC.

Canada's NPA is still under development. It is intended to be a multi-sectoral, long-term, child-centred framework for children for the coming decade and implementation of the NPA will be the responsibility of all Canadians, including governments. Canada will regularly reassess its priorities and strategies and submit detailed reports in 2006, 2011, and 2016 to the United Nations.

7. Please provide additional information on the mandate of the Canadian Human Rights Commissions with regard to monitoring the implementation of the Convention and receiving individual complaints by children.

Human Rights Commissions

One of the primary mandates of the human rights commissions in Canada is to investigate complaints under their respective statutes. No Canadian human rights commission (either federal, provincial or territorial), therefore, has the mandate to investigate complaints under the

CRC per se. Given the subject matter of most complaints, very few complaints are instituted by individuals under the age of 18. While they are not specifically mandated to investigate complaints under the CRC, commissions across Canada do take international human rights treaties into consideration in interpreting their respective statutes. Examples follow.

Government of Alberta

The Alberta *Human Rights, Citizenship and Multiculturalism Act* provides the Alberta Human Rights and Citizenship Commission with the statutory authority to resolve complaints of discrimination. While the Commission has no mandate with respect to the Convention, it takes into consideration the various obligations we have with respect to those Covenants and Conventions Canada has ratified.

Commission education programmes address the rights of children. Although it is unusual for a child under the age of 16 to bring a complaint to the Commission, there is nothing preventing the Commission from accepting complaints from children. Normally children under the age of 16 are accompanied by their parents when they bring a complaint to the Commission.

Government of British Columbia

The Human Rights Tribunal is an independent, quasi-judicial body created by the B.C. *Human Rights Code*. The Tribunal is responsible for accepting and resolving human rights complaints in a way that is fair to the parties (the person who made the complaint and the person against whom the complaint is made). The Tribunal does this in two ways:

- helping partners to resolve the complaint, for example, through mediation, and/or
- if the parties don't resolve the complaint, holding a hearing.

The Tribunal is made up of members, one of whom is the Chair of the Tribunal, that are experts in human rights law and are appointed by the Lieutenant Governor in Council.

Government of Manitoba

The Manitoba Human Rights Commission does not have a mandate directly to enforce the Convention. However, it does have a mandate to enforce the *Human Rights Code*, which covers a wide-range of issues relevant to children and discrimination.

Although it does not have an enforcement mandate with respect to the Convention, the Commission's broad educational mandate relates to both international conventional human rights principles and domestic equality legislation. For example, its guide book *Human Rights in the School*, available through its Web site at www.gov.mb.ca/hrc/english/publications/school/, addresses not only the equality provisions in human rights law and the *Canadian Charter of Rights and Freedoms*, but also refers to the UN *Declaration on Human Rights*, the *Declaration on the Rights of the Child* and the *Convention on the Rights of the Child*. The Commission uses the international conventions to help interpret the substantive content of its own legislation. For instance, in *Morriseau v. Wall (Paisley Park)*, which dealt with breastfeeding, reference was made to Article 24 of the *Convention on the Rights of the Child*, to assist in determining whether

unreasonable discrimination with respect to nursing an infant fell within the ambit of sex discrimination.

The Commission accepts individual human rights complaints from children, without a requirement for prior authorization or permission from parents or other next-of-kin.

Government of New Brunswick

The fundamental principle that all persons are equal in dignity and human rights is expressly stated in the preamble to the New Brunswick *Human Rights Act*. The New Brunswick Human Rights Commission provides information for the general public about international human rights law and participates in the province's responses to the international authorities in charge of supervising Canada's enforcement of international conventions such as the *Convention on the Rights of the Child*.

Gouvernement du Québec

Under the Québec *Charter of Human Rights and Freedoms*, complaints may be made to the Commission des droits de la personne et des droits de la jeunesse (the Commission):

- by a person who believes he or she is the victim of discrimination, harassment or exploitation on grounds prohibited by the Charter;
- by a group of persons in a similar situation;
- by an organization dedicated to defending rights and freedoms or defending a group, with the written consent of the victims;
- for cases of exploitation of seniors or persons with disabilities, the victim's consent is not required (Charter, section 74).

The Commission may also conduct investigations of its own initiative (Charter, section 71).

The members of the Commission and its staff have the powers and immunity of members appointed under the *Act Respecting Public Inquiry Commissions*, RSQ, c. C-37, except for the power to order imprisonment.

When the parties refuse to negotiate a settlement or arbitration on the dispute, or when the Commission's proposal is not implemented to its satisfaction within the deadline set, the Commission may appeal to a court to obtain, in keeping with the public interest, any appropriate measure against any person at fault or to demand, on behalf of the victim, any relief measure it deems appropriate (Charter, section 80).

Under the *Youth Protection Act*, the Commission, when requested or of its own initiative, may investigate any situation where it has reason to believe that the rights of a child or of a group of children have been encroached upon, unless the matter has already been referred to the courts (YPA, section 23). In practice, applicants may include the child himself, his parents, family or neighbours, the child's lawyer, other lawyers or a judge, a youth services worker, a school worker, a foster family, etc.

The Commission may recommend that the action in question cease or that any measure to correct the situation be carried out within a specific deadline (YPA, section 25.2). It may also appeal to the courts if its recommendation is not followed within the deadline set (YPA, section 25.3).

Children's Advocates

In addition to human rights commissions, children in several provinces have recourse to commissioners, advocates or ombudsmen for specific grievances relating to areas of provincial jurisdiction. Child youth advocates offices have been established in the provinces of Alberta, British Columbia, Manitoba, Newfoundland and Labrador, Nova Scotia, Ontario, Québec and Saskatchewan. Examples follow.

Government of Alberta

The legislative mandate of the Children's Advocate, as set out in the *Child Welfare Act*, includes both case (individual and class) advocacy and systemic activities. To paraphrase the legislation, the duties and functions include:

- To provide advice to the Minister with respect to Alberta's child welfare services and their impact on children. We interpret this as a duty to speak to systemic issues in a proactive way and to advocate for systemic change.
- To represent the rights, interests and viewpoints of a child or group of children.
- To prepare and submit an annual report to the Legislature through the Minister of Children's Services.

The *Child Welfare Act* broadly defines the target group for advocacy as those "children who receive services" under the Act. Policy has determined that the program will focus its resources and efforts on providing services to:

- children who are the subjects of the assessment phase of the case management process;
- children who are the subjects of support, custody and permanent guardianship agreements;
- children who are under apprehension;
- children who are the subjects of interim custody, supervision, temporary and permanent guardianship orders;
- children who were subjects of an agreement or a court order, within 30 days of termination of the agreement or order; and
- youth who are subjects of care and maintenance agreements.

Services to the following groups of children have therefore been excluded from the purview of the office:

- children reported to a "director" as apparently in need of protective services, and whose circumstances are under investigation; and
- children who are subjects of Handicapped Children's Services agreements.

In the performance of these duties and responsibilities on behalf of children in care, the Children's Advocate has been given the following authorities:

- Access to children, guardians and others who represent children [*Child Welfare Act*, S.2.1(4)(a)]. The right to access is fundamental to ascertaining the child's viewpoints and opinions.
- Access to all information relating to children in care [*Child Welfare Act*, S.2.1(4)(b)]. This right to information is key to the development of appropriate and relevant case advocacy strategies.
- To speak on behalf of and otherwise represent a child when major decisions are being made [*Child Welfare Act*, S.2.1(4)(d)]. To make the child's right to advocacy most meaningful, involvement of the Advocate must occur before decisions which may have permanent or long-term impact on the child are made and implemented.
- To provide assistance and advice to a Court and the Appeal Panel, and to initiate reviews and appeals of director's decisions on behalf of children [*Child Welfare Act*, S.2.1(4)(e),(f)]. The Children's Advocate, on behalf of the child, can contribute to formal decision-making processes in defence of the child's rights and interests.
- To delegate any duty or function conferred on him, [*Child Welfare Act*, S.2.1(5)]. This provision enables the involvement and empowerment of a child's "natural" advocates or significant others in the community on his/her behalf. Such individuals are vital to our concept of advocacy.

The Children's Advocate may respond to referrals — requests for involvement and assistance on behalf of children receiving child welfare services — from any interested person. This may include the child himself or herself, department staff, family, care providers, foster parents, the Minister, or anyone else acting on the child's behalf, including Courts and Appeal Panels.

The Advocate may also initiate his own review or investigation of complaints or concerns relating to children which come to his attention.

Departmental child welfare policies and procedures require case workers to notify the Children's Advocate with respect to specific decisions, issues or situations in the life of a child in care which are indicative of risk to that child. Notifications are to be made when these conditions exist:

- When a child disagrees with a proposed significant decision or plan.
- When a child might have been emotionally, physically or sexually abused while in care.
- The significant people involved with the child strongly disagree about a proposed decision or plan.

Youths who are deemed able to understand and complete an evaluation form are given an opportunity to do so when their involvement with an advocate respecting their issues is ending. The evaluations are completed and mailed to the Children's Advocate head office in a self-addressed, stamped envelope. Information provided on the evaluation form is compiled into one document which annually reports the information being received. The evaluation comments are not shared with advocate staff involved with the young person unless a young person asks for information to be shared.

Government of British Columbia

The functions of the Child and Youth Officer, appointed by the *Office for Children and Youth Act* (see Part III for information on the proclamation of the Act), are described in section 3 as:

(1) The functions of the child and youth officer are to provide support to children, youth and their families in obtaining relevant services and to provide independent observations and advice to government about the state of services provided or funded by government to children and youth in British Columbia, including but not limited to the following:

- (a) services provided under the *Adoption Act* and the *Child, Family and Community Service Act*;
- (b) early childhood development and care services;
- (c) mental health services for children and youth;
- (d) addiction services for children and youth;
- (e) youth justice services;
- (f) services for youth and young adults during transition to adulthood.

(2) For the purposes of subsection (1), the child and youth officer may do the following:

- (a) provide information and advice to children, youth and their families about how to effectively access services that meet their needs;
- (b) provide information and advice to children, youth and their families about how to become effective self advocates with respect to the rights of children and youth in care under the *Child, Family and Community Service Act*;
- (c) in extraordinary circumstances, advocate on behalf of individual children and youth to ensure that their views are heard and considered;
- (d) promote and coordinate in communities the establishment of advocacy services for children, youth and their families;
- (e) monitor the delivery of services in relation to the requirements of the *Child, Family and Community Service Act* and in particular the requirements of sections 2 and 3 of that Act;
- (f) monitor the delivery of services referred to in subsection (1) in relation to relevant service delivery standards;
- (g) provide advice to government and communities about the effectiveness, responsiveness and relevance of services for children, youth and their families;
- (h) comment publicly on matters affecting children and youth.

Government of Manitoba

The Office of the Children's Advocate was first established in Manitoba in May, 1993 by *The Child & Family Services Act*: to review and investigate complaints related to services to children under that Act and *The Adoption Act*, to investigate abuse allegations against persons providing care to children in care, and to represent (except as legal counsel) the rights, interests and viewpoints of children who receive or are entitled to receive services under *The Child &*

Family Services Act. As initially constituted, the Children's Advocate reported to the Director of Child & Family Services.

After an all-party legislative committee of the Office in 1997, which included public hearings, *The Child & Family Services Act* was amended in 1999 to make the Children's Advocate independent from the Government. The Children's Advocate is now an independent officer of Manitoba's Legislative Assembly. The Children's Advocate reports to the Assembly, as appointed on the recommendation of a Standing Committee of the Assembly, and holds office for a fixed term of three years. The first independent Children's Advocate was appointed in March 1999.

The current Children's Advocate has, in addition to her statutory mandate, been involved with the Manitoba Human Rights Commission and the Ombudsman in preparing a handbook on children's rights which includes discussion of the *Convention on the Rights of the Child*. The booklet is nearing completion, and will be made available to children across the province both in print and electronic form.

Government of Saskatchewan

The Children's Advocate has the power to do all things necessary to carry out the responsibilities given to the Children's Advocate pursuant to *The Ombudsman and Children's Advocate Act*.

Under the Act, the Children's Advocate shall:

- (a) become involved in public education respecting the interests and well-being of children;
- (b) receive, review and investigate any matter that comes to his or her attention from any source, including a child, concerning
 - (i) a child who receives services from any department or agency of the government;
 - (ii) a group of children who receive services from any department or agency of the government; and
 - (iii) services to a child or to a group of children by any department or agency of the government;
- (c) where appropriate, try to resolve those matters mentioned in clause (b) that come to his or her attention through the use of negotiation, conciliation, mediation or other non-adversarial approaches; and
- (d) where appropriate, make recommendations on any of those matters mentioned in clause (b).

The Children's Advocate may:

- (a) conduct or contract for research to improve the interests and well-being of children;

- (b) advise any minister responsible for services to children on any matter relating to the interests and well-being of children who receive services from any department or agency of the government;

As well,

- 12.7 (1) Where a child in a facility, foster home, group home or other home or place in which he or she is placed pursuant to an Act that authorizes services to children, asks to communicate with the Children's Advocate, that request shall be forwarded to the Children's Advocate immediately by the person in charge of that place.
- (2) Where the child writes a letter addressed to the Children's Advocate, the person in charge of the place shall forward the letter immediately, unopened, to the Children's Advocate.
- 12.8 Where an investigation by the Children's Advocate involves a review of a complaint about services from any department or agency of the government to a child, the Children's Advocate may, in a manner that the Children's Advocate considers appropriate:
 - (a) report the results of the investigation to the parent or guardian of that child;
 - (b) report the results of the investigation to the child.

There is also provision for a committee of the Assembly to refer to the Children's Advocate for review, investigation and report, any matter relating to the interests and well-being of children that is before the committee for consideration, and for the Lieutenant Government in Council to refer to the Children's Advocate for review, investigation and report, any matter relating to the interests and well-being of children and services to children by any department or agency of the government or by any officer, employee or member of any department or agency of the government (s. 12.61).

8. Please describe measures undertaken to strengthen data collection mechanisms and procedures with regard to the implementation of the whole Convention.

The Government of Canada provided almost \$500,000 to the Canadian Coalition on the Rights of the Child (CCRC) to develop a Convention Monitoring Framework and subsequently supported the CCRC to implement and report on the framework. The CCRC released the report, *The UN Convention on the Rights of the Child: How Does Canada Measure Up?*, in November, 1999, to complement the Government of Canada monitoring and evaluation process for the CRC.

The Government of Canada also conducts and supports research and data collection on specific issues affecting children.

The *National Longitudinal Survey of Children and Youth (NLSCY)*, developed jointly by Human Resources Development Canada and Statistics Canada, is a comprehensive survey that follows the development of children in Canada and paints a picture of their lives. The survey monitors children's development and measures the incidence of various factors that influence this development, both positively and negatively.

In 2000, the Canadian Institutes of Health Research (CIHR), Canada's premier federal agency for health research was developed. The Institute of Human Development, Child and Youth Health (IHDCYH) is one of 13 Institutes of the CIHR. The mission of the Institute is to promote and facilitate research at the highest international standards in reproductive and developmental biology, pregnancy and birth, and the health and development of newborns, children, youth and their families. Other Institutes include: Aboriginal People's Health, Population and Public Health, Neurosciences, Mental Health and Addiction. Various Institutes work on issues related to children's health.

The new *Aboriginal Peoples Survey (APS)* will be released towards the end of August 2003. The APS will measure persons reporting Aboriginal identity (reported as 15+ for adults, 15<, 0-4, and 5-14 for children and they give a total population of all ages) by Aboriginal group, adults and children, on and off reserves and settlements for Canada, provinces and territories. The survey will address a variety of issues including: language and tradition, health, lifestyle and social issues, disability, schooling, housing, employment, income and mobility status.

The 2001 *Participation and Activity Limitation Survey (PALS)* is a post-censal survey of adults and children whose everyday activities are limited because of a condition or health problem. A sample of those persons who answered "Yes" to the 2001 Census disability filter questions were included in the PALS survey population. Approximately 35,000 adults and 8,000 children living in private, and some collective, households in the 10 provinces were selected to participate in the survey. The data were collected in the fall of 2001.

The *Canadian Incidence Study of Reported Child Abuse and Neglect (CIS)* was undertaken as part of Health Canada's commitment to on-going child health surveillance. Data were collected in 1998 concerning issues such as the number of child maltreatment investigations, the percentage of cases substantiated, the characteristics of the children and families in which there were maltreatment investigations, and community responses to child maltreatment. This study is the first of its kind in Canada, and it has drawn international attention. It represents a successful collaboration between Health Canada and provincial/territorial levels of government.

The *Centres of Excellence for Children's Well-Being* were announced in October 2000. See Part 1-B-1 for a description of these Centres.

Understanding the Early Years (UEY) is a community research initiative involving teachers, parents, guardians, community agencies and the Government of Canada. This initiative is helping Canadian communities understand how their children are doing and how best to respond to their needs. At the community level, parents or guardians and their five- or six-year-old children are selected at random to take part in the Survey. Understanding the Early Years looks at how neighbourhoods, children's programs and services, families, schools and child care facilities influence early childhood development. It also maps out where children in a

community live in relation to where the programs and services supporting them and their families can be found.

The *Health Behaviour in School-Aged Children (HBSC)* Study is a 36 country World Health Organization collaborative cross-national study. It aims to increase understanding of and monitor over time young people's health and health related behaviours; gain insights into the influences the school, family and other social contexts have on young people's lifestyles; increase understanding of how young people perceive health, influence the development of programmes and policies to promote the health of young people; and promote cross-disciplinary research into young people's health and lifestyles through international networking of health researchers.

The *Youth Smoking Survey (YSS)* is one of the initiatives of Health Canada's Tobacco Demand Reduction Strategy (TDRS). This survey addresses the need for more information on youth attitudes and use of tobacco products, and is the first survey in Canada to provide national estimates for youth aged 10-14. The 1994 Youth Smoking Survey, therefore, establishes baseline data on Canadian youth smoking behaviour as well as knowledge and attitudes towards smoking. The next cycle of the Youth Smoking Survey is currently underway.

9. Please describe measures undertaken to make widely known the discussion of the initial report with the Committee members and the concluding observations adopted by the Committee following the consideration of the initial report.

Following the review of Canada's First Report on the *Convention on the Rights of the Child*, the Concluding Observations were distributed to all concerned federal departments and to provincial and territorial governments.

Federal, provincial and territorial governments further distributed the Concluding Observations within their respective governments. For example, in Québec, a copy of the Concluding Observations was forwarded to the some 15 departments and agencies within the Government which had been involved in the preparation of the Québec section of the First Report on the *Convention on the Rights of the Child*. As such, the various government departments in Québec were able to take the concerns which had been raised into consideration in the development of policies, legislation and guidelines. For example, the issue of child poverty was raised in the Concluding Observations and, since then, several government initiatives and interventions aimed at preventing child poverty have been adopted.

The Concluding Observations, the *Convention on the Rights of the Child* and Canada's reports under the Convention are widely distributed upon request and are available on the Web site of the Department of Canadian Heritage, at: http://www.pch.gc.ca/progs/pdp-hrp/docs/crc_e.cfm.

10. Please provide information on efforts to provide training, awareness and information on the Convention and on human rights in general.

In the follow-up to the UNGASS, the Government of Canada has ensured that the development of the National Plan of Action is founded on the Convention and continues to promote public awareness and understanding of children's rights through the process.

In 1999, UNICEF Canada, in conjunction with Elections Canada, administered a national election on the rights of youth based on the *Convention on the Rights of the Child*. The election aimed to promote an understanding of Canada's electoral process among youth and to heighten understanding of and commitment to children's rights among both adults and children in Canada. *It's Your Voice: National Election for the Rights of Youth* took place nation-wide where young people in over 1,100 primary and secondary schools voted for the right they felt was the most important to them.

The Department of Canadian Heritage (PCH) has the responsibility at the federal level for the promotion of human rights, fundamental freedoms and values, including United Nations human rights instruments and the *Canadian Charter of Rights and Freedoms*. Canadian Heritage undertakes a broad-based public education and promotion program and disseminates human rights education and training materials in partnership with NGOs and government departments.

The promotion of and education about the *Convention on the Rights of the Child* is an ongoing concern for the Government of Canada. Since 1997, more than 60 projects have been supported, in partnership with Canadian civil society, to promote understanding of children's rights and other human rights among children and youth. These have included:

- developing, printing and re-printing children's rights curricula for various age groups;
- developing and implementing human rights and children's rights curricula in non-formal educational settings;
- providing children's rights training for youth-at-risk and youth-in-government care;
- developing and implementing children's rights resources and workshops for members of the legal and judicial systems, professionals whose work influences public policy affecting children, professionals and children in the health care system teachers, and for early childhood education workers, parents, and children;
- preparing a guide to the domestic and principal international educational resources available to improve understanding of the *Convention on the Rights of the Child*;
- preparing a manual and training for judges on the *Convention on the Rights of the Child*, including its application in domestic judicial decisions;
- providing human rights and anti-racism workshops for youth and Aboriginal youth, specifically;
- developing and providing human rights resources and education for teachers at primary and secondary levels;
- developing mechanisms to educate youth on the public mechanisms involved in human rights protections and to ensure their concerns are communicated to the responsible public bodies;
- using technology to link up youth in remote areas to participate in rights-awareness activities; and

- developing a book on the child in Quebec viewed through the *Convention on the Rights of the Child*.

Federal government departments also work cooperatively through interdepartmental committees to ensure that information on Convention rights is promoted throughout Canada (for example, on National Child Day) and that research and promotion activities are complementary.

Health Canada supported the development of a two-day training workshop through Save the Children Canada targeted to government officials working on policy, programming and research for children. It also supported the development of two one-day training workshops specific to Aboriginal- and Community-Based Program staff across Canada. Since 2001, approximately 160 government officials, as well as key NGO stakeholders have participated in the training workshop. Health Canada, in collaboration with Save the Children Canada, the Canadian Coalition on the Rights of the Child and the Department of Foreign Affairs have also facilitated several workshops at international fora on child participation, children's rights and the population health approach.

Provincial and territorial governments also regularly undertaken educational initiatives with regards to the Convention and to human rights in general. Examples follow.

Government of Alberta

In 1996, the Government of Alberta created a \$1.2 million fund in support of human rights, citizenship and multiculturalism educational programmes and special projects.

The Education Fund receives an annual allocation from the Alberta Lottery Fund to provide financial assistance to community organizations that undertake human rights and diversity initiatives that lead to change. These resources are used to assist all kinds of educational activities that help foster equality, promote fairness and encourage access for all Albertans. Education Fund grants are available to community organizations, as well as public institutions in Alberta.

The goals of the Human Rights, Citizenship and Multiculturalism Education Fund are as follows:

- Reduce discrimination and racism;
- Help organizations, institutions and businesses change so that their policies, procedures and practices no longer discriminate or create barriers to full and equitable participation by any person;
- To increase awareness and understanding of rights and responsibilities under the Act , and of the benefits of diversity.

Among the publications and resources available at the Commission, is the annotated bibliography, *Celebrating Human Rights with Children and Teens*. This bibliography of books, recordings and videos for children and teens was prepared by Youth Services of the Calgary Public Library for the Commission. This project was undertaken to honour 1998 — the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights by the United Nations

and the twenty-fifth anniversary of the establishment of the Alberta Human Rights and Citizenship Commission. It was updated in 2000.

More information about the Commission, its programmes and resources can be found at <http://www.albertahumanrights.ab.ca>.

The current Social Studies programmes for Grades 10, 11 and 12 develop an understanding of human rights issues and the work of the United Nation's agencies and resolutions. The provincial implementation of a new Alberta Social Studies K – 12 Programme will begin in 2005 and human rights issues will be addressed in Grades 6, 9, 10 and 12.

Government of British Columbia

As a result of amendments to the *Human Rights Code*, the Minister of the Attorney General is responsible for developing and delivering a program of public education designed to promote an understanding of the Code. There are three components to the education program: the Human Rights Tribunal informs the public about its complaint handling system; the Ministry provides general information about human rights and the legislation; and the government arranges with NGOs to develop and deliver more detailed education and training programs to the general public, including employers, unions, workers, and services agencies.

Government of Manitoba

Education and Training

A number of activities have been conducted regarding efforts to provide training, awareness and information on the Convention and on human rights in general. For example:

- The guidebook *Human Rights in the School*, a publication of the Manitoba Human Rights Commission, was distributed to all schools in Manitoba.
- *Accommodating Equality Guidelines* Reasonable Accommodation Guidelines under the Provisions of the Manitoba Human Rights Code were distributed to all schools in Manitoba.

Manitoba Human Rights Commission

In November 2001, a Youth Awareness Conference was held to celebrate International Human Rights Day. Over 230 students from across Manitoba attended this conference. Discussions centered on discrimination and harassment on the grounds of ancestry, age, sexual orientation, disability, and other topics covered in the *Human Rights Code*. A second annual Youth Awareness Conference was held December 2002. Planned for approximately 175 youth from diverse backgrounds and locations, it included workshops from a human rights perspective on "Working Blues" (Human Rights in the Workplace), "Sticks & Stones" (Bullying), "Pride & Prejudice" (Issues Relating to Sexual Orientation), and "Not So Trivial Pursuit", a game show format program on human rights. A video presentation based on this workshop is now available on the Manitoba Human Rights Commission web site at

<http://www.gov.mb.ca/hrc/english/index.html>. It includes an interactive quiz on human rights, a chat line on bullying, etc.

The Commission also engages in other extensive outreach activities. The Human Rights Officer based in The Pas has expanded the number of satellite offices in that region from 2 to 4, where he attends regularly while travelling extensively to many other small communities in Northern Manitoba. The Commission also operates outreach activities in partnership with the Canadian Human Rights Commission, including joint advertisements, speaking engagements, displays at community events, and the awarding of an annual Human Rights Commitment Award. In November 2001 a new monthly bulletin, "MHR Connections" was introduced. It is available online, by fax and by regular mail. The Commission has also been working with the Children's Advocate and Ombudsman to develop a publication that will serve to inform young people, ages 12-18, of their rights under the Manitoba *Human Rights Code* and other provincial legislation.

In 2001, 41 presentations on Human Rights by Human Rights Commission staff were conducted in Manitoba schools and training centres.

Children's Advocate

The Office of the Children's Advocate, in conjunction with Save the Children Canada, has for two years delivered THE RIGHT WAY program. This is a youth facilitated and lead program that provides interactive workshops for children and youth about their rights. The program provides information on children's rights under federal and provincial legislation and also touches on the Convention. The Government of Canada (through Human Resources Development Canada) funds the program, through Save the Children, and OCA acts as a community partner, and delivers the program.

Government of New Brunswick

It is expected that training/awareness on the *Convention on the Rights of the Child* will be incorporated into a future module of the Child Welfare Training project of the Department of Family and Community Services (for all social workers working in the area of child welfare).

Training is provided within Community and Correctional Services (Public Safety) on sensitivity issues with First Nations adult and youth.

The New Brunswick *Human Rights Act* stipulates that the province's Human Rights Commission is responsible for developing and conducting educational programs designed to eliminate discriminatory practices. Since the last report on Canada's enforcement of the *Convention on the Rights of the Child* was submitted, the Commission has developed more initiatives to teach young New Brunswickers respect for human rights, fundamental freedoms, and the principles enshrined in the *Charter of the United Nations*. In particular, these initiatives have focussed on educating young people about human rights and the responsibilities that accompany them in a free and democratic society, social and world peace, tolerance, equality, and friendship among all peoples, ethnic, national and religious groups, and persons of indigenous origin.

The Commission considers that introducing human rights education in New Brunswick's public schools will not only lay the foundations for a society with greater respect for human rights in everyday life, but will also lead to greater tolerance and a better quality of life for the adults of tomorrow. Since 1995, meetings have continued to be held with Department of Education officials about including human rights education in the school curriculum. In 1996-1997, the Commission worked with the Department of Education and several community organizations representing young people to promote discussion of human rights issues within school programs and to highlight issues affecting young people. In 1998, to commemorate the 50th anniversary of the *Universal Declaration of Human Rights*, a kit containing information about that fundamental human rights document and its chief author, John Peters Humphrey, as well as an essay on the importance of human rights education, was sent to every school in the province. Also, for the past several years, the Commission has presented sessions during the annual summer institute on human rights to acquaint teachers with human rights issues and how to approach them in the classroom.

Another publication of which the Commission can be justly proud is *Learning Together about Rights and Responsibilities, A Teacher's Activity Guide for Grades Four to Eight*, published in 2000-2001. This 157-page guide contains activities designed to familiarize students with human rights, cultural diversity, stereotypes, prejudices, and discrimination. The year of its publication, the Commission distributed a copy to every middle school in the province. After negotiations with the Francophone Sector of the Department of Education, the guide was distributed to 650 teachers of Grades 4 to 8 in the Francophone school districts for the 2002-2003 school year. The Commission is still working on distributing it to individual teachers in the Anglophone districts. Other materials produced by the Commission have been supplied to teachers on request, such as the *Vision for Equality* video series and the *Rights and Responsibilities* resource guide.

The Commission has also organized human rights workshops for students, teachers, and school and community college administrators, entitled *Human Rights in the Pre-employment Process* and *Human Rights Education* (1995-1996), *Teens and Human Rights Law and Harassment in Schools* (1996-1997), and *Round Table on Youth and Human Rights* (1998-1999). On April 21, 1998, a workshop called *An Afternoon of Reflection and Dialogue* was held at the Woodstock Community College in response to racially motivated attacks on students. The Commission also takes part in activities related to certain problems experienced by some children, such as substance abuse, suicide, reasonable accommodation of minority students, and harassment and bullying on prohibited grounds of discrimination. Lastly, the Human Rights Commission was pleased to present the 2000 New Brunswick Human Rights Award to Hampton Elementary School for its production of the children's musical *Peace Cranes 2000*, which involved 180 students. The theme of the musical was peace and human rights.

Government of Newfoundland and Labrador

Information on the *Convention on the Rights of the Child* is included in general educational seminars about human rights protections that are offered by the Human Rights Commission to employers and service providers. This includes the provision of a number of presentations to schools.

The Department of Education has developed a curriculum module called “Balancing Students’ Rights and Responsibilities.” The guiding principles of the program center around the basic human rights and responsibilities of all individuals. Modules have been developed for each level of schooling (primary, elementary, intermediate and senior high).

Public Legal Information of Newfoundland and Labrador provides pamphlets and information on human rights in general as well as information on the Convention if inquiries are made.

Gouvernement du Québec

The Québec Commission des droits de la personne et des droits de la jeunesse (the Commission) has the mandate to develop and implement an information and education program in order to promote awareness and acceptance of the purpose and provisions of the *Charter of Human Rights and Freedoms* (Charter, section 71).

Between January 2001 and March 31, 2003, as part of its education mandate, Commission staff offered 1,181 information sessions on rights and freedoms in general or on specific aspects. These sessions were provided in educational settings, to young people, communities, in workplaces and youth centres.

The sessions offered in educational settings and to young people (111 session in 2002-2003) covered a wide range of topics. Diversity, including religious diversity, the peaceful resolution of disputes and the rights of young people were recurring topics. The audience included teachers, students and young people and, during the last two years in particular, daycare centre educators and managers.

As part of its information mandate, the Commission conducted two initiatives in particular:

- It resumed publication of its information bulleting on rights and freedoms in November 2000. Published three times a year, the bulleting is directed to persons, groups and organizations interested in human and youth rights and freedoms.
- The Commission’s Web site, on line since 1998, underwent a major overhaul in 2003. It provides information about the Commission and its activities, access to important judgements and links to other Québec and international sites pertaining to rights and freedoms. Since the site went on line, the number of visitors has increased substantially (74,000 hits in 2000, 95,000 in 2001, 163,000 in 2002).

Government of Saskatchewan

The Office of the Saskatchewan Children’s Advocate makes approximately 80 representations per year to youth and the public; these sessions include information on children’s rights. The Office provides opportunities for children and youth to have a voice through direct advocacy services, publications and Provincial Youth Delegation which includes young people actively promoting increased recognition of, and respect for, children’s rights. The Children’s Advocate attended the UN Special Session on Children in New York in May 2002.

The Saskatchewan Human Rights Commission, the Aboriginal Friendship Centres of Saskatchewan, the Canadian Human Rights Commission and the Public Legal Education Association of Saskatchewan have produced "The Rights Path", a handbook on human rights and other issues for urban Aboriginal people. The publication provides practical information about rights related to children, education, families, employment, social assistance, housing, health care, criminal justice, and seniors.

In 2001-02, the Saskatchewan Human Rights Commission participated in Saskatchewan Education's curriculum review committee for Law 30. Through the new curriculum, human rights information will be made available to Grade 11 and 12 students in the province.

A K to 12 Education Equity Program was started in 1985, as a result of high dropout rates among Aboriginal students. The Human Rights Commission asked school divisions to develop voluntary equity plans, for supporting learning environments for Aboriginal students. In its 2001-02 Annual Report, the Human Rights Commission reported that there were 16 school divisions, involving 71,392 students, with education equity plans. The report noted that education equity "promotes cross-cultural knowledge and respect, protects students from discrimination, and encourages the accommodation of needs."

11. Please provide information on legislation, policies, programmes and monitoring of programmes to counter discrimination, including against girls, minority groups and other vulnerable or marginalised groups of children.

Status of Women Canada (SWC) funded an initiative of the Alliance of Five Research Centres on Violence to develop a national strategy to address violence prevention and the girl child. The Alliance's report *In The Best Interests of the Girl Child* (January 2002) includes a series of conclusions and high-level recommendations for governments, research, education, health service providers, programs and service delivery, and media. A total of \$1,500,240 was provided to the Alliance during 1997-2002.

Exchanges Canada is a Government of Canada initiative that offers youth two main programs: *Youth Exchanges Canada* and *Youth Forums Canada*. The objectives of the programs are to facilitate young Canadians' knowledge and understanding of Canada first hand and to experience the diversity of Canadian communities, languages and cultures by visiting and connecting with youth from another region of Canada. This exchange/dialogue experience also strengthens the development of their Canadian identity and attachment to Canada. Specific program requirements include measures to ensure representation of marginalised groups such as youth with disabilities, Aboriginal youth, visible minorities, youth from low income households and youth from rural/isolated communities. Since the launch of the Exchanges Canada initiative in 2000, the program has met and exceeded representation for the majority of marginalised groups.

Another initiative funded by the Government of Canada, the National Arts and Youth Demonstration Project, measures the effectiveness of art intervention programs in terms of lowering the factors that contribute to the vulnerability of youth-at-risk. Research will include measuring secondary benefits on participants such as increased self-esteem, the acquisition of positive psycho-social skills, and potential reductions in involvement in negative social

situations. Headed by a research group based in the School of Social Work at McGill University, the project is monitored by an Expert Advisory Group composed of academics from across North America.

Female genital mutilation: Although the criminal law already prohibited the practice of female genital mutilation (FGM) in Canada or the removal of a girl child from Canada for the purpose of having FGM performed on her, the *Criminal Code* was amended in 1997 to specifically prohibit FGM as a form of aggravated assault. The Government of Canada adopted an integrated, multidisciplinary approach to promoting public and professional awareness of FGM issues — for justice, health, social service sector professionals as well as community members. For example, the Government of Canada held consultations on the issue with affected communities in September 1999 and a Network on FGM was formed, consisting of representatives from affected communities, government, non-governmental organizations and health care providers. The resulting document, “Female Genital Mutilation and Health Care: Current Situation and Legal Status: Recommendations to Improve Health Care of Affected Women” was released in the fall of 2000. The Government of Canada also supported the development of *Female Genital Mutilation: Workshop Manual* (1998), in consultation with affected communities, for use as a training tool for these communities, addressing FGM related health, legal and cultural issues.

The National Crime Prevention Centre: A major role of the National Crime Prevention Centre (NCPC) is to prevent crime and victimization through social development, particularly as it impacts on children and youth. With respect to the sexual exploitation of youth, significant investments have been made in the funding of models and tools for this population, including the development of gender and culturally sensitive tools to assist in the early identification of risk factors. The NCPC has also contributed to the development of *Guidelines on Justice for Child Victims and Witnesses of Crime* that were elaborated by the International Bureau of Children’s Rights to provide a practical framework to guide professionals working with child witnesses and victims involved in the justice system. For more information on this Centre, please see discussion under Part 1-B-1.

Gender-Based Analysis (GBA): Gender-based analysis has been a policy across federal government departments since the Federal Plan for Gender Equality (1995-2000). Building on this commitment, through the current Agenda for Gender Equality, many departments are taking additional steps to strengthen their GBA capacity within their departments. For example, within the Department of Health, gender-based analysis is being integrated as a tool in the research-policy-program development cycle to better illustrate how gender affects health throughout the life cycle and to identify opportunities to maintain and improve the health of women and men, girls and boys, in Canada. As such, GBA supports the development of health research, policies, programs and legislation that are fair and effective, and are consistent with government commitments to gender equality.

Health Canada has adopted a population health approach to health programs and strategies, recognizing that any analysis of the health of the population must extend beyond an assessment of traditional health status. A population health approach considers a broad range of factors and conditions related to mental and social well-being, quality of life, life satisfaction, income,

employment and working conditions, education, age, culture, gender and other factors known to influence health for sub-groups of the Canadian population.

Aboriginal Peoples

Canadian Heritage's Aboriginal Affairs Branch supports an Aboriginal infrastructure at national, regional and community levels, for Indian (status and non-status), Métis and Inuit people who are, for the most part, not resident on reserves in Canada, to facilitate their participation in resolving issues that affect the quality of their lives. This inclusive pan-Aboriginal approach allows for the development of partnerships on a variety of programs and policies, including those affecting children and youth. These include:

- The Urban Multipurpose Aboriginal Youth Centre (UMAYC) Initiative provides accessible, pan-Aboriginal community-based, culturally relevant and supportive projects, programs, services and counselling to urban Aboriginal youth. The network of centres also works toward facilitating Aboriginal youth participation in existing programs in order to meet their economic, social and personal challenges and improve their life prospects. The funding for UMACY is \$25 million annually, which allows for the operation of over 100 centres nationally;
- The Aboriginal Languages Initiative funding program focuses on enhancing and reinforcing the early language learning of Aboriginal languages with the goal of increasing the number of speakers within Aboriginal societies, as well as the rate of intergenerational transmission. The Initiative has received a total of \$35 million over seven years, and will sunset in 2005;
- The Aboriginal Languages and Cultures Centre will be launched in 2004-05 and will have the goal of preserving, revitalizing and promoting Aboriginal languages, focussing on informal education initiatives and programs. Its funding will total \$160 million over 11 years.

The Aboriginal Justice Strategy: The Aboriginal Justice Strategy (AJS) was announced in 1996 to address over-representation of Aboriginal people in the criminal justice system and to respond to Aboriginal communities' desire for greater control over the administration of justice. Although the AJS was originally expected to end on March 31, 2001, the Government of Canada committed itself in the January 2001 Speech from the Throne to renew the AJS in order "to significantly reduce the percentage of Aboriginal people entering the criminal justice system, so that within a generation it is no higher than the Canadian average." This Strategy has therefore been renewed for another five years with approximately \$57.5 million over five years, which represents a slight increase over previous funding levels.

The AJS provides funding, including funding in regards to spousal violence, most of which is cost-shared with provinces and territories, to community-based justice programs. These programs are aimed at reducing the rates of crime and incarceration among Aboriginal people, assisting Aboriginal people to assume greater responsibility for administration of justice within their communities and making the mainstream justice system more sensitive to the needs and culture of Aboriginal communities.

Cultural initiatives

Canadian Culture Online (CCO) works to improve the lives of Canadian children in several ways. First, it supports the creation of quality Canadian digital content, much of it aimed for a youth and education audience. Second, CCO increases visibility and builds audiences for that content, ensuring that it reaches the young Canadians who need it. Finally, CCO fosters the creation of an environment conducive to the production and use of Canadian cultural content on the Internet.

CCO goes further than simply giving young Canadians better access to educational materials and opportunities to learn about their country. CCO programmes counter discrimination by supporting the development of Internet sites that showcase and celebrate diversity and cultural self-awareness as well as a technological environment that facilitates the participation of all young Canadians in our cultural life.

These projects are supported through a number of Canadian Culture funding initiatives including the Canada-TELUS New Media Learning Fund, the Canadian Memory Fund, Partnerships Fund, Virtual Museum of Canada (administered by the Canadian Heritage Information Network) and Canada New Media Fund (administered by Telefilm Canada).

CCO Branch supports these initiatives through funding programs, MOUs and partnerships to leverage funds. Entities eligible for funding under the programs mentioned here include federal cultural agencies that hold Canadian heritage assets; libraries; museums; archives; municipalities; not-for-profit organizations; and small- and medium-sized enterprises working with the education sector.

Examples of projects that work to counter discrimination against particular groups of children include:

Aboriginal Children

Aboriginal Canada Portal (<http://www.aboriginalcanada.gc.ca>): The Aboriginal Canada Portal provides over 7,500 links to information for and about Aboriginal peoples in Canada, on a range of subjects as diverse as youth, economic development, learning, health and heritage, language and culture.

Naskapi Lexicon (<http://www.nlc-bnc.ca>): The Canadian Memory Fund assisted the National Library of Canada in producing the online Naskapi Lexicon, which offers trilingual translation of terms into French, English and Naskapi.

"Keeping the Past Alive," the Ilnuatsh Oral Tradition (<http://www.virtualmuseum.ca>): Virtual Museum of Canada (VMC) invested in the Musée amérindien de Mashteuiatsh in the creation of its online exhibit "Keeping the Past Alive." By offering direct support to the Aboriginal museum, the VMC ensured that the cultural product would reflect the aspirations and sensibilities of the Ilnuatsh. The project takes advantage of the technical opportunity of integrating oral history into online museum content.

James Bay Project and the Cree (www.cbc.ca/archives): The Canadian Memory Fund supported the Canadian Broadcasting Corporation (CBC) to provide online access to recent journalistic reports of Aboriginal resistance and negotiations, including coverage of the James Bay hydro-electrical project and the Oka Crisis.

The Story of the Masks (<http://www.virtualmuseum.ca>): The Virtual Museum of Canada provided investment funding to the U'mista Cultural Society to showcase the U'mista potlatch masks and the stories and creatures they represent. The site invites its visitors to answer trivia questions about the creatures in the masks and collect artist-designed trading cards.

Young Francophones in Minority Communities

The first three projects provide examples of the approach of *Francommunautés virtuelles* to providing cultural support to French Canadians living outside of Québec.

Regroupement des associations et organismes acadiens francophones de l'Atlantique dans le portail CapAcadie.com: Approximately 40 Web sites will be created through this project with access offered via a common portal of Acadian associations and organizations. Through this project, Acadian associations and organizations will be strengthened, and human and financial resources maximized through shared services.

Réseau Bambin.net: The project will assist the *Programme d'action communautaire pour les enfants* (Community Action Program for Children) and the *Programme canadien de nutrition prénatale* (Canadian Program for Prenatal Nutrition) to bring their services online for the benefit of minority French communities across Canada. By turning the existing site into a portal, access to information and resources will be facilitated.

Portail de nouvelles et sites interactifs: The Association franco-yukonnaise is creating a portal and interactive Web sites. Information will be entered directly by the project partners, thanks to decentralized content creation and management technology. The portal will provide cultural services, tourist information, and business resources. The aim is to strengthen a virtual Francophone community scattered across the vast territory of the Yukon.

A Century of Farming in Manitoba's Francophone Communities (<http://www.virtualmuseum.ca>): The Virtual Museum of Canada provided support to the Saint Boniface Museum (in the Francophone suburb of Winnipeg) to develop an online exhibit focused on the lives of French Canadian farmers in the province.

400 ans de présence française au Canada: The Partnerships Fund assisted the bilingual University of Ottawa to develop this comprehensive online resource, which provides the researcher with a central reference point to access information regarding the history of French Canadian men and women, First Nations and ethnic minorities.

Word Wizards: Canadian Online Language Toolkit: This one-year pilot-project will give Canadians Internet access, free of charge or for a fee, to language tools to help them better write, edit and translate in French and English and therefore to help create French language content on the Internet.

Children of Ethnocultural Minorities

Our Roots, Canada's Local Histories: Partnerships Fund provided support to the University of Calgary and the Université Laval to digitize the local histories of communities across Canada, with an emphasis on Francophone and immigrant communities. The project facilitates community involvement in gathering written histories, newspapers, documentaries and images.

Canadian Jewish Virtual Museum and Archives: Partnerships Fund also supported the Congregation Shaar Hashomayim, which worked in partnership with Jewish institutions and associations across Canada to digitize thousands of original documents, artifacts, and photographs relating the history of Jews in Canada.

Coming to Canada — An Interactive Immigration Interview: Through an investment from the Virtual Museum of Canada “Pier 21 — National Historic Site” will create an interactive online learning resource that allows the site visitor to experience the anticipation and trepidation of new immigrants to Canada. Through the use of audio, the site will personalize the experience of immigration in a way that pictures and text could not.

Children of Visible Minorities

Oscar Peterson: A Jazz Sensation (<http://www.nlc-bnc.ca>): The Canadian Memory Fund enabled the National Library of Canada to digitize its collection on the life and work of one of Canada's most famous musicians. The site visitor is invited to personally experience Peterson's jazz piano by selecting from dozens of audio clips from over 100 albums. Peterson's life and music are also placed in the broader social context of racism in Canada. Educational resources are provided for teachers, who can use Peterson's personal experience to convey to students a broader message of celebration of Canada's cultural diversity, as opposed to discrimination.

A Scholar's Garden (<http://www.virtualmuseum.ca>): With its investment into Dr. Sun Yat-Sen Classical Chinese Garden, the Virtual Museum of Canada has given the online visitor an opportunity to experience Chinese culture through architectural and landscaping aesthetics. While wandering virtually through the gardens and home of the host, the visitor is introduced to Chinese art, history and traditions reflective of the values and beliefs of Chinese culture.

Centre de ressources virtuels pour les femmes francophones des minorités et ethnoculturelles: Franccommunautés virtuelles provided support to the Réseau de chercheuses africaines (African Women Researchers' Network) to establish a Web site targeted to ethnocultural and visible minority women. The Web site will include information about the organization's activities and services, as well as a resource list of organizations related to employment, health, education, culture, sport and the environment.

ESL.TV Cooking Show: The New Media Learning Fund invested in Bearpaw Productions Ltd for the creation of an ESL cooking show learning module designed specifically for blended learning of English as a Second Language on the Web and in classrooms. The learning material will include web-based interactive exercise, games, teaching guide, lesson plans, classroom activities, tests, audio exercises and reading materials. Instructions are to be provided in at least five non-official languages, including Chinese, Japanese, Spanish, and Hindu.

Young Women

Women of Aspenland (<http://www.virtualmuseum.ca>): With an investment from the Virtual Museum of Canada, the Heritage Community Foundation and the Central Alberta Regional Museums Network collaborated in the organization of artifacts and archival materials into a meaningful story about pioneer life. The focus is on the changing lives and activities of Central Albertan women over a period of nearly 100 years, from early settlement to modern life.

Montreal Massacre (www.cbc.ca/archives): Prior to December 6th, 1989, many Canadians thought that misogyny was not relevant to contemporary women's lives. Canadian Memory Fund support assisted the CBC to digitize its report of the Montreal Massacre, thereby keeping this particular memory alive.

Réseau rural de ressources des femmes de l'Outaouais: Funded by Francommunautés virtuelles, this project is aimed at providing women from rural municipalities in the Outaouais with a resource network to break the isolation of rural life and to support them in their personal development. A portal will be established offering information on specific topics like health, family, employment, arts and culture.

Perspectives: Women Artists in North America (<http://www.virtualmuseum.ca>): This exhibition, executive produced by the Virtual Museum of Canada, celebrates the important contributions of women in the arts in Canada, Mexico, and the United States. *Perspectives* features historical, modern, and contemporary art by women artists whose contributions vary across cultures and periods. Seven museums were involved in the exhibition, including one in the United States and two in Mexico, in addition to the Secretaría de Relaciones Exteriores of Mexico. The site is presented in French, English and Spanish.

Children with Disabilities

Terry Fox (www.cbc.ca/archives): One of Canada's most loved contemporary heroes, Terry Fox is also one of few Canadians whose public image is identified with his disability. Likewise, he is one of few examples of people with disabilities in this diversity review. An online profile of Terry Fox was made possible through Canadian Memory Fund support of the digitization of a CBC report.

Planet DFI: With support from the New Media Learning Fund, the software company Digital Frog International (DFI) Inc. is adapting its award-winning approach to computer-learning to accommodate classroom curriculum requirements across Canada. A strong proponent of universal access, DFI collaborates with the Adaptive Technology Resource Centre, at the University of Toronto, to ensure its products are accessible to all — including blind youth, students with motor disabilities, and students with learning disabilities. English-as-a-Second-Language students have also praised the fully labeled learning tools.

Canadian Network for Inclusive Cultural Exchange (CNICE): With funding from the New Media Research Network, the Adaptive Technology Resource Centre at the University of Toronto, is establishing a network to ensure that Canadian cultural content online, and the tools available to create this content, are accessible to people with disabilities. The project

coordinators will consult with organizations of and for people with disabilities as they identify and address barriers to access.

Opportunities for Canadian Deaf Youth through Broadband Web Applications: Through this project, funded by CCOP's Applied Research in Interactive Media, a software toolkit is being developed that can be used to create sign language accessible Internet components. The goal is to allow the deaf community to exploit Canada's web infrastructure and to promote and communicate deaf culture.

Vulnerable Children

Media Awareness Network: To protect children against abuse, exploitation and violence through the Internet, CCO supports the Media Awareness Network (MNet), an online resource for young people, teachers and parents, which promotes media education and safe Internet use in Canadian schools, homes and communities. CCO funded the MNet initiative *Young Canadians in a Wired World*, a comprehensive and wide-ranging research project examining parents' attitudes towards their children's Internet use and what young Canadian are actually doing online.

Monitoring of programs and policies in support of diversity: CCO has hired a consultant to review all of CCO funds to identify the extent to which the existing program guidelines and funded projects support cultural diversity. As a result, CCO will be in a better position to articulate future policy directions and possibly adjust existing program guidelines. The final report is due in September 2003.

Government of Alberta

The *Alberta Human Rights, Citizenship and Multiculturalism Act*, provides the Alberta Human Rights and Citizenship with the statutory authority to resolve complaints of discrimination. The preamble to this Act, states: WHEREAS it is recognized in Alberta as a fundamental principle and as a matter of public policy that all persons are equal in: dignity, rights and responsibilities without regard to race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income or family status. Sexual orientation is also a protected ground.

Government of British Columbia

Policies and Programs of the Ministry of Education

- As a member of the Aboriginal Education Partners group, the Ministry of Education participates in the Anti-racism and Employment Equity working groups.
- A goal of the Ministry of Education is "parity of achievement for all students regardless of their ethnic origin, gender, geographical location, physical characteristics, or socio-economic status."
- Through an accountability cycle, including accountability contracts, school plans, and district reviews, the Ministry of Education ensures that all children have access to quality education.

- Satisfaction surveys gather opinions from students, parents and school staff on achievement, human and social development and safety.
- Through Enhancement Agreements, the Ministry of Education supports the work of school districts and Aboriginal communities to improve the public education experience for Aboriginal students.
- Through school planning councils, the Ministry of Education is committed to increasing the voice of parents in planning and decision-making.
- The Province of British Columbia is engaged in tripartite negotiations with First Nations and the Government of Canada to better meet the education needs for First Nations, on and off reserve.
- Development of the Diversity in BC Schools: A Framework to assist the school system in meeting its obligations under the *Constitution Act*, the *Canadian Charter of Rights and Freedoms*, the *BC Human Rights Code*, the *Multiculturalism Act*, the *Official Languages Act*, the *Employment Equity Act*, and the *School Act*; and to assist the school system in its ongoing efforts to create and maintain learning and working environments that are responsive to the diverse social and cultural needs of the communities it serves.

Ministry of Community, Aboriginal and Women's Services

This Ministry has developed a number of initiatives that aim to counter discrimination against minority groups and other vulnerable or marginalized groups. While these initiatives are not directed specifically toward children, children form part of the broader, targeted audience and will be impacted positively by these public education and program measures.

- Critical Incident Response Model — The model, developed by the Ministry's Anti-racism and Multiculturalism Unit, is a three-year, three-step process communities can use to fight racism and other hate activities. Thirteen communities around the province are currently involved in the model and several others are in the first stages of becoming engaged. A toolkit is in development for use by communities.
- Strategic Framework for Action — A strategy is in development to stimulate joint action on anti-racism and multiculturalism in BC. The strategy seeks the active engagement of interested individuals, stakeholder groups, members of the business community and the provincial government.
- Multiculturalism — A poster and brochure were developed by the Department to increase awareness of multiculturalism and its benefits.
- Multicultural Advisory Council — The Government is in the process of appointing a new Council, which is made up of regional representatives and members with expertise in multiculturalism and anti-racism matters. The Council provides advice to the Minister on issues and policies related to multiculturalism and anti-racism.

Ministry of Children and Family Development*Child in Care Service Standards - Standard 2: Providing Culturally Sensitive Services*

Throughout the period of involvement with the child and family:

- the child's views, cultural, racial and religious heritage and sexual orientation are respected;
- the child is supported to understand and cultivate that heritage and identity as appropriate;
- the child's cultural or ethnic community participates in the planning and delivery of services for the child.

If there is reason to believe that the child is being discriminated against and/or harmed as a result of discrimination, actions are taken to support the child and to address the discrimination.

Regional Policy: Culturally sensitive and competent services to children in care are provided by:

- meeting with the child and considers the child's views;
- providing the child with information about the child's cultural heritage that the child can understand;
- attempting to place the child with extended family or within the same culture (ref. to Guardianship Standard 10);
- placing a child with a caregiver who has an appreciation of and sensitivity to the child's culture, racial and religious heritage and is willing to support on-going contact with members of the child's cultural and religious community;
- providing the caregiver with information on the child's cultural heritage;
- enlisting the services of a language and/or cultural interpreter to assist in assessment, planning and service delivery, when necessary and appropriate;
- planning and providing services to the child that meet the child's needs by involving service providers, caregivers and community members that are knowledgeable about and sensitive to the child's racial and cultural heritage and sexual orientation in case planning and provision of services; and
- encouraging and providing opportunities for the child to participate in the cultural and religious instruction and events of their choice, as well as helping the child's family to accept the child's right to make these choices when there is conflict or misunderstanding.

When a child has been discriminated against or is harmed as a result of discrimination, action is taken to address that discrimination by:

- meeting with the child, family and caregivers, if appropriate, to obtain their views and to support the child;
- reviewing the situation to determine what if any actions are required to address the discrimination; and,
- when the Public Guardian and Trustee is guardian of the child's estate, consulting with the Public Guardian and Trustee to determine if legal action on behalf of a child is required (refer to Guardianship Standard 4).

Amendments to Adoption Legislation (1996) provide for two adults to adopt jointly (same sex couples or non-married couples such as siblings can adopt jointly).

- Adoption Practice Standard 3 — all adoption services must be provided in a climate of understanding, mutual respect and cultural sensitivity.
- Practice Standards 4, 18, 19 and 32 provide for the specific needs of Aboriginal children and birth parents.
- If a birth parent is under 19, the *Adoption Act* permits the birth mother to give a legally valid consent to an adoption (her parents do not have to consent).
- The Act and Standards provide for openness agreements to permit birth family and other significant people in a child's life to remain in contact with one another and to access their information once they reach the age of 19, unless there is a no disclosure veto or no contact declaration. Many adopted individuals believed for a long while that there was discrimination inherent in adoption when they were not permitted access to their information. BC was the North American lead on access to information for adopted adults.
- Post Adoption Assistance — eligibility for maintenance payments based on special placement needs including when a child is a member of a family group placed together, the child has emotional ties with the person proposing to adopt and the child has cultural ties that require a culturally compatible placement. The last item supports children, usually Aboriginal children, in maintaining cultural and family ties. PAA also supports payments for services for adopted children with special service needs.
- The Ministry has contacted with the Adoptive Families Association to provide services to support families who adopt children who were in the care of the Ministry.

Government of Manitoba

In 2001, Manitoba Education and Training released a *Philosophy of Inclusion*.

As well, that year the Province released a White Paper, *Full Citizenship: A Manitoba Strategy on Disability*, proposing a comprehensive strategy on disability.

Government of New Brunswick

The New Brunswick *Human Rights Act* is a provincial law prohibiting discrimination and harassment based on 12 explicitly stated grounds: age, marital status, religion, physical disability, mental disability, race, colour, ancestry, place of origin, national origin, sexual orientation, and sex, including pregnancy. The Act applies to public services, accommodations and facilities; the leasing of premises; the sale of property; labour unions and professional, business or trade associations; notices and signs; and all aspects of employment. If a child or a person acting on a child's behalf believes that he or she has been discriminated against pursuant to the *Human Rights Act*, he or she can file a complaint in the same way as an adult. In such cases, the Human Rights Commission is responsible for investigating the complaint, trying to help the parties reach a settlement, and, if necessary, recommending a board of inquiry. This process is free of charge.

The New Brunswick Human Rights Commission is aware that the provincial *Human Rights Act* does not contain all the grounds of discrimination listed in article 2 of the Convention. In particular, it has already recommended that family status, language, political convictions, social origin or condition, nationality, and citizenship be included in the *Human Rights Act* as prohibited grounds of discrimination. The Commission tries to remedy these deficiencies by giving the Act a broad, liberal interpretation, in keeping with current case law so that it covers the grounds of discrimination. For instance, the Commission interprets age discrimination broadly to include certain situations related to family status, which is defined as being in a parent-child relationship. A common example of this type of discrimination is refusal to accept children in housing units. The Commission is about to adopt a guideline stating that such discrimination is a violation of the *Human Rights Act* and that it will exercise its authority if it receives complaints of this nature. The Commission is confident that this guideline is in the best interests of the child and the family. The stability of the family is essential because it is the child's primary growth environment.

Children with disabilities are entitled to all the rights set out in the *Convention on the Rights of the Child*. The New Brunswick Human Rights Commission subscribes to the general principle that the special needs of children with physical or mental disabilities must be met in order for them to enjoy all those rights. The New Brunswick *Human Rights Act* prohibits discrimination based on physical or mental disability within its jurisdiction. For children in particular, this legislation applies mainly to the education system, training, rehabilitation, and provincial employment preparation programs, as well as to the health care system, recreational facilities, and certain programs designed for children.

The New Brunswick Human Rights Commission is concerned about the hardships being experienced by families and children because the level of support provided fails to meet their needs. Furthermore, not all children are eligible for programs and services, and the latter are often under funded. However, the objective of these services, which is also an objective of the provincial human rights legislation, is to enable children with disabilities to be integrated as fully as possible into society and to grow as individuals. In this regard, there have been some developments and progressions in recent case law.

Sexual harassment or harassment based on a prohibited ground of discrimination constitutes a form of mental violence and abuse, which is contrary to article 19 of the Convention. The New Brunswick *Human Rights Act* explicitly prohibits sexual harassment and implicitly prohibits harassment based on any of the grounds of discrimination, which the Human Rights Commission interprets broadly. Under this provincial Act, children enjoy the same protection as adults against harassment in respect of employment, occupation of dwellings, sale of property, services available to the public, and membership in certain associations.

Children may be abused on the job. Employees under 19 years of age are frequently harassed or subjected to disciplinary action because the required sales volume "cannot be attained by a child." A child may be forced to work certain shifts or expected to outperform other employees. In sports, children may be abused by their coaches, or they may be refused membership in certain associations on one of the prohibited grounds of discrimination. The Commission has a duty to intervene in all cases of abuse reported to it. Currently, the Commission is helping to revise the province's Child Abuse Protocol in order to point out that filing a complaint with the

Commission can be a useful remedy in cases of abuse occurring in the service sector or in the workplace.

Section 7 of the *Education Act* states that the Minister may prescribe or approve programs and services which a) respond to the unique needs of Mi'kmaq and Maliseet children in accordance with any agreement entered into under paragraph 50(2)(b), and b) foster an understanding of Aboriginal history and culture among all pupils.

The Department of Education employs an Aboriginal Education Consultant. As well, the Department of Education issued the *Policy Statement on Maliseet/Mi'kmaq Education in New Brunswick* in 1991, which provides a clear direction for the positive development of Aboriginal Education in New Brunswick. This policy requires the Department to develop, implement and monitor programs and initiatives in the following broad areas:

- Maliseet and Mi'kmaq participation in the education system
- Curriculum and instructional resources
- Training for student teachers, teachers and administrators
- Research and evaluation
- Liaison and coordination with other education agencies

The Policy Statement was developed in consultation with various stakeholders of Aboriginal education. These included Aboriginal leaders, educators and parents, as well as superintendents, principals and teachers of provincial schools. It should be emphasized that the Policy Statement applies only to provincial schools and not to First Nation or federally administered schools located within Aboriginal communities. The federal and First Nation governments are responsible for the development and implementation of educational programs within First Nation boundaries. Policy and program initiatives of the Department of Education do not assume or diminish in any way the legal or historical obligations that the Government of Canada has to Aboriginal people.

New Brunswick has put measures in place to support and preserve the language and culture of its French language minority population. Legislation in this province guarantees that students whose parents are "ayants droit" (i.e. parents with Charter rights to an education in French for their children), be provided with "such supplementary educational programs and services" as are required to improve the linguistic skills of the student such that he/she can satisfactorily participate in the French education system in New Brunswick. New Brunswick's newly released strategic improvement plan for the public education system contains a number of initiatives to improve the educational outcomes of these students.

Government of Newfoundland and Labrador

The Women's Policy Officer has published material on violence which is targeted to young women. These include a youth peer information package on violence and pamphlets on dating violence, stalking and sexual assault.

As part of a government-community Violence Prevention Initiative Partnership, regional community groups offer workshops and conduct research and public awareness on the vulnerability of young women to violence.

Guidance counsellors provide services in schools, including counselling, guiding, consulting, assessing, providing information services and researching. They also educate, counsel and refer students, as required, on numerous issues including discrimination.

Cross cultural sensitivity training is provided to all correctional officers assigned to the Labrador Correctional Centre as well as youth care counsellors employed at the Newfoundland and Labrador Youth Centre with a focus on Aboriginal culture, belief systems and lifestyle.

The Department of Education has implemented a “Multicultural Education Policy: Responding to Societal Needs.” Implementation guidelines outline specific actions in the area of promoting respect for all cultural groups.

Government of Québec

The adoption in 2002 of the Strategy to Combat Poverty and Social Exclusion confirms the Québec government’s great concern for creating conditions to foster the participation and social integration of vulnerable or marginalized individuals and groups. One of the policy statements also stresses the need to “target and tailor our actions to the most disadvantaged individuals, groups and regions.”

Moreover, the government provides an allowance to families with children with disabilities to cover the cost of specialized services. About 22,000 children receive this allowance each year. In addition, a guide was developed in the spring of 2001 to foster concerted action to enhance the integration of children with disabilities in educational care services. Parents play a key role in this process, as they are central to the child’s integration and social participation in childcare. The cooperation model presented in this guide is based on the work of the World Health Organization. Finally, Québec will implement an allowance to support the provision of educational care services to children with disabilities, including an amount of \$2,200 (per child) to cover the real costs of equipment and facilities required for the child, as well as an additional amount (\$25 per day of occupancy) to help cover the operating costs.

In November 1998, the Québec government adopted a policy and action plan on social integration and intercultural education, entitled *A School for the Future*. This policy recommends that educational structures in schools be broadened to foster the integration of new arrivals in Québec.

In January 2000, a policy on school adaptation was approved, *Adapting our Schools to the Needs of All Students*, which supports success for as many students as possible and seeks to prevent difficulties and adjustment problems among children with disabilities or learning or behavioural problems.

Bill 188, which was passed in June 2000, recommends an open public school, in the neighbourhood, which fosters social cohesion while conveying to young people the underlying values of Québec society and teaching them to live together better.

In May 2002, a program entitled *New Approaches, New Solutions* was launched for underprivileged secondary school students, offering them equal opportunity and an education, regardless of their social and economic circumstances.

Finally, the *Supporting Montreal Schools Program*, instituted in 1997, has been expanded to include a policy on the *guidance-oriented school*. This program offers school children from the most disadvantaged parts of the greater metropolitan area (Montreal Island) progressive and ongoing educational development, in keeping with their characteristics and needs and designed to ensure their success.

The young parents' support program, announced in June 2000, is designed to foster children's overall development, prevent and limit social adjustment difficulties and developmental delays and reduce child negligence and abuse, from the time of pregnancy until the child begins school. More specifically, it offers services tailored to a specific population (young families with mothers under the age of 20) that is at very high risk and has access to very few services. The program is designed to strengthen parenting skills, improve the living conditions of young families and foster their social and occupational integration.

Further to the publication of the orientations and action plan on persons with mental deficiencies in 2001, \$11 million was allocated to the following priorities: early intervention, family support, residential and socio-occupational services, support to community agencies in this sector.

Government of Saskatchewan

Creating an environment in which youth can take advantage of existing sport, culture and recreation opportunities free of racism and negative attitudes is one of the chief priorities of Saskatchewan Culture, Youth and Recreation. Through the Department's partner, SaskSport Inc., work has been done on a project entitled "Working, Living and Playing Together." This program aims to decrease incidents of racism in sport and recreation by teaching sport and recreation leaders and participants to recognize racism and learn how to stop such behaviour from occurring.

The Regina Youth Justice Forum is a body of government and community leaders formed in 2000, with the goal of increasing the involvement of the community in the development and delivery of youth justice responses, to effect more positive outcomes for youth. These objectives are consistent with the Saskatchewan "Youth Services Model" and the principles of the *Youth Criminal Justice Act*. The Aboriginal Round Table is a working group of the Regina Youth Justice Forum pilot, and has representation from all segments of the First Nations and Métis communities in Regina and area. Youth Voice is a working group of youth representatives, who are offered information and training opportunities to provide consultation on new youth justice initiatives developed through Regina Youth Justice Forum. The constitution of the Regina Youth Justice Forum stipulates that any new initiatives implemented by the Regina Youth Justice Forum must be endorsed by the Aboriginal Round Table and Youth Voice. The

Aboriginal Round Table and Youth Voice have been active and key participants in collaborative developments to increase the involvement of vulnerable individuals (youth) and minorities (First Nations and Métis), in community participation and ownership of youth justice solutions.

12. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

Please note: All issues listed are considered to be of the utmost importance by governments in Canada and thus should not be considered to be in order by priority.

- Aboriginal children including their health status, and over-representation in the child-welfare and youth justice system;
- Child maltreatment, violence against children, family violence;
- Children's environmental health;
- Children living in poverty;
- Children's mental health;
- Children with disabilities;
- Education;
- Fetal alcohol spectrum disorder;
- Health care renewal;
- Healthy living including healthy weights, physical activity;
- Housing;
- Parenting supports;
- Participation of children in matters affecting them;
- Sexual exploitation and trafficking of children;
- Tobacco demand reduction amongst youth;
- Youth Criminal Justice;
- Youth Employment.