



Landon Pearson Resource Centre
for the Study of Childhood
and Children's Rights

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Children's Rights Academic Network



PROCEEDINGS OF THE CHILD RIGHTS ACADEMIC NETWORK

2018: 9TH ANNUAL MEETING OF THE CHILD RIGHTS ACADEMIC NETWORK

Response to *Shaking the Movers XI: Children on the Move*

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Introduction – Landon Pearson: The Rights of Children on the Move

All children have the same rights, and this includes children on the move whose rights are understood to travel with them even though they are not always respected along the way. All rights are connected to each other and all are equally important, but some are perhaps more relevant for children at different stages at their journey. For refugee children who are usually fleeing life threatening circumstances protection rights probably take precedence. For immigrant families who come to Canada looking for a second chance at a good life especially for their children the provision rights of the CRC may seem more important. These include the right to a good quality education and the right to the best health care possible. For children on the move within Canada, children in the child welfare system, children in conflict with the law, children fleeing to the streets from abusive families, children of separation and divorce and children from First Nations communities forced to travel far from home for secondary education the participation rights embedded in the CRC are key. In all these situations children have the right to be heard and must be listened to. Even when children move from place to place as their parents change jobs or search for work or, indeed, are posted elsewhere as in the armed services children should have a voice in the decisions that are being made concerning them. When they do, moves become adventures rather than traumatic. The rule should always be “no decision about us without us”. This does not mean that the child’s voice is the determining one but if children are involved in processes that will have a profound effect on their future lives right from the beginning good outcomes are much more likely for all concerned.

Using the articles of the CRC to frame the way Canadian policies and programs respond to the rights of refugee and immigrant children as well as to other children on the move as described above could be transformational. Applying the four cross-cutting principles of the Convention (non-discrimination, the best interests of the child, the right to be alive and to develop freely and the right to speak up and be taken seriously) demands a real shift in the way adults often interact with children. The challenge is to nurture a culture of respect for children that will help them learn to respect themselves, to respect one another and to respect everyone else they come in contact with on their journey through life wherever that journey may take them.

Landon Pearson

Overview

Shaking the Movers

This year, following the success of last year's four workshops in different parts of the country, the Landon Pearson Resource Centre expanded Shaking the Movers and five diverse workshops were carried out across Canada in both official languages (English and French). Workshops were held in Toronto, Ontario; Ottawa, Ontario; Fredericton, New Brunswick; Montreal, Quebec, and Williams Lake, British Columbia. Workshops were held in partnership with the School of Child and Youth Care and the Faculty of Community Services at Ryerson University in Toronto; YouthNet/CHEO in Ottawa, The Ontario's Provincial Advocate's Office for Children and Youth in New Brunswick, Concordia University in Quebec, and The Centre for Restorative Justice at Simon Fraser University in British Columbia.

With a focus on the rights of children on the move, each of the sites explored the UNCRC with a focus on Articles 6, 24, 27, 28, 29, and 30.

Although each site focused on the rights of children on the move, the reports yielded distinct findings based on the venues which raised some local issues such as the wildfires in Williams Lake. All of the reports can be accessed on our website through the following hyperlink:
www.landonpearson.ca

The workshops were generously supported by the Lawson Foundation. We would like to thank the funder and we would like to express appreciation to all of the organizers.

Shaking the Movers Organizers

Toronto, Ontario: Judy Finlay and Tara Rose-Farrell (Ryerson University)

Fredericton, New Brunswick: Sarah Dennene (Office of the Child and Youth Advocate)

Vancouver, British Columbia: Brenda Morrison (Simon Fraser), Laura Wright (PhD Candidate)

Montreal, Quebec: Natasha Blanchet-Cohen and Genevieve Gregoire-Labrecque (Concordia University)

Ottawa, Ontario: Elise Champaigne-Klassen (YouthNet)

On Feb 2nd and 3rd 2018, members of the Child Rights Academic Network (CRAN) met in Ottawa, Canada to discuss and respond to recommendations from the workshops with the respect to the rights of children on the move. CRAN was developed by the Landon Pearson Resource Centre at Carleton University and is Canada's first network of academics involved in teaching, researching and advocating with and for children's rights. CRAN has been generously supported by the Muttart Foundation and has had regular presence from Muttart funders. This year, CRAN has continued to welcome additional members and also hosted supplementary conversations and meetings relevant to children's rights – for instance, discussions surrounding international child rights research projects and additional children's rights networks. CRAN members also belong to various sub-committees within the network and met prior to the CRAN conference to discuss 'next steps' in the following areas:

- Advocacy
- Networking and collaboration
- Research
- Funding

Reports summarizing the outcomes of Shaking the Movers X were distributed in advance to CRAN participants who in turn, prepared responses to the youth participants. CRAN members responded specifically to the following guiding question:

This year's CRAN theme, "Children On the Move," gives us an opportunity to consider the ways children's worlds are made, unmade and remade through movement. Through your experiences with the young people with whom you interact in your work as well as the concerns and perspectives shared by Shaking the Movers participants who attended the 2017 workshops held in Toronto, Ottawa, Fredericton, Williams Lake, and Montreal, please briefly respond to an issue according to the widely accepted conceptualization of children's rights into the three categories of: protection, provision and participation that you find compelling for children on the move.

The second day of the conference employed the three widely accepted categories: protection, provision and participation related to children's rights to organize the presentations. Each presenter was asked to speak for five minutes so that everyone had a chance to be heard. Following the presentations, there was an opportunity for considerable discussion. Participants provided additional insights to the presentations, insights which will continue to enrich their research and teaching. Each panel was facilitated by a CRAN member who offered additional insights and coherently summarized panel discussions relevant to each theme.

The report that follows is a compilation of the CRAN participants' responses to the STM X themes. Their writing demonstrates that youth have been 'heard' and their perspectives will be integrated into current academic debate.

PARTICIPANT RESPONSES

PANEL 1: PROTECTION RIGHTS

Children on the move across borders: How do religion and spirituality relate to their rights?

The Ryerson report provided a poignant reminder that Canada has a long way to go in protecting the rights for immigrant children. One of the participants spoke of this challenge: *“Once they find a home country, it is assumed that they are lucky to be accepted into a democratic society and everything is fine. The system isn’t working for immigrant kids anymore”* – Youth Participant, STM, 2017

It is our moral obligation to provide an environment that protects the full spectrum of rights for all children, and enables all children to fully explore their innate potential with human dignity. My purpose is to respond to the Ryerson report through the lens of my work on the religious and spiritual experiences of children in Canada, and their relationship to a variety of health outcomes.

Spiritual/religious experiences of new immigrant children in Canada

- Data source was the Health Behaviour in School-aged Children (HBSC) survey. This is a large, national population health survey affiliated with the WHO and PHAC; in 2014, sample size was 24,307.)
- As described by figure 1, **involvement in a religious group, the importance of meditation/prayer and the importance of a connection to a higher spiritual power are all higher in children who have been in Canada 5 years of less and children who were born in Canada.**
- A relationship between religious/spiritual practice and positive health outcomes (excellent health status, low psychosomatic symptoms, helping others, and participation in a variety of risk behaviours) was also observed. Illustratively, connection to a higher spiritual power gave a child a relative risk of 1.35 chance of reporting high life satisfaction. (data not shown)
- Data is clear that religious involvement and spiritual values are more important for children who are newcomers to Canada (≤ 5 years).

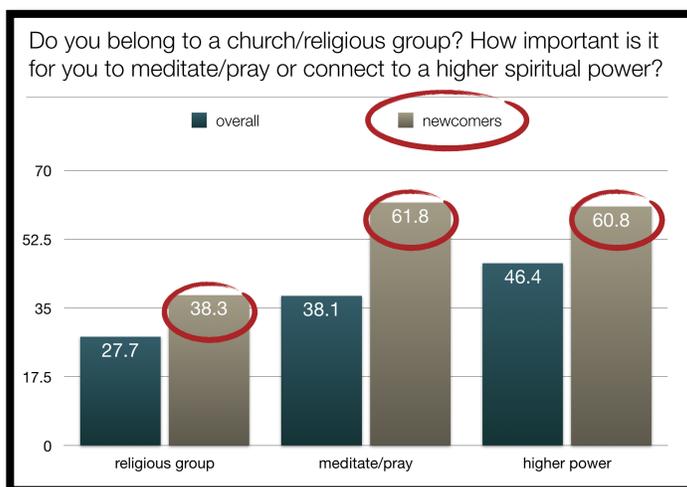


Figure 1

I wanted to know if religious and spiritual experiences were not only more important, but also if the *protective effect was stronger* for children who had recently crossed borders

I explore that question here, in **table 1**, which describes associations between self-identified importance of prayer or meditation and various health outcomes, by immigration status

TABLE 1	Born In Canada				Lived in Canada ≤5 years			
	Important (n=5,753)	Not Impt. (n=12,220)			Important (n=617)	Not Impt. (n=477)		
Outcomes (<i>positive</i>)	% Yes	% Yes	RR	(95% CI)	% Yes	% Yes	RR	(95% CI)
Excellent Health Status	34.6	27.2	1.18	(1.10-1.28)	33.2	27.5	1.22	(0.97-1.53)
Low Psychosomatic Symptoms	37.4	32.1	1.08	(1.02-1.15)	43.8	35.2	1.27	(1.02-1.58)
High Life Satisfaction	34.1	24.9	1.24	(1.16-1.32)	31.6	20.7	1.50	(1.14-1.96)
Often help other people	53.1	40.2	1.27	(1.21-1.34)	56.9	42.1	1.35	(1.14-1.60)

- Very preliminary analysis suggests that the protective effect of prayer or meditation is slightly stronger for children who have lived in Canada ≤5 years
- There could be any number of reasons for this... (controlled for age, sex and SES)
- The protective effect (mostly) disappeared in children who reported having lived in Canada >5 Years
- We made similar tables for the other health outcomes (helping others, smoking, drinking and sex) and other domains (involvement and connection to higher power) and the protective pattern was similar.

Interpreting their own world: I complement these findings with data from a national qualitative study (n=80), drawing from a focus group that was comprised of newcomers to Canada (11-15 years).

“Without these things like meditating or praying or feeling connected to... without these I feel like you would be kind of lost in the world.”

“Once my grandfather was sick and had to be taken to the hospital and I prayed then for him and read the Quran and it made me feel



Preliminary conclusions and further questions

- These quantitative and qualitative data suggest that not only are religious involvement and spiritual connections more common and important for newcomers to Canada, but that both **importance of participation** and **protective effects** are slightly stronger.
- We have been told that “the system isn’t working for immigrant kids anymore” (STM).
 - Does **being more attentive to religious/spiritual diversity** have anything to contribute to improving things for some children?

- What additional **special protections** need to be extended to children who **self identify as cultural and religious minorities**?
- Christian children have an automatic accommodation on their most important days of prayer and worship. Do we need to **be more attentive to providing Muslim children with opportunities for prayer and meditation (particularly on Fridays)**?

Lisa Wolff
UNICEF Canada

A Child is a Child: Children on the move have the right to all of their rights. How is UNICEF's global agenda realized in Canada?

SHAKING THE MOVERS 2018

Millions of children are on the move across international borders. Children in affluent economic migrant families are the largest group who move to Canada, but refugees and asylum seeking children come alone or with family members, fleeing violence and conflict, disaster and poverty, in pursuit of a better life. Worldwide, a large number of these children undertake journeys alone, although the proportion who are unaccompanied arriving in Canada is fairly low, due to our geographic location. These are the children whose rights continue to be most imperiled upon arrival. Many seek to reunite with family members. Others pursue their aspirations for a better life. Factors that propel them here include conflict, poverty, oppression, family breakdown, domestic violence, child marriage and trafficking.

Whatever their motivation, children find few opportunities to move legally. Family reunification, refugee resettlement placements, and work or study visas are out of reach for most. The Convention on the Rights of the Child protects every child, everywhere. When States ratified the Convention they committed to respect and ensure the rights of "each child within their jurisdiction, without discrimination of any kind."¹ This means that a refugee or migrant child – whatever her or his legal status and whether newly arrived, seeking to stay or just passing through – has the same rights as any other child within a country's borders. All children, regardless of legal status, nationality or statelessness, have the right to be protected from harm, access to services including health care and education, be with their families, and have their best interests guide decisions that affect them. To be clear, all children have these rights no matter where they are from, why they left or how they got there; regardless of whether they are nationals of the State or whether their presence on its territory is legal.

The CRC obliges States Parties to take the best interests of the child as a primary consideration in all actions concerning children, to protect and care for them as necessary for their well-being, and to ensure their right to express their views and be

heard in matters that affect them. Yet in practice, children on the move often suffer violations of their rights. The way children on the move are treated varies widely from State to State, but all have a responsibility to uphold their rights and protect all children within their borders, without exception. When world leaders adopted the New York Declaration for Refugees and Migrants in September 2016, they acknowledged the urgent and unmet needs of vulnerable child migrants – especially unaccompanied and separated children – who do not always qualify for international protection as refugees and who may need assistance.

Children are also on the move within Canada's borders. Whether for economic opportunity, changing family dynamics, child protection, access to services or other reasons, movement can support or imperil their rights. There are challenging issues in child welfare, education and family law that would benefit from a children's rights lens.

As well, children are on the move out of Canada. While for some this may be in their best interests, children who are victims of polygamy, abduction, parental alienation or harmful cultural practices need better protection.

AGENDA FOR ACTION

UNICEF is calling for a global six-point plan to keep refugee and migrant children safe in all countries and contexts. Canada has on balance partially implemented this agenda, and recent progress has been made to better respect the rights of the most vulnerable children on the move. The agenda for action could also be extended to address the challenges of Indigenous children who are on the move, and children moving out of Canada.

If the Best Interests of the Child principle was a primary consideration across legislation, policy and practice – and by extension, as a methodology, Child Participation, all of the development and protection rights of children on the move would be better fulfilled.

1. PROTECT UPROOTED CHILDREN FROM EXPLOITATION AND VIOLENCE

Canada has increased the number of refugees in recent years through planned programs like the Syria stream. For others, getting to or staying in Canada is more precarious. The Best Interests of the Child principle in Canada's immigration law, regulations and administrative decisions should be expanded to be a primary consideration in decisions not only about welcoming or returning children, but also the family members they are migrating with.

Children and families should never be returned to face persecution or life-threatening danger in their countries of origin. Returning unaccompanied children to their countries of origin may well be consistent with their rights, when a best interests determination (BID) grounded in the Convention on the Rights of the Child establishes that this

provides a durable solution for an individual child and does not entail risk of persecution or harm. Existing guidance for determining children's best interests, such as the UNHCR-UNICEF "Safe and Sound" guidelines should be considered.

All children arriving in a country deserve a durable solution that is in line with their best interests and achieved in a timely manner. For unaccompanied and separated children, finding a durable solution entails pursuing all practical measures to reunify children with their families – immediate or extended – including in their countries of residence. This principle of non-refoulement is part of customary international law and is binding on all States. In the case of children, the CRC further prohibits returning children to a transit country, although Canada does not consistently comply with this.

As children arrive on a State's territory, treating them as children first often requires child protection. But child protection services are fragmented – divided up among different sectors, like health and education, and anchored in a multiplicity of laws, policies and budget lines under different ministries and agencies.ⁱⁱ There is no overarching framework or strategy, and no single body coordinating the reception and care of unaccompanied children. Formal and informal networks for cooperation to protect children on the move need strengthening, for instance through designated liaison officers and tools to better share information, such as joint case management systems to document decisions taken on behalf of a child and recommendations for the child's future. When children arrive on a State's territory – whether they intend to stay or move on – child-friendly procedures should be in place to register them and meet their immediate and longer-term needs, including for safe accommodation, mental and physical health care and access to education and recreation. Guardians must be appointed for unaccompanied children at once, to safeguard their best interests and develop care plans tailored to their specific family situations and needs. All procedures should be based on an assessment of the individual child's best interests, and should take her views duly into account. They should be explained in an age-appropriate manner and in a language the child can understand.

Identifying and supporting child victims of trafficking will take special efforts, given the gravity of the violation and the specific protection needs these children have. Frontline workers who come into contact with children on the move – police officers, health and social workers, caseworkers, professionals in the asylum system, labour inspectors, and consular officials – will need special training.ⁱⁱⁱ What happens next for a particular child who has been a victim of trafficking should depend on a best interest's assessment. Some children may want to be returned to their home countries, while others should be referred to the asylum process or granted a temporary or permanent right to stay as victims of trafficking, in order to get the help they need.^{iv}

Children on the move require a continuum of care and protection in the countries they pass through and arrive in – as they move across different parts of a given country and through the hands of various actors.

2. END THE DETENTION OF REFUGEE AND MIGRANT CHILDREN BY CREATING PRACTICAL ALTERNATIVES

The Government of Canada has reduced the number of children detained (usually de facto, typically with detained family members) in recent years. However, children should never be detained. There must be alternatives to detention that are in line with children's best interests while their immigration status is being resolved. The New York Declaration for Refugees and Migrants includes a commitment to work towards ending the detention of children for migration-related reasons. A number of States have already outlawed the practice.^v Others like Canada are detaining fewer asylum-seeking and refugee children. The federal government needs to accelerate the development of practical alternatives to detention for all children and their family members. They may put unaccompanied children in family-based foster care, or require families to stay in a certain residence or to deposit or surrender documentation. Yet such alternatives are underused – despite evidence that they can ensure compliance and can be less costly.^{vi} Unaccompanied and separated children should have access to foster care, supervised independent living, or other family- or community-based living arrangements. Children should not be detained in adult facilities. Children should have regular best interests reviews of their placements, and the legal right of access to their provincial or territorial independent child and youth advocates.

3. KEEP FAMILIES TOGETHER AND GIVE CHILDREN LEGAL STATUS

All children need a legal identify and citizenship. With legislative reform in 2017, minors can apply for permanent citizenship in Canada independently, but parents, guardians and advocates need to ensure they are aware of their new right and supported through the process. We have to close legislative and practice gaps that create or sustain risk of statelessness or removal of children who establish roots in Canada.

Children whose parents migrated ahead of them find few legal channels to reunite with their families. Family reunification often entails long wait times, while barriers like income thresholds and definitions of family that exclude extended families put it out of reach for some. Long delays in the process of determining a child's legal status or facilitating reunification with family members put many children's lives on hold and in a state of legal limbo or in irregular status. This makes planning for the future difficult and renders them acutely vulnerable to exclusion and exploitation. Canada needs to prioritize short wait times for children to less than six months.

4. HELP UPROOTED CHILDREN TO STAY IN SCHOOL AND STAY HEALTHY

UNICEF calls for increased collective effort by governments, communities and the private sector to provide uprooted children with access to education and health services, and to have their material needs met, regardless of their legal status. A child's migration status should never be a barrier to accessing basic services. In Canada, most jurisdictions allow children with precarious status including undocumented children to go to school, but there

are many associated gaps and risks to their security and full participation. Undocumented children are generally excluded from health care, recreation and other rights. Other children on the move in Canada may face disruptions in education or hardships in accessing education and health care, recreation and cultural activities, particularly children in small, remote communities who move or regularly travel long distances for birthing, health care and school. For Indigenous children, self-determination and governance of services, culturally based programs and innovative extension approaches can help ensure their rights.

5. PRESS FOR ACTION ON THE CAUSES THAT UPROOT CHILDREN FROM THEIR HOMES

Protracted conflicts, extreme poverty, racism and environmental degradation drive millions of children from their homes worldwide. UNICEF calls for greater effort to address the root causes of violence and poverty, including expanding opportunities for family income and youth employment, protecting ecosystems, and respecting the rights of First Nations, Métis and Inuit peoples to self-determination, including treaty rights, UNDRIP and implementation of the Truth and Reconciliation recommendations.

6. COMBAT XENOPHOBIA AND DISCRIMINATION

Uprooted children are often victimized by discrimination, xenophobia and stigma – both on their journeys and in their final destinations. Everyone has a part to play in welcoming uprooted children into our cities and communities and fostering their inclusion. Most children on the move to Canada are from affluent families and have good education and health outcomes, but can feel excluded from society, leading to a range of social and mental health challenges. Indigenous children who attend school in or move with their families to urban areas often face racism. All systems and services need to intentionally include diverse children and foster cultural safety. Structural discrimination against Indigenous children, which includes unnecessary removal from their families and communities, must end with full implementation of Jordan's Principle, equitable funding and compliance with the Canadian Human Rights Tribunal orders.

Canada's last review of its implementation on the Convention on the Rights of the Child in 2012 raised a number of recommendations to respect the rights of children on the move. Some of these recommendations have been repeated in other treaty reviews. In 2018, when Canada files its next report, we have some progress to report and a way to go to ensure the best interests principle, the views of the child, and the rights of migrant children on the move to and in Canada.

DATA

21. The Committee reiterates its recommendation that the State party set up a national and comprehensive data collection system and to analyse the data collected as a basis for consistently assessing progress achieved in the realization of child rights and to help design policies and programmes to strengthen the implementation of the Convention. Data should be disaggregated by age, sex, geographic location,

ethnicity and socio-economic background to facilitate analysis on the situation of all children. More specifically, the Committee recommends that appropriate data on children in special situations of vulnerability be collected and analysed to inform policy decisions and programmes at different levels.

INDEPENDENT MONITORING

23. The Committee recommends that the State party take the necessary measures to establish a federal Children's Ombudsman in full accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), to ensure comprehensive and systematic monitoring of all children's rights at the federal level.

NON-DISCRIMINATION

33. The Committee recommends that the State party include information in its next periodic report on measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party in follow-up to the Declaration and Program of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as the outcome document adopted at the 2009 Durban Review Conference. The Committee also recommends that the State party:

(a) Take urgent measures to address the overrepresentation of Aboriginal and African-Canadian children in the criminal justice system and out-of-home care;

(b) Address disparities in access to services by all children facing situations of vulnerability, including ethnic minorities, children with disabilities, immigrants and others;

(c) Ensure the incorporation of a gender perspective in the development and implementation of any programme or stimulus package, especially programmes related to combatting violence, poverty, and redressing other vulnerabilities;

(d) Take immediate steps to ensure that in law and practice, Aboriginal children have full access to all government services and receive resources without discrimination;

(e) Undertake a detailed assessment of the direct or indirect impact of the reduction of social transfer schemes and other social/tax benefit schemes on the standard of living of people depending on social welfare, including the reduction of social welfare benefits linked to the National Child Benefit Scheme, with particular attention to women, children, older persons, persons with disabilities, Aboriginal people, African Canadians and members of other minorities.

BEST INTERESTS OF THE CHILD

35. The Committee urges the State party to strengthen its efforts to ensure that the principle of the best interests of the child is appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings as well as in all policies, programmes and projects relevant to and with an impact on children. In this regard, the State party is encouraged to develop procedures and criteria to provide guidance for determining the best interests of the child in every area, and to disseminate them to the public or private social welfare institutions, courts of law, administrative authorities and legislative bodies. The legal reasoning of

all judicial and administrative judgements and decisions should also be based on this principle, specifying the criteria used in the individual assessment of the best interests of the child.

VIEWS OF THE CHILD

37. The Committee draws the State party's attention to its general comment No. 12 (2009), and recommends that it continue to ensure the implementation of the right of the child to be heard in accordance with article 12 of the Convention. In doing so, it recommends that the State party promote the meaningful and empowered participation of all children, within the family, community, and schools, and develop and share good practices. Specifically, the Committee recommends that the views of the child be a requirement for all official decision-making processes that relate to children, including custody cases, child welfare decisions, criminal justice, immigration, and the environment. The Committee also urges the State party to ensure that children have the possibility to voice their complaints if their right to be heard is violated with regard to judicial and administrative proceedings, and that children have access to an appeals procedure.

STATELESSNESS AND CITIZENSHIP

41. The Committee recommends that the State party review the provisions of the amendment to the Citizenship Act that are not in line with the Convention with a view to removing restrictions on acquiring Canadian citizenship for children born abroad to Canadian parents. The Committee also urges the State party to consider ratifying the 1954 Convention relating to the Status of Stateless Persons.

POLYGAMY AND HARMFUL CULTURAL PRACTICES

51. The Committee recommends that the State party take all necessary measures, including legislative measures and targeted improvement of investigations and law enforcement, to protect all children from underage forced marriages and to enforce the legal prohibition against polygamy.

FAMILY SEPARATION AND CARE

56. The Committee urges the State party to take immediate preventive measures to avoid the separation of children from their family environment by providing appropriate assistance and support services to parents and legal guardians in performance of child-rearing responsibilities, including through education, counselling and community-based programmes for parents, and reduce the number of children living in institutions. Furthermore, the Committee calls upon the State party to:

(a) Ensure that the need for placement of each child in institutional care is always assessed by competent, multidisciplinary teams of professionals and that the initial decision of placement is done for the shortest period of time and subject to judicial review by a civil court, and is further reviewed in accordance with the Convention;

(b) Develop criteria for the selection, training and support of childcare workers and out-of-home carers and ensure their regular evaluation;

- (c) Ensure equal access to health care and education for children in care;
- (d) Establish accessible and effective child-friendly mechanisms for reporting cases of neglect and abuse and commensurate sanctions for perpetrators;
- (e) Adequately prepare and support young people prior to their leaving care by providing for their early involvement in the planning of transition as well as by making assistance available to them following their departure;
- (f) Intensify cooperation with all minority community leaders and communities to find suitable solutions for children from these communities in need of alternative care, such as for example, kinship care.

IMMIGRATION LAW: Best interest, detention, guardianship, speedy processing

74. The Committee urges the State party to bring its immigration and asylum laws into full conformity with the Convention and other relevant international standards and reiterates its previous recommendations (CRC/C/15/Add.215, para. 47, 2003). In doing so, the State party is urged to take into account the Committee's general comment No. 6 (2005) on. In addition, the Committee urges the State party to:

- (a) Reconsider its policy of detaining children who are asylum-seeking, refugees and/or irregular migrants; and ensure that detention is only used in exceptional circumstances, in keeping with the best interests of the child, and subject to judicial review;
- (b) Ensure that legislation and procedures use the best interests of the child as the primary consideration in all immigration and asylum processes, that determination of the best interests is consistently conducted by professionals who have been adequately applying such procedures;
- (c) Expeditiously establish the institution of independent guardianships for unaccompanied migrant children;
- (d) Ensure that cases of asylum-seeking children progress quickly so as to prevent children from waiting long periods of time for the decisions;
- (e) Consider implementing the United Nations High Commission for Refugees Guidelines on International Protection No.8: Child Asylum Claims under articles 1(A)2 and 1(F) of the 1951 Convention. In implementing this recommendation, the Committee stresses the need for the State party to pay particular attention to ensuring that its policies and procedures for children in asylum-seeking, refugee and/or immigration detention give due primacy to the principle of the best interests of the child and that immigration authorities are trained on the principle and procedures of the best interest of the child.

TERMINOLOGY

The following are based on legal definitions, but rendered in simplified language for non-specialist readers.

Asylum seekers: Individuals who seek safety from persecution or serious harm in a country other than their own and await a decision on their application for refugee status.¹

Best interests determination: A formal process with strict procedural safeguards designed to determine an individual child's best interests for particularly important decisions affecting the child, such as finding a durable solution.ⁱⁱ

Children on the move: Children who move for a variety of reasons, voluntarily or involuntarily, within or between countries, with or without their parents or other primary caregivers.^{iv}

Durable solution: A solution that enables unaccompanied and separated children to develop in a sustainable manner into adulthood, in an environment that will meet their needs and fulfil their rights.^v

Irregular migration: Movement that takes place outside the regulatory norms of the country of origin, transit and destination. There is no universally accepted definition.^{vii}

Migrants: Individuals who move or have moved across an international border or away from their habitual place of residence within a State – regardless of their legal status, whether they move voluntary or involuntary, why they move, or how long they stay.^{viii} Includes, among others, refugees and asylum seekers.

Refugees: Individuals who have been granted protection in another country because of a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinions.^x

Stateless person: A person not considered a national by any State, who as such lacks the rights that come from national diplomatic protection of a State, and may not be entitled to return in case he or she leaves.^{xi}

Unaccompanied and separated children: Children who have been separated from their parents or primary caregivers. If they are accompanied by other adult relatives, they are considered separated; if no adult relative is with them, they are considered unaccompanied.^{xiv}

Dr. Joan Durrant
University of Manitoba

Children on the Move

Shaking the Movers X

Response from Joan Durrant, University of Manitoba, February 2018

“Some people don’t know how to type so they will be made fun of.”

“People think you are not smart or can’t learn because you’re a refugee.”

“I’ve felt self-conscious about the food I’ve brought to school because it’s traditional food from my culture and other kids made fun of me.”

“Kinda hard to make friends because they tease you and most of your classmates don’t want to be friends with you. you.”

I was struck by the number of references participants made to feeling socially excluded, from their peer group. This is a pressure and a worry that compounds all those that these youth already experiencing. We know that schools across the country are implementing anti-bullying initiatives. Yet youth who need the support of their peers continue to express concerns about social exclusion. Perhaps school-based programs are just not enough. Maybe the societal climate needs a major overhaul. Maybe a society that is infused with messages and policies that promote children’s rights would see more mutual respect among youth of all backgrounds.

To explore this question, I brought to CRAN the findings of a Master’s thesis conducted by Fatima Carreiro, which I supervised. Fatima wanted to know whether a country’s level of implementation of the CRC, particularly in relation to child refugees, is related to the level of social inclusion/exclusion found among youth.

We chose to examine a country that has implemented the CRC to a high degree, and a country that has not implemented it very well.

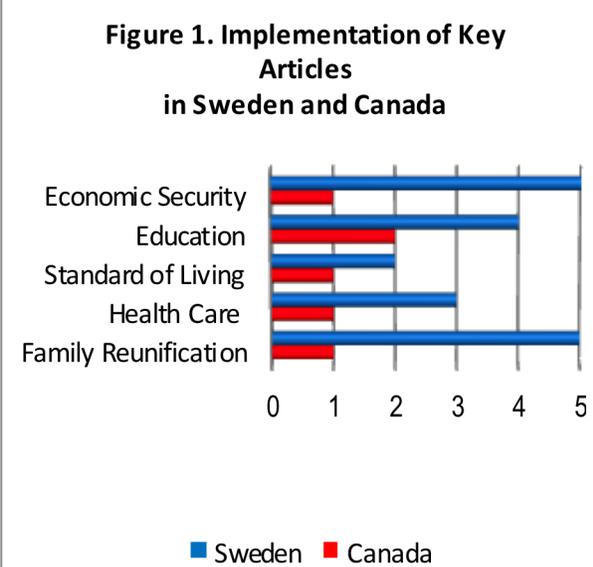
The countries we chose were Sweden and Canada. Table 1 shows the overall levels of CRC implementation overall in the two countries.

	Sweden	Canada
Implementation Measures		
National CRC implementation policy	Yes	No
Public education about the CRC	Yes	No
Legislation interpreted with reference to the CRC	Yes	No
Child participation in government decisions	Yes	No
Child impact assessments	Yes	No
Monitoring Measures		
Children’s Ombudsman	Yes	No
Regular monitoring of children’s well-being	Yes	No

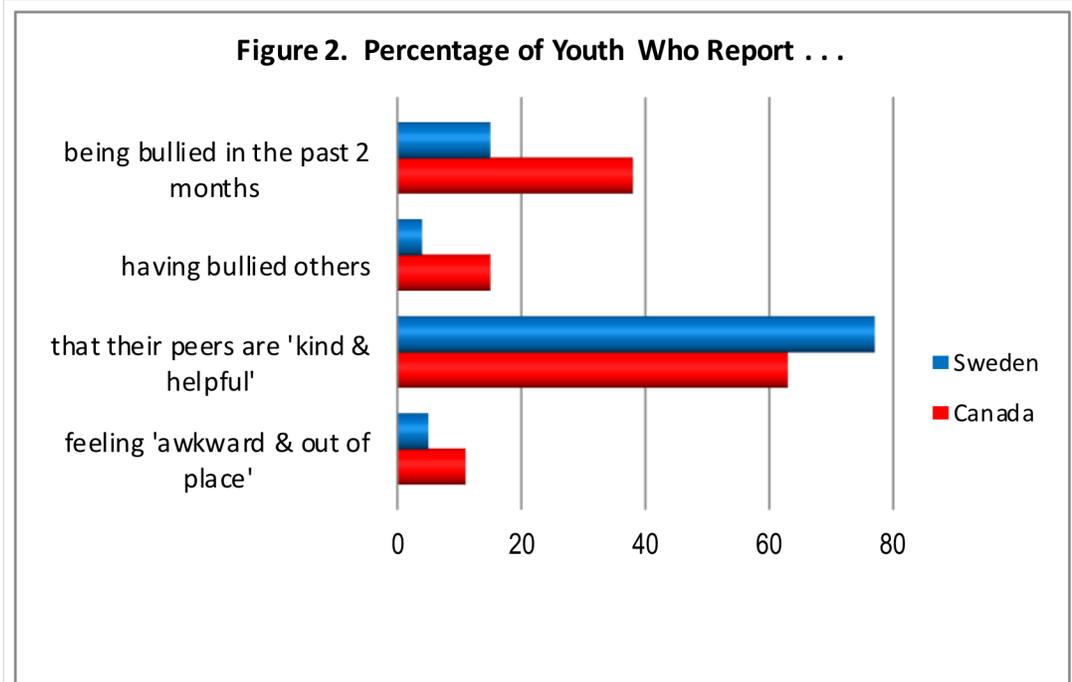
First, we created measures of implementation of CRC articles that relate to the rights of refugee children – Articles 10, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. Table 1. General CRC Implementation in Sweden and Canada Implementation Handbook.¹ Table 2 shows the articles that we focused on and how we

Article	Measure of Implementation among Refugee Children
Right to family reunification	Family Reunification Scale 5 items; Yes/No
Right to health care	Access to Health Care Scale
Right to an adequate standard of living	Standard of Living Scale 5 items; Yes/No
Right to education	Education Scale 5 items; Yes/No
Right to economic security	Economic Security Scale 5 items; Yes/No

Table 2. Measures of Key Articles Used in the Study



For this brief paper, I will report only on peer inclusion, which was one item on the Education Scale. Because data are not disaggregated in Sweden or Canada on this measure, I can report only on peer inclusion among *all* children; I cannot report specifically on children who are refugees. Figure 3 presents comparative data for Sweden and Canada.



Conclusion

Canada has failed to implement the CRC in legislation, and thus failed to make full social inclusion possible for many children. Sweden, on the other hand, has incorporated the CRC into legislation and continues to monitor its effects through the office of the Ombudsman for Children. The impact of Sweden’s efforts is seen in the higher level of social inclusion of children. These findings suggest that the well-being of children reflects the

The complexity of ensuring ALL rights for children on the move

Background: I was struck by a youth quotation from the Ryerson Shaking the Movers Report and I wanted to engage with it from my perspective as a researcher who has primarily worked on child rights issues with populations outside of Canada:

“It is harder to maintain their safety because they are on the move. It is extra work for them than it is for people who have a home and have a nice family. We need to put extra effort into making sure they are safe and healthy.” – Age, 18.

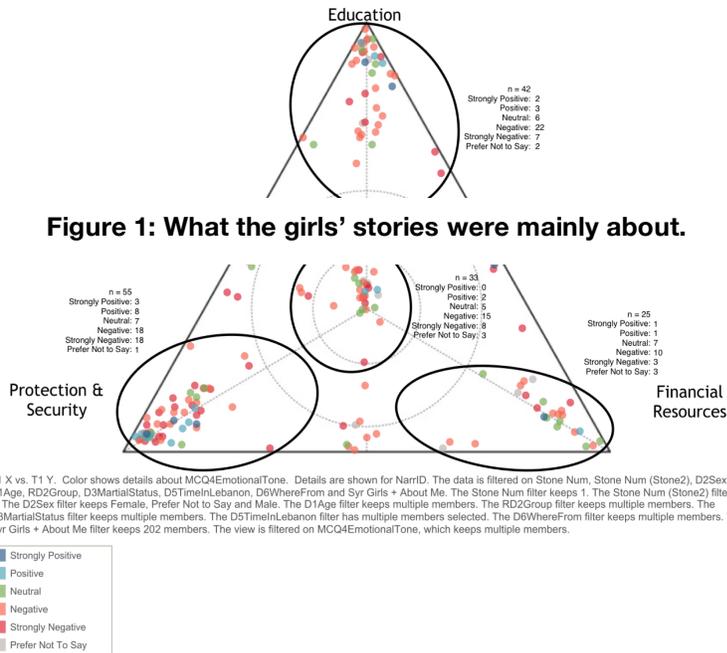
I have considered the relevance of this reflection for the migrant populations I have worked with on the border between Syria and Lebanon. Since 2016, I have had the chance to collaborate on a research project to learn more about Syrian girls' current lived experiences in Lebanon, with a specific focus on examining changing patterns around forced, early and child marriage. The current Syrian crisis has resulted in over 1.2M Syrians being displaced into Lebanon. With increasing regulation in Lebanon, many Syrian migrants do not have the ability to claim refugee status and have little or no access to humanitarian assistance, housing, income or services. We received research funding from the Sexual Violence Research Initiative and the World Bank. Data was collected using an app called SenseMaker® which was developed by Cognitive Edge. All participants were asked to tell a story about what life was like for Syrian girls in Lebanon. The story was audio recorded on an iPad then participants interpreted their own story in response to a series of survey questions. Stories were collected in the greater Beirut area, in the Beqaa valley and in Tripoli over 7 weeks in July and August 2016. We included married and unmarried Syrian girls, Syrian mothers and fathers and married and unmarried men – both Lebanese and Syrian.



Working with Syrian girls to understand their lived experience since being displaced to Lebanon.

Results: 1422 stories and survey responses from 1346 unique participants were collected. Stories can be delineated by time since migration, emotional tone of the story, age, sex and marital status of the story teller, the location in Lebanon where the

The shared story mostly relates to...
- Colour coded by emotional tone



story was told, place of origin in Syria, religion, and what the respondents relationship was to the girl in the story. The majority of stories were negative or very negative. The highest proportion of very negative stories were found at 3-5 years since migration. 202 girls offered stories about their own experience. In figure 1 we can see what these stories were mainly about and the emotional tone of the story. Girls spoke most often about lack of security and education.

Discussion: The quote from the Ryerson Shaking the Movers report hit home for me because it was certainly true that these children were at increased risk for living in unsafe environments. They talked about being victims of sexual and gender-based violence, of not having freedom to move about their own communities, and the fear of attack they had while living in informal tented settlements. However, our research came to discover that one approach to protecting the girls from these kinds of dangers was to marry her at an early age[1]. Parents discussed the difficult decisions they had to make between two often negative options- early marriage or the real physical insecurity of an adolescent girl in this context. In many instances, parents felt early marriage was a better- and more safe- option. Unfortunately, in many cases, these early marriages became unions full of additional uncertainty, sexual exploitation, early pregnancy, intimate partner violence, lack of participation and lack of freedom for the girl. The complexity of the child rights issues here are very evident.

Migrant Syrian parents had to make very difficult decisions for their daughters weighing one set of rights against others. *How do we ensure we appreciate this complex reality when considering child rights issues? How do we tackle the complexity of ensuring ALL rights for children in light of these kinds of real challenges and potentially necessary trade-offs?*

Christian Whalen
New Brunswick Child and Youth Advocate Office

Children on the Move and Protection Rights: interdependence and intersectionality

I'm very pleased to have the opportunity to share a few words in this opening panel of the 2018 Child Rights Academic Network (CRAN) and, just as my colleagues, I want to begin by thanking our host Landon Pearson and the Muttart Foundation for their good work in convening this forum and supporting the child participation work of Shaking the Movers that informs it. Landon's reference to her American forbearers fighting on opposite sides of the American Civil War reminds me of a favourite childhood memory of my own. As a British, Irish and Acadian descendant, I was very amused as a five year old on a family trip to Fort Beausejour on the Nova Scotia and New Brunswick border, and the site of the French Ancien Regime's famous last stand in Acadie, to hear my father explain: "This is where your grandparents stood and threw rocks at each other!"

Fort Beauséjour is now a historic monument and houses a permanent exhibit to the deportation of the Acadians, a dark chapter in Canadian migration stories. My maternal grandfather's paternal great-great- great-grandfather was Jean-Baptiste Thériot, born near 1728 at Cobequid, now Truro, Nova Scotia. He was the eldest of ten children and himself a fifth generation Acadian, being the great-great grandson of Jehan Theriot and Perrine Rau the original settlers who came in 1635. The deportation of Acadians began in 1755, but as early as 1750 the unrest in the colony was such that Acadian families from all across what is today mainland Nova Scotia took refuge where they could. Jean-Baptiste's father fled with some family members to l'Ile Saint-Jean (now Prince Edward Island). Jean-Baptiste and his brother Joseph found it better to seek refuge in the Baie Mordienne near Louisbourg on l'Ile Royale (now Cape Breton).

The Deportation policy continued in force for many years from 1755 well into the 1760s. Acadians were rounded up from wherever they were found, boarded on to ships for the American colonies, for England, France

or to the Caribbean. Many deportees died at sea, including three of Jean-Baptiste's siblings, his sister Anne and brother Anselme died at sea in 1758 on route to New England. Their youngest brother Brisset died the same year upon disembarkation in Saint-Servan, France. Jean-Baptiste was arrested with all the Acadians captured following the fall of Louisbourg in September 1758 and imprisoned in Halifax before deportation to Massachusetts. In Massachusetts a law of 1755 placed Acadian deportees under the administration of the justice of the peace and those responsible for paupers. They had no mobility rights and could be arrested if they were absent from their designated community for more than six days. They lived meagerly from public charity. In Roxberry, Massachusetts Jean-Baptiste was married in the presence of an Acadian patriarch to Marie Syre on November 27, 1760. Three years later when the Paris Peace treaty finally ceded virtually all French territories in North America to the British, Jean-Baptiste, Marie and their son Louis were among the first Acadian deportees to seek to resettle in St-Pierre and Miquelon, the sole remaining speck of French soil on the continent.

Upon his arrival his first priority is to have his marriage and his son's baptism authenticated by the local priest, October 23, 1763. Within a few years the small colony is overrun with Acadian deportees and the local authorities organize a forced repatriation of Acadian families towards France. Jean-Baptiste, Marie and their four children, including six month old Victoire are boarded on to the Créole and shipped back to Saint-Servan. There they are given a very hostile welcome by the French and retreat back to Miquelon

in a difficult winter crossing, arriving on March 14, 1768. Ten years later a second forced repatriation towards France is ordered in 1778. Jean-Baptiste and his family (now five children) are deported to LaRochele and live off the King's good graces there until a further return to Miquelon can be organized. The 1785 census shows that Jean-Baptiste and his wife Marie live in Miquelon with their seven children. Marie died in Miquelon in March 1787, Jean-Baptiste died in 1792. In 1793 five of his children including the oldest Louis leave Miquelon to make a fresh start in the Magdalen Islands.

Both of my mother's parents arrived in New Brunswick from the Magdalen Islands, with their sheep, cattle and worldly possessions in the late 1800s to settle the most easterly shore of the Miramichi Bay.

I share this family history as a reminder how all of us, and children in particular, may interiorize or mythologize conflict and migration stories. We all have some lovely ones if we want to dig deep enough. Acadian, Irish, Italian, Lebanese, Jewish families all celebrate these stories. Taken to extremes they can reinforce a complex of collective martyrdom: "We have suffered greatly". Every new pogrom is always the greatest, the most calamitous, the most unimaginable. How we share these stories with our children, can plant seeds of enmity or seeds of resilience. This is why I admire my father's approach of acknowledging a troubled past with reassurance that things are better now. In proper perspective understanding our own narratives can reinforce our sense of solidarity with all kinds of peoples forced into some kind of global displacement today.

This may be an apt starting point for my comments on the several Shaking the Movers reports of Canadian children this year on the theme of Children on the Move. From the outset I want to take a moment to celebrate the number and range of reports submitted by children this year. From Judy Finlay's masterful recap of CRAN's first ten years to today we can see important growth. From an initial gathering event in Ottawa which later moved to Toronto we now have chapters planning multiple events in Ottawa, Toronto, Vancouver, Montreal and Fredericton reaching out to anglophone and francophone, First Nations and newcomer youth communities. Many more children are becoming engaged and they are challenging the field as movers themselves and extending their opportunities for influence and for having their views considered. Finally the participants have all demonstrated the great thirst Canadian children have to learn more about their fundamental rights as children and for more Shaking the Mover events.

While I share the views expressed that closed categories of Participation, Provision and Protection rights may seem reductionist and will not always serve child rights enforcement well, I confess, that I talk regularly about the three "P"s. Every well-known theory needs a law of threes. It's a mnemonic device that has proven its worth. Teaching children or adults

about child rights is made easier or approachable when the task can be approached in such broad strokes.

At the same time, before the three “P”s of child rights, like all human rights there were the three “I”s: for rights that are inherent, inalienable and interdependent. Children’s rights are not established by statute, they are proclaimed as a birthright; they cannot be traded or given up or bartered away; and they cannot exist in the absence of all other rights. My purpose this morning, beyond categorization as protection or provision rights, is to question how the rights of refugee children under Article 22 of the

UN Convention on the Right of the Child are inherently linked with other rights under the Convention. Reflecting on the Children’s reports, I question how interdependent the rights of refugee children are in relation to the right to a family, their right to linguistic minority expression, their right to international cooperation and their right to equality. Finally, I reflect on how the children’s reports this year reinforce the importance of the fourth “I” of children’s rights: where “I” is for “intersectionality”.

Separation from family is very stressful

The BC Shaking the Movers report from Williams Lake focused upon the internal displacement of children as a result of the forest fires last year. While Article 22 does not apply in this context many other rights of children are challenged and come into play in situations of internal displacement such as this. The children related how “it was really stressful especially until our family could be brought back together”. The Montreal report focused on the lived experience of recent Syrian immigrant children and they also talked about the strain of separation or loss of parents and siblings and the toll it takes on the whole family. One of the Ottawa reports emphasized the risk of parentification that immigrant children face when they are called upon to be interpreters, or to navigate system supports because of their superior language skills to their parents. The Shaking the Mover Report are a reminder to Canadian authorities that whenever we intervene with children on the move we need to be aware of the individual and family disruption that immigrant children have and are experiencing in order to intervene effectively. The child’s best interests will often require that effective measures be taken to

address needs to secure family attachment, before other basic needs can be addressed.

This is why the Convention in Article 22 places the highest obligation on State Parties to cooperate in efforts of family reunification and helping separated and unaccompanied children trace their parents and families as quickly as possible.

Language barriers are a huge hurdle

The Shaking the Movers Reports this year also testified to Canada's linguistic diversity and to the linguistic challenges that migrant children face upon arrival in Canada. They report having no supports in school to navigate the language barrier, being ridiculed by their peers and even by teachers and professionals because of their lack of language skills, of not being able to access urban transit because of language barriers. At the same time children acclimatize more rapidly than their parents often and note that they are also the first breadwinners in their families because of their language skills. This creates other risks for migrant children and may deprive them of other opportunities in childhood.

While the Convention protects the right of linguistic minorities and while Canada has very developed constitutional and statutory rights regimes to protect official language minorities, there is little guidance on what accommodations need to be made and offered to help immigrant children and their families adapt to their new linguistic environments. Article 22 protects the rights of immigrant children, whether accompanied by their parents or not, to "appropriate protection and humanitarian assistance". The Committee on the Rights of the Child has made it clear this includes the right to appropriate education, health and welfare services, that children should be mainstreamed in regular school services, but also

receive where necessary therapy for their inevitably traumatic experiences.(Concluding Observations to Norway CRC/C/15/Add 263, para.42). UNICEF's 2016 Agenda for Action on Children, Migration and Displacement includes as item 3 of its six-point agenda a call to "keep all refugee and migrant children learning and give them access to health and other quality services", and yet because in so many refugee situations return to the country of origin will be the most desirable outcome the UN Guidelines on Protection and Care of Refugee Children themselves insist

most often upon instruction in the native language of refugees and on efforts to maintain their language of origin rather than on efforts to acclimatize or to integrate into the country of transit or the country of destination.

Most refugee children in Canada however do not plan on returning home. They seek rather to make a new home. Canada's refugee settlement policy has to look to the child's best interests and Canadian children in this year's Shaking the Movers reports have overwhelmingly found our language integration efforts to be lacking. French and English language instruction is available to immigrant families upon arrival, but that is of cold comfort before the learning has occurred and in the first steps into a new community. Child Rights Based approaches insist on approaches that are respectful of the child's human dignity and may require public transit service providers and public schools to invest in appropriate signage or interpretation services to help newcomers better navigate their new communities. Interpretation services need to be made more broadly available and greater sensitivity to the language barriers and learning challenges faced by newcomers, including surmounting traumatic trajectories of transit, have to be capacitated across all essential public services.

Supporting family here and back home

Many references in the Ottawa, Montreal and East Coast STM reports emphasized the extent to which recently arrived immigrant children are isolated and torn between their countries of origin and their country of adoption. They are often drawn back into the trauma of the violence they have fled by news from grandparents, uncles, siblings or other relatives in their country of origin; they are struggling to make a new life here while supporting relatives "back home"; they're anticipation about their first day of school is crushed by peers who taunt them, or teachers who are rude; they want to fit in but not knowing the language makes it impossible to make friends; they finally feel safe, but not always.

The voices of Canadian children, particularly refugee and newcomer children in these reports is an important reminder to policy-makers and decision-makers of Canada's obligation to engage with the word. The thirst for justice in this year's Shaking the Movers' Reports cannot be

addressed only through matters of domestic policy. Canadian children want to see their government be a force for good in the world. While it may not be able to resolve the many situations of trauma and violence which refugee children are fleeing it needs to engage meaningfully within its means in multilateral efforts to address the root problems of international displacement of children.

Addressing racism and xenophobia

The STM reports were also nearly unanimous in their recommendation to increase measures to address racism and xenophobia. Many children commented on how Canadians like to trumpet their immigration and refugee policy as proof of our hospitality, but they point out that the welcome is not always so warm. They commented also that the point system in immigration matters is unfair; that people fleeing persecution should not be graded or pitted one against another. They want the racial bullying in schools to stop; they want access to health and mental health supports from people who can speak their language or relate to their experience of trauma in appropriate and culturally sensitive ways.

UNICEF's Action Plan also calls upon world leaders to "promote measures to combat xenophobia, discrimination and marginalization in countries of transit or destination". Non-discrimination is a basic principle under the UNCRC and a common principle in all the human rights instruments which make up the UN Bill of Rights. Canadians take equality rights very seriously, we consider it a hallmark of our Constitution and our value system and yet the battle to combat xenophobia, racial bullying, hate crimes seems to be growing more intense in Canada. Racially motivated violence stirs up passions in Canada and new xenophobic movements, such as "la Meute" in Quebec are emboldened and are seeking to change the political discourse. Newcomer children their peers are sensing this as well and are calling upon the movers in Canada to remain vigilant.

A final observation is that even though the several reports come from very varied perspectives and methodologies, for instance the experience of Syrian children displaced internationally by war, versus the experience British Columbian children fleeing forest fires within their own province, their experiences of flight and their hopes of us in terms of lessons

learned are surprisingly similar. They want us to respect culture, while addressing the barriers of language, they want to strengthen attachment to community and to family and are grateful for the opportunity to be safe within the context of family, wherever they find themselves.

The reports help illustrate that while the rights of refugee children may be classified as protection rights or provision rights, they are clearly interdependent on the child's right not to be separated from their parents, their right to be treated equally and without discrimination and their rights to special measures of protection as children of minority ethnic, indigenous, religious or linguistic groups. This interdependence of rights calls forward as well a need for vigilance in dealing with these vulnerable children to the intersectionality of their child rights experience. In developing policy and program supports for newcomer children and their families we need to be vigilant that as newcomers they may be racially minoritized in their new country of destination, they may be persecuted as members of religious minorities, their linguistic competencies may place them at great disadvantage, their refugee experiences may not immediately show the trauma they have endured, the particular trauma endured by women or girls or by sexual orientation minorities might further complicate their social inclusion in Canada and their path to wellbeing. Finally the age of these children cuts across all these and still other intersections of possible prejudice to further mask and complicate the lived experience of refugee children upon arrival in Canada. Being alert to all of these layers of discrimination is never easy, but finding the right approach and time to allow a child to disclose what they need to disclose in order to find acceptance and wellness is a difficult and enduring task. As we welcome refugee children in Canada let's always remember to listen very carefully and be prepared to listen again and again.

PANEL 2: PROVISION RIGHTS

Dr. Sue Bennett
CHEO
University of Ottawa

Presentation displayed in Power Point format

CRAN Annual Meeting

February 2-3, 2018

Provision Rights: Children on the Move

Sue Bennett

Social Pediatrics and Child Health

- Model of integrated social medicine developed by Dr. Gilles Julien
- Targets child's holistic needs and focuses on the strengths of child, extended family and community.
- Identifies child's human rights that are not respected
- Brings together expertise from the medical, legal and social science fields in order to detect, reduce or eliminate sources of toxic stress or risk factors that affect development and well-being of children from disadvantaged backgrounds
- Service, Education, Research, Advocacy



<https://youtu.be/MI7M0uvRLUg>

Vanier Social Pediatric Hub

Hub is located at the
« **Centre Francophone de Vanier** »
(270 Marier Ave)



Hub provides health & social care

- Welcoming
- Accessible
- Culturally safe & multi-lingual
- Trauma informed
- Comprehensive
- Coordinated
- Integrated
- Holistic
- Strength based
- Rights based

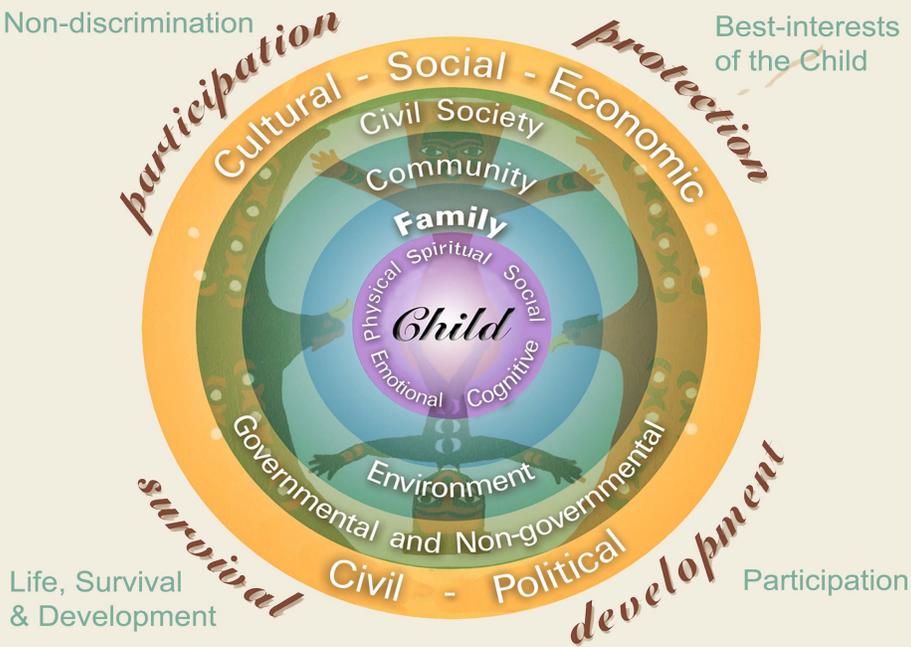
Catchment & referrals:

- ❖ Children/Youth (0-17 yrs) living or going to a school located in Vanier (K1L).
- ❖ Families can be referred (referral & consent form) or can self-refer by calling us!



Non-discrimination

Best-interests of the Child



Life, Survival & Development

Participation

Budapest Declaration
On the Rights, Health and Well-being of Children and
Youth on the Move
International Society for Social Pediatrics and Child
Health (ISSOP)
Budapest, October 2017

We, pediatricians and child health professionals gathered at the 2017 Annual Conference of the International Society of Social Pediatrics and Child Health (ISSOP), focused on *Children and Youth on the Move*, in Budapest, Hungary:

Resolve to participate and play a leadership role in advancing the rights, health and well-being of children and youth on the move, from birth through age 25, locally and globally, as follows:

Children & Youth On The Move
ISSOP Budapest Declaration 2017

- CRC entitles all children without discrimination (Art. 2) to optimal survival and development (Art. 6), to a voice and the right to participate in decisions that affect them (Art.12) and to optimal health and health care (Art. 24)
- Particular physical and mental health risks and needs
- Requires skills in cultural and linguistic competency and providing trauma informed care across cultural and language barriers
- Leadership role to play in fulfilling the rights to optimal health and health care
- Comprehensive “Child Health Action Plan” in clinical care, systems and policy
- Need to employ evidence-based policies, protocols and practices for program development, implementation and evaluation

She's counting on you

Featured Content

www.kidsnewtocanada.ca
www.enfantsneocanadiens.ca

About this Site

Caring for Kids New to Canada helps health professionals provide quality care to immigrant and refugee children, youth and families. It was developed by the Canadian Paediatric Society with experts in newcomer health. Learn more about [Caring for Kids New to Canada](#), the people behind the site, and how it was developed.

Getting Started

If you're new to this site, or to caring for immigrant and refugee children, get started with the [essentials for providing health care to children and youth new to Canada](#). Or consult our [sitemap](#) for an overview of this website.

needs of immigrant and refugee families.

Safe and healthy travel

Many immigrant families travel from Canada back to their home countries to visit friends and relatives. Learn how to [keep your patients safe and healthy while travelling abroad](#).

North American Refugee Health Conference

Several editors from Caring for Kids New to Canada will be presenting at this Toronto gathering June 6-8, 2013. This is the premier venue for clinicians working with refugee patients.



Read about how you can provide culturally competent care.



Find resources for immigrant and refugee families in your community.



Navigating the system: A primer on health insurance for newcomers.



Is your patient adapting well to life in Canada? Here's how to find out.



Caring for Canada's Children

The Canadian Mothercraft Society is happy to report that Year 2 of our online professional development course for settlement workers - **Caring for Canada's Children** - was a great success and has now been completed.

Informative online lectures by leading academics and researchers were delivered to professionals working with newcomer families, focusing on issues for families with infants and young children under six years of age.

NEW: Year 2 webcasts of Caring for Canada's Children are now available for viewing!

All of the lectures from Year 1 and Year 2 are now archived and available for viewing by clicking on [Presentation Archive / Archive de presentations](#) in the left-side menu.

Year 2 presentations built on material presented in Year 1, and provided a more intensive exploration of some of the key issues surrounding immigration and settlement for families with children under the age of six years.

Participants who have successfully completed the course will receive a Certificate of Completion from Mothercraft College in the upcoming weeks.

Please refer to our [Resources](#) page for helpful links to websites, pamphlets, books and downloadable versions of the Power Point presentations.

NEW: Presentation Archives in French!

Year 1 and Year 2 lectures are also available in French and can be accessed by clicking on [Presentation Archive / Archive de presentations](#) in the left-side menu.



Lucy Vorobej
PhD Candidate
University of Waterloo

CRAN 2018: *Children on the Move*

When I first started to think about what I would write for the CRAN meeting, I confess to a bit of “imposter syndrome.” My research does not focus specifically on children, I do not work with young people on a daily basis, and while I have a deep commitment to advocating for children’s rights, as a Ph.D. student in history I was concerned about what I could bring to a table of experts.

My confidence came from the voices of young people. In reading the STM reports, I found that young people expressed similar concerns to my own. In particular, young people thoughtfully critiqued the education system for the limited scope of its content, especially in history classrooms. One young person argued, for example, “they have not

taught us anything about first nations. All they keep taking about is World War II and not much about Indigenous people and their struggles.” These young people also insightfully articulated the implications of silence: “Why aren’t we learning about this” one young person wrote,” We are teaching our kids to be racist.”

So, to those young people, I want to thank them for reminding me that ignorance is injustice and I want to tell them a bit about how at least this adult is trying to learn more. Who understands that history matters and who also hopes to call others to engage in similar types of inquiry. To show them how their voices continue to inspire me.

The Rights of First Nations Children

A key focus of my research is about the rights of Indigenous peoples in Canada. To remind Canadians of an important reality: it is not just that children have rights, but that *all* children have rights. While this is an idea that seems obvious in principal, if we remember that the Human Rights’ Tribunal (repeatedly) found that the Canadian government discriminating against over 165,000 First Nations children, it is a problem that our society can, at times, have difficulty with. One reason this challenge exists, as young people rightly identified, is that we are not thinking enough about the past.

In my work as a historian, I use a method known as “Critical Race Theory,” a framework that traditionally considers contemporary issues and asks, “how does racialization contribute to the problem at hand?” For myself, as a historian, I employ this question to understand past actions. As an example, let me tell you about when I learned about Jordan River Anderson and my research that followed.

Jordan was a young boy of Norway House Cree Nation in Manitoba who suffered from complex medical problems. As a young Indigenous child in Canada, Jordan suffered because of the provincial and federal jurisdictional quarrelling over whose responsibility it was to pay for Jordan’s at-home care (neither expressed much interest in doing so). This quarrelling meant that Jordan spent more than two years unnecessarily in hospital and died at the age of five, having never spent a day in his family home. Jordan’s experience, the principle of care now championed

in his name, along with continued violations of it, prompted me to ask questions about how we got here.

My research revealed that such a division and the suffering it caused, was an artefact of a colonial system predicated on racialization and discrimination, in which some people are viewed as citizens and some viewed as Indigenous wards.

In my analysis of medical discourse across the 20th century, I have been able to discuss the difference in medical discourse between the indigent citizen and the Indigenous ward to reveal how the concept of duty to the sick patient could be circumscribed when connected with racialized divisions in wider society. Whereas the indigent *citizen* was included in community conceptions of belonging and duty for both the nation and physicians, Indigenous peoples, as government *wards*, were not extended the sense of camaraderie called for in Benedict Anderson's notion of 'imagined community.' Instead, this population was offered an identity of dependence and therefore viewed as a burden. The articles I reviewed in the *Canadian Medical Association Journal* demonstrate that as the medical profession articulated their duty as physicians to heal the sick, this racialized division informed conclusions about who was worthy of care and why. Citizens were to be paid for, wards were to be pushed away. Jordan's experience, and the experience of many other, shows the legacy of this thought pattern in contemporary life.

Clearly history matters. And it matters particularly to populations like Indigenous youth who find themselves suffering from a history of colonization.

The first two lines of the Preface to the 2015 Truth and Reconciliation Final Report read: "Canada's residential school system for Aboriginal children was an education system in name only for much of its existence. These residential schools were created for the purpose of separating Aboriginal children from their families, in order to minimize and weaken family ties and cultural linkages and to indoctrinate children into a new culture – the culture of the legally dominant Euro-Christian Canadian society, led by Canada's first prime minister, Sir John A. Macdonald." Numerous studies speak to the physical, mental, emotional, and spiritual suffering that stems from cultural dislocation.

So, as scholars, educators, advocates for children, we have some questions to ask about the movement of Indigenous youth within a colonial society.

Why have Indigenous children been removed from their communities? Are there power imbalances that need to be redressed? What can we learn about past action?

Why do Indigenous children in the child welfare system receive less money than other children? How has racialization placed an added burden on Indigenous children?

How have Indigenous children suffered in being removed from their community and culture?

Are we extending our empathy enough? Do we understand why and how land has such an important place in Indigenous worldviews that it is inappropriate to tell communities to “just move south”

And importantly, “what can we do to change?” What supports can be put in place that reflect a real commitment to reconciliation?

Young people have already recognized the implications of our silence for their lives and the lives of their fellow students. “I think in school the stigma you get...will interfere with learning.” Said one 14 year old)

How can we empower Canada’s young population through meaningful historical education? How to we ensure young people’s right to an education is taken seriously through the content we teach them?

Dr. Ziba Vaghri
University of Victoria

Children on the Move Putting education at the center of humanitarian responses

During the 2017 “Shaking the Movers,” the immigrant and refugee children expressed that the Canadian education system is somewhat insensitive to their different and difficult home situations and expects from them what is expected from all other children with little understanding of their home situations and level of responsibilities. The children (some arriving here after going through horrendous experiences fit for movie scripts) are often forced to grow up quickly and become caregivers for their siblings and/or breadwinners for their families. Such responsibilities leave them with little time to do schoolwork. Adding to the problem are language barriers and unfamiliarity with technology, typing and other commonly used educational tools in the host country. Children articulated:

“There is a lot of pressure on you to perform to the new education system. Like using a computer, if you are coming from a country that is not as developed as Canada, then it would be really hard for you... a lot of pressure to adapt” – Age 15.

“Some people don’t know how to type, so they will be made fun of. I do not like typing. I write better, but I can afford a computer. People coming here cannot always afford a computer”– Age 13.

“If you can get a job, it is a minimum wage job, or you may have had high education, but here you cannot use it because Canada does not recognize your education. So again, you can only get a minimum wage job – Age 13.

Today an increasingly large portion of the world is migratory: UNICEF reports that 50 million children are on the move¹. While some have left home due to conflict, some have done so in search of a better life in a new home. In either case the new home must deliver what brought these children to them, be it the protection of their life or the promise of a better life. Many of the children coming from conflict regions of the world, in addition to experiencing unimaginable violence and cruelties such as losing their loved ones, hunger, abuse, and loss of their homes and friends, have also had interruptions in their education. This places them in a disadvantaged position when their education is resumed. Proper attention to and accommodation of these issues are required in order to achieve desirable outcomes from their education.

The education systems of host countries need to be responsive to the special circumstances of these children while remaining firm on achieving educational objectives. Additional help through the school system (e.g. via peer-to-peer assistance with school work) while assuring safe and non-judgmental qualities of the interactions, should be given careful consideration by the school systems. Additionally, community members and authorities should be made aware of the needs of these children and their families. Last but not least, communication between the educational evaluation systems and immigration is necessary to assist the newly arrived parents in the daunting task of finding a job. Often, highly trained professionals with qualifications that are considered substandard in their new homes live the life of unemployed or partially employed parents who depend heavily on the income of their young children who have a better mastery of the local language. This adds to the stress level of children and the degree of stretch on their time.

¹UNICEF: <https://www.unicef.org/emergencies/childrenonthemove/>

There is enough clarity in the international protocols and standards on the obligations of the host governments. Article 27 of the Convention on the Rights of the Child (CRC) places the primary responsibility on parents to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development, and then authoritatively declares: “**...states Parties shall take appropriate measures to assist parents** and others responsible for the child to implement this right and shall in case of need provide material assistance and support programs”². Article 22 of the CRC states: “host countries have a moral and legal obligation to ensure children their right to an education”. One effective way to promote the fulfillment of the right to education for newly arrived children is to reduce the burden of their financial responsibility for their families.

In 2016, as the world’s population on the move was on the rise, world leaders set up the World’s Humanitarian Summit and gathered in Istanbul to discuss the burning issues of humanity and come up with actions that will bring an “end to the suffering of millions of women, men and children displaced by armed conflicts and disasters”³. Core Commitment #2 coming out of this summit was to promote and support safe, dignified and durable solutions for displaced persons and refugees. One of the commitments made was that education must be put at the center of the humanitarian responses.

Putting education at the heart of the humanitarian responses will strengthen the effectiveness of these responses. It will also reduce the vulnerability of children, as these children are often at a higher risk for abuse, misconduct and exploitation. Last but not least it will attenuate the risk to their development by ensuring that the disruption to their education is as small as possible. During the last few years, as the world watched the loss of human capital in Syria through many avenues that were at work simultaneously, the World Bank reports⁴ that the biggest loss of human capital in Syria happened as a result of education loss, which has been estimated at \$11 billion USD. This loss equates to about 18% of Syria’s GDP!

Governments of the host countries, particularly developed countries, have the moral and ethical responsibility to understand the culture and needs of the cohort of refugee and immigrant children that they are opening their doors to. These governments need to inform their citizens on the culture of these new citizens through

² Office of high Commissioner of Human Rights. Retrieved February 2018 @

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

³ same as above ⁴ World Bank report:

<http://www.worldbank.org/en/country/syria/overview>

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media and other public awareness raising programs in order to create an environment that will allow these children to heal and recuperate from the horrendous experiences that they ran from to take refuge to this new home. Their new home should facilitate their recovery and not deteriorate their mental status and spirit any further. This is not only a moral obligation upon the host governments, but a legal one, brought upon the host countries under the CRC, as article 39 of the CRC clearly and firmly obligates governments to “take all appropriate measures to promote physical and psychological recovery. This recovery and reintegration shall take place in an environment which fosters the health, self-respect, and dignity of the child”⁵.

⁵ Office of high Commissioner of Human Rights. Retrieved February 2018 @

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

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RESPONSE TO SHAKING THE MOVERS XI:

Children on the Move

Theme: Provision and the Role of the Child Welfare System

Introduction

In commenting on the Shaking the Mover's reports (five of them this year), I have chosen to focus on the general theme of provision as this relates to children on the move, and the role of the child welfare system in this regard. As Landon Pearson notes in the Preface to the Toronto report (STM XI, p. 2), children can be on the move within Canada and this includes children in the child welfare system. As further elaborated under the 'topic' of focus, it can include "children in foster-care who too often move from one home and family to another" (Ibid., p. 6). It also needs to be noted that the child welfare system may provide services and care to children on the move across borders as well; refugee and, in particular, unaccompanied children can require the supports of this system. This is brought home, – and not in a positive way – by the experience of one of the presenters, as relayed by a 15 year old youth (in the same report): "As the guest speaker was saying, his foster parent told him he needed to work to pay off the debt. So, he worked so he could pay the money. He did that because he did not know his rights" (Ibid., p. 23).

In short, the quality (or not) of the child welfare system is significant for children and youth on the move within Canada, and also for those who have moved across borders into Canada. The child welfare system should provide for the rights of some of the most marginalized children in our society: victims of abuse and neglect generally; Indigenous children who are significantly over-represented in

systems of care; and potentially refugee and unaccompanied children/youth who require services and supports. All five of the STM reports represent well the youths' sentiments and recommendations around: fostering an awareness of children's rights through education broadly conceived; the need for inclusive practices and supportive services where participation rights are respected; and the desire for advocacy support from adults and others in the lives of children – recognizing in particular and in this context the rights of marginalized children on the move.

The Child Welfare System: Significant Challenges

Unfortunately, the child welfare system has been 'in crisis' for decades; put simply, it is a broken system. The challenges are immense, and the way forward is complicated. To pretend, at present, that this system can provide the support and services required to meet the needs and uphold the rights of some of the most marginalized children in our society, – abused, neglected children, Indigenous children, and refugee and unaccompanied children who have experienced extreme loss – would be naïve to say the least. While this is not the place to chronicle all of the shortcomings of a system in dire need of extensive reform, perhaps we can key in on some of the more pressing challenges in terms of meeting the needs and fulfilling the rights of these marginalized children. In what follows, four related areas are highlighted: the lack of a governing philosophy or theoretical framework; an inadequate system of care and caregiving; a lack of advocacy supports; and an unsupportive cultural context.

Child welfare lacks an overarching governing philosophy or theoretical framework. While a children's rights framework could provide a foundational basis for the child welfare enterprise, to date the field has not sufficiently incorporated such a framework to guide policy and practice. Historically, with regards to the prospect of intervention in the lives of children and families, the pendulum of child welfare has swung back and forth from a family-centred to a child-centred approach, but always within the narrow cultural confines of the Anglo-American paradigm of child welfare practice. This paradigm can be characterized as largely reactive and lacking a substantial focus on prevention – characteristic, for example, of the Nordic countries. From the 1980's through to the mid 1990's, a family preservation approach (family-centred) dominated, but with inadequate support provided to families; children sometimes were left in situations of risk and at times this cost children their lives. Child mortality inquests, media attention, and the addition of 'neglect' to some child welfare legislation (Ontario, for example) resulted in the adoption of a child-centred approach in the mid to late 1990's. More recent legislative, policy, and practice reforms have incorporated the concepts of differential response – allowing for more flexibility in terms of intervention options – and kinship care. Potential placement with 'kin' (extended family or significant others) has become a central priority. These more recent reforms represent to some degree a shift back to a family-centred approach.

Child welfare needs to be governed by a philosophical framework and a strong consensus around the best interests of children. The UN Convention on the Rights of the Child (CRC) provides philosophical guidance in terms of addressing the

pendulum tendency of child welfare in relation to intervention. There are no 'easy answers' in child welfare, since the issues are complex. But the CRC certainly emphasizes proactive, preventative supports for children and families at the societal level (Article 27, for example). Ultimately, the CRC supports the development of a 'family service' paradigm of practice; the Nordic countries provide the best examples in this regard: proactive prevention; a strong social policy commitment to children and families (universal daycare etc.); and a commitment to the CRC and children's rights. To date, Canada has not opted for a family service paradigm. Many other CRC principles and articles are relevant to child welfare and the theoretical framework that should be governing the field. But despite some headway in certain areas, – participation rights, for example (present in some form in child welfare legislation across the country) – the CRC has not been directly incorporated into domestic child welfare law. The field continues to lack the guidance that a children's rights framework could provide. This is a major challenge and obstacle in terms of fulfilling the rights of marginalized children – including for children on the move.

Child welfare also is characterized by a system of care and caregiving that is insufficient (on many levels) and has been in crisis for decades. A primary focus of child welfare reform should be the quality of the foster care system, and the competency level of caregivers. There is a shortage of foster homes in many jurisdictions, calling into question the basic right of children to have alternative care (Article 20), let alone care that is best suited to their needs. In the worst-case scenarios, children have been placed in motel rooms under worker supervision. The practice has been relatively widespread, having occurred in many child welfare

jurisdictions across the country (Waldock, 2007). The problems with the foster care system are systemic, – related to structural changes within the family and society, lack of recognition for the role, and reliance on an outdated volunteeristic model – and to date there has been no substantial reform effort to address the crisis in foster care. Efforts have consisted of providing band-aid solutions. In this regard, it continues to be inconceivable that existing systems of care could fulfill the obligation to meet the developmental and recovery needs of children in care (Article 39). It bears keeping in mind that for marginalized children (children on the move), these needs would be pronounced.

Children on the move also would require extensive advocacy support. Unfortunately, child welfare is characterized by a lack of advocacy (embedded advocacy) and supports for marginalized children. Children and youth in these situations need every available support, including caregivers with the skills to meet their needs, and the ability to advocate on their behalf. Children in care need advocacy that is ‘embedded’ in their day-to-day lives. Caregivers with strong advocacy skills and the ability to navigate complex systems – child welfare, education, and perhaps legal – are required in a society and culture that discriminates against marginalized populations (Waldock, 2007). While there has been positive advocacy by individual child advocates at the provincial level (there is no national-level child advocate), it has been a real challenge to provide the kind of day-to-day advocacy that many of these children desperately need.

The child welfare system also is hampered by challenges at the cultural level. Systems are situated within cultures, and require supportive environments if they

are to fulfill their mandates. In dominantly liberal cultures, – at least those with ‘laissez-faire’ leanings, and not particularly ‘welfare liberal’ in orientation – the focus on individual responsibility (blaming individuals, in this case parents) goes hand-in-hand with the lack of a sense of collective responsibility for children. Again, this contrasts with the cultural context of the Nordic countries. While Canada is not as easy to characterize as the U.S. in terms of this ‘laissez-faire’ liberal orientation, – ‘welfare liberalism’ is apparent in some respects – it still resonates within the country to a substantial degree. This lacking sense of collective responsibility becomes the context within which relatively minimal concern exists for child welfare and marginalized children. Indeed, it is sobering to reflect on how the foster care system is viewed (reflected in media, movies etc.), while at the same time contrasting this with what little attention is actually paid to fixing this system. In this regard, compare concerns for areas like health care and education to the child welfare field. There is complacency about this system rooted in the cultural context that is perhaps one of the biggest challenges to be overcome.

Hope For the Future

Ultimately, education broadly conceived as ‘consciousness-raising’ may provide part of the answer for a more progressive future. The STM process itself provides a good indication of what needs to happen on a larger scale. Education about children’s rights, general consciousness-raising, and engagement can summon activism. There are positive signs. For example, youth activism and the exercise of participation rights have been apparent on a number of fronts; for example, supported by child

advocates, youth have successfully lobbied for positive change. In Ontario, for example, youth were instrumental in increasing the eligibility age of a child in need of protection, from 16 to 18. There has also been a growing awareness of and focus on Indigenous children after the Truth and Reconciliation exercise. Given the significant over-representation of Indigenous children in the child welfare system, perhaps this will shine a brighter light on the need to improve policies and practices in this field. In addition, the growing focus on the needs and rights of refugee and immigrant children could have the same effect.

Perhaps the time is ripe for a sense of urgency about systemic reform of the child welfare system in order to meet the needs and fulfill the rights of marginalized children on the move.

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Ron Ensom, MSW, RSWe

Children on the Move: From fairness and charity to rights and responsibilities

I sometimes feel I have little to contribute from personal and professional experience to CRAN discussions related to some articles of the CRC. This was the case, once again, as I pondered what I had to offer regarding the protection, provision and participation rights

of children on the move. But new light can reinterpret old perspectives. I've tried to do that by drawing on my many years of association with Christie Lake Kids (CLK) as I reflected on the provision rights of children on the move.

My career work in child protection has encompassed many dimensions of maltreatment that threaten and harm children, but it has been for the most part on behalf of children who have been in Canada for some time. Similarly, my work in supporting children's participation in learning and enrichment experiences, such as those provided by CLK, has been on behalf of children who have lived in our communities for some time. As I thought about the provision rights of children on the move, it struck me that as they are thrust into the completely unfamiliar territory of their new Canadian communities, though bodily here, they are psychologically still on the move.

Some of you will know that my association with CLK has profoundly shaped my knowledge of children's development; but far more importantly, that the vision of Dan Offord, the trail blazing child psychiatrist who led CLK for 48 years, galvanized the research and voiced the ethical obligations associated with the impact of adversity—poverty in particular—on children's lives and life prospects.

I'll briefly sketch CLK's journey from the notion of fairness to the provision of enriching participation opportunities. Christie Lake Camp was established in 1922 to provide a summer outdoor experience for boys from Ottawa families struggling with poverty. Over the years, we grew the program to provide year-round skill- development and recreational programs in the city for boys and girls. In 1991 (69 years later), CLK began providing summer camping for girls. Over those years and to the present, CLK's mission has remained steadfast: to provide the children of families disadvantaged by poverty with enriching skill-building experiences to improve their life prospects.

A major barrier to children's participation in enrichment experiences is access. Children living in poverty most often don't know about enrichment programs and places. If they do, their parents don't have the means to access them. The same barriers that confront immigrant parents bar their children from participation.

From its first days, CLK understood that poor families can't pay for enrichment opportunities for their children, and that their children can't participate in such opportunities on their own. So we removed both barriers. Families pay no fees for their children to participate in our programs; and we pioneered the now much-replicated practice of "active pursuit"—tenaciously maintaining contact with families and consistently transporting children to programs. And so we do for children who have been on the move and live in the same neighbourhoods as our non-immigrant kids. We are learning that cultural practices—and parental wariness in particular—pose the same barriers to participation as does poverty; and that to provide enrichment experiences to immigrant children, we must actively engage their families. We are developing, for example, all-girl-camper-all-female-staff camping programs for Moslem families.

Seen through an historical lens, CLK's journey started with the uncomfortable recognition by some that life wasn't fair for children born into poverty—that it should be—and that citizens of conscience can make children's life prospects fairer through the provision of enrichment opportunities. The journey has brought us from that simple notion of fairness, through social justice, equality and equity, to the recognition that children have rights. That recognition is foundational to children living their rights. And for children to live their rights all movers—the state, its institutions, and individual citizens—have a duty to enable all children, including those on the move, to live their right to participation in enriching experiences.

I have been asked to help update some CLK policy. For the first time since 1922, it will reference children's rights and the Convention on the Rights of the Child.

PARTICIPATION RIGHTS

Gerison Lansdown
International Child Rights Scholar

Children on the move: Across Borders Participation

The most powerful message I heard from the young people was a sense of loss and a sense of yearning. The children spoke of their loss of home, safety, identity, friendship, education, health, legal status, access to justice – and to a sense of familiarity and security – all vital for children’s mental health and well being. They spoke not just of the ordeal that forced them to leave their home, and the challenges many had faced in order to get to Canada but also, eloquently, of the continued suffering once they had arrived. Perhaps most profoundly, what comes through for many children is the sense that no-one is listening. They become invisible. They become other. They become lesser. They are denied their dignity. They are forced to hide their history, culture, food, and belief systems. And while it was clear that the children strongly appreciated Canada’s acceptance of them into the country, and they yearn to be included and to belong, their testimonies speak to a failure for that to happen. The opportunity to be an accepted part of Canadian society is proving hard for many of them.

One of the observations that struck me most profoundly was: *‘The only way to understand what kids go through is to have been there’*. In other words, unless you listen, and unless you recognise the validity of my experience, you cannot possibly respond appropriately. You have to know what it was like. And only they know. Of course, it is important to listen to all children in every aspect of their lives. No-one can second guess what life is like for any individual child – whether their concerns are about education, bullying, mental health, poverty, homelessness, violence, loneliness. However most of these issues are ones that the majority of us have some conception of. We have lived through something similar, know people who have, witness it in our daily or professional lives. However, leaving one’s country behind, often having lived through violence, imprisonment of family, loss of home and belongings, facing terror, the unknown, fear of capture, being turned back – these are experiences unimaginable without having lived through them.

Clearly it is not possible, nor indeed appropriate, to wipe out their history. But it is possible, by listening to children once they are in Canada, to support them to move forward positively, and to use those experiences to constructive effect.

The STM participants explored many possibilities for improving their lives. And the key messages I took from the consultations with regard to participation rights were that action to introduce the following measures would make a significant difference:

- 1 Create spaces for them to explore and share their histories – individually and collectively. Some children may need individual counseling or therapy to help them recover from trauma. However, others may benefit from opportunities to come together with others to share stories, provide mutual support, offer a sense of solidarity and comfort, learning that they are not alone. This can be done through story telling, drama, music, poetry and art. Many talked of buddying systems. Significant benefit could also be gained in terms of mutual understanding, and the diminishing of barriers, from sharing their stories with wider groups of children, through for example, the human library approach.²

² For information about the concept of a human library, see <http://humanlibrary.org>

2 Provide support for teachers on how to promote integration and acceptance and involve children themselves in designing and delivering training to ensure it reflects their realities and experiences. Teachers need to be sensitive to the sense of isolation and exclusion so many of the young people highlighted. And change can be achieved through very simple acts. One striking comment was: *“In a school setting, it would be really nice to see just smiles, everywhere from everyone. A smile can go a long way no matter what”*. Interestingly, one of the features that children and young people say repeatedly about the Children as Actors Transforming Society (CATS) conference in Switzerland each year, is that it is the only time they ever experience a consistent pattern of adults smiling at them – when they meet in a corridor, come into a room, join an group session.³ A tiny gesture can have a transformative effect on children’s sense of acceptance, visibility and inclusion. It provides affirmation that you matter, that you are visible and that you are recognized.

3 Establish advisory groups of young refugees/asylum seekers to inform government on what is needed, what is and is not working, challenges they are facing. These groups could meet on a regular basis to advise on key issues, provide feedback on the effectiveness or not of current legislation, policies and programmes, changes needed in the health, education or welfare systems and so on.

4 Utilise social media to create opportunities for engaging children who have settled here to share their learning to support more newly arrived children and young people. One approach might be to work with groups of children to develop apps, blogs, or a website through which to provide a resource to others. It could offer:

- Shared recognition of how it feels to be newly arrived in a country – the isolation, vulnerability, loneliness and bewilderment. It could demonstrate that they are not alone, that others understand, and that it will not always feel this way;
- Information on what they need to know to navigate their way around, for example:
 - Aspects of Canadian culture - humour, courtesies, way of communicating, social expectations, relationships between boys and girls, sexuality issues;
 - How the school system works – routines, homework, expectations, rules, behavior codes, exam systems;
 - Managing transitions – coping with home and school and the often significantly different expectations being placed on them as they transition Canadian and their traditional culture;
 - Where to go for help – practical advice, language classes, counseling;
- Connections with others in similar situations – forming social networks;
- An online Q&A service;
- Peer-to-peer counseling.

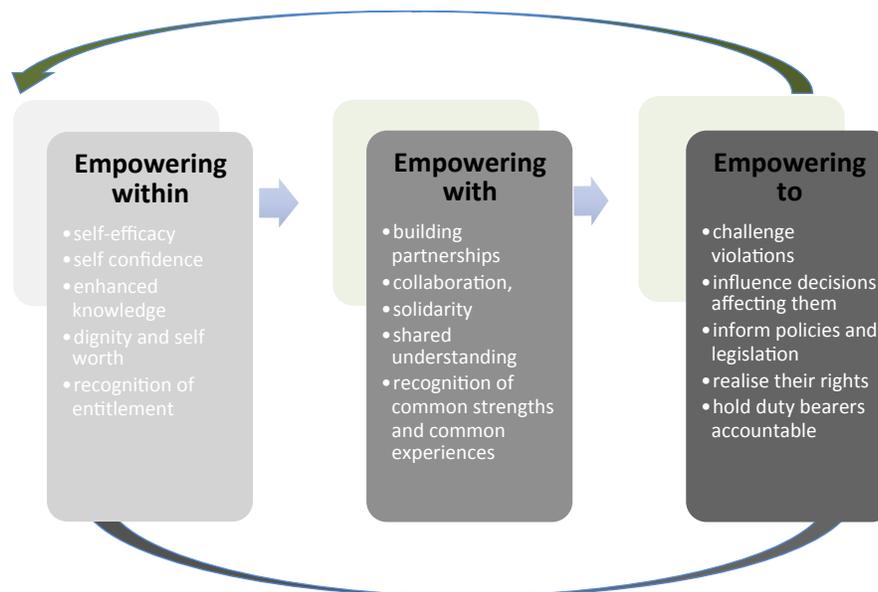
Through such a development, those young people who are better established would be offered recognition of the value of their experiences and be provided with opportunities to use them to positive and practical effect for the benefit of other more recently arrived young asylum seekers and refugees. It would contribute towards skills building, self-confidence and a sense of value and self worth.

4 Children can be involved not only in supporting each other to overcome the isolation,

³ CATS is an annual international child participation conference that is run through a partnership between adults and children: www.catsconference.com

loss and exclusion they may face, but also in reaching out to the wider society to inform and educate about the experience of coming into Canada as a refugee or asylum seeker. Children can be a source of enlightenment about why people leave their home countries, why they seek refuge, how they can contribute to their host society, what strengths they bring. One of the young people, when asked what they would do if they had the power, said: *'I would spread awareness by simply by talking about it in front of the public just because I'd be in such a position of power. Also, I would tell other figures in power to spread the word, and that could really go a long way'*. Children themselves need to be involved in making that happen.

Participation can serve to build a cyclical process of:



In summary, a core message from the STM is the imperative for recognizing and empowering children and young people themselves as a resource with strengths, capacities, skills, and knowledge to reach out and support others in similar circumstances, to advise and inform decision-makers and promote public awareness. It is difficult to imagine any situation that serves to undermine the protection of human rights more than being forced to flee one's country. But it is possible to provide a more positive and inclusive experience for all young refugees and asylum seekers. A process of active engagement would serve to promote the best interests and development of those able to participate. And in turn this would enable them to make the greatest possible contribution to Canadian society as a whole. Which is what so many of them clearly wish to do.

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Participation rights for children and youth through Shaking the Movers: Some observations

My discussion will address the participation rights for children and youth in the Shaking the Movers (STM) reports, while reflecting on the political implications of the STM for children and youth in Canada. While the discourse on children's rights to participation has been widely seen as a hallmark of the Convention on the Rights of the Child (CRC), there are important concerns regarding how these rights can be implemented in practice. Article 12 of the CRC places children's rights to express their views as central to its international agenda (Lansdown, 2015). Yet, who participates, participates into what, in what contexts, and towards what ends are political questions that require us to engage with the politics of participation for children and youth in the 21st century.

From my perspective, Shaking the Movers (STM) has successfully mobilized awareness on children's rights in Canada through its network and engagement with children and youth in different regions. Here, I am looking at participation from two interrelated lenses: first, the dimensions to which the voices of diverse children and youth have been heard, and second, the implications of these voices for policymakers, academics, and practitioners in our work for theorizing and implementing youth's recommendations. Specifically, there is a strong sense of civic engagement among marginalized and diverse youths in the STM reports. Participants identified a variety of issues in relation to their rights, such as the right to education, language and culture, access to mental health services, and environmental protection. In each region, it seems that there are distinctive concerns for their rights, based on the local specificity. For example, one Indigenous youth said, "people should be able to speak their own language and you could teach it in schools, it could remove barrier (STM BC, p. 28). They raised issues on stigmas on mental health for immigrant families as the poignant issues which had not been taken seriously within the discourse of children's rights. The local workshops opened up conversations about Indigenous youth, immigrants, mental health, and inclusion, reflecting their desire to "create a more inclusive community that is responsive to youth and children's voices" (STM BC p. 30). The participation of youth from multiple countries reflects the transnational dimensions of children's rights, and the need to tackle inclusion for those most marginalized and disadvantaged by their class, race, gender, religious, and ethnic backgrounds.

From a pedagogical perspective, STM has drawn on a participatory approach, such as photovoice, as well as community activities in order to engage youths, which I think is very effective. Engaging youth in conversations about their own challenges and asking for their recommendations for change is an important approach for ensuring that participatory rights can promote their political activism within and beyond the workshop spaces. It is not clear whether children with disabilities were invited to these events, and

how the event organizers and facilitators were considering accessibility issues for those with disabilities.

Finally, it is important to consider how the publication of these reports will mobilize the political agendas with the voices of youth and children. Very often, we tend to stop short of mobilizing local actions. While these actions are extremely important, children's rights have not been able to get beyond the political context of nation-states. As the United Nations has expressed serious concern regarding Canada's status of children's rights in relation to the rights of Indigenous children, it might be useful to develop further actions to connect the local and global agendas through promoting youth's political activism. As a participant in BC commented, "I was happy to see someone young taking a stand, raise awareness and doing something about it. She could be a good force for the future. Take that stand starting that young so they can get something done." I believe that it is time for marginalized youth and children to speak up, and to take actions. And it is our job as academics and activists to support their agendas.

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Children On The Move: Facilitating and Valuing Children's Contributions through Research

On average, one out of every five people in Canada have been born overseas; the proportion differs for children (8%) and adults (27%) [1]. Approximately 1.2 million are recent migrants—mostly from the Philippines, India, and China [2]. In 2016, over 2 million children under the 15 years had at least one foreign-born parent; this represents 38% of the total population of children in Canada in that age group and projections are on the rise for the next couple of decades [1].

According to the last census, more than one-in-three children with an immigrant background speak only English or French at home, compared with less than 10% of their parents. These children often learn one of the official languages more rapidly than their parents, either through school, friends, or the media. Youth participating in STM-X raised concern about the stress that language can generate for newly arrived migrants. For example youth in Ottawa indicated that *"I speak better English than my parents, so I need to find job."* Not only do some young people need to get a job to support their family, but they may also miss school in order to accompany family members to medical appointments or to care for younger siblings. Research has shown indeed that in the context of limited resources and support networks, children of migrant families may take on more responsibilities than their age-mates in the host society. This may also reflect different cultural

norms and expectations in regards to the role of children within families and societies.

While acknowledging the pressures that this may generate for many young people and their parents and the need to address the root causes of the problem such as poverty, unemployment, and education, the “positive” side of this exchange is surprisingly missing in most of these STM-X reports. Children become agents of social integration for their parents and other family members. This is particularly notable considering that almost 15% of these children live in a three or more generations household [1]. My research with children in different contexts—such as newly arrived migrant and refugee children in Montreal [3] and child-headed households in Namibia [3, 4], surfaced more nuanced perspectives in regards to children’s responsibilities and contributions to their families. Within children’s best interests, helping young people feel proud of the roles they play in their own worlds seems crucial to valuing the contributions they make to their families and to society.

Eliciting children’s perspectives of their own lives is key to understanding how they build their perceptions of self, of others, and of the world around them. This is particularly important in the case of immigrant children as they navigate different sets of norms and values—namely, those of the host society and of their culture of origin. To fill a gap in the literature on child supervision and household tasks in the context of multiculturalism and recent migration, I have led several studies with adolescents with an immigration background. In one of them, 42 young people aged 12-14 years in one of the most culturally diverse public secondary schools in Montreal got together to share their views and experiences on these issues [3]. Overall, children praised the opportunity to share in the division of housework and described often engaging in chores at home out of gratitude for their parents and a shared sense of responsibility within their families. They explained how this offered respite and unpaid care assistance to their parents and allowed them to attend to employment to raise income for the family. Similarly, many appreciated their parents’ trusting them to be home alone or with their siblings and saw this as an opportunity to develop self-sufficiency, patience, and independence; learn practical skills (e.g., cooking and keeping safe); and help siblings with their homework. Equally telling are children’s identified challenges of staying home alone or with siblings, such as potential injuries, abuse from strangers, peer pressure, and disruption of education. Coping with loneliness, boredom, and fear may be exacerbated by parental unavailability for child care (e.g., when parents need to work night shifts) and limited support networks, common among newly arrived immigrants. In another study on children’s experiences home alone in collaboration with Kids Help Phone/Jeunesse J’Écoute, we further learned that children reporting loneliness were significantly less likely to enjoy being home alone [5].

Children mature through increasing responsibilities and learn about reciprocity, altruism and empathy by sharing household tasks [6]. However, by sharing their own experiences, children from diverse backgrounds led us to conclude that while children benefit from independent exploration and home alone may create opportunities for development if children and families are ready and environments are supportive, this arrangement does not work well for all children

at all times. For example, children with emotional instability and pre-existing mental health conditions often engage in risk behaviors when they are unsupervised [7]. Once and again, children's perspectives challenge prevailing norms and enrich adults' understandings of children's worlds [8].

Participants in STM often remind us of how lack of information and awareness of their own rights act as a barrier to participation. Although factors such as age and the developmental stage of the child set boundaries to child participation [9], Mårtensson & Fägerskiöld [10] argue that the attitudes of parents and professionals towards child participation rather than children's own capacity seem to determine children's decision-making competence in healthcare. Lack of child-friendly communication skills can also act as a barrier [11]. In the case of children on the move, language, unfamiliar cultural norms, ignorance of available resources, and lack of support networks can further hinder child participation. Researchers thus need to be particularly sensitive to the strengths and vulnerabilities linked to children's migration trajectory in order to adapt study design and methods to ensure the right balance between the rights to protection and to participation. Indeed, individuals' attitudes to participation may reflect broader values and belief systems about children in society [12] and result in overprotection and gatekeeping of children out of research and action [13, 14].

Aside other important factors such as the origin of migrants, the healthy immigrant effect diminishes with years since immigration to Canada [15]. This challenges us to discover what is it that our society does or does not do that contributes to the loss of immigrants' health advantage over time. As we advocate for migrant children's rights (and not only to healthcare), what will each one of us do to ensure that despite their sadness *"to leave [my] friends and [my] family behind [and I was happy because] I made sure [I] could have a good future here"*? In Toronto, participants called for respect, kindness, and empathy to guide our action: *"Don't sit and watch people struggle or feel lonely. Talk to someone, say hi in the hallway. Make them feel included."* I invite you to read Brian Bilston's poem below as a way to nurture such empathy...

REFUGEES...

They have no need of our help
So do not tell me
These haggard faces could belong to you or me
Should life have dealt a different hand
We need to see them for who they really are
Chancers and scroungers
Layabouts and loungers
With bombs up their sleeves
Cut-throats and thieves
They are not
Welcome here
We should make them
Go back to where they came from
They cannot
Share our food



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Meaningful Participation and Playful Encounters
Children's Rights Academic Network Shaking The Movers Reflections 2018

“One kid can make a difference. One kid can create a positive ripple effect. An echo.”
(STM Williams Lake Child Participant)

In Canada, recently resettled refugee children face multiple systemic barriers to accessing both formal and informal services (Beiser & Hou, 2016) and children on the move in general experience diverse challenges during and after emergencies and transitions. The United Nations Convention on the Rights of the Child (UNCRC) affirms children have a voice in shaping laws, policies, and programs governing their own welfare. However, many of the policies and interventions designed to address children's life challenges are based on professional adult notions of wellbeing (Davis & Smith, 2012) that fail to integrate the perspectives, priorities, and strengths of the children for whom they are developed (Dolan, 2006). As Landon stated “in years to come there will be more and more children pushed... within and across borders by forces such as climate change and armed conflict.” (Landon Pearson, STM Williams Lake Report, 2017). Given this, it is essential that we listen to children to identify how to better mitigate the difficulties of their lives. We cannot have a country where children state “I am screaming, but you can't hear me because you're drowning me in your words” (Age 12, STM Toronto Report, 2017). We must recognize children as human being with valuable ideas (Perry-Hazan, 2016), and support their meaningful participation as “active agents of change in developing more sustainable” resilient futures (Percy Smith & Burns, 2013, p.325).

As we in CRAN are aware, child participation is defined by the UN Committee on the Rights of the Child (in GC 12) as an “ongoing processes, which include information-sharing and dialogue between children and adults based on mutual respect, and in which children can learn how their views and those of adults are taken into account and shape the outcome of such processes” (2009, p. 5). The United Nations Convention on the Rights of the Child (UNCRC) includes a core set of participation clauses (art.12.1, art 13.1, art 14.1, art. 15.1) that requires adults to see young people as partners in planning for their own well-being (Hart, 1997). Additionally, a range of models for meaningful child participation exist globally including, but not limited to, Hart's Ladder of Participation (Hart, 1992) first developed for adult's participation by Sherry Arnstein (1969); Treseder's Degrees of Participation (1997); Shier's Pathways to Participation (2001); Kirby et al's Model of Participation (2003); and Lundy's Model of Participation (2007), (Department of Children and Youth Affairs, 2015). While these definitions and models are critical to support dialogue and action on what children's participation means and needs, in *Shaking the Movers*, we can pause to explore what does participation mean and look like for children themselves? How is their participation acted out in *Shaking the Movers* itself and in their everyday lives at the peer, family, community, school level, and at the political decision-making level? As we explore

children on the move across more obvious geographical bordered spaces, we can also recognize children on the move in their everyday lives from bordered space to bordered space at home, in schools and institutional settings.

In addition to supporting children's right to participation, Shaking the Movers participatory workshops create space for the realization of children's right to play (Art.31). General Comment 17, acknowledges and advances how play supports the quality of childhood, to children's entitlement to optimum development and to the promotion of resilience and realization of other rights, such as the right to participation. Play has been considered an integral part of our humanity as *homo ludens*, the playful human (Huzinga,1949; Sutton-Smith, 1997).Through play-based participatory activities with an instrumental value on children's rights, such as Draw it Right and Act it Right, and unstructured spontaneous moments of play that hold an intrinsic value, play is experienced and enacted throughout Shaking the Movers events.

Across all Shaking the Movers sites in Fredericton, Ottawa, Toronto, Montreal, and Williams Lake moments of play were introduced and explored. Shaking the Movers Fredericton highlighted the value of an overnight event to foster opportunity for playful sharing of cultural dance and food that supported relationship building and dialogue. Shaking the Movers Toronto showcased an array of playful encounters including evening activities and games to explore concepts. In Williams Lake, one young lady brought her purple ukulele on day two and started jamming prior to the start of the day. This led to an unplanned introductory musical opening circle. Lester (2013) contends, play can "transform bordered space into participatory spaces" where children are able to move way from structured adult proscribed spatial demands (p.29). Play can be seen as a form of "minor politics in which children momentarily take control over the conditions of their lives" (Corsaro, 2003, in Lester, 2013 p.28) and disrupt order (Lester, 2016) as was seen in our ukulele player. The act of play itself and disruption of order can support radical participation and aid young people in reclaiming "adult" spaces for themselves (Biddle, 2017).

Play as an expression of children's own political agency can expand our understanding of participation to value participation in daily lives of young people and the "construction of their own worlds" (Lester, 2013, p.34). Shaking the Movers 2017 fostered opportunity for children to express themselves and provide recommendations to participate in future decision-making while concurrently supporting space for young people to share experiences of the participation they had experienced during moments on the move. In these reports we see the critical role of children's participation in decision-making recognizing their lived experiences and expertise on life circumstances that are pivotal to their wellness and that of the communities. We can see this through the insightful recommendations for action, as well as the specific examples of action that occurred in Williams Lake during the Wildfires. One young man shared how "the helicopter came with supplies and we carried all the food and supplies into the U-Haul and took it to our reserve. One by one the people got the supplies that they needed and helped them (Shaking the Movers Williams Lake, 2017)." During the workshop, he expressed the pride he had in his reservation's refusal to leave during emergency evacuation and his central role in actively contributing to decisions around organizing and disseminating food supplies to support community members. While, further follow up would be needed, it appeared that his role also supported realization to other rights and his own sense of control and wellbeing.

Play in Shaking the Movers also supported spaces where young adult facilitators and children were able to be different together, as in circle time, and by doing so unsettle dominant accounts and present different ways of being adult and child (Lester, 2013). Lester (2013) demands we think about play differently and “revitalise the very notion of participation” (p.22). Messiness, spontaneity, and playful processes within Shaking the Movers can further foster a web of relationships across children and adults, and support the recognition of children’s rights as relational. Moments of play expressed throughout Shaking the Movers in each city highlighted a vibrant expression of meaningful participation in everyday spaces.

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Children on the move

Our topic and our conversations have gotten me thinking in a few different ways about children on the move, children's movements, and the stories that the young people who were participants in the *Shaking the Movers* workshops shared with us.

The first is a paradox in contemporary society that deals with the ways that we think about children and childhood. On the one hand – we associate children with movement – children move, have rambunctious energies, running around and not being able to sit still. We have ideas about wiggles and giggles and shaking their sillies out. In some ways, and here I am speaking especially about our minority world context, children are almost synonymous with particular types of energetic movements. On the other hand, and again thinking particularly about our context here in the minority world, there are the ways in which adult-centric society increasingly restricts children's movements – children no longer walk to school by themselves, are restricted to their backyards (if they go outside at all) and many extra-curricular and leisure activities have been restricted to spaces of adult supervision, playdates, and scheduled time.

Another way to think about children's movement is the broader types of movement, in a more global context, that the *Shaking the Movers* events and our conversations at CRAN were more focused on – whether that is economic immigration through bureaucratic channels with their families, or other more coercive and exploitative forms of movement through trafficking or forced removal. Within borders and across borders, with minimal input or against their will, children move and are moved in many ways and for many reasons. Emigration, immigration, circulation, asylum-seeking, fleeing violence and looking for safety and shelter.

In the light of participation rights and how they may interact with these larger types of movement, however, I am reminded of how Karen Wells (2015) calls attention to a danger in collapsing all these forms of movement together. There is no argument that trafficking and the coercive movement for the purposes of exploiting children are horrifying and incredibly harmful for them. Wells warns us though, that if we conflate all the ways the children move within and across borders, we may be erasing or paving over the ways that children agentively participate in their movement. It is a reality, especially in our increasingly globalized context, that children make choices that mean all kinds of movement. Children and youth choose to move, unaccompanied by adults, as a means of taking responsibility for their lives, taking care of themselves and their families, and as a way of transitioning into

adulthood. Samantha Punch's (2007; 2015) work in Bolivia is an excellent example of children moving across borders for work as a means of beginning that process. Young people all over the world are on the move, searching for better opportunities for themselves and as a way of supporting their families.

One of the primary ways that people working in children's rights have framed participation has been through listening to the voices and perspectives of children themselves. As the youth from the Toronto *Shaking the Movers* put it - "The only way to understand what kids go through is to have been there" (*Shaking the Movers Toronto*, 2018, p. 6). We can never know another person's experience precisely. However, we can learn from children about their experience by engaging directly with them, and having them share their knowledge, experience and understanding. Many of the *Shaking the Movers* reports contained recommendations proposing more participation from newcomers, refugees, and other young people on the move - to inform research, policy and practice in making immigration/refugee/settlement experiences more human, relevant and supportive for young people coming to Canada. Diane Farmer's (2012) participative research on mobility, which directly engaged with young people in collaborating on meaningful research about the relationship between movement and identity is an important example of how this can happen in a Canadian context. Reimagining adults as being capable of learning from children challenges common-sense ideas about competence and capacity, but is a powerful and necessary way to share power with children and gain insight into their lives and processes of meaning-making that is unobtainable any other way.

I feel like we need to be really thoughtful about how we do this. I am hesitant around the language of *consultation* - in it I hear overtones of power and hierarchy - we can consult with people, but that doesn't necessarily mean that we will listen to or act on what they tell us. As Lansdown and O'Kane (2014) point out, while consultative practices can be valuable, they are adult-led and children are often positioned as passive. I prefer the language of *dialogue* - a conversation in which both parties are recognized as having useful information and insight to impart to each other. To me, there is more learning and potential for change involved in *dialogue*.

To create a connection with all these disparate ways of thinking about children on the move that the *Shaking the Movers* reports have generated for me, I think about how to connect the larger globalized types of movement to those other more subjective and personal forms of movement. The words of one of the STM Montreal participants comes to mind, showing how the broader movements across borders echo through and continuously influence small and more personal quotidian movements young people take part in every day. Describing their first experiences using public transit in their new context, not being able to speak French and the difficulties with understanding the systemic differences between their old and new homes, they said << Mon premier mouvement c'était mal à l'aise >> (*Brasser les décideurs au Québec*, 2018, p. 16). That they felt so ill at ease with their first movements in this new space that was supposed to be their new home speaks to

how complex young peoples experiences of movement are, at global and personal scales. Considering how personal experiences of movement are related to global dynamics, we have much to learn from children on the move, in all the forms that movement takes.

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The Rights of Children on the Move: From Thoughts, to Words, to Actions

This year's Shaking the Mover's workshops were carried out across Canada in various regions including Ottawa, Toronto (Ontario), Montreal (Quebec), Fredericton (New

Brunswick) and William's Lake (British Columbia) with a focus on the Rights of Children on the Move. Discussions were explored through a rights-based approach by unpacking the widely accepted conceptualization of children's rights, the '3 P's' including protection, provision and participation (Bobbio, 1996; Pare, 2017; Quennerstedt, 2010; Troope, 1996) in the context of Children on the Move at the Child Rights Academic Network annual meeting. The following paper offers an overview of some of the main arguments and ideas that were observed at the panel presentations. The paper also seeks to shed light on how such arguments and discourses surrounding children, shape the way actions are carried out with and toward young people.

Protection

Some of the discussions pertaining to the protection rights of children on the move revealed that many institutionalized systems that are currently in place do not accommodate or support immigrant and refugee youth in a sustainable or productive manner. In the legal system, for instance, young people's rights are not often respected and as a result, youth seem to experience a lack of social power, as well as limited awareness or education surrounding their rights. Participants highlighted the need for a cultural shift that challenges the notion that youth need to 'earn their rights.' Some of the general areas that youth seemed to require extra protection of their rights were against violence, exploitation, trafficking, discrimination and xenophobia. Panel discussions highlighted the importance of an appropriate balance between rights to emphasize that often, the over-protection of young people can also serve to reduce or exclude their right to agency. Protection rights should therefore be relational with children's participation rights.

Provision

Many of the arguments that emerged through the provision discussions explained that young people often seemed to remain unaware of their rights in the following contexts: law, education, service delivery, child welfare, health and in the broader social context. In the cultural context, there is a need to enrich participation opportunities for young people on the move. A collective responsibility through embedded advocacy will attempt to improve prevention mechanisms for immigrant and refugee youth. More broadly, it is important to advocate for a rights-based perspective in these contexts to ensure young people are protected and participating in decision-making processes that affect their lives. CRAN members revealed that often, when it comes to children's provision rights, adults form decisions based on the best interests of the child without consulting with young people.

Participation

Discussions surrounding participation included recommendations on the need to make use of social media more effectively to engage young people and offer safe spaces for all groups of youth to participate. In line with this, it is important to listen to young people to understand the challenges they face and help remedy these issues based on their

suggestions that stem from their own lived experiences. Participation should also be thought about critically so that engagement reaches deeper than just ensuring each social group is included or occupies ‘a seat at the table.’

Children’s Rights: From Thoughts, to Words, to Actions

While the widely accepted conceptualization of children’s rights through the ‘3P’ (Bobbio, 1996; Trope, 1996) panel discussions offered important recommendations and suggestions to advance the realization of children’s rights in certain sectors involving young people, I draw further attention to the importance of thinking critically about the ways in which children and childhood are conceptualized. Such understandings ultimately influence the way young people are treated and how recommendations are formulated based on these understandings (Moss & Petrie, 2002).

The way we think about children is revealed in the way we act towards them. As Moss and Petrie (2002), contend in their preface, “[Different] ways of thinking about children produce different childhoods, different public provisions for children (including schools) and different ways of working with children. [How] we understand children and make public provision for them involves political and ethical choices.” With this in mind, I believe that our perceptions of children remain evident within our work and affect the way we act and interact with young people. Creswell (2013) contends, “A close tie does exist between the philosophy that one brings to the research act and how one proceeds to use a framework to shroud his or her inquiry” (p. 15). Beyond research and the academy, attitudes about young people are reflected in the many sectors and services in which children and youth are involved: law, education, recreation and social work. It is therefore important to recognize and challenge the discourses that we adopt about children and childhood and reflect on how these are evident in our practice and treatment toward them. Considering practice also informs theory, I believe that thinking about young people as rights-bearers and adopting a rights-based perspective to practice and discourse will provide a rich balance of protection, provision and participation rights which all youth are entitled.

Finally, I would like to recognize the importance of identifying that childhood is a differential and distinct experience for different groups of children and I highlight the potential danger of categorizing all children’s experiences as distinct while overlooking common features that are applicable regardless of ethnicity, religion, poverty, gender, sexual identity or ability. Jenks (1996) emphasizes the possibility of multiple childhoods to highlight the plurality of children’s experiences throughout diverse settings:

Both the socialization and the developmental psychology perspectives push scholars to write about children as if all children were the same regardless of social location or context. The ‘new’ sociological perspective stresses the ‘plurality of childhoods’ not only within the same society but also across the settings in which children conduct their everyday lives. (p. 121)

It is crucial to identify the importance of understanding the variety of different childhood experiences that exist across both time and space and refrain from homogenizing childhood when young people, such as children on the move, so clearly experience such phases of life in different shapes and forms and in various contexts.

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