



THE CANADIAN
BAR ASSOCIATION
Prince Edward Island Branch

L'ASSOCIATION DU
BARREAU CANADIEN
Division de l'Île-du-Prince-Édouard

September 14, 2023

The Honourable Dennis King, Premier
95 Rochford Street
Shaw Building, 5th Floor
Charlottetown, PE C1A 3T5

Dear Premier King:

Re: Implementation of the United Nations Convention on the Rights of the Child

We write on behalf of the Prince Edward Island Branch of the Canadian Bar Association (CBA PEI) to encourage the Government of PEI to develop a detailed action plan to effectively implement the provincial government's many obligations under the UN Convention of the Rights of the Child (UN CRC). The Concluding Observations of the UN Committee on the Rights of the Child constitute a road map that could prove transformational in improving the lives of Island children. It is my understanding that the Prince Edward Island Child and Youth Advocate sent a letter dated June 22, 2023, making this same request.

As recommended by the Child and Youth Advocate, we also urge the province to develop a detailed Government Action Plan by the next World Children's Day, November 20, 2023, responding to the UNCRC Concluding Observations with a view of prioritizing and effectively implementing those recommendations falling within provincial jurisdiction.

CBA PEI, a branch of the Canadian Bar Association (CBA), represents lawyers, judges, notaries, law teachers and law students from across the province. Among other areas of focus, CBA PEI works to promote fair justice systems and facilitate effective law reform and is devoted to eliminating discrimination.

In June 2022, Canadian governments received the Concluding Observations of the UN Committee on Canada's Fifth and Sixth Reports on the UN CRC. The UN Committee's Concluding Observations followed a careful examination of government reports and evidence submitted by other experts including the CBA and Canadian organizations who work with children across the country. The Concluding Observations expressed serious criticisms of the failure to more fully implement the UN CRC and gave detailed and general recommendations for areas of significant improvement, including recommendations that it described as needing urgent measures by Federal, Provincial and Territorial governments.

The UN Committee expressed to Canada, including its provinces and territories, its concerns with the lack of a national strategy for fully realizing the UN CRC. The Concluding Observations specifically outline several recommendations that are matters of provincial jurisdiction. Given



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the indivisible and interdependent nature of children's rights under the UN CRC, all government actors whose decisions have an impact on children have a duty to implement and respect the totality of the UN CRC. This includes the Government of PEI, which is obligated to show leadership in the areas in which it can effect change, and to work in partnership with the federal and Indigenous governments when necessary.

In terms of matters within PEI's jurisdiction, the UN Committee recommended that the province collaborate with the federal and Indigenous governments to ensure Indigenous communities in PEI receive the resources they require to ensure their children's health and well-being. Other matters specifically under provincial jurisdiction that require attention include ensuring the education, health care, child protection, community services and justice systems support and empower all children, including Black and Indigenous children, children from minority communities, children in care, and children with disabilities.

The UN Committee also called on Canadian governments to fully implement the Calls to Action made by the Truth and Reconciliation Commission and the National Inquiry into Missing and Murdered Indigenous Women and Girls. Other general measures recommended by the UN Committee include the implementation of Child Rights Impact Assessments (a process currently implemented in New Brunswick), support for a complaint mechanism under the UN CRC and improved data collection for the status and needs of children within the province.

Canadian governments have had since June 2022 to consider the recommendations of the UN Committee. The CBA's governing Council at its February 2023 meeting passed a resolution asking the federal government to follow the roadmap that these recommendations provide. The CBA PEI Child and Youth Law Section is extending this invitation to the PEI government, as a significant duty-bearer under the UN CRC.

The CBA PEI, and in particular the Child and Youth Law Section, would welcome an opportunity to meet with you to discuss how we can help achieve these goals. We look forward to hearing from you soon, and sincerely hope that the province seizes this opportunity to be a national leader in the implementation of these important recommendations.

Sincerely,

Ryan Moss

Chair, Child and Youth Law Section, with approval and support from CBA PEI Executive Committee