

FFARIQ - Letter of Opinion

Commissioner for Children's Welfare and Rights: an Opportunity to Meet the needs of the Most Vulnerable Children

Our youth protection system is failing; that's the message that emerged from the parliamentary committee hearings held by youth stakeholders as part of the special consultations on Bill 37, An Act respecting the Commissioner for Children's Welfare and Rights. It must be said that the Commission des droits de la personne et des droits de la jeunesse (CDPDJ) was unable to fulfill the essential role entrusted to it, that of ensuring respect for the principles and rights of children and protecting their interests. In other words, to be the expected "watchdog" for the protection of children's rights.

That's why the Fédération des familles d'accueil et ressources intermédiaires du Québec (FFARIQ) supports the creation of a Commissioner for Children's Welfare and Rights. On behalf of the 3,000 families we represent and the 5,000 children we care for, I have asked that this commissioner be autonomous, independent, involved, and transparent. Having been a reference point for 50 years now, the FFARIQ has noted a redundancy in the CDPDJ's investigations, which does not contribute to the identification of tangible and effective solutions for the children of the DYP. There is also a lack of transparency stemming from the confidential nature of its investigations, which makes it virtually impossible to evaluate them. Finally, before the Court of Quebec, the CDPDJ is virtually absent, and always acts downstream when it does act. In addition to the powers conferred on it by the Youth Protection Act (YPA), the CDPDJ has everything it takes to be the protector of the DYP's children and to fight against all forms of child abuse, discrimination, and malice in Quebec, but it does not adequately fulfill this role.

Although foster families raise the flag when there are breaches, they are not kept informed and have no follow-up. It is my duty today to reiterate that our foster families have a central role to play and wish to be recognized and included in the various processes and no longer sidelined. It is these families who are involved with our children on a daily basis and who bear witness to the improvements in their lives.

It's worth noting that the Commission spéciale des droits des enfants et de la protection de la jeunesse (Commission Laurent) made the same request in its report made public in April 2021: "We recommend that all of the CDPDJ's youth protection powers be transferred to the Commissioner to enable effective promotion and defense of these children's rights within the structure intended for children." In fact, this is their first Recommendation.

All children should be able to thrive in a safe and caring environment. The creation of the Commissioner for Children's Welfare and Rights is an opportunity to reiterate that it is our duty to respond positively and proactively to the needs of Quebec's most vulnerable children. To achieve this, the Commissioner will have all the powers and mandates of the CDPDJ. In this way, he or she will be able to make important changes that will truly benefit foster families and children. Children are the future of our society, and it is our responsibility to guarantee their well-being and rights. As the African proverb says - and this is truer than ever: it takes a village to raise a child.

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Fédération des familles d'accueil et ressources intermédiaires du Québec