

### Children's Commission

The concept of a Children's Commission is to create an establishment focused on improving the lives of all children within a specific nation. Children's Commissions have become more prevalent in the international community, with more than 40 U.N. countries adopting Commissions or similar bodies since 1990.<sup>1</sup> Many of the principles that guide these Commissions come from the UN Convention on the Rights of the Child.<sup>2</sup> Children's Commissions can be independent entities or government agencies. Generally, they have a single appointed Children's Commissioner, tasked with addressing concerns regarding the health, safety, and general well-being of children in that particular country by engaging with communities, organizations and the government. The Commissioner serves as a spokesperson for the rights of all children in their particular country, and works with a staff knowledgeable on children's issues and policy.



### Case Study: England

England established a Children's Commission in 2004 with the purpose of promoting and protecting children's rights. The Children Act 2004 established the office of Children's Commissioner, whose responsibilities include advising the Secretary of State on children's issues, conducting research to inform policy, and handling complaint review.<sup>3</sup> The commission covers a wide variety of issues concerning children; children's rights, child poverty, health, education, children in care, child sexual abuse, youth justice, and asylum and immigration, with an emphasis on children and young people with difficulties or challenges in their lives, in particular those living away from home, in or leaving care, or receiving social care services.

The commission also offers advice for children in care and safeguarding. It takes the youth voice into account by having groups of young people aged 7 to 18 advise the Children's Commissioner.<sup>4</sup>

### Children's Ombudsman

A children's Ombudsman office serves a similar purpose, but functions differently. Instead of engaging in direct advocacy with the government, ombudsman organizations typically serve as overseers with a significant degree of independence. An ombudsman office will analyze actions taken by governmental bodies and review them for illegalities or malpractice. It is also common for an ombudsman to handle complaint review, and act as whistleblowers when issues must be brought to public attention.<sup>5</sup>

Children's ombudsman offices typically protect the welfare of children by illuminating violations of children's rights. They may publicly review policy and its effects, publish accounts of rights violations, provide technical assistance to communities regarding child rights, and present calls of action to governments. Historically, children's ombudsman offices have also operated according to the UN Convention on the Rights of the Child, but many ombudsman organizations operate under other established guidelines as well.

### Case Study: Ireland

Ireland's Ombudsman for Children's Office (OCO) was created in 2002, amid widespread calls for a representative for children in government. Originally, Ireland's ombudsman existed solely to provide individual complaints handling, but has since expanded its duties to include communication & participation, as well as research & policy recommendations<sup>6</sup>. This means OCO can provide information to the public

regarding children's rights, conduct research to inform policy recommendations, and advise the government on children's issues.<sup>7</sup> To date, OCO has handled thousands of complaints and made a difference in the lives of countless Irish children.

## Applications in the United States

Some states have already implemented organizations and programs that demonstrate similar practices to the children's commissions in other countries. These offices work within their specific states to protect children's rights and promote their best interests while interacting with state and local governments.

- Connecticut has a state-wide child advocate who is appointed by the Governor and works within the Office of Governmental Accountability to evaluate agencies and programs, and recommend reforms to improve the well being of Connecticut's children. The individual in this position has similar duties to a European Children's Commissioner and could be used as a model for creating a national child advocate office. Connecticut also has a Commission on Children, an agency of the Connecticut General Assembly, which studies child trends and assesses programs and practices. The Commission then makes recommendations to the legislature and governor for systems of reform and model policies to improve child outcomes in health, safety, and learning.<sup>8</sup>
- Tennessee has a Commission on Children and Youth, which is composed of regional councils that address the needs of children and families at the regional level and offer recommendations to the Commission for their specific regions.<sup>9</sup> This structure suggests the possibility of creating state councils that would report to a national commission on how children are faring in that state, guiding the national commission in its efforts to protect the all American children.

The United States currently has an established Ombudsman Association (USOA), which includes Children's Ombudsman Offices and the Office of the Child Advocate, mainly focused child welfare issues. 22 states so far have a Children's Ombudsman/ Office of the Child Advocate that address children's services, 5 states have programs concerning all government agencies, and 9 states have more specific or county run programs. Most state ombudsman programs handle and investigate complaints related to child protective services, foster care, adoption and juvenile justice services. These state programs are established either by state statute, executive order, or by the child welfare agency.<sup>10</sup>

In contrast to these piecemeal efforts, a centralized children's commission would create a national clearinghouse for children's issues and would be able to direct legislative and agency influence on the federal level. It would combine the great work being done at the state level with the broad reach of the federal government. A commissioner would be able to advise and oversee the government's commitment to children, and would provide an outlet for policymakers to not only discuss children's issues, but to attain facts and research about the state of children in America. The Commissioner could speak on behalf of American kids in legislative discourse and serve as an advocate within government, providing an important perspective for new legislation. The establishment of a Children's Commission would further bring the issue of child well being into the national conversation, and help to ensure that laws and policies always reflect and prioritize what is best for the development of America's children.

## References

- <sup>1</sup> Child Rights International Network. About ENOC <https://www.crin.org/en/enoc>.
- <sup>2</sup> ENOC Official Website, ENOC aims. [http://enoc.eu/?page\\_id=174](http://enoc.eu/?page_id=174).
- <sup>3</sup> Children Act 2004. Part 1.2 Children's Commissioner General Function <http://www.legislation.gov.uk/ukpga/2004/31/section/2>.
- <sup>4</sup> Children's Commissioner for England Website. Learn More. <http://www.childrenscommissioner.gov.uk/learn-more>.
- <sup>5</sup> European Commission Website, ENOC, What We Do. <http://crinarchive.org/enoc/whatwedo/index.asp>.
- <sup>6</sup> Ombudsman for Children Act, 2002. Chapter 3 *Rights and Welfare of Children* <http://www.irishstatutebook.ie/2002/en/act/pub/0022/sec0007.html#sec7>.
- <sup>7</sup> OCO Website, What We Do. <http://www.oco.ie/about-us/what-we-do/>.
- <sup>8</sup> Connecticut Commission on Children Website, Commission Mandates. <http://www.cga.ct.gov/coc/mandates.htm>.
- <sup>9</sup> Tennessee Commission on Children and Youth Mission. <https://www.tn.gov/tccy/article/mission>.
- <sup>10</sup> National Conference of State Legislatures, Offices of the Child Advocate. <http://www.ncsl.org/research/human-services/childrens-ombudsman-offices.aspx>.