

A cornerstone of equality for Canadian women: the essential role of child care in all articles of the *Convention on the Elimination of All Forms of Discrimination against Women*

Submitted by: Coalition of Child Care Advocates of B.C. & West Coast LEAF

Submitted for: Consideration of the combined eighth and ninth periodic reports of Canada (October 25, 2016), 65th Session

This submission can be posted on the CEDAW website for information purposes.



COALITION OF
**child care
advocates**
OF BC

West Coast LEAF is a non-profit organization based out of British Columbia committed to achieving substantive equality for women through litigation, legal education and law reform. Since 2009, West Coast LEAF has been releasing an annual Report Card assessing British Columbia's compliance with international obligations under the *Convention on the Elimination of All Forms of Discrimination against Women* in key areas that impact the lives of women in the province.

The Coalition of Child Care Advocates of BC is a voluntary organization of parents, child care providers, community organizations, and unions that promotes and supports quality community-based child care services that benefit children, families and the public and in the best interests of society. Together with the Early Childhood Educators of BC, the Coalition developed the \$10 a Day Child Care Plan for BC, which illustrates how a national vision for child care can be applied in provinces like British Columbia.

TWO PAGE SUMMARY OF SUBMISSION AND RECOMMENDATIONS

Canada has made little progress since its 2008 review, with national investment at 25% of the OECD's recommended benchmark (¶18). Many working mothers spend three to four months of their gross annual salary to pay for the high costs of child care, and the subsidy programs in place to assist low income women are inadequate (¶7,8,16). There is a shortage of high quality, regulated child care spaces in Canada with spaces for approximately 25% of children under 12 in 2014 (¶6).

Federal funding for Aboriginal child care has been virtually static since 2006 (¶9). Advocates in provinces like BC have developed comprehensive plans to develop high quality, affordable and accessible child care services that have wide public support, but the provincial and federal governments have failed to take action (¶17). Canada's failure to make progress has serious consequences for a range of human rights of Canadian women.

The documented impacts of a lack of access to high quality, affordable child care for Canadian women include:

- Women are at an increased risk of violence and it is harder for them to leave an abuser (¶24)
- Women experience reduced work force participation, increased part-time and gendered job segregation, and pay gaps (¶26)
- Women, and particularly single mothers, live in poverty due to a lack of child care and inadequate social assistance (¶26)
- The health of women with disabilities is undermined (¶30)
- Stereotypical gendered caregiving roles within the family are reinforced (¶32)
- Women do not have access to appropriate child care as a key preventative service when they are at risk of having their children removed by government authorities (¶35)

Response to Canada's recent commitments

- Canada has recently made new commitments to a National Framework and additional funding in 2017-2018 (¶20; Canada's Replies to List of Issues ¶101)
- Public comments by the responsible Minister suggest that funding will not be sufficient to support the equality of all Canadian women (¶21)
- Funding commitments are inadequate to meet the need and do not meet Canada's commitments with respect to reconciliation with Indigenous people (¶22)

Suggested question for Canada

Relative to our peer nations in the OECD, Canada has among the lowest rates of access to child care, the highest parent fees and the weakest standards for quality (¶5). Approximately 80% of mothers participate in the paid labour force and many serious rights violations result when women are unable to access child care, but only 25% of children in Canada have access to a regulated child care space and there has

been minimal progress over the last decade (¶6,26). However, the federal minister responsible for child care indicates that governments have limited funds which should only be spent on those most in need (¶21). How then will the federal government ensure that **all** women have access to quality, affordable, culturally appropriate child care?

Recommendations

1. Canadian federal, provincial and territorial governments should take immediate action to develop, fund and implement a comprehensive national approach to child care that focuses on (1) affordability; (2) quality, (3) universal access for all families, and (4) fair remuneration for care providers. Such an approach must include urgent action to ensure that government funding commitments prioritize meeting the needs of women most seriously impacted by a lack of access to child care, including single parent-led families, women living in poverty, women who have experienced violence, Indigenous women, women with disabilities and women struggling to parent their children.
2. To fulfill recommendation #1, the British Columbian government should take immediate action to adopt and implement the \$10 a Day Child Care Plan over ten years, prioritizing the needs of women most seriously impacted by ensuring, without stigma, that they have access to quality child care at no cost as proposed in the \$10 a Day Plan.

CONTENTS OF SUBMISSION

Introduction: Child care in the context of interdependent and indivisible rights	¶ 1–5
Article 11(c) and List of Issues Q12: Canada has made little progress on child care	¶ 5–22
<ul style="list-style-type: none">• National progress (¶ 5–13)• Provincial case study: British Columbia (¶ 12–17)• Recent commitments are not enough to meet women’s needs (¶ 18–22)	
Article 2(e) and List of Issues Q8: Child care and violence against women in Canada	¶ 23–25
Article 11 and List of Issues Q12: Child care and women’s employment in Canada	¶ 26–27
Article 12 and List of Issues Q15: Child care and women’s health in Canada	¶ 28–30
Articles 5 & 16(c) and List of Issues Q5: Child care and women’s role in the Canadian family	¶ 31–33
Article 16(d): Child care and Canadian women’s rights as parents	¶ 34–37
Conclusion	¶ 38
Recommendations	¶ 39–40

INTRODUCTION: CHILD CARE IN THE CONTEXT OF INTERDEPENDENT AND INDIVISIBLE RIGHTS

1. Universal access to quality, affordable child care is essential to the fulfillment of Canada's commitments under the *Convention on the Elimination of All Forms of Discrimination against Women*.¹ The *Convention* introduction recognizes the link between discrimination and women's reproductive role and demands "fully shared responsibility for child-rearing by both sexes. Accordingly, provisions for maternity protection and child-care are proclaimed as essential rights and are incorporated into all areas of the *Convention*, whether dealing with employment, family law, health [care] or education."²
2. The principles of interdependence and indivisibility are key to the meaningful recognition of human rights. Different categories of rights are mutually reinforcing and of equal importance. In addition, rights may be individual in terms of their actual content. Interdependence and indivisibility are particularly crucial with respect to child care services and the human rights of women, as acknowledged in the *Convention's* introduction. Because women continue to provide the majority of unpaid caregiving to children, child care services are foundational in order for women to fully exercise a number of their other human rights.
3. Regardless of whether Canadian women have paid employment or whether they are lone parents or part of a two parent family, they spend more than twice as many hours as men performing unpaid child care each week. On average, women caregivers spend over 50 hours each week caring for children.³ That number increases to 67.5 hours per week for children under the age of five, or the temporal equivalent to almost two full time jobs. When one imagines trying to balance this kind of unpaid workload with paid employment, or how difficult this workload would be for a woman to who is already struggling to parent, dealing with a disability, or facing violence, the importance of affordable and accessible care to women becomes obvious.
4. The adequacy of child care services is often assessed in the context of women's ability to participate in the workforce, but the consequences for women's rights when they cannot access child care reach much further. Canada's failure to take adequate action to comply with *Convention* obligations related to child care undermines women's rights be free from violence, secure equal access to the workforce, maintain their own health, achieve equality within families and participate in their communities and the democratic process.

ARTICLE 11(C) and LIST OF ISSUES Q12: CANADA HAS MADE LITTLE PROGRESS ON CHILD CARE

National progress

5. The action of Canada's federal and provincial governments with respect to child care remains inadequate. At 0.25% of GDP (2006),⁴ Canada's combined public investment in kindergarten and child care for young children is about one-third the OECD average (0.7%) and far less than the recommended benchmark of at least 1% of GDP.⁵ As a result, Canada has among the lowest levels of access to child care, the highest parent fees and the weakest quality standards in the OECD. Furthermore, Canada's weak international ranking is actually bolstered by the province of Quebec, which has only 23% of Canada's child population (under age 12) yet provides 46% of the country's regulated spaces and invests 58% of Canada's total public spending on child care.⁶ Outside of Quebec, progress is negligible in Canada.
6. With respect to the 2008 Committee's specific concerns, Canada has also made little progress. In its Concluding Observations following Canada's 2008 *Convention* review, the Committee expressed concern about access to child care in the context of women's rights in Canada. The Committee urged Canada "to step up its efforts to provide a sufficient number of affordable childcare spaces." However, between 2008 and 2014 (the most recent year for which data is available), the percentage of children under age 12 with access to a regulated child care space in BC grew only slightly, from 15.4% to 18.7%.⁷ Overall in Canada, only 24.9% of children under 12 had access to a regulated child care space in 2014.⁸
7. These limited child care spaces are still unattainable for many due to high parent fees. A 2014 study of child care parent fees in large Canadian cities found that, outside of cities studied in Quebec and Manitoba, where parent fees are capped,⁹ median child care fees range from 23% to 36% of median pre-tax market income for women aged 25 to 34.¹⁰ As a result, mothers in most of Canada pay three to four months of their annual salary in child care costs. The 2015 study of fees in large Canadian cities found that they have increased by 5% since 2014, or about five times the rate of inflation.¹¹
8. In 2008, the Committee also urged that particular attention be paid to services in Aboriginal communities and for low-income women, whom it noted "are particularly disadvantaged" with respect to child care and housing. While child care affordability is a serious issue for most families, it is of particular concern to women in lower income families. Child care can support women in finding and maintaining employment, helping them to avoid or release themselves from poverty.¹² Yet the subsidy programs used by many provinces to assist low income women with child care "are inadequate [and] the proportion of subsidized children has essentially remained static since 2001."¹³

9. For Indigenous communities, child care has not been a policy priority. Program funding “has been virtually static since 2006, and dropped in 2008/2009.”¹⁴ BC research on Aboriginal early childhood education and care (ECDC) concluded:

The picture... is one marked by a decline of political will and support at the federal level for Aboriginal ECDC. At the provincial level, this picture is marked by frequent changes in direction and senior management in [government ministries], a lack of meaningful consultation with Aboriginal community and service providers, a lack of accountability for Aboriginal ECDC funding, and an overall ambivalence regarding community consultation on Aboriginal ECDC.¹⁵

10. Finally, the Committee also recommended that Canada “carry out a cost-benefit analysis to assess the impact of current living standards, housing and childcare situations on the economic empowerment of women and present the findings in its next report to the Committee... [with] a special focus on low-income women, taking into account the amount of social assistance they receive from the State compared with the actual cost of living, including housing and childcare.”¹⁶
11. While the Canadian and the British Columbian governments have not carried out this “cost-benefit” analysis in any transparent or public way, academics and economists have published studies that consistently find that the benefits of quality, affordable child care outweigh the costs.¹⁷ For example, research shows that the current \$7/day system in Quebec more than pays for itself, bringing 70,000 more women into the paid work force¹⁸ and dropping poverty rates by approximately 50% by 2008.¹⁹

Provincial case study: British Columbia

12. As Canada stated in its country report, child care is an area of mixed federal and provincial jurisdiction, with the provincial governments taking a lead role. The lack of national strategy and provincial coordination with respect to child care has created a patchwork of provincial programs that vary greatly in quality, affordability and accessibility.
13. Both authoring organizations of this submission work in the province of British Columbia, which allows for a useful provincial case study. British Columbia is even worse than the already-weak Canadian average on most measures related to child care. BC’s public investment per regulated child care space (\$2,131) is far below the Canadian average (\$3,558) and lower than it was in 2001 (\$2,256, not adjusted for inflation).²⁰
14. Mothers’ workforce participation rates, access to regulated spaces, and public investment per space are all below the Canadian average,²¹ while parent fees and the presence of for-profit child care centres are both higher than the Canadian average.²² A recent study in BC estimates that, with the implementation of a proposed “Community plan for a public system of early care & learning” (also called the “\$10 a Day Child Care Plan”) jointly funded by the federal and provincial

governments,²³ “the increased workforce participation of mothers of young children would grow BC’s economy by \$3.9 billion per year, and would generate approximately \$1.3 billion in revenues to the provincial and federal governments (once fully phased in).”²⁴

15. In addition, for-profit child care now represents 47% of regulated, centre-based spaces in BC,²⁵ leading to escalating fees. BC is one of the only provinces that provides capital funding to “big-box” commercial chains to establish for-profit care centres.²⁶ Care is for-profit when it is run through a business ownership model, rather than as a public or community-owned resource. Economic researchers have pointed out that “the typical strategies used to achieve viability and provide a return for investors, shareholders and owners,” such as lower wages, fewer or lower quality supplies and toys, and other cost-saving measures, “do not easily apply to the ‘business’ of caring for young children.”²⁷ It also generally leads to higher parent fees.²⁸
16. BC’s parent fee subsidy system, designed to assist low income families with child care costs, has been documented as failing many women in need of child care: Even families that qualify for the maximum subsidy are still responsible for significant financial contributions because subsidies do not cover the actual costs of care.²⁹ For example, the subsidy system covers a maximum of \$750 per month for infant child care despite the fact that regulated care for children in that age group has risen as high as \$2000 in some parts of BC.
17. The Early Childhood Educators of BC and the Coalition of Child Care Advocates of BC developed the previously mentioned \$10 a Day Child Care Plan for BC, which has broad support from British Columbians³⁰ and over 250 endorsements from local government, business, child care, labour, health, and community organizations.³¹ The Plan illustrates how a national vision can be applied in provinces, territories and Indigenous communities in ways that respond to different contexts while leading towards a shared outcome that:
 - Supports Aboriginal communities to design, deliver and govern child care systems and services that meet their needs and aspirations for self-determination;
 - Substantially increases access to quality, affordable child care for all who want or need it, on a voluntary basis;
 - Promotes social, physical and cultural inclusion of children and their families, ensuring that the needs of the most vulnerable are prioritized; and
 - Values and respects the early childhood work force with fair compensation, decent working conditions and professional development opportunities.

Recent commitments are not enough to meet women’s needs

18. Up until 2015 the lack of federal government leadership on child care is clear. The previous federal government’s actions amounted to small increases in cash payments

to families, increased tax deductions, and a regressive income splitting program. None of these policies do anything to create a child care system that addresses the needs of Canadian women, families, and children. In addition, many of them disproportionately benefit higher income families, standing in direct contradiction to the Committee's 2008 recommendation to prioritize low-income women.

19. Moreover, provinces and territories did not step in to meaningfully fill the federal leadership void on child care. While kindergarten has expanded in many jurisdictions, Canada's progress on child care remains slow. In fact, overall public spending for each regulated child care space in Canada in 2013/14 (\$3,558) is similar to 2007/08 (\$3,560), without adjusting for inflation.³² As a result, the current status of child care – with the ongoing lack of availability, affordability and consistent quality – is described as a crisis by many.
20. As noted in paragraphs 101-102 in Canada's Replies to the List of Issues, the 2015 Canadian federal election brought in a new government. Their 2016 budget "proposes to invest \$500 million in 2017–18 to support the establishment of a National Framework on Early Learning and Child Care. Of this amount, \$100 million would be for Indigenous child care and early learning on reserve."³³
21. Public details of what the National Framework might entail have been sparse and it is too early to tell what impact these investments will have. However, the federal Minister's recent comments indicate that Canada does not intend to take an approach that will support the equality of all women and instead intends to target those in most need of support.³⁴ Without additional funds from the federal or provincial governments, it is clear that the funding promised is insufficient to meet Canada's *Convention* obligations and ensure that quality, affordable child care is consistently available to women across the country.
22. In addition, the level of funding committed to date does not fully address a recommendation of the Truth and Reconciliation Commission, which called on "federal, provincial, territorial and Aboriginal governments to develop culturally appropriate early childhood education programs for Aboriginal families" as a part of healing and reconciliation. Nonetheless, the renewed federal commitment to child care is cause for optimism, providing much-needed opportunities to advance evidence-based, adequately funded, systemic solutions to the crisis.

ARTICLE 2(E) and LIST OF ISSUES Q8: CHILD CARE AND VIOLENCE AGAINST WOMEN IN CANADA

23. The *Convention* requires that states pursue all available avenues to eliminate discrimination against women without delay, which includes violence against them regardless of whether it is committed by the state or a private individual.³⁵ The Committee has noted that "disadvantaged socioeconomic conditions and the lack of social services increase women's vulnerability to violence, since the lack of access to

such resources reduces the choices available to women in situations of risk and prevents them from escaping violence.”³⁶

24. Canada’s failure to take meaningful action with respect to accessible and affordable child care services undermines women’s safety in three ways:
 - i. **Increased risk of violence:** the economic dependence that results from women’s unpaid caregiving for children and barriers to entering the workforce can put them at risk of violence because they are forced to rely financially on their spouse or partner. Economic dependency in intimate relationships can create opportunities for an abusive partner to exercise additional control, in turn creating an increased risk of violence.³⁷
 - ii. **Barriers to fleeing violence:** The monumental task of shifting from being financially dependent on a spouse to being able to support herself and her children is often overwhelming and can create substantial constraints on her ability to leave a violent relationship. Indeed, financial concerns are among the most common reasons given when women are asked why they did not leave an abuser sooner.³⁸ One Canadian study reported that half of the women interviewed, all of whom were fleeing abuse, said that access to child care specifically would have assisted them to leave a violent situation sooner. This is especially concerning because, by the time women enter a transition house or shelter, almost 60% were at an extreme risk of being killed by their partner.³⁹
 - iii. **Practical obstacles to rebuilding life:** a lack of access to child care also creates some very practical and immediate obstacles for women after they have left a violent relationship. The period after leaving a violent relationship is intense and stressful. Not only are women at a heightened risk of significant violence from their abuser,⁴⁰ but they are also often trying to establish some form of financial security to support themselves and their children into the future. Canadian research confirms that access to free child care would allow women to attend medical and legal appointments, try to find housing and income assistance or employment without their children,⁴¹ and access respite so that they can begin to process the trauma that they have experienced.
25. In short, supporting access to high quality and affordable child care is a key action that Canada can take to support women who have fled violence and are in the process of reestablishing their lives.

ARTICLE 11 and LIST OF ISSUES Q12: CHILD CARE AND WOMEN’S EMPLOYMENT IN CANADA

26. The *Convention* also requires that state signatories ensure women have equal access to employment opportunities, choice of profession, and job security.⁴² However, Canada’s failure to ensure that women have meaningful access to child

care services undermines their ability to access employment and economic security in various ways:

- i. **Work force participation:** Recent Canadian data confirms that women's caregiving roles still place significant constraints on their choice of whether or not to (re)enter the paid labour force. Women's participation in the work force continues to grow, although it still lags that of men; approximately 80% of mothers are in the paid work force.⁴³ Employment rates for women with and without children illustrate that part of the labour force participation lag is related to their role as mothers. Employment rates of women without children are significantly higher than those for women with children and particularly for women with younger children and lone mothers.⁴⁴
- ii. **Part-time work and gendered job segregation:** In an effort to try to balance paid work with unpaid caregiving, women are often forced to sacrifice job security, hours of work and income by working less or performing more flexible but lower paid work. For example, in BC women make up 70% of minimum wage earners aged 25-54,⁴⁵ an age group that may be the most likely to be caring for children. Women work a disproportionate amount of casual work and they make up 70% of part-time workers.⁴⁶ When people aged 25 to 44 are asked why they work part-time, over 34% of women report that it is because they are caring for their children compared with just 3% of men.⁴⁷
- iii. **Pay gap:** Canadian women on average earn 71% of what men earn when all employment income is considered, a number that has not changed since the early 1990s and worsens for Indigenous and racialized women as well as women with disabilities.⁴⁸ Regardless of their family status, women earn less than men, however, the majority of the gap can be explained by what is commonly referred to as the "motherhood tax" or "child penalty," which measures how far the earnings of women with children fall below those of comparable women without children. Canadian mothers earn 12% less than women without children. The gap increases as the number of children goes up. It is also larger for single mothers and mothers who have taken longer periods away from paid employment.⁴⁹

In addition, the provision of child care is a gendered occupation in Canada; the vast majority of workers are women. Most women providing child care are low wage workers⁵⁰ and many are forced to work second jobs to make ends meet.⁵¹

- iv. **Poverty:** While the cost of child care impacts all women caring for children, women who are unable to work because of caregiving obligations, and particularly women who lead lone-parent families, often live in deep poverty. Women with disabilities, Indigenous women and racialized women are disproportionately impacted. They are disproportionately forced to rely on income assistance for basic financial support.⁵² Including all other benefits available, a single woman in British Columbia with one child on regular income assistance receives approximately \$1,400 per month, almost \$600 per month

under the poverty line.⁵³ Over three quarters of families on income assistance in BC cannot afford adequate food.⁵⁴ The new federal Canada Child Benefit, intended to come into place in July 2016, will improve the situation for families on income assistance, but many will remain below the poverty line.

27. As a signatory to the *Convention*, Canada has an obligation to support equal employment opportunities for women. Taking action to establish affordable, high quality child care is a key way in which it can fulfill that obligation.

ARTICLE 12 and LIST OF ISSUES Q15: CHILD CARE AND WOMEN'S HEALTH IN CANADA

28. The *Convention* requires that signatory states like Canada take action to eliminate discrimination against women with respect to healthcare services throughout their lifetimes, which includes preventing conditions affecting women.⁵⁵ General Recommendation 12 notes that state parties should “refrain from obstructing action taken by women in pursuit of their health goals.”⁵⁶
29. Mothers with disabilities experience additional stress due to disproportionate barriers to employment, higher rates of precarious employment, and increased risks of involvement with the child protection system.⁵⁷ Canada's inaction with respect to child care further threatens their economic security and puts their health at serious risk.
30. It is no secret that stress can lead to negative health consequences and research shows that ongoing chronic stress can have as large or larger impacts on health than one-time traumatic events, particularly for populations already marginalized by poverty, gender, race, and family status.⁵⁸ Research that examines what causes stress, and particularly the kind of stress that results in poor health outcomes, reveals clear culprits: poverty, precarious employment, discrimination and lack of access to child care all negatively influence work/life balance and health.⁵⁹ Viewed in this context, child care services are a necessary accommodation for all Canadian women, and particularly women with disabilities, to support their own health.⁶⁰

ARTICLES 5 & 16(C) and LIST OF ISSUES Q5: CHILD CARE AND WOMEN'S ROLE IN THE CANADIAN FAMILY

31. The *Convention* requires that state signatories take action to modify existing social and cultural patterns based on stereotyped roles for men and women and ensure that women have the same rights and responsibilities during a marriage as men. A lack of access to child care services can lead to increased economic dependence in relationships and reinforce stereotypical gendered caregiving roles.
32. Even when couples intend to maintain equal roles in paid work and unpaid caregiving responsibilities, when it comes to actually deciding who will take time off or take less

secure employment in order to address caregiving needs, that intention can be difficult to realize. As documented in West Coast LEAF's recent report, *High Stakes*, one woman explained that because she carried, gave birth to, and took maternity leave with her children, her career has not progressed as fast as her spouse's. Because her spouse could earn more, they prioritized his work and she worked only part-time to reduce the family's child care costs. By prioritizing his career over hers, the gap between their respective earning potential grew.⁶¹ This can become a self-reinforcing cycle as the financial incentive to prioritize the higher earner's career grows, forcing women to take on disproportionate caregiving roles and reinforcing the gendered family caregiving roles described earlier.

33. Action on the part of the Canadian federal and provincial governments to support women's access to affordable and high quality child care would be a key step in also supporting their equal roles in the family.

ARTICLE 16(D): CHILD CARE AND CANADIAN WOMEN'S RIGHTS AS PARENTS

34. The Committee's 2008 Concluding Observations recommended that Canada take all necessary measures to address the disproportionate separation of Indigenous children from their parents.⁶² The importance of the relationship between primary caregiver and child, as well as the right of parents to make fundamental decisions in the lives of their children, is well recognized in both international and Canadian law. For example, the *Covenant on Economic, Social and Cultural Rights* and the *International Covenant on Civil and Political Rights* both require state signatories, including Canada, to recognize that families are a fundamental social unit that require protection and assistance.⁶³ The *Convention on the Rights of Persons with Disabilities* requires that states provide assistance to people with disabilities in their parenting and to ensure that parents and children are not separated against their will unless it is in the best interests of the child.⁶⁴ Finally, the *Convention on the Rights of the Child* requires that states respect the rights of parents, ensure that children are not separated from their parent unless it is in the child's best interests, and provide assistance to parents to support them with child-rearing.⁶⁵
35. Indigenous women continue to be disproportionately impacted by the authority of Canadian child protection agencies.⁶⁶ A lack of access to affordable child care services can fundamentally undermine these rights by constraining parental decisions and putting families at risk of potential separation.
36. All parenting can be stressful, but parenting with additional stressors like being a sole caregiver, living in poverty and struggling to cover basic necessities, trying to ensure ongoing safety from violence, living with a precarious immigration status, managing the multi-generational impacts of colonialism and the residential schools, or managing a disability, can create levels of pressure that may be difficult to manage. American research confirms that increased parental stress can negatively impact the parent-child relationship and increase the likelihood of involvement with the child protection

system.⁶⁷ Further, Canadian research confirms that poverty alone can lead to an increased risk of childhood neglect,⁶⁸ one of the most common forms of child maltreatment as reported by Canadian child protection agencies.⁶⁹

37. American studies also illustrate that child care can play an important role in reducing the risk of child maltreatment and engagement with the child protection system, particularly for younger children.⁷⁰ Access to affordable, high quality, culturally appropriate child care services can also be a resource for parents, providing information on parenting skills and childhood development. In addition, access to affordable child care services can support the financial independence and economic security of women and reduce their risk of experiencing violence, thereby minimizing the child protection risk factors of poverty and childhood exposure to intimate partner violence, which are commonly assessed as risks to children by child protection authorities.

CONCLUSION

38. Access to affordable and adequate child care is crucial not just for women's employment; it is also indivisible from and critical to the ability of Canadian women to fully realize the full range of their human rights. Canada has made little progress on child care since the Committee's last review in 2008 and recent commitments are inadequate. As recognized by the *Convention's* introduction, Canada's provincial and federal governments must take meaningful action on child care in order to support all of the *Convention* rights of Canadian women. Without such action, reported progress in other areas will have little practical impact in the everyday lives of women.

RECOMMENDATIONS

39. **Recommendation #1: Canadian federal, provincial and territorial governments should take immediate action to develop, fund and implement a comprehensive national approach to child care that focuses on (1) affordability; (2) quality, (3) universal access for all families, and (4) fair remuneration for care providers. Such an approach must include urgent action to ensure that government funding commitments prioritize meeting the needs of women most seriously impacted by a lack of access to child care, including single parent-led families, women living in poverty, women who have experienced violence, Indigenous women, women with disabilities and women struggling to parent their children.**
40. **Recommendation #2: To fulfill recommendation #1, the British Columbian government should take immediate action to adopt and implement the \$10 a Day Child Care Plan over ten years, prioritizing the needs of women most seriously impacted by ensuring, without stigma, that they have access to quality child care at no cost as proposed in the \$10 a Day Plan.**

SOURCES

¹ There are many terms used to describe child care including daycare, early care and learning, early childhood education and care, and early childhood development and care. In this report, we use these terms to refer to educator-led programs that focus on young children's healthy development, in partnership with parents.

² United Nations Entity for Gender Equality and the Empowerment of Women, *Convention on the Elimination of All Forms of Discrimination against Women* (New York: United Nations, 1979) at Introduction.

³ Milan, A, Keown, L. and Urquijo, C., "Families, Living Arrangement and Unpaid Work" in *Women in Canada: A Gender-based Statistical Report* (Ottawa: Statistics Canada, 2011) at 20.

⁴ Organisation for Economic Co-operation and Development. Directorate for Education, *Starting Strong II*. . (2006) OECD Publishing. Up-to-date comparative data is not available as Canada's 2009 OECD entries and other international sources are incomplete. Total ECEC funding has likely increased since 2006 from the addition of full school-day kindergarten in several provinces and slow growth of child care funding. However, in BC the introduction of full school-day kindergarten only increased the provincial child care/kindergarten spending from an estimated 0.23% of GDP to 0.29% of GDP (Steele, D., Montani, A., Anderson, L. and Oloman, M., *Making BC's young children and families a priority: A call to action* (Vancouver: First Call: BC Child and Youth Advocacy Coalition, 2015) at 19.).

⁵ Bennett, J., *Benchmarks for Early Childhood Services in OECD Countries*. Innocenti Working Paper 2008-02 (Florence: UNICEF Innocenti Research Centre, 2008) at 38.

⁶ Friendly, M., Grady, B., Macdonald, L. and Forer, B., *Early childhood education and care in Canada 2014*. (Toronto: Childcare Resource and Research Unit, 2015) at 124, Table 1; 132, Table 6; 136, Table 10.

⁷ *Ibid* at 124, Table 1.

⁸ *Ibid*.

⁹ Parent fees are also capped in Prince Edward Island, but the cities in that province did not fit the 2014 study's definition of big cities so were not included.

¹⁰ Macdonald, D. and Friendly, M., *The Parent Trap: Child care fees in Canada's big cities* (Ottawa: Canadian Centre for Policy Alternatives, 2014).

¹¹ Macdonald, D. and Klinger, T., *They Go Up So Fast: 2015 Child Care Fees in Canadian Cities* (Ottawa: Canadian Centre for Policy Alternatives, 2015).

¹² Track, L., *Able Mothers: The intersection of parenting, disability and the law* (Vancouver: West Coast LEAF, 2014) at 10.

¹³ Canadian Centre for Policy Alternatives, *Delivering the Good: Alternative Federal budget 2015* (Ottawa: Canadian Centre for Policy Alternatives, 2015) at 41.

¹⁴ Friendly, M. and Beach, J., *The state of early childhood education and care in Canada 2010: Trends and analysis* (Toronto: Childcare Resource and Research Unit, 2013) at Table 14.

¹⁵ Jamieson, K. and Isaac, K., *An environmental scan of public policy and programs for young Aboriginal children in BC: A cold wind blows* (West Vancouver: BC Aboriginal Child Care Society, 2014) at ii.

¹⁶ Committee on the Elimination of Discrimination against Women, *Concluding observations of the Committee on the Elimination of Discrimination against Women: Canada* (Geneva: United Nations Convention on the Elimination of All Forms of Discrimination against Women, 2008) at 8-9.

¹⁷ Fortin, P., Godbout, L. and St-Cerny, S., *Impact of Quebec's universal low-fee childcare program on female labour force participation, domestic income, and government budgets* (University of Sherbrooke, 2012); The Centre for Spatial Economics, *Estimates of Workforce Shortages: Understanding and addressing workforce shortages in early childhood education and care (ECEC) project* (Ottawa: Canadian Child Care Human Resources Sector Council, 2009); Kershaw, P., Anderson, L., Warburton, B. and Hertzman, C., *15 by 15: A comprehensive policy framework for early human capital investment in BC*. (Vancouver: Human Early Learning Partnership, UBC, 2013).

¹⁸ Fortin, P. et al., *ibid* at 27.

¹⁹ *Ibid* at 7.

²⁰ Friendly, M. et al., *supra* note 6 at 137, Table 11.

²¹ *Ibid*. See 124-139, Tables 1, 8, 11, and 13.

²² Friendly, M. et al. *supra* note 14. See 55-69, Tables 1-15. *Note: parent fee update not included in 2015 update.*

²³ Early Childhood Educators of BC and Coalition of Child Care Advocates of BC, *Community plan for a public system of early care & learning* (Vancouver: ECEBC and CCCABC, 2016).

²⁴ Ivanova, I., *Solving BC's Affordability Crisis in Child Care: Financing the \$10 a Day Plan* (Vancouver: Canadian Centre for Policy Alternatives, 2015) at 6.

²⁵ Friendly, M. et al. *supra* note 6 at 139, Table 13.

²⁶ Harney, S., *Letter to Christy Clark* (Vancouver: Coalition of Child Care Advocates of BC, 2016).

²⁷ Dragomir, G., *Commercial Child Care in Canada: Can child care thrive in a speculative investment environment?* (Vancouver: Pace Accounting Inc., 2012).

²⁸ Harney, S., *supra* note 26.

²⁹ Milne, K., *High Stakes: The impacts of child care on the human rights of women and children* (Vancouver: West Coast LEAF, 2016) at 14.

³⁰ Coalition of Child Care Advocates of BC, *Province-wide poll confirms broad support for \$10aDay Child Care Plan* (2015), online: http://www.10aday.ca/province_wide_poll_confirms_broad_support_for_10aday_child_care_plan.

³¹ Coalition of Child Care Advocates of BC, *Endorse the Plan*. <http://www.10aday.ca/endorse> (2015).

³² Friendly, M. et al. *supra* note 6 at 137, Table 11.

³³ Government of Canada, *Budget 2016* (2016), online: <http://www.budget.gc.ca/2016/docs/plan/toc-tdm-en.html>.

³⁴ Wherry, A., "A social policy theorists faces the trade-off what's possible and what's ideal", CBC News (11 September, 2016), online: <http://www.cbc.ca/news/politics/wherry-jean-yves-duclos-1.3755690>.

³⁵ *Convention to Eliminate All Forms of Discrimination against Women*, *supra* note 2 at Articles 1 and 2; Committee on the Elimination of Discrimination against Women, General Recommendation 19 at para 24.

³⁶ Committee on the Elimination of Discrimination against Women, *Report of the inquiry concerning Canada of the Committee on the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women* (30 March 2015) UN CEDAW/C/OP.8/CAN/1 at para 112.

³⁷ British Columbia, *A Vision for a Violence Free BC: Addressing violence against women in British Columbia* (2015) at 4-6.

³⁸ Tutty, L., *Effective Practices in Sheltering Women: Leaving Violence in Intimate Relationships Phase II Report* (YWCA Canada, 2006) at 50.

³⁹ *Ibid* at 51, 42 and 89-90.

⁴⁰ Sinha, M., "Family violence in Canada: A statistical profile, 2011" (Ottawa: Statistics Canada, 2013) at 4.

⁴¹ Tutty, *supra* note 38 at 89-90.

⁴² *Convention to Eliminate All Forms of Discrimination against Women*, *supra* note 2 at Article 11.

⁴³ BC Stats, "Labour Force Statistics Data," accessed 3 June 2016, www.bcstats.gov.bc.ca/Files/a92991a6-fa62-4c3f-be77-b9e849be3cee/LabourForceStatisticsData1603.pdf; Statistics Canada, "CANSIM Table 282-0087: Labour force survey estimates (LFS), by sex and age group, seasonally adjusted and unadjusted" (April 2016 data); Friendly, M. et al. *supra* note 6 at 134, Table 8.

⁴⁴ Farrao, V., "Paid Work" in *Women in Canada: A gender-based statistical report*, 5th ed (Ottawa: Statistics Canada, 2010) at tables 5 and 6.

⁴⁵ Milne, K., 2015 CEDAW Report Card (Vancouver, West Coast LEAF, 2015).

⁴⁶ Status of Women Canada, "Fact Sheet: Economic Security" (2015), accessed 3 June 2016, <http://www.swc-cfc.gc.ca/initiatives/wesp-sepf/fs-fi/es-se-eng.html>.

-
- ⁴⁷ Farrao, *supra* note 44 at 15.
- ⁴⁸ Status of Women Canada, *supra* note 46; Milne, *supra* note 45.
- ⁴⁹ Farrao, *supra* note 44 at 17.
- ⁵⁰ Child Care Human Resources Sector Council, *You bet we still care. A Survey of Centre-Based Early Childhood Education and Care in Canada: Highlights Report* (2013) at 9.
- ⁵¹ *Ibid.*
- ⁵² While single-parent led families make up just over 15% of BC's family population, they make up 25% of the families on income assistance. Almost 90% of these families are female-led. Ministry of Social Development and Social Innovation, "BC Employment and Assistance Summary Report" (March 2016); Statistics Canada, "Portrait of Families and Living Arrangements in Canada" (2011) at table 2; British Columbia, "Significant changes announced to support single parents on assistance" (11 March 2015).
- ⁵³ First Call: BC Child and Youth Advocacy Coalition, *2015 BC Child Poverty Report Card* (2015) at 30.
- ⁵⁴ Tarasuk, V., Mitchell, A. and Dachner, N., *Household Food Insecurity in Canada – 2012*, (Research to identify policy options to reduce food insecurity, 2014) at 11.
- ⁵⁵ Committee on the Elimination of Discrimination against Women, General Recommendation 24 at para 29.
- ⁵⁶ Committee on the Elimination of Discrimination against Women, General Recommendation 12 at para 14.
- ⁵⁷ Track, *supra* note 12 at 26-28.
- ⁵⁸ Thoits, P., "Stress and Health: Major Findings and Policy Implications" (2010) 51 no 1 suppl *Journal of Health and Social Behavior* S41.
- ⁵⁹ Mikkonen, J. and Raphael, D., *Social Determinants of Health: The Canadian Facts* (Toronto: York University School of Health Policy and Management, 2010).
- ⁶⁰ DisAbleD Women's Network, Canada "Policy Brief Re: Study on Economic Security on Women with Disability" (Report presented to the Standing Committee on the Status of Women, 3 May 2007) at 4.
- ⁶¹ Milne, *supra* note 29 at 30.
- ⁶² Committee on the Elimination of Discrimination against Women, *supra* note 16 at paras 45-46.
- ⁶³ *Covenant on Economic, Social and Cultural Rights*, Article 10; *International Covenant on Civil and Political Rights*, Article 23.
- ⁶⁴ *Convention on the Rights of Persons with Disabilities*, Article 23.
- ⁶⁵ *Convention on the Rights of the Child*, Articles 5, 9, 18.
- ⁶⁶ For example, in BC Aboriginal children are 12 times more likely to be in government care than non-Aboriginal children. Representative for Children & Youth and Office of the Provincial Health Officer, *Growing Up in B.C. – 2015* (2015) at 43.
- ⁶⁷ Rodriguez-JenKins, J. and Marcenko, M., "Parenting stress among child welfare involved families: Differences by child placement" (2014) 46 *Children and Youth Services Review* 19 at 19-20.
- ⁶⁸ Hlady, J., "Child Neglect: Evaluation and management" (2004) 46(2) *BC Medical Journal* 77.
- ⁶⁹ Public Health Agency of Canada, *Canadian Incidence Study of Reported Child Abuse and Neglect – 2008: Major Findings* (Ottawa, 2010) at 31.
- ⁷⁰ Waldfogel, J., "Prevention and the Child Protection System" (2009) 19(2) *The Future of Children* 195 at 199-201.