



# HIGH STAKES

## THE IMPACTS OF CHILD CARE ON THE HUMAN RIGHTS OF WOMEN AND CHILDREN

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## EXECUTIVE SUMMARY

**THE CURRENT STATE OF CHILD CARE** services in BC is failing women and children. There is a shortage of high-quality, regulated care and what exists is prohibitively expensive for many families. The situation results in serious repercussions for the human rights of individual women and children, and plays a key role in entrenching women's inequality more broadly. This project aims to explore those repercussions by gathering and analyzing the first-hand experiences of a diverse group of 15 women in order to assess the direct and indirect human rights consequences of BC's patchwork child care system.

The overarching finding of the project is that the current state of child care services in BC violates the human rights of women and children in complex and wide-ranging ways. This report documents those rights violations in six general areas:

- **ECONOMIC SECURITY:** Women may be unable to enter the paid work force because they are unable to secure care for their children or, if they can secure employment, they may take part-time or precarious work in order to balance work with caregiving or reduce the cost of child care. The economic insecurity that results can trap women in cycles of poverty and financial crisis, and can lead to forced financial dependence, which undermines women's equality.
- **WOMEN'S SAFETY:** The financial dependence that results from the current state of child care services puts women at an increased risk of intimate partner violence and creates barriers to their safety when that violence occurs. Even when women are able to flee abusive situations with their children, the cycle of poverty and financial insecurity they are often plunged into as newly single parents without access to affordable child care can cause them to return to their abusers.
- **IMMIGRATION STATUS IN CANADA:** As a result of Canadian immigration policy, access to child care services has a particular impact on women without legal immigration status who have fled violence. The financial insecurity that flows from an inability to access affordable and adequate care compounds with other aspects of vulnerability and undermines their ability to legally remain in Canada with their children.

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- **DISABILITIES AND HEALTH:** Mothers with disabilities experience disproportionate barriers to employment, higher rates of precarious employment and increased risks of involvement with the child protection system, making financial security and parenting more difficult. A lack of access to affordable child care services further threatens the economic security of these women and can put their own health at serious risk by exacerbating their disabilities.
- **THE RIGHT TO PARENT:** The relationship between parent and child, as well as the right of parents to make fundamental decisions in the lives of their children, are crucial to the human rights of both parents and children. A lack of access to affordable child care services can undermine these rights by constraining parental decisions and putting families at risk of separation through the child protection system.
- **CHILDREN'S RIGHTS:** Access to high-quality and affordable care can have a vast impact on the well-being of children, particularly as it impacts experiences of poverty, the risk of being separated from parents and the likelihood of being cared for in informal stopgap arrangements. When children cannot access high-quality child care, it has consequences for their human rights that are independent from those of the women caring for them.

Many of the harms experienced by women and children as a result of the current state of child care services align closely with rights Canadian courts have already recognized as justiciable and enforceable. Indeed, there are strong arguments that enforceable human rights law remedies can address many of these consequences. A coordinated, comprehensive solution is needed in order to support the human rights of women and children in BC.

The overarching recommendation from this report is that BC take immediate steps to adopt and implement the \$10aDay Plan. The Plan provides a broad framework to develop high-quality child care for every child whose family wants or needs it, improves affordability by capping fees at \$10 per day per child for full-time care and provides free care for families with annual incomes under \$40,000.

A comprehensive and coordinated public child care system cannot be built overnight. For that reason, we also recommend that the BC government take immediate steps to ensure that the most serious human rights violations for women and children are remedied by creating a new funding category through Child Care Operating Funding to provide free child care to women fleeing violence, including those without legal immigration status; culturally appropriate caregivers awaiting reunification with children in government care; the children of women with disabilities that affect their ability to provide care; and low-income lone parent families, including those on social assistance if a parent is in school, training or searching for employment.

BC's provincial government must take a leadership role in acknowledging and protecting the fundamental human rights of women and children by committing to a comprehensive, systemic solution. The current fragmented services do not meet the needs of women and children in BC, who need access to child care services that are coordinated, affordable, adequate in quality and available when they need them.