

BRIEFING NOTE: Ensuring the Rights of Vulnerable, Highly Mobile Children

ISSUE

The Government of Canada has responsibilities for the care of children as set out in the National Children’s Agenda and the Social Union Framework Agreement, as well as in agreements with provinces and territories that provide for programs such as the Canada Child Benefit, the Early Childhood Development Initiative, and the Multilateral Early Learning and Child Care Framework. Children fall primarily under provincial and territorial jurisdiction, but the federal government sets minimum standards within the Canada Social Transfer to fund programs and services which support education, social assistance, and social services, including early childhood development, early learning and childcare.

Provinces and territories are responsible for planning and prioritizing how funds are invested; however, the degree of flexibility afforded has led to significant variances in services and programs across the country. Depending on province or territory of residence, children in comparable circumstances can derive fewer benefits than others, which is in direct violation of Canada’s obligation as a signatory to the UN Convention on the Rights of the Child. Having agreed to meet the standards in the Convention, the Government of Canada needs to recognize the barriers within its own direct payments to family systems and remedy them. Further, Canada needs to set standards within the Canada Social Transfer to ensure that all children – without discrimination in any form – benefit from special protection measures and assistance.

RECOMMENDATIONS WITH RATIONALE

1. Government of Canada-funded services like the Homelessness Partnering Strategy should provide client support funding for children.
 - Currently, Housing First, an initiative for those suffering with chronic, long-term homelessness, funds only the adult, with no additional allocation for a parent with children.
2. Government of Canada child benefits such as the Canada Child Benefit (CCB) and Children’s Special Allowances should provide for all children.
 - If a child is in the care of provincial, territorial or First Nation governments, the federal government pays the CCB and a Disability Supplement Allowance to those governments. However, monies for a child in the care of a foster parent can actually be less than for a child in the care of a parent. For example, in BC, a six-year-old child living with their mother on social assistance would be supported through welfare apportioned for the child and the CCB, for a total of \$1,107.24. That same child living in foster care would be supported through a payment to their foster parent of \$803.81 by the province.
3. The Government of Canada should adhere to the Bangkok Accord and develop awareness and the capacity for non-custodial sentencing options for pregnant women and women with dependents. It should also develop awareness, information, research, and program supports for children with parents in conflict with the law/ incarcerated, as well as gender-responsive programs for when those parents are women.
 - Canada co-sponsored and signed the Bangkok Accord regarding the Treatment of

Women Prisoners and Non-custodial Measures for Women Offenders. There is a lack of both recognition and the program supports the Accord calls for, such as considering the parenting role at sentencing (e.g. who the family wage earner is), maintaining the child's relationship with their incarcerated parent, and providing these children specialized support.

- Since 2013, children of imprisoned parents have featured on the EU's list of "vulnerable children" and programs and supports are thus providedⁱ. In Canada, there are virtually no programs or supports for children of incarcerated parents—and none that are government funded – despite there being such recognition and corresponding programs and supports elsewhere in the Commonwealth and the European Union.

4. The Government of Canada should set standards within the Canada Social Transfer to recognize children of parents with addictions and homeless children as in need of special support to enable them to achieve improved life outcomes and receive equal benefit to their rights under the UN Convention on the Rights of the Child (CRC).

- In Canada, it's rare for sole parents to be able to enter treatment with their children. The inability of sole caregivers to address their addiction while caring for their child increases time before treatment, as well as the impact of parental addiction on the childⁱⁱ.
- Homeless children receive no specialized services despite their significantly diminished outcomes in comparison to other poor children. For example, in BC, the period of time for which children are impacted is increased due to a lack of dedicated shelter workers to assist in finding and negotiating housing. Finally, the crisis of affordable housing disadvantages these children, resulting in longer shelter stays and inferior social, emotional and health outcomes when compared to other poor children.ⁱⁱⁱ

IMPACTS OF RECOMMENDATIONS

1. Addresses disparities that other impoverished children do not otherwise experience.
2. Reduces the level of material deprivation for children who move a lot for reasons related to homelessness, parental addiction, incarceration, or government care experience.
3. Reduces interprovincial and territorial disparities that exclude children living in circumstances not considered under current eligibility rules, and increases supports for children living with the highest degree of social exclusion.

SOURCES

ⁱ The Commission set out in Guiding Horizontal Principle 1: Ensure a focus on children who face an increased risk due to multiple disadvantage such as... children of imprisoned parents....

COMMISSION RECOMMENDATION of 20 February 2013 Investing in children: breaking the cycle of disadvantage (2013/112/EU).

ⁱⁱ When compared to other children, children with parents who have addictions issues have poorer outcomes than their cohorts. They have significantly higher risk of developing physical and mental health and behavioral problems. Additional information can be found through: Calhoun, S., Conner, E., Miller, M., & Messina, N. (2015). Improving the outcomes of children affected by parental substance abuse: a review of randomized controlled trials. *Substance Abuse and Rehabilitation*, 6, 15–24.

ⁱⁱⁱ When compared to other children, or those from poor families, homeless children have poorer outcomes than just loss of family stability, disruptions in school attendance, and being ostracized by peers. They have significantly higher rates of: school failure, behavioural problems, developmental delay and sicknesses, lower academic achievement, learning disabilities, school bullying, disorders of nutrition and growth, and exposure to violence, parental substance and alcohol abuse. Additional information can be found through: Fry, C., Langley K., & Shelton, K. (2017). A systematic review of cognitive functioning among young people who have experienced homelessness, foster care, or poverty. *Child Neuropsychology* Vol. 23, Iss. 8, 2017