

KIDS FIRST PARENT ASSOCIATION OF CANADA

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Attention: Prime Minister Trudeau

Minister of Families, Children, and Social Development Duclos

Minister of Finance Morneau

Re: discrimination, "getting mothers back to work"

International Women's Day March 8, 2018

Dear Prime Minister and Ministers,

Greetings and warm wishes to you on International Women's Day, your colleagues, and all your families.

This letter is to respectfully and very urgently request that you correct discrimination found in numerous publications, laws, and policies. This letter is being addressed to you because the Canadian Human Rights Commission requires that complainants first attempt to resolve the issue with the organization thought to violating human rights.

Numerous publications, laws, and policies by yourselves, the federal government, its agents, and federal funding recipients are insensitive, offensive, shaming, stigmatizing, hurtful, misogynistic, dangerous, demeaning, dehumanizing, discriminatory, and harmful to many Canadians.

The grounds of discrimination include: sex, gender expression, family status, and marital status.

The groups adversely affected by these policies, laws, and publications include:

- children
- parents
- mothers
- women
- single mothers
- females who express gender by prioritizing the work of maternal child care.

Regarding intersectionality, the adverse effects may be exacerbated for those who, in addition to the above characteristics, also have all or any of the following personal characteristics:

- disability
- ethnic, racial minority status
- indigenous status
- adherence to religious, conscience, and other beliefs that are violated and/or not accommodated by the laws, policies, and publications.

Recent actions and publications - including numerous items related to the Budget - continue and exacerbate a long history of this type of discriminatory attack.

We ask that you commit to promptly apologizing, ending this discrimination, and taking corrective action.

We trust that you will realize the urgency of ending this discrimination.

However, failure to end this discrimination and take corrective actions will result in a human rights complaint being launched.

We look forward to a response within two weeks, that is on or before Thursday March 22, 2018.

UNJUST DISCRIMINATION AND RESULTING ADVERSE EFFECTS

At issue are definitions and implicit definitions, and the resulting adverse effects on historically disadvantaged groups protected under the Charter of Rights and freedoms.

In particular definitions and implicit definitions of:

- * child care (also called early learning, early childhood education and care, early childhood development, and like terms)
- * work
- * gender equity
- * the economy

1 - THE DEFINITION OF CHILD CARE

“Child care” is defined in a number of federal and provincial laws, policies, practices, and procedures to specifically exclude parental child care from child care funding. Thus parental child care is not recognized as child care and receives no child care funding support. This is unjust discrimination.

This definition is found in the Child Care Expense Deduction, Child Support Guidelines for special expenses, and in policies/laws that provide “child care” related funding and benefits to provinces, reserves, and military bases.

Moreover, polices and laws provide preferential treatment especially to child care (under various names) that takes place in daycare centres and other institutional group care settings.

The assumption is that children are better off in daycare centres and like group settings, or any licensed non-parental care, than in parental child care, especially maternal child care, and most especially, maternal child care by a single mother.

The parents who provide this care and the children who receive it are deprived of the benefit of equality under the law in child care funding simply because of family status and gender expression.

These policies not only discriminate against parents and women, they discriminate against all children not in daycare centres full time from birth by depriving them of the benefit of equitable funding and of equality under the law. They are deprived of the benefit and equality simply because of their family status as children of parents not using non-parental child care, especially full time in daycare centres from birth.

Preferential treatment of non-parental child care includes children age 15 and under: the Child Care Expense Deduction is available up to and including age 15.

Moreover, according to the statistical and peer-reviewed evidence, the majority of the non-parental care that the government treats most preferentially - licenced daycare centre care - has been repeatedly found to be of inadequate quality and harmful to children.

Please realize that this is about the quality of care of children including very young children. Effects of early care can last into adulthood. Preferential treatment for care of inadequate quality promises costly short and long term negative outcomes for individuals, their families, and for Canada.

Findings that "high quality" child care benefits children thus do not apply. Therefore, claims found in the publications of advocacy organization that there will be significant economic and social benefits over 'investment' costs due to improved child outcomes from such programs are dangerous and false. Such claims by advocacy organizations and government bodies that reiterate them contradict the peer reviewed and reliable evidence.

Studies that show benefits of high quality care do not define child care (and related terms) to exclude forms of child care other than licenced group settings. Findings repeatedly cited from the oft-cited infamous Perry Preschool Project are completely unrelated to the goals of increasing the numbers of licenced daycare spaces and mothers in full time GDP-counted jobs.

Thus federal policies are harming children's short and long term security of person.

Some examples of findings of inadequate quality in licenced daycare:

* **"the majority of licenced daycare in Canada is of minimal to mediocre quality,"** (*You Bet I Care! Report 2*) and, **"The majority of children age 0-12 in centres do not receive adequate amounts or types of experiences to promote language and cognitive development"** (Doherty).

* **"...the focus on increasing spaces has come at the expense of quality. The rapid increase in spaces has created a recruitment crisis for early childhood educators, resulting in cases of lowering standards and supervision ratios in child care settings."** (letter from the BC Association for Child Development and Intervention to BC government, November 8, 2017.)

* Quebec daycare quality was assessed: 61%—minimal quality, not meeting learning needs; 12% inadequate quality (worse than minimal) ("Quality Counts", IRPP).

* **"We uncover striking evidence that children are worse off in a variety of behavioral and health dimensions, ranging from aggression to motor-social skills to illness. Our analysis also suggests that the new childcare program led to more hostile, less consistent parenting, worse parental health, and lower-quality parental relationships."** And, **"The consistency of the results suggests that more access to childcare is bad for these children."** *Journal of Political Economy*, "Universal Childcare, Maternal Labor Supply and Family Well-Being" - Milligan/Baker/Gruber

* Daycare centre care increases children's cortisol levels which indicates increased stress which negatively impacts development. *Child Development*, "Morning-to-afternoon increases in cortisol

concentrations for infants and toddlers at child care age differences and behavioural correlates."

- Daycare centre care increases many illnesses, aggression, non-compliance, cruelty, and "risk taking" behaviour at age 15 (Milligan/Baker/Gruber, NICHD, etc).

- Sweden with the world's largest daycare system has a "problem of quality", rising youth violence and suicide, and declining PISA academic test scores that rank far below Canada's.

- Research in preparation on Quebec's daycare system shows rising youth crime as a result of the daycare system there (Milligan/Baker/Gruber.) "Non-Cognitive Deficits and Young Adult Outcomes: The Long-Run Impacts of a Universal Child Care Program." This finding is predictable based on studies of the effects of group care and of related experiments with non-maternal child care in mammals.

2 - THE DEFINITION OF WORK

"Work" is implicitly defined as waged work, and to exclude the work of child care when done by parents.

Mothers doing *any* GDP-counted job is said or implied to be or assumed to be always better for the mother, society, the economy, and children than mothers working at maternal child care.

Our work outside the GDP-counted sector providing parental child care is officially erroneously counted as "leisure", or "inactivity", or "non-participation", or "unoccupied". This perpetuates negative stereotypes about women, mothers, single mothers, and females who express gender by prioritizing the work of maternal child care.

In particular, mothers who work at parental child care and reduce or eliminate GDP-counted work to do so are urged repeatedly, shamed, stigmatized, incentivized, penalized, bullied, and coerced by funding polices to "go back to work", to "contribute to the economy" as if they were not in fact working and contributing already.

3 - THE DEFINITION AND MEASUREMENT OF GENDER EQUITY

"Gender equity" is defined and measured to ignore and override the actual preferences of individual women, and to assume a norm and a goal of full time GDP-counted jobs (or in some policies school attendance or anything other than parental child care) for all women regardless of our very diverse actual preferences and individual circumstances.

It is erroneously assumed that increased GDP always means improved security of person and well-being for women and children.

This discriminates because maternal child care is again completely discounted, disvalued, as are other forms of family care work and non-GDP counted work, as are women who do it.

Gender equity has apparently displaced women's liberation. Gender equity is measured primarily by the percentage of women doing select types of GDP-counted jobs (not construction, trucking, or plumbing) in relation to the percentage of men.

GDP is not measured by the percentage of women who report having security of person, being happy, satisfied, respected, loved, or even free from physical violence. Gender equity definitions, measurements and goals disregard personal aspiration, identity, and expression concerns altogether and force women to play and pay for a numbers game created by others.

Concerning discrimination based on sex and gender expression, these policies and the definitions they are based on discriminate against females who express their gender by prioritizing the work of maternal child care over GDP-counted jobs.

Caring for children is historically considered the primordial feminine expression of gender for mammals.

Thus policies impose a coercive numbers game of 'carrots and sticks' financial punishments and political/social shaming, stigmatizing and silencing to push women into full time GDP-counted jobs or unemployed labour supply.

International Gender Equity Rankings and Rape Rankings

That gender equity disregards not only our preferences, but basic security of person for women, is shown by the fact that leading proponents for preferential treatment for institutional child care and gender equity, such as Dr. Paul Kershaw, have critiqued Canada because in 2016 it was ranked lower (35) than South Africa (15) on "gender equity rankings" by the World Economic Forum, an organization made up of corporations with vast profits. However, South Africa in 2016 was ranked as having by far the highest rape rate of any country in the world, with CBC reporting exceptionally high levels of brutal gang rape and extreme domestic violence.

THE DEFINITION OF "THE ECONOMY" AND "ECONOMIC GROWTH"

The federal government mistakenly equates the economy with the GDP. GDP growth is assumed to always be good. But using the GDP this way discriminates against those who prioritize non-GDP activities that are economically and/or socially essential or beneficial, in particular parental child care.

GDP growth through increased commodification of behaviour - as in the discriminatory statement "getting women back to work" - is a primary rationale for these discriminatory policies.

The GDP is an exclusionary measure that leaves out all non-commodified exchanges regardless of how beneficial or essential they are, and includes *any* commodified exchange that is not currently criminalized regardless of how harmful, unnecessary, or inane it may be.

GDP also includes billions of commodified activities that address harms such as crime, disease, suicide, family breakdown, etc. and does not count these costs as costs.

Equality for women will not be possible until this misuse of the GDP to mean welfare or well-being is abandoned. The creator of the GDP, Simon Kuznets, said as much himself: "**The welfare of a nation can scarcely be inferred from a measure of national income,**" and, "**The volume of services rendered by housewives and other members of the household toward the satisfaction of wants must be imposing indeed.**"

ADVERSE EFFECTS OF THIS DISCRIMINATION

The adverse effects of this discrimination include numerous effects related to violations of Charter of Right and Freedoms including the rights to equality, liberty, security of person, and fundamental justice.

Government officials foster and condone this discrimination, routinely, repeatedly and blatantly. Government officials have made it an acceptable norm to refer to hard working mothers as “not working” in order to supposedly “stay at home”. There is no evidence that any mother stays at home because they do not “stay at home”. Mothers working at maternal child care go out like everyone else.

They describe and treat our work as unproductive, not contributing to the economy, worthless to the economy and society, as a bad choice, as not “the best possible start in life” for our children.

For many of us this policy of state coercion encourages and condones emotional, physical, and economic coercion and abuse by our intimate partners, friends, family, community members who take it upon themselves to enforce the official regime: spend less time with our children and more time doing anything else especially a full time GDP-counted job, any job.

These policies and publications even undermine relationships between us and our children who are informed at every turn that having a GDP-counted job and buying stuff are the most important goals and responsibilities of citizens, especially their mothers.

The greatest discrimination and most egregious negative effects are on single mothers, including never-married mothers, and their children. These are all historically discriminated against discrete minorities.

We note that the Canadian governments have been leaders in devaluing parental child care in favour of economic/cultural assimilation and institutional child care for generations, for example, the residential schools, the “60s sweep”.

This discriminatory regime and the numerous ubiquitous related publications (for example related to the 2018 budget):

- perpetuate dangerous, harmful negative stereotypes about women - especially single mothers
- cause serious short and long term economic hardship to many women and children
- harm children’s physical and emotional well-being
- foster/cause social/political/personal shaming and stigmatizing of non-compliant women
- silence and ignore the voices of women who do not follow the officially prescribed agenda
- silence and ignore the voices, needs, and preferences of children
- attack the dignity of women, mothers, parents, single mothers, children, children of single parents
- give legitimacy to the disregard for women’s consent and preferences in very vital areas of our lives
- fuel a climate of contempt for women who do this socially essential work
- exacerbate emotional and/or physical and/or economic abuse and fear of such abuse
- exacerbate disrespect, contempt, loss of dignity, stress
- result in excessive workloads (because it is assumed that we are doing nothing)
- exacerbate or cause medical/health problems, depression, self-doubt, fatigue
- exacerbate or cause impaired parent-child relationships, impaired spousal and other relationships, etc.

This regime utterly disregards the uniqueness of every woman and every child and every family. Our aspirations, family structure, extended families, beliefs, culture, consciences, health, ability/disability,

material resources and aspirations, lifestyles, support systems, jobs, schedules, locations, etc. are all unique. All of these change and result in unique preferences that also change.

TOWARDS ADDRESSING SOME STATED CONCERNS

Adopt Inclusive, Non-discriminatory Definitions

We urge you to adopt inclusive, non-discriminatory definitions of key terms. In such an approach, work includes unwaged parental child care and other unwaged work. Child care is the care of a child, and includes parental child care. Economic growth includes productivity that is excluded from Gross Domestic Product calculations. And women's equality is not reduced to gender equity measurements of percentages of women in jobs, but is measured by women's security of person, well-being, and happiness.

Unbiased Data on Parental Preferences

Statistics Canada has considered removing questions related to parental preference in child care from the General Social Survey. That our preferences are silenced is alarming in a democracy. Questions need to be asked to obtain data on preferences from all survey respondents, not only those deemed to be "working". And questions need to determine unencumbered preference, not constrained by current financial or employment concerns.

Funding Equity

If the concern is truly that women have lower incomes as a result of not maximizing our paid job earnings, then the solution would be recognition, inclusion, and appreciation for the socially essential work many women are doing and fund that work on an equitable basis.

Moreover, it is falsely assumed that having more income always results in improved well-being and standard of living. But acquiring the income causes numerous dollar and other costs, especially the costs of time to provide parental child care.

Recognize Women as Competent Adult Persons

The government is failing to treat women as fully capable adults able to calculate the costs and benefits of their preferences without discriminatory incentives. The state should be neutral on these issues.

The obvious, misogynistic assumption is that women who prefer to prioritize maternal child care are not capable of making decisions for ourselves and our families, that we are brain-washed by patriarchy and that we therefore we deserve to be corrected, controlled, and coerced by our betters into "choosing" their choice.

Some Problems are Not Problems and do not Require Solutions

Some men and some women consider it a 'problem' that women make up a smaller percentage of CEOs and the like. They believe this 'problem' needs a solution and requires government to incentivize women to take such positions and punish us for prioritizing our children and not taking the bait. But not being a CEO is not a problem for most women.

Recognizing Women's Social and Political Contributions

Some believe that women do not fully participate in the society, political life, etc. if they are not in full time jobs. This is again insulting, offensive, and discriminatory. They provide no evidence for this belief.

Women participate in all areas of 'public life' as they see fit and have time. Women in full time paid jobs are not necessarily more active in communities, politics or society than those who are not.

Facilitating Women's Participation as Elected Officials

If there is a concern that women are not able to participate in politics and be politicians, this can be considerably addressed by using modern technology - video conference, Skype, etc. - to facilitate the participation of those of us who prioritize family care work and are as a result not as willing or able to travel to Ottawa, etc.

A FEW RELATED LEGAL RULINGS

The Canadian Human Rights Tribunal has determined (Johnstone) that child care is an aspect of family status which is a protected grounds in the Canadian Human Rights Code.

The Supreme Court of Canada has found that, **"The common law has long recognized that parents are in the best position to take care of their children and make all the decisions necessary to ensure their well-being. This recognition was based on the presumption that parents act in the best interest of their child."** (B.(R.)).

The Supreme Court of British Columbia found (Inglis) that breastfeeding and mother-child attachment were issues of security of person and the principles of fundamental justice. There are other related legal precedents.

To conclude, please respond promptly to change this harmful discrimination. With feminism like this, who needs patriarchy? We look forward to working with you to resolve this.

All the best,

Helen Ward

mother, President, Kids First Parent Association of Canada