Fact Sheet 8

November 2019

CANADIAN COALITION FOR THE RIGHTS OF CHILD CARE

Right to Equitable Access in Early Childhood

The core principles of equitable access to services and non-discrimination also apply in the early years. These rights of young children in Canada are not fulfilled. Consider:

- In 2018, more than 770,000 children lived in "child care deserts" with inadequate spaces for children seeking care (more than three children for every space).
- In a 2019 Survey on Early Learning and Child Care Arrangements, 10% of parents reported they did not access child care because "costs are too high."
- Only 52% of children in some form of non-parental care were enrolled in a childcare program, a low number compared to other developed countries.

The 2017 Multilateral Early Learning Child Care Framework Agreement is a step forward, but it fails to fulfill Canada's obligations under the Convention on the Rights of the Child.

Equitable Access Recommendations to Canada

Article 18.3 of the *Convention on the Rights of the Child* (CRC) requires that "States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.'

After the 3rd/4th review, Canada was asked to "*provide an equity impact analysis of current expenditures on early childhood policies and programs, including all child benefits and transfers, with a focus on children with higher vulnerability in the early years*." Other recommendations also highlighted equitable access to services as an issue in Canada.

Instead of an equity analysis, the 5th/6th Report reports that "*many provinces amplified emphasis on early childhood programs through increased funding to assist families with the cost of childcare*" and lists a few specific provincial improvements.

Early Childhood Learning and Care in Canada (ECLC) remains an inconsistent patchwork of policies and programs. While the 2017 ECLC Framework Agreement starts with a set of principles, it does not recognize children's rights and has no mechanisms to ensure equitable treatment, outcome-based accountability, or regular, transparent reporting. General Comment 7: Implementing child rights in early childhood explains the duty of states to provide:

"a legislative framework for the provision of quality, adequately resourced services, and for ensuring that standards are tailored to the circumstances of particular groups and individuals and to the developmental priorities of particular age groups, from infancy through to transition into school."

Prepared by the Canadian Coalition for the Rights of Children, with input from Aurelia Di Santos, PhD, and Christa Leeder, ECEC.

Identified Areas of Action

Recognize that young children have rights to learning and care

All children in Canada, regardless of where they live, their ability, family circumstances, or culture should have access to affordable, high quality early childhood education and care. The current ECLC framework should be expanded to become a "*comprehensive framework for early childhood services, provisions and facilities [that is] … backed up by information and monitoring systems*" (General Comment #7). In 2019 the CCRC endorsed the Affordable Child Care for All Plan as a pathway toward a universal child care system in Canada. In particular, legislation should recognize children's rights and include measures to address equitable access, diversity, inclusion, and different geographical contexts, such as remote communities.

Use rights-based tools for planning, evaluation of quality, and public reporting and accountability

Planning and evaluation tools modelled on Children's Rights Impact Assessments (CRIAs) would be useful to ensure that all aspects of child development and children's rights are considered, and that the views of children, families, educators, and advocates are considered from the policy and program planning stage to regular evaluations and public reporting. General Comment 7 on early childhood and other General Comments provide guidance based on evidence-based research and good practices. Rights-based tools are useful to protect the best interests of children, while allowing flexibility in the context of Canada's federalist system of governance. All provinces and territories have ratified the Convention and share accountability for implementing it.

Embed children's rights within early learning programs, learning plans, support programs for parents, and training of workers

Children are rights-holders and educators, as duty-bearers, have a responsibility to ensure that children's inherent rights are visible in practice. Children's rights are explicitly recognized in some provincial and territorial frameworks and in the Indigenous Early Learning and Child Care Framework. Legislation for a universal childcare system can ensure that all early learning frameworks integrate the CRC throughout the pillars of practice and that rights are explicit in all program policies and procedures. This is in keeping with the CRC, which states that: "in all actions concerning children … their best interests shall be a primary consideration" (Article 3); children have the right to develop their full potential (Article 7); and children have the right to have their views considered (Article 12). Article 29 on the purpose of education is also relevant for early childhood programs.

Canadian Coalition for the Rights of Children

Share this with others and add your voice to support children's rights across Canada.

To discuss this further, send a message to info@rightsofchildren.ca.