

## ***Careless About Child Care - Facts and Highlights***

### By the numbers

**2012:** Year of transfer of daycare licensing from Ministry of Children and Youth Services to Ministry of Education.

**1.8 million:** Number of children in Ontario age 12 and under.

**396,000:** Estimated number in licensed child care.

**823,000:** Estimated number in unlicensed care.

**274:** Complaints to Ministry of Education about unlicensed child care in 2012.

**526:** Complaints to Ministry of Education about unlicensed child care in 2013.

Between January 1, 2012 and July 12, 2013:

- **138** unlicensed caregivers were found in violation of the *Day Nurseries Act* on first inspection
- **82** were the subject of multiple complaints; **28** had previous complaints
- **23** were found still operating illegally on second visit
- **15** remained in violation upon subsequent visits

Number of children allowed in unlicensed (informal) care:

**1960-69: Three** under age 7.

**1969-1971: Three** under age 10.

**1971-present: Five** under age 10, not counting operator's own children; additional children allowed if of "common parentage."

**Once Bill 10 (*Child Care Modernization Act*) is passed: Five** under age 10, total.

Recommendations by Ombudsman: **113**

Number already being addressed, according to Deputy Minister: **95**

### **Highlights / Examples of egregious cases:**

**July 8, 2013: Eva Ravikovich, 2**, dies at unlicensed daycare in Vaughan; Ministry records reveal five previous complaints that were not acted upon. **(Paras 32-53)** When an inspection was done in November 2012, only one of the operator's two adjacent properties was visited; staff notes were not prepared until eight months later – after Eva's death. **(Paras 314, 335)**

**July 28, 2010: Jérémie Audette, 2,** drowns in pool at an unlicensed provider's home in the Ottawa suburb of Orleans. Recommendations from the 2012 coroner's inquest include capping the number of children allowed in unlicensed care, creating a registry for unlicensed caregivers, and increasing first aid training requirements. The two operators were fined \$2,000 and \$750 and prohibited from caring for more than five children for 1 year. **(Paras 87, 462)**

**Complaint records:** We found more incomplete records than complete ones for 2012. A complaint received in March 2012 wasn't logged until August 2013 – 17 months later. **(Paras 158-159)**

**Poor evidence gathering:** After a children's aid society worker reported an operator caring for eight children in filthy conditions in July 2012, Ministry staff waited four days to visit the home. They arrived when no children were present, and even though the operator acknowledged caring for 10 kids before and after school, the case was closed. **(Paras 238-239)**

**Use of technology:** Ministry staff were discouraged from using social media or Internet searches to identify potentially illegal daycares. Comment from a regional manager: "We're so busy.... It's not that we don't want children to be protected, but please don't go out looking for them because we can't handle what we have now." **(Paras 178, 182)**

**Light penalties/lack of enforcement:**

- A caregiver who was caught twice deliberately violating the Act (caring for six and then seven children) was fined \$200 and given six months to pay. Said a program advisor on the case: "The providers went out, like, high-fiving their way out of court..." **(Para 463)**  
A Ministry official acknowledged the lax nature of the unlicensed system (versus the restrictions on the licensed sector) is like "a licence to print money" for the former. **(Para 99)**
- In one case profiled by CBC's *Marketplace*, one of 26 children in an illegal daycare was hospitalized after being bitten more than 15 times by another; the operator was fined \$3,000 in 2007. In a second case, the Ministry took so long to obtain information from the CBC about the apparently illegal daycare, the time frame for laying charges expired. **(Paras 284, 287)**
- A caregiver who was caught violating the Act in 2011 and 2012 was found on a follow-up inspection to have five children in her home and nine more in the basement under the care of her daughter. The woman was fined \$1,250 and given a year of probation, and the daughter was fined \$250. **(Para 370)**
- While charges were pending against them for caring for 14 children, two operators escaped further charges for another daycare location where they had 13 children under age 4 because it was deemed a "camp." Five months after their conviction on the first charges (for which they were each fined \$999), they were granted a daycare licence. **(Paras 382, 399)**