

Ombudsman's remarks – *Careless About Child Care*

Many Ontarians who learn of this report today, or who are tuning in to this news conference via webcast, will be stunned to learn just how lax our unlicensed daycare system is.

There is only one rule: Unlicensed operators can't care for more than five unrelated children under age 10 – and that's not counting their own children. But other than that, anyone can set themselves up as a daycare without requiring a license or meeting any standards or qualifications.

It was in this so-called system that four children died in the Greater Toronto Area in the space of seven months in 2013-2014. One of those deaths – that of two-year-old Eva Ravikovich – occurred in such shocking conditions that it galvanized the Ontario government to look more closely at a daycare system that it had ignored for years. When even government officials couldn't figure out how many complaints they had received about Eva's daycare, it was clear to me that this child was a bit like the canary in a coal mine: Her death signalled significant problems beneath the surface.

Our investigation revealed just how bad it was – and believe me, our title, *Careless About Child Care*, is putting it mildly. As lax as the rules are for unlicensed daycares, they were barely being enforced by a bureaucracy that shied away from inspections and investigations and preferred to use soft tools of encouragement instead.

Many of the problems date back years, but were compounded in 2012 by a botched transition of the daycare system from the Ministry of Children and Youth Services to the Ministry of Education, which took it on along with the government's full-day kindergarten initiative.

More than two years later, in the wake of at least four deaths, serious issues have still not been addressed. At a certain point, you have to ask, what could be more pressing, more urgent, than protecting children?

I am making 113 recommendations in this report – a precedent for our office. The good news is that the bulk of them are already being addressed by the Ministry, and long-overdue new legislation is finally on its way through the Legislature. But as we point out repeatedly in this report, the momentum spurred by these children's terrible deaths must not be lost. There is no need to wait for new legislation – important improvements can be made now.

Time doesn't permit me to detail all the twists and turns of the mess we found in this investigation; suffice it to say that it was so bad, I am recommending the government use it as a cautionary tale in instructing public servants about what NOT to do. Along

with sloppy, slipshod record-keeping and the failure to educate daycare operators, parents and even government staff about the law, we uncovered longstanding legal loopholes that allow illegal daycares to operate under the guise of private schools and so-called summer “camps.”

You will see, in a detailed chart in the Appendix to this report, that the Ministry has not only accepted all of my recommendations, but has acted on many of them already. To the Ministry’s credit, the shock of Eva’s death and this investigation sparked long-overdue improvements. All of this makes me hopeful that lessons have been learned from the tragedies covered in our report.

Two changes are crucial to this reform. One is already underway: At long last, a dedicated enforcement unit is being established for investigating complaints about unlicensed daycares and ensuring they comply with the law. Its staff are called “enforcement officers,” not “advisors” – putting an end to the old, kid-gloves culture.

The second necessary change is new legislation – the long-awaited *Child Care Modernization Act*, replacing the *Day Nurseries Act* of 1946. I will be watching closely to make sure this and the government’s other commitments in this case are fulfilled. Ontario parents and children have waited long enough.