

Welfare of Immigrant Children

Date:	June 11, 2013
To:	Community Development and Recreation Committee
From:	Executive Director, Social Development, Finance and Administration General Manager, Children's Services
Wards:	All
Reference Number:	17210

SUMMARY

In 2012, media coverage of a young immigrant's death drew attention to the potential for the isolation and abuse of newcomer children, and brought to light coordination gaps between Canada's immigration, settlement and child protection systems. These gaps can contribute to the vulnerability of immigrant children to abuse and neglect, specifically children that immigrate to Canada to be reunited with their parent(s) after a long period of separation.

This report responds to the Community Development and Recreation Committee request for investigation related to the issue of immigrant children suffering abuse. The report provides an outline of the findings and work to date, highlighting risk factors and coordination gaps between immigration authorities, child protection and other agencies.

RECOMMENDATIONS

The Executive Director, Social Development, Finance & Administration and the General Manager, Children's Services recommend that City Council:

1. Direct the Executive Director, Social Development, Finance & Administration and the General Manager, Children's Services to continue working with other orders of government, child protection agencies, school boards and other relevant agencies in order to address lack of data and coordination gaps related to services for immigrant children;

2. Request the Government of Canada to establish a data collection system at Canada's ports of entry to facilitate gathering of accurate statistics on unaccompanied minors as well as children that arrive to Canada to be reunited with their parents and/or step parents, and share this information as appropriate with the child welfare services;
3. Request the Province of Ontario to amend the Child and Family Services Act so that it is consistent with Canada's international obligations from the Child's Rights Convention so that all children under the age of 18 could qualify as in need of protection;
4. Request that both the Government of Canada and the Province of Ontario work together to establish a formal procedure to ensure all newcomer children are enrolled in the school system; and
5. Direct the Executive Director, Social Development, Finance & Administration and the General Manager, Children's Services to report back to the Community Development and Recreation Committee on the results of work.

Financial Impact

There is no financial impact associated with this report. Funding for this work has been included in the 2013 Council Approved Operating Budget for Social Development Finance and Administration. The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

On April 10 and 11, 2012, City Council referred Motion MM22.17 to investigate the problem of abuse of immigrant children in Toronto to the Community Development and Recreation Committee.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.MM22.17>

On May 23, 2012, the Community Development and Recreation Committee directed Social Development, Finance and Administration, Children's Services and the City-Wide Local Immigration Partnership to develop a working group on the issue.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.CD13.6>

ISSUE BACKGROUND

In 2012, Toronto Police reopened a cold case from 1994, when a teenage girl's body was found in the city of Vaughan. The body had remained unidentified for almost 20 years. New information received in 2012 led to the police identifying the victim as Melonie Biddersingh from Kingston, Jamaica. Her father and stepmother were arrested and charged with murder.

While this case exposed the significant vulnerabilities of certain groups of newcomer children, the evidence of child abuse in the immigrant population remains limited. In fact, there is no evidence that the incidence of child abuse is any different in the newcomer community than the community at large. Research revealed no statistical relationship between the incidents of abuse and the immigration status of victims or abusers. There are correlations between other factors such as income, unemployment and social isolation. In addition to the broad risk factors associated with child abuse, additional risk factors, specific to newcomer population may also exist. Combined with service gaps and lack of coordination between immigration authorities, child protection and other agencies, these circumstances create barriers for preventative measures which may result in increased vulnerability of immigrant children to abuse and neglect.

COMMENTS

According to the 2011 National Household Survey, 49% of the population of Toronto are immigrants. One-third of them are newcomers, having arrived in Canada in the last 10 years. Many newcomers are children. Citizenship and Immigration Canada (CIC) statistics show that in 2011 alone, over 12,000 children less than 15 years of age landed in Toronto.

While the majority of newcomer children never experience abuse or neglect, research and anecdotal evidence show that certain newcomer-specific circumstances can contribute to abuse in immigrant families. They include:

- migration-related family separation and delayed reunification
- newcomer parents having limited or no family supports
- cultural conflict between immigrant parents and their children
- language, cultural and educational barriers to accessing support in crisis situations
- varied pace and level of integration between family members.

In addition, broad risk factors associated with child maltreatment, while not immigrant-specific, are often experienced by newcomers. They include unemployment, poverty, mental health issues and social isolation.

To respond to the issues raised in Councillor Michael Thompson's motion and subsequent Community Development and Recreation Committee (CDRC) direction, staff from Social Development, Finance & Administration (SDFA), with support from Children's Services, utilized a two-phased action plan. The first phase focussed on researching the scope of the issue and bringing together a committee of experts to explore opportunities for service coordination related to immigrant children reunited with their parents after a period of separation. The second phase will focus on addressing broader issues related to the welfare of newcomer children as identified in the May 2012 CDRC directions.

The first phase was concluded in May 2013 and included the following activities:

- **Key informant interviews:** A number of child experts from child protection agencies, school boards, health sector, newcomer-focused service providers and academics were interviewed to identify risk factors for newcomer children, gaps in services and opportunities to address them. Appendix B provides a full list of participating agencies as well as interview questions.
- **Literature review and data research:** With a goal to explore the risk factors and the scope of immigrant child abuse in Canada, close to 20 academic journal articles, statistical profiles and government-issued reports were reviewed. Most of these sources are not specific to immigrant children, as such research and data is extremely limited.
- **Newcomer Health Forum:** As part of the Forum, seminars were held on newcomer families and newcomer mental health. Findings highlighted that the settlement process sometimes results in newcomers experiencing social isolation, above average unemployment, poverty, and mental health challenges.
- **Round table discussion:** Held with over 30 participants from all orders of government, Toronto school boards, community-based sector and academic institutions. The preliminary findings were presented, examined and key issues identified.
- **Immigrant Children Working Group:** Formed a working group with an initial task of identifying priority issues and a plan of action. In addition to SDFA and Children's Services, members include CIC, Canada Border and Services Agency (CBSA), two largest Toronto school boards and children's aid societies, Toronto Public Health, Office of the Provincial Advocate for Children and Youth, and Toronto Office of the United Nations High Commissioner for Refugees.

There was a shared concern and general agreement on the key issues and immediate priorities. The key priorities are to address lack of data and coordination gaps and jurisdictional issues between the federal immigration authorities and local child protection services.

Lack of Data

Currently, there is very limited data as far as number of children that arrive to Canada to be reunited with their parents, number of unaccompanied minors, as well as number of newcomer children that are already in the child welfare system. Without reliable data, it is difficult or even impossible to adequately and efficiently identify and deal with the issues.

While the greater majority of immigrant children arrive together with their parents, it is not uncommon that some arrive on their own, sometimes after many years of separation from their parents. Exactly how many is unknown. Data that CBSA collects on newcomers as they immigrate into Canada does not distinguish if a family arrived together, or if a child came on his or her own.

A small number of children arrive as unaccompanied, with no family and no support in Canada. A protocol between Peel Children's Aid and CBSA facilitates protection of unaccompanied minors that enter Canada through the Pearson Airport, who are less than 16 years of age and also present reasons for suspicion that they may be in need of protection. While this is an example of a promising practice, such a protocol does not exist between CBSA and Toronto Children's Aid Societies. Also, since the protocol does not apply to unaccompanied minors that are 16 and older, these children do not receive protection and there is no data about their numbers.

Coordination Gaps and Disconnects

In addition to the lack of data, the Round Table and the Immigrant Children Working Group raised the following as gaps that may increase vulnerability of newcomer children to abuse, while limiting their access to services:

- disconnect between the immigration process and school enrollment of newcomer children
- discrepancy in the definition of child and consequently their eligibility for services, and
- newcomer children lack of information and knowledge about their rights and protective services.

When immigrants first arrive in Canada, their admissibility to Canada under the Immigration and Refugee Protection Act (IRPA) is assessed by CBSA at the port of entry. If there are no issues, the CBSA officer will authorize their entry and newcomers are then free to settle anywhere in Canada. As any other permanent resident and citizen, newcomers are not monitored and they are free to decide where to settle, and whether to enrol their children in school or home school them. Their freedoms of movement and choice are not restricted, nor should they be. However, while elementary and secondary education is compulsory in Ontario between the ages of 6 and 18, there is no follow-up with newcomer parents to ensure that their children are enrolled in the school system. Schools can be a safety net for newcomer children that find themselves in possible abusive situations.

In Ontario, a person under the age of 18 is considered a minor. Despite this, under the Ontario's Child and Family Services Act, only those children younger than 16 could qualify as being in need of protection. This means that children that are 16 and older are not eligible to receive protective services of child welfare agencies in Ontario, unless they are already under their care.

Newcomers often arrive to Canada with no experience of a child welfare system or awareness of children's rights in Canada. Many may not understand how child abuse and neglect are defined in Canada or why in Canada authorities, police and courts get involved in suspected cases of child abuse or neglect (Preston, B. 2011). Others may have language barriers to understanding information and accessing supports available.

Recently, there was a positive development related to the issue of coordination between different authorities. In May 2013, children's aid societies in Toronto and Peel, along with the Citizenship and Immigration Canada, the Canada Border Services Agency, the Federal Department of Justice and the Provincial Office of the Children's Lawyer held two interagency sessions. They were organized to improve communication, ensure better understanding of each organization's mandate and role, and build interdepartmental relationships. This is a step in the right direction, one that has the potential to open the communication between the various players.

Conclusion

Last year, Canada received a report card from the UN Committee on the Rights of the Child on our compliance with the Child's Rights Convention. While Canada ratified the Convention in 1991, there are still many areas that require significant improvements. In addition to major gaps in data on children, and discrepancies related to the age limit for child protection, the Canada report card highlighted many other issues, such as:

- the need for better co-ordination of Federal and Provincial/Territorial laws and services
- the lack of a comprehensive approach to public awareness on children's rights
- the high incidence of violence against children and need for greater prevention
- the need to eliminate delays and barriers to family reunification, affecting thousands of immigrants and refugees

These and other points confirm the concerns raised in the CDRC decision, by the Round Table participants and the recently established Immigrant Children Working Group members.

The Immigrant Children Working Group will continue to meet as part of the second phase of the action plan, with a goal to respond to the broader issues raised in the May 2012 CDRC direction and ensure that newcomer children are not at a greater risk of abuse or for abuse going undetected. The progress will be reported back to the Community Development and Recreation Committee in the fall of 2013.

CONTACT

Vera Dodic
Project Manager, Toronto Newcomer Office
Social Development, Finance & Administration
Phone: 416-392-5679
E-mail: vdodic@toronto.ca

SIGNATURE

Chris Brillinger
Executive Director
Social Development, Finance and
Administration

Elaine Baxter-Trahair
General Manager
Children's Services

ATTACHMENTS

Appendix A: Bibliography
Appendix B: Key Informant Interviews

Appendix A

Bibliography

A Canada Fit for Children: Canada's follow-up to the United Nations General Assembly Special Session on Children, April 2004.

Convention on the Rights of the Child. *Best Interests of the Child: Meaning and Application in Canada*. Toronto, 2009.

Children and youth as victims of violent crime. Statistics Canada, 2003.

Earnar, I. 2007. *Immigrant Children and Public Child Welfare: Barriers to Services and Approaches for Change*. Child Welfare, 86(4).

Fallon, B. et al. 2010. *Ontario Incidence Study of Reported Child Abuse and Neglect (OIS) 2008*. Toronto, ON: Child Welfare Research Portal.

Family Violence in Canada statistical profile 2010, Statistics Canada., 2012.

Hassan, G et al. 2011. *Appendix 12: Child maltreatment: evidence review for newly arriving immigrants and refugees*.

Immigrant Children, youth & Families: A Qualitative Analysis of the Challenges of Integration. Social Planning Council of Ottawa, 2010.

Maiter, S., Stalker, C. and R. Alaggia. 2009. The Experiences of Minority Immigrant Families Receiving Child Welfare Services: Seeking to Understand How to Reduce Risk and Increase Protective Factors. *Families in Society*, 90(1) pp. 28-36.

Perrault, S. 2004. *Immigrants & Victimization*. Canadian Centre for Justice Statistics Profile Series, Statistics Canada.

Preston, B. 2011 (last modified). *A Booklet for Service Providers Who Work with Immigrant Families: On Issues Relating to Child Discipline, Child Abuse and Child Neglect*. Family Violence Prevention Unit, Health Canada

Public Health Agency of Canada. *Canadian Incidence Study of Reported Child Abuse and Neglect – 2008: Major Findings*. Ottawa, 2010.

Torrico, R. *Meeting the Needs of Immigrant Children and Youth in Child Welfare*. Children, Youth & Family, June 2010.

Tyyska, V. Families and Violence in Punjabi and Tamil Communities in Toronto. *CERIS Working Paper Series*. September 2009.

Appendix B

Key Informant Interviews

Interview Questions:

1. What are your thoughts on the CDRC recommendations arising out of the motion MM22.17?
2. What's your experience in this area in knowing why people fall through the cracks?
 - What gaps exist in services?
 - What are the challenges/issues that create these gaps?
 - What opportunities have not yet been realised?
3. Would you/someone from your organization be interested in attending a meeting to discuss the formation of a work group that will be tasked with responding to Cllr Thompson's motion?
4. Who else should we connect with to talk to/invite to the planning table?

Participating Organizations:

- Black Creek Community Health Centre
- Catholic Children's Aid Society of Toronto
- Child Development Institute
- Children's Aid Society Peel
- Children's Aid Society Toronto
- Child Welfare Secretariat, Ministry of Youth & Children's Services
- Hospital for Sick Children
- Native Child & Family Services Toronto
- New Horizons Toronto
- Office of the Provincial Advocate for Children & Youth
- Ontario Early Years Centre, Jane Finch Community & Family Centre
- Ryerson University (Early Childhood Services)
- Settlement Assistance & Family Support Services
- Toronto District School Board
- Toronto Public Health
- University of Toronto (Social Work Department)
- Warden Woods Community Centre
- Working Women Community Centre