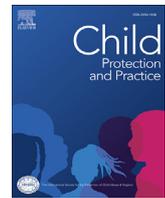




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From policy to research to policy: Introduction to special section on child welfare issues in Ontario, Canada

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ABSTRACT

The adoption and implementation of the UNCRC across the globe has taken many forms in various countries, as some develop legislations, national policies, and amend current provisions to work towards eliminating all forms of child violence by 2030, as outlined by SDG 16. Systemic disparities pertaining to international conflicts, power dynamics, and resource limitations hinder the progress of achieving SDG 16. This frequently restrains reporting standards, organization development, and just aid to maltreated children. In terms of the Canadian landscape, Canada acts as a pathfinder country in the adoption of the UNCRC, as it has implemented numerous studies and initiatives in an attempt to end child maltreatment. However, systemic racism, overrepresentation of marginalized communities, and a lack of support for youth as they age-out of care persists in the Canadian child welfare system. While the Ontario child welfare system shares similar struggles, they have made strides in the fields of child maltreatment reporting and data collection, as well as trends and problem identification through the Ontario Incidence Study of Reported Child Abuse and Neglect. First, we present considerations related to the global mandate for child protection, and the challenges that persist amongst marginalized communities. Subsequently, we focus on Canada and, in particular, the Ontario example: the trends from the Ontario Incidence Study of Reported Child Abuse and Neglect (OIS). This child welfare epidemiological project has highlighted the need for greater intersectional adjustments to best protect children, where the iterative research-policy cycle has most effectively been seen with a formal system for the inclusion of lived experience, as in the case of Indigenous peoples. This introduction to the OIS research papers emphasizes that adaptive models for cost-sharing and collaboration are needed to increase the relevance, efficiency and effectiveness of the child welfare system. Continued evaluation to respond to and challenge policy is a critical function of sustained surveillance systems.

1. Child welfare across the globe

All UN member countries, except the United States, ratified the United Nations Convention on the Rights of the Child (UNCRC) (United Nations, 2024). In translating this into actionable policy in terms of violence against children, the Sustainable Development Goals have identified Goal 16 (SDG16), “Peace, Justice, and Strong Institutions”, as the elimination of all forms of violence by 2030 (SDG 16 Hub, 2023). This is an ambitious goal in our currently conflict-oriented world, as to address child abuse and neglect means to tackle all levels: the individual child, family, institution, nation state, and international communities and relations.

There are 24 agreed indicators for SDG16 (SDG 16 Hub, 2023). The institutions that govern violence prevention and address violence against children – including state or federal child welfare systems – are among the institutional targets for nation state's supporting, monitoring and measuring child abuse and neglect, services and outcomes, as well as issues of diversity, equity and inclusion. For example, in target 16.3, the rule of law is the focus as it requires that there are “competent authorities” (i.e., child welfare, police etc.), or “other officially recognized conflict resolution mechanisms” for the reporting of victimization (SDG

16 Hub, 2023). Thus, from an international perspective, there is a valuing of reporting and, implicitly, ensuring supportive mechanisms to prevent the need for re-reporting child abuse and neglect. In many countries, professionals are required to report child abuse and neglect, under mandatory reporting laws. When paired appropriately with services for prevention and health promotion services, law-based reporting has the potential to amplify resilience (Wekerle, 2013).

With only 6 years left until the desired end date for achieving the SDG 16, the adoption and implementation of various legal frameworks, national/regional/local policies, and budgetary plans concerning child protection still has room for improvement. In 2023, the European Union Agency for Fundamental Rights conducted a comprehensive review and update of the various national systems centered around child protection; legislation, policies, decentralization, central authorities, service providers, budget allocation, professional certification, and more were all analyzed (European Union Agency For Fundamental Rights, 2024). The following statistics highlight the current disparities in UNCRC guideline implementation: (1) only 10 countries out of the 27 European Union (EU) member states have a consolidated national legislative framework for child protection, while the other countries have various legal provisions depending on region; (2) 14 of 27 countries have a solidified budget

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allocation to child protection and family support services; (3) 15 of 27 countries have reporting obligations in place for professionals to report cases of child abuse, etc.

Interestingly, numerous member states follow the decentralization model where national, regional, and local authorities outsource child services to external organizations and private companies with both state and non-state actors (European Union Agency For Fundamental Rights, 2024). Further, many EU member states outsource to for-profit institutions for services such as residential and foster care, facilitating the creation of potential conflicts of interest between child safety and company profits. This ultimately demonstrates that while child welfare policies and frameworks are slowly being integrated into the global landscape, the preservation of protection of children and their rights must be the top priority. Adequate check and balances across the system can only be achieved with standardized reporting, appropriate child welfare case management, collaborative systems, and regular child welfare case surveillance.

The current state of policy and framework adoption by the EU – of which includes member states that are relatively advanced in the global sense – simultaneously underscores the concerning status of child rights advancements in countries with a comparatively lower average income and/or are experiencing international or civil conflicts. For example, the adoption and utilization of the African Charter on the Rights and Welfare of the Child (ACRWC) – a similar version of the UNCRC designed with the intent to represent the experiences of the African child – has proven to be minimalistic in representation/use amongst public and policy forums in Africa (Mbise, 2017). Additionally, while 50 countries have ratified the ACRWC, no countries have ratified the protocol for the 2018 African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities nor the 2007 Hague Convention on Child Support (APEVAC, 2021). Laws in place concerning child maltreatment also vary depending on country and associated societal structures and power systems; some countries, such as Sudan, have created national action plans towards ending extreme child violence and use of child soldiers, but allow for child marriage in other contexts (APEVAC, 2021). Despite the child protection progress being made in various countries worldwide, the complexities of legislative and policy implementation remains an area of current and future improvement.

Furthermore, while UNCRC ratification and implementation of legislative laws is moving nations closer to reaching the SDG 16, the current political, socio-economic and war-stricken global climate continues to restrain and deter development (APEVAC, 2021). These factors often contribute to ineffective institutional capacities in measuring justice/injustice and inclusion/exclusion, consequently resulting in a lack of official recording of SDG 16 activities despite their occurrence. Specifically, power dynamics and resource challenges work to reduce reporting standards (SDG 16 Hub, 2023). As child maltreatment information is considered sensitive, some political/societal structures may perceive the data as threatening, resulting in less and/or altered collection of accurate information. Additionally, the concept of resource capacities inhibits the development of adequate institutional measures for reporting, particularly in conflict zones and economically-deprived nations (SDG 16 Hub, 2023). Consequently, according to the official progress page of the United Nations SDG 16, only 12 countries – often low- and middle-income – had comparable data of sexual violence in childhood against boys, and 55 countries against girls, illustrating the need for assessment advancement for child welfare (SDG 16 Hub, 2023). This is especially important in order to address and reduce the following global statistics: (1) 75 low- and middle-income countries reported between 2014 and 2022 that 8 in 10 children aged 1–14 years experience psychological aggression and/or physical punishment (SDG 16 Hub, 2023); (2) sexual exploitation of boys across 38 countries was reported to be less than 5%, with higher rates in specifically vulnerable populations such as street-involved youth, trans youth, etc. (Moss et al., 2023); (3) “One in 5 women and 1 in 13 men report having been sexually abused as a child aged 0–17 years” (World Health Organization, 2022). At global levels, these statistics emphasize that

dedicated child welfare resources and systems are required, and that the UNCRC needs to be the driver for its signatory countries. In order to best support the future generation, countries are encouraged by the United Nations to follow the SDG's call for “Leaving No One Behind,” which stresses a coherent effort in data reporting, measurement, and analysis of the key social determinants of health such as location, age, income, ethnicity, etc. (United Nations, 2023).

2. Child welfare in Canada

In the case of Canada, the UNCRC has been adopted, and Canada is considered a “pathfinder country” with an expectation of identifying innovative solutions that may be modeled or appropriately scaled. The Public Health Agency of Canada has led the Family Violence Initiative and collaborates with the Canadian Department of Justice for the child abuse acts contained in the criminal code (Public Health Agency of Canada, 2020). The Public Health agency considers a broader range of data than available with child welfare, including emergency department data, homicide data, and police-reported family violence.

Furthermore, Canada has mandatory reporting laws; for example, in Ontario, the reporting is at the level of risk, as the child welfare agencies have the responsibility to make the determination as to whether child abuse and neglect occurred (Province of Ontario, 2023). In addition to the federal criminal code, every province or territory has their own provincial variants in reporting laws and response parameters concerning family violence and child abuse and neglect (Government of Canada, 2021). Additionally, the nature by which child protection and welfare is provided also varies: some provinces adopt a centralized system, while others have decentralized models operated by external agencies. Further, some provinces spend more of their resources supporting family services, while others use traditional child protection/safety approaches that fund investigation (Trocmé et al., 2013). The particular child welfare laws per province and territory can be accessed at: provincial and territorial child protection legislation and policy - 2018 (Government of Canada, 2019).

Moreover, Canada has many initiatives in place to actively address and reduce the incidence of child abuse and neglect (Government of Canada, 2022). Human Resources Development Canada (HRDC) specializes in data analysis concerning child maltreatment, as well as the development of information products for public awareness and assistance in program development. The National Strategy on Community Safety and Crime Prevention initiative is dedicated to maintaining the safety and security of four populations: children, youth, women, and Indigenous communities. The National Screening System screens all individuals who wish to work with children and youth, and includes criminal record checks to identify convicted sex offenders. Canada has also signed the UN protocol to Prevent, Suppress, and Punish Trafficking in Persons, Particularly Women and Children, which promotes international cooperation concerning the mitigation of sex trafficking practices, and provides training for law enforcement personnel on related issues (Government of Canada, 2022).

The Canadian government initiated child welfare data surveillance through the Canadian Incidence Study of Reported Child Abuse and Neglect (CIS), which aggregates data on the incidence and characteristics of child maltreatment; the associated information is intended to inform service provision and policy implementation (Fallon et al., 2022). There have been four CIS cycles, occurring in 1998, 2003, 2008, and 2019. Notably, the 2019 CIS was conducted in collaboration with the First Nations populations, a response that began to address the Calls to Action concerning First Nations child welfare from the Truth and Reconciliation Commission of Canada report (TRC). The First Nations study found substantial increases in First Nations child investigations concerning the number of investigations, case transfer rate, court application rates, and kinship care when compared to non-First Nations children (Canadian Child Welfare Research Portal, 2023b).

The TRC report has been foundational in understanding that control over the Indigenous child meant that colonization processes could

proceed with greater disconnection from traditional culture, reducing physical proximity to families, kin, and communities (Truth and Reconciliation Commission of Canada, 2015). The “scoop” of the 1960s saw adoption to non-Indigenous families (Scott, 2024). The system of child welfare over time has been predicated upon Indigenous families and Nations not having control over the “services” they have received. Currently, in Canada, the jurisdiction of child welfare has been legislatively transferred to First Nations communities and leadership (Bill C-92), so that now there is an opportunity to truly dismantle colonial policy impacts, recognizing that Indigenous communities know what is best for their children and how to maintain cultural perspectives on childrearing and childcare. Indigenous laws have been given the same legal force as federal laws, meaning they now supersede potentially conflicting and/or ambiguous provincial laws (Scott, 2024). For non-Indigenous children, the child welfare system was a provincial mandate.

In continuing to understand disparities, Antwi-Boasiako et al. (2022) finds that reports of maltreatment concerning Black children are more likely to be investigated, substantiated, transferred, and placed in care when compared to White children. When Black children enter care, they are also at a high risk for emotional distress and educational delays; a risk of poverty, mental health issues, involvement in the criminal justice system, and poor educational outcomes are all risks correlated with Black youth leaving the system. Similar trends have been noted with Latin American children as well (Fallon, 2023).

Fallon et al., 2022 describes that the respective findings from the CIS-2019 illustrates a shift in focus of child welfare practices, with there now being a greater emphasis on addressing family dynamics and long-lasting impacts in the contexts of intimate partner violence (IPV), mental health issues, poverty, etc. The CIS led to the provinces adopting a localized surveillance version of the CIS data collection instrument and methodology, with repeated surveys in the province of Ontario.

3. Child welfare in Ontario

Ontario maintains several principles consistent with the UNCRC and SDG 16, including having services that are: (1) child-centered; (2) build on strengths; (3) respect to inclusion and diversity; (4) address systematic racism; and (5) community-centered, where possible and appropriate (Government of Ontario, 2017). In regards to Ontario, child protection services, according to the 2018 Ontario Incidence Study of Reported Child Abuse and Neglect (OIS), are offered by approximately 48 separate agencies, of which are commonly affiliated to community religions or Indigenous heritage (Canadian Child Welfare Research Portal, 2018). Agencies reference Ontario’s Child, Youth, and Family Services Act (CYFSA) in terms of policies, procedures, and overall purpose, of which is to “promote the best interests, protection, and well-being of children” (Information and Privacy Commissioner of Ontario, n.d.). One of the primary ways that the Ontario government has supported the child welfare system is through funding the OIS, whose publications are peer-reviewed and housed on the federal Canadian Child Welfare Research Portal (Canadian Child Welfare Research Portal, 2018). This is the only source of province-wide information concerning families investigated by child welfare. The OIS has occurred in six cycles – 1993, 1998, 2003, 2008, 2013, and 2018 – and has been instrumental in identifying stark trends, such as the increase in IPV cases in the system (Joh-Carnella, Livingston, Kagan-Cassidy, et al., 2023). Notably, the OIS, as of the 2008 cycle, not only tracks cases associated with current situations of child maltreatment, but also risk of future maltreatment (Fallon et al., 2021). The investigations performed in the OIS fall under five child maltreatment typologies – physical abuse, sexual abuse, neglect, emotional maltreatment, and exposure to intimate partner violence – with the factors of physical abuse, neglect, and sexual abuse being classified as urgent protection when the child is under four years old (Fallon et al., 2018; Trocmé et al., 2014).

Providing additional context to the child welfare situation in Ontario, Joh-Carnella et al. (2023) found that healthcare-originating IPV cases were 3.45 times more likely to stay open for longer-term services than non-healthcare originating reports (e.g. education staff, daycare, public, police etc.). These healthcare cases focused on children that were also more likely to be younger, have caregivers with mental health concerns and few social supports, and with households that tended to be more overcrowded. In qualitative work, child welfare and healthcare professionals reported positive experiences in the reporting process, and identified the need for improved training and collaboration amongst professionals (Joh-Carnella, Livingston, Kagan-Cassidy, et al., 2023). The same study described how child welfare workers have also identified inequities rooted in systemic racism, relating historical and cultural contexts to how marginalized children non-optimally experience the healthcare system. This study subsequently provides an important source of feedback, as it articulates the need for qualitative research to accompany epidemiological research to best inform how policy-makers and providers can support the 148,536 potentially-abused children identified in the 2018 OIS study (Canadian Child Research Portal, 2023a). As such, keeping in mind the dynamic ethnic diversity of Ontario – populated with roughly 4.2 million immigrants and 4.8 million visible minorities as reported in the 2021 census – will remain pivotal in shaping the future of the child welfare system (Statistics Canada, 2023).

The new challenge for policy support is the legal recognition of the clinical reality of youth falling through the cracks of the pediatric and adult systems. The CYFSA supplies the framework for child welfare in Ontario, seeing an increase in the upper limit of new service cases from 16 to now age 18 and younger (Government of Ontario, 2017). In further recognition of the developmental need and transitions, the Ontario policy directive in 2023 identified that transition to independent living planning begins officially at age 13 for youth in the welfare system, where the government is the official custodian of care (Province of Ontario, 2023). A voluntary youth service agreement can be made to receive continued financial and non-financial care and support from age 18 to 24. However, case management and financial support cease upon the youth’s 24th birthday (Province of Ontario, 2023). Regardless of these aims, research points to the ongoing need for policy refinement.

Despite having these support systems in place, the child welfare system negatively affects many youth, especially in the uncertainties and life transitions (schooling, work, relationships, community) as youth age out of care. Synthesizing the academic and gray literature from Ontario researchers and providers, Kovarikova (2017) reported that transitioning youth are more likely to: (1) experience deep loneliness; (2) have low academic achievement; (3) experience unemployment or underemployment; (4) be involved with the criminal justice system; (5) enter parenthood early; (6) experience homelessness or unstable housing; and (7) have general worsening health outcomes. The prevalence of youth aging-out of care was estimated to be around 800–1000 individuals every year, many of whom live independently and receive minimal support from external communities (Kovarikova, 2017).

4. The valuing of the Ontario Incidence Study (OIS)

In this special section, there are three articles that consider different facets of the OIS datasets, and the OIS continues to be policy-relevant. Lefebvre et al. (this issue) spotlights the latent class of families where adversity is likely to be related to poverty, pointing to the policy need to address this socioeconomic disadvantage early in a child’s life as a primary prevention of child welfare system involvement. While most families are “low adversity,” special attention needs to be directed to adversity groups that include child disability and caregiver health problems, as well as the classes that involve intimate partner violence. Houston et al. (this volume) questions the value of investigation approaches where families may benefit from service-oriented screening, given that Ontario investigates three times more often than the province

of Quebec, despite similarities in substantiation rates. Trocmé et al. (this volume) finds that Ontario has seen more investigations over time, with less physical harm reported. This suggests that other facets than acute physical child abuse needs to be re-visited as indicators for child welfare risk.

Ultimately, the child welfare system is one service door families enter, but it is unlikely to be able to provide case management services to all children in need, in a culturally relevant way, without future adjustments to system streamlining and efficiency. The senior investigators, having been involved in Canada's first national surveillance system, have reflected on their work in an editorial. Work remains to adhere to the ambitious goals of SDG16 and streamline service provision, with a more seamless system of collaboration and efficiency. The continuing of conversations with communities, as evidenced in the data, need to take the regional specificity approach to be able to reach national goals.

Declaration of competing interest

This article was written with no biased financial and/or personal relationships, organizations, and individuals.

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