

Minister of
Families, Children and
Social Development



Ministre de
la Famille, des Enfants et
du Développement social

Ottawa, Canada K1A 0J9

FEB 22 2019

The Honourable Chantal Petitclerc, Senator
Chair, Standing Senate Committee on Social Affairs, Science and Technology
The Senate of Canada
Ottawa, Ontario
K1A 0A4

Dear Senator Petitclerc:

On September 25, 2018, the Senate adopted the Standing Senate Committee on Social Affairs, Science and Technology's report, *The Shame is Ours: Forced Adoptions of the Babies of Unmarried Mothers in Post-war Canada*, and requested that the Government table a complete and detailed response.

On behalf of the Government of Canada, and pursuant to Senate Rule 12-24 (3), I am pleased to respond to the Committee's report. Our Government would like to thank the Committee for its study of the issue of forced adoption in Canada in the post-war period. We would especially like to thank the courageous women who shared their painful personal experiences with the Committee, as well as the individuals who shared their stories as adopted persons. Our Government recognizes that there are many other women and men who have similar lived experiences and whose lives have been irreversibly affected by forced adoption practices. We thank the Committee and those affected for shedding light on the significant and lasting impact that forced adoption practices had on individuals and families across Canada. We are committed to ensuring that forced adoption practices do not occur again.

Legal Protections

Under Canada's Constitution, the provinces have responsibility for adoption. Each province and territory has its own legislative scheme regulating adoption within its jurisdiction. Since the time period in question, legal protections have been put in place that help to ensure that forced adoptions can no longer take place. As the separation of children from their parents has been found to engage the right to security of the person protected by section 7 of the *Canadian Charter of Rights and Freedoms*, any forced separation of a child and parent must comply with the principles of fundamental justice. The United Nations *Convention on the Rights of the Child*, to which Canada has been a Party since 1991, also provides that a child shall not be separated from his or her parents against their will, except where competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child.

Supports to Families and Children

In addition to the legal protections that are now in place, the Government of Canada has introduced a number of measures that promote greater gender equality and help to better support children and families, along with supports provided by provinces and territories. This includes support for lone-parent families, which are primarily headed by lone mothers.

Supports to New Parents and Healthy Child Development

Helping children get the best start in life begins with supports to soon-to-be parents, particularly those most vulnerable. Through the community-based *Canada Prenatal Nutrition Program*, the Government of Canada provides support to improve the health of vulnerable pregnant women and their infants. Some of the challenges faced by families served by the program include poverty, teen pregnancy, social and geographic isolation, substance use and family violence. Through this program, over 48,000 participants across Canada receive support each year. The program also increases the availability of culturally sensitive prenatal support for recent immigrants and Indigenous women.

In recognition of the importance of the early years, the Government also supports programming that promotes the healthy development of young children. The *Community Action Program for Children* provides funding to 415 community-based groups to develop and deliver comprehensive, culturally appropriate prevention and early intervention programs for vulnerable children aged 0-6 years and their families. Programming differs by location, but typically offers child health and development activities, parenting skills programs, nutritional support, physical activity programs, outreach and home visits. Over 227,000 participants across Canada are served each year.

In addition, parents who are young, single, socially or geographically isolated, or who have low income or limited formal education, are served by the *Nobody's Perfect* program. This education and support program for parents with young children is delivered across Canada by community-based organizations. Parents benefit from a facilitated learning process which enhances their knowledge and understanding of child health and development, behaviour and essential parenting and coping skills.

EI Maternity and Parental Benefits

In addition, the intent of Employment Insurance (EI) maternity and parental benefits is to provide temporary income support to eligible new parents while on leave from work because of pregnancy/childbirth or to care for a newborn or newly adopted child or children. EI maternity and parental benefits are offered across Canada except in Québec which delivers its own maternity, paternity, and adoption benefits.

To help working parents navigate the challenges that come with a growing family, changes came into force on December 3, 2017 to make EI parental benefits more flexible by providing parents

with the choice between standard parental benefits (up to 35 weeks over 12 months) or extended parental benefits (up to 61 weeks over 18 months at a lower income replacement rate).

To support greater gender equality in the home and in the workplace, Budget 2018 announced an EI Parental Sharing Benefit for parents who share parental benefits. The intent is to encourage all parents, including fathers, to take some leave when welcoming a new child and to share more equally in the work of raising their children. This incentive is expected to be available as of March 17, 2019 and will be inclusive and available to EI eligible parents, including birth and adoptive parents, opposite-sex and same-sex parents.

Early Learning and Child Care

The Government of Canada recognizes that Canadians deserve the opportunity to raise their families the way they want, but that far too many do not have access to the high quality, affordable child care they need. With increased support for early learning and child care, more Canadian parents can pursue opportunities to work and learn and build a better future for themselves and their children. The Government has committed \$7.5 billion over 11 years through Budget 2016 and Budget 2017 to support and create more high quality, affordable child care across the country.

Federal, provincial and territorial governments are working towards investments to increase quality, accessibility, affordability, flexibility, and inclusivity in early learning and child care, with consideration for families more in need. This includes lower-income families, Indigenous families, families in underserved communities, those working non-standard hours, families with children with varying abilities, and lone-parent families, which are most often headed by women. Lone mothers in particular benefit from increased access to more affordable child care since they often have fewer opportunities for labour market participation due to care obligations.

Canada Child Benefit

In addition, to help Canadian families with the high costs of raising their children, and to make a real difference in the lives of children, the Government of Canada introduced the Canada Child Benefit (CCB) in July 2016. Since the CCB is targeted based on income, it provides more support to families who need help the most. The CCB helps almost 3.7 million families and about 6.5 million children, putting nearly \$24 billion annually, tax-free, in the hands of families. Close to 65 per cent of families receiving the maximum CCB amounts are lone-parent families, more than 90 per cent of which are led by lone mothers. The CCB has helped to lift over half a million individuals, which includes about 300,000 children, out of poverty.

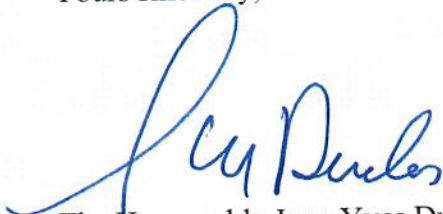
To ensure that the CCB continues to help Canadian families over the long term, as of July 2018, the CCB benefits were indexed to keep pace with the cost of living. This means parents are receiving more money, tax-free, that can help provide a safe place to live, healthy food, and warm clothing.

Mental Health Services for Canadians

Our Government also recognizes the importance of access to mental health services. Budget 2017 provided provinces and territories with \$5 billion over 10 years to improve access to mental health and addiction services for Canadians. Priority areas include expanding access to community-based mental health and addiction services for children and youth, as well as integrated services for people with complex needs, and spreading proven models of community mental health care and culturally-appropriate interventions linked to primary health services.

These legal protections help to ensure that forced adoption can no longer take place and the identified supports help all Canadian families stay together whenever possible.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Jean-Yves Duclos". The signature is fluid and cursive, with a large initial "J" and "Y".

The Honourable Jean-Yves Duclos, P.C., M.P.
Minister of Families, Children and Social Development