

THE NEOLIBERAL POLITICS OF THE CHILD:  
VIOLENCE AGAINST WOMEN AND MOTHER/CHILD WELFARE,  
1990-2012

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## ABSTRACT

This thesis examines violence against women, mothers and child welfare in Canada and Ontario from 1990 to 2012. It explores policy evolution during this perfect storm of intensified neoliberalism and the turn to the child in policy agendas, tracing the complexities of politics and policy at federal, provincial and institutional levels. Feminist political economy, feminist standpoint epistemology and intersectional theorizing provide a complimentary race, gender and class analysis of the structural and systemic inequalities encountered by women and their children seeking violence-free lives. Mixed methods of policy mapping, forty semi-structured qualitative interviews with state and non-state actors and two focus groups with abused mothers are used to connect policy to the lived experiences of abused mothers, single fathers, social workers, and managers.

This study shows the decentralization of federal policy power to the provinces, the withering federal investment in income inequality, and the narrow focus on early childhood education bode ill for women fleeing violence. The restructuring of Ontario policies and practices around the at-risk child under the Harris Conservatives that continued under the McGuinty Liberals, depoliticized violence against women initiatives and retrenched colonial, gendered and racialized violence against women and children. Furthermore, the policy shift to the child eclipsed women's equality issues, such as ending violence against women, redressing women's poverty, and mitigating the structural inequality of women's unwaged caring labour with children. With the rise of a child welfare state focused on child risk, objective managerialism, and failure to protect policies, social workers and managers supporting families criticize these anti-feminist policies and practices that promote the hyper-responsibility of mothers to protect their children to the exclusion of fathers. As women with children flee

violence transition to single mother families, their futures are seriously constrained by state-mandated child protection work and increased state monitoring of their lives. Alternative visions for transformative change include hybrid models of state and non-state engagement that place survivor alliances at the centre of policy agendas and policy development. This gives us hope for a different future for women with children facing violence.

## DEDICATION

For the mothers and activists whose stories of survival and resistance  
inspire me and my research.

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## **Chapter One**

### **Introduction:**

#### **Women and Their Children Fleeing Violence: Where is The Safety Net?**

##### *Chantelle's story*

*From the beginning of their relationship, Chantelle's boyfriend manipulated her mind and convinced everyone she was acting irrationally. They lived together in a poor community in Ontario where her partner isolated her from the outside world, not allowing a phone, television or computer in the house. Ten years later, and married with three children, Chantelle experienced ongoing abuse by her partner. He threatened her with calling CAS (Children's Aid Society) to report her 'bad mothering' if she did not do what he said. He tracked her daily activity by monitoring her gas usage. While Chantelle tried to escape with the children on several occasions and seek support with her family, she discovered her own family supports believed the abuser, not her, about her mental state. After living with the abuse for thirteen years, Chantelle finally escaped to the women's shelter with her children. CAS was immediately involved and against the wishes of the mother, provided the abuser with details of the family's location at the shelter to facilitate his visits with his children. Shortly after, Chantelle fought for and was granted sole custody of her children. When Chantelle was unable to find safe housing for her family due to her limited financial resources, CAS apprehended her children and against her wishes, temporarily placed the children in the abuser's care. Now twenty years since first being abused by her partner, Chantelle is a single mother*

*living with her children in a secure, low-income, affordable building. She is still involved with her abusive ex-partner to facilitate his visitations with their children. Chantelle continues to have mandatory CAS visits to assist with children who struggle with the past trauma and ongoing abuse they experience when on visits with their dad. She is finding strength and support through connections with the Indigenous community. (personal communication)*

Chantelle's story reveals the long-term impact of violence against women on families when children grow up exposed to violence against their mothers. Despite the intense involvement of multiple state systems, such as the women's shelter, family court systems, and child welfare, concerns about her family's safety and well-being continued long after she and her children left the abuser. Her experience of homelessness and poverty flags the serious cracks in state systems where single mothers are often re-victimized and blamed for social conditions, such as lack of affordable housing and income supports. State interventions that include the removal of her children and the ongoing monitoring of her childcare only increase the heavy burden she carries as a single mother supporting her children traumatized by violence. Why are mothers like Chantelle, who struggle to raise their children without violence, suffering ongoing marginalization and oppression under the watchful eye of the state?

### **1. The Federal Response to Violence Against Women: "Not Taken Seriously Enough"**

Despite decades of research and grassroots lobbying, violence against women remains one of the most pernicious manifestations of misogyny and gender discrimination (Johnson and Colpitts). Each year, on average, 100,000 Canadians report spousal violence to the police; an estimated 70 percent of incidents of spousal violence are never reported (McInturff 6). The problem of spousal violence, predominantly perpetrated against women, costs the Canadian

economy \$7.4 billion per year (McInturff 6). The social costs of violence against women are higher when children are involved as the psychological, physical, sexual, and economic costs include adult and child victims, their families, and society. The myth that women and men perpetuate intimate partner violence at the same rate misrepresents the gendered reality of violence. Eighty-three percent of victims of spousal violence are women (Sinha, qtd.in McInturff 6). In the most egregious cases of violence against women, intimate partners kill women. Approximately every six days, a woman in Canada is killed by her intimate partner (Canadian Women's Foundation). This violence is rooted in the unequal power relations between men and women and the patriarchal systems that vest authority in men. These inequalities are also located in Canada's colonial history, where social, economic and legal structures subordinated women (Johnson and Colpitts 4). Tragically, Indigenous women are eight times more likely to be victims of spousal homicide than non-Indigenous women (Statistics Canada, qtd. in Ontario Women's Directorate, "Facts and Statistics"). In Ontario, there have been approximately 25 female victims of spousal homicide each year from 1975 -2004 (Statistics Canada, qtd. in Ontario Women's Directorate, "Facts and Statistics"). The violence against women intensifies when children are involved. For many women, the abuse often starts or gets worse during pregnancy while almost 40 percent of women assaulted by their partners reported their children witnessed the violence against them (Taillieu et al.; Statistics Canada, qtd.in Ontario Women's Directorate, "Facts and Statistics").

The pressing and persistent issue of violence against women and children is largely absent from national agendas. The Canadian government has not pursued a central role in ending *all forms* of violence against women. Lack of federal leadership over the last decades regarding violence against women has been met with calls for action from Indigenous families,

communities and organizations, as well as non-governmental and international organizations to address violence against Indigenous women and girls. Yet it took an international dressing-down in 2004 with Amnesty International's release of *Stolen Sisters: A Human Rights Response to Violence and Discrimination against Indigenous Women in Canada* to kick-start a federal-level dialogue about violence against Indigenous women and girls. More than a decade later in 2016, the federal government launched an independent National Inquiry into Missing and Murdered Indigenous Women and Girls. On February 11, 2017, a front -page story in *The Globe and Mail* revealed that "10,000 and counting" sexual assault complaints by women were unfounded by police organizations across the country. Prime Minister Justin Trudeau replied that "sexual assault...is not taken seriously enough by our society" (White and Doolittle A1). Surely, a public response of outrage by the Prime Minister and a national call to action to address national systemic problems within policing are reasonable expectations of our country's leader.

Against this backdrop of troubling statistics and lack of federal leadership about violence against women, how is the state responding to violence against women and their children? Where is the safety net that feminist antiviolence advocates and policy-makers in Canada were supposed to have developed since the early 1970s to support those like Chantelle and her children?

## **2. The Perfect Storm: Framing the Research**

This thesis explores violence against women and mother/child welfare during the perfect storm of intensified neoliberalism and the turn to the child in policy agendas in Canada and Ontario. The historical context of this study is the 1990s to 2012, an era when neoliberal values of open competition, free markets and individual choice and responsibility intensified. The past two decades have seen a meteoric rise of neoliberalism as a "hegemonic ideology, state form,

policy and program and governmentality” (Springer et al.). In Canada, troubling neoliberal policy trends are evident. The 1990s marked a pivotal shift toward political and economic policies where federal policy agendas concerned with trade deficits, security and science/technology, increasingly displaced national problems of deepening poverty, gendered wage gaps, and caring labour inequalities (Pal). Between mid-1990s and mid-2000s, federal policies to distribute wealth to address growing income inequality were fading (Banting and Myles 1-2). At the same time, the neoliberal moment of social policy during the 1990s, marked by decentralization, shifted power in social policy from the federal to the provincial governments. This dramatically weakened the politics of redistribution in Canada that had addressed inequality (Banting and Myles 19). Furthermore, limited policy innovation in 2000s reflects a policy drift. Canada’s tepid response to social change failed to keep up with new social risks (Banting and Myles 25-26). New social risks such as changes in the structure of families, women’s increased participation in the labour force, and the growing demographic of single parent families present new challenges for the politics of redistribution (Mahon 359). For example, young families that depend on dual wages are increasingly exposed to new childcare risks while single-earner households, particularly low-income single mother families are under increased pressures for childcare and income supports (Mahon).

These neoliberal policy trends marked a movement away from an accountability regime between the federal and provincial government to measure and evaluate policy effectiveness during a climate of waning intergovernmental collaboration (Simmons and Graefe ; Graefe et al.; Anderson and Findlay). The decline of cost-sharing between the federal and provincial governments and the loosening of accountability for federal transfers since the 1970s, weakened the federal government’s ability to hold the provinces to account (Boismenu and Graefe, qtd. in

Anderson and Findlay 418). New accountability measures, such as public reporting, while providing the federal government with some leverage, effectively offloads to citizens the responsibilities of policy watchdogs (Kershaw, qtd.in Anderson and Findlay 418).

The shift to the child at the federal level raises concerns about women's equality claims against the state for childcare and violence against women. Representations in Canadian politics involving women, their rights and their needs have been sidelined and replaced by those of children (Dobrowolsky and Jenson). Additionally, women's full citizenship, economic autonomy and well-being has effectively been struck from political agendas concerned with childcare. Furthermore, the focus has shifted since the 1990s as Canada's poverty levels rise. This is accompanied by widespread acceptance of a social investment paradigm "that emphasizes empowering people to meet the challenges of technological change and globalization by investing in early childhood education, life-long learning and 'helping parents to parent'" (Banting and Myles 10). As the best interests of children are increasingly evident in federal politics, the trend to the degendering of violence against women in policy debates is troubling for women with children fleeing violence (Mann, "Men's Rights"). In the early 2000s, the reframing of the domestic violence problem as simultaneously gender-neutral and gender-specific exposes the compromised position of feminist leadership at the federal level and the growing influence of men and fathers' rights groups at policy debates to degender violence against women (Mann, "Men's Rights" 52). For example, in responding to the concerns of men's rights groups that women perpetrate violence against men, the Status of Women, a quasi-governmental federal agency established in the early 1970s to promote the advancement of women, advanced the equal treatment of all victims of violence, including both men and women victims (Mann, "Men's Rights"). While the Status of Women did not "sacrifice the key feminist position that violence

against women is rooted in and reproduces women's inequality," their response reflected a serious slippage in the discursive politics of gender-based violence against women (Mann, "Men's Rights" 52).

How did the perfect storm of intensified neoliberalism and the turn to the child at the federal level influence the provincial response to violence against women and mother/child welfare? A provincial level analysis is critical, as fiscal responsibility for violence against women initiatives has been steadily downloaded from the federal to the provincial level (Collier, *Neoliberalism and Violence*). Ontario is a key province to study. With the largest population of all provinces and territories in Canada, Ontario is a major influencer of policy agendas, policy debates and policy direction at the federal and provincial levels (Collier and Malloy). Furthermore, the partisan shift in Ontario politics over the period studied from 1990-2012 provides an important window into the complex and nuanced politics of violence against women and mother/child welfare. Under the New Democratic Party (NDP) government in 1991 and 1992, funding increased for violence against women initiatives for first and second stage shelters for abused women, new and existing sexual assault centres, and wife assault prevention programs (Collier, "Neoliberalism and Violence" 41). When five years of Rae's New Democratic Party ended in 1995, the political vision of the Harris Conservatives' evident in their common sense revolution from 1995-2002 reshaped how Ontario responded to neoliberal policy agendas at the federal level. For example, when the Canadian government introduced cuts to unemployment benefits and social assistance in the mid-1990s, the proportion of the unemployed receiving benefits in Ontario plummeted (Banting and Myles 22). Deep cuts to social welfare and domestic violence services in Ontario were central in the Harris government's Conservative agenda from 1995-2002, effectively offloading the risks and responsibilities of violence against

women and mother/child welfare to individual families (Mann, “Men’s Rights”). Similar to federal policy, children’s interests were increasingly represented at provincial level discussions of domestic violence, as were the best interests of men and father’s rights groups (Mann, “Men’s Rights”). For example, while the Harris government introduced domestic violence legislation in 2000 to enhance restraining orders to protect women and especially child victims of violence, this Bill 117 was met with fierce opposition from men’s rights groups (Mann, “Men’s Rights” 55). Despite push back by feminist anti-violence groups during this period of contentious gender politics, large numbers of men’s rights group identified restraining orders as “nuclear weapons in family court,” citing women’s use of false allegations, and women’s economic exploitation of men to deflect, degender and delegitimize the debates in domestic violence policy arenas (Mann, “Men’s Rights” 55).

Further, Ontario’s social policy in the last several decades does not address the new social risks of women’s increased labour participation or the growing need of single parent families, particularly single mothers, for childcare supports (Mahon). While Ontario’s respective position within federalism is often more aligned with federal policy agendas, even as they pursue their claims at a provincial level, the Ontario Conservative government under Harris was increasingly out of step with the federal Liberals’ childcare policy in its “anything but childcare” position (Mahon 371). Early in its first term beginning in 1995, the Conservative government undermined the foundations of childcare for all children, encouraged the growth of informal care options for families, and downloaded the costs of childcare to the municipalities (Mahon 371). Since the provincial Liberals took power in 2003, childcare policy in Ontario can at best be described as insufficient and uneven. Their policy direction regarding the child is more closely aligned with federal Liberal policy and investment in early childhood education (Mahon).

However, Ontario was left more vulnerable moving forward on its own with early childhood education programs when, in 2006 Harper's federal Conservatives withdrew from its bilateral agreement with the provinces regarding the early childhood education and care (ECEC) framework (Mahon).

A flurry of investigative news stories over the last two decades uncovered a brewing storm in Ontario's policy direction to address mother and child welfare where abuse and violence exists. Horrific accounts in the late 1990s of children abused and neglected by caregivers in their families, many with open files in child welfare systems, raised public concerns about the state response to the plight of vulnerable children in families (CBC News; Canadian Press). Investigations into child welfare systems revealed appalling conditions for children languishing in state care while flagging issues about state accountability for children in its care (Monsebraaten; Contenta et al. "Troubling Events"). As demands for state reform of the child welfare state mount, systemic racism is identified as a contributing factor in the overrepresentation of First Nations and racialized children in child welfare systems (Contenta et al. "Advocate Pleads"). Finally, the recent exposure of the Motherisk scandal reveals how state reliance on faulty science in child protection cases, from the late 1990s to 2015, targeted and blamed so-called risky mothers (Mendleson).

### **3. The study: Where policy meets lived experience**

This study of violence against women and mother/child welfare explores the tensions, complexities and contradictory effects of neoliberal policy at federal, provincial and institutional levels and its impact on women with children seeking violence-free lives. This research examines the consequences of child-centric policy on the lives of women with children seeking violence-free lives and the extent to which the turn to the child in state policy has benefited

children. Guiding my research are two central questions. First, how do the neoliberal politics of the Canadian state influence mother/child welfare, particularly for Ontario women and their children fleeing violence? Attention to federal policy is important to understand the federal response to violence against women with children, particularly given federal jurisdiction for policy concerned with Indigenous women and their child fleeing violence, their families and communities. The relationship between federal and provincial social policy on violence against women and mother/child welfare sheds light on the incongruities and unevenness of policies and programs impacting women with children seeking violence-free lives. First Nations and racialized and low-income single mother families are especially hard hit. Finally, analysis of Ontario state policy interrogates systemic race, class and gender oppression in coordinated state efforts of policing, women's shelters, and child welfare to protect and support women with children fleeing violence.

The second research question challenges the turn to child in policy by asking, "Are children benefiting from state investment?" Investigation into child-centric policy at federal and provincial levels shows how the turn to the child in state policy harms the well-being and safety of women and children fleeing violence. State policies concerned with the child also bring clarity to the rise and dominance of Ontario's child welfare state over two decades and the state's response to children and youth in its care. At the institutional level in Ontario, the shift to child centric policy is examined within a neoliberal culture of rising managerialism in the work of social workers and managers supporting and advocating for marginalized children and their families.

While critical attention to state policy is central to this research, policies will not tell us about their impact on people's lived experiences. To understand the gendered and racialized

implications and complexities of state policy, I include the accounts of four groups at the center of neoliberal policy concerned with violence against women, caring labour, and the child: women with children fleeing violence; single fathers; social workers/ managers; and children. The first group is women with children who have experienced gender-based violence. Their stories illuminate how their mother/child relationships and futures are caught between the layers of federal and provincial policy and state systems and institutions responsible for their safety and support. Women's experiences fleeing violence with children in tow highlight systemic race, gender and class oppression in state systems, such as policing, women's shelters, and child welfare, responsible for the safety and well-being of mothers and their children. As women struggle with increased childcare burdens of state-required child protection work, their stories poignantly reveal how their capacity for pursuing education and waged work diminishes. After leaving abusive partners, abused women's accounts of their transition to single mother family status provide insight into the links between their downward spiral into poverty, reduced state supports, and rising child welfare interventions in their families over many years. As survivors of failing state policies, systems and institutions, activist mothers are re-imagining new ways for feminist engagement with the state to address gender-based violence against women with children.

The experiences of single fathers offer a more fulsome understanding of how state policy genders waged caring labour as women's work. With declining state support for family welfare, single fathers encounter childcare challenges in feeding, clothing, and raising children, within a context of father invisibility in state policy and programs. While few single fathers appear in this research, their personal stories illuminate the gendered struggles of raising their children against

the backdrop of growing concerns for a fatherless society and father rights movements organizing against the state for men's rights to be active parents in their children's lives.

In the third group, social workers and managers tell their stories working within state institutions responsible for supporting families, as the child welfare state restructures under neoliberalism. Despite claims of objective policies and practices in state organizations, social workers offer nuanced insights into how race, gender and class oppressions operate within their work environments and in their work relationships with families, many low-income, racialized single mother families seeking violence-free lives. Manager viewpoints are critical for making sense of objective managerialism imposed by child-centric state policies constraining workers' capacity to respond to the complex issues facing women with children fleeing violence.

The fourth group is children and youth. The inclusion of children's voices is crucial in addressing the question "Are children benefiting from state investment in the child?" Child and youth stories provide first-hand accounts of their experiences in state care, largely absent in policy agendas and initiatives concerned with violence against women and mother and child welfare. Painful accounts of predominantly indigenous and racialized children in state care identify how growing up in foster homes and institutions with little or no contact with their families results in lost childhoods, fractured identities and hopeless futures. Their stories demand reflection on the policy direction that perpetuates the colonial legacy of intergenerational state violence against children, particularly girls as they grow up and become mothers. Their experiences also shed important light on the damaging effects of neoliberal cutbacks in social spending evident in the substandard care of children in state-run group homes and programs.

#### **4. What are Scholars Saying?**

In examining the gender, race and class politics of neoliberalism and the child where violence against women exists, I take an interdisciplinary approach that locates this study within feminist scholarship from political science, sociology, social science and social work.

##### *i. Violence Against Women With Children*

Questions of “why do women stay in abusive relations?” and “why do men abuse?” are at the center of research concerned with gender-based violence in interpersonal relationships. Scholarship examines male/female relations to understand how power and control operate there (Brownridge et al.; Hayes; Taylor; Dobash and Dobash). Romantic notions of love contribute to women believing that “if they try harder, love more, or be a worthy person, then the abuse will stop” (Hayes). Emotional, physical and psychological tactics used by abusive partners shed light on why women “walk on eggshells” to try to avoid an outburst while living in constant fear of an attack (Hayes 3-4). Perpetrator threats of suicide, threats of killing the victim, her children and pets and threats to take the children from her keep women compliant in relationships where domestic violence exists (Saunders-McDonagh et al.; Hayes 3-4). Burgeoning literature on the impacts on children of witnessing domestic violence reveal a wide range of child’s developmental outcomes are compromised by exposure to domestic violence, including social, emotional, behavioural, cognitive and general health functioning (Brownridge et al.; Galano; Yount et al.; Overlein and Hyden; Wolfe et al.; Jaffe et al.). In explaining why men abuse, psychological characteristics such as jealousy and controlling behaviour are often cited along with therapeutic solutions such as individual and group therapy for abusive men to learn about respect, non-violence, and handling their emotions in relationships (Taylor).

Using a research instrument, the Conflict Tactics Scale, in conjunction with other qualitative and quantitative measures, interpersonal violence scholarship maps various domestic violence patterns and explains how gendered experiences shape the dynamic meanings, behaviours and consequences for men, women, and children (Mann, “Men’s Rights” 53). This research has produced contradictory results regarding the controversial issue of women who abuse men. While some scholarship reveals gender symmetry in domestic violence, where women are as likely as men to perpetrate violence in heterosexual relations, others show a gender asymmetry, where it is overwhelmingly men who perpetrate violence against women partners (Dobash and Dobash). The decontextualizing of violence as behaviours within interpersonal relations is highly problematic as research continues to show that when women are violent, they do so after years of abuse and is an act of resistance against years of male domination and abuse (Dobash and Dobash; Mann, “Men’s Rights”). Furthermore, an interpersonal level of analysis plays into a neoliberal individualistic approach to gender relations, where private sphere inequalities are seen as the problem, not larger societal inequalities (Hearn and McKie).

The framing of violence against women as interpersonal violence also obscures the state’s response to violence against women that influences the discursive and material realities for women with children seeking violence-free lives (Sanders-McDonagh et al.; Letourneau et al.). The focus of this dissertation is reframing violence against women within a social policy context and making critical connections between the state and violence against women and children to identify the broader societal and structural factors of race, gender, and class intersecting with women’s social, political, and economic inequality. For example, scholarship highlights how the neoliberal state has appropriated the feminist movement organizing around sexual violence against women (Bumiller). Neoliberal policies aimed at instrumentalizing civil

society for service delivery have diminished the independence and ability of women's organization to further progressive policy-making in the domestic violence sector (Ishkanian). The increasing influence of the men and fathers' rights movements undermine the gendering of violence against women policy as well as women's social, political and economic rights to raise their children without violence (Mann, "Men's Rights"). To address the de-gendering pressures in violence against women initiatives, some policy research analyses men's violence within the context of violent masculinities in heteronormative relations (Hearn and McKie 79). Finally, the colonial legacy of oppressive state interventions into Indigenous families is central in framing policy and policy responses to address violence against women and children (Brownridge et al.; Cull).

*ii. Mother/Child Welfare*

In examining mother and child welfare, feminist scholarship concerned with gendered caring labour of children highlights how the risks, responsibilities, and costs of unwaged caring labour are downloaded by the Canadian state to the provinces and most harshly felt by low-income and racialized families (Jenson; Bezanson; Vosko, "Crisis Tendencies"). As the welfare state restructures and de-invests in the worker/citizen, increasingly, low-income mothers are weaned off welfare supports to waged labour, exposing mothers to the risks of unstable labour markets, while negatively impacting mothers' caring labour with their children (Gaszo). Wage insecurity and precarious jobs in risky neoliberal economies contribute to anxiety and insecurity in parenting and for many women, a heavier motherload of childcare (Villalobos).

Feminist scholarship is critical of the discursive turn to the child in public policy agendas because it ignores the structural and systemic inequalities that women encounter in their unwaged caring labour of children (Lister; Brodie; Weigers; Jenson). The trend to child rights

within a child development framework in Canadian policy reproduces western notions of the child within a colonialist agenda (Mosby; Holzscheiter; Burman). In the absence of universal, state-funded and accessible childcare, Ontario's investment in child development has not delivered on its promise for many racialized, low-income families (Vosko, "Crisis Tendencies"). Ontario policies based on the gendered and racialized science of the at-risk child and the protection of children from neglect and abuse have targeted marginalized mothers and fueled the rise of an interventionist child welfare state into families (Swift and Callaghan; Swift and Parada). Here, gendered Eurocentric models of childcare in child welfare systems contribute to the dissolution of mother/child relations, reproducing the cultural genocide of Indigenous families and racialized communities. Hence, the disproportionate numbers of Indigenous, racialized and poor children languishing in state care (Cull).

While scholars identify the discursive shift to the child in policy, research is needed on how the policy shift to the child contributes to a perfect storm for women with children fleeing violence during neoliberal funding restraints. This thesis "The Neoliberal Politics of the Child: Violence against Women and Mother/Child Welfare, 1990-2012" addresses this gap. I argue that the neoliberal state's downloading of the risks and responsibilities of violence against women and mother/child welfare to families has deepened race, class and gender inequalities, most notably in single mother families. The shift to child-centric policies at federal and provincial levels over the last two decades has reproduced colonialism within state systems and retrenched the structural and systemic barriers women with children encounter when seeking violence free-lives. Abused women's capacity to escape violence with their children and live violence-free lives is seriously constrained by neoliberal state welfare cuts and oppressive state interventions into women's lives to regulate and police mother/child relations. State mandated

child protection work deepened the impoverishment of many single mother families, dissolved mother and child connections, compromised the well-being and safety of women and their children, and even hampered the effectiveness of state workers. Mother's rights to raise their children without violence are further eroded as the turn to the child in policy fuels a rise of father's rights that de genders federal and provincial responses to violence against women.

Despite the advancement of child-centric policies at the federal and provincial level over two decades of neoliberalism, the outlook for children living with violence and poverty is dismal. With reduced state supports, children in families where violence exists experience trauma and childhood disadvantage. Eurocentric child development policies reproduce oppressive colonial practices in Indigenous, racialized, low-income families and communities on and off reserve. Children do not benefit from state policies to protect, as disproportionate numbers of First Nations and racialized children enter child welfare systems where they experience gender, class and racial discrimination in state systems responsible for their safety and well-being. Children are further traumatized when the state separates them from their mother's care, family, culture, and community. They are revictimized as state systems bump them from state program to state program, within foster family networks, or worse, live out their childhoods in substandard state facilities.

This research contributes to feminist scholarship concerned with the turn to the child in state policy. The mapping of the shift to child-centred policy at the federal, provincial and institutional levels illuminates how feminist claims against the state for violence against women and gender and racial equality are increasingly depoliticized and degendered. This study also contributes scholarship into unwaged caring labour, as the state restructures and reprivatizes child protection work within families ramping up the childcare burden for abused mothers, as

neoliberal state supports for families decline. While child welfare scholarship raises concerns about the gendering and racialization of the child welfare state that blames women for failing to protect children, this study provides a critical broader policy context for understanding and addressing colonialism and the multiple systemic and structural barriers women encounter in raising their children without violence.

This research also explores policy recommendations that engender a more accountable and transparent public debate about state responsibility for gendered and racialized caring labour of children, systemic violence against women and the structural inequalities many mothers encounter in living violence-free lives. Alternative visions for change include hybrid models of state and non-state approaches for addressing gender-based violence in policy, state systems, communities and families. New ways for engaging with the state place activist mothers at the center of policy agendas and policy development concerned with violence against women with children.

In the next chapter, the theoretical frameworks of feminist political economy and feminist standpoint theory are elaborated within a feminist methodology of listening. These two theories help explain the gender, race and class inequalities of unwaged and waged caring labour of children. Attention to the key concepts of motherhood, childhood, neoliberalism and violence against women reveals the historical and contemporary tensions informing this study. This chapter also highlights the important role of emotion and listening embedded in qualitative methods that analyze the narratives of single mothers and fathers, social workers and key state informants.

Chapter Three, critically focuses on Canada's public policy on violence against women and mother/child welfare within the neoliberal context of lower social spending and a shrinking

welfare state. Analysis of federal policy reforms from 1990-2012 reveal a resurgence of initiatives to address violence against Indigenous women and girls as the state downloads to the provinces the responsibility of mother/child welfare in non-Indigenous families where violence exists. With Canada's signing of the Convention of the Rights of the Child in 1990 contributing to the discursive rise of child rights, the turn to child-centric policies at the federal level has retrenched western Eurocentric notions of childhood and oppressive standards of childcare within a colonial science of child development.

Chapter Four examines Ontario's response to violence against women with children within neoliberal policy. The state shift to child-centric policy to address the at-risk child, sheds important light on increasing state interventions and the restructuring of integrated state systems around the child that retrench race, gender and class oppressions. Mothers reveal how their daily lives are increasingly burdened by state-mandated unwaged child protection work. They face a bleak future, as their plans and dreams of education, waged labour, and a life without violence are imperiled.

Chapter Five tracks the trend to child-centric policy in Ontario from 1990-2012. It explores the long-term impact of gender-based violence on women's families as gendered standards of childcare and safety intensify. The precarious futures of families, particularly single parent families, are examined within the policy context of reduced state supports for families and increased state interventions to protect the at-risk child. Narratives of single mothers and fathers in Ontario shed light on the challenges encountered raising healthy children amid growing concerns for fatherless families and the backlash of men's rights movements.

Chapter Six examines the caring waged labour of social workers, predominantly women, providing support to families. The rise of the interventionist child welfare state in Ontario from

1990-2012 around the at-risk child, has raised serious concerns about transparency and accountability in so-called objective institutional policies. State practices organized around the gendered and racialized science of child risk shed important light on how Indigenous, racialized and low-income single mothers are increasingly blamed for childhood disadvantage. Narratives of social workers on the front line of family welfare and key manager informants working in related organizations and agencies illuminate how institutional policy responses to violence against women with children reproduce oppressive gender, race and class inequalities in their waged work.

In Chapter Seven, I examine Ontario's response to children removed from the parents' care and living in state-run programs and facilities. The neoliberal solution to disadvantaged children and youth in state care reveals a troubling trend. Child welfare policy's shift to sub-standard privatized care marginalizes vulnerable children and exposes them to increased harms and risks in fostering programs and state institutions. Attention to state accountability for the rights and well-being of children exposes an alarming history of ineffective provincial action and silencing strategies at the institutional level. The voices and experiences of Indigenous and racialized children and youth reveal how state violence in child welfare systems damages, rather than protects, leaving many children scarred for life hence perpetuating intergenerational state violence against girls, women and mothers.

Chapter Eight asks about transformative change within the state, given the state's complicity in gender, racial and class oppressions in responding to violence against women with children. Non-state and hybrid state/non-state visions provide alternate community-based accountability models for addressing violence against women. Qualitative data from women's focus groups sheds important light on abused women's demands for state accountability and

transparency and the possibility for new alliances where activist mothers are at the center of state policy and decision-making about violence against women with children.

The findings of these pages are a reminder of tragic loss, suffering and oppression experienced by women and their children in violent families. In seeking to understand how the state is failing mothers, this dissertation connects the dots between state policy, poverty and violence against women and children. For transformative change to occur, the state must listen to women's stories and develop policies to respond to their needs. We, as a society must lend support by urging the state to address the structural and systemic barriers faced by women with children seeking violence-free lives.

## Chapter Two

### Theorizing Violence Against Women and Mother/Child Welfare:

#### A Feminist Methodology and Qualitative Research of Listening

##### *Abayomi's story*

*Abayomi left her home country and immigrated to Canada hoping to start a new life with her partner. Abayomi's partner was from a religious community that supported their refugee status application. While Abayomi had left behind her children, she had planned for them to join her once she got settled. When she became pregnant, they married. The emotional and financial abuse started shortly after the baby was born. He called Abayomi names, yelled at her and tried to keep her in the house so she could not work. He also refused to allow her older children to visit. To escape the abuse, Abayomi took the baby and fled to a local women's shelter, where she told her story. Police did not charge her partner, but they jailed him several times for breaching the no-contact order. Abayomi was granted custody of their child by the courts and lived alone for four years. During this period when Abayomi had a new male friend, the ex-abuser caused property damage. Abayomi involved the police but they did nothing as they found no proof it was him. A year later, her refugee claim was denied. Abayomi wanted to stay in Canada as she had a good paying job, had put a small down-payment on a house and wanted her child, now six years old, to have a better life in Canada. To avoid deportation and, on the advice of her lawyer, she returned to her abusive ex-husband. The abuse continued again over the next seven years. Her lawyer advised her the police would not intervene*

*because it was only emotional abuse. When Abayomi started to see how her now-teenage daughter was being affected by the abuse, Abayomi left the abuser again and went to the women's shelter for a second time- this time with plans to never return to the abuser. (personal communication)*

In listening to Abayomi's story, complex issues shape the reality for many women seeking violence-free lives. While Abayomi found safety for her and her child at a women's shelter, the violence continued long after she left the abusive partner. State systems such as immigration and legal services failed her and her family. What is important to understand is how state policies and structures played a key role in Abayomi's story.

This study of violence against women with children and mother/child welfare challenges the objective, rational, and universal claims of mainstream science that makes women and other socially disadvantaged people invisible. Scientific claims often fail to make women's experiences count (Code). To make women's experiences count, I use feminist methodology that listens to women's voices and their experiences of mother/child welfare and violence within the neoliberal politics of the Canadian state. A crucial step to developing a sensitive listening feminist methodology is to hear what is systemically and systematically deleted from view. Understanding the power structures that ensure these erasures is key. To that end, feminists are skeptical of the search for objectivity in science and the possibility of "the disinterested and dislocated view from nowhere" with its strict dichotomy between object and subject that positions the researcher as an omnipotent expert in control of passive research subjects and the research process (Code 38). Rather, they maintain that most knowledge production is politically invested and contend that the knowledge the oppressed acquire just to survive can be a resource for social transformation (Code).

To understand why women, like Abayomi, are facing such challenges in living without violence, it is important to recognize that some state policies are failing women. Structural factors lurk unseen behind the observable conflicts within these women's stories. This thesis draws on two feminist theoretical frameworks: feminist political economy and feminist standpoint theory. In this chapter, I first turn to feminist political economy to analyze the political and economic structures contributing to the gendered and racialized inequalities of the unwaged caring labour of children performed by women fleeing violence and the waged labour of state workers working with their families. Next, I employ feminist standpoint theory that takes into account the experiences of abused mothers, single fathers, and social workers and managers' experiences. Here, intersectional theorizing elaborates the intersecting oppressions of race, class and gender at the nexus of mother/child welfare and violence against women. Four key concepts inform the research: neoliberalism, violence against women, motherhood, and childhood. I then turn to the field to shed light on the activist politics embedded and the ethical dilemmas encountered within this research. Finally, I consider the usefulness of qualitative methods, like interviews and focus groups for analyzing policy. The significance of emotion and listening in this research emerges in difficult and often painful stories of violence, child loss, and family and professional struggles. I argue for the transformative potential of a feminist methodology that places listening to mothers' stories of abuse and marginalization at the center of feminist theorizing of mother/child welfare and violence against women.

### **1. Feminist Political Economy and Social Reproduction**

This research was guided by two methodological questions. First, what theoretical frameworks are useful for examining the intersections of mother/child welfare and violence against women within the neoliberal context of reduced social spending, state downloading of

gendered unwaged caring labour and the rise of child-centric state policies? Second, how are women with children seeking violence-free lives, particularly First Nations, racialized and low-income mothers, experiencing the intensification of neoliberal politics in Ontario over the last two decades?

Historical debates help us understand the salience of feminist political economy today for examining violence against women and mother/child welfare from 1990-2012. From its early roots in the 1970s, feminist political economy criticized the gender blindness of the early works of Marx and Engels by gendering class analysis of production of goods and services, and social reproduction, the caring labour of children predominantly performed by women (Vosko, "The Pasts" 59). Connecting households and families to economic production, analysis of women's situation under capitalism focused on the sex/gender division of labour in the households, wage inequality and labour market segmentation by sex (Vosko, "The Pasts" 59). From the mid-to late-1980s there was considerable debate within feminist circles over questions about the significance of experience and relations of ruling dominant in late capitalist societies (Vosko, "The Pasts" 64). This level of analysis highlighted state power in relation to the women's experiences in the everyday world. (Vosko, "The Pasts" 64). For example, the standpoints of low-income women working in precarious jobs while feeding, clothing and raising their children are different from the standpoints of middle-class women who stay at home and care for their families. Post-structural debates over the last several decades, concerned with the discursive and disciplinary powers of the state rather than the material realities of unwaged caring labour, have often decentered analysis of social reproduction (Vosko, "The Pasts"). Recent feminist scholarship re-centers an analysis of social reproduction with a renewed emphasis on racialization and intersectionality (Vosko, "The Pasts" 77-78; Bezanson and Luxton). What

prevails to date is feminist political economy scholarship probing the intersecting systems of domination at the level of the state, including the welfare state that restructure the everyday material realities of women's caregiving labour.

For this research, feminist political economy opens up analysis about social reproduction specific to the gendered unwaged labour, predominantly performed by women, and the gendered waged labour, predominantly performed by women social workers, in families where violence against women exists. I survey three levels of government policy over the two decades from 1990-2012: federal, provincial, and institutional. In interrogating social reproduction at the federal level, attention is paid to the Canadian state's downloading of the risks and responsibilities of child well-being to families, contributing to precarious futures for single-mother families seeking violence-free lives. Feminist political economy at the provincial level examines Ontario's trend to child-centric policies restructuring the provincial state's response to women with children fleeing violence around the at-risk child. At the institutional level, state policy and practices in gendered waged childcare work performed by social workers are explored as marginalized mothers seeking violence-free lives are unfairly targeted and disproportionate numbers of First Nations, racialized and poor children enter child welfare systems.

## **2. Feminist Standpoint Theory and Intersectionality**

In this research project, feminist standpoint theory complements feminist political economy by taking into account women's voices and lived experiences of oppression and marginality where violence exists within the politics and economics of gendered caring labour. Feminist standpoint epistemology that centres women's experiences challenges scientific biases in social science and the insidious ways they suppress, trivialize, and ignore women's perspectives (Anderson et al.). By foregrounding women's stories at the beginning of many

chapters, their experiences are less likely to be trivialized and more likely to be listened to in this dissertation and beyond. Additionally, the central profiling of women's stories provides greater context and a deeper understanding about women's material realities potentially obscured in the abstract framework of feminist political economy.

An intersectional analysis of race, gender and class in the research highlights how the structural and systemic barriers encountered by women with children seeking violence-free lives, especially harms First Nations, racialized and low-income families. The universal subject women is critiqued in feminist standpoint epistemology, highlighting how gender hierarchies are but one component in the complex and interrelationships of other oppressions such as race, class, nation and sexuality (Alcoff and Potter 3). Other feminist debates flagged the hegemony of additive identity politics that rendered invisible the most marginal people in fragmented and wider categorical identities of race, class and gender. Scholars instead advanced intersectionality as a constitutive process whereby these dynamic, interlocking and shifting constructions of race, class and gender are constituted in and through power relations (Yuval Davis 195, Brah and Phoenix 3). Recognizing the origins of intersectionality in Crenshaw's study of employment discrimination against African American women (Crenshaw), Black feminist scholarship draws our attention to the contested terrain and ongoing debates within feminism about the centrality of race in an intersectional analysis (Yuval-Davis 193). More recent scholarship criticizes the whitening of intersectionality within feminist academic circles that neutralizes its critical potential for transformative social justice (Bilge). Rather than broadening the genealogy of intersectionality that effectively repackages white feminist scholarship and canons and re-marginalizes racialized and post-colonial scholars, Bilge calls for the re-centering of race within intersectionality (Bilge 413, 417).

This dissertation embeds this critical intersectionality within Canada's history of colonialism. Centering the experiences of immigrant, racialized and First Nations and low-income women's experiences in the research project disrupts the white, western ways of mothering and raising children. For example, analysis of neoliberal state policy traces the ideological rise of the racialization of risky motherhood based on Eurocentric standards of childcare and the retrenchment of white, western notions of middle-class motherhood as the model for healthy and safe childhoods. Additionally, attention to the material realities of First Nations, racialized and low-income mothers under the scrutiny of the child welfare state can shed light on institutionalized gender, race and class discrimination and pervasive colonial state violence. The inclusion of single fathers in this research provides a gendered context for single-parent families, where essentialist notions of childcare as women's work dominates within neoliberal policy. Social workers' experiences within the neoliberal state and their epistemic view from below provide a critical counter narrative to top-down research and managers' experiences of Ontario policy and institutions concerned with violence against women and mother/child welfare.

### **3. Core Concepts**

#### *i. Neoliberalism:*

Researching mother/child welfare and violence against women from the 1990s to 2012 is marked by the intensification of neoliberalism (Sanders-McDonagh et al.; Collier, "Neoliberalism"). Federal policy agendas shaped by globalization and the international priorities of trade deficits, security, and science and technology have increasingly displaced national problems of deepening poverty, gendered wage gaps, and caring labour inequalities (Banting and Myles; Pal). In Canada, economic priorities of production, debt reduction, and unfettered

markets in a capitalist economy make invisible the structural gendered inequalities of women's unwaged work with children (Mahon; Bezanson and Luxton). Pro-market governments at the federal level, most evident with Stephen Harper's rise to power in 2006, have regionalized and privatized social spending, downloading the responsibility for poverty and gendered caring inequalities to the provinces (Bezanson 96). Under the provincial Conservatives, state cuts to Ontario's welfare and income supports intensified in 1995, retrenching the hetero-normative patriarchal family and tying women, like Abayomi, to abusive partners (Mosher et al.). Within this new political discourse of personal responsibility, the state encourages families to become responsible risk-takers while they struggle to maintain adequate standards of living to support their families' wellbeing in this precarious political and economic climate (Gaszo).

*ii. Violence Against Women:*

In employing the concept violence against women, this research challenges neo-colonialist notions of violence against women. While the concepts of domestic violence and family violence have shed important light on the unequal gender relations in patriarchal families and intimate partner relationships, they have narrowly located women's experiences of violence within gendered and essentialist notions of male violence against women. In so doing they fail to recognize and account for the complex and intergenerational oppressions of mothers and their children experiencing violence across and within nation, race, class, gender, and sexuality (McFarlane et al.; Galano et al.). For example, immigrant mothers in the South Asian diaspora can experience violence by female relatives in their families (Bhatt). In the case of Indigenous mothers, their experiences of violence are located within colonial histories of cultural genocide, state dissolution of family and mother/child bonds through residential school programs and Canadian nation-state violence against Indigenous women (Brownridge et al.; Cull).

Attention to state policies and practices at federal and provincial levels sheds important light on the neoliberal state response to violence against women. The rise of antifeminist men's rights groups beginning in the late 1990s degendered violence against women's initiatives as the federal state reengaged with violence against women in the early 2000s (Dragiewicz; Mann, "Men's Rights"; "Violence against Women"). As increasing numbers of fathers made political claims against the state for their parental rights, a new breed of white, patriarchal fatherhood emerged that combined masculine traits of violence and aggression with parental sensitivity (Avery; Crowley). In a comparative analysis of Ontario and British Columbia's anti-violence policies from 1985-2005, Collier reveals a "partisan theory of public policy" where declining state funding of anti-violence programs is linked to right-wing regimes (Collier "Neoliberalism and Violence"). Additionally, women experience systemic abuse and violence within coordinated state systems of policing, child welfare and shelter networks that retrench racial, gender and class inequalities (Fleury-Steiner and Thompson Brady; Smith; Kim; Douglas and Walsh; McGillivray and Comaskey).

*iii. Motherhood:*

Research on motherhood highlights mother/child relations and single-mother families who left violent partners behind. Recent feminist scholarship highlights mothering and domestic violence within the marginalized contexts of racialized, immigrant and low-income women's experiences in patriarchal families (Namy et al.; McDonald-Harker; Ahlfs-Dunn and Huth-Bocks). Western notions of intensive motherhood and priceless childhoods naturalize childcare as women's work and responsibility within families. Most middle-class families find this standard hard to meet; it is out of reach for First Nations, racialized, low-income families seeking violence-free lives (Villalobos; Fox; Hays). Scholarship of Black and Chicana mothering also

disrupts dominant western representations of white, Eurocentric mothering (Mullings and Mullins-Lewis; Velasco; Beatson).

Scholarship on the state and motherhood highlight the material and discursive effects of state policy on families, particularly single mother families. Little traces the uneven and shifting standards of Ontario Mother's Allowance (OMA) and its impact on welfare mothers from its introduction in 1920 to 1997, when it was eliminated by the Harris government. Here, the state increasingly targeted single mothers receiving OMA, routinely scrutinizing and regulating their personal lives, financing, mothering practices and morality (Little). Neoliberal state policies and declining state support for families reconstitute the western hetero-patriarchal family, harshly impacting single-mother families and the needs of their children (Motapanyane; Duffy; Vandenbeld Giles, "Mothering in the Age"). Under Harper's immigration policy, immigrant and refugee families are unfairly treated where the provision of citizenship reinforced racialized, gendered and sexualized notions of the ideal western family (Gaucher). In precarious neoliberal economies, state policies and systems increasingly cast marginalized mothers, many First Nations, racialized and low-income women fleeing violence, as risky (Breton; Letourneau et al.). Feminist visions for change emerge as mothers organize for their rights to raise their children and mother activists speak out against systemic and structural oppressions they encounter in raising their families (Nakagawa; O'Reilly)

*iv. Childhood:*

Childhood is examined within the emerging trend under neoliberalism to child rights and child-centric state policies. Scholarship concerned with child rights highlight the negative impact of domestic violence on children's well-being (Pernebo et al.; Yount et al.; Covell and Howe, "Children, Families"; Overlien and Hyden). The turn to the child in federal and provincial

policies eclipses feminist claims against the neoliberal state to redress the gendered inequalities of women's unwaged caring labour (Jenson; Brodie; Lister). At a policy level, the 1990s marked the downloading of Canada's federal responsibility for childcare to the provinces as state trends to privatized childcare options expose children to sub-standard care (Jenson). The over-representation of Indigenous, racialized and poor children in state care systems raises concerns about institutionalized racism, classism and sexism in Ontario's child welfare state where purportedly objective child-centric state policies underpin the highly regulated waged labour of social workers (Macias; Strong-Boag; Swift and Callahan; Cull).

#### **4. Activist Politics in the Research**

This research engages with the anti-violence activism of survivor-activists located within a feminist politic of emancipation and social change for women with their children seeking violence-free lives. Feminist scholarship advances that politically informed research projects have been able to produce less partial and less distorted results of research than those supposedly guided by the goal of value neutrality (Harding). Earlier feminist scholarship supported feminist knowledge production originating from "active participation in actions, movements and struggles for women's emancipation" (Mies). Recent activist scholarship raises concerns about activist knowledge given the professional turn to knowledge production within advocacy organizations. Here, the emergence of highly skilled activist/experts linked to evidence-based policy-making is "often interpreted as symptomatic of the depoliticizing and managerialist dynamics of neoliberal governance" (Grundy and Smith 295).

Research with survivor-activists challenges the divide between research as an academic practice and feminist politics. It also closes the gap that exists between the scholarly practices of academic research, such as writing for publication and giving conference

presentations, and political and activist work on the ground. While I identify as an activist in the anti-violence movement with twenty years of work experience in women shelters and on-the-ground activism, I had not originally set out to do research work with activist groups, particularly since I had lost touch with the anti-violence movement during my doctoral studies. However, during the early fieldwork for this “Tell your Story” research in 2013, I met Eva Kratochvil at an Ontario Association of Interval and Transition Houses (OAITH) conference. Eva has a long history of activism and advocacy for abused women and front-line experience working with women survivors of violence. Eva introduced me to Paula Lang another firebrand survivor-activist in Sault Ste. Marie, northern Ontario. Both women are connected to OAITH through their involvement in the survivor inclusion project and have many years of experience working inside the violence against women sector and organizing advocacy and activist groups. Since our first meeting in 2014, Paula, Eva and I have collaborated on several projects and at conferences.

Their experiences as survivor/activists, their leadership in local and provincial activist communities and connections to marginalized groups were invaluable for “on the ground” organizing of many marginalized moms interested in participating in interviews and focus groups. Their survivor/activist roots in their communities opened many doors for reaching out to First Nations/Metis mothers, on and off reserve, Muslim and immigrant participants, and rural moms to participate in the research. Additionally their knowledge of their cities and surrounding areas was helpful for booking meeting rooms and scheduling interviews in locations convenient for participants. A major barrier for the participation of many low-income women was the costs of transportation and childcare, particularly for rural women. While my small student research budget covered many fieldwork costs, Eva and Paula’s affiliations with local anti-violence

community agencies helped offset the childcare, transportation and food costs for women involved in the interviews and focus groups.

## **5. Qualitative Research: Policy, Interviews and Focus Groups**

Below I discuss the mixed methods employed in the research. Qualitative methods were used for public policy research and research with human participants.

### *i. Mapping Public Policy Research*

This dissertation used the qualitative research method of mapping for analysis of public policy. Mapping mother and child welfare policy in Canada and Ontario from 1990-2012 provided the historical, political and economic contexts of uneven state support for violence against women and the gendered waged and unwaged caring labour of children. For example, reports by the Standing Committee of the Status of Women revealed targeted federal policy support for Violence against Indigenous Women, while Ontario policy funding for violence against women initiatives declined. Attention to family welfare policy at the federal level, such as the National Child Benefit Program policy, the report from the Federal Office of the Representative for Children and Youth, and Campaign 2000's 2013 report card on Child and Family Poverty, revealed declining federal funding for families over the two decades with increasing numbers of children and families, particularly racialized and Indigenous single-parent families entering poverty at higher rates. Ontario policy and government reports over the period 1990-2012 traced the shift of provincial government policy to child-centric approaches and away from violence against women. Government reports included Ontario's Death Review Committee Reports, Ontario's Paediatric Death Review Committee and Deaths under five; several reports from The Office of the Provincial Advocate for Child and Youth; Ministry of Community and Social Services' "CAS/VAW Collaborative Agreements"; and Ministry of Children and Youth

Services reports. Reports from the Ontario Association of Interval and Transition Houses (OAITH) and Ontario Association of Children's Aid Societies (OACAS), such as position papers, annual reports, professional review guides, CAS child parenting newsletters brought clarity to sectoral tensions within and among institutional structures, policies and practices for violence against women and child welfare/ protection and the waged labour of social workers. Since government documents do not tell the whole story, I used media reports of government actions to provide additional context for interpreting the impact of official policy.

*ii. "Tell your Story" Interviews and Focus Groups*

My methodological framework also included semi-structured interviews and focus groups with state and non-state actors. State and non-state actors were recruited for my research to provide insights about violence against women and mother/child welfare from those inside and outside Ontario's state systems and institutions, respectively. The two non-state actors who participated were mothers and single fathers. Mothers were the primary participants as their experiences of seeking violence-free lives were central to understanding how state policies influenced their daily lives, their children and their futures, as single mother families. A small number of single fathers were included in the research to provide a more nuanced account of the differential impact of state policies on single parent families. Two state actors were included in the research: social workers and managers. Social workers were recruited to offer important insights into state policies and practices from their experiences on the front lines of state work with families. A small number of managers were included to provide senior level perspectives about the impact of state policies and decision-making on Ontario government sectors, systems and organizations responsible for violence against women and mother and child welfare. Semi-structured interviews allowed participants to tell their individual stories in confidential settings

without fear of reprisal. Only mother participants were offered a chance to participate in focus groups. Focus groups provided a collective space for mother participants to share and hear other women's stories and gave women a deeper involvement in the research project.

Confidential interviews and focus groups were conducted in northern and southern Ontario locations. My research aim was to reach out to participants in northern Ontario, particularly Indigenous participants on and off reserves, as their experiences have often been excluded from, or marginalized in, Ontario policies dominated by urban experiences in southern Ontario. Forty interviews were conducted with participants from fall 2014 to fall 2016: 21 mothers fleeing violence, eleven social workers, three single fathers, and five managers. Interviews in northern Ontario were conducted in a boardroom at a local hotel in Sault Ste. Marie while a Windsor women's shelter and a private room at a rural agency were used for interviews with mothers from southern Ontario. Mother participants were also involved in two focus groups: one in Windsor and one in Sault Ste. Marie. The northern focus group occurred on the last day of interviews and was attended by eight mother participants. The southern focus group for mothers was held many months after the initial interviews making recruitment of mother participants more difficult; three moms attended. All interviews and focus groups were digitally recorded.

Of the 21 mother participants, all women had experienced violence in intimate relationships: 20 with male partners, one with a lesbian partner. The women identified a range of violence by abusers in their relationships: physical, sexual, financial, spiritual and emotional/psychological abuse, immigrant status abuse, sexual violence by an abuser against a woman's child and abuse by a friend's ex-husband. Three women were currently living with abusive partners, ten women had recently left abusive partners (six seeking refuge in a women's

shelter), five women had left abusers several years prior but identified on-going abuse by ex-abusers due to child visitation/custody issues; three women identified histories of abuse in their pasts. The 21 mother participants racially and culturally identified as follows: thirteen white/Caucasian/European, five Native/Ojibwe/ Metis, two racialized/immigrant, and one Mennonite. One mother had landed immigrant status. Women's ages ranged from 18-55: four young moms under 25 years of age, ten moms 26-40 years of age, and seven moms over 40 years of age. Three mothers worked full time in good jobs with a middle-class income. The other eighteen moms identified as underemployed and unemployed relying on part-time work, low-income jobs, and state welfare supports, such as Ontario welfare (OW) and disability income.

The women's children ranged in age from a one-month-old infant to adult children; one was pregnant with her second child. Of the 21 mothers, six did not have their children in their care and/or custody as follows:

- one mother had her child in her care but was involved in court proceedings to get full custody of her child
- one mother had both of children in foster care and was legally involved with CAS for custody and the return of both children to her care
- one mother had all three of her children removed by CAS and placed in foster care and the mother was legally involved with CAS for their return
- one mother had both her children removed from her care and were now crown wards of the state
- one mother had her only child removed from her care by CAS and was in foster care for one month
- one mother's child was adopted at birth.

Eleven social workers were interviewed: one in northern Ontario and ten in southern Ontario. Seven of the eleven social workers self-identified as white/European while four racialized social workers identified as Muslim, Indo-Caribbean, and Dominican. They worked in a range of social work fields: five in child and family welfare, five in violence against women work, one in health care. Four had less than ten years of social work experience, three had between ten and twenty years of work experience. Four had greater than 21 years of work experience. Interviews were conducted in participants' offices, women's shelters, a private room at a university and a hotel boardroom.

Three single fathers were participants: one from northern Ontario and two from southern Ontario. All three single fathers identified as white, and one self-disclosed as gay. Two fathers had a young child; one father had an older child. Two fathers had full-time employment, one father juggled employment with university studies. Interviews took place at a workplace, in a private room in the university and a hotel boardroom.

Five managers participated in the research: one from northern Ontario and four from southern Ontario. Two managers identified as Executive Directors, two as Directors, and one as a Manager. Of the five managers, two were men and three were women identifying from racially diverse backgrounds, such as Jewish, Muslim, Caucasian and First Nations/African Canadian. They worked in Ontario community agencies and institutions involved with family/child welfare, violence against women and immigrant/racialized communities. All managers had over ten years in child welfare and violence against women related fields, with several managers having over twenty years of experience. Recognizing the potential work conflicts caused when interviewing managers at their workplaces, I provided confidential interview options for all

managers outside their workplaces. All five managers elected to have their interviews at their workplaces.

## **6. Recruitment of Participants: Ethical Dilemmas**

Several different recruitment methods were employed to recruit mothers, social workers, single fathers and key informants. Tell Your Story posters were displayed to recruit mother, social worker and single father participants for interviews. As I had concerns early in the research project that recruiting single fathers and social workers might be more difficult, single fathers and social workers were given the additional option of participating by completing an anonymous on-line interview. No one responded to the on-line option. An incentive of \$10 paid to mother participants only was provided to offset their transportation and childcare costs.

Assurances of strict adherence to confidentiality were provided during the recruitment of all research participants. While it is hoped that mother participants might recognize their stories in this dissertation, pseudonyms are used throughout. To mitigate the risk of identification further, identifying details not salient to mothers' stories, such as number of children, country of origin, and their location in northern or southern communities were modified. For all participants, particularly social workers, who expressed fear about being identified, their stories contributed to generalized experiences shared within their participant group and no individual quotes were used.

### ***i. Northern Ontario:***

As a white, southern Ontario outsider doing fieldwork with Indigenous communities in northern Ontario, I expected to encounter several barriers in gaining access to Indigenous communities. I sent recruitment posters for moms and single fathers to newspapers on northern reserves and Indigenous community agencies, such as Indian Friendship Center and Native Child

Welfare Services, but only two First Nations participants responded. While several managers employed in Indigenous services responded positively to early e-mail invitations, none of them followed-up with an interview. Social workers did not respond to recruitment posters sent to social work departments at the northern university and college. Most northern participants, Indigenous and non-Indigenous, who participated had connections to survivor-activist Paula and the local survivor-activist community.

*ii. Southern Ontario:*

In southern Ontario, recruitment posters for mothers were displayed in three southern Ontario women's shelters and immigrant welcome centres in rural and urban locations. Survivor-activist Eva was actively involved in encouraging moms, many of whom were staying in the shelter, to participate in the research. Young moms were recruited through the help of a coordinator of a rural support group offered in southern Ontario.

The recruitment of single fathers for the research project was difficult. Single father posters were posted on several Facebook pages, displayed in York University's ACMAPS office for mature and part-time students and distributed on the White Ribbon list-serves. In trying to involve racialized single fathers, several email attempts failed. For example, the Macaulay Child Development Centre that supports the "Barbershop Project" in Toronto did not respond to several e-mail requests to display the single father posters. This important community-based program, located within local barbershops in Black communities, supports positive parenting role models for African-Caribbean fathers, "one haircut at a time." In another failed recruitment attempt, one single father responded via e-mail to a recruitment poster expressing his views in the question he asked, "Does your research extend into the divorced men compelled by Canada's

legal system into relating to their children *in absentia*?” Despite repeated attempts to invite this single father participant to tell his important story in an interview, he never responded.

Recruitment posters for social worker participants in southern Ontario were displayed in three southern Ontario women’s shelters. In addition, the snowball method of referrals from other research participants was also useful in recruiting social workers in southern Ontario. Interested participants stressed in pre-interview discussions the importance of confidentiality in the research, expressing fears about how their participation might affect their current and future employment. Notably, other social workers in non-child welfare agencies expressed less concern about their employers’ knowledge of their participation in the research. Most child welfare workers spoke fearfully about their involvement in this research. They feared how child welfare employers had silenced them when they had previously spoken up about oppressive child welfare practices. For example, one social worker left state-funded child welfare work after being disciplined by the employer for speaking publicly about child welfare issues to a general audience, outside work time. Another social worker, fearing employer retribution should her experiences be recognized in the research, asked to pre-approve any direct quotes used from her interview in the research. To address this concern and mitigate any risk that her confidentiality might be compromised, I used only general references to her experiences, omitting any direct quotes.

The recruitment of social workers and mother participants through the involvement of a Children’s Aid Society (CAS) in southern Ontario was also explored. In an early communication, the CAS agency expressed their definite interest in participating in the research by displaying “Tell your Story” posters in their office. At their request, I forwarded the ethics certificate confirming the research adheres to York University’s research ethics procedures and

protocols, as outlined by the Faculty of Graduate Studies and governed by the Senate Policy for the Ethics Review Process for Research Involving Human Participants. The CAS management group requested a copy of my dissertation proposal. Once my dissertation proposal was received, the CAS process for approval included: vetting of the proposal through their research/ethics committee comprised of workers, supervisors and Director of Quality Assurance; forwarding of their recommendation and proposal to their Chief Operating Officer; and final approval by the Chief Executive Officer. This top-heavy institutional vetting of this research request demonstrates the over-reaching powers of the CAS agency to influence and control research about child and family welfare, potentially silencing research that exposes problems in the dark recesses of child welfare policy and practices. No other agency or institution involved in the recruitment of participants requested a copy of my dissertation proposal. I was concerned that the release of my dissertation proposal might contaminate the field, creating a chilling effect for social workers interested in participating in the research. With sage input from my supervisory committee, I did not provide my dissertation proposal. Hence, there was no exchange of information, a shocking outcome when considering CAS is a public agency.

Recruitment of managers/key stakeholders occurred through word-of mouth referrals and by reaching out to key informants at two conferences. While several shelters and non-shelter agencies opened their doors, I witnessed a troubling level of participation within the VAW sector. Several managers, who expressed interest and arranged meeting times, suddenly were unavailable and unresponsive at the last minute.

## **7. Crisis of Representation and Emotion: Ethical Dilemmas in the Field**

As a researcher with white, western privilege, I was reflexively aware of unequal power relations with all participants during my fieldwork, particularly the mothers, identifying as First

Nations/Metis, immigrant, and low-income. Feminist scholarship contends that the politics of speaking on behalf of other women is one of the most contested ethical areas in feminist activism and research (Code). The situation is exacerbated when feminists claim to speak for others across complex differences. In feminist fieldwork, researchers are cautioned to reflect on how they are situated within unequal power relations in the researcher/participant relationships (Limon, qtd.in Zavella 57). This crisis in representation is partly a result of the post-structural and postmodern challenges to concerns about the ethical and political issues of re-presenting and re-writing the other, given a modernist history of the erasure and denigration of the lives of marginalized peoples (Fonow and Cook 2221).

Collaboration with research subjects in the field provides some space for understanding how research subjects might represent their own subalternity and their view from below in the research (Fonow and Cook; Nagar). Recognizing that the power imbalance in field relations can never be fully mitigated, I provided informal collaborative spaces of knowledge production before and after the interviews and the focus groups allowing participants the opportunity for open dialogue and negotiation about how their stories will be represented in the research. For example, one mother wanted to clarify an issue she raised during the interview, so several days later she e-mailed a revised script to add to her interview. Another mother who identified as First Nations questioned how my research would represent First Nations stories, before agreeing to an interview. Concerned that my research would reproduce white man's renderings of colonial oppressions, she asked for and received assurance that my research critically considered the history of white settler colonialism in Canada and its legacy of the cultural genocide of First Nations.

The two focus groups also provided a shared collaborative space for survivor moms to build collectivist knowledge about their experiences as mothers seeking violence-free lives. These focus groups drew on Hill Collins' concept of collective standpoint, where a group's collective experience of marginalization is often useful for political action and achieving larger social change (Hill Collins). The two focus groups provided spaces for women to meet and network with other mothers and share their frustrations, challenges and successes in navigating their local agencies/systems, such as child welfare, social services and housing, and policing/legal. For example, at the northern focus group, several mothers spoke out about the difficulties they experienced in finding safe and affordable housing for their families after leaving an abusive situation. In response, one mother shared the details of her supportive housing in an affordable, safe and secure building. In the southern focus group, two mothers shared their experiences with the child welfare state providing new information for moms about their parental rights.

### **8. Tears and Anger: Emotion in the Field**

Attention to emotion in the research project imagines new ways of knowing across multiple subjectivities and different lives experiences. While I expected minimal risk for human participants in the research project, I was prepared for the possibility of some emotional discomfort for participants telling their stories, particularly for the mothers who experienced violence in their lives. What then is the constitutive value of emotion for knowledge production in the field and the research project as a whole? What ethical dilemmas does emotion engender in research? Researchers are increasingly considering notions of "embodied knowing" and "embodied thinking" as they recognize that social lives are experienced in bodies and that bodies and emotions are socially produced and culturally variable (Woodward and Lea; Davidson;

Ramazanoglu and Holland). Feminist researchers argue that certain oppressed groups are more likely to have an epistemic privilege of their oppressive situations and that this critical view is both generated and partly constituted by “critical emotional responses” that subjects experience (Narayan 218). Disrupting essentialist notions of emotion as specifically feminine, postmodernism challenges the dualisms of reason/emotion, mind/body, objective/subjective of enlightenment thought within social science (Ettlinger).

While my experiences as a mother brought a sensitivity to the work of caring for children, I relied on my insider experience of fifteen years of front line work in a women’s shelter listening to women’s stories of abuse to manage my emotions when listening to the difficult and painful stories of abused mother participants. Recognizing the unpredictability of emotions for both the researcher and the participants in the research project, one researcher began her research analysis with the recognition of *her own emotions*, not the research subjects’, in a research project where she shared a common experience of mothering with her mother participants (Devault 72). Another researcher’s response of listening attentively to the emotional outpourings of her research subjects was what seemed to be desired by the research subjects (Matsumoto 164). While the practice of listening attentively worked well for almost all interviews I conducted, one woman’s story in particular was memorable because of our shared emotion. In the interview, a mother recounted years of violent physical, emotional and sexual abuse by partners, detailing how she protected her children from the violence, while attending to their daily care. She endured a decade of failed child welfare and police interventions, and a mountain of legal bills from her fights with the state to keep custody of her children while the children were in and out of foster homes. She was beaten down to the point where she considered giving up custody of her children to the state, so her children could have a better life. A heart-

wrenching story to tell and hear. In another interview, a single father tearfully shared his feelings of isolation and loneliness in raising his child, not knowing other single fathers with whom to share experiences. His story of isolation and lack of parenting supports as a single father was an important reminder in the research that the gendered neoliberal politics of childcare are failing many single parents, not just mothers fleeing violence.

While greater emphasis is placed on harm, and mitigating harm for participants in the research process, emotion in research can also be healing. For example, when doing historical research in a Japanese American community about the Japanese internment in the US during WW11, research participants told a researcher that they preferred to talk about their pent-up sufferings believing “the act of telling might in some way facilitate healing” (Matsumoto 164). Feminist researchers must learn to help and support women telling their own emotional stories as fully, completely, and honestly, as they desire (Anderson et al. 101). Based on my experiences in the field with mother participants, when participants expressed emotions during their stories, I found the simple but important act of bearing witness to participant’s emotional pain best demonstrated care. No words. No note taking. In these emotional moments, listening honours the emotions, experience and voice of the research subject. When the research subjects share the pain of their experiences, they are the experts of their stories, resilience and healing. The majority of mother participants in the interviews pushed through their emotions eager to tell their stories. At the end of the interview, several moms expressed their gratitude for the research that allowed them to tell their stories of violence and that I was doing something about it.

While a caring research environment can provide a safe space for participants (Davidson), the guarantee of a safe space for participants to share their experiences is an impossible research goal, particularly when doing research with mothers’ experiencing violence

in their lives. To mitigate the risk of harm for participants, I provided a safer space for participants by offering breaks throughout the interview and giving participants the option to shorten or extend their interview length, thereby allowing participants to manage their emotional and physical well-being in the research. After the interview, participants were offered referrals to counselling supports. Other researchers provide insights into ways to mitigate the risk of harm for participants and handle emotions in the field. For example, a multi-disciplinary research team included a psychologist, to provide some professional psychology support for women interviewing about their feelings concerning housework (Anderson et al.).

While the primary focus in research is the welfare of the research subject, relations of care in the research project must also include care for the researcher. Recognition of and attention to vicarious trauma and self-care practices are critical for sustaining ourselves as researchers, both in the field and after leaving it, to mitigate the physical and emotional burn-out. Matsumoto revealed, she felt “leaden and depressed” after listening to the emotional outpourings of her research subjects and further remarked that there were days when she left the field and returned to her home base “feeling like a traveling confessional, drained by the intensity of the interaction” (Matsumoto 164). With my insider knowledge of work with abused women, I was aware of the potential for vicarious trauma, a secondary form of trauma, experienced by researchers from bearing witness to, transcribing, and analyzing the very difficult, personal and emotional stories. In the field, after intensive days of interviewing mothers, I often recorded my feelings along with my detailed notes in my fieldwork journal to try to park the painful stories there. However, in trying to accommodate the participants, I overscheduled several days of interviews. This presented challenges for finding self-care downtime, particularly in northern Ontario when all interviews were conducted over a three-day period. For future research

projects, I would pay more attention to structuring breaks between interviews to regroup and refresh.

### **9. Listening in New Ways: Qualitative Analysis**

Learning to listen in a new way was key for interpreting and analyzing the narratives of all participants in the research project (Anderson and Jack 18). Recognizing the interview as a critical tool for developing new frameworks and theories, Anderson and Jack advance new ways of listening by suspending old theories and allow for the possibilities of new ones ( 8). In analyzing the transcripts, I coded common and different themes, noting the variances between participants' northern and southern experiences. To guide the coding, I drew heavily on Anderson and Jack's framework of "listening for meaning" and tried to listen "in stereo"- receiving both the dominant and muted channels clearly and tuning into them carefully (11). For example, while the dominant channel for two single fathers' experiences was the gendered norm that raising children was women's work, one single father's experience of parenting his child was expressed as anger towards his wife who left their marriage, leaving him full responsibility for their child. The other single father, wanted to parent his child after separation from his partner, yet felt invisible and alone raising his child in a world that does not support men's caring labour with children.

The mothers' narratives disrupted several theories and my own assumptions. While shame is a well-documented reason why many women do not speak about the abuse they have experienced, I was surprised that all but one, mother candidly and openly shared their experiences of violence by abusive partners and police/state systems. Additionally while theories of violence against women are often located within patriarchal power relations at the interpersonal level, most mothers' narratives placed greater emphasis on the bigger stories about

oppressive state systems in responding to their safety and well-being, than on their past or current abusive relationships. For example, a young mother living with an abusive partner who “was a big support to her in raising their newborn,” spoke out against an unsupportive doctor who reported her to child welfare for swearing during childbirth. Finally, astonishing to me, as researcher, were women’s in-depth knowledge about complex state systems and how these systems reinscribed their racial, gender and class inequalities. As many mother narratives revealed, their knowledge of state systems reflected women’s resilience and resistance against these oppressive systems, particularly child welfare and policing, in the face of increasing and intensive state interventions into their families’ lives.

An analysis of the two focus groups was also embedded in a listening framework. As facilitator of both focus groups, I had the careful role of listener, more challenging as there is less control in a group where diverse and multiple responses make analysis challenging (Van Staveren 132). Unlike the interviews where some women were tearful and sad, women in their respective focus groups were outspoken, often expressing a collective anger and outrage about their shared experiences of marginalization. For example, First Nations/Metis women in the northern focus group were especially vocal about their marginalization within colonial systems, while the focus group in southern Ontario shared common criticism about oppressive state systems. Analysis of focus group transcripts’ revealed a richer spectrum of interpretations about what women with children need to live violence-free lives and as was the case, clarity about key issues and concerns for mothers. For example, I was struck by the consensus in both focus groups that what needed to change to address violence against women with children was state accountability, a concept rarely used by mothers in their individual interviews.

## **10. Conclusion**

As a contribution to feminist knowledge production, this research is firmly embedded within feminist political economy to listen to and make visible the politics and economics of violence against women and mother/child welfare. A listening methodology bridges the structural analysis of feminist political economy, bereft of human experience and the heart of listening, with feminist standpoint theory centering mothers' experiences of state, institutional and interpersonal violence in this research project. Attention to listening and emotion when in the field and analyzing narratives of mothers, single fathers, social workers and key/informants offers new insights for doing research sensitive to race, class and gender inequalities.

The next two chapters examine the neoliberal state's response to violence against women with children and mother/child welfare at federal and provincial levels, respectively. Chapter three highlights the Canadian state and federal policy from 1990-2012 in the neoliberal context of devolving federal support for families, the dismantling of the welfare state and the trend to the degendering of violence against women initiatives. It examines the discursive turn to the child in federal policy within a context of rising child rights, child development and colonial notions of childhood. These neoliberal shifts in federal policies laid the foundation for the offloading of federal responsibility for violence against women and mother/child welfare to the provinces. As revealed in Chapter four, Ontario policy restructured violence against women initiatives around the at-risk child. Women's stories of fleeing violence foreground the troubling trend to the child in state policy and state interventions to support the safety and well-being of women and their children seeking violence-free lives.

## Chapter Three

### At-Risk Children in Risky Economies: Violence Against Women in the Age of Child Rights

#### *Beth's Story*

*Beth was in a five-and-one-half year relationship with her partner. After Beth and her partner moved out of her parent's house to their own apartment, her partner started verbally abusing her, name-calling and putting her down. One day, he physically abused the son. Beth reported this abuse to CAS, left her partner and took the children with her to a women's shelter. Family court issued a restraining order and non-association order to keep the abuser away from the family and the residence. Beth and her children returned to their home a few weeks later, once the locks were changed. Trained in early childhood education, Beth continued working at the job she held for the last ten years. She struggled to pay the bills and take care of the two young children on her own. Beth's ex-husband was still receiving the child tax benefit for one of the children. Beth told her CAS worker she was struggling financially and was aware they had gift cards for groceries and supplies, but CAS did not provide assistance. The only time CAS helped her out was at Christmas, providing gifts for the children. After eleven months of living on her own, her financial situation worsened. She contacted her ex-partner for financial help to pay her rent. He agreed and they met at the rent office where with his help, she was able to pay her rent. At the rent office, her partner was arrested for breaking the non-association order. At the same time police were arresting her ex-partner and without*

*her knowledge, CAS apprehended her children from school and day care. Beth's children were put in state care, separated from each other, and are now living in different foster families. She is fighting the state in court for the return of her children. (personal communication)*

How is Canada responding to women like Beth, who are struggling to raise their children after leaving abusive relationships? In this chapter, I examine the federal response to violence against women over two decades of neoliberal policy as it shifts to child-centric policies to address poverty and childhood disadvantage in families seeking violence-free lives. Does this shift in federal policy advance the best interests of children? To address these questions, I first examine the history of federal policy since the 1990s amid growing concerns about income inequality, declining welfare supports for families and narrowing violence against women initiatives. I then take account of the turn to child-centric policy within the context of rising child rights and Eurocentric models of child development. I conclude by identifying how child development policies that target risky parents fail to address deepening poverty and re-inscribe oppression for Indigenous, racialized and low-income families seeking protection from violence. I argue child-centric policies shore up Eurocentric notions of western childhood rooted in histories of colonialism and, as such, are limited in guaranteeing the social and economic rights of the child, particularly Indigenous and racialized children in low-income families. As family-based policies decline, targeted child development programs entrench the structural inequalities of waged and unwaged work underpinning children and families at risk of gender-based violence and poverty.

## **1. Neoliberal Policy in Canada: Violence Against Women and Mother/Child Welfare**

The 1990s in Canada marked a pivotal shift toward neoliberal market fundamentalism. Federal policy agendas shaped by globalization and the international priorities of trade deficits, security, and science and technology have increasingly displaced national policies to address deepening poverty, gendered wage gaps, and caring labour inequalities (Pal). By the mid-1990s, the Canadian state that historically redistributed income to families was fading as Canadians struggled during the harsh recession of the 1990s (Banting and Myles). Canada's tax-transfer system was no longer addressing the growth in inequality generated by the market. Policy change in the mid-1990s cut unemployment and social assistance, thus further contributing to growing inequality. In the 2000s, government continued to weaken the redistributive impact of the tax-transfer system. The surge in income inequality over the last several decades saw the rich getting richer while Canadians in the middle, especially those in the low-middle of the wage distribution struggle in the wake of economic change. In other words, recent economic gains have disproportionately benefited the high earners while those in the middle and the bottom have been losing ground. Furthermore, Canada continues to tolerate high levels of poverty as policies to better redistribute wealth to address growing income inequality fade (Banting and Myles 1-3, 22).

Federal devolution of policy support and investment is troubling. Since the introduction of the 1999 Social Union Framework Agreement (SUFA), the Chretien Liberals set out processes for how federal and provincial and territorial governments should relate to each other in the making of social policy (with lesser emphasis on substantive new social policy commitments). This led directly to a declining role of the federal government in social policy, most evident since the Harper Conservatives came into power in 2006. The Harper government explicitly endorsed

the 1999 Social Union Framework Agreement of placing limits on the use of the federal spending power for new shared-cost programs in areas of exclusive provincial jurisdiction (Lazar, qtd. in Prince 57). While Harper Conservatives maintained existing approaches to the Canada Health Transfer, the Canada Social Transfer, Equalization, and Territorial Formula Financing, they refrained from adopting a comprehensive plan on poverty reduction. Over their two terms in power, the Conservatives failed to introduce enhancements to federal social programs in retirement income security, housing and homelessness, women's equality, and persons with disabilities. Most troubling were the cutbacks in social policy measures in childcare and in social financing that punitively targeted families and non-profit agencies (Prince 58).

Federal devolution of policy support and investment most harshly impacts women, the primary providers of unwaged caring labour to children, the elderly and the infirm (Bezanson and Luxton 4). The withering of federal support for families, evident in welfare restructuring, hurt non-working adults, many women caring for children (Jenson). For example, in 1989, family allowances were clawed back at tax time and by 1993 the federal Conservatives eliminated them altogether to be replaced with targeted and income tax-based instruments (Jenson 93). Within a neoliberal discourse of personal responsibility and employability, targeted programming and conditional entitlement to income and welfare supports harmed families, particularly low-income, single mother families seeking violence free lives. With the decline in social assistance funding, single parents had to find work sooner when their children were younger. Increased care-giving labour for young children, given the school gap and lack of universal childcare supports, often pushed women back into abusive relationships. In BC, single parents had to seek waged work when the youngest child turns three, down from seven years of age. As a result, women with children aged three and over who wanted to leave abusive partners

were not eligible for assistance even if they had been kept out of the workforce by that partner, a common form of control in abusive relationships (Morrow et al. vi, 364).

The decentralization of power in social policy from the federal to provincial governments during the 1990s exacerbated inequalities at the provincial level (Banting and Myles 19). Neoliberal welfare reforms gendered the “responsible risk-taker worker,” ratcheting down mother’s rights and women’s capacity to perform mother work (Gaszo). Tracing the decline in federal funding of adult income-support programs from 1993-2004 in three western Canadian provinces, Gaszo’s research highlights parents, increasingly moved off social assistance and income-support programs, thus unfairly encountering the risks and responsibilities of precarious work resulting from unstable global markets without increased supports for their child-care labour. Reinforcing gendered notions of caring within the father breadwinner/mother caregiver model, welfare authorities monitored and regulated women’s mothering, while active and participatory fathering was devalued (Gaszo 55-58).

In Ontario, the Harris Conservatives introduced the spouse in the house rule in 1995. Welfare recipients lost welfare benefits as soon as they started living with an income-earner of the opposite sex. Same-sex couples also experienced hardship with lost welfare benefits, with the passing of a bill in 1999 in the Legislative Assembly of Ontario granting the same statutory rights and responsibilities to same-sex couples as applied to opposite-sex couples. Additionally, with the retrenchment of the family as the unit of administration in social welfare policy, mothers were often bound to negligent and abusive partners (Jenson; Mosher et al. vii). Abusive partners used welfare systems as welfare snitch lines to enhance their power and control over women by calling and falsely reporting on them. Abusers with better English than their immigrant partners often manipulated the welfare system to their advantage. Their actions contributed to the

recasting of abused women in the welfare system as “undeserving and untrustworthy” (Mosher et al. v, 5).

In the neoliberal context of growing income inequality, lower social spending evidenced by the dismantling of the welfare state and a shrinking social safety net, Canada’s response to violence against women during the early 1990s revealed some gains in feminist anti-violence claims against the state. With the 1989 murders of fourteen young women at the University of Montreal engineering school, *École Polytechnique* in the courts and Parliament, action intensified on violence against women (Bashevkin 87). During the Mulroney years from 1984-1993, seven out of nine court decisions about violence against women were pro-feminist movement (Bashevkin 87). For example, high court rulings defined sexual assault and consent more clearly, protected the anonymity of assault victims, and recognized the battered wife perspective in which a woman killed her abuser (Bashevkin 87). Two important reports in the 1990s also contributed to positive changes for violence against women initiatives and funding. The first report “The War on Women,” passed by the House of Commons in 1990, initiated a two year \$10 million inquiry resulting in 494 recommendations targeting violence against female partners and gender inequality (Mann, “Violence Against Women” 41). Building on this initiative, the Canadian Panel on Violence Against Women, established by the federal government in August 1991, was asked to develop a National Action Plan. This plan entitled “Changing The Landscape: Ending the Violence-Achieving Equality” called for zero tolerance of violence against all women. At the same time it recognized that Aboriginal women, older women, poor women, women of colour, immigrant women, and women with disabilities were most vulnerable (Marshall and Vaillancourt). These recommendations contributed to an expanded women-abuse shelter network and mandatory charge policies by police, relieving

women victims of this responsibility. In addition, specialized domestic violence courts supported abused women by court-mandating assailants to attend abuse intervention programs (Mann, “Violence Against Women” 42).

These policy reforms reduced both reports of domestic assaults and homicide (Mann, “Violence Against Women” 42). Federal cuts during the 1990s, however, undermined many of these policy advances and weakened violence against women services. These significant cuts signalled the growing intensification of neoliberal policy in Canada as funding cuts during the Mulroney years in the late 1980s became far harsher under the Chretien regime, 1993-2003 (Bashevkin 225). For example, the 1990 budget of the Mulroney Conservative government reduced the Secretary of State Women’s Program to \$9.2 million from \$12.7 million in 1987 (Morrow et al. 362). The federal Conservatives also cut the operating funds to grass roots feminist organizations including women abuse shelters. With the introduction of the *Budget Implementation Act* (BIA) in 1995 under the Chrétien Liberals, the Government of Canada repealed the Canada Assistance Plan (CAP) and introduced the Canada Health and Social Transfer (CHST) (Bashevkin 224). Women’s groups loudly criticized this policy reform that effectively removed the national standards from social assistance spending and combined these funds for social assistance, previously separate under (CAP), with block funds for health and post-secondary education. The CHST disrupted stable funding relationships between provincial and municipal governments and women’s shelters. The new per diem funding created financial vulnerability for shelters offering services and programs, while compromising and limiting shelter stays for women and their families (Burt and Mitchell, qtd. in Morrow et al. 361).

Funding rollbacks for well-established national women’s organizations seriously weakened the national feminist voice on women’s equality issues including violence against

women (Morrow et.al. 362). The Liberal's 1994 budget closed down both the Canadian Advisory Council on the Status of Women and Family Violence Initiative (Bashevkin 224). By early 1995, the National Action Committee (NAC) on the Status of Women reported that only 27 percent of its annual budget came from federal sources, down from nearly 90 percent in the 1980s (Bashevkin 225). Deteriorating relations with the federal government contributed to internal struggles within feminist organizations, further weakening their engagement with the state. For example, in the Canadian Panel on Violence Against Women (1991-1993) differing feminist approaches to engaging with the state became more divisive as relations broke down between women's organizations and the Mulroney government (Levan). A strategic decision of disengagement from the state by a number of women's groups involved with the Panel, contributed to a troubling public perception that feminists were themselves censors (Levan 407). While NAC in the 1980s was heralded as the strong voice for women and considered the main face of the Canadian women's movement, by the 1990s, it became a less relevant political advocate and has since disappeared from Canadian politics (Collier, "Not Quite the Death"). During the 1990s, the politics of anti-racism at NAC plagued the mainstream feminist organization where dominant narratives of white multiculturalism naturalized and re-centered white feminism (Nadeau 137). By the mid-2000s, the rise of neoliberalism and a complete loss of federal funding for NAC seriously jeopardized the degree of openness of the state to women's interests and NAC's political opportunities (Collier, "Not Quite the Death" 19).

By the late 1990s, the federal Liberals' noticeable degendering of violence against women initiatives can in part be attributed to the men's rights movement (Mann, "Men's Rights", "Violence Against Women"). Undermining the earlier gains made by feminist groups, the men's rights movement received a sympathetic hearing at the federal Parliamentary Special

Joint Committee on Child Custody and Access in 1997, culminating in a deeply flawed report called “For the Sake of the Children: Report of the Special Joint Committee on Child Custody and Access” ( Mann, “Violence against Women” 42). Men’s rights advocates claimed that family law and domestic violence courts favoured women, ignoring men who were also abused and fathers who were denied rights to access and custody of their children. Framing their concerns as “family violence,” they assumed men and women perpetuated acts of violence at equal rates. This further contributed to the discursive shift away from the gendered realities of violence against women. Such decontextualizing of violence as behaviours within intimate and interpersonal relations is highly problematic. While some men are assaulted by their female partners, research continues to show that women, not men, are the majority of victims of domestic violence. When women are violent, it is often after extensive abuse and is an act of protection or resistance against years of male domination and abusive power (Mann, “Violence against Women” 44, 59). Critical of the neoliberal individualistic approach to gender relations, which casts private sphere inequalities as the problem rather than part of larger societal inequalities, Hearn and McKie advocate for violence against women policy located within a framework of gender inequalities within waged work and unwaged caring labour of children (81). They advance that the inclusion of an analysis of men’s violence in violence against women policy is critical to highlight the larger societal conditions that produce and sustain men’s violence against women, violent masculinities and the violent practices of male abusers/fathers in heterosexual relations (Hearn and McKie 79).

Federal policy initiatives by the early 2000s, had re-engaged with the issue of violence against women, with a specific focus on violence against Indigenous women and girls. Despite decades of inaction, statistics revealed that Indigenous women’s rate of spousal homicide is eight

times higher than that for non-Indigenous women (Trainor and Mihorea, qtd. in Mosher et al.). The collective advocacy by First Nations to bring attention to missing and murdered Indigenous women and girls finally raised awareness about the severity and magnitude of this violence. Between 2005 and 2010 when Conservatives held minority power, the Native Women's Association of Canada (NWAC) received project funding of \$5 million from Status of Women Canada for Sisters in Spirit. It aspired to identify root causes, trends and circumstances of violence that have led to the disappearance and death of Aboriginal women and girls (Standing Committee on the Status of Women 10-11). Although this initiative ended in 2010, the 2010 Federal Budget committed an additional investment of \$10 million over two years to the Department of Justice Canada to address the disturbingly high number of missing and murdered Aboriginal women. This money, allocated to the Department of Justice, was to be spent over two years to "improve community safety and to ensure that the justice system and law enforcement agencies can better respond to cases of missing and murdered Aboriginal women" (Standing Committee on the Status of Women 10-11). Several concrete measures included: \$4 million for a National Police Support Centre for Missing Persons enhancements to the Canadian Police Information Centre to encourage public reporting of missing persons cases; \$1.5 million over two years to develop community safety plans to improve the safety of Indigenous women in their communities; and new amendments to the Criminal Code to strengthen investigations and streamline court processes for missing and murdered Indigenous women (Standing Committee on the Status of Women 14).

Other federal investments to redress the injustice of Canada's colonial history with First Nations, in particular its negative impact on Indigenous women seeking violence free-lives, strengthened the ability of communities and service providers to address the root causes of

violence (Standing Committee on the Status of Women 10-11). The Status of Women funded \$2.39 million to NWAC over the three years, from February 2011- April 2014, to shift its work from research to action. In its First Report “Ending Violence Against Aboriginal Women and Girls: Empowerment-A New Beginning” tabled December 2011, the Standing Committee on the Status of Women chose “to shift its focus from the aftermath of the violence to empowering young Aboriginal girls and women. The goal was to support their desire to strive for a better life of independence, confidence, influence and power, and reduce the victimization, poverty, prostitution and abuse experienced by Aboriginal women and girls” (Standing Committee on the Status of Women ix). The report updates the status of recommended actions from previous initiatives. For example, in June 2007, almost \$56 million in funding was allocated to ‘on-reserve’ shelters through a five year in Family Violence Prevention Programs and the Shelter Enhancement Program (Standing Committee on the Status of Women 28). Over fifty-three million funded new shelter community prevention programs, such as public awareness campaigns, support groups, and anger management workshops (Standing Committee on the Status of Women 29). Over two million was allocated to build five new on-reserve shelters (Standing Committee on the Status of Women 28). As of April 2010, three shelters had already been built and two were scheduled for completion by May 2010 (Standing Committee on the Status of Women 30). The report also included new recommendations such as police training to address systemic racism in policing and the problem of “over-policing and under-protection” of Indigenous women by police (Standing Committee on the Status of Women 19).

Despite these actions, the federal government has failed to address the glaring legislative gap in the Indian Act that seriously compromises the safety of many Indigenous women and their children fleeing violence. Current status provisions of the federal Indian Act are rooted in 145

years of sex discrimination against Indigenous women who marry non-Indian men. According to the federal Indian Act, when a woman with Indian status married a man without Indian status, she lost her Indian status and band membership, and her children's status (Women's Legal Education and Action Fund 1). In contrast, a man with Indian status who married a woman without status would not only keep his status but would confer that status onto his wife and children (Women's Legal Education and Action Fund 1-2). This has serious implications for non-status women fleeing violence. Indigenous women and children are more vulnerable to violence when they are disconnected from their material, cultural and spiritual resources of their communities (Women's Legal Education and Action Fund 5). Furthermore, non-status women and their children seeking safety from violence are unable to find community supports in their new communities as they are considered outsiders (Women's Legal Education and Action Fund 4). They are denied matrilineal supports and access to their language and cultural supports for addressing the trauma and abuse (Women's Legal Education and Action Fund 4).

Bill S-3 sought to address this discrimination. First introduced in the Senate in the fall of 2016, Bill S-3 urged the federal government to work with Indigenous governments and Indigenous women's groups to eradicate any vestige of inequality in determination of Indian status and eliminate *all forms* of sex discrimination against Indigenous women and their descendants (Women's Legal Education and Action Fund 7-8). First Nations advocates and many Senators, most notably Indigenous Senators Lillian Eva Dyck and Sandra Lovelace Nicholas, both denied their rights to Indian status, were critical of the federal Liberals who wanted to enshrine status to Indigenous women with a 1951 cut-off, the date the modern Indian registry came into effect (Lum). They also raised concerns about the Trudeau Liberals' sprawling consultation period that delayed the extension of status rights to Indigenous women (Lum).

Subsequent amendments to Bill S-3 proposed by the Senate in November 2017 extended the scope of the bill to 1876, when the Indian Act was struck and recommended a fixed date for implementation by the federal government (Lum).

## **2. Advancing Child Rights: In Whose Best Interest?**

The 1990s also marked a turn to the child in federal policy agendas. Canada ratified the UN Convention for the Rights of the Child in 1990, which recognized the contemporary child as rights bearer in public policy (Covell and Howe, “The Challenge” 19). The 1989 United Nations Convention for the Rights of the Child reflected the predominance of political discourses claiming children as the strategic priority for global and local economies. By 2005, 191 countries ratified the rights of the child agreement with only the United States and Somalia opting out of signing (Holzscheiter 83). This coherent and binding treaty represented a shift from a ‘purely protective approach’ towards children to a more rights-based stance stressing the partial independence and empowerment of children. Rather than objects of charity and benevolence, the new slogan of “child participation and empowerment” signalled the importance of giving children a voice. Twenty years after Canada adopted the Child Rights Convention (hereafter CRC), think tanks, UNICEF, and governments have universally adopted the rights-based approach to the child and the child as autonomous self (Holzscheiter 85-87).

Prior to the CRC, Canada expressed its commitment to the child as a statement of broad moral ideals and aspirations in the 1959 United Nations Declaration on the Rights of the Child (Covell and Howe, “The Challenge” 20). With Canada’s signing of the CRC in 1990, the principle of children’s rights and the best interests of the child became official public policy and a legally binding promise to recognize and implement the rights of the child. The Convention recognized the substantive rights of children to provision, protection and participation were

recognized. The rights to provision clause refers to children's economic welfare, and their basic welfare and nurturance; the rights of protection refer to children's rights for protection from abuse and harmful acts and practices; finally, the rights of participation support children's rights to freedom of expression and information in matters affecting the child. It also extended rights to children in special circumstances, such as child with disabilities and children of minority and communities and indigenous populations (Covell and Howe, "The Challenge" 20-24).

The adoption of the CRC was controversial for many involved outside and inside the child rights movement. Outside the child rights movement, staunch defenders of the family advocated for economic and family support by the state, not direct state intervention (Covell and Howe, "The Challenge" 21). Inside the child rights movements, child liberationists argued that children should have the same rights as adults, as age discrimination prevents children from exercising their full rights to self-determination. Against child's rights to self-determination, child protectionists instead advocated for parents and state authorities to protect the best interests of the child (Covell and Howe, "The Challenge" 21-22). Of critical importance for child protection advocates was the expression of the key principle of the best interests of the child in the CRC. With the inclusion of the new principle, child rights advocates acknowledged the expansion of child rights for protection from neglect and abuse/violence within existing parental rights as an important step forward for child rights in family law and legal proceedings. While giving child rights primary consideration in courts of law, administrative and legislative bodies, many child protectionists were dissatisfied that child rights were not given the primary consideration *over* parents and the state. The best interest of the child principle in the CRC left the door open for parental and state interests to trump child interests, a major concern for many

child rights advocates who argue child rights should come first and the goal of family preservation should come second (Covell and Howe, “The Challenge” 21).

### **3. Universalized Western Childhoods: Piaget’s Science of Child Development**

Child rights initiatives rely heavily on the western science of child development. In advocating for the rights of children to healthy childhoods, the fields of behavioural and developmental neuroscience generally embedded these child development approaches in their disciplines (Covell and Howe, “Children, Families” 13). Here, children’s cognitive development is threatened by a broad spectrum of social toxins such as, the presence of alcoholic and abusive parents in the family, unsafe play areas, inadequate housing, lack of quality daycare, and overcrowded schools. Additionally, social toxins for child well-being can be the product of public policies that leave parents unemployed or with inadequate parental leave. Child’s rights research shows that violent children are the result of exposure to risks in violent families. It also identifies further risks factors that negatively impact health childhoods, including the child’s exposure to toxins in utero (for example substance abuse of the mother), maltreatment in infancy and domestic violence or parental criminality (Covell and Howe, “Children, Families” 2, 10).

The western science of child development has historically provided a scientific and biological basis for a universalized notion of western childhoods. The work of Swiss biologist and psychologist Jean Piaget, whose ground-breaking theories of child development and education originated in the 1920s, provides the early scientific origins of western child development (Smidt). Drawing from biology, psychology and evolutionary theories, Piaget developed age-specific stages of cognitive development in children that emphasized the individual child on a linear path to rational thought, reflective of liberal thinking at the time (Smidt 26). Ignoring the social, political and economic contexts of childhood and families, his

studies of child cognitive development, carried out on white, middle-class children, considered childhood a natural, not social phenomenon, that transcended culture (Holzscheiter 106; Smidt 27). Referencing Jean Piaget's pioneering work in child development, Smidt is critical of Piaget's ideal of the universal child as an active learner and miniature scientist in their infancy, or as individuals in control of their own learning and childhood. Smidt argues this promoted the ego-centric, ethnocentric needs of the European male child. Furthermore, Piaget's advancement of child learning and development as linear and age-related is concerning. Not all learning is linear, nor is children's early thinking irrational as Piaget maintained for those at-risk children who did not conform to these normative development stages (Smidt 26-28, 131).

Piaget's western scientific approaches to child development were pervasive. His concepts of child development advanced colonial and imperialist projects in non-western societies. They replicated western, white middle-class boy's realities, including the race, gender, class and sexuality inequalities, onto childhoods in non-western societies. Western notions of childhood asserted the dominance and superiority of children in developed countries, reinforcing racialized stereotypes of the poor, deprived and suffering children in Africa and South Asia as backward and uncivilized (Smidt 29). For example, international policy predicated on western notions of child development within school and leisure contexts, promoted universal schooling to end child labour further marginalizing impoverished families and communities in India who rely on child labour to address poverty arising from colonial domination and global capitalism (Niewenhuys, qtd. in Burman 61). State interventions into the family, in the global context of child rights, used to discriminate against lesbian, gay, bi-sexual and transgender (LGBT) families are also troubling. Recent universal child rights defences and arguments in non-western government policy promoted homophobia and discrimination against LGBT families,

while denouncing so-called western pro-gay propaganda. For example, Russian lawmaker and nationalist party leader Alexei Zhuravlev proposed legislation in 2013 that would allow the government to remove all children from all LGBT parents and same-sex couples (The New Civil Rights Movement). Arguing children's rights to a father and mother, his bill compared homosexuality to child abuse, drug abuse, and alcoholism denouncing same sex relations as homosexual propaganda. The bill cast any support for LGBT rights as the ongoing colonization of non-western countries by corrupt western values (The New Civil Rights Movement).

In western countries, the universal emergence of western childhood propped up colonialism, with devastating effects for First Nations children. In the USA, native children in Canton North Dakota were incarcerated, strait-jacketed and chained in the Hiawatha Asylum for Insane Indians to contain their so-called mental disabilities (Yellow Bird). Until it was closed in 1933, the psychiatrist-run institution established in 1899 by the United States Congress assessed Native children with different languages and spiritual and community beliefs as defective and insane when assessed against normative Eurocentric development models of western childhood (Yellow Bird).

In Canada, the colonial history of residential schools can be traced from the passing of the Indian Act in 1876 to the closing of the last federally operated residential school in 1996. Assimilationist efforts by the state removed First Nations children from their families and communities and placing them in schools where they were stripped of their First Nations cultures, languages, and traditions. Mosby's research reveals the best interests of First Nations children, who were wards of the state in residential schools, were set aside for the white settler interests of the state, professional career scientists, and corporations. From 1942-1952, the federal government sanctioned experiments on Indigenous children in Indigenous communities

and residential schools that advanced the professional research careers for scientists involved in and connected to corporate interests in food/nutrition production (Mosby). Indian Affairs, the New York-based Millbank Memorial Fund, the Royal Canadian Air Force, and the Hudson's Bay Company sponsored the research study of "the state of nutrition of the Indian by newly-developed medical procedures." The study was spearheaded by, among others, Dr. Frederick Tisdall, Canada's leading nutrition expert, and the co-inventor of the infant food Pablum (Mosby 146). According to government officials, addressing the problems of poor health and malnutrition was not only essential to protecting the white population from so-called Indian diseases, such as tuberculosis, but was strategic to the federal government's long-term plan to assimilate, if not annihilate, Indigenous peoples into the Canadian population (Daschuk; Mosby 153).

Rather than addressing the pressing hunger and health concerns of Indigenous children, government and scientists used their bodies as experimental materials and the residential schools as laboratories for the pursuit of political, corporate and scientific interests (Mosby 148). Neither the parents nor the children themselves had an opportunity to provide their informed consent. Despite early investigations revealing the serious vitamin shortages in institutional food served to children in the residential schools, some children were given an improved diet according to the study parameters, while other children's poor diets were maintained to provide a two-year baseline for the study. Furthermore, the study denied Indigenous students in schools treatment for gum disease and gingivitis so as not to interfere with the nutritional supplementation studies (Mosby 161, 163). At the time, the death rate of Indigenous children in and leaving the residential schools was fifty percent (Kelm, qtd.in Mosby 149).

The 1960s was a particularly oppressive decade of cultural genocide in Canada when the state scooped large numbers of Indigenous children from their families in the name of child well-being and protection and placed them in non-Indigenous homes (Cull 148). The 1996 landmark Royal Commission on Aboriginal Peoples concluded the source of the mass removal of Aboriginal children was not due to Aboriginal parenting but rather a “misinterpretation of the conditions that Aboriginal peoples experience coupled with the forced application of euro-western values and beliefs” (Cull 146).

#### **4. From Deserving Child in Need to At-Risk Child and Risky Mothers Fleeing Violence**

Despite Canada’s professed commitment to children’s economic and social rights with the signing of the CRC in 1990, children’s welfare and well-being has clearly deteriorated over the last several decades. On a 2012 visit to Canada, Marta Mauras, the vice-president of the United Nations Committee on the Rights of the Child, expressed concern over the lack of improvement to Canada’s child poverty rate. She noted Canada placed 24<sup>th</sup> out of 35 industrialized countries for the number of children living in poverty (Office of the Representative for Children and Youth). Between 1989 and 1996, the total number of poor children in Canada, living in families whose total income before taxes falls below Statistics Canada’s low-income cut-off, alarmingly increased by 60 percent (Stroik and Jenson 12). In 1994, one in five children under eighteen years of age lived in families with incomes below Statistics Canada’s low-income cut-off (Guy 156). While the 2013 Report Card on Child and Family Poverty in Canada reveals only a marginal increase in child poverty from 912,000 in 1989 to 967,000 children in 2011, the trend is concerning. According to the 2013 report, while one in seven children live in poverty in Canada, the numbers are higher for Indigenous children where four out of ten Indigenous children live in poverty (Zoethout). While the 2013 report card points out the slight decrease in child poverty

since the 2008 recession, food security is especially critical as over one million children experience food insecurity. Children account for 36 per cent of food bank users in Canada (Zoethout).

With the introduction of the National Child Benefit in the mid-1990s, the state maintained some presence in the lives of Canadian children and their families, but substantively reduced federal support for national childcare (Jenson). For example, the federal “National Child Benefit” (NCB) program a federal/provincial/territorial cost sharing program introduced in 1998 to reduce child poverty and the welfare wall was implemented to support and promote low-income families transitioning from social assistance to paid work (Government of Canada). Before the NCB, families on social assistance often experienced the welfare wall when they saw their overall disposable income increase only slightly, or in some cases even saw a decline when they found paid work (Government of Canada). The implementation of the NCB policy was to ensure that families leaving social assistance were better off as a result of working (Government of Canada). Despite the introduction of the NCB to address child poverty in low-income families it did not change the poverty rate; “the rate of low-income among children was no lower in 2004 than it was in 1989” (Fleury 1). The report further highlights that Canada’s investment in children through the National Child Benefit program not only failed to address child disadvantage in low-income families, but the federal program improved the economic situation of well-off children, further contributing to widening income inequality in families (Fleury 7). Additionally, the NCB entrenched gendered inequalities of unpaid domestic labour, particularly in single mother families (Weigers 89). These policies hurt many single mothers fleeing violence, like Beth, as they struggled financially to provide for children on their own, after leaving abusive relationships. Noting how the economic costs of caring for children are narrowly

defined, Weigers identifies how the National Child Benefit “reinforced an expectation of paid work for single mothers in spite of the absence of adequate parental supports and the difficulties in reconciling high-quality care of children with low-paid work in the current labour market” (89).

Feminist scholars criticize child-centric policies that eclipse women’s equality claims against the state for the unpaid domestic labour and women’s low-paid waged work, and jeopardize the care of children (Lister; Brodie). The discursive shift to the child in social welfare policy is evident beginning in the 1980s when policy language substituted children for families (Jenson 193). For example, Canada almost exclusively framed child-care programs in terms of the needs of the child, despite the gender equality claims advanced in the Royal Commission on the Status of Women in 1971 for a state-funded, universal and affordable national child-care program to support women caring for their children (Jenson 196). Similarly, Weigers notes how the reframing of poverty as child poverty within state policy shifted the state focus away from women’s structural inequalities in waged and unwaged labour that is at the root of child poverty.

By the mid-1990s, under the federal policy focus on the child, women’s equality issues, such as women’s deepening poverty and unwaged caring for children in violence against women disappeared. The turn to the child in neoliberal policy in Canada marked the shift from the Keynesian welfare state that supported collective responsibility for those facing economic hardship to the 1990s restructuring of the welfare state through spending cutbacks on universal social programs (Vosko, “Crisis Tendencies”). Bezanson further notes how the Universal Childcare Benefit (UCCB) introduced in 2006 as a replacement for a national childcare program and the child tax credit similarly failed to address the gender inequalities of childcare work. In providing a taxable cash transfer to parents with children less than six years of age, the federal

government promoted the program flexibility of this taxable benefit that allowed families to choose when and how they spent this money on their childcare needs. Most mothers found the UCCB cash paid for less than half of their childcare costs and in some cases only one day per month (Bezanson 99). The residualist approach to a universal, accessible and affordable childcare program resulted in less childcare support for the majority of families (Bezanson 99, 109).

As state investment in childcare and income programs declined, child development programs narrowly focused on parenting ramped up to protect at-risk children from abuse and violence. This trend in parenting policy based on child development models as a solution to childhood poverty is troubling. More aggressive state interventions identified and apprehended at-risk children from their so-called risky mothers fleeing violence. Beth's story is a tragic reminder of this, as the state removed her children from her care when she sought financial help. Federally funded child development programs target low-income, racialized single mothers. The state focused attention on parenting, not the marginal social and economic conditions that shape their daily lives and the childcare work they perform. Rather than supporting child well-being in families, these targeted parenting programs particularly stigmatize First Nations children and racialized children in low-income single mother families fleeing violence while blaming so-called risky mothers for the violence experienced in a family context. For example, under the current Healthy Start Program, when a baby is delivered in the hospital, the mother is identified as at-risk based on her responses to an interview completed in hospital at the time of the child's birth (Covell and Howe, "The Challenge" 136). Child risk uses demographics (single parent status, welfare dependence), factors such as behaviour (substance use), attitude (unwanted pregnancy) and the mother's knowledge of child development. With mothers' parenting the sole

focus, a state home visitor is “assigned to mothers whose responses suggest they are at-risk for poor parenting” (Covell and Howe, “The Challenge” 135-136).

While Healthy Start programs met with some success with fewer children experiencing abuse, child rights scholarship criticizes the current reactive approach of the programs to child development, where intervention takes place with the parents. In their pro-active approach, child rights scholars suggest current state interventions to provide mothers with support to protect their family from violence does not go far enough to protect children from abuse. Instead they recommend apprehending children from their mothers and removing so-called risky mothers from the child welfare equation, as “interventions with at-risk mothers tend not to result in improvement in the development of their children” (Covell and Howe, “The Challenge” 137). Here mothers fleeing violence are seen as the problem, unable to protect and raise healthy children and undeserving of state support. This anti-mother, pro-active approach is consistent with a child rights vision where the best interest of children is the first consideration. Rather than universal and accessible childcare policies and supports for single mothers and their children seeking violence-free lives, the child rights vision is a universal developmental childcare program with a comprehensive care plan for children with national standards and regulations, accessible by all children. Yet it is also targeted. It requires intervention for children born to identified high-risk mothers. While child rights scholars acknowledge the general problems of targeted programs that stigmatize marginalized communities and the potential lack of participation that results, they continue to advocate for universal developmental childcare programs to target early intervention by the state to address at-risk children in infancy (Covell and Howe, “The Challenge” 134-135, 137).

This troubling trend to address child welfare through child development policies is also evident in other western countries. As Hartas highlights, family policies in the United Kingdom once had an economic orientation to reduce poverty and support low-income working parents by addressing structural disadvantage of waged and unwaged labour. Parenting-focused programs replaced these. Beginning around 2003 in the UK, policy shifted in from fiscal policy to behavioural interventions in parenting. This became the cornerstone of neoliberal family policy (Hartas 76-77). Labour's earlier policies, once focused on economic strategies such as tax-credit systems and parental employment, gradually introduced parent-focused family policies emphasizing individual responsibility for children with parents as the key agents in improving their children's lives. Under New Labour, family policies reflected a narrow interventionist focus in family policy stressing welfare to work strategy for parents, along with the introduction of parenting contracts and the extension of parenting orders. For example, state investment in the Sure-Start Program aimed at the most disadvantaged families was, in theory, to provide early care and education for children and employment supports for parents (Hartas 77-78). A national evaluation indicated that some better-off families benefited from quality early education, but the program had an adverse effect for the most disadvantaged families and ultimately served as an interventionist tool to get the most marginalized parents, such as teen mothers and single mothers, back to work through the welfare to work strategy. American interventions into so-called high-risk families took the form of intensive home visits for the first two years of a child's life. With a health focus on child development, through the 2007 Family Nurse Partnership, nurses offered with some success, health advice and support to the most marginalized families (Hartas 77-80).

As the state downloads the risks of unstable economies to children and their families, narrow child development approaches focused on child risks and safety fail all children, even the middle-class children they were designed to support. Evidence from a Canadian study revealed similar concerns about middle-class children in Canada. When state policy focuses on child protection and safety, it impedes healthy child development. The Child Health 2.0 project reports that over-the top restrictions, rules and intensive parenting are hindering children's physical, social, spiritual and mental well-being, while breeding anxiety for children (Gordon A8). The ongoing study that began in 2013 reveals an era in western childhood where adults step in to save children from failing and schools restrict the use of any balls in the schoolyard to prevent child injuries. Cities, like Hamilton have banned tobogganing as a safety measure to protect children from the risks of getting hurt. Included in the study, were the voices of eight children, currently in grades seven through ten who shared their experiences of emotional and physical difficulties due to overprotection measures in their "bubblewrapped" lives. The research study concluded over-protected children fail to learn how to set their own boundaries and, being "kept inside this tiny little box," prevents them from being creative and independent and learning the tools they will need when they grow up (Gordon A1, A8).

## **5. Conclusion**

Canada has largely abdicated its responsibility to address violence against women and mother/child welfare. The narrowing and degendering of violence against women in federal policy harms Indigenous and non-Indigenous women and their children fleeing violence. While a federal inquiry addresses the missing and murdered Indigenous women and girls, its impact is likely to be limited. Issues of gender inequality, particularly for non-status Indigenous women and their children, remain unaddressed. The turn to the child in federal policy has serious

ramifications for both Indigenous and non-Indigenous women and their children seeking violence-free lives. Narrowed state investment targeting the at-risk child has eclipsed women's equality claims against the state for their rights to raise their children without violence and poverty. Despite Canada's claims of advancing children's social and economic rights in child rights initiatives, child-centric federal policy has only deepened poverty for marginalized children and their families. Child development solutions, rooted in histories of colonialism and western notions of middle-class Eurocentric childhoods, fail to address the health, happiness and welfare of all children, particularly First Nations and racialized children in low-income families.

With the turn to the child in federal social policy in the neoliberal context of the decentralization of Canadian social policy to the provinces and withering federal support for income inequality and violence against women over the last several decades, the Canadian state effectively downloaded the risks and responsibilities of violence against women and mother/child welfare to the provinces. The next chapter examines Ontario's response to this policy challenge.

## Chapter Four

### Violence Against Women and Unwaged Caring Work in Ontario, 1990-2012

*I wanted to make sure that my children were healthy and I could raise them in an environment that was healthy and close to what I thought was ideal for my children to be raised in, so, I went through trauma and abuse from him. He kept a limit on what I was able to know. And one of the things I knew was that, anything we were doing wrong could potentially affect the attention of the Children's Aid and that was not a good thing. He taught me that. (First Nations/Metis mother with four children, personal communication)*

*The abuser had broken into my apartment. It was when the baby was at my parent's, thank god. He took a knife out of my drawer, and he held me in my apartment, he wouldn't let me leave. He kicked me, and punched me and shoved a sock in my mouth because I wouldn't be quiet. He stole every penny I had. He was going to go get drugs and then that is when I left, when he went to go get the drugs. And I ran to the Police Station. (young, low-income mother, personal communication)*

*It started with the controlling. Where is dinner? It is not done...well why it is not done. He has a lot of money, so he expected a certain standard. He expected everything to be a certain way. We moved into a new house and the violence is still escalating. He is pushing and yelling. When it was sexual assaults that happened, a lot of that was less than ideal. I am not that complacent. Then it turned into something even worse. He came*

*home from work. And for whatever reason, he slapped me and I lost my cool, I threw a television at him and he picked me up and threw me out the window. (African /Native mother with two children, personal communication)*

*Since my baby was born he changed with me. All the love he has for me comes to the baby, but nothing for me. He started to abuse, start slowly, came angry to the house because he has to work, he has to support me, and he don't want me to work because I have to take care of the baby. He is yelling for everything. I start being depressed. Depressed, depressed...I cry...if he see me cry, he yells, and call me names. (Immigrant mom, refugee status with three children, personal communication)*

*He strangled me. I was seven months pregnant. He booted, he kicked the side of my stomach and I was black and blue all the way up my body basically. The worst part of it...he has abused me in every way. He held me down, ripped my clothes off, twice, completely ripped them off. It was all about power, it was all about him having control over me. He wanted me to feel like I was nothing. The worst thing was the emotional abuse. (White low-income, mother with two children, personal communication)*

These short vignettes offer a small window into women's experiences of violence highlighting the impact of violence on the family and mother/child relationships. This intimate violence casts a dark shadow on our society. It tells of the severity of physical, emotional, sexual and psychological violence women survived and escaped from with their children.

Taking account of the long history of feminist demands against the state to address gender inequalities and violence against women, do women experience greater or lesser

marginalization in seeking violence-free lives? Do women with children face greater challenges? With the federal downloading of the costs, risk and responsibilities of violence against women to the provinces, how has Ontario responded to mothers and their children fleeing violence? To address these questions, I investigate Ontario's response to such violence over the last two decades of neoliberal cutbacks and reduced social spending. I first examine the state's response since the 1990s, mapping the shift to the child in legislation and policy initiatives. As child-centric policies ramp up to protect children, but within the context of violence against women, they promote child welfare interventions into the family, increasingly making mothers responsible for the well-being and safety of their children. This burden most harshly falls on low-income, racialized, immigrant and First Nations single mothers fleeing violence. Drawing from mothers' narratives, I then explore how child-centric policies have compromised the safety of women and their children, added child protection work to women's heavy caregiving work, and increased the monitoring of women's reproduction by state systems, such as policing, shelters and child welfare. I argue neoliberal restructuring through interventionist child-centric policies in Ontario have eclipsed feminists' claims against the state for equality and violence against women issues, deepening the gendered and racialized inequalities in women's unwaged caregiving work and waged labour, and further de-stabilizing mother/child relations. As the science of the at-risk child ramps up, the state also ramps up the race, gender and class discrimination in the systems responsible for protecting women and their children from violence.

### **1. Violence Against Women and their Children, Ontario 1990-2012**

Ontario policies in the late 1980s to address earlier violence against women (VAW) laid the foundation for inadequate policy and funding initiatives heading into the 1990s. Despite the Liberal government's commitment in 1987 to stem the tide of family violence by increasing

government spending by more than \$7 million, the proposed measures fell short of what women's groups demanded (Walker 14-15). For example, most of the funding allotments went to mainstream, non-feminist agencies and institutions providing supports to victims of violence, with a meagre \$300,000 provided for shelter expansion. This would not meet the demand for services anticipated by the government's proposed public and professional awareness campaign (Walker 15). By late 1990s and early 2000s, and under eight years of consecutive Conservative mandates of Mike Harris and Ernie Eves from 1995-2003, provincial funding cuts affected a wide swath of services supporting women and their families seeking violence-free lives. They cut funding to second stage housing, crisis lines, community counselling, legal aid, social assistance, housing, childcare, services for people with disabilities, community advocacy and culturally specific services (OAITH, qtd. in Morrow et al. 367). According to shelter workers, with reduced support and services, a significant number of Ontario women were making decisions to remain in, or return to abusive situations based primarily on barriers created by budget and service cuts (OAITH, qtd. in Morrow et al. 367). In 2000, the Ontario provincial auditor's report revealed that women and children could not find emergency shelter accommodation in eight of Ontario's nine regions (Morrow et al. 367).

Ontario funding cuts and inadequate policy initiatives to address violence against women are particularly troubling given the heightened public awareness of the depth of intimate partner abuse for women and their children, in the late 1990s and early 2000s. Two high profile domestic violence cases in Ontario revealed the tragedies of violence for women and their children. In 1996, Randall Iles killed his estranged partner Arlene May, the mother of his five children and then turned the gun on himself in his murder/suicide. In 2000, during a period of separation from his wife, Ralph Hadley murdered Gillian Hadley (Josey and Rankin). With neighbours' help,

Gillian was able to get her child to safety before Ralph Hadley shot her and then killed himself (Josey and Rankin).

Inquests into the death of Arlene May produced 213 jury recommendations. The 2002 report from the Ontario Association of Interval and Transition Houses reaffirmed and readopted these recommendations for full implementation across Ontario (OAITH, qtd.in Ontario Women's Justice Network, "Arlene May"). Some of the recommendations included:

- remove the current freeze on the development of subsidized rental housing
- apply an ongoing cost of living increases to Ontario Works social assistance rates across the province to address the increasing poverty of women on social assistance as a result of violence
- develop mechanisms and initiatives to increase the funding of women's shelters in Ontario to meet the real program needs of women and children who use women's shelter services
- and develop a specific, differential response within child protection services across the province to respond to child welfare reports and cases in which child exposure to domestic violence has been identified (OAITH, qtd.in Ontario Women's Justice Network, "Arlene May").

The Hadley inquest produced 58 recommendations, and similar to the Arlene May inquest, targeted changes within policing/criminal justice, family law, social services/housing and community-based services for abused women and for children (Chief Coroner 9-14)

In response to recommendations made from both these inquests, the Domestic Violence Death Review Committee was established in 2003, the same year the Liberal government under McGuinty came to power. Since its establishment, this multi-disciplinary advisory committee of

senior experts including representatives from the Office of the Chief Coroner, social workers, academics, manager and directors from relevant Ontario ministries, child welfare specialists, crown attorneys, and Ontario Provincial Police, has produced reports stressing the gendered aspect of violence against women. They note how men predominantly perpetrated violence against women and women are often more at risk from intimate partners, particularly after separation from the abuser (Office of the Chief Coroner for Ontario). The Domestic Violence Death Review Report further highlighted that, while children tragically were also homicide victims, women are most at risk of a violent death by abusive male partners (Office of the Chief Coroner for Ontario). For example, beginning in 2002 when these domestic violence death statistics were first collected, there were 35 homicide victims in Ontario: 26 adult women, 4 male adults (most often from suicides), and 5 children. Between 2002 and 2013, there were 306 domestic homicides cases resulting in 342 homicide victims (see Appendix A):

- 280 (82%) of the domestic homicides were adult females
- 30 (9%) of the domestic homicides were children (6% female, 3% male)
- 32 (9%) of the domestic homicides were adult males (where suicide was most often the cause of death for male ex-partners, after they killed their female partner and/or children)
- 98% of perpetrator deaths were adult males

These statistics clearly outline the gendered basis of violence against women and children, where in 98 percent of the homicide cases, adult males are the perpetrators of violence against women and children. Women, not children, are at greatest risk of domestic violence homicides, with children comprising nine percent of the homicides, while 82 percent of the homicides were adult females.

The tragic numbers however, fail to shed light on the gendered realities of women with children who are seeking violence-free lives. A partial list of intimate femicides in Ontario from 1995-2012 by abusive partners compiled by the London Abused Women's Centre, highlights the alarmingly high numbers (see Appendix B and C). The list of intimate femicides underscores how domestic violence community supports and systems have consistently failed women and their children fleeing violence over the last several decades, despite jury recommendations from the 1996 and 2000 murders of Arlene May and Gillian Hadley for zero tolerance of domestic violence and seamless programmes across Ontario for victims of domestic violence (see Appendix D).

*i. The Dangers of Post-separation and Failure to Protect*

Specific cases below of women murdered by estranged abusive partners reveal the systemic barriers women with children encounter after separating from their abusive partners. Police, courts and CAS were involved in these families, yet failed to protect and respond to the needs of these women. Troubling is how in the following five cases, friends, neighbours, co-workers and family members described the abusive partner as a devoted father and a hardworking family man.

**Case 1: Karen Drinkwalter**, mother of two, and her friend, Wes Goff. Lindsay. July 2002. Karen was shot to death while her two teenaged daughters slept. Wes Goff was later shot at his home nearby. Wayne Drinkwalter, Karen's estranged husband, was later killed in an accident after driving over a spike belt set up by police to capture him. Drinkwalter had been under conditions to stay away from Karen after previous charges of uttering death threats and two counts of assault (London Abused Women's Centre 3).

**Case 2: Marj Smrekar**, 42, mother of two children. Mississauga. June 2003. Marj was found suffering from severe trauma in the basement of her home and later died in hospital. Her estranged husband, Vernon Nichols, was later wounded after a police chase resulted in an accident in Eastern Ontario. Police charged him with first-degree murder. A family member was quoted as saying that she “was trying to get a restraining order on him, but the courts said she didn’t have any evidence” (London Abused Women’s Centre 3).

**Case 3: Maryann Davis**, 25. Zhiibaahaasing First Nation. Mother of two. November 2005. Mary Ann was shot to death two days before her partner, who was out on bail, was to appear in court to answer to charges of prior violence against her. An autopsy was ordered to determine the exact cause of death. Her partner, Brent Kells, was held in the killing (London Abused Women’s Centre 5).

**Case 4: Stephanie Stevenson**, 33. Mother of two. Brockville. December 2006. Stephanie was shot to death two days before Christmas as she was walking to her car in the driveway of her home. She was on her way to work as a maternity nurse. Stephanie and her estranged husband had been separated for a year when the shooting occurred. A neighbour said Mr. Stevenson was a “devoted father,” but reports indicated that he had not paid child support for a year. A relative of Stephanie reportedly said that her ex-husband had “bothered her in the past, again and again, and she couldn’t do anything.” Andrew Stevenson was charged with first-degree murder (London Abused Women’s Centre 7).

**Case 5: Francine Maily**, 37, and her three children, Jessica, 12, Brandon, 9 and Kevin, 6. Ottawa. April 2006. Francine and her three children were shot to death before the house was blown up and engulfed in flames. Francine was estranged from her husband, Francois, who was found dead on the lawn of the house with a .22 caliber gun beside him. A note outlining his plan

to kill the family was found in his van and Francine's family reported that he had often said that if he couldn't have her, nobody would. Francois Mailly had a history of contact with police because of domestic violence and other issues and was under a restraining order to have no contact with Francine at the time of the murders. Because Francine was in contact with him, police apparently said they could do nothing about his harassment and threats. Francois Mailly was in anger management counselling and the Children's Aid Society (CAS) also had a file on the family. His family and co-workers were surprised by the murders and described him as a hardworking family man who loved his children. Her family talked about Francine's ongoing fear of him and the lack of police support for her (London Abused Women's Centre 6).

*ii. The Dangers of Child Access and Child Custody*

Child access and child custody are often a safety risk for abused mothers who have separated from abusers. Child welfare services, criminal justice systems and family courts continue to ensure men's rights as fathers are upheld, while minimizing and ignoring women's accounts of violence and their safety needs. The tragic murders of these mothers further highlight how women's safety and complex needs to live violence-free lives are often unaddressed.

**Case 1: Valerie Lucas**, 23, mother of two children. Oshawa. December 1999. Valerie was shot point-blank three times in a parking lot where she had gone to provide child access to her ex-partner. Robert Richard Bateman was charged with first-degree murder. He fled the scene with the children and later turned himself in. The children were found later in a hotel room and turned over to child welfare (London Abused Women's Centre 2)

**Case 2: Muruwet Tuncer**, 41. Mother of four. Hamilton. February 2009. Muruwet was found dead with her throat slashed in a house she shared with other family members. Her thirteen-year-old niece, who witnessed the attack, was also stabbed a number of times but

escaped and ran for help. Muruwet sought help more than once from shelters, police and immigrant services and had the support of family and friends in both Canada and abroad. She had been separated from her ex-husband, who was previously convicted of assaulting her, for four years but was ordered by family court to provide access to their four-year-old son and regularly discuss the child's upbringing with her abuser. Muruwet had also applied for permanent residency in Canada on humanitarian grounds because she had left France to escape an earlier life-threatening marriage. Her appeal was turned down. Her ex-husband, however, had previously been granted refugee status in Canada. According to her sister, police and probation knew that Muruwet was being harassed but did not follow-up, claiming there was nothing they could do about threatening text messages. Her ex-husband, Cengiz Isiko, was charged with first-degree murder and attempted murder (London Abused Women's Centre 8).

### *iii. The Dangers of Maternity*

Women's maternity and pending motherhood is a time when abuse can begin or become more severe. One in five women reported that they were first assaulted during pregnancy (Best Start). A pregnancy may be a threat to an abusive partner due to financial concerns and a perceived loss of power and control with a new baby on the way (Best Start). As the example below highlights, multiple community-based systems such as policing, courts/legal and child welfare services failed to protect a pregnant immigrant woman from violence. A recent immigrant to Canada and sponsored by her husband, this woman faced increased barriers in leaving her abuser as her citizenship status bound her to her husband.

**Case 1: Rejina Kendy**, 26, Kitchener. August 2011. Rejina was found by police in her home dead of blunt force injuries. She was six months pregnant at the time and had been in Canada for only about a year, after being sponsored by her husband. Both had fled to Egypt to

escape war in the Sudan and had married in 2009 in Cairo. She was described as an easygoing person who could get along with everyone and a very religious woman who believed that everything would work out with the help of God. Her husband was on bail at the time of the murder for a serious assault against Rejina only months after she arrived in Canada. Less than three weeks before the murder he was again charged with breaching his order to stay away from her when a child welfare worker reported to police that the couple was living together. On the breach charge, the judge decided to release him with the same orders to stay away and deemed the first assault a single incident with no indication of prior trouble. He was released on a \$3,000 bond with no deposit, with a long-time friend as his surety. Four days before he was to appear in court on the assault charge, Rejina was found dead. Her husband, Ambrose Kose, 28, was charged with first-degree murder and two counts of violating bail terms (London Abused Women's Centre 10).

A host of recommendations were put forward to address these failings: national and provincial action plans by feminist organizations; broad-based research and statistical reports from inter-disciplinary groups of professionals and community-based services; and despite feminist anti-violence and advocacy groups recommending the increased need for violence against women initiatives within equality and de-colonizing frameworks. The Ontario government ignored all these recommendations.

## **2. “Think Dirty”: Ontario Responds to Child Abuse**

Ontario's response to vulnerable children and the welfare of children and families is reflected in the “think dirty” politics of the last two decades under Conservative and Liberal governments. The “think dirty” politics in Ontario took hold in the mid-1990s when the Harris Conservatives were in power. The Ontario Chief Coroner sent a directive to all medical coroners, pathologists

and police services in Ontario to think dirty when investigating pediatric deaths, to address, what was believed to be, widespread child abuse going undetected (Chipman 112). Among those charged to think dirty was Dr. Charles Smith, Ontario's top pediatric pathologist who, over the next ten years, presided over child death cases. Under the threat of incarceration, his decisions resulted in mothers/parents facing protracted court cases that financially burdened families, criminally charged with the death of a child. CAS removed their other children into state care. As growing evidence revealed systemic flaws in Ontario's forensic pathology, a judicial inquiry was established in 2007 by the Liberal government to review two decades of Ontario's practice of forensic pathology from 1981-2001 (Chipman 112). The 2008 final report by Justice Stephen Goudge revealed that Dr. Smith made mistakes in 20 of the 45 child-death investigations he handled, such as bungling autopsies, misdiagnosing causes of death, and overstating his expertise (St Pierre).

The Hospital for Sick Kids in Toronto shared similar concerns with the Office of the Chief Coroner about child abuse going undetected (see Goudge, executive summary). With the establishment of the Motherisk D Testing Laboratory (MDTL) at the Hospital for Sick Children, MDTL conducted hair strand testing for drugs and alcohol from the late 1990s to 2015, specifically targeting so called risky mothers, primarily at the request of Children's Aid Societies in Ontario (Motherisk Commission). Between 2005 and 2015 when the McGuinty Liberals were in power, 24,000 hair samples from 16,000 mothers were tested and primarily used to confirm suspicions of drug or alcohol use by a parent or caregiver (Motherisk Commission). The results were frequently submitted as evidence before courts (Motherisk Commission). The 2014 court appeal against the Ontario state by Tamara Broomfield, a racialized, low-income single mother brought public attention to the faulty science of the hair-strand drug and alcohol testing used by

child welfare to wrongfully convict her of abusing her child by regularly feeding cocaine to her two-and-a half year old baby (Mendelson and Oved). The questions raised by *R. v. Broomfield* eventually led to an Independent Review conducted by the Honourable Susan Lang and the release of the Lang Report in December 2015 that found the work done by the MDTL was unreliable.

These scandals illuminate the systemic cracks in integrated state systems- such as policing, criminal justice, child welfare and the medical community- impacting mother/child welfare over the last two decades. The 2008 final report prepared by Justice Stephen Goudge identified the lack of effective oversight and accountability of pediatric forensic pathology as a systemic problem. The Crown, the defense, and the court, each had an important role to play in ensuring, so far as possible, that flawed expert testimony, such as that provided by Dr. Smith, did not affect the criminal justice system (Goudge 21-22). In the Motherisk review, the release of the Lang Report in December 2015 identified systemic problems such as clinical toxicologists' lack of formal training required for child protection and criminal proceedings, lack of oversight of lab technicians who routinely failed to wash hair samples, and inadequate record keeping (Lang). Both reviews further highlight how the systemic problems are gendered, racialized and classed. For example, the Goudge Report revealed that Dr. Smith jumped to conclusions in his investigations about family members based on their socio-economic status, effecting great injustice on many low-income mothers (St. Pierre). The Second Review of Motherisk, now underway since January 2016, has raised concerns about racial discrimination against Indigenous and racialized mothers in MDTL and child protection files managed by the child welfare state (Gallant). While these state scandals of systemic racism, sexism and classism are now public knowledge, it is difficult to undo two decades of news coverage of high- profile child abuse

cases contributing to a public consciousness where caregivers, predominantly Indigenous, racialized and low income mothers are (wrongfully) held responsible for and blamed for child deaths and abuse. News accounts of child maltreatment and abuse stigmatize marginalized communities, such as Indigenous and racialized communities, perpetuating powerful stereotypes of First Nations, racialized, single mothers as drug-addled abusers, uncaring caregivers, and incompetent and unfit parents.

### **3. The Shift to The Child: Neoliberal Restructuring in Ontario To Address Violence Against Women and Their Children**

In the early 2000s, the Ontario government showed a renewed interest in violence against women initiatives with a focus on child safety and protection. At this time, a number of high profile child deaths in Ontario were reaching the public domain. Local and national newspapers generated outrage with reports of the 2001 coroner's inquest into the 1997 death of five-week-old baby Jordan, reportedly starved to death by his mother Renee Heikamp, who was staying at a Toronto woman abuse shelter and under the care of the Catholic CAS (CBC News). The tragic 1998 death of seven-year-old Randal Dooley, considered Canada's worst case of child abuse was coming to trial in 2002 where news reports detailed his horrific injuries inflicted by his father and stepmother (Jones). Also making front page news in 2002 was the heartbreaking story of five-year-old Jeffrey Baldwin, the worst case of child malnutrition in Canada, who died from neglect and starvation while in his grandparents' care and under the care of the Catholic's Children Aid Society in Toronto (Canadian Press). These shocking accounts of child deaths shed new light on the vulnerability of families and the failure of state supports where children were concerned.

#### **4. Protecting the Child?: Exposing Moms to Violence**

To protect children and promote their safety and well-being, the Ontario government implemented two child-centered initiatives, one legislative, one policy-based, profoundly restructuring the provincial approach to child abuse and neglect within the context of violence against women. In April 2000, the Ontario government under Mike Harris proclaimed legislative reforms to the Child and Family Service Act, as part of the Child and Welfare Reform initiative. With the “paramount purpose of the Act as promoting the protection, best interest and well-being of the child,” the state intended these reforms to enhance the protection of children at risk of neglect and abuse (Ontario Association of Children’s Aid Societies, “History”). A major revision introduced neglect and emotional harm as grounds for protection, thereby expanding the power of children’s aid societies to intervene in families to protect children who may be neglected and experiencing emotional harm from witnessing abuse, as in the case of domestic violence (Ontario Association of Children’s Aid Societies, “History”; Swift and Parada). The second major legislative reform set out clearer definitions about the legal obligation of the public’s duty to report child abuse and neglect making child exposure to woman abuse a reportable offence (Ontario Association of Children’s Aid Societies, “History”; Swift and Parada). This reform strengthened and entrenched the duty to report requirements for professionals, such as doctors, nurses, and social workers involved with families and children where domestic violence exists.

Within the neoliberal context of reduced social spending and fewer supports for marginalized families, the new emphasis on the child in the 2000 legislation contributed to a perfect storm, effectively making invisible the family’s need to raise a healthy child, while downloading the state responsibility for child safety and welfare to the family. Swift and Parada

identified the revised 2000 legislation represented a shift from the “family as the preferred environment for the care and upbringing of children” as outlined in the earlier 1984 changes to the Child and Family Services Act, to the family unit as secondary to the safety and protection of the child (6). Critical of the expanded powers of Children’s Aid Societies to intervene in cases where emotional harm and neglect may exist, Swift and Parada identify how this lowered threshold for child welfare intervention effectively created a wider net for holding caregivers responsible for the harm, including emotional harm, when harm is the direct result of a caregivers failure to protect a child from witnessing and being exposed to domestic violence (6). Their research illuminates the double whammy of gender and class discrimination in the 2000 legislation that unfairly targets low-income mothers fleeing violence. As women are predominantly the victims of violence in the family and upon separation are generally in charge of the children, abused women, particularly low-income single mothers fleeing abusive relationships, are held responsible for protecting the children from harm, at a precarious time of reduced state-funding for family and child necessities (Swift and Parada 12).

Shortly after the implementation of these 2000 child welfare legislative changes, the Ontario government further strengthened its commitment to address child disadvantage and abuse through policy reforms and initiatives that responded to children’s needs in a domestic violence context (Ontario Ministry of Community and Social Services 2). Beginning in 2002 under the Harris Conservatives, provincially-mandated agreements known as CAS/VAW Collaboration Agreements were developed, restructuring the Violence Against Women (VAW) and Children’s Aid Society (CAS) sectors with new child-focused guidelines and protocols for agencies providing services to women with children experiencing violence. Many of these standardized agreements were negotiated and implemented in the 44 local Ontario communities,

under the leadership of the McGuinty Liberals, who took power in 2003. The dominance of a child-centric approach to violence against women initiatives is quite apparent. The general language of the government template where “Protecting children is the first priority” is the first guiding principle listed in the “Principles of Intervention For CAS and VAW Collaborative Work” section of the standardized agreements (Regional Municipality of Peel 12; City of Hamilton 8). Additionally, a 2011 reiteration of the CAS/VAW Collaborative Agreement in the city of Hamilton formally recognized the legislative authority of Children’s Aid Societies. shedding light on the potential dominance of a child-centric approach when the two sectors collaborate (City of Hamilton 5). In 2005, the Ontario Liberals followed the provincial Conservatives’ policy direction when they rolled out a community-based public education campaign, Neighbours, Friends and Families. The program promoted broader public accountability in awareness and reporting of child and woman abuse by engaging “... the power of everyday relationships to help keep women and their children safe” (Ontario Women’s Directorate, “About Us”). With legislative and policy shifts to the child in the violence against women context and the downloading of child safety and protection to abused mothers, this province-wide initiative set the stage for increased state interventions at the community level that increasingly cast abused women with children as the problem in cases of child protection.

What is the impact of these child-centric legislative, policy and program changes for women and with children fleeing violence? The open cases with Children Aid Societies increased 33 percent from March 31, 1998 to March 31, 2003 since C&FS Act reforms were introduced (Supra, qtd.in Swift and Parada 14). Over the ten-year period from fiscal year 2002/03 to 2012/13, the average number of open cases have further increased by fourteen

percent to 27,802 (Duerr).<sup>1</sup> These child-centric legislative and policy changes created a chilling effect for women with children seeking safety. Increased child safety requirements and increased collaborations between the CAS and VAW sectors have jeopardized women's and children safety, at a time statistically flagged as a most unsafe time, when women have recently separated from the abuser. Anecdotal evidence from a conversation with managers reveals that declining numbers of children at a shelter are the result of mothers, particularly Indigenous mothers, accessing shelters without their children. Fearing CAS involvement in their lives, some mothers drop their children off elsewhere before seeking safety at the shelters. Additionally, women with children who once sought safety at women's shelters are now discouraged from accessing these safety and support services, due to increased CAS reporting and involvement. Their stories highlight these concerns.

*So I am out, I am in the women's shelter and they help me to get the kids...and I never felt so safe and so supportive in my life. I was thinking I am finally going to get away from this guy. So I contacted police. I contacted the Children's Aid. All the counsellors, I asked how to legally and safely get my children from that home and to the women's shelter. We waited until he/abuser left the children in his mother's care when he was at work and then I was legally allowed to go and pick up my children after school because they are still in my custody. I go and pick them up after school and brought them to the women shelter. So I get my two children into my care. There are letters and letters and letters and phone calls from the abuser trying to find out where I was. And he was*

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<sup>1</sup> Data source is quarterly reports (Q4) of CASs submitted to Ministry of Child and Youth Services. Fiscal year is April 1<sup>st</sup> to March 31<sup>st</sup>. The average number of Open Ongoing Service Cases is equal to the 13-month average of the number of cases open at the end of each month from March 31 of the previous fiscal year to March 31 of the current fiscal year.

*sending women in there to the shelter to concretely know that I was there...So the Children's Aid told me that he had rights to see the children until court. I said, after everything that was set up, and the amount of work that the women staff at the women shelter had put in to keep me safe and tell him that they didn't know if I was there...they saw the amount of effort he was putting into to trying to contact me. So the Children's Aid said, he has rights to have access to the kids. So we are sitting in the office with the counsellors and CAS, and I said ok. This is against every gut instinct in my body. But I agreed. Can we have the pick-up and the drop-offs at someplace public, so he won't know that I am here? CAS responded no. No, it has to be at your place of residence. So he [the abusive partner] was sending people to the women's shelter to pick up the kids....So I have never been safe. I have never felt that amount of safety. (First Nations/Metis, low-income mother with two children, personal communication)*

*CAS said... for me to have the baby back in my care, I have to be here at the women's shelter. But, the thing is, here at the woman's shelter I don't even want to go for a walk because that is where the abusive ex and his friends hang out. I don't even want to go to the corner store. One thing too with CAS who put me here at the women's shelter. One of the things the abuser has to do is go to Fresh Start counselling [group therapy for men who are violent with their partners]. Well that is right downstairs in this same building. I asked them, well what is going to happen if he's got to do the counselling and it is just downstairs, because I don't want to be near him. Oh well said CAS, we will tell you when it is and you just have to stay in the room and not go outside. I said, so what if he knows I am here and he finds a way upstairs...there are elevators, there is a staircase. The*

*shelter knows he is psychotic...like, he cut my name into his arm. (Low-income, white, young mother with three children, personal communication)*

*Your stay in these shelters are so limited, you don't have the time to find stability. The thing you grab onto is probably the worst thing...because it is unsafe or you don't have the money to even make it. But shelter staff are going to call CAS every time you [the mom] calls them [the shelter] and CAS are just going to make your life more difficult. Which is exactly why women do not call (the shelter). It is not worth it. I am not the only one, who was in the women's shelter house, whose children were taken away because of the abuse they tried to prevent and get away from. (Racialized, low-income mother with two children, personal communication)*

Child-centric policies and practices have compromised women's safety at the shelters. They are also a barrier for women seeking safe shelter who fear CAS interventions and the state apprehension of their children.

## **5. Child Protection Work as Mother-Work**

### *i. Intensifying and Gendering the Science of Child Development*

With the state ramping up its focus on the child, increasing numbers of women with children who are fleeing violence are required to perform unwaged mandatory, state-monitored child protection work. The range of mandatory child-protection work for abused mothers can include but is not limited to women's attendance at many mother and baby/child programs and ongoing CAS visits and meetings about/with the children, mandatory individual/ couples counselling and anger management classes. For many women, this state-monitored child protection work adds many, many years of extra unwaged child-protection work on top of their daily caregiving work to raise healthy children, deepening women's gendered caring labour

inequalities (Bezanson and Luxton). Marginalized women with full caregiving responsibilities for their children during a difficult transitional time of separation from abuser and family upheaval are most harshly impacted by this extra child-protection workload. While Jenney et al. argue for teaching abused mothers parenting skills to open women's eyes to the negative impact of violence on their children (3), this child-centric approach to violence against women locates child abuse within the mother-child relationship, victimizing and blaming abused women. Under the threat of child apprehension by CAS, women with children are judged, surveilled, and reported on for failing to be perfect mothers. Such state interventions prop up oppressive western notions of intensive mothering while undermining women's confidence in their mother/child relationships (Hays).

The re-emergence of Bowlby's attachment theory in contemporary childcare standards has added to the intensification of childcare as women's responsibility. John Bowlby advanced a theory for child development in the 1950s, called attachment theory, which challenged the hereditary and biological factors for childhood well-being and disadvantage (Bowlby, "Maternal Care"). He argued that well-adjusted childhoods and the mental health of children were dependent on women, as caregivers. Diverging from Freud's theory of infantile sexuality that focused on fathers and sons, Bowlby's contribution "rehabilitated the female principle, the missing mother who until then was absent from social and psychoanalytical discourse" (Holmes 24). While Bowlby's research was derived from western communities, such as England and the US, his research on attachment theory achieved international influence with his 1951 publication of "Maternal Care and Mental Health," prepared on behalf of the World Health Organization. Along with leading European scientists, such as Konrad Lorenz and Robert Hinde, Bowlby drew on the science of ethology that studied animal behavior to advance his psychological theory of

human attachment behavior. In presenting a scientific basis for mother-child bond, Bowlby studied the feeding, mating and care of young behaviours of rats and goats to conclude that “built-in patterns of behavior seem to remain as important for mediating the basic biological processes of mammals as they do for other species” (Bowlby, “The Making and Breaking” 40) .

Bowlby’s research on attachment theory naturalized children’s innate need for maternal love where “mother-love in infancy and childhood is as important for mental health as are vitamins and proteins for physical health” (Bowlby, “Maternal Care” 158). With emphasis on the mother/child relationship as the most important for the child, Bowlby’s research promoted notions of childhood development within a heteronormative nuclear family with a male breadwinner father and stay-at home mother. Little is noted in Bowlby’s research of the father-child relation whose value “as the economic and emotional support of the mother will be assumed” (Bowlby, “Maternal Care” 13). His attachment theory assumes a self-sacrificing, stay-at home mother whose

“...provision of constant attention day and night, seven days a week and 365 days in the year, is possible only for a woman who derives profound satisfaction from seeing her child grow from babyhood, through the many phases of childhood, to become an independent man or woman, and know that it is her care that made this possible.”

(Bowlby, “Maternal Care” 67)

Like Piaget’s child development theory examined in the previous chapter, Bowlby’s attachment theory provides little insight into larger social, political and economic realities influencing family lives. For example, Bowlby’s concept of maternal deprivation constructs child disadvantage within gendered domestic relations in nuclear families. Accordingly, maladjusted childhoods result from non-traditional families, such as unmarried mothers,

psychiatric parents and teen mothers where children from broken homes are more likely to suffer from mental delinquencies (Bowlby, “Maternal Care” 164). Bowlby further linked childhood disadvantage such as childhood mental impairment, delinquencies, and violence to maternal deprivation in the early years of childhood and the longer-term effects of intergenerational childhood disadvantage, contending that deprived and unhappy children grow up to be bad parents (Bowlby, “Maternal Care” 81).

Supporters of Bowlby’s attachment theory argue that his paradigm for research and debate in social psychiatry is still relevant today (Holmes 26, 31). Critics of Bowlby’s attachment theory raise concerns about the growing evidence of the acceptance of “attachment disorder” for child development in medical and scientific vocabulary that links poor child development to bad mothering (Vicedo). They flag the troubling resurgence of a gendered biological reductionism of child welfare as mother love, maternal instinct and maternal care, and a renewed justification for gendered parental roles with the mother as psychic organizer (Vicedo 3-16). Noting attachment theory has profoundly intensified standards of care for children within western Eurocentric childhood, Hays is critical of notions of white motherhood advanced by the child-care experts, as a stay at home mother in a traditional nuclear family with a male breadwinner (21). Hays’ concept of intensive mothering problematizes a western model of parenting that idealizes the innocent and priceless child and the self-sacrificing mother centered on the children’s needs 24 hours a day, 7 days a week, not easily met by most mothers, let alone racialized, low-income mothers. More recent US research identifies how a neoliberal risk framework amplifies these intensive standards of childcare. According to Villalobos, the displacement of fear about widespread societal failing to the crimes of a few is central to the neoliberal project to deflect, depoliticize and deemphasize the economic and social inequalities

that were downloaded by the state to individual families. Symbolic scapegoats such as pedophile pre-schoolteachers, pre-teen mass murders, and homicidal au pairs that create societal fears for parents raising children, distract from societal issues of gendered inequalities of unwaged caring work of children, rising national child poverty rate, insecure employment opportunities and the decline in community support (Villalobos). Villalobos further highlights how the risks associated with maintaining children's well-being and security are increasingly privatized as women's naturalized responsibility (15-16).

**ii. *The Double Burden of Child Protection Work***

Intensifying maternal standards of childcare are most certainly out of reach for marginalized mothers seeking violence-free lives who carry the double burden of mandatory child protection work in addition to their everyday childcare, as mothers' narratives reveal.

*I wanted to go to school to be a massage therapist. Then, I actually found out last year sometime, 2014 I believe, that I had the degenerative disc disease...after I had [baby's name]...I had this damn epidural and I went many years, almost four years, in pain. We [mother and abuser/father who are together] had the Children's Aid involved on and off for six years...they [children] were gone for eight months. They [CAS] returned them to me Dec 18 2013. One week before Christmas I got my kids back, because I did everything...I did everything. I busted my ass to do everything they wanted. Anger management classes, parenting classes, whatever they asked I did it. I did not put up a fight. I said whatever you want me to do, I am getting my kids back, because you took them for no damn reason. But I can't walk very far. My legs actually give out now, I'll walk and I just drop. And then Children's Aid wants me to run around in circles and doing these million things in order to keep my kids. So it is like, bad back or not, I*

*basically have to suck it up and do it. If I have to limp there, I have to limp there. She [CAS] just shows up when she wants, unannounced kind of thing. It is an agreement that we have to have. They [CAS] can show up with an appointment or unannounced. We have to sign all release forms and it is just kind've a little overwhelming sometimes...with everything we have to do. I can see if I was in perfect condition, I could jump right up and kind've do it. (Mother with disability and three children, personal communication)*

*That was one of the other things I had to do was be involved with Healthy Babies. Well, then I didn't know them at all...the things they teach you. It's so much pressure to be the perfect mom and they make you feel like, if you don't do things the way you are supposed to do it, then you are a horrible mother. My worker made me feel, like if I didn't breastfeed [baby's name] I was the worst parent on earth. Because sometimes you can't breastfeed...sometimes you can't...you know what I mean? They told me...oh you need to get him a bottle or feed him before he starts to cry...you should see the signs beforehand. Well, not all the time you can see the signs beforehand. Sometimes it takes them to start crying for you to know...ok he is hungry. They made me feel like ok if he is crying because he is hungry, you are a bad mom, you didn't get to him on time. They made me feel like I am starving him, kind of thing. It makes you feel so horrible and you are so stressed out...I am a new mom too...I just felt like the worst mother in the world. She [CAS worker] calls me, well she texts you. She texts me all the time. Is this day good? Is this day good for you? I will tell her three times that the day is not good for me and like it is overwhelming. I got her bugging me. Like I just got back today...and so many things have gone wrong. It is just one of those days. And then it is like, I have her texting*

*me...non-stop and I just need a break, a breather...I don't want to talk to anybody right now and I constantly got her messaging me.* (White, low-income young mother with three children, personal communication)

Intensified child protection work in women's day-to-day lives burdens mothers whose families are often in crisis after leaving abusive partners. Policies in place do not reflect their needs as the state cannot listen. Mandatory parenting programs monitored by the state and unscheduled appointments and daily texts with workers limits women's capacity to perform waged work, pursue educational plans and be fully present for their children.

## **6. Gendering Accountability of Mothers to Protect Children: Degendering Violence Against Women**

In a culture of intensified child safety and protection in which state-funded campaigns are targeted at professionals and responsibility is assigned to the public to report woman and child abuse, two disturbing trends are revealed. First, there is the increased policing and surveillance of marginalized women (Swift and Parada), particularly low-income young women beginning with their pregnancies and child-birth, and state systems consistently fail to act on abused women's reports of violence. With the expanded duty to report requirements, complaints about potential child abuse in Ontario increased 22 percent from 192,869 calls in 1998/9 fiscal years to 236,430 in 2002/3 fiscal years as reported by Ontario's Children's Aid Societies (Swift and Parada 13). Teen mother narratives reveal they are often cast by the state as failed children who did not successfully transition from school to employment (Wilson). The deviant motherhood of the child mother who spiralled out of control reveals the age discrimination that often underpins the heightened state response to women deemed to too young to have children and sex (Wilson 95). Reifying powerful stereotypes of the unfit, undeserving welfare mom, new/young moms'

reproductive labour is highly regulated, scrutinized and surveilled by state professionals, often beginning with the first knowledge of their pregnancy. Here are their stories.

*CAS was involved from the beginning, they had heard I was a young mom. Ontario Works called them [CAS] saying that I was a young mom because I was pregnant -just turned 17. So they were involved. Baby's dad never was so, I was single too, which made it harder. My CAS worker is extremely nice. She acts like a friend more than a worker. She asks to come over all the time, so much, that it is overwhelming. Like when I had my first baby, I literally just got home from the hospital, put my bags down and CAS were at my door. All I wanted to do was sit at home and cuddle with my new baby and they are banging at my door already. It just gets to be really stressful and a lot of work. (personal communication)*

*CAS got involved right away when my baby was in the hospital, when he was born. My gynecologist said I had anger management issues...I don't know why he said that, because I was in labour and I said "get this f...ing kid out of me," because I was in so much pain. I was only a teenager. After that, he said I have anger management issues from birthing my son. That was my first baby, so that was six years ago, and CAS is still involved. (personal communication)*

State approaches focused on the at-risk child rather than gender-based violence de-gender women's experiences of violence. Here, women's safety concerns about their abuser are minimized, or worse, ignored by state systems revealing contradictory outcomes for children who are often exposed to ongoing violence. Both women and their children suffer, as their stories highlight.

*As soon as the abuser got back involved, he wasn't allowed to be around him [child] any more, according to CAS. I had to tell him this, because CAS couldn't get a hold of him. Abuser did not take the news about not seeing his daughter very well at all. He threatened to kill me and indirectly threatened to kill me and my family again. The abuser has a huge history of domestic violence and a huge criminal past which he bragged about but he was never convicted in 99 percent of the things he has done. So, I went to the cops again. I called them and told them what he was saying. The police said "oh ma'am we will send somebody out". Nobody came. Nobody even bothered to show up. They called back two hours later, well, did he show up? Well clearly he didn't show up and kill me. Thank you for not caring. Mindboggling. (White, low-income mother with three children, personal communication)*

*Oh god, CAS did nothing...absolutely nothing. I called CAS and told them I needed help ...that something wasn't right. I got completely sloughed off, because I am just a jaded ex. Yup. I had to learn how to use that language with the police too. Because the police would very quickly be like, "Oh please stop making it more than it is. You are just one of them." (First Nation/Metis mother with two children, personal communication)*

*I called the Police the first time. The first time Police evaluated me and they still never brought him in. That was over a year ago, over an argument...that is when abuser choked me and held me up. I had bruising and they didn't charge him. Police said the male partner had a few scratches on him and the abuser tried to tell them that we were fighting back and forth. He had like a few scratches...a couple of scratches and that was from me trying to get off...get down from being strangled. I had handprints around my*

*neck and they were swollen. My neck...I couldn't even talk...my neck...it was so bad. They were the worst officers ever. It was two male officers. I believe both stranglings were in front of my daughter and the Police knew there was a child there but did nothing. Unbelievable. But the second time the abuser strangled me, Police were going to charge him. But the thing is they waited a month. Like I had somebody from the domestic violence unit deal with me. But it took a month for them to get back to me. When I came to the shelter, the abuser broke into my car while I was here. Drained all my accounts. And he was on surveillance, so he got charged. No one cared. The Police have no reason not to believe what I was saying. I have never accused anybody of anything. No wonder women stay silent, or no wonder they stay with abusers. These services they are supposed to provide help? They made me feel like I was the bad guy. (White, low-income mother with two children, personal communication)*

While mothers made every effort to protect themselves and their children from violence, state systems of child welfare and policing failed to listen and respond to their needs. As one mother noted “no wonder women stay silent, or no wonder they stay with abusers.”

## **7. Conclusion**

With the federal downloading of social welfare and violence against women initiatives to the provinces, Ontario's child-centric approach to address violence against women with children effectively offloaded the responsibility for child safety and well-being to abused mothers. State-mandated child protection and safety reforms naturalized child protection work as women's work, retrenching the structural inequalities of women's gendered unwaged caring labour and waged work. Spanning different political regimes, Ontario's think dirty politics advanced powerful racist stereotypes of the unfit, undeserving mother over several decades throughout

state systems responsible for their safety and wellbeing. Narrowly focused child protection reforms effectively destabilized mother/child relations, depoliticized and de-gendered the state's response to gender-based violence against women with children.

To this point, federal and provincial responses to violence against women and mother/child welfare reflect a policy evolution over the last several decades to the at-risk child. Decades of federal and provincial welfare cuts, social policy retrenchment and child-centric interventions by the state punish single mother families juggling heavier state-mandated childcare loads. The next chapter continues the examination of the trend to the child in state policy and investment at the federal and provincial levels, but with specific attention to the long-term implications of these child-centric policies for single parent families, particularly single mother families rebuilding their lives after fleeing violence. Women with children who survive the immediate crisis of violence in their lives often continue to struggle to live violence-free lives many years later, as single mothers. They face new challenges in raising their children during precarious neoliberal times.

## Chapter Five

### Deserving Children?:

#### Precarious Futures for Single Parent Families

##### *Yasmin's Story*

*Yasmin lived with her partner off and on for three years enduring emotional, physical and financial abuse. When Yasmin was four months pregnant with their first child, they had a fight. The partner grabbed her by the throat and she punched him to try and get him out the door. After another fight, fearing for her safety she hid behind a dumpster while she waited for a cab to take her to the women's shelter. Yasmin left the abusive partner just before the baby was born. Police did intervene for her safe access to her apartment where she was only allowed to take her personal items like clothes and photos. While Yasmin's name was on the lease, the landlord would not let her back in, as the abuser was still there. So, Yasmin had to leave her furniture and car behind. Yasmin notes, if Police had arrested the abuser, she could have accessed the apartment and retrieved all her belongings. After the baby was born, CAS said they would apprehend the baby if she continued to see the abuser. When Yasmin told ex-partner he could not see the baby, he threatened the lives of her family members. Yasmin called the police on six different occasions to report ongoing threats by the abuser, and despite police knowledge of the ex-partner's history of domestic violence and criminal past, the police said, they couldn't do anything because the threats were indirect. The ex-partner had racked up \$10,000 in debt in Yasmin's name, so she declared bankruptcy and started a new life with her baby. Now a young single mom, she is living on monthly welfare cheques of about*

*\$650, subsisting on “a lot of pasta” to make ends meet and raising her baby. She plans to return to full-time waged work when her child is in school. Yasmin credits her strength to leave the abuser to the amazing support of women abuse counselling, and in particular a counsellor who was the first person to say, “whether you leave him or stay with him, I support you.” Yasmin identifies as a survivor of abuse and plans to teach her daughter that “she is never going to have to be a survivor.” (young mother of an infant, personal communication)*

As Yasmin begins a new life as a single mother with a baby, she stares poverty in the face.

Yasmin’s story of starting over after leaving an abusive relationship and living in poverty is why many women stay in, and return to, abusive relationships. She explains in her own words “no wonder we women just end up going back...it is easier to just put up with him and hope to god that one day he does just kill you. This was hard for me. I am going to go on welfare and raise my daughter. It is going to be rough” (personal communication).

This chapter examines the neoliberal trend of federal and provincial policy to the deserving child and the long-term implications for single parent families, especially single mother families fleeing violence. I first examine Ontario policy to address childhood disadvantage and poverty through child development policies, as federal supplements for childcare were downloaded to the provinces. Drawing on single mom’s narratives, I illuminate the long-term implications of state policy for single mother families, like Yasmin’s family. Women’s lives spiral downward after leaving abusive partners as oppressive state interventions into their families ramp up over many years. I then consider how the gendered realities of child-centric policy make invisible the social and economic hardship of single fathers’ caring labour, while shoring up the parental rights of violent fathers. Here, single father narratives provide

important insights into their struggles raising children within the tensions of father invisibility in state policy and programs and concerns over growing fatherlessness in western society. Finally, I examine the lack of parenting supports for families and children dealing with the trauma of gender-based violence as declining state support reprivatizes the costs, risks and responsibilities of violence and caregiving in single parent families. As the state de-invests in universal family-based state policies, I argue that targeted interventionist child development policies have failed to keep single parent families from the risks and material realities of poverty and violence. Child-centric policies contribute to the racialization of childhood disadvantage and precarious futures for single parent families, re-exposing women and their children to ongoing violence.

### **1. Investing in Child Well-Being or Racializing Childhood Disadvantage?**

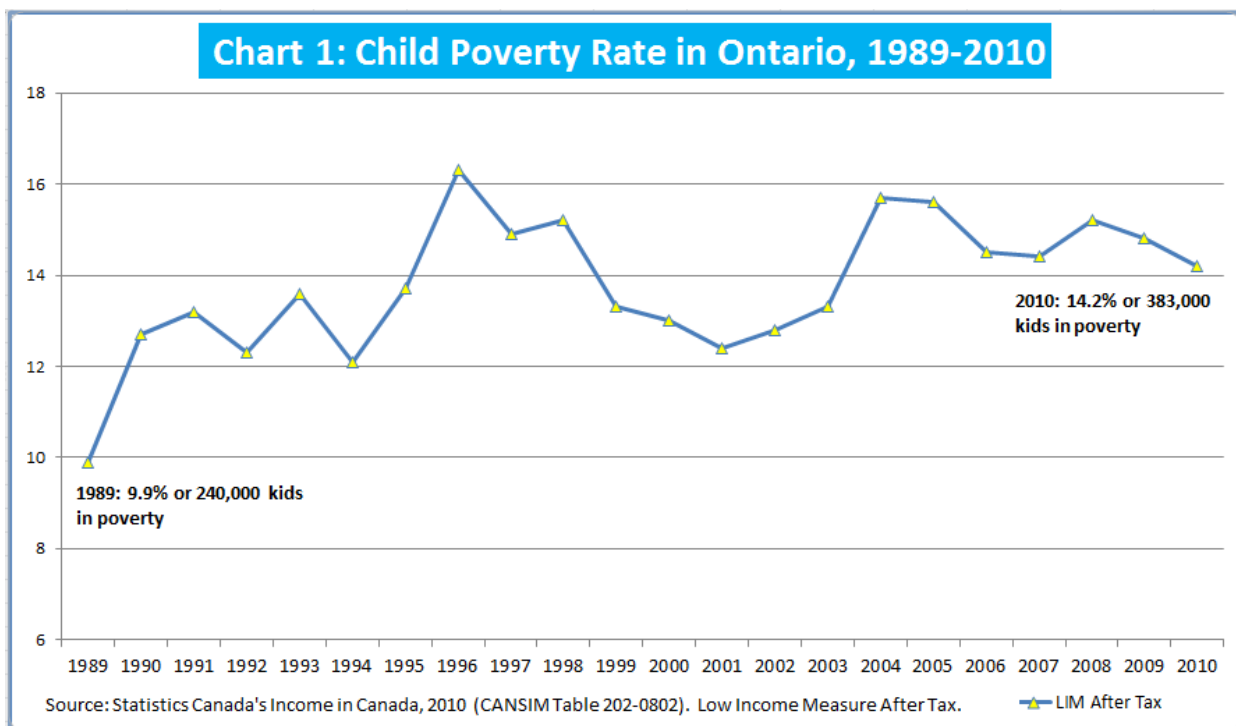
Similar to federal policies, Ontario's social investment in the child reveals a trend away from universal state-funded income and supports. While the poverty reduction strategy "Breaking the Cycle" introduced by the provincial Liberals in 2007 provided support to 1.3 million children in low-income families, the program targeted low-income families who relied on the state for income supports (Ontario Government 4). Building on the history of the Ontario Child Benefit and similar to the federal child benefit program, the Breaking the Cycle Program emphasized employability and moving people off income supports provided by Ontario Works to waged work. According to the Breaking the Cycle report, low-income parents realized the greatest value of Ontario's child benefits if they moved off social assistance into minimum wage jobs. For example, the income of a single parent with two children under age thirteen, working full-time at minimum wage would be 54 percent higher than it was in 2003 (Ontario Government 17). However, single mothers fleeing violence would be less likely to benefit from these programs due to their heavy childcare burden. In Yasmin's case, full-time care of a new baby would not

allow for the possibility of full-time work. Nor would full-time work be possible for the single mothers who carry the extra work burden of state-monitored child protection work in addition to their daily childcare work. With this extra child protection work, many low-income single mothers would have less capacity to perform waged work and therefore are unlikely to realize the full child benefits of the Breaking the Cycle program.

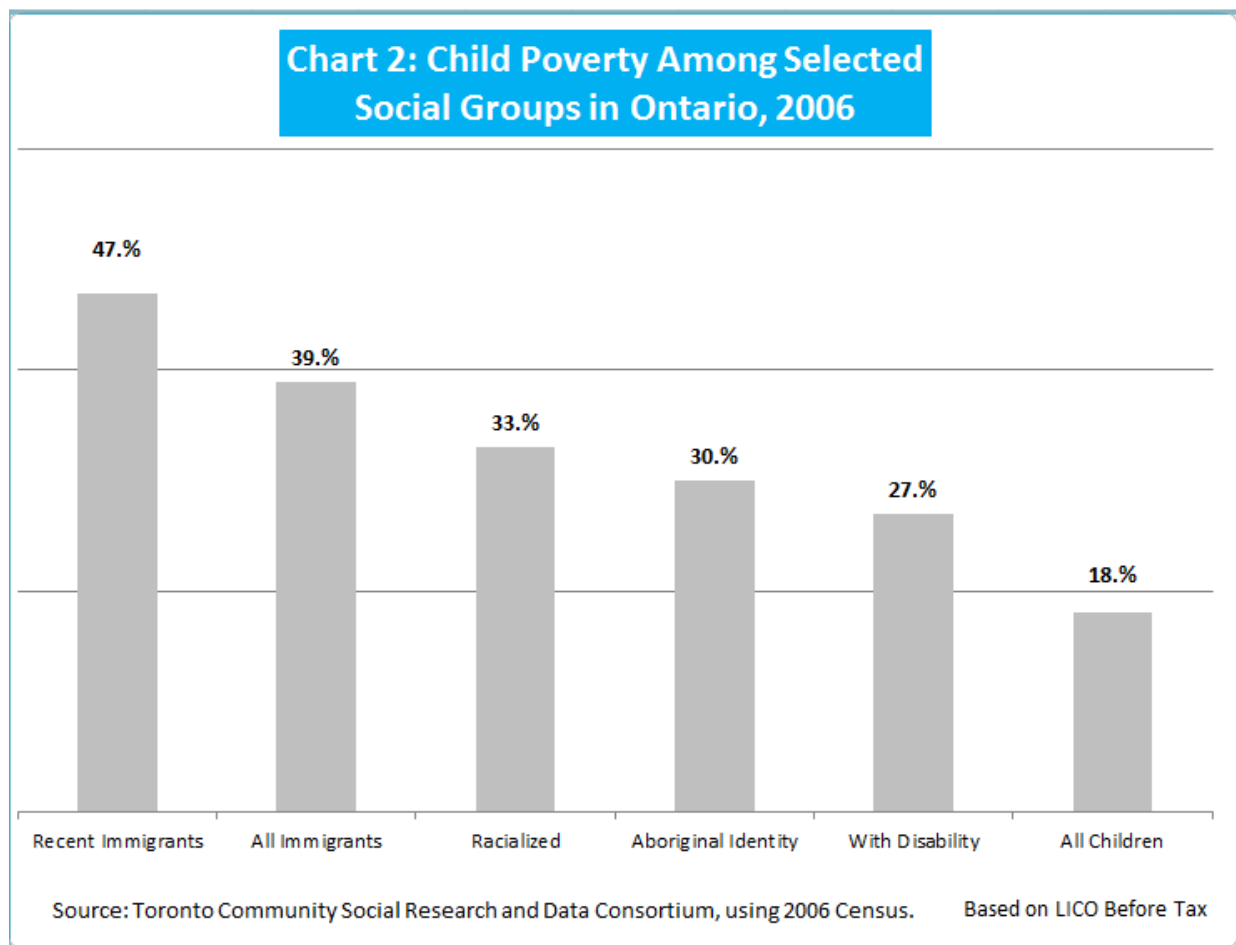
While the Liberal government's throne speech July 3, 2014 heralded the success of the "Breaking the Cycle" program in reducing child poverty (Office of the Premier), an anti-poverty group for children and families reported the Ontario poverty rates of children in female-led lone-parent families increased by 1.4 percent from 2009-2010 ( Campaign 2000 3). This is troubling news giving the growing family demographic of single parent families. In 2011, there were more than 1.5 million lone-parent families in Canada, up from the more than 1.4 million recorded in 2006, an increase of eight percent (Press, "Census Canada"). The increase in single father families explains part of this increase in lone-parent families, which I address later in this chapter. Noting how the language of lone parenting reflects a departure from reductionist gendered language that reproduces the mother/father binary, scholars are critical of how the term lone-parenting depoliticizes and masks the gendered reality that women perform the bulk of caregiving work (Motapanyane). The large majority of lone parent families in 2011 are women-led. Eight in ten lone-parent families are female led, accounting for 12.8 percent of all census families, while male lone-parent families represented 3.5 percent of all census families (Statistics Canada, "Portrait of Families").

When considering how the rates of child poverty increased in 1989 to 2010, from 240,000 kids in poverty to 383,000 (see Chart 1), children in low-income single-mother families were greatly disadvantaged and not benefiting from Ontario investments. Additionally, while the

Ontario government claimed the Ontario Child Benefit “lifted 47,000 children out of poverty and kept many more from falling into it” (Office of the Premier), this seeming progress masked the lived realities of immigrant families, as disproportionate numbers of racialized children are living in low-income families. For example, the overall child poverty rate in Ontario in 2010 was 14.2 percent, down by 6.6 percent from the 2008 rate of 15.2 percent. Despite this, one in two children of immigrants, one in three racialized children, and roughly one in four First Nations children living on reserve, live in poverty (see Chart 2). The many racialized workers and recent immigrants labouring in minimum wage jobs in Ontario, a share of low-income earners that more than doubled between 2003 and 2011 (Jamasi 28), in part explain the racialization of poverty. Racialized workers are 47 percent more likely to be working for minimum wage than the total population, while recent immigrants are more than twice as likely to be working for minimum wage (Jamasi 28). Statistics from the Ontario Association of Food Banks further highlights how many low-income families are not benefiting from Ontario’s investment, as the total persons served (adult and children added together) rose by eleven percent from 2007 to 2015 (King).



Source: Campaign 2000 3



Source: Campaign 2000 5

Rather than addressing the social conditions contributing to poverty in selected communities and childhood disadvantage through state investment in universal childcare and supports for families, the Ontario government invested in interventionist child-centric policies that targeted and further stigmatized marginalized communities. With a focus on child development, the 1990 “Better Beginnings, Better Futures Project” introduced during the early mandate of the Rae New Democrats, targeted parenting as the problem for why children have behavioural problems, stigmatizing children and parents in racialized, low-income communities. Three Ontario ministries, Community and Social Services, Education and Health as well as Heritage Canada, funded this study, a 25 year longitudinal study for primary prevention of

emotional and behavioural problems in children aged 0-8 years old (Peters). The project targeted several poor communities including Regent Park in Toronto, Walpole Island First Nations, and four francophone communities in Sudbury. State interventions into these families' lives and communities relied on scientific measurements to analyze child pro-social behaviour, child emotional and behavioural problems, child health, child's school performance as well as parent measures such as parent health, parent emotional/social functioning, and parenting (Peters 29).

The neoliberal policy trend in child development is further revealed in Ontario's response to childcare needs, when federal supplements for childcare were downloaded to the provinces during the federal Liberal government. In May 2001, the Harris Conservatives responded to tensions in social reproduction by introducing the Ontario's first Early Years plan, targeted at children age zero to six, their parents and caregivers (Vosko, "Crisis Tendencies"). Instead of using the funding for universally accessible, high quality public childcare, from which all families would benefit particularly given the neoliberal emphasis on employability and work for welfare, Ontario invested in Ontario Early Years, which individualized, standardized and privatized child development services. This child-centric program assumed that children live in nuclear families, with a male breadwinner and female caregiver household, and the service recipient was white, English-speaking and worked the standard workday. Racialized, low-income and single- mother families where English is not the first language, where both parents work or a single mother works, often in precarious low-paying jobs at different hours of the day did not benefit similarly from these child development services (Vosko, "Crisis Tendencies"). For example, a single mother working two part-time jobs just to make ends meet needs affordable, flexible and accessible day care for her children while she works her early morning

and evening shifts. She cannot benefit from child development services offered during the standard nine-to-five workday.

## **2. Precarious Futures for Single Mother Families**

As the state reduces social spending for children and families, the costs, risks, and responsibilities of raising children is a heavy burden for single mother families. Positive images of the affluent single mother normalize and legitimize the neoliberal subject where emphasis is placed on the productive capabilities and personal and social success of the lone parent, while stigmatizing low-income mothers who cannot meet the ideals of personal autonomy (Avery).

Dominant representations of single mothers as failures rely on historical and powerful stereotypes of the lazy welfare mother, whose addictions compel her to abuse her children and her promiscuity exposes her to abusive lovers (Quirk). Single mothers who identify a need for help with raising their children are frequently blamed for the hardships they face and their “challenging realities are deemed a result of their personal failings” (Motapanyane 3).

Moreover, when single mothers request formal state help, it often comes at the cost of increased surveillance (Russell et al.). For mothers seeking violence-free lives, the next step after leaving violent partners is often the beginning of a downward spiral (Breton et al.). CAS’ heavy involvement with a family often accelerates the descent into poverty, as this mom’s story reveals.

*[CAS worker] gave me the option...pack your stuff, you have 30 mins. Or we will apprehend your children. You go to [women’s shelter], or we are taking your children because of the violence, you can’t have violence around children. So I said fine. I packed up me and my kids and went to [women’s shelter]. We were there for a bit. I was able to secure housing. It took me a couple of months, but I was able to do this. So we got our house...our little apartment in the neighbourhood [where] we were four specks of pepper*

*in a pile of salt. We lived there for a bit. We had issues with maintenance. My husband kept showing up. There is only one entrance in and out of the building. So if he ended up being there, I would have no choice to run into him. At this point I moved out. So, we moved again to another apartment and the same thing, the neighbour had bed bugs and the landlord didn't spray, and the bed bugs came to our house, because they hadn't sprayed the unit. My kids and I were put in a precarious situation, and I am still dealing with my husband who is coming and giving me a hard time. I am at the point where I have to call Children's Aid, because my kids cannot stay in this house. I am not ok with it. There are bugs. We are itching and scratching. There are rats that keep coming in. [CAS knew] we were trying to deal with the landlord to have them resolve the issues for three months. We went to the landlord and tenant board and the landlord was ordered to fix things and he didn't. We went through a lot and it came to a point where, you know what, me and my kids are leaving. I had to move from this apartment I was in by late next week and I couldn't procure a place fast enough. So I had to call the Children's Aid and say, heh, I need you to take my kids for a bit...so I can get us a new home and get us back on our feet...so they are not in this disgusting filth. It is not ok. So I gave the kids to them, It is called temporary care. I procured a new house. And then Children's Aid tried to keep my children as opposed to return them. They tried to claim instability so on and so forth. My lawyer and I fought it. My children have never been not fed, never not clothed and never been not cared for and never been hurt by me on any level, so the judge ordered them back. I had very good financial stability. A lot of financial stability. But that is gone. I have ODSP[Ontario Disability Support Plan] now that I am away from him.*

(low-income, racialized mom, personal communication)

Ongoing abuse by the ex-partner, lack of safe, affordable housing for this mother and her children, and limited financial resources compounded by lawyer fees incurred to fight an increasingly interventionist child welfare state contribute to this single mother's precarious future. As this mom's story reveals, CAS exercised their legislative power over a period of several years by ramping up CAS involvement from voluntary to mandatory involvement, to temporary state care and child apprehension. Why does CAS not assist this mother and her family with their housing crisis, rather than removing the children because of housing instability? Legal costs to fight child welfare interventions jeopardize a women's ability to pay rent and feed her children. Public monies used by the child welfare state on this failed legal case against this single mother could be better spent on supporting and stabilizing this family through this housing crisis and transition period to violence-free lives.

Discrimination by the state against low-income mothers in the name of child safety and well-being is perhaps most evident by comparing the experience of a middle-class woman with child welfare services to those of low-income, marginalized women. In the narrative below a white, middle-class mother owns her own business, remains in the family residence with her children after the abuser leaves and has financial resources to access legal supports. The abused woman identifies the importance of voluntary child welfare supports she received for her two children. While CAS was involved at the beginning, they closed her file after brief interviews with no further follow-up.

*The Police said CAS would be contacting me. They [CAS] were helpful in ways of counselling for the kids and offered support like that. CAS workers came, looked at the house, everything like that, interviewed my son. I sat and chatted and provided them with a bunch of character references. Then they closed my case file. I found them helpful. They*

*helped to steer me in the right direction for counselling for the kids, such as how to get in quicker, because I was worried about the kids' mental health- being in a separation, and you go from being a family one day and then not, and how to deal with it with the kids. Well, they [the children] are the most important thing in my life, for sure, one hundred percent. (personal communication)*

Contrast this mother's experience with the experience of two low-income mothers who are threatened and punished by child welfare with child apprehension when they encounter barriers in finding accessible and affordable housing and day care.

*I wanted to get a place in the city, but just in a different area, away from the abuser... because I do want to go to college once the new second baby is around six months. I want to put him in daycare. Both of them and go to college... but because CAS says I have to go to the rural community away from abuser...the kids are going to have to go for an hour long drive and put them in daycare in the city, or I am going to be an hour away from them every day while I go to school when they are in daycare in the rural community, and I don't even have a car yet. So that just stops all my plans right there. And CAS told me, no, the children can't be outside of the rural community. CAS told me if you want, after we aren't involved anymore, (they have to be involved for six months now), I can put in an application for housing again, and get things back in the city. But I wouldn't be priority housing then, so it would take years even to get an affordable housing place in the city... that is just a lot of moving too for the kids and me. I have done everything for the children and I have done everything CAS has asked me and I do whatever I can to keep both of them safe. And anytime the abuser even does so much as message me on Facebook, I call the police and let them know, because we have a non-*

*association. I want nothing to do with him after what he did. That is what I mean too, he gets 55 days in jail for abusing me. He is out already. And I am stuck in a shelter, I can't move to wherever I want, my schooling is being postponed now. It seems like I am getting punished more than he is. That is not even fair. Why don't they make him leave the city? Instead they are making me. I asked CAS that. They said well, it is not safe for me here. They have nothing more to say about it. (White, low-income, young mom, personal communication)*

*We moved into my brother's basement. The Children's Aid come and check it out. They told me it wasn't fit. There were couches for everybody...my brother brought in two additional couches into the basement, from his buddy's house. So we would all have a separate couch...It was a finished basement. And that wasn't suitable for the Children's Aid. We couldn't stay there for two weeks until I got my new place, a three bedroom house. I was on the waiting list and it was two weeks away. So that wasn't suitable for me to stay there. So they apprehended my kids and put them back into their dad's (ex-abuser's) house.(low-income, First Nations/Metis mom, personal communication)*

These single mothers' plans for waged work, secure and safe housing, independence, financial stability, and education while raising healthy children away from an abuser, are suspended, and in many cases unrealized due to intensified child safety priorities of child welfare. "Why doesn't CAS require an abusive ex-partner to leave the city?" asks a mother who is required by the state to sacrifice her future plans and relocate with her two young babies away from the abuser. In a context of declining state funding for social supports, the state heavily penalized low-income mothers with increased CAS interventions and state apprehensions of their children from their care.

### 3. Where are the Fathers?

The landscape for single parent families is changing with the noticeable growth in single father families. Between 2006 and 2011, lone-parent families in Canada increased eight percent (Statistics Canada, “Portrait of Families”). During this period, single fathers grew at more than two-and-a-half times the rate of single mothers at 16.2 percent, while female lone-parent families grew at six percent (Statistics Canada, “Portrait of Families”). In the neoliberal context of declining state supports for families, single father families are also suffering from the heavy burden of day-to-day childcare. A single father who shares one week on and one week off custody with his ex-partner tells his story of a typical day with his son.

*Parents sacrifice everything anyways...but single parents more so. There is no support...if you need a break, if you are like, “I am at the end of my rope...you take this...I am out.” You don’t have that option as a single parent. Yunno, when I have him, it is just exhausting. I will get up at six in the morning, get food, make food, get him up, food, get him dressed, drop him off at school, go take the bus all the way...to school, here all day, go back, go pick him up, make food and then it is bed for him. So like I am trying to get him in bed at a reasonable hour, but it is usually like 8 or 8:30 pm and then put him down, that is a little process...come down, start cleaning up, clean up, finish cleaning up, making lunches for the next day at 10 pm...start doing homework till about 12:30 or 1am and then pack it in and then do it again the next day. It is just a treadmill and I know part of that is just being a parent. It is exhausting...trying to do it by yourself. I just like feel really guilty a lot of the time not having enough time, not spending time with [child]. I would gladly quit my job and quit school and just homeschool him and just like be at home, gladly. I would love that...but it is not possible, not financially possible. I*

*am broke. I am in debt. I feel like I am a pretty responsible person and I haven't made outlandishly bad decisions, along the way and yet I am still like, just like scraping by.*

*And it makes it a struggle. (personal communication)*

While this single father is run off his feet every day just going through the day-to day rituals of taking care of his son, he shares "it is a weird type of magic raising a child". Yet he asks, "where is the quality time?" While caring for his child is the central focus in his daily life, he also juggles waged work and university studies. Limited financial resources increase the stress for this single dad who is just scraping by and who would gladly devote more time to raising his child, if there were increased income and childcare supports.

Another single father recounts how raising a child on his own "put his life on hold."

While this father shared custody with his ex-wife, the child lived with the father and visited the mother every second weekend.

*It was difficult raising her on my own...financially...emotionally. It is tough. My life was put on hold, the day her mom walked out... so you are living from payday to payday... there was lots of nights I was making hamburger helper. To this day, my daughter hates hamburger helper because she had so much of it. But she'd have supper tonight...and leftovers tomorrow night. I would have a piece of toast and go hungry- not starving to death- but I would make sure there were leftovers for her tomorrow night because I did not have the money. I tried to get remarried but that didn't work. Any of the women that I met... it is great that you are a single father, but they want to come first before the child. I worked 8-5. I dropped her off every morning at my parents about 7:30 and they would take her to school. The bus would pick her up. My parents would babysit for me when I was at work. I'd pick her up, we would go home. I would do dishes and start*

*supper. She would do homework at the dining room table. That was our routine. I was right there and if she needed help I was there to help her. After supper I would have coffee and she could play with her friends. She would be in bed at 8 pm...and then I would be in bed usually about 10 pm. That was the routine. When I was out of town [for work], she would spend the night at my parent's...did that for 5 years...then got laid off.*

(personal communication)

This single father experienced financial hardship in raising his child particularly in the early years transitioning to full-time single fatherhood. Raising his daughter was his priority and he struggled through lay-offs with the financial responsibility of raising a child, while relying heavily on his parents for childcare supports.

Within the dominant gendered norm of mothers as engaged caregivers and fathers as absent caregivers, childcare work performed by fathers goes unnoticed. As the neoliberal state intensifies caregiving work within the family, gendered norms of the breadwinner/caregiver family are reinforced where childcare is women's responsibility, and notions of father as breadwinner devalue men's caregiving work (Gaszo). Single fathers are frustrated by the dominant narrative of present mothers/absent fathers which makes invisible their childcare labour, as single fathers who are actively involved in raising their children.

*I feel like there is a real problem around fatherhood. Where it is like people do not have...my generation doesn't have that solid relationship with their dads, didn't have good role models. Yunno, there is like absent fathers all over the place and it is a big problem. It affects all of society hugely. I felt the effects personally and I see it all over the place. Oh, how am I doing? I feel completely invisible...I am just like, laboring and struggling, putting in as much, trying to be a present father and a good and loving father,*

*and work and do what is best for my family and that like there is no one around to witness it. (personal communication)*

*There are not many single fathers out there. It's about time that maybe the courts and society realize that maybe children are better off with the fathers as opposed to the mothers. The default is kids with the mother...no matter what is going on. It is time to change that stereotype. (personal communication).*

Concern is increasingly raised about fathers who continue to be absent from their children's lives, child rights discourse and child development policies (Kufeldt and McKenzie). Fatherlessness, masculinity and marriage were central in 1990s debates in the US about single motherhood, family breakdown and family values (Gavanas). At this time, the powerful fatherhood responsibility movement emerged contending, "fathers were marginalized in families and that parenting has been feminized by becoming synonymous with motherhood" (Gavanas 1). The shrinking of American fatherhood is due to paternal choice where "millions of men are voluntarily abdicating their fatherhood" as children are raised in growing numbers of female-headed households headed by divorced and unmarried parents (Blankenhorn 22-23). Claiming fatherlessness as the most pressing social problem, the fathers' movement advances the specific and irreplaceable contribution of biological men to parenting. This essentializes notions of gender difference inextricably linked to heteronormative notions of masculinity (Gavanas 5). Gavanos is critical of the father's responsibility movement that generally excludes pro-feminist men's organization and gay men's organizations in their advancement of gendered and sexualized notions of male parenting centered on a biological basis for male sexual promiscuity, as men are harnessed into responsible fatherhood, heterosexual monogamy, and male parental ideals (3, 5).

The crisis of fatherlessness in the Black community is often blamed on fatherless homes where the violence and poor educational performance of Black youth is attributed to the absence of positive father role models (James). James critiques the simplistic liberal approach that blames the victims, Black single mothers and fathers, and advances positive Black role models as solutions to address the individual shortcomings of Black youth. He argues this new racism that constructs Black males as deficient obscures the systemic and structural racism that Black youth and families face and the hegemonic structure of normalized white male masculinity into which Black men are socialized (James 81). Challenging traditional notions of white fatherhood and the western nuclear family that obscures the caring labour of African American fathers, Black fatherhood advances notions of a social fatherhood within an extended family system where fathers are biological and non-biological (Connor and White 6). Ideals of Black fatherhood arising from the ancient African proverb, “it takes a village to raise a child” normalize the involvement of Black men in the lives of children where they provide a significant degree of nurturance, companionship, and emotional and financial support (Connor and White 6).

Fathers’ rights have been the most successful rallying point for men’s rights organizations. They advance a rhetoric of rights for divorced fathers, which is most useful in addressing discrimination against fathers in child custody rulings (Messner 45). However, Messner is quick to note that fathers’ rights discourse rarely includes “a discussion of fathers’ responsibilities to children *before* divorce” (45). While the cultural image of a “new fatherhood” with involved and caring dads is supported by a modest increase in paternal involvement by men, the vast majority of childcare is performed by women (Messner 45). Fathers’ rights activists, who are predominantly white and middle-class or working-class, tend to ignore how work and family institutional relations benefit them, as they rarely bear the responsibility of caregiving

(Messner). While the rhetoric of fathers' rights gives the illusion of equality, fathers' demands "are to continue the practice of inequality in post-divorce but now with legal sanction" (Bertoia and Drakich, qtd. in Messner 47). The recent pushback by many men who feel their parental rights are under siege is reflective of a new breed of patriarchal father figures attempting to reclaim their status of head of the household "by combining the traditional masculine traits of violence and aggression with paternal sensitivity" (Avery 73). Referencing popular media portrayals of fathers and single mother families, the father as patriarch is re-energized in the face of rising single motherhood, considered a threat to the patriarchal order of the heteronormative family (Avery). The similar trend in fatherhood movements to virilize and control the maleness of fatherhood in response to feminist politics crystallizes racialized and socio-economic asymmetries between men, revealing the politics of whiteness and middle-classness in their agendas (Gavanas).

The emergent fatherhood movement in the US addresses the crisis of a "fatherless America," specifically where domestic violence exists. Research of different father groups revealed gendered and heteronormative assumptions about men's notions of healthy fatherhoods, retrenching women's gendered caregiving relations, within abusive marriages (Williams et al.). The Fathers' Rights Groups denied the prevalence of gender-based violence, suggesting that men experience the same rate of violence in cases of domestic violence. Angry at the court systems they claim are biased towards women in child custody cases, Father's Rights groups engage lawyers to advocate for their father rights (Williams et al.).

Are fathers' parental rights under siege? Some experts suggest the growing trend of single father families is partially a result of the advancement of father's rights where courts are granting more fathers full custody of their children (Press, "Census Canada"). In Canada, the

protest efforts of fathers' advocates have successfully advanced their parental rights, undermining feminist claims against the state for women's rights to raise their children without violence (Mann, "Men's Rights" 53). Mann traces the discursive shift to men's rights as men's groups increasingly mobilize sympathies for father rights in political arenas. For example, with the passing of the 1985 Divorce Act, father's rights groups secured father-friendly reforms as the act instituted Canada's prevailing no-fault, child's best interest family law regime (Mann, "Men's Rights" 53). In 1998 at the Special Joint Committee Hearings on Child Custody and Access, Senator Anne Cools lauded the testimony of 69 pro-men's group who entered lists of family violence studies to support their claims of victimization by women, antidomestic violence services and the courts. By contrast, the testimonies of representatives of 44 antidomestic violence organizations were cross-examined. When the federal Liberal government introduced what was to be a new Divorce Act in December 2002, it was largely in response to fathers'-rights lobbying (Mann, "Men's Rights" 54). While this proposed legislation died when Chretien resigned as prime minister in November 2003, there was a noticeable shift to address father's rights concerns with the introduction of joint parental responsibility as a substitute for child custody. To address the demands of feminist groups, the government elaborated a much-needed child's best interest consideration to include, not only the history of care of the child but also the history of family violence (Mann, "Men's Rights" 54). This unfinished business has yet to be taken up in divorce law reform, with serious consequences for women with children, as revealed later in this chapter.

At the Ontario provincial level, men's groups vehemently protested against the Harris' proposed Bill 117 to enhance the availability of restraining orders on a 24-7 basis, to protect victims, especially children victims, from violence (Mann, "Men's Rights" 55). They identified

the “ugliness of current divorce laws,” women’s rampant use of false allegations, and women’s economic exploitation of men while also asserting that men are equally or more victimized by domestic violence than are women (Mann, “Men’s Rights” 56-57).

Where are the voices of men’s groups in Canada organizing against gender-based violence and promoting healthy fatherhoods as an important part of healthy childhoods? Men working to end men’s violence against women organized the White Ribbon campaign, a global movement with its 1989 beginnings in Canada. Educational programming, such as workshops and conferences, challenge language and behaviours, toxic masculinities and harmful ideas of manhood that lead to violence against women. Recent research by the White Ribbon Campaign in “Give Love, Get Love: The Involved Father and Gender Equality Project,” highlights the changing face of fatherhood where equality in caring for children is increasingly valued by fathers who are sharing the childcare load. In Toronto, More than a Haircut: Barbershop Project launched in 2006, promotes positive masculine role models for Black fathers (The Macaulay Child Development Centre). Addressing negative stereotypes about deadbeat and uninvolved Black fathers reinforced in the media, five local barbershops reach out to fathers of different ages and diverse backgrounds to join sessions led by Black men who are fathers, good role models and trained facilitators (The Macaulay Child Development Centre).

#### **4. Father Rights and the At-Risk Child**

While the ‘best interest of the child’ principle guides Canadian family, custody, and access laws, Canada fails to provide leadership in advancing the rights of children where gender-based violence exists (Department of Justice Canada 18). The 2001 federal, provincial and territorial governments’ consultation paper “Custody, Access and Child Support in Canada: Putting Children’s Interests First,” engaged the public through feedback surveys and public consultations

about how to best protect the best interests of the child in families in Canada's family law systems and services. The section "Family Violence" provided a troubling gender-neutral approach to conflicts in families (Department of Justice Canada 21). No information or data addressed the gendered realities of family violence where large number of women and children in Canada are murdered and threatened when fleeing violent partners. Nor is there any acknowledgement that women, and disproportionate numbers of First Nations women, are the primary victims and men the perpetrators in heterosexual relations where violence exists. This lack of attention to the gendered realities of family violence is also reflected at the provincial level. While some judges might consider family violence, most provincial and territorial family laws do not specifically say that judges must take family violence into account when resolving parenting disputes (Department of Justice Canada 21).

As father rights to be involved in their children's lives are strengthened in state policies concerned with violence against women, women's claims against the state to parent without violence are depoliticized through gender-neutral state policy focused on the best interests of the child. This next mother's story reveals these child-centric policies that claim to be in the best interest of the child are contradictory. The state failed to respond to the mother's calls for assistance with her child exposed to ongoing violence by the abusive father.

*It is the hardest thing in the world, to be sitting on your kitchen floor, and to have your two year old kicking and beating you, telling you that they hate you because you make them go [on access visits]. And not a support in the world to tell you that they will intervene and that there is anything that will happen...because he is the father and he has rights...even though he was threatening me. He [child] would come home from being with his father, and the emotional turmoil that was going on inside that poor little boy's*

*head, it just killed me. He was throwing toys at me, he would hide, “Mommy I am going to hide under the bed and when dad comes to the door, you just tell him you don’t know where I am”...he was four-and-a-half years old. I called CAS and told them I needed help. That something wasn’t right. I got completely sloughed off. I did try to call CAS again [a few years later] and they wouldn’t get involved. “Well, you know, we tried calling him [abusive dad] and he is not returning our calls.” At eleven years of age, [child] said before they were even turned around in my driveway, his father told him that he was the biggest fucking disappointment as a son that a father could ever fucking have....And his father yelled at him and swore at him...the whole way. (First Nations/Metis mom, personal communication)*

The state’s unresponsiveness effectively upholds the rights of abusive fathers to be involved with their children, even when children suffer over many years. Over a seven-year period, child welfare ignored this mother’s pleas for help to protect her child from an abusive father. Despite the mother’s repeated calls for help to CAS, the agency never intervened leaving the child exposed to ongoing emotional abuse by the father. The dominant message from the state? Bad mothers who stay in abusive relationships fail to protect their children. Good mothers leave abusers and maintain the father’s right to parent, even if children suffer ongoing trauma. For women who are advocating for their child’s safety and well-being, addressing the ongoing abuse to children by ex-partners represents an impossible double jeopardy. While the state holds mothers responsible for keeping their children safe from abusive dads, mothers who keep their children from the ongoing abuse of a violent ex-partner are at risk of losing custody to the abusive father for failing to maintain fathers’ custody access with the children.

When CAS is directly involved with a family, the state monitors mothers to manage the father rights to have child visits despite evidence that children are suffering. This mother's narrative illuminates how she carries the burden of long-term state interventions in her family and the extra work of taking her child to programs to address the child's trauma experienced on visits with the dad.

*I fought for sole custody and I won. He (abuser) still has access. [Ex-partner] is still in my life, he still sees the kids. So all the calls to the Children's Aid...are about [child's name] because he is back and forth between these two houses. I have him in Creating Connections, which is a mother/child group when the mothers go and they have a group and the children go and they have a group and then we come together. For the third time, [child's name] has been in Creating Connections...So we go to Creating Connections and then I am sharing my things again [about parenting of abuser] and of course they are alerting the Children's Aid like they always do. And the Children's Aid come back in my house...and I say, why don't you go and look at where the problem is? But they keep knocking on my door because I keep opening the door. He [ex-partner] won't open the door and he lies. Children's Aid, I told them to maybe set up a tent in my front living room...five years of Children's Aid coming in because of [child's] behavioural issues...well, obviously, it is because of what is going on. (First Nations/Metis, low-income mom, personal communication)*

In protecting the rights of men to see their children, state-mandated child visitations with fathers re-stabilize the patriarchal family, re-exposing mothers to ongoing violence by the ex-partner. As elaborated in the previous chapter, women's safety is seriously compromised during child exchanges where many women are murdered by ex-partners. This mother explains how she

was not only re-victimized by her ex-partner during child visitations, but also by police and legal systems when telling her story.

*My brother had been going with me every time I had to pick up and exchange my child. Finally, I recorded the abuser. I recorded him threatening me and all the things he was saying to me... gave it to my lawyer. The police would very quickly be like, 'Oh please stop making it more than it is...oh, you are just one of them.' [Another time during a pickup and exchange of the child], [child's] father started doing the whole poking thing at me and instead of backing up I stood my ground. 'You can't do that. YOU can't do that to me.' Well, then he actually started hitting me. I had a big black mark on my collarbone. The lawyer told me, you don't want to press charges, because that is just going to create problems and judges just don't like to see that kind of thing. I didn't know anything better. (First Nations/Metis mother, personal communication)*

##### **5. “Nobody was There”: State Supports for Parents**

There is a troubling absence of universal, high quality, voluntary parenting supports in Canada. According to research, the very few parenting programs available are for problem children or parents in the child welfare system (Peters 64). Single mothers and single fathers share their frustrations about raising their children in the absence of high quality state supports for the children, the parents and the whole family. In the narrative below, the single father seeks social engagement with other single dads to share the single parenting experience.

*For me the resources I want are social- not around parenting, just people to talk with...what is going on with you? How are you holding up? There are no resources, very few resources for fathers. I see tons of groups ...things for mothers- moms running club, moms' yoga class. That is great. Like I am just like, I am like here, I am busting my ass*

*here, yunno. It feels isolated, like you are in a bubble, and yeah, it doesn't feel healthy all the time for me to be the only adult that is taking care of him on a day to day basis, for me or for him. I am lucky to have a few good men in my life. But it is not as easy...not socially accepted or expected. What I would like to see would be to go to drop-ins for single dads and their kids. There is a drop-in at the Y we go to sometimes. That is just for anyone. I would be there every week if it was for single dad and their kids. This is like a gym program... hoops, balls, tunnels...activity and games in the gym, for the kids. The parents are playing with the kids or hanging out by the side and chatting. I have met a lot of people there who I have stayed in touch with. If there was a regular one, single dad's day, I would be there every time for sure. Whenever I find a man who is not –who gets it- who has a bit of a social analysis, who is loving and caring....then I am like grr...I will latch onto him. That would be amazing. (personal communication)*

Flagging the abundance of mother groups to support women, this father is critical of the lack of resources and supports for single fathers. Eschewing expert-led parenting programs such as those advanced by child development models and programs, this father instead, seeks social connection with other single dads at casual drop-ins.

In the neoliberal context of spending cuts where childcare needs are further privatized in the family, single mothers seeking supports for their children and families traumatized by violence are burdened with the worry, costs and additional work to find community supports. This mother is desperate to find counselling support for her child who experiences ongoing abuse on his visits with his dad.

*The only thing that they CAS told me to do was these parenting groups. That was great when my kid was six. She can tell you more about what abuse looks like and how to walk*

*on eggshells and pins and needles. She can tell you how to navigate that. You can't offer her shit by telling her to go to program. It is not useful after all this time. I got her involved with Family Services (FS) because that is children's mental health. CAS recommended that I go through them, that they had some very good programming. And then, she aged out of the program. She has seeing a child psychologist and she said all of these things about how her father was abusive to her...and I even have the letter from her child psychologist. He wanted my child to stay in Family Services even though the program was only zero-to-six and she was going to be turning seven. He wanted her to stay with FS and he told the counsellor... this child is not your typical child. She is not going to open up to you and the reasons that you are thinking she is not connecting with you, is because she doesn't trust you, it's going to take you a long time. It will take you a long time to build that trust. You can't stop now, you need to keep seeing her because she is going to open up and when she cracks she needs to know it is safe. And the child psychologist had every intention that he would revisit and see us when my child started school...this was the beginning of summer... And I got a letter from FS not even two weeks later...oh, she aged out...and when I tried to contact them, no one returned the phone call. I called CAS. I called them first and I got this "well, you have to go through court, it is a custody issue, you should talk to a lawyer." I just hung up on her... kids don't need counselling, right? from age seven to eleven...I called FS and made an appointment and then she was wait-listed, because she threatened to kill herself. There was a 3 month wait for that intake...basically that is what it boils down to...yeah...nobody was there. (low-income, First Nations/Metis mom, personal communication)*

Only when the child is suicidal does the state step in and support this mom. As her narrative highlights, voluntary parenting programs are limited in addressing the mental health concerns of her child exposed to the long-term effects of abuse. Declining state supports for Ontario children who experience violence compromises children's short term and long-term well-being and development. Where state-funded programs are available, there are often long wait lists and the funding emphasis is on supports for children in their "early years" leaving older children out of the loop, a problematic trend in state funding with the shift to early child development. The scarcity of state-run supports for children is perhaps most evident for children who are outside of mandatory child protection services, where mothers must resort to paying private services to support their children's healthy development.

Another mother expresses her anguish and frustrations with the lack of on-reserve and off-reserve state supports and programs to help her child and the whole family suffering the short and long-term effects of violence.

*Here [on reserve] is very little support for the family of the survivors [of abuse]. I have been all over the place...I have been as many places as I can find, that I was referred to. And everybody thinks that everybody else should be doing it. So there are no services for, first of all, a parent of a survivor. How do I help my child who experienced rape... through this? How do I help my other kids through this? ...And any [supports] that are offered on reserve are administered by a relative of the abuser, so I can't access them. I can't go to the women's shelter. I went to the native women's shelter and they said unless you are a victim and you disclose, we cannot offer you services. So find a counsellor. So I have been going to counselling. So then I go to CAS...ok I need help. They said we are here to protect your kids- we cannot help you. So where else do I go? There is no organization that is specifically*

*mandated to help family members of a survivor...to survive. Because my daughter wouldn't have made it if I hadn't of did what I did.* (First Nations/Metis mom, personal communication)

## **6. Conclusion**

Income supports, universal and flexible childcare and support programs for their families and children top the demands of single parent families. Meanwhile, cuts to social spending contribute to childhood disadvantage and families' precarious futures. The neoliberal trend to targeted child development programs in Ontario focused on bad parenting not only fails to meet the new social risks of a growing demographic of single parent families, but reproduces race and class inequalities for First Nations, racialized low-income families. As state supports are narrowly targeted at risky childhoods, notions of healthy fatherhood are increasingly invisible in the childcare equation, as is the caring labour of loving single fathers.

The discursive rise of father rights and gender-neutral child-centric policies in state policy at federal and provincial levels de-gender violence against women initiatives while advancing the rights of violent fathers to be involved in their children's lives. As a result, abusive fathers revictimize many children throughout their childhoods and their mothers, who are often re-exposed to violence for many years after leaving the violent partner. Serious funding gaps in state programs effectively offload to single mother families the costs and responsibilities of addressing the trauma experienced by children and families, suffering the long-term effects of violence.

As child-centric policies ramp up to address violence against women and the at-risk child, increasing numbers of children enter child welfare systems. State responses to protect the at-risk child where violence exists destabilize mother and child bonds. In the next chapter, I examine the

waged labour of social workers on the front lines of anti-violence and child welfare work as the state rises up to protect the best interests of the child.

## Chapter Six

### In The Belly of the Beast:

#### Waged Work with Families Fleeing Violence

##### *Julianne's story*

*Julianne grew up in a Metis family where her mother was silent about the ongoing abuse she experienced in the family. When Julianne found out she was pregnant, she decided to leave her abusive partner. There was no way she was going to have a child grow up the way she did, to think that abuse was okay. Her abusive partner promised he would make her life hell. Rather than enjoying happy times with the baby's first steps, the first three years of Julianne's life with her child were spent in the courtroom fighting for custody of her child. When Julianne took the child for visitations with his father, the ex-partner threatened her with taking her child. Julianne involved the police but city police wouldn't get involved because it was the jurisdiction of the Ontario Provincial Police (OPP). They wouldn't get involved because Julianne lived in town and had interim custody. The police wouldn't talk to each other. Julianne was told to wait and deal with the issue with her lawyer. During these meetings to drop off the child for visitation with the child's father, the violence escalated, while the child looked on. Police noticed the black marks on Julianne's body and took a statement but did not charge the ex-partner. Her lawyer told her not to press charges. Over this period, the child experienced ongoing emotional abuse on visits with his biological dad. When Julianne reached out to CAS to help her protect her child from the abusive ex-partner, she was told this was a custody issue and*

*advised to get a lawyer and go to court. The exposure of Julianne's child to the abusive parent continued through her childhood, with limited support from the state. In her pre-teen years, Julianne's child was suicidal (personal communication).*

Julianne did all the right things to protect her family from the abuse by her partner. She reported all the incidents of abuse to police, her lawyer and CAS.

Why are these state systems failing Julianne and her child? What institutional challenges do social workers encounter in supporting families and advancing the best interests of children? This chapter examines the institutional rise of Ontario's child welfare state under neoliberalism, and its policies and practices since the 1990s, with particular attention to the waged caring labour of workers on the front lines of child protection and family wellbeing. Since the 1990 legislative reforms and the restructuring of the CAS/VAW sectors to address child safety, Ontario child welfare policies have increased state interventions into families' lives, substantively reshaping the waged work performed by social workers, predominantly women. The deaths of children under state care and in families monitored by the child welfare state have drawn critical attention to the Ontario Children's Aids Societies (CAS). Front-page headlines in 2015, "46 Children's Aids Societies, 46 Standards of Care" flag the inconsistencies in the care of children in Ontario child welfare systems and the waged social work of child welfare (Contenta et al. A1). As increasing numbers of children are brought into child welfare systems to protect them from abuse and violence, the overrepresentation of First Nations and racialized children in state care has also generated closer scrutiny of the child welfare state and social work policies and practices. Absent from the news headlines is critical attention to gender and racial oppression and inequalities within the child welfare state. Rising numbers of low-income, racialized children entering child

welfare systems is evidence of the rising number of low-income, racialized mothers fleeing violence in child welfare systems.

While approximately ten percent of children served by CASs are in state care, such as foster homes, group homes, and residential treatment facilities, ninety percent are in families (Commission to Promote Sustainable Child Welfare 12). While the next chapter examines children institutional care, this chapter focuses on the waged work of social workers overseeing children in families. Social work with families is complex, as Julianne's story reveals. Child welfare files are opened, closed, and oftentimes reopened; children are often apprehended from families for and then later returned. This chapter first explores the institutional development of the child welfare state as the state shifts to objective child-centric policies to address violence against women with children. Key stakeholders' narratives offer a top down perspective of the impact of these policies on the work of supporting women with children fleeing violence. I then consider the science of child risk in social work practice and the retrenchment of racial and gender inequalities for many families. To conclude, social workers' perspectives provide a bottom-up view of managerial systems that sustain gendered and racialized institutional cultures of silence, fear and insecurity. I argue the rise of the neoliberal child welfare state, the objective managerial systems, and the science of child risk have depoliticized the waged labour of social workers supporting families fleeing violence, contributed to oppressive state interventions, and disrupted mother/child bonds.

### **1. Ontario's Child Welfare State, Beginning in the 1990s**

Changes in Ontario's child welfare state in the late 1990s was prompted by a series of inquests into the deaths of children under state care (Ontario Ministry of Children and Youth Services, "Child Welfare Transformation" 4). In responds to the 1996 Provincial Coroner's office inquest

report, the 1997 Child Mortality Task Force, and the 1998 report by the ministry's Panel of Experts, the government introduced legislative changes confirming "the primacy of the child's best interests" (Ontario Ministry of Children and Youth Services, "Child Welfare Transformation" 4). These legislative changes established tighter child protection standards and clarified reporting requirements for professional social workers (Ontario Ministry of Children and Youth Services, "Child Welfare Transformation" 4). The Ontario government further strengthened the state's presence in children's lives by creating the Ministry of Children and Youth Services in October 2003, the first new ministry in 20 years (Ontario Ministry of Children and Youth Services, "Child Welfare Transformation" 2). This increased state involvement in child welfare including funding and monitoring of Children's Aid Societies, developing policy to support the child welfare program, and licensing children's group homes and foster homes (Ontario Ministry of Children and Youth Services, "Children's Aid Societies").

The state mandated CASs to protect vulnerable children. In 2010, there were 53 CASs (Commission to Promote Sustainable Child Welfare 5). To save costs and better realize economies of scale, Ontario amalgamated smaller agencies into a total of 47 CAS: nine CAS are Aboriginal and three are faith-based (two Catholic and one Jewish) (Ontario Ministry of Children and Youth Services, "Children's Aid Societies"). CAS are independent, non-profit organizations run by a board of directors elected from the local community (Ontario Ministry of Children and Youth Services, "Children's Aid Societies"). Currently, Ontario CASs serve approximately 120,000 families and over 310,000 children each year (Commission to Promote Sustainable Child Welfare 12). The organizations' responsibilities include:

- investigate reports or evidence of abuse or neglect of children under the age of sixteen or in the society's care or supervision and, where necessary, take steps to protect the

children;

- care for and supervise children who come under their care or supervision;
- counsel and support families for the protection of children or to prevent circumstances requiring the protection of children;
- place children for adoption (Ontario Ministry of Children and Youth Services, “Children’s Aid Societies”).

Central to these changes is the degree of state intrusion into the lives of children and whether the state emphasizes child protection or family preservation (Commission to Promote Sustainable Child Welfare 14). While Sweden and some other European countries generally place more emphasis on providing supports to families, child welfare policy in Canada, like the United States and England, has tended to emphasize child protection (Commission to Promote Sustainable Child Welfare 13). Until the late 1990s, Ontario child welfare policy reflected a less intrusive bias. Child welfare operated independently of other services and individual state social workers and their supervisors decided the degree of state intervention into families (Commission to Promote Sustainable Child Welfare 13). The high profile deaths of children in families and under state care in the late 1990s, led to a dramatic policy shift and legislative reforms towards more intrusive and proactive child protection (Commission to Promote Sustainable Child Welfare 14). Unsurprisingly, as the state took high numbers of at-risk children into state care, government spending for child welfare increased sharply. As the number of open child welfare cases increased by 33 percent, from 1998 to 2003, after the restructuring of the child welfare state discussed previously, child protection legislation in the 1990s widened the child welfare net to include children witnessing violence (Swift and Parada 14). The more intrusive child protection policy is troubling in the larger neoliberal context of a widening welfare gap for

families, and reduced social spending in Ontario for marginalized single mother families fleeing violence.

With this sharp rise in child welfare work, state funding for Children's Aid Societies doubled. According to the report, *Child Welfare Transformation 2005*, Ontario spent over \$ 1.1 billion a year on direct child welfare services, twice as much as the state spent in the late 1990s (Ontario Ministry of Children and Youth Services, "Child Welfare Transformation" 3). The rise in child welfare funding over the last decade and particularly during the 2008 economic downturn, raised concerns about the sustainability of child welfare services (Commission to Promote Sustainable Child Welfare 5). To address this financially unsustainable trend in child welfare, Ontario's vision for child welfare in 2005 reflected a more balanced position between protecting the child and preserving the family (Commission to Promote Sustainable Child Welfare 6). Government funding estimates for the fiscal year 2010/11 indicated the Ontario Children's Aid Societies would spend more than \$1.4 B to deliver child welfare services (Commission to Promote Sustainable Child Welfare 5). By 2015-16, CAS budget allocation was over 1.4 billion and has essentially flat lined since 2013-14, when the ministry introduced a new funding model to support a significant transformation of Ontario's child welfare system (Ontario Ministry of Children and Youth Services, "Children's Aid Societies"). While 40 percent of total CAS costs are for in-care services, such as foster and group care, 60 percent of the funding costs support child welfare work with children in families (Commission to Promote Sustainable Child Welfare 30). Ontario's vision of child welfare outlined in its 2010 report "Towards Sustainable Child Welfare in Ontario," is a sustainable child welfare system that is "child-centered, fully integrated and balanced between the protection of the child and the preservation of the family" (Commission to Promote Sustainable Child Welfare 7). At the core of the Ontario's vision is the

belief that “early intervention will reduce the need for more intrusive and costly public services later and lead to better outcomes for children and youth” (Ontario Ministry of Children and Youth Services, “Child Welfare Transformation” 2). Sadly, in Julianne’s case early intervention did not happen.

Ontario’s vision also recognized the urgent need to work with Indigenous communities given the colonial legacy of residential schools in the 1960s and 1970s and the special circumstances of Indigenous children, youth and families (Commission to Promote Sustainable Child Welfare 8). Notably, funding inequities marginalize on-reserve children in Ontario. While the Ontario Ministry of Children and Youth Services fund most CAS agencies, on-reserve child welfare agencies are federally funded. In 2016, Cindy Blackstock, executive director of the First Nations and Family Caring Society, won her human rights case against the federal government for inequities in state funding. Claiming racial discrimination in social investment by the federal state for child supports on Indian reserves, Blackstock’s case revealed federal government funding for child welfare on reserves is 38 percent lower than off-reserve child welfare provided by provincial governments (Fontaine). This federal underfunding not only compromises child wellbeing and child rights of Indigenous children in Ontario and beyond, but less funding for family support means more Indigenous children end up in the child welfare system (Fontaine). Furthermore, while off-reserve child welfare agencies may benefit from provincial and municipal funded programmes, provincial or municipal governments typically do not provide any services on-reserve, thus limiting on-reserve social programmes to those solely funded by the federal government (Blackstock and Trocmé 28).

Despite Ontario’s vision to balance between the protection of the child and the preservation of the family, the loss of family preservation programs in northern and southern

communities has severely impacted families there. A social worker's perspective highlights how recent funding cuts in northern Ontario resulted in the elimination of a family preservation program in 2009/10.

*CAS had a family preservation program...CAS is about child protection, it is not about family preservation. It [the family preservation program] probably started very small...which grew into something rather formidable – six person team that commanded the family preservation program...One of the workers said she had been there for ten years...CAS went through some cuts...I am assuming that that had a lot to do with the shortage that CAS was finding in funding. The four people at the top of the ladder still got their bonuses that year and their pay raises but they didn't have the money to fund the family preservation program anymore...it got cut. (personal communication)*

Funding cuts to services in northern Ontario providing child supports to a predominantly First Nations/Metis population are particularly concerning. With fewer programs, families and children are more likely to be placed in foster care and group homes far from their communities. A southern Ontario agency also experienced the negative effects of funding cuts over the last few years, as this social worker elaborates.

*At my agency, we lost funding this past year [2015]. So the government did not add any more money for CAS in Ontario. They redistributed money to agencies. So where they felt there was population growth they gave more money to those jurisdictions...We lost a couple million dollars...And the result of losing that money? We lost two really big key programs- we have a parent support and family support program where we have workers who go into homes once a week to help with parenting and childcare supports. On the ground, in the home that supports the family to stay together. That gives parents skills*

*and helps protection workers that there is an added piece of safety...as child protection workers we go in and we assess risk. Is that all we are back to doing now? Because I thought we shifted from the risk assessment piece of child welfare to that strength based supporting families thing. It is like, losing those resources takes us back to the risk focus, not strengths. (personal communication)*

This worker is frustrated that state funding cuts resulted in the loss of key family preservation and strength-based approaches in child welfare work that supported families and their safety. This state trend to narrow, risk-based approaches in social work that are more intrusive and punitive is troubling.

## **2. Prioritizing the At-Risk Child**

The Ontario Association of Children's Aid Societies (OACAS) claims it prioritizes child well-being and safety. As the organizational voice of child welfare in Ontario for over 100 years, OACAS promotes the welfare and well-being of children, youth and families through advocacy and government relations, public education, training, information and knowledge management, and event planning (OACAS, "The Voice of Child Welfare"). Representing the CAS societies, OACAS works closely with the Ontario government to promote child protection and well-being through the development and response to legislation, standards, policy, regulations, and contentious issues and review mechanisms. Additionally, OACAS proactively makes presentations to the legislature on a non-partisan basis through standing committees/house debates and meetings with party caucuses. A voluntary board of directors governs OACAS, which works with the member CAS agencies, communities and government to bring positive change to child welfare services.

In the VAW sector, the Ontario Association of Interval & Transition Houses (OAITH) is the provincial organization representing a coalition of first stage emergency shelters, 2<sup>nd</sup> stage housing organizations and community-based women organizations working towards ending violence against women (OAITH, “1990-2015”). Founded in 1977 when there were ten women’s shelters in Ontario, OAITH’s membership has grown to include 96 emergency violence against women shelters, partially funded through the Ministry of Community and Social Services (OAITH, “1990-2015”). Governed by a volunteer Board of Directors, OAITH’s mission is to promote systemic change to end violence against women and their children, through advocacy, collaboration and education. In partnership with community stakeholders, OAITH uses anti-racist/anti-oppression training, violence against women education, advocacy, public awareness and government relations to achieve these ends (OAITH, “1990-2015”).

While the two associations perform the similar work of training, advocacy and public policy development in their respective sectors, provincial funding for these two associations reflects the state prioritizing of the child in Ontario policy and government relations and the loss of the feminist voice concerned with violence against women with children. In 2012, OACAS received provincial funds of \$4.9 M to sustain their operations that by 2015 increased to \$6.9 M (OACAS, “What We Do”; “OACAS’ Annual Reports”). In sharp contrast, the Ontario Association of Interval and Transitional Housing (OAITH) currently receives no stable yearly government funding to support the organization’s day-to day work, policy development and government relations. While OAITH secured funding in late 1981 from the Status of Women Canada to hire its first full-time Coordinator (OAITH, “1990-2015”), ongoing federal funding cuts to the Status of Women Canada over the last several decades affected funding to provincial associations, such as OAITH. State defunding undermined the legitimacy of the feminist voice

for women's equality and anti-violence advocacy at policy tables and beyond. Currently, OAITH relies heavily on membership fees to sustain their operations. According to OAITH's 2015 annual report, membership fees were supplemented by \$200,000 grant monies from Ontario's Women's Directorate earmarked for training, a two-year sponsorship from the Ontario Nurses Foundation and a donation from the Ontario Provincial Police Association (OAITH, "1990-2015"). The recent implementation of a virtual office to reduce the organization's expenses is further evidence of the financial constraints in which OAITH operates, potentially limiting OAITH's voice and presence at provincial tables, its research capacity and community and government profile (OAITH, "1990-2015").

Despite the rise and dominance of the child welfare state, child welfare systems are failing children and families, according to several senior managers and workers working in child welfare agencies who are speaking out publicly about systemic oppressions within child welfare systems. Acknowledging how 90 percent of the families the agency serves are poor, Kenn Richard, the executive director of Native child and Family Services of Toronto identifies "the disconnect between child welfare and the broad issues of poverty and marginalization...where the state intervenes on behavior associated with poverty but never gets to the poverty itself (Contenta et. al., "CAS Study" A1). Concerned about the numbers of children apprehended into state care, another executive director recommended that rather than removing children from families, that child welfare agencies help and work with the families while ensuring the safety of children (Contenta et. al., "CAS Study" A1). As a social worker reveals in her work with families in a community agency, inflexible and oppressive child welfare systems are compromising their capacity to work with families. "We (the child and family services agency) work closely with CAS and that is a headache... a big, big, headache and you feel, powerless, absolutely powerless, in trying to make change within CAS" (personal communication).

State funding inequities exacerbate increasing tensions between the two sectors set in motion with the neoliberal turn to child-centric policies and the increased legislative authority of CAS. Some research highlights how policy changes to support inter-sectoral and inter-agency collaborations between CAS and VAW are working better to “promote the best interests, protection and well-being of the child” through improved communication and knowledge sharing across sectors (Jenney et al. 4-5), growing tensions exist between the CAS and VAW sectors. Many of these tensions, existing between the two sectors during the 2002/3 province-wide negotiations of the CAS/VAW agreements, were highlighted nine years later in a 2011 Ministry of Community and Social Services (MCSS) consultation report (Ontario Ministry of Community and Social Services 5). Participants in the MCSS consultations acknowledged the ongoing challenges and differences between the CAS and VAW sectors such as “philosophy, mandate and approach to service; relations between sectors; training issues; implementation challenges; reporting issues; needs of Aboriginal women; and needs of francophone women” (Ontario Ministry of Community and Social Services 5).

Cross-sectoral tensions between CAS and VAW agencies flared in collaborations when the interventionist mandate of CASs clashed with the values and waged work performed in the VAW sector. The prioritizing of child protection and safety in cases of violence against mothers ensured the dominance of an oppressive child welfare state, while undermining the anti-racist/oppression work performed in the violence against women sector. For instance, one manager expressed concern about the CAS mandatory requirements that abused mothers attend a voluntary program offered by an agency to support women fleeing violence.

*We offer for the past number of years an introductory group mostly for women who are referred by CAS who really don't want to be here. We do twelve sessions, psycho-educational, so it is not therapy and we are giving them information. We are looking at*

*designing all that stuff...We are designing again, redesigning a voluntary program for women who are not voluntary...I think we need to take a step back here. ...Are we saying by doing this that we know better than her, what it is she needs? Is that what we are doing here? We need to talk about that. (personal communication)*

Mandatory CAS child protection work unduly burdens mothers fleeing violence. Reflecting the different values and philosophical approach between CAS and VAW, a manager comments, “abused women need support, they need consciousness-raising, they need empowerment, they need resources”...not mandatory programs that “say you [abused mothers] are the problem” (personal communication). When the CAS’ child-centric mandate clashes with programming and services of non-CAS agencies, the priority of child safety trumps an abused mother’s right to decide if she needs help.

These sectoral tensions are also evident in the waged work performed by workers on the front lines of child and family welfare. Another worker highlights how the mandatory CAS requirement of mothers to stay at a shelter has compromised the support and safety work provided by the staff.

*I see CAS sending women here and they don’t want to be here. They don’t even want to leave their partner, they still want to make it work. They are forced to come here. Whether they want to or not, they are mandated here...if you leave [the shelter], your children will be apprehended. Oh yeah...that is a biggie. They [CAS] have a lot of power yunno. That’s happened before. I see women here only because they want their husbands to get help. They call here because maybe he’s been threatening or he has done something wrong...something violent for sure but the kids are in the crossfire...sad. They come here and they don’t want to work with us. (personal communication)*

### **3. Gender and Race in Culturally Sensitive CAS/VAW Welfare Policies and Practices**

The child welfare state has been under scrutiny for the over representation of First Nation, racialized and poor children in state care. Eurocentric notions of child development have further marginalized their families where violence exists. These children have historically been overrepresented in Ontario child welfare systems, but with the recent focus on children witnessing violence, their numbers have skyrocketed. Speaking out against this, the executive director of the Association of Native Child and Family Services asserted the child welfare system is failing children (Contenta et al., "CAS Study" A1). Ontario's Aboriginal Advisor highlights the different kind of assimilation taking place, referred to as the "Millennium Scoop" (Ontario Ministry of Child and Youth, "Children First" 1-2). According to the 2009 Ontario report "Children First: The Aboriginal Advisor's Report on the Status of Aboriginal Child Welfare in Ontario," while Aboriginal people make up about two percent of the province's population (Canada, 2006 Census), Aboriginal children in state care represent an estimated 10-20 percent (Ontario Ministry of Child and Youth, "Children First" 1). African Canadian children are also overrepresented in state care. While eight percent of children in Toronto are Black, 41 percent of children in state care are Black (Toronto Star). The executive director of the African Canadian Legal Clinic blames the disparity of black children in child welfare systems "on the harsher lens children's aid societies use when investigating black families" (Contenta et al., "CAS Study" A1). The project, One Vision, One Voice, funded by the Ontario Ministry of Children and Youth Services through the OACAS, is developing a strategy to improve outcomes for African Canadian children and families who are overrepresented in the CAS systems (OACAS, "One Vision One Voice").

At the provincial policy level, culturally sensitive CAS/VAW collaborative agreements have been developed to address the Eurocentric bias of standards of childcare in child welfare

work. For example, in 2004 when the province developed and implemented many standardized CAS/VAW agreements, First Nations communities developed culturally sensitive agreements to address the history of dominance of white Eurocentric values and practices in child welfare interventions and approaches. In Indigenous child welfare, decades of leadership and future directions have begun a long process of destabilizing and undoing euro-western values in child welfare policies that violate Indigenous ways of caring for children (Blackstock and Trocmé). In Ontario, child welfare legislation recognizes Indigenous-specific standards of care. For example, culturally-specific requirements support the best interest of the Indigenous child. For example, bands must be notified of court or placement of an Indigenous child, bands must be involved in the submission of cultural connection plan for a child, and connections must be made to Indigenous culture (Sinha and Kozlowski 10). Additionally, case management and service planning for Indigenous children in state care requires Indigenous involvement, with a prioritization of kinship care (Sinha and Kozlowski 10).

While culturally sensitive CAS/VAW agreements can provide a level of resistance against the oppressive interventions of the child welfare state, on-reserve services present challenges for Indigenous mothers seeking violence-free lives in these close-knit communities where abusers and close relatives reside.

*In our community, CAS can't just come on reserve and talk to parents. Our first nation has asserted jurisdiction and they have to go through a child and family worker from our community. The child and family worker in our community is a close relative of the abuser. So ...there is not going to be unbiased help there. So, when I go to Children's Aid now, I don't have that protection anymore. So I had to waive my rights as a First Nation person so that I could keep that confidentiality...So now, CAS can come and seize*

*my kids anytime they want. And they have a lot of power. They have more power than the police. They can come on reserve and seize my kids and the Police can't stop them. That is how much power the CAS has. So I had to diligently over the last couple of years....build a relationship with them, so they can understand the dynamic of my situation. And the vulnerability I was in, and the manipulative way this family operated. Well, I don't think I am supported but I think they (CAS) understand the situation, because I went to them enough times. I insisted on regular visits. So once a month I would go there and I would visit and update my file, so they could see how I was taking care of my kids. (personal communication)*

The mother gives up her First Nations rights to native CAS services. She proactively engages with non-native CAS services off reserve to protect her child from abuse because of the gender discrimination she experiences on reserve.<sup>1</sup>

Racial and cultural discrimination against Muslim women seeking violence-free lives through services provided by mainstream VAW shelter and CAS agencies also raises concerns in the fast growing Muslim communities in Ontario. Researchers criticize feminist workers in shelters who feel the need to rescue so-called oppressed Muslim women, which reinscribes dominant islamophobic notions of Muslim culture and Islam as rooted in violence and terrorism (Milani 66). Milani argues that Muslim cultural norms should not be barriers to Muslim women accessing services but rather resources for change (Milani 16). For example, support for Muslim women and their families requires a nuanced understanding of how Muslim women's experiences of abuse by male partners and, in many cases, by mother-in-laws are embedded in collectivist societies where honour and shame about violence is experienced within the

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<sup>1</sup> It is unclear if this woman is renouncing her Indian status rights or her rights to native CAS services to protect her children from abuse.

immediate family, extended family and faith community (Milani; Bhatt). Milani's research also flags how police involvement in cases of violence in Muslim families is often problematic, as many Muslim families, coming from war torn countries and refugee camps have lived with state violence, have developed a higher tolerance for violence, and distrust and fear police (56).

To address these issues, a Muslim community agency in Ontario adopted culturally sensitive collaborative agreements similar to those developed by many First Nations communities. For example, the protocol between the agencies requires a Muslim community worker accompany a CAS worker when addressing violence in a Muslim family. As a Muslim worker's narrative reveals, the broader Muslim community often fully engages to meet CAS requirements to keep children safe.

*I remember we had a case, she [abused mother] was somewhere from Africa, so we were doing rounds to help supervise the kids. It was not easy, because CAS, Children's Aid wanted 24 hour supervision. Mom was there with the kids, but she was a single mom...her husband wasn't there, but there was issues with the kids. She had about four children, and three of them were all school going. They had come from a war-torn country too. So we [the Muslim community] provided 24 hour care...it took I think until she was able to understand how things work here...months yes, months...we used to volunteer our shifts. Someone would cover these days, evenings it was draining for her. It was like the language barrier too...not knowing and she had come as a refugee...we had to find somebody from Toronto, to speak that language. It was very hard to find that dialect that she spoke...I used to teach her how to take the bus...I never took the bus here, so I learned with her. (personal communication)*

This Muslim worker's experience raises serious questions about the unrealistic expectations of CAS for Muslim women, who face language and cultural barriers as well as domestic violence. Her experiences with this family also flag the complexities of the Muslim community, challenging homogeneous approaches to the safety and well-being of Muslim women and their families.

More troubling is how child welfare practices reflect gender and racial discrimination against Muslim beliefs and practices, as revealed by a Muslim worker.

*So, in the children's Aid, always they send men to the woman, if you notice that. Always, the caseworker for abused mom, that client is woman, they send a man. And for the man, they send a woman...three cases that is what happened. They are so generous and so polite, when I explained to them... I think that it is not for Muslim women or Muslim cases, they say, when they send a man to the case for women, especially if she is abused from husband, the man, the caseworker man is going to be more understand her feeling. He is going to help her more. That is what they told me...The woman is going to be like, more tough with the woman...that is what they say...so I talked to them and said...I just want to explain something about our religion. So it is not allowed...And in Islam it is not allowed [for a Muslim woman to be alone with a man]. So they [CAS] understand, they change it. And you know, it is not accident. Both of the cases, the husband jealous. So how come you send a man when a husband is so jealous. It's going to make the problem grow and grow and grow. (personal communication)*

While women workers predominate on the front lines of child welfare, the consistent CAS practice of sending male CAS caseworkers to the homes of Muslim women where violence exists exacerbates gender relations for Muslim women. This is problematic for Muslim and non-

Muslim women who bear the brunt of violence from jealous male partners. However, within a context of rising islamophobia, the state practice of sending male workers to protect Muslim families where violence exists reifies dominant notions that the Muslim culture and Islam is rooted in violence and terrorism.

#### **4. The Gendered and Racialized Science of Child Risk and Mother-Blame**

The science of child risk is central to the neoliberalization of child welfare work. During market uncertainties and financial instabilities within the economy, “the success of the neoliberal state and its politics depends in significant ways on belief in scientific certainty and the control and order that can be imposed through such convictions” (Swift and Callahan 7). Noting the discursive shift from need to risk in neoliberal societies, Vandenbeld Giles identifies how the risk ethos has infiltrated everyday discourse of public policy where success is determined by effectively identifying risk rather than identifying need and addressing social inequalities (“From Need to Risk” 113). In a declining welfare state environment, critical social work scholarship acknowledges a substantive shift in child welfare where the larger societal goals of redistributing wealth on the basis of need have been displaced by the narrow social goals of minimizing danger for children (Swift and Callahan 12).

The state’s reliance on the science of risk and the measurement of risk in child welfare exacerbates social injustices for the mothers and families. This measuring retrenches gender, race and class inequalities (Swift and Callahan 12). Objective risk assessment models endorsed by the child welfare state are predicated on the science of Eurocentric child development standards of care, not easily met by low-income racialized mothers and their families fleeing violence (Swift and Callahan 12). As Swift and Callahan note, “the social and economic circumstances in which these parents must operate are, as in the past, mostly excluded from

consideration as risks to the safety of children” (141). Rather than identify and attend to the gendered and racialized structural and systemic barriers to violence-free lives, these scientific risk models legitimize narrow notions of child well-being as child protection and safety.

The science of child risk has its early beginnings in the late 1990s/early 2000s when child welfare state interventions escalated (Swift and Callahan 6). The Ontario Risk Assessment Model (ORAM), a significant aspect of the 2000 child welfare reform package, was developed and introduced by the state to structure and standardize the approach to case decision-making about children at risk (Ontario Ministry of Children and Youth Services, “Child Welfare” 4). Since the introduction of ORAM models, the numbers of children in state care in Ontario more than doubled from 11,260 in 1997 to 27,816 in 2007/08 (Swift and Callahan 185). Within the neoliberal climate of child rights and child protection, where front line workers are increasingly responsible for the safety and deaths of child, the tendency to score to protect children is unsurprising. When child risk is identified using these models, some action or intervention is expected. This forces workers into more action-required work and heavier and heavier caseloads with limited resources, funding, and time (Swift and Callahan 182). Swift and Callahan contend the surest and perhaps most expedient way to reduce risk for children is to remove them from families (182).

Ontario’s Child Welfare Transformation 2005 report confirmed these troubling high numbers of families referred to the child welfare system since the implementation of ORAM, raising concerns about the fiscal sustainability of the child welfare state (Ontario Ministry of Children and Youth Services, “Child Welfare” 8). To address this fiscally unsustainable trend, a differential response model was under development in 2005 to replace the Ontario Risk Assessment model (Ontario Ministry of Children and Youth Services, “Child Protection” 3). The

new assessment approach, introduced as part of the 2006 Transformation Agenda, is more flexible and allows for a differential response, which combines the use of a risk assessment tool known as the Eligibility Spectrum and other supplementary tools. It assesses a family's strengths and needs and determines what level of intervention is needed (OACAS, "Ontario Child Welfare"). The Eligibility Spectrum was included in the Risk Assessment Model for Child Protection in Ontario, issued in October 1997. With minor revisions to meet legislative standards and revised agendas, all Children's Aid Societies in Ontario consistently use this approach, since August 1998 (OACAS, "Ontario Child Welfare" 130). The central change in this model is the shift to a more family-centered and collaborative approach to child welfare for lower risk children. Severe cases, which require forensic investigations (such as criminal assault), will continue with the traditional approach of the more-intrusive ORAM eligibility tool. For lower risk cases, the customized and more collaborative approach advanced by the differential response model is used (Ontario Ministry of Children and Youth Services, "Child Protection" 2, 8). The differential model's goals maintain a strong focus on child safety, well-being and permanence; a family-centered team decision-making model; building on existing strengths and increasing family capacity; and the provision of more case-sensitive, customized care responses for referrals of non-severe situations. These goals have not been fully realized, as the experiences of social workers and managers reveal later in the chapter (Ontario Ministry of Children and Youth Services, "Child Protection" 2).

Motherisk testing was another tool in the risk assessment tool kit for that increased state interventions into the most marginalized families. The think dirty politics influenced the Motherisk D Testing Laboratory (MDTL) at Toronto's Hospital for Sick Children to focus on child abuse and, as the lab's name suggests, risky mothers. Funded by the state in 1985, MDTL

was recently exposed for its scandalous testing operations that fell woefully short of internationally recognized forensic standards. An independent review of the Motherisk D Testing Laboratory conducted by Justice Susan Lang in 2015 revealed the hair-strand drug and alcohol testing used by MDTL between 2005 and 2015 was inadequate and unreliable for use in child protection and criminal proceedings (Lang). The review discovered that none of the research or clinical toxicologists had formal training in forensic toxicology required for child protection and criminal proceedings, oversight of lab technicians was lacking, staff failed to wash hair samples routinely before analysis, and the record keeping was inadequate (Lang).

How many children were falsely apprehended and placed in state care because their mothers fleeing violence failed the Motherisk test? According to the Independent Review, Ontario child protection agencies requested more than 1,500 Motherisk samples in 2005, and MDTL tested over 16,000 individuals at the request of Ontario child protection agencies between 2005 and 2015 (Lang). First Nations, racialized and low-income mothers were most likely the primary targets of this test as these children are disproportionately represented in the child welfare system. Furthermore, a second review of Motherisk tests between 1990 and 2015 is now underway. It has flagged racial discrimination, giving particular consideration to Indigenous and racialized communities to allow for their meaningful participation in the process (Gallant).

Ontario child protection agencies used Motherisk tests to confirm suspicions of drug and alcohol use, to obtain an accurate level of use, to monitor levels of drug and alcohol use over time, and to measure the exposure of children to drug use. The state also used Motherisk's testing to assess compliance with terms and conditions for access to a child and as a term of a court order (Lang). This testing was broadly and inconsistently applied to mothers in the child welfare system, many of whom were not suspected of substance use. Lang's report revealed that

child welfare agencies coercively used the so-called scientific tool to compel a parent or caregiver to consent to agency intervention, including a temporary care order and to test a caregiver's credibility. For example, if a mother did not agree to the test, the child welfare state assumed that she was hiding a drug/alcohol problem and therefore not fit to parent.

Additionally, mothers were often required to take multiple tests over many months and years at each stage of child protection proceedings, increasing state interventions on an ongoing and long-term basis.

Other sub-standard practices of Motherisk further reveal the child welfare state's blatant disregard for the rights of children and mothers, and the breadth and depth of social injustice they perpetrated against marginalized mothers and their children. For example, according to the Independent Review, agencies relied on inadequately communicated test results from MDTL to intervene in families (Lang). MDTL regularly sent bare test results without providing an interpretation of the data, often provided interpretation on the phone, not in writing and made repeated interpretation errors when reporting on its results for cocaine and cannabis, two of the most common drugs for which the lab tested (Lang). Additionally, the review revealed that some child protection cases gave the hair strand test heavy weight, suggesting a level of unfairness in those proceedings. One child protection agency defended its position in the review noting "several other factors, such as the state of the home, the demeanor of the parents, the parents' overall health, the child's functioning, attachment and development were weighed in decision making"(Lang). The Lang review concluded child protection agencies gave significant weight to the hair strand drug and alcohol test, sparking a recommendation for a comprehensive Second Review of all child protection cases with Motherisk tests from 1990 to 2015 (Lang).

While the government closed Motherisk testing in spring 2015, the aftermath of fifteen years of Motherisk testing has far-reaching and devastating consequences. The legal process of righting a wrong unfolds in the Second Review of the Motherisk testing, impacting the futures of thousands of children, their mothers and families followed by child protection agencies.

According to the Second Review public notice, any potentially affected person should be able to initiate a request for a review. This includes any parent who had an MDTL test and has a child who is no longer in her or his care and any child who has not yet been placed for adoption or the adoption has broken down (Lang). Some mothers, whose children have not been adopted, may be reunited with their children. Other mothers, whose children were adopted, will not be reunited with their children and suffer their loss for a second time. Vulnerable children in state care will again experience trauma, attachment problems and instability as their lives are disrupted. In the long process of identifying these children, thousands of families, including temporary foster and adoptive families will suffer through a reunification process, as children are separated from current caregivers and adoptions are on hold.

##### **5. The Gendered Business of Social Work: Taking the ‘Care’ Out Of Waged Labour**

Increasingly under fire for the deaths of children in state care, the widespread reliance on risk tools as objective and scientific has legitimated child welfare practices (Swift and Callahan 216). The science of risk assessments lends authority to low-ranking child protection workers, mostly women, who often must interact with physicians and judges on the high end of the professional hierarchy (Swift and Callahan 217). Through discourses of safety and abuse, objectivity, risk management, and standardization, neoliberalism is infused across the spectrum of human services in social work (Macias 256). They effectively turn social work into a tool of neoliberalism (Macias 252). Government budgets reoriented social service toward corporate

models of cost-effectiveness, toward a heavier reliance on evidenced-based practice models, and towards deliverable outcomes (Macias 252). This clashes with case-sensitive, customized care goals of the differential response model. A social worker in child and family services for over five years shines a disturbing light on this.

*Well, originally they were using you know skills, qualities of human therapists and social workers as a form of helping children and their families. But the government wants to see numbers and proof that you know...what you are doing is effective...so they were turning to evidence-based research. There is a huge broad range of research that says CBT [Cognitive Behavioural Therapy] is effective when working with depression...Cognitive Behavioural Therapy...and they wanted this to be very manualized and structured...do this, do that...and once we operate like that, then we can get the funding we need from the government and give them the proof. And we can also do the research and say ok, this is how they work with families. In the beginning, they were experiencing conflict and they quantified it and then we intervened with CBT or MST or one of those manualized therapies or interventions. And then we will see after just how they are doing and we will quantify that, the outcome and then we will send all this research to the government and say, heh, we used all this evidenced-based strategies and it is working well for us, and this is how it is going. Here you go and here is the research. Give us more money...and that is clinical transformation. They called it clinical transformation. (personal communication)*

According to this social worker, the heavy reliance on quantitative, evidence-based, scientific models and the business of outcomes in social work is more about research and funding dollars and less about customized care to meet the individual needs of families.

As the state downloads these business models, social work is increasingly organized around the principles of cost-efficient, standardized approaches in their business and operating practices (Macias 256). A manager and a front-line worker share similar concerns about this trend in social work to business models.

*Bureaucratic personality thing...everybody is so busy...everyone needs to get their work done. People might be frustrated because the clients complained, because she [mom] was late last week...Where is the client's frustration coming from, but also the work is frustrating...deciding to work within a system with all that pressure and how does a person maintain their compassion and humanity. So all those small things are important.*  
(manager, personal communication)

*I think what most people across the [CAS] agency would say is that our agency is run like a business. It is not run like a social service organization. It is across the board with social service organizations. They are like mini-businesses. I think we would all complain about that. And even like the way our HR department works. I think I feel like no one really pays attention to how hard we are working in the field...how emotionally draining it is...how overwhelming it is to balance it all. Instead, it comes down to make sure your paperwork is in order because if it's not and you miss something that doesn't meet the standards, you are gone.* (social worker, personal communication)

Such bureaucratic realities in waged caring labour, removes care and compassion from social work.

Managerial technologies that minutely regulate social work practice, processes and outcomes, remove the discretion and decision-making power from the hands of social workers.

The experiences of two social workers call into question the “family-centered, team decision-making model” espoused in the state vision of child welfare, mentioned earlier in this chapter.

*The child welfare system...It's the McDonalds's of child welfare. Really broadly...I mean, I worked with CAS...I worked in schools. In this job, yes, I spoke to workers in other agencies and from my experience, the overall atmosphere is “efficiency” and like, get them in the door and get them out the door. And if I can't help them, pass them over there...as in let's get them in, let's process them through, let's get them out. And if they are not helped within the six month period of time, send them off to someone else. Let them deal with the problem. (personal communication)*

*You know, we need a sense of the human to touch our work. If I put myself in the person's situation, what I should do to help this person, right? Like, they [CAS] do it as one, two, three. They are not jumping from one to three, we have to follow the orders and if you notice like, all the matters here...they follow, it is one, two, three... no they are not going to jump to three. They have to do that two. It is like a robot. So we have to add the feeling touch to the cases... They [CAS] follow the rules as the robots. (personal communication)*

A social work practice based on business efficiencies and managerial standards moves families through a system, compromises social worker and family relationships, and limits a team-based approach across agencies.

Particularly troubling is how child protection work often restricts workers from offering care and support to mothers. In Julianne's case, social workers failed to respond to her requests for support for her troubled child experiencing abuse when on visits with her father. Child protection work narrowly focused on the child limited this CAS worker from providing broader support work with the mom/family. As her narrative reveals, the agency considered providing

legal supports for a mother outside the job description narrowly focused on the child. This CAS worker experienced disapproval from the manager when she supported a mother at court.

*I spent an entire day at court with this mom because she asked me to. And I think most people would say, who else can come with you, who else can be a support to you, because we are so limited in the time that we have. We can't always do that...it is not our [CAS] mandate]. I remember when I did tell my supervisor that that was something that I did, after the fact. His face was one of shock and disapproval. And he didn't say anything to me directly. But I could tell through his mind, he was probably thinking "she could have spent the time catching up on her paperwork that she is so behind in"...I knew that if I did [ask for permission in advance to support the mom] he would probably would have said, "that is not your role." (personal communication)*

## **6. Objectivity and Bad Mothers**

A goal of neoliberalism in social work is the elimination of personal and cultural bias through regulating practice based on the creation and maintenance of objective and unbiased standards and definitions (Macias 257). As Macias' research highlights, neoliberal discourses are embedded in white, middle-class and heteronormative values and then disguised under apparently objective and value-free institutional definitions and practices (257). In child welfare work, the trend to objectivity is evident in the predominance of gender-neutral language in contemporary child welfare policies and unaddressed hierarchical relations of race, class and gender, deeply embedded in child welfare policies (Strega et al.). Regaining prominence as the "underlying theoretical basis for child welfare practices and social work research, are so-called 'objective' scientific theories of the animal kingdom, such as ethological theories, attachment theory, and role theory that retrench the euro-centric science of child development as mother

work within heteronormative families” (Kufeldt and McKenzie 571). Similarly, child welfare policy embedded within a child rights framework advancing the best interest of the child consistently employs gender-neutral language of parenting for childhood disadvantage (Covell and Howe, “The Challenge” 2-3). This masks the explicit targeting by child welfare of marginalized mothers, particularly racialized, low-income mothers fleeing violence.

How does child welfare policy reproduce gender inequality? Child welfare keeps child protection/welfare files under the mother’s name; and even when fathers are present in the family, child welfare often leaves them out of investigations and service plans (Strega, qtd.in Swift and Callahan 139). In an Ontario child and family agency that actively supports both mothers and fathers, one manager claims that fathers represent only ten percent of the parents they serve, while noting the level of father involvement is high by child welfare standards (personal communication). This sheds light on why the mothers in chapter four experienced the heavy burden of child protection work and state interventions. Feminist scholarship is critical of child welfare policy where mothers are blamed for the problem of children’s anti-social behaviour and the rights of children are pitted against the rights of mothers, most harshly realized by women who are mothering under duress ((Lister 327; Greaves et al.). These policies increasingly flag mothers as at risk because the mothers have a mental illness, or a substance abuse issue, or where domestic violence is present (Greaves et al.). Arguing that the mother-child unit “deserves a set of rights that is more than the sum of the rights of the fetus/child and the women/mother,” feminist scholarship advances the best interests of the child are with the mother and a mothering framework should guide future welfare policies (Greaves et al. 114). In bringing a social justice lens to child welfare, critical social work research identifies how gender bias manufactures bad mothers, with their focus on the poor and their parenting, always paying

particular attention to mothers and their behaviour (Swift and Callahan 138; Swift). A seasoned social worker with over fifteen years of experience in child welfare work offers insights into how social work produces bad mothers.

*There is less blaming of moms with some workers, some who really get it and then, if you don't get that worker though, then you have "it is mom's duty to keep that child safe." If you are familiar with violence against women, moms go to incredible lengths to keep their children safe. It may not be what people in average society understand, who don't understand about abuse or violence, but people that really get violence against women and children, get it...and know what lengths they go to. It may not seem like a big thing, it may seem like they did something that might be out of the ordinary but they did it usually to protect their children. It is very, very few women I meet, and I have dealt with a lot of women, that don't go to lengths to protect their children. And I can say that honestly.*

(personal communication)

Failure to protect policies perpetuate gender and racial inequalities. Originating from the Child and Family Services Act (1990), these policies state that protective intervention is required when a child has suffered harm or is at risk of harming as a result of her/his parent's failure to adequately care for, provide for, supervise or protect the child (Strega and Janzen 15). Child protection systems where disproportionate numbers of Indigenous, racialized, poor and vulnerable women are impacted advance oppressive Eurocentric notions of the family (Strega et al. 22). For example, failure to protect policy fails to acknowledge community-caring systems in child welfare for Indigenous peoples (Strega et al. 13). Failure to protect policies in Ontario do not hold abusive fathers/parents accountable for protecting children (Strega and Janzen). While statutory and policy changes could require CAS engagement with abusers and perpetrators of

violence against children, research shows that established traditions of mother-blame and father-invisibility in social work are highly resistant to change (Strega and Janzen 67). Instead, social work scholarship recommends the abolishment of failure to protect child policies because they hold mothers responsible for the impossible task of controlling her partner's violent behaviour, including preventing abusers from returning to the home (Maiter et al. 138-139).

Abolishing this policy potentially relieves mothers of the responsibility of protecting children from abusers, but the critical issue of state supports for fathers/abusers remains unaddressed. Single fathers who want to be actively involved in their children's lives are neglected in state systems when seeking parenting supports. Furthermore, the absence of fathers as caregivers in child welfare practice is particularly troubling when fathers and abusive partners use legally binding child custody, access and visitation orders to continue their abuse, as Julianne's story so tragically highlights. The number of women and some children killed by abusive partners during child access visits underscores the important role and responsibility the child welfare state has in including abusers/fathers in their practices. Many mothers in the research, who spoke out about how the child welfare state minimized and often failed to respond to their safety issues about the abuser. The exclusion of abusers/fathers in child welfare policy and practice is a serious safety issue. Furthermore, failure to actively involve fathers/abusers in child welfare systems fails children as mothers, like Julianne, have little recourse when attempting to address their child/ren's revictimization by abusive dads. Sadly, the heavy burden of safety falls to the child, when fathers' abusive ways go unaddressed. A social worker speaks out about the non-responsiveness by CAS to reports about ongoing father abuse of the child during access visits.

*When they [children] have access with dad, and moms are concerned about the intimidation and manipulation, more emotional and mental abuse of the child, in these visitations...CAS deems it a separation/divorce issue. It is no longer a violence against women issue. And moms report, I will report, counsellors will report, therapists will report concerns. Dad is questioning the child. Dad is using scary language. Then I have to do a safety plan which I often do with many children, and it is not even a lot of physical ...Some of the safety planning is as simple as, when dad is saying “you are a big fat slob and you need to lose weight” to an eight year old girl...it’s going to the mirror and saying “I am beautiful” and coming up with coping strategies that a child can use so that they can still safeguard themselves...and survive a dad visit. (personal communication)*

These practices mask how social work sustains racial inequalities and harms many culturally different families. A social worker reveals the impact of standardized approaches in intervention strategies.

*I was pretty vocal during supervision...and I think it was great because prior to me coming there, there was such a...like quietness and hush hush and covertness and I couldn’t understand what was going on at that time, the way supervision worked. We would sit with four or five other therapists and the supervisor, who was a social worker and then we would have the 1-hour supervision meeting. And then...you’re going to love this....then, we called a consultant, who worked in evidence-based multi-systemic therapy, and the consultant actually was just down the hallway, in her room, with the door locked but we had to talk to her via phone...because it was the protocol of the organization....so she had to be the neutral, objective voice that gives direction, that we*

*received by conference call. And her main intervention strategy was rules, rewards and consequences. That was it. That was what we were to do with families. Just help them learn about rules, rewards and consequences and implement this within the home. But to me, I saw so many...that this intervention strategy, you know, presented itself as harmful to the families that I was working with. Culturally it didn't mesh with a lot of people...and it was taking the humanity out of the work. It was taking intuition and gut instinct and compassion out of the work. I think I believe in those things wholeheartedly...that is why I went into this work, to be able to use those assets and the system and the consultants. (personal communication)*

Here, objective practices result in the loss of social worker decision-making to support the culturally different needs of immigrant and racialized families.

## **7. Work Cultures of Fear, Silence and Reprisal**

Within neoliberal regimes, social workers are required to work under conditions of increasing insecurity and vulnerability (Macias 259). Social workers are expected to negotiate work that is “increasingly concerned with regulation, surveillance and control of marginalized and vulnerable populations and with the valorization of human action almost exclusively through discourses of productivity and individual responsabilization and autonomy” (Morrow et al.; Pulkingham et al. and Teghtsoonian, qtd. in Macias 259). One of the pernicious effects of neoliberalism is that social workers internalized neoliberal discourse by understanding themselves as rational, calculative, enterprising and individually accountable subjects (Brown, Burchell, qtd. in Macias 254). Some find it hard to do this work of regulation, surveillance and control with families.

*When you are a worker going into a home and you are telling families what expectations are and what they should be doing, it becomes quite personal for people. And they are*

*not sort of looking at, well you are a representative of an organization. Well you are the person coming into my home and causing me this grief and I don't like you. They make it really personal and that is so hard to do the work. (personal communication)*

Another social worker highlights how lack of adherence to regulation and surveillance practices in neoliberal social work contribute to insecurity and vulnerability in the work.

*I got reprimanded by one of the workers one day, because this young girl had a baby and she was reading to the baby and one of the workers was making fun that she couldn't even read some of the words. She [mother client] was seventeen or eighteen years old...the baby was a few months old...and she had issues of her own....and they [social workers] were in this little room, with a two way mirror, and they were making fun of her...and I was like, at least she is trying. How come you are not in that room telling her "good for you?" How come you are not in that room saying, every little bit counts? How come you are not in that room, saying something positive to her? ...you are dismissing everything else that she is doing, she didn't pick him up fast enough, she is not holding him right, she is not changing his diaper enough times while she is here with him...who gives a shit if you can't read the word elephant- you knew what it was and you showed it to your baby who can't tell. "Oh you go in there and you do that" [they said]. I got up and went in there...I knocked on the door...and when I walked in, she [mom] said, "I know he doesn't know what I am saying to him, but I have heard that it is really good to read to my baby. And I am trying" ...and it was a wee plushy book... and she was reading it to him. You know what, "I think that is awesome. You are absolutely right, he is just in heaven just listening to you...the sound of your voice is everything to him...keep doing it. It will get easier for you reading and it will help him too." And I got reprimanded for it.*

*One of them told the manager of the whole program that I was in there counselling her, and I wasn't supposed to be counselling her. Well I didn't counsel her. I simply pointed out something nice that she did on her own because I knew what it was like to be on the other side of that and not getting it. (personal communication)*

When asked to regulate and discipline this mom, the social worker fears not only job insecurity, but also laments the dominance of regulation and surveillance practices in her work. We know that young mothers, whose parenting was highly monitored by social workers, felt unsupported and overwhelmed by CAS interventions. We can now see how this comes about. Rather than seeing their job as supporting the mom, these social workers see their job as recorders of bad mothering data.

As the state downloads the responsibility of child welfare to individual social workers, they experience increased job vulnerability. Inflexible and regulated practices embedded within managerial systems leave social workers feeling pressured, fearful, and professionally unsupported for failing to meet the objective standards.

*[There was] pressure to make it happen a certain way. Pressure if you didn't get the numbers...so say, we used to use this scale...so parents would rate the child's behaviour, say one to ten...ten being the worst. If by the time you discharged... those numbers weren't down to a two or a three, well, you would discharge...but you were left feeling like you weren't successful. You can't fit every child into it...so the ones it worked for...it was phenomenal...and it was wonderful. But if it was a ten and at the end parents rated it a seven, to me I see that as success. A seven may be great...but you'd get [from management], what would it take to get down to a five? What would it take to get down to a four...so it was never enough. (personal communication)*

*We were all working under fear...of breaking the rules. Of breaking the manualized rules. And that was fear...there was fear. (personal communication)*

*I always say that I think that CAS workers are setup to fail because we can't do it all in the amount of hours we are supposed to do in the week...with the caseloads we have and the ministry requirements that are set out...so there is a lot to do and so you are setup for failure. You are either going to be failing at your paperwork or you are going to be failing at your relationship and your work with your families on your caseload. I have been there for over seven years...and I still don't know how to strike a balance... And you are always being told by your supervisor. "You need to find a balance. You need to find a balance." And it is like, it has been seven years and I think I am pretty competent and I still can't find a balance between the two. For me, personally, and I am surprised I haven't got into trouble for this yet, I tend to put my paperwork on the backseat. .. I personally would rather spend the time with the moms and the dads and the kids that I work with, than sitting at my desk doing paperwork. (personal communication)*

*There is an air of toxicity within the agency. There is an air...of you better watch your back and cross your t's and dot your i's within the agency. We have seen workers who have been there for many years just not come back to work for whatever reason. We know that [the worker] was let go or forced to quit, who knows why. But there is an air within the agency of make sure you are doing the right thing, or you are not going to be here for much longer. There is something interesting about how the agency is being run right now. (personal communication)*

These social workers emphasize how the work stresses of measuring families to achieve the correct scores, following manualized rules, and time pressures for completing heavy workloads

sustain a work culture of fear and reprisal. As one social worker said: “not doing the right thing” has contributed to “an air of toxicity” in the agency where workers are in constant fear that their jobs are on the line.

Women social workers, who predominate in social work, are increasingly exposed to violence in their waged work. Certainly, the lack of reporting or documenting of abuser information in child welfare files limits social workers’ capacity to safety plan around abusers. Additionally, child welfare workers often lack the education and training to intervene effectively with violent men and angry parents (Strega and Janzen 67). A senior manager raised safety concerns for workers who do home visits with families, particularly when abusive partners may be present (personal communication). Other social workers share similar experiences.

*We have safety measures in place. Before we go out on our home visits we have to write down in the office where we are, the exact address. It doesn’t make me feel safe. There are some families that we work with, that I have never felt safe with. There is a particular family that I have worked with, the dad was such a scary and intimidating person and every time I was there, he did his best to make me feel uncomfortable...this was a domestic violence case... There is no one to back me up. I don’t go with a colleague.*  
(personal communication)

*We are at this point now, I think it is going to be a foster care placement so you can get the support you need...to be present for your kids. Obviously, they [the parents] got angry...and I didn’t know what to expect...I left the house...because they were yelling and swearing and they were telling me to get the “f” out. And that is hard to deal with as a worker because I spent six months talking to them regularly and thought that we had built a relationship, we had some good conversations. So that was really difficult. Then I*

*had to call the Police for support...because I had to make sure that those kids were placed at the time in a safe environment. That was the nature of my job right. I had to call Police for support. So I had to leave and call the Police...so that was even more difficult. I was there with Police in their home. It was so intrusive and authoritarian and that made them angrier. And then I had to call for help with the kids while we sort of...I tried to talk to the parents. They yelled, they cursed and after that they refused to work with me. (personal communication)*

*I go to women's homes, so there is definitely safety issues...so I thought it best that I go to women's homes because women can't always get out...it is better meeting women and children in their home. It is where they have the most power. They are comfortable in their own home...and they can tell me to leave. When they are in my office, it is not their turf. There is always a power imbalance but when they are in their home and they are offering me water and coffee, it is just more comfortable. So has my safety been in jeopardy? Yes. Definitely. I created my own safety planning. I also created a plan that is a policy at the agency. I always ask the woman questions before I went to the home. Is the person living there? Do they have any partner? When was the last incidence of abuse? Is there any stalking going on? When I go to a home...I give the house address and phone number. I give my cell phone number. I do a safety call half way through my appointment...to my support staff...and I have a code word that is an everyday word that you use. If I use that she is to send the police immediately. I have had safety issues...new partners that I know are abusive. [Another time] I am sitting on her couch and she is sitting on another couch and...she hears something outside, she looks and she says to me "duck, duck, duck, there he is...duck duck..." and he was right there. So, on three [home*

*visits] over the course of ten years, I have no doubt that if they [abusers] came into the home they would kill me along with everybody else, and not even think about it. (personal communication)*

These extensive safety plans mitigate some of the risks involved in working with families, abused mothers, and abusive partners. Child apprehensions expose social workers to increased risks that require police involvement. Despite great care taken in creating these safety plans, social workers still perform the work with the fear of being harmed or killed by abusive partners.

Gender and race also operates in the relationships between workers and abusive men. Here, a racialized child welfare worker experienced more trouble in her relationship with an abusive dad.

*He [the abusive husband] had no respect for me as a woman, initially. Like I had to be really firm with him to develop that with him...the reason why I said that is because we had a transfer meeting...the intake worker was a white woman and I am a woman of colour...and at the transfer we were both there. And he did not speak to the white worker the way that he spoke to me. He spoke to her with a level of respect that he did not speak to me. He wouldn't look at me when we were first talking. He would look at the other worker but he wouldn't look at me. And when we started to talk about why we became involved, he got into the whole "men get treated like dogs in Canada and women get put on pedestals"...that kind of attitude. When I walked away with the worker, the worker had said to me, I am surprised to hear him say that. He never said anything like that to me before. So that was challenging. That has happened to me a lot, where the white workers get the respect and I don't because I am a worker of colour. You are viewed as more professional, for one, if you are white. It is so interesting, perceptions around that*

*and the racism I have experienced from families about that, that has made my role difficult as a worker. [The racism comes from] mostly white families. I wouldn't call it racism towards me...but they seem to have more respect for the white authority, than the coloured authority figure. It is not that they are being directly racist towards me, but their perceptions of race and power affect our interaction. (personal communication)*

## **8. Conclusion**

The rise of the neoliberal child welfare state over the past two decades around the at-risk child has weakened violence against women agencies and gender-based violence initiatives. With intensified child protection systems, collaborative approaches with community agencies and VAW shelters to strengthen families are barely visible. Child welfare systems blame mothers, exclude fathers and abusers, and bump children and their families from state program to state program and social worker to social worker. State reliance on objective managerial systems and the gendered and racialized science of child risk in social work has retrenched systemic race, gender and class inequalities. It profoundly contributes to the marginalization and overrepresentation of First Nations, racialized and low-income mothers and their families in all support sectors legislatively aligned with the child welfare state.

The experiences of social workers performing waged caring work with families fleeing violence shine a bright light on the gendered hyper-responsibility of child protection work as abused women's work. It validates the heavy burden of child protection work experienced by mom's fleeing violence. Social workers criticize state-mandated bureaucratic requirements downloaded to front line workers that place heavy restrictions on the humanity and compassion in their work helping families. As the shared experiences of managers and front line workers highlight, critical attention to the diverse realities of violence against women in First Nations,

racialized and religious/spiritual communities is imperative in child welfare work for the safety and well-being of social workers, children and their families, and marginalized single mother families fleeing violence.

An examination of the child welfare state continues in the next chapter, but with a specific focus on the ten percent of children in state systems who are removed from their families and living as wards of the state in state care. Many of these children who grew up in state care are once again involved in child welfare systems in their adulthoods, particularly women with children fleeing violence.

## Chapter Seven

### From the Margins to the Centre of Child Welfare:

#### Children and Youth in State Care

##### *Clara's Story*

*Twenty years ago, when Clara was five years old, CAS removed her from her mother's care. As a young child, she lived with many forms of abuse under her mother's care and the care of the children's aid society. From the age of five until fourteen, she was moved seven times between her family and other foster families. By the time she was fourteen years of age, Clara was permanently removed from her family and became a ward of the state living in a group home with other children. To cope with the difficult emotional issues in her life, she started cutting and using drugs. CAS moved her to a mental health facility where she was put on anti-psychotic drugs, and when these drugs did not work, they gave her stronger drugs. When she left state care at eighteen years of age, she had a drug addiction, no money, and no job. In her early twenty's, Clara kicked her drug habit and found a job. She married and had two children, now four and five years of age. As the abuse against Clara escalated in the relationship, police, women's shelters and CAS became involved. After Clara left the abusive relationship, she struggled financially to find safe and affordable housing for herself and her children. CAS intervened in the family and removed the children on several occasions because of housing and financial instability and the potential threats posed by the ex-abuser who continued to stalk her. Clara fought for her children in court and won several cases against CAS. Mounting*

*legal bills contributed to her financial insecurity. Recently, the state permanently removed both children from Clara's care and placed them in different foster homes.*

*(African/Native mother of two children, personal communication)*

Clara's story highlights the state's response to violence and abuse in her life from her childhood to adulthood, motherhood and single motherhood. State systems failed her as a child. Despite the heavy involvement of multiple state systems in her adult life, Clara's efforts to provide for her children and protect them from violence are not enough, according to the state. As the state intervenes into Clara's family, a tragic story unfolds revealing the intergenerational abuse by the state beginning with Clara as a child, then, Clara as a mother fleeing violence, and finally, Clara as a single mother without her children. The cycle of intergenerational abuse continues as Clara's two children enter the child welfare system as wards of the state.

This chapter examines the child welfare state in Ontario amid growing concerns for the well-being of vulnerable children living in state-funded welfare systems. Ontario, like other Canadian provinces is responsible for the well-being of children in their care, an increasing economic and social burden given the federal downloading of the responsibility for children and families under neoliberalism. While 90 percent of children in Ontario child welfare systems are at home with their families, the focus of this chapter is on the ten percent of the children removed from their families by CAS to protect them from neglect and abuse, who live in state-funded care (Commission to Promote Sustainable Child Welfare 12). What are children and youth saying about their lives and childhoods in state care? How has the state involvement in children's lives contributed to the intergenerational abuse and violence they experience, particularly for girls who grow up to have their own children? How are their voices and experiences influencing policy directions regarding state care of youth and children? To address

these questions, I first examine policy and institutional developments within the state to include the voices of children and youth in policy agendas. Then, I explore the care of children and youth in state systems, where First Nations, racialized girls and youth, most harshly experience intergenerational and systemic abuse. Finally, an analysis of the trend to private, for-profit solutions to child welfare sheds light on troubling care standards and issues of transparency and accountability in the state care of children and youth in care. These child welfare systems fail children in their care. Privatized solutions to public child welfare exacerbate the suffering and harm voiceless children and youth experience in state care. Lack of state accountability for the well-being of children in their care perpetuates an intergenerational history of colonial, racialized and gendered violence by the state. The narratives of children, youth and former youth in care, taken from reports from the Office of the Provincial Advocate for Children and Youth, provide important insights into their time in state care as children, young teenagers, and older youth aging out of the systems. Their stories of suffering that dominate in this report serve as a reminder of the importance of listening. Clara's narrative is also included to provide greater detail of the gendered implications of the intergenerational violence of the state for girls, mothers, and single mothers. For the purposes of this chapter, the term children is used without age distinction.

### **1. The State and the Child: What do the Children Say?**

In 2010, almost 17,000 of Ontario's 3.1 million children were in CAS care in foster homes, group homes and residential facilities, many providing semi-independent and independent living (OACAS, qtd.in Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 33; Commission to Promote Sustainable Child Welfare 12). While the state is the parent of all children in their care, half of the children in care are under the legal responsibility of their

parents while the other half are crown wards, under the legal responsibility of the Crown (Province of Ontario). The Crown has the legal rights and responsibilities of a parent for the purpose of the child's care, custody and control, with crownwardship expiring when the child reaches the age of eighteen (OACAS, qtd.in Office of the Provincial Advocate for Children and Youth, "Report From the Youth" 33-34).

Some children speak positively about how they benefit from state care in group homes and foster homes.

*Having a support 'team' consisting of two great caseworkers is fantastic and helps me every day. Having someone to go to when family isn't an option for us is beyond words. The financial and emotional support given to me in care is what keeps me going.*

(Sonja, 20, Youth in Care. Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 9)

*So I do think Children's Aid has helped me in my life. As my journey with this organization is slowly coming to a close, with all the stuff I've been through, I'd just like to say thank you to all who believed in me, even when I didn't.* (Nate, 19, Youth in Care. Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 9)

*Many children removed from their families have benefited from their placement in state care. I am just learning job skills and learning many important life skills that I will need in order to succeed in life and to reach my goals, thanks to my dedicated, patient and loving foster family and other great supports.* (Name withheld, 17, Youth in Care. Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 17)

These children's experiences underscore the importance of supportive staff, a team of attentive workers, and foster families for emotional and developmental needs while in care and when transitioning out of care to independent adulthood.

Media and state reports about children suffering in state care overshadow these positive and supportive experiences. Mainstream newspapers highlight the shocking number of 1,200 children who experienced harm in 2013 while in the care of Toronto group homes and the Toronto CAS (Contenta et al., "Troubling Events" A1, A17). Children warehoused in motel rooms and harsh institutional environments are, according to mainstream media, languishing in state care with few supports for their personal growth and development (Contenta et al., "Troubling Events" A1, A17; Monsebratten A8). Also flagged is the overuse of physical and chemical restraints in state-funded child welfare institutions to address the challenging and difficult behavior of kids in care (Contenta et al., "Troubling Events" A17). A 2016 ministry report confirmed the troubling level of violence and lack of care and nurturance for children state care where compliance-based rules, routines and programs were bore little resemblance to the mission and vision statements of state-funded welfare providers (Ontario Ministry of Children and Youth Services, "Because Young People" 8). The report further noted children had little involvement in the programs and services pertaining to their own self-development, treatment, and relationships while in state care (Ontario Ministry of Children and Youth Services, "Because Young People" 7).

Canada's children are faring poorly according to international standards. In 2012, Marta Mauras, vice-president of the United Nations Committee on the Rights of the Child (CRC), gave a poor review of Canada's implementation of the CRC. The review expressed concerns about Canada's stagnant child poverty rates while flagging other troubling issues related to children in

Canada, such as Canada's low-quality welfare services, particularly for children placed out of their homes, domestic violence, bullying and mental health affecting children (Office of the Representative for Children and Youth). In this federal context of low-quality state welfare and disadvantaged children, child rights advocates stressed the importance of including children in decision-making about policies and systems that affected their lives, a key principal set out in the UN Convention on the Rights of the Child (Kufeldt and McKenzie; Holzscheiter).

In 2008 under the McGuinty Liberals, Ontario formally acknowledged the importance of including children's voices and experiences in policy agendas. An all-party panel of the Legislature appointed Irwin Elman to lead the Provincial Advocate Office for Children and Youth on July 14, 2008 (Office of the Provincial Advocate for Children and Youth, "Meet the Provincial"). The duties of the office included:

- providing an independent voice for vulnerable children and youth including First Nations children and youth and children with special needs by partnering with them to bring issues forward;
- encouraging communication and understanding between children and families and those who provide them with services;
- and educating children, youth and their caregivers regarding the rights of children and youth (Office of the Provincial Advocate for Children and Youth, "Meet the Provincial").

This office heralded a new beginning for children and youth in Ontario. Prior Offices of the Provincial Advocate for Children and Youth encountered resistance to its advocacy role and responsibility for children and youth. The first office of Ontario's first Child Advocate in 1978 functioned relatively free of political and administrative interference. Conservative governments

from 1995 to 2003 did not fully support the Office of Child and Family Service Advocacy (OCFSA) (Whitehead et al. 1, 2). Disturbing reports of harassment and intimidation of OCFSA staff and the lack of independence of the office limited its effectiveness to drive change (Whitehead et al. 2).

Since 2008, the inclusion of children's voices and experiences in state care is central to the advocacy work performed by the Office of the Provincial Advocate for Children and Youth. In the first year of his term in office, Elman was outspoken about investigating children and youth deaths while in state care. In speaking for the voiceless children, the 2007 report "90 deaths, 90 voices silenced" revealed that 90 children known to child protection services died in state care (Office of the Provincial Advocate for Children and Youth, "90 Deaths" 2). Most of the deaths were preventable with such strategies as safe sleep arrangements, better supervision of children, and more attention paid to children's medical needs, according to the Office. The number of children in care who died was high by any standard (Office of the Provincial Advocate for Children and Youth, "90 Deaths" 3). In November 2011, the Office brought the voices of Crown Wards and children in state care to a series of hearings at Queen's Park where children's submissions about their experiences were publicly heard (Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 6). The young presenters who spoke, sang, danced and recited poetry "spoke from their hearts and shared sometimes very difficult stories that often brought the government officials, the audience, special guests and the youth panels to tears" (Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 6). The May 2012, Report from the Youth Leaving Care Hearings, provided a deeply personal glimpse into the lives of kids in state care.

## 2. “We are Left Out of Our Lives:” Lost Families, Lost Childhoods, Lost Futures

*It's tough growing up in a system where every day is unfamiliar and every day you are not sure what is going to happen to you, or where you're going to be, or where you are going to live, or whether you're going home or not, or how long it's going to take you to go home. It's just so many things you have to worry about and it's sad cause a lot of these things you have to be concerned about at a very young age.* (Paul, 20, Youth in Care, Office of the Provincial Advocate for Children and Youth, “Report from the Youth 10)

*As a child, being taken from home, and moved from family to family, I was never able to find home again. I was looked at differently by society, had words pushed into my mouth by workers, and as a child I never seen or had a say for my best interest.* (Ashley, 20, Youth in Care, Office of the Provincial Advocate for Children and Youth, “Report from the Youth” 12)

*We have a lot of staff that are in and out. I don't always have the same people that I'm working with. There's a big turnover in staff, and just when I feel I'm getting better emotionally, things get worse because now there's someone different there and it's really hard to get through things.* (Name withheld, 16, Youth in Care, Office of the Provincial Advocate for Children and Youth, “Report from the Youth” 16)

*I have come to learn that the most important things in life are family and permanency. Less changes in a youth-in-care's life means more time to focus on something else like post-secondary education.* (Patricia, 22, Former Youth in Care, Office of the Provincial Advocate for Children and Youth, “Report from the Youth” 9)

*I'm very close with my grandma, even up until today, I still talk to my grandma. And out of how many people in my family, I think she's the only one that actually calls and checks up on me. But in that home, I wasn't allowed to go see my mom, my sister, my dad, none of them.* (Steven, 20, Former Youth in Care, Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 9)

\*(Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 12).

These narratives painfully reveal how state interventions destabilize children's lives on an ongoing basis throughout their childhoods and their early adult lives. Apprehended from caregivers, siblings and families, for their protection and well-being, children and youth in care suffer deep loss. The disconnection from siblings and birth families harms children's emotional development and their sense of belonging in the world. Children and youth experience state-parenting as rife with unstable relationships: detachment from their families, and uncertainty in their daily lives where staff come and go in residential settings, and children are often moved from foster family to foster family and group home to group home. Considering how important attachment is to care, where child well-being is best experienced through attachments within families, it is surprising that the state, as parent, often fails to support children's well-being through connection to siblings, and immediate and extended family members.

Children's stories also reveal how their lack of involvement in decision-making about their best interests, their families and their lives and futures contributed to their lost childhoods. They worry about what is happening next. The state's efforts to include children in decision-making are peripheral at best. A ministry report confirms that young people, and their families are not consistently involved in decisions regarding major transitions into care, between

placements from one foster family to another, or when transitioning out of care (Ontario Ministry of Children and Youth Services, “Because Young People” 7). These practices undermine children’s sense of belonging and control.

When youth in care are involved in decision-making about their lives and futures, their decision-making is often seriously constrained by the over-reaching powers of Children’s Aid Societies. While other public bodies in Ontario are legislated to protect personal information and obliged to provide full disclosure on request to those to whom it relates, CASs are not similarly bound (Justice for Child and Youth 5). Rather than full disclosure, when a young person requests to see their file, a social worker reviews the file to determine what the young person should know (Justice for Child and Youth 10). How can the state expect young people to become independent and take control of their lives, if the state denies them access to, and full disclosure of, their personal information in state care? Additionally, when a youth is deciding to transition from state care to independent living, they often make that decision when they are as young as sixteen and seventeen. CAS has full discretion in deciding whether to permit extended care or maintenance supports, such as financial assistance, social worker supports and dental and medical supports, to youth requesting it (Justice for Child and Youth 5). For example, a young person who has chosen to stop receiving extended care and maintenance from the CAS on one occasion may choose to resume receiving it. However, a second request by the youth to receive extended care and maintenance support is at “the discretion of the society or agency providing the care or maintenance” (Justice for Child and Youth 5). This approach to support, as youth transition to independent living, is punitive. The denial of extended care not only limits their successful transition to independent living but also potentially increases their vulnerability to poverty and a life on the street. Furthermore, the state inflexibility fails to recognize that different ages and developmental stages often make it difficult

for youth to make wise and consistent choices about their extended care agreement with CASs, or promote children's resiliency to make mistakes on their road to success (Justice for Child and Youth 5).

### **3. Intergenerational Abuse and Trauma for Children in State Care: Cycles of Racial and Gender Discrimination**

*As First Nations young people we are left living the very real and painful legacy of residential schools in our day-to-day lives. Our parents and elders who experienced emotional trauma in these settings later developed addictions problems, depression and Post Traumatic Stress Disorder (PTSD) among other things. These dismal outcomes are common in First Nations communities across the country. When our parents and grandparents were young, they experienced abuse on physical, emotional, developmental, sexual, and spiritual levels. They were denied nutritious food, access to caring adults and proper health care...Growing up, we were impacted by what our parents faced in residential schools...Most young people (some as early as 5–6 years old) have the responsibility of caring for or feeding their families while struggling to attend school and dealing with depression, anxiety, feelings of abandonment, isolation and loss to death or suicide. Many of us have never even had the chance to just be children...The result is our inability to trust adults, our inability to show or receive affection from our parents and siblings, our draw to alcohol, solvents, and prescription drugs to distract us from our situations, sky-high rates of suicide and damage to our relationships with our elders. (Collective voices of First Nations children in Ontario, Office of the Provincial Advocate for Children and Youth, "Feathers" 30-32)*

*I did not have a say if I wanted to attend my cultural things as in pow-wows or sweat lodges. Instead, I went to church. (Name withheld, 17, Youth in Care, Office of the Provincial Advocate for Children and Youth, “Report from the Youth” 22)*

These collective voices of Indigenous youth highlight the intergenerational trauma that has impacted generations of childhoods, their collective sense of identity within their cultural communities, and their connections with families. Alcohol or drug addictions, depression and hopelessness in their families and communities mark the intergenerational cycles of state abuse flowing from the colonial legacy of residential schools and the Sixties Scoop of Indigenous children, most harshly experienced in northern reserves and fly-in communities in Ontario. While Indigenous people in Ontario represent two percent of the population, 22 percent of crown wards in Ontario child welfare systems are Indigenous children and youth (Office of the Provincial Advocate for Children and Youth, “Report from the Youth” 33). The over-representation of First Nations children and youth in care is alarming as white-settler child welfare policies continue the legacy of isolating indigenous children from their indigenous families, communities and traditions.

Other racialized children raise concerns about racial discrimination they experience in care.

*As a child I received many labels: bi-racial, orphan, foster child and Crown ward. These labels profoundly affected my sense of identity. (Ken, 31, Former Youth in Care, Office of the Provincial Advocate for Children and Youth, “Report from the Youth” 8)*

*As a person of colour I was offended when group home staff would laugh or encourage racist comments in the house. I feel that there was no cultural competence. (Anonymous, Office of the Provincial Advocate for Children and Youth, “Report from the Youth” 8)*

Racialized children in state care recount their experiences of racism by staff and other children that negatively affected their sense of belonging and their racialized identities.

The African Canadian community has been ill served by the systemic anti-Black racism operating in organizational policies and practices and within of child welfare systems (OACAS, “One Vision” iv). By 2006-2007, 60 percent of the children and youth in care in Toronto self-identified as members of a minority culture or race, a steady increase from the 1960s where most children in state care were of European origins (Strong-Boag 175). The disproportionate representation of racialized children in care is troubling. According to 2011 Statistics Canada data, while eight and a half percent of Toronto’s population is African Canadian, 40.8 percent of the children and youth in the care of the Children’s Aid Society of Toronto, as of September 23, 2013, were African Canadian (OACAS, “One Vision” 21). Most recent data on child welfare systems indicates that African Canadian children and youth are 40 percent more likely to be investigated compared to white children (Fallon et.al, qtd. in OACAS, “One Vision” 22). Eighteen percent of African Canadian children are more likely to have their abuse in families substantiated by CAS and thirteen percent are more likely to be placed in out-of-home care during the investigation (Fallon et.al, qtd. in OACAS, “One Vision” 22). The 2016 OACAS report *One Vision, One Voice* also identified that Black youth suffered cultural, emotional and psychological harm when removed from their families and placed in White homes in White communities. This increased their exposure to racism in the foster home, the community, and schools (5). Black children in care experience intergenerational abuse through disconnection from their African Canadian communities, Black culture and histories (OACAS, “One Vision”).

While attention to the intergenerational abuse of First Nations and racialized children in care has raised public awareness about racial and cultural discrimination by the child welfare

state, a gender analysis is strikingly absent in child welfare reports. For example, according to media reports, the child welfare systems failed to act on the disclosure of a girl in their care who was beaten by a boy after they had sex, when she lost her virginity. Her father and sister then beat her when she returned home late that night (Contenta et al., “Troubling Events” A 17). The Office of the Provincial Advocate for Children and Youth seems blind to gender discrimination within the child welfare systems. While the Office reported receiving about 3,000 phone calls annually in 2007-2008 from children and youth in care asking for assistance, with calls split almost equally by sex, no gender insights are offered in state reports (Office of the Provincial Advocate for Children and Youth, “90 Deaths” 5-7).

Awareness of the gender oppression in state welfare systems that follows girls in care into adulthood and motherhood sheds an important light on intergenerational state abuse of girls. Clara’s narrative, as a former child in care in Ontario, highlights the complexities of race, class and gender oppression within CAS systems beginning with her experiences as a racialized girl raised in child welfare systems and continuing in her life as an abused mother involved with CAS.

*I lived with abuse as a child in many forms. Children’s Aid had me in their care and sent me home back and forth about seven times from age five to fourteen. So lots of different families. At which point I had a pile of emotional issues that I think on some level may have been prevented, had people been more diligent...in terms of when I was in Children’s Aids care and also with my mother. I dealt with negative experiences on both ends of it...and you deal with the lack of stability which causes attachment disorders...Then they finally decided to keep me in their care at fourteen...Group homes when I was in my teens. Group homes are less than ideal. At the time, it was hard...I tried*

*to hurt myself, so I was put in [a mental health treatment centre for youth] ...Cutting...different things, overdose...whatever the case may be...I think it is a cry for help...but I do think people kind of mismanage these things. When people act out they tend to use the medical model for dealing with it. I think that was a lot of my issue. My behaviour became worse and worse as they started giving me medications. They actually make it a lot worse than it was...anti-psychotics, sedatives at fourteen. [A mental health treatment centre for youth] had me on enough drugs to put an adult to sleep for life. So then, there came more drugs, because they couldn't figure out why I was still acting out. So they would change the drugs and they would get stronger drugs...I would go the hospital because I can't process and I was trying to hurt myself...did that for a long time, until one day I said I am not taking this shit anymore. I started feeling a lot better. I could think. That behaviour stopped, I would say about 20 [years of age]. Ended up with a drug addiction, cocaine and ecstasy. I was given a notice [from CAS] when I was eighteen, in the parking lot. You are not our problem anymore. And she said "down the road, let's go." No income, nowhere to go. Nothing. Here you go. "You are eighteen, you are not our problem." (personal communication)*

Her childhood, largely spent in Ontario child welfare systems, sheds an important light on the complexities of abuse and neglect for a racialized girl in state care ten years ago. With increased state involvement over her childhood, all connections to her family are severed leaving her at eighteen years of age having aged out of state care and without any familial, caring or financial supports.

State abuse and trauma followed this child ward of the state into her adult life as an abused mother whose children are apprehended and taken into care.

*We got married. Everything was ok for a bit. Then the violence started...well, it started with the controlling. Where is dinner? He has a lot of money, so he expected a certain standard of the way I dress, the way I looked...we moved into a new house...and the violence is still escalating. He is pushing and yelling. He is getting a little bit out of hand at this point. I think, what was the tipping point finally? When it was sexual assaults that happened...He [the abuser] stalked [the women's shelter] ...He followed me around... I procured a new house. And then children's aid tried to keep my children as opposed to return them. They [CAS] tried to claim instability...I got my kids back...we move into our apartment. Everything is good...then my husband held me hostage for about a week. I couldn't get out....tied to my bed so I couldn't go anywhere... Always under a close watch. Your phone is taken when he leaves so you don't have access to that...So the ex comes and he is in the bar and being rude...and I decide to walk off...and he is following me. And then before I know it, we get to the house, he choke slams me on the ground and you know what...I just fucking lost it...I went crazy. He and I got into a good physical altercation. I just lost my shit...It was bad...The police showed up. My kids were upstairs with the sitter...thank god. I was charged, because I slapped him. Cops had seen me hit him...he was charged as well. I had a broken nose, my face was black and blue, my wrists were fucked up. My rib was broken. The police were the ones who broke my nose. I freaked out...and they slammed my face down on the cement stair to put me in hand cuffs. They were the ones that did it. He got charged. I slapped him...So we both went to jail...I went to the hospital first and then to jail and I was let out the next morning. He plead guilty...and they gave him a fine of \$50. My kids were apprehended a day later. (personal communication)*

Police brutality against this woman, who is defending herself from years of violence by her abuser, revictimizes this woman. Child welfare further revictimizes her by apprehending her children into care. This mother's experience illustrates the intergenerational cycle of abuse and trauma by the state beginning in her childhood as a ward of the state to an abused woman in her adulthood whose children are taken by CAS into care. Child welfare systems often flag girls who grow up in state care systems as bad mothers resulting in increasing interventions as they transition from girlhood to adulthood to motherhood. According to this mother, her fifteen-year history with CAS as a challenging ward of the state follows her into adulthood where child welfare systems consider her an unsuitable parent. "They [CAS] parented me and they don't have faith in their parenting [now that I am an adult parenting my children]" (personal communication).

#### **4. Parenting or Policing?: Integrated Systemic Abuse of Children by the State**

*The structures in group homes are divisive and are focused on control and punishment and reform rather than growth, learning and creating stability.* (Edwin, 21, Former Youth in Care, Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 16)

*Make sure group homes operate more like homes than jails.*

(Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 3)

*I was told that I was depressed and I was court ordered to take an anti-depressant medication that has left an effect on me.* (Claire, 25, Former Youth in Care, Office of the Provincial Advocate for Children and Youth, "Report from the Youth" 14)

*Instead of hospitalization and psychiatric appointments, I would have benefited more*

*from summer camps, class trips and family vacations but CAS never gave me that.*

(Cheryl Gray, 31, Former Youth in Care, Office of the Provincial Advocate for Children and Youth, “Report from the Youth” 8)

Many children experience state care as highly punitive, unsafe, and non-nurturing. Instead of summer camps, vacations and group outings to have fun and be kids, these children report they are more likely to visit courts, hospitals and police. Fiscal restraints, managerialism, and increased workloads for social workers limit the time and value placed on care and support of children and youth. Despite acknowledgment by the ministry of children and youth services that a compliance-focused approach to children in care was concerning, the heavy reliance on evidenced-based practices of rules, rewards and consequences and the discouragement of care and compassion in social work, fosters neglectful and harmful experiences for children in care. It is no wonder that vulnerable and disadvantaged child and youth act out their anger, frustrations and unhappiness.

The state is a coercive and heavy-handed parent, using police and health authorities to control and manage so-called difficult and challenging children. For example, state workers relied on police to address child/youth misbehavior for such incidents as when kids ignore house rules (Contenta et al., “Troubling Events” A17). The increased policing of troubled youth contributes to the criminalization that often follows them into adulthood. A former ward of the state reports she experienced systemic oppression by the police as a child in care and then later, when seeking protection from an abusive partner as an abused woman. “The police have a nasty bias against me already because I was a pain in the ass as a teenager...that is how they view me. I am far from that. I am more reasonable most of the time” (personal communication).

Use of chemical and physical restraints to address and correct behaviours further harms the emotional development of children. The trend to drug therapies began in the last decades of the twentieth century with a growing pessimism about the possibility of counselling-based therapies and a growing reliance on psychopharmacologic treatments. (Popper, qtd.in Strong-Boag 183). In 2007, an astonishing estimated 47 percent of Ontario's crown wards took medication for "depression, attention deficit disorder, anxiety and other mental health concerns (Strong-Boag 183). Additionally, as illustrated in the stories of youth above, state-mandated drugs set them on a path to long-term drug addiction and problems in their adult lives.

A recent ministry level report confirmed the "troublesome level of violence in the form of physical interventions carried out by staff in some residential care settings." (Ontario Ministry of Children and Youth Services, "Because Young People" 4). While restraints can be useful to protect the children from harming themselves, others, and staff, the liberal use of restraints and the long duration of restraints to control children are concerning (Contenta et al., "Troubling Events" A17). For example, in 35 percent of ministry-reported incidents of harm to children in state care, some children were restrained for prolonged periods up to 65 minutes to address misbehavior (Contenta et al., "Troubling Events" A17).

Youth justice advocates argue responsibility lies with the state to ensure children in their care develop the skills needed for successful independent living. Children should be welcomed back when their attempts at independence fails and accepted and supported even when their behaviours are challenging (Justice for Child and Youth 5). Youth justice advocates further advocate that "[c]hildren who have been found to be in need of protection must be treated as well by their State parent as they would be by good parents in a family setting" (Justice for Child and

Youth 5). The abysmal treatment of many children by the state suggests that children might be better off anywhere other than in state care facilities (Justice for Child and Youth 5).

### **5. Who Cares? Private Solutions to the Public Welfare of Children and Youth**

The long-term outcomes for child in state care since the 1990s are disturbing. Educational success for children in care is low. Children in foster care consistently perform below the national average for their age group and are at greater risk of dropping out (Molloy, qtd.in Strong-Boag 184). Children in state care in foster and group homes were more likely to be homeless youth living on the streets. For example, in the 1990s, a shocking 51 percent of street kids in Toronto were veterans of state care (Farris-Manning and Zanstra, qtd.in Strong-Boag 185). In 2017, a troubling 60 percent of homeless youth were part of the child welfare system (Press, “Youth ‘Aged out’” A6). A 2017 national study of youth homelessness identified a disturbing link between the foster care system and youth homelessness (Press, “Youth ‘Aged out’” A6). Vulnerable children out of care living on the street are more susceptible to predators who sexually exploited them and ply them with drugs (Strong-Boag 186). Children moved from group homes to foster homes, or foster homes to group homes, often signaled a further descent into desperate situations (Strong-Boag 186).

While foster care has been the backbone of child welfare services prior to the 1990s, foster care programs and services have undergone dramatic changes over the last several decades. Children entering care are older with more complex problems. Estimates of emotional and behavioural problems of child in state care rose from “30%-40 % in the 1970s-80s to 47%-80% in the mid-1990s” (Farris-Manning and Zandstra, qtd.in Strong-Boag 92). Fewer foster parents, predominantly women whose work subsidized the public costs of caring for children, were willing to perform the 24 hour, seven day a week childcare required for troubled foster

kids. Some foster parents in several Ontario CASs threatened to go on strike in 1988, complaining they were a cheap “dumping ground for society’s problem children” (Kendrick, qtd.in Miedema 32). Furthermore, the growth of other less-taxing in-home care options, such as elder care and daycares, provided new waged opportunities for women mothering for the state (Miedema 33). By the late 1990s, foster parents demanded involvement in policy and practices for children in care sparking the early beginnings of the shift to professional foster services (Strong-Boag 111). With the therapeutic turn to professional foster services, the foster work for the state children changed from housekeeping and nurturing responsibilities, to therapy, conciliation and recovery (Strong-Boag 111). In their new roles, foster parents were “quasi-therapists and councillors” supporting children in their care and often their parents (Strong-Boag 110). The professionalization of foster services resulted in increased costs associated with training, remuneration and responsibilities, narrowing the financial benefit of lower-cost foster services over the more costly group home option (Miedema 33).

While fostering is the darker side of the state’s response to the care of children, especially when bumped from foster family to foster family (Strong-Boag 3), institutional care of children presents different challenges. The late 1970s scandals such as the abuse against children in the Native residential schools and St John’s Mount Cashel Orphanage, initiated a trend to de-institutionalization of child and youth care. This also signaled a shift to more community-based options connecting schools, homes, and communities with an emphasis on family therapy (Strong-Boag 61). However, by the 1990s, residential settings became the harsh alternative option for children who did not function with the established norms of social and family environments. Furthermore, with the persistent shortage of foster services, so-called normal kids were kept in residential care longer than state authorities hoped (Strong-Boag 62). By the end of

the 20<sup>th</sup> century, residential treatment options for children were often provided as a last resort for children creating disturbances in family and community and sadly, where racial, ethnic and class disadvantage became a reason for child placement (Strong-Boag 62).

More troubling is the trend to private sector solutions to address the public welfare and safety of children. While approximately 10 percent of the total number of Ontario children in state welfare systems are in state-funded foster homes, group homes, and residential treatment facilities, 40 percent of total child welfare costs are attributed to the care of children in these institutions (Commission to Promote Sustainable Child Welfare 12, 30). With flat-lined state funding for Children's Aid Societies since 2010, not surprisingly, less costly private suppliers of service are flourishing, as state administrations seek cheaper alternatives for kids in care.

Serious concerns are raised about the poor and inconsistent quality of care provided by private, for-profit operators to the most vulnerable of children and youth, who themselves are often in crisis and coming from families where abuse exists. While little public data is available about the actual numbers of private for-profit operators in Ontario providing state care to disadvantaged children over the last several decades, a 2016 ministry report identifies concerns about the ongoing use of bad private operators of foster homes and group homes (Ontario Ministry of Children and Youth Services, "Because Young People" 27). For example, despite documented concerns by many CASs about bad private operators, the state took little action to protect children from the poor quality of care provided by these private operations (Ontario Ministry of Child and Youth Service, "Because Young People" 27). Citing concerns of privacy, or the threat of civil liability by a private operator, and a very high threshold to take action, the state's reluctance to act against bad operators left children languishing in poor care conditions (Ontario Ministry of Child and Youth Services, "Because Young People" 27). Furthermore,

since CASs were advised not to share their reports with other CASs due to the same legal concerns, other CASs unwittingly housed children in poor and potentially unsafe conditions with bad private facilities, known to the ministry (Ontario Ministry of Child and Youth Services, “Because Young People” 27). Finally, previous reviews of the residential services system in Ontario have recommended accreditation as a way to evaluate, improve, and ensure quality. Yet, some private per diem operators are accredited and others are not. This exposes vulnerable children to untrained caregivers (Ontario Ministry of Child and Youth Services, “Because Young People” 27).

Adding to children’s risk, the ministry performs limited reviews and inspections of private operators’ homes and facilities, raising questions about the lower state standards of care for children in for-profit, private residences. According to the ministry report, confidence in the provision of care to vulnerable young people required assessment of the quality of care. Yet, “ministry staff do not see themselves as having a mandate for assessing quality of care” in residential services (Ontario Ministry of Child and Youth Services, “Because Young People” 27). Furthermore, private licensees of state-funded, private residential services for children and youth are given notice of the annual inspection. Any visits to the residence by a licensing specialist outside the annual inspection period requires a program supervisor to enter the residence, unless permission is granted by the service provider (Ontario Ministry of Child and Youth Services, “Because Young People” 26). In addition, the licensing inspection report of the for-profit, per diem home is the property of the licensee not the state, limiting the sharing of this information within welfare systems (Ontario Ministry of Child and Youth Services, “Because Young People” 26). This limited state supervision of for-profit private operators contrasts sharply with the intrusive approach of the CAS into mothers’ families, where daily calls and

unannounced weekly visits to their homes are the inspection standard in families, to ensure child well-being. The hyper-vigilance by CAS of children in families with open CAS files raises concerns about discrimination and unfairness in the state approach to child welfare where potentially untrained, private, for-profit operators are outside regular state scrutiny.

**6. “Passing the Buck”: State Accountability and Transparency for Children in its Care**

*The system is broken, there is no accountability. We have tried everything so we could see our brothers and they have put up a wall to stop us.* (Name withheld, 14, Youth in Care, Office of the Provincial Advocate for Children and Youth, “Report from the Youth” 8)

*It is time the ministry and children’s aid societies take responsibility for their charges rather than continually pass the buck.* (Provincial Advocate for Children and Youth, Irwin Elman, qtd. in Contenta et al., “Advocate Pleads” A 14)

*However you slice, chop or spin it, there is no contest as to which province finishes dead last in investigating children’s complaints. Ontario does...Despite all the government rhetoric that “children are our future”...Ontario is the only province in Canada where children’s aid societies escape such scrutiny.* (Marin, “Child Advocate”)

Different voices speaking out against the child welfare state raise concerns about accountability and transparency. As the above narratives reveal, a child in care who fought and lost the battle with CAS to maintain familial connections with his siblings describes the child welfare system as broken and unaccountable to his needs. Two public officials are highly critical of the child welfare state in the absence of systems to support public scrutiny and transparency. The state has abnegated its responsibility for the care of children.

Non-state advocates for children in care encounter coercion, silencing strategies and financial barriers when exposing the failings of the child welfare state. For example, when the documentary “Powerful as God: The Children’s Aid Societies of Ontario” was being filmed by Director Esther Buchareff, a student at Toronto’s Ryerson University, the Children’s Aid Society formally complained to Ryerson University to have the work shut down (Buchareff). The university deans voted against all of CAS’ demands noting that the Ethics Review Board at Ryerson provided oversight of the film research project (Buchareff). Released in 2011, this award-winning documentary captured the diverse experiences of children and youth, mothers, First Nations Elders, social workers and family lawyers involved with the Ontario child welfare state, giving voice to the troubling experiences of children and youth, their families and professionals. In a further attempt to silence this film, a VP of Human Resources from the Toronto Catholic Children’s Aid Society posted a comment on the film blog site. “[If] CAS is that powerful then I have to commend you in not being afraid of the repercussions to produce what you have.” He further threatened “[we] will be sure not to hire graduates from Ryerson” (Buchareff). In another situation highlighting the lack of transparency of the child welfare state, mainstream media incurred heavy financial costs to obtain public information from the ministry about children in state care. The Toronto Star paid \$5,140 in fees to the Ministry of Children and Youth Services for their services to redact personal details from a 2013 serious occurrences report filed by child welfare agencies to the Ministry of Child and Youth Services, a fee not easily paid by most individuals, families and researchers (Contenta et al., “Troubling Events” A17). This document contained 1,199 incidents of harm and death to children, most of whom were in Toronto group homes during the 2013 reporting year (Contenta et al., “Troubling Events” A17). These serious incident reports reveal how staff respond to difficult children in

care, such as children going missing, youth breaking parole, youth threatening staff and a girl self-harming and exhibiting sexualized behaviour.

Inside government systems, lack of clarity about who is responsible for the well-being of children and youth in state care is troubling. As the government adds private per diem operators to their network of care providers, CAS offices and the ministry are unclear about who is responsible for ensuring high quality of children's care in these state-funded group and foster homes. While many CASs presume the ministry has accountability for the quality of care in group and foster homes through its licensing process, the Ministry saw the CASs as responsible for monitoring care by operators with whom they hold contracts (Ontario Ministry of Children and Youth Services, "Because Young People" 24-25). As CASs have no capacity to monitor private per diem state-funded operators, given their limited ability and authority to access and inspect these residences, children are potentially living in unsupervised low-quality childcare facilities (Ontario Ministry of Children and Youth Services, "Because Young People" 25). The Ministry also lacks good data and a strong analysis of private operators to support their oversight function (Ministry of Children and Youth Services, "Because Young People" 25).

Legal professionals and government officers concerned about the poor state of child welfare are also speaking out about the lack of independent oversight of CASs. Identifying the potential for CAS to abuse their power, a family lawyer argued that no other government agency has the types of powers that the CASs have, such as the powers of search and seizure, to interview children without their parents, and apprehend and remove children (Buckareff). The Ontario Ombudsman, Andre Marin, whose office investigates complaints from the public about Ontario government services, criticized the Ontario Liberal government's decision to shield the CASs from independent oversight, noting that successive private member's bill proposing to

expand the ombudsman role in this area have been proposed and failed for the last 35 years (Marin, “Who Oversees”). While the Ombudsman receives hundreds of complaints yearly (over 600 in 2006/7) from parents and others about CASs with serious allegations of abuse and neglect of children in state care including threats against parents by CAS staff, the office is unable to act upon them as they are outside the jurisdiction (Marin, “Child Advocate”; “Who Oversees”). In 2011, when pressed about the need for independent scrutiny, then Children and Youth Services Minister, Laurel Broten, responded that “children’s aid societies are already subject to rigorous oversight,” citing family courts, the auditor-general, the office of the chief coroner, paediatric death review committee, and the Child and Family Services Review Board (Marin, “Who Oversees”). The Ombudsman took issue with the ministry’s claim of rigorous oversight of the CASs noting that the five oversight mechanisms thwarted the complaints of parents and others (Marin, “Who Oversees”). According to the Ombudsman’s office, the courts are an adversarial and costly option inaccessible to most families. The auditor-general provides oversight regarding financial issues and state funding but is not the resource for family complaints. The coroner and pediatric review committees only get involved after a child has died, providing no support to families and children currently involved with child welfare systems (Marin, “Who Oversees”). The Child and Family Services Review board, which the Ombudsman Office does oversee, can look at procedural issues only, not the substance of complaints. As such, it can only dismiss complaints or order the CAS to respond (Marin, “Who Oversees”). Without independent scrutiny from outside CAS organizations, the state shields children’s aid societies from addressing serious complaints from parents about the treatment of children or conduct of their staff.

The Office of the Provincial Advocate for Children and Youth in October has also pressed the government for independent oversight of CASs and expanded powers to advocate for children and youth. This is not surprising given the numerous barriers the office encountered in obtaining state information. For example, when investigating the deaths of ninety children in state care in 2007, the provincial children's ministry denied access to information pertinent to the deaths of children. The office's attempts were "rebuffed over the next three months as the ministry took the position that under its guidelines, [the office was] not entitled to the information" (Office of the Provincial Advocate for Children and Youth, "Ninety Deaths" 5). In other investigations by the Office of the Provincial Advocate for Children and Youth into the concern for the safety of children living in hotels and motels due to the shortage of foster homes, the Office received poor and incomplete responses from state officials. Irwin Elman asked the provincial children's ministry's how often children are placed in hotels and was told "we don't know...and we don't have any policies, directives or guidelines" (Monsebraaten A8). When Elman contacted 46 CASs with the same request, only 24 CASs responded with "they rarely if ever use hotels or motels," revealing a troubling lack of state transparency and accountability within state welfare systems and agencies (Monsebraaten. A8).

Increased pressures from inside and outside the state have contributed to legislative changes to expand the powers of the Office of Provincial Advocate for Children and Youth. The Public Sector and MPP Accountability and Transparency Act, passed in 2014, increased the investigative powers of the Office of the Provincial Advocate for Children and Youth to collect data and investigate cases of children who die or are harmed while in state care (Ontario Association of Children's Aid Society, "OACAS Submission"). The amended Provincial Advocate for Children and Youth Act, 2007 requires all Ontario Children's Aid Societies to

report to the Advocate's Office instances of serious bodily harm. In the rare incidence of the death of a youth or child where the child or youth's family has sought or received services from a children's aid society, Ontario Children's Aid societies are required to report within 12 months (Ontario Association of Children's Aid Society, "OACAS Submission"). Furthermore, all children and parents connected to such incidences are entitled to receive services from the Office of the Provincial Advocate (Ontario Association of Children's Aid Society, "OACAS Submission").

The Advocate's Office will be the first independent external body in Ontario to effectively and quickly investigate children's aid society and residential licensee conduct in such cases. To carry out these new powers, the Advocate was assigned the responsibility of appointing a director of investigations and establishing an investigative team (Legislative Assembly of Ontario). While the increased powers of the Advocate are baby steps toward an effective system of child protection, the Provincial Advocate will not have full powers to the important responsibility of protecting vulnerable children. Section 10 of the Act notes "the Attorney General may certify that in certain situations the Advocate cannot require giving information, answering questions or producing reports" (Legislative Assembly of Ontario). Furthermore, the Advocate is prohibited from investigating certain listed matters (Legislative Assembly of Ontario). The government's decision not to grant full powers to the Advocate raises concerns about the effectiveness of the office, as the Advocate is the only officer of six independent Officers of the legislature without these expanded powers.

While these new policies and laws advance the rights of children and youth, the child welfare state compromises children's wellbeing in care by continually blaming front line workers for its systemic problems. An important first step, since the release of the Truth and

Reconciliation Commission (TRC) report in 2015, is the discussion of a formal apology from the OACAS for its role in the Sixties Scoop and the apprehension and abuse of Indigenous children. While OACAS acknowledges its “own unfortunate role in the history of Indigenous people in Canada,” they linked the ignorance of non-Indigenous child welfare workers and their euro-western worldviews and values about parenting to child apprehensions of Indigenous children (OACAS, “Who We Are”). This ignores how the child welfare state downloaded the responsibility for the removal of 20,000 Indigenous children to social workers on the front lines (OACAS, “What We Do”). The state fails to acknowledge how current objective evidence-based systems, policies and procedures re-inscribing western Eurocentric notions of parenting were developed, endorsed and enforced by government and child welfare officials. Highly regulated and disciplined workplaces organized around objective managerialism constrain the waged caring labour of social workers and many managers and silence the voices of Indigenous and non-Indigenous workers advocating for systemic change. Blaming front line workers for the legacy of state abuse against First Nations dramatically limits the possibilities for transformative change in state and institutional policies and practices to address the systemic discrimination experienced by First Nations, racialized and poor kids in care. More hard work is ahead to hold governments, key decision-makers, and child welfare systems accountable.

## **7. Conclusion**

Challenging decades of top-down, professional and expert-led approaches to child welfare policy and state decision-making, children expose the state as an inattentive, punitive and coercive parent that harms children in its care. A re-visioning of state parenting through caring and compassionate therapies, while an important first step to support healthy child development for children and youth in care, fails to address a long history of colonial, gendered and racialized

violence by the state against children in its care. Systemic oppressions experienced by children and youth in child welfare systems are perpetuated in private, for-profit facilities where vulnerable children in care are exposed to increased risks of harm and death.

The collective voices and experiences of vulnerable and marginalized children and youth in state care provide insights and hope for the transformation of Ontario's child welfare state. Will the state listen? Policy agendas that include children's experiences in state care are crucial for social change. Social justice requires the rights of children to safe and healthy childhoods when in state care and beyond. Drawing from the experiences of children and youth in child welfare systems, future policies that emphasize publicly funded, community-based initiatives to strengthen and support children's familial connections within their communities are in the best interest of all children and youth in care. Social justice advocacy for children and youth must shift the experiences of all children and youth in care, particularly First Nations, racialized and girl children, from the margins to the centre of state policy. Policy and practices must hold the state accountable for children's development and well-being.

This chapter began with Clara's story as a woman with two children fleeing violence. Her childhood was largely lived in child welfare systems and her early adulthood, as a mother fleeing violence, marked by oppressive state interventions resulting in the removal of her children from her care. Her experiences along with those of many children in care punctuate a grim picture of disadvantage and discrimination in state systems, where intergenerational and systemic state abuse continues to flourish without accountable and independent oversight. State policies and practices that claim to focus on the best interest of the child sustain and reinforce these tragic realities for women and children seeking violence-free lives. The last chapter revisits these

troubling trends to envision new ways forward to address the neoliberal state response to women with children seeking violence-free lives.

## Chapter Eight

### “We Need a Revolution:”

#### **Envisioning a Future Without Violence Against Women and Their Children**

This thesis examined violence against women and mother and child welfare against the backdrop of political economy in Canada, from 1990-2012. Since the mid-1990s, policy agendas concerned with deficits, globalization and security have displaced national problems of poverty and growing income inequality (Pal; Banting and Myles). The decentralization of power in social policy from federal to provincial governments, during the 1990s when the federal Liberals were in power, weakened the politics of redistribution in Canada to address inequality (Banting and Myles). By the mid-2000s, Canada joined Switzerland and the US as the countries with the smallest redistributive impact, a continuing trend under Harper governments as evidenced by the rich in Canada getting richer (Banting and Myles 2). The loosening of provincial accountability for federal transfers also weakened the federal government’s ability to hold the provinces to account and new accountability measures, such as public reporting, effectively offloaded to citizens the responsibility of policy watchdogs (Kershaw, qtd.in Anderson and Findlay 418). With spending cuts unravelling the welfare state and in the absence of a strong federal policy response to address inequality, federal governments increasingly downloaded the costs, risks and responsibilities of families and raising children to the provinces.

Feminist political economy, as employed in this thesis, shows us how political economy is gendered, racialized and classed. The perfect storm, of intensified neoliberalism and policy evolution to the needs of the child has eclipsed women’s equality issues, such as violence against

women, women's deepening poverty, and the structural inequality of women's unwaged caring labour. Since the 1990s, feminist demands against the Canadian state for universal and accessible childcare supports programs were unmet by Liberal and Conservative governments, as shown in Chapter Three. Policy evolution to child development initiatives rooted in histories of colonialism, deepened poverty and disadvantage for many First Nations and racialized children and their families. Additionally, focus on the plight of the vulnerable child, strengthened with Canada's signing of the UN Convention for the Rights of the Child in 1990, provided governments of all stripes an ideological detour around the harsh debates about the welfare of adults, particularly where gender-based violence exists in families (Marshall, qtd. in Strong-Boag 201). Federal cuts to national women's organizations and the discursive rise of child and father's rights over the last several decades, contributed to the depoliticization and degendering of violence against women initiatives (Mann, "Men's Rights"). While recent federal leadership to address violence against Indigenous women through funding initiatives and the National Inquiry on Missing and Murdered Indigenous Women and Girls were hopeful signs of change, withering federal support to address all forms of violence against all women effectively downloaded violence against women and mother and child welfare to the provinces.

How did Ontario respond to its responsibility for violence against women and mother/child welfare in this perfect storm of neoliberalism and the turn to the child in policy agendas? Feminist political economy draws attention to provincial policies in Ontario to address violence against women and their children that reinscribed colonialism, racism and gender oppression through structural and systemic changes. Ontario's think dirty politics in the 1990s laid the early foundation for a child-centric state response to child abuse based on discriminatory science that predominantly targeted marginalized mothers. By the mid-2000s, Ontario's child-

centric policies under the Liberals restructured the state's response to violence against women around the at-risk child. As outlined in Chapter Four, this pervasive neoliberal policy shift to the child theoretically and ideologically removed children from the circumstances of their parents and pitted the best interests of child against the best interests of mothers seeking violence-free lives (Kershaw, qtd.in Strong-Boag 203; Greaves et al.). The triad of state systems (policing, child welfare, and women's shelters) that restructured around the at-risk child reproduced racism and gender and class oppression. They blamed Indigenous, racialized and low-income mothers fleeing violence for not protecting their children from abusers. State-mandated child protection practices to keep children safe from abuse only increased safety risks for women fleeing violence. They also reprivatized increased childcare labour in their families, during difficult periods of crisis and destabilization of women's homes and family lives. In this neoliberal context of social spending cutbacks, state interventions unfairly burdened abused mothers with many years of child protection work, truncating women's opportunities for waged work, education and stable futures.

Canada and Ontario's policies failed to keep up with the new social risks of single parent families, most harshly realized by single mothers transitioning to violence-free lives. As the findings in Chapter Five showed, single parent families experienced hardship in raising their children in a neoliberal context of declining federal and provincial supports for childcare, income and housing supports. The Ontario government's investment in child development policies since the 1990s, did not meet the material needs of many marginalized families or worse, targeted and stigmatized low-income, racialized families for their bad parenting. Instead, punitive state interventions ramped up to remove at-risk children from single mothers seeking violence-free lives, who struggled to pay bills, find waged work and safe housing. The discursive rise of

fathers' rights and the turn to the child in federal and provincial policy arenas over several decades de-politicized violence against women initiatives and healthy notions of fatherhood. Rather than voluntary state supports benefiting all parents and their children, and so desperately needed by families and children traumatized by violence, gendered state policies narrowly focused on risky mothers, and made the labour of caring single fathers, who also suffered from lack of state support for their caregiving, invisible.

Ontario policies in the mid-2000s legislatively restructured institutional responses to violence against women and mother/child welfare around the at-risk child. As Chapter Six shows, the rise of the child welfare state to address violence against women and children fueled ongoing sectoral tensions between CAS and VAW agencies, masked racialized and gendered violence in workplaces, and depoliticized a feminist antiviolence response to violence against women. State reliance on objective managerial systems fortified by the gendered and racialized science of child abuse and risky motherhood retrenched systemic race, gender and class inequalities in policing, CAS, and shelters. As corporate systems of neoliberal efficiencies intensified around child protection, state policies and practices placed greater restrictions on the waged work performed by workers and managers to support women with children fleeing violence.

Children have not benefited from the turn to the child in federal and Ontario policy. Despite the discursive shift to child rights over this period, child poverty increased for marginalized children in Canada and Ontario. Rather than addressing declining welfare supports and the social conditions of growing poverty and inequality in families, federal and provincial child development programs, introduced since the 1990s, targeted the so-called poor parenting in predominantly Indigenous, racialized and low-income families. Child development policies

advanced western notions of hyper-protective childhoods that undermined the healthy development of all children and continued the colonial legacy of assimilationist policies. As Ontario policies and practices to address violence against women restructured around the at-risk child in the mid-2000s, they retrenched a cycle of intergenerational abuse that perpetuated a long history of colonial, gendered and racialized violence by the state against children in its care. Findings in Chapter Seven revealed disproportionate numbers of Indigenous and racialized children, removed from their families by the provincial state and placed in Ontario child welfare systems, suffered in fostering programs and substandard care facilities. Under neoliberal cutbacks, less costly policy solutions to childhood disadvantage gave rise to private, for-profit facilities more likely to expose vulnerable children in state care to increased risks of harm and death. Despite increasing public demands for reform of Ontario's child welfare state over the last several decades, Conservative and Liberal governments have failed to address the pressing concerns for state accountability of Ontario's interventionist and punitive child-centric policies to address violence against women with children.

Feminist standpoint in this thesis was crucial for highlighting the harsh material realities of two decades of neoliberal child-centric policy in Ontario for workers/managers, abused mothers, single fathers and children. Workers and managers in Ontario state systems provided a sectoral and institutional context for the tragic experiences of abused women and their children. They were critical of the policy evolution to the at-risk child that exacerbated conflict between CAS and VAW agencies and depoliticized support and advocacy for women and their children fleeing violence. Muslim and racialized workers flagged institutionalized racism and its negative impact on their workplace cultures and the best interests of children and the families they served. In their stories about the sacrifices women made to keep their children safe from violence, many

seasoned social workers confirmed that the state unfairly targeted mothers seeking violence-free lives. As workplaces restructured around the at-risk child, workers expressed deep frustration with objective managerialism focused on measuring and blaming women's poor parenting that prevented them from offering compassionate help to families in need of safe housing and legal and childcare supports.

The experiences of women with children fleeing violence, children living in state care, and single fathers provided views from below about the impact of child-centric policies on the lived realities of many Ontario families. Mothers harshly criticized state systems responsible for their families' safety and well-being for failing to listen to them and protect them and their children from violence. Indigenous and racialized mothers spoke out about persistent racism they experienced in state systems, such as shelters, policing and child welfare. Low-income, and particularly young mothers, complained of state monitoring of their lives that effectively undermined their possibilities for waged work, education, and new beginnings without violence. They also shared similar struggles and frustrations with many single fathers in raising their children, in the face of declining state supports for voluntary parenting programs and income supports. Single mothers fleeing violence exposed a punitive and interventionist state that burdened them with years of child protection work, blamed them for the lack of childcare and housing supports necessary to successfully transition to their new violence-free lives, and penalized them by apprehending their children. As the state increasingly removed women's children from their care and placed them in state systems, children's heartbreaking stories told of lost childhoods and disconnection from their siblings, families, communities, and racialized cultures and histories. Their stories also told of the intergenerational abuse of children by the state where children, who grew up in state care, experienced ongoing oppressive state

interventions and monitoring in adulthood and motherhood. Women and the children involved in child welfare systems, whose voices were silenced by oppressive state practices, were critical of the lack of accountability and transparency of Ontario's child welfare state.

Given the findings of my research, what needs to change? To conclude this thesis, the remainder of this chapter carefully considers future directions to end violence against women after two decades of neoliberal policy focused on the child. There are three sections. The first section grounds visions for change in the collective experiences of abused mothers from two focus groups: one conducted in northern Ontario in Sault Ste. Marie and another conducted in Windsor in southern Ontario. Are state systems broken, according to these focus groups? The second section examines the feminist antiviolence movement to untangle why decades of activism and policy change to address violence against women through criminal justice systems have failed abused women and their children. I elaborate three alternative state and hybrid/non-state models that move beyond conventional criminal justice responses to address violence against women: restorative justice, widening the circle of supports, and engaging advocacy groups. The concluding section evaluates the feasibility of these state and hybrid/non-state alternatives in the current neoliberal climate of state spending cutbacks and the policy trend to the child to address violence against women. Here, I again employ a feminist political economy that draws heavily on abused women's experiences to show that hybrid models of state and non-state engagements are imperative to address both the structural and systemic barriers mothers encounter when seeking violence-free lives. Furthermore, if policy changes are to be transformative and hold the state accountable for the broken systems and broken promises of violence against women and mother/child welfare, survivor-centred alliances must be at the centre of policy-making to address violence against women and their children.

## 1. Is the System Broken?

*Broken systems...you go to the [women's shelter], the [women's shelter] calls Children's Aid immediately, and then Children's Aid gets involved. If you do not comply with every arbitrary order, they apprehend your children. And to find stability when you can't have police who will keep this person [abuser] in jail, is an improbability. (focus group, southern Ontario, personal communication)*

*[shelter name] should not have the right to call unless there are exhibiting behaviours that are inappropriate for your children. I do not think it is reasonable that when we are seeking help, you are calling someone on us. I don't think that is fair and it is completely unacceptable and it deters us from wanting to leave the violence because it ends up putting our lives in shambles. (focus group, southern Ontario, personal communication)*

*The cops wouldn't do anything for me (with my abusive ex). So the only thing I could do was play nice (with ex) but keep my distance. Well, if you play nice Children's Aid yells at you because you are still in communication, but if you are not playing nice, he (abuser) comes after you. Damned if you do and damned if you don't. (focus group, southern Ontario, personal communication)*

*CAS has traumatized not only us mothers but also our children. Four years ago, when my daughter was nine years old...CAS came to my house to interview both of my daughters. The child asked for her mommy in the room...and they said no. Not allowed. My daughter came down stairs crying. Mommy, I don't ever want to talk with CAS. They asked her if anyone has ever inserted things in there. (focus group, northern Ontario, personal communication)*

*Systems...they throw you to the next system. We are not professionals so they do not listen to you. In a period of crisis, when you are traumatized? I get discouraged after that circle of systems, when you are bounced and bounced and bounced and say the same story. (focus group, northern Ontario, personal communication)*

The systems in Ontario are broken, according to both women's focus groups in northern and southern Ontario. State systems mandated to protect them, do not. Women with children fleeing violence are not listened to and not believed. Rather than a safety net of coordinated state systems that advocate for abused mothers, the collective experiences of abused women highlight how the triangle of coordinated state systems, policing, child welfare and women abuse shelters, is broken. Abused mothers fear oppressive interventions by child welfare when accessing shelter supports and ineffective interventions by police to protect them from abusers. While mothers fight for and want stability from violence, they identify how these broken state systems are to blame for their lives taking a downward spiral.

Mothers also speak about the systemic oppressions they experienced in state-run services that retrench race, class and gender inequalities in their daily lives when trying to restabilize their families during the crisis of family violence and after separation from the abuser. While systemic racism is a major concern for all racialized women in Ontario, First Nations/Metis women in the northern focus group were outspoken and angry at the ongoing, often overt, racism they experienced within their communities and state systems. Called racially derogatory names such as "Squaw" and "dang Indian," some women often hid their nativeness to protect themselves and their children. Fearing harsher and more judgmental treatment by CAS, one woman commented "I am Metis, so as soon as CAS says: do you identify as First Nations/Metis? I say no because I don't want to be treated less than or with a judgmental attitude or shuffled off

to someone else who doesn't care. I identify everywhere else but not to the Children's Aid" (personal communication). Another First Nations/Metis woman felt supported by Native CAS services that positively intervened with non-native CAS on her behalf. They also spoke about how poverty made them the poor "ugly step-sister of the north." Southern Ontario-centric policies and practices failed to address the lack of anti-violence resources and services available to abused women and their children in northern communities. In some remote areas, there are "no phones, no satellite, no land line and no bus services for places two hours away" (personal communication).

Low-income women in both focus groups faced similar financial barriers to living violence-free lives commenting, "systems are set-up to keep us in poverty" (personal communication). State systems not only contributed to the downward spiral into poverty, but also often exposed them to unsafe housing conditions and angry ex-abusers. As one mother commented, "last year I made \$15,000 on ODSP...but they (the Ontario government) takes your child support dollar for dollar...so Ex is pissed about providing child support and not seeing this spent on children" (personal communication). Another mother with several children who is trying to re-establish her family after leaving the abuser reveals, "... you find a house and the government gives you \$1000 to start. So you are going to start with a little piece of money. So you are going to an unsafe home, with poor hygiene" (personal communication).

Abused women in northern and southern communities shared similar experiences of gender oppression by courts, police and CAS. They are more likely to believe abusive partners and let them off the hook. In the focus groups, women were angry that abusers got off in a few months or years while mothers who were abused were re-victimized and children re-traumatized by the state for many years, jumping through state-sanctioned hoops to raise their children

without violence. Critical of how abusers use the systems against them, women agreed that “if the ex calls on you- they are right there- and without documentation of any kind, he can walk into police, courts and they will believe him, not the woman” (personal communication). One mother who “told the truth” and “had CAS in my house for five years doing everything they mandated” was required to take drug tests to prove her innocence, while the guilty abuser maintained his child visits without any testing (personal communication). According to another mother who shared child custody with the ex-abuser, “CAS would visit one month in his house and one month in my house” but “he complained that it was inconvenient for his lifestyle, so they [CAS] stopped visiting at his house” (personal communication).

## **2. Where Did it Go Wrong?**

The issues of state and non-state involvement in violence against women have been central to feminist organizing in Canada since the 1970s. The origins of the women’s movement organizing around wife-battering at the federal level can be traced to the 1973 formation of the Canadian Advisory Council of Women. Its 1980 publication of “Wife-Battering in Canada: a Vicious Circle” and the follow-up consultation with women who had been battered gave them a voice in recommending action to the federal government (Walker 38-39). These early discussions revealed divisions between “movement women’s efforts to maintain a concerted position in relation to women’s oppression and those who wanted to carry the struggle onto the terrain of the state and the professions, as a way to secure resources and to get things done” (Walker 41). Many participants, including the feminists working inside the government and with the council, saw a state approach as most beneficial. The movement could use government funds to accomplish their own ends; to network and exchange materials; and continue the work of making wife-battering visible in the public realm while developing strategies to get the various

components of the state system to take action against woman abuse (Walker 42). The action goals developed from the consultation included analysing the place of women's groups in the institutional systems, looking at how systems perpetuate wife battering, and maintaining women's perspectives in controlling directions for change. The first and foremost action goal was publicly defining wife battering as a crime against women (Walker 44).

By the 1990s, getting tough on violence against women was advanced in Ontario. This shift to a criminal justice response parallels the shift to the right in politics when the Harris Conservatives took power in 1995. Responding to the demands of feminist anti-violence advocates, the Ontario government introduced several initiatives to improve the criminal justice response to domestic violence. This included mandatory police charging (policies making it more difficult for domestic assault charges to be dropped); changing laws to recognize intimate partner violence as a societal, not just a private problem; and improving collaboration between criminal justice actors and community services (Ontario Women's Justice Network, "Ontario's Domestic Violence"). Domestic Violence Courts (DVC) began in Ontario around 1996 to "simplify the prosecution of domestic assault cases, provide more support to victims, increase offender responsibility, and provide early intervention" (Ontario Women's Justice Network, "Ontario's Domestic Violence"). A range of professionals worked together to improve support for victims/survivors of violence: police officers; crown counsel; lawyers; staff from the Victim Witness Assistance Program (VWAP) to support victims/survivors; probation officers, and community agencies with specialized training in intimate partner abuse (Ontario Women's Justice Network, "Ontario's Domestic Violence").

Others were critical of this over-emphasis on a criminal justice response to gendered violence (Sinclair). Research indicates that conventional justice with a tough on crime approach

has been less effective in preventing reconvictions. It does not keep women and their families safe from intimate partner violence nor hold men accountable for their abuse (Sherman and Strang 12). Moreover, there is scant evidence that harsher penalties with respect to VAW deters offenders (Von Hirsh et al., and Sherman, qtd.in Morris and Gelsthorpe 129). In Ontario, the mandatory charge policy for abusers, introduced in 2000 to relieve abused women of the responsibility to press charges, had perverse results. The policy actually increased the number of women arrested because the gender-bias of criminal justice systems viewed domestic violence as mutual combat (Sinclair 44-45). More women are being charged for domestic violence and court-mandated to attend Partner Assault Response program (PAR). One social worker recounts.

*Five years ago, we would have two to three women in probation group, which is a mandatory, PAR (Partner Assault Response), where if a woman gets charged with domestic violence, then she is sent to the mandatory program. [Currently] I have eight women and twelve women in my [two] groups. I am not denying that there is mutual abuse, but please stop charging the victims. It is years and years usually of horrific abuse. And she finally gets a backbone to stand up for herself and she gets charged.*

(personal communication)

Recall that two mothers in the study were charged by police; one who scratched the abuser when he was strangling her; the other, after years of physical and sexual abuse, struck back at her abuser who choke slammed her on the ground. Furthermore, the systemic cracks between law enforcement and criminal justice reduce the likelihood of charges against the abuser while increasing women's exposure to violence after separating from the abuser. In Julianne's story, jurisdictional divisions between OPP and local policing let the abuser off the hook. Julianne's lawyer discouraged her from pressing charges against the abuser, who physically assaulted her

during child visitations. For First Nations/Metis women like Julianne, the Indian Act has historically denied and excluded Indigenous women from an equal share of matrimonial property and Indian status for their children, but it also perpetuates the exposure of Indigenous women and their children to violence on and off Ontario reserves (McIvor; McGillivray and Comaskey). This further entrenches colonialism and patriarchy.

The specialist domestic violence courts introduced in Ontario in 1996 to deal with family violence may provide a level of sensitivity to the gendered and racialized oppression experienced by abused mothers. However, they rely on conventional criminal justice practices based on adversarial relations between the abused women and the abuser/offender that often fail women (Ontario Women's Justice Network, "Ontario's Domestic Court"; Morris and Gelsthorpe 129). For example, the Domestic Violence Court (DVC) Program in Ontario has succeeded in helping the prosecution of domestic violence cases, which are less likely to be withdrawn by the Crown and more likely to result in a finding of guilt. Yet examples abound where the legal procedures complicated a situation or exacerbated the violence for abused women (Ontario Women's Justice Network, "Ontario's Domestic Court"). Many new immigrants fearing deportation and immigrant/Muslim families, who fled their countries due to police brutality, are terrified of the involvement of police and criminal justice in their lives. Furthermore, while statistics on lower re-arrest rates may in part reflect the success of the DVC program, according to the Ontario Women's Justice Network, these lower numbers may be the result of fewer people reporting their incidents of domestic violence to police (Ontario Women's Justice Network, "Ontario's Domestic Violence"). In this state-centric conventional model of criminal justice, women, particularly racialized, low-income women who do not benefit equally from the criminal justice system, report dissatisfaction and frustration over the lack of choice and control over the process

where their views are not considered by prosecutors and the courts (Ontario Women's Justice Network, "Ontario's Domestic Violence"). In listening to women's stories, they expressed frustration with lawyers who advised them against pressing charges or failed to act on women's decisions to address violence in their lives. Court systems that delivered lenient sentences to abusers with long histories of violence failed several mothers who wanted their abusive partners charged for abuse and stalking them.

Within a neoliberal policy shift to the at-risk child, the 2004 introduction of the state-mandated VAW/CAS agreements between VAW sector and the Ontario child welfare state cemented a child-centric criminal justice, court-based and adversarial approach to gender-based violence against women with children, particularly oppressive to marginalized women. As earlier chapters have highlighted, the over-representation of First Nations, racialized and poor children in CAS and state-run childcare systems is evidence of institutional and systemic race, gender and class oppression of marginalized single-mother families fleeing violence. Embedded within policing, court and criminal justice systems to protect the child, the Ontario child welfare state is a formidable state player in this increasingly collaborative service-delivery triangle of police, courts, criminal justice systems and women's shelters to address violence against women. Abused women avoid shelters for fear of an open file with CAS. Mothers are fighting CAS for their legal rights to regain custody of, and protect their children from languishing in privatized, low-standard state-funded foster care systems. CAS sanctioned and court-mandated child visitation and custody orders also re-expose women to violence. They are revictimized and traumatized by many years of mandatory child welfare interventions post-separation from abusers. Costly and protracted court cases for abused women to (re)gain custody of their children from the state are a heavy financial burden, as this low-income mother identifies.

*They [CAS] try to claim instability and say that the mother is not able to maintain stability because of all these [abuse] issues, the issues with my husband...They [CAS] claimed it was unstable and not good for the children. Nonetheless, my lawyer and I fought it. The judge overruled and the children were returned. I owe one lawyer \$8000 and another lawyer \$8000, so about \$16,000 in legal debt currently. And I am still moving forward with more legal fees on the way. (personal communication )*

State funded community-based initiatives embedded within conventional criminal justice approaches have frequently relied on romanticized notion of community that will actually hold perpetrators accountable and advance the rights of victims of abuse (Hess et al.; Smith 262, 263). Over the last two decades, the state-funded science of risky motherhood advanced by prominent doctors and state professionals contaminated the collective consciousness of Ontario communities. Given the anti-mother backlash resulting from widely publicized news of the at-risk child in Motherisk programs and Dr. Charles Smith's analysis of criminal baby deaths, it is increasingly difficult to find local communities that will hold abusers accountable, not demonize women, and uphold the rights of mothers and their children. While research has discredited this science, allegations by medical professionals of wrongdoing by mothers against their children, even false allegations, reinforce women's culpability for their children's lack of well-being and safety.

Two programs introduced by Ontario to support community-based reporting of violence against women with children have held abused women with children accountable, not abusers. Ontario's legislated duty to report requiring professionals to report child abuse and children witnessing abuse has contributing to the hyper-vigilance of abused mothers' lives, not abuser's lives. Recall Beth's story where CAS paid a private investigator to follow her and report on her

activities, not the abuser's. A second community-based program, "Neighbours, Friends and Families" introduced in Ontario in 2005 is a province-wide education initiative to "train local communities to raise awareness of the signs of woman abuse so that those close to an at-risk woman or an abusive man can help" (Ontario Women's Directorate, "About Us"). While this program claims to represent a significant shift in the approach to ending woman abuse by "engaging the power of everyday relationships to help keep women and their children safe," the program fails to make abusers accountable for violence within the context of community and women and children's safety (Ontario Women's Directorate, "About Us"). For example, in the training section about "talking to abusive men," community members are to call the police "if the woman's safety is in jeopardy." (Ontario Women's Directorate, "About Us"). If the state and local communities are committed to holding abusers accountable, why are community members in conversations with an abusive man, not being trained to immediately call authorities to report the crime of violence and the threat of a community safety concern? This training jeopardizes the safety of the women and her children. Furthermore, community members, understandably fearing retribution by violent abusers, are more likely to call about cooperative abused mothers and their children, ratcheting up the monitoring and reporting of abused mothers.

### **3. Where Do We Go From Here?**

Envisioning alternatives to mainstream court and criminal justice approaches to violence against women is critical, if as a society, we are committed to addressing systemic violence against all women. Challenging narrowly focused state-centred systems based on individualized and adversarial models of justice, alternative models of justice offer new insights into community-based, family-centred and face-to face approaches that have the potential of increasing abuser accountability and enhancing safety for abused women and the community. More importantly,

can alternative models expand the options for abused women who are fed up with mainstream state systems that re-victimize them? Can they help immigrant and First Nations women who seek redress within their cultural communities; women who want to live without violence but stay with abusers; or the growing number of mothers who remain in abusive relationships to keep CAS out of their lives? Since most victims of violence against women do not call the police or seek help from the courts (Ptacek), can alternatives outside of conventional state systems provide hope for the women and their families seeking violence-free lives?

Three alternative models follow: restorative justice, widening the circle of supports, and engaging advocacy groups. While all three alternative visions advance community-based accountability models, their approaches differ substantially based on the degree of state and non-state interventions. For example, the alternative widening the circle of supports is firmly embedded within conventional state criminal justice systems while the alternative of engaging advocacy groups eschews any state involvement. None of these alternative approaches is a perfect solution, yet in their imperfections, they seek to expand our responses to violence against women, to support the range of different needs of abused women and their children, and heighten abuser accountability and the safety of families and communities.

*i. Alternative 1: Restorative Justice*

Restorative justice (RJ) seeks to decrease the role of the state in responding to crime and increase the involvement of communities in meeting the needs of victims and offenders (Ptacek). As an informal, dialogue-based practice, restorative justice “seeks ways for victims and offenders to cooperate in preventing future harms and repairing past harms” (Sherman and Strang 12). The restorative justice theory claims that one can prevent crime by making offenders feel more sympathy, or at least foster remorse, for their victims. Much of the push for familial

and cultural networks to address violence against women came from Indigenous people. Indigenous communities in Canada developed restorative justice programs in response to systemic discrimination in colonial criminal justice systems where First Nations people are over-represented in prisons. While over 3 percent of Canada's population are Indigenous, Indigenous inmates comprise anywhere from two to 88 percent of all admissions to federal prisons (Nielsen 208). The growing self-determination initiatives in Indigenous communities have laid the foundation for a wide variety of Indigenous-run criminal justice initiatives. Most of these restorative justice programs occur in rural and remote areas and on Indigenous reserve lands (Griffiths and Hamilton 184). Lacking the sovereignty and legitimacy for Indigenous-centred approaches to social justice, and lacking independence from the federal government, some models of Indigenous restorative justice modify euro criminal justice systems (Nielsen 208, 221).

Several high profile restorative justice programs reflect a hybrid approach of state and non-state processes to address the high rates of sexual and family abuse and heal Aboriginal communities. The Community Holistic Circle Healing Program, established in 1986 in Hollow Water, Manitoba, includes a thirteen-step process that involves disclosure, protecting the victim or child and confronting the offender with the involvement of the state assessment team, RCMP, and Crown. The victimizer must admit and accept responsibility and publicly apologize to the victim and the community (Griffiths and Hamilton 182-3). Following traditional healing practices to restore community, family and individual peace and harmony, a healing contract is signed and a community healing process begins that includes the victim, offender and their relatives (Griffiths and Hamilton 183). The Canim Lake Indian Band Family Violence Program in British Columbia developed another proactive approach (Griffiths and Hamilton 183). This band-controlled program offers a period of amnesty whereby sex offenders who acknowledge

their responsibility, but have not been detected by the police or sanctioned by the band or criminal justice system, can be placed in a treatment program without being subjected to criminal charges (Griffiths and Hamilton 183). Treatment interventions blend modern clinical and traditional Aboriginal healing practices to address the needs of the offender and victim within a family and community context (Griffiths and Hamilton 183-184).

Are these programs effective in addressing gender-based violence against First Nations/Metis women and girls? While community-based restorative justice offers an alternative to retributive justice, feminist scholarship has unsettled any utopian vision or single definition of restorative justice when considering violence against women. (Morris and Gelsthorpe; Daly). Challenging romanticized notions of accountability in Indigenous RJ approaches, Daly notes, reverence for a pre-contact Indigenous past “slides over practices that the modern civilized western mind would object to, such as a variety of harsh physical (bodily) punishments and banishment” (200). Additionally, critical of the re-emergence of Carol Gilligan’s ethics of care in feminist thinking about responses to crime, Daly flags as troubling the advancement of a feminine caring model in discussions about restorative justice approaches to address violence against women (203). Here, care responses to crime, as pre-modern, Indigenous (informal) and feminine (care) are linked to a superior restorative justice model while a modern state (formal), masculine (justice) and western model is linked to an inferior retributive model (Daly 202). These oppositional dichotomies not only essentialize women as naturally caring, but cast men as uncaring. The very practices identified by feminists as problematic in conventional justice reify adversarial and gendered approaches to violence against women and their children.

The experiences of a First Nations/Metis woman living on reserve highlights how white colonial patriarchy within Indigenous communities has seriously compromised the

administration of justice and hindered the success of restorative justice initiatives for violence against women with children.

*Many women are going through the same thing [abuse and violence]. And how it is kept so quiet in my community, living on reserve...for me to have him kicked out of my house and charged was a shock to the First Nation as a whole...the first six to eight months after he was charged, I was basically shunned by the community...then maybe three to four months later, two other women in the community came forward and he was charged with rape. People need to start talking about it. Charging people or dealing with it in our way...I think he should be banished from the community. We used to do that traditionally...the long colonial history of this, in terms of its impact on First Nations communities and how it has created these problems...but now you are in it. How do you work your way out of that? And the silencing? Every day I think about leaving my community. Why do I have to leave? I am not the one who did anything. (personal communication)*

The mother wants the abuser banished from the community to protect her family and other families. Abusers protected by powerful band families and close family ties on reserve limit the options and rights for women with children seeking violence-free lives. The response in some First Nations community to violence against women and their children not only silences other community members, but it can vilify abused women who come forward. In communities where there are matrilineal ties, violence declines when husbands move in with their wife's family. The current system favours the opposite, often disrupting the woman's ties to the community as she relocates with her husband, placing her at greater risk.

Other restorative justice efforts in First Nations communities reflect similar entrenched values of colonial patriarchy within their communities. In Canada, a 1991 collaborative effort between the outside justice system and the First Nations of the South Island Tribal Council on Vancouver Island failed several years later due to a variety of community-based problems, such as political unrest and family feuds within the community. Furthermore, not all residents shared the same cultural values and the initiative suffered from insufficient community consultation from the outset (Griffiths and Hamilton 186). The most divisive issue was ensuring the rights of victims, particularly women and female adolescents. Indigenous and Inuit women expressed concerns about patriarchal attitudes toward sexual and physical violence held by community members, particularly elders and older people who had a higher tolerance of violence against women (Griffiths and Hamilton 187). For example, members of the tribal council and elders intervened to influence case outcomes such that victims often felt pressured by project personnel not to pursue charges while individual offenders, with family and political connections who were alleged to have committed serious offences were diverted into the RJ program (Griffiths and Hamilton 186).

Lack of shared cultural values, dominant patriarchal values, the silencing of women's voices, and the inability to ensure the rights of abused women and their children to live without violence are common challenges in alternative restorative justice approaches. These challenges raise serious questions and concerns about the effectiveness of restorative justice in Indigenous communities, or any small community.

*ii. Alternative 2: Widening the Circle of Supports*

Increasingly scholars value theorizing justice in hybrid relations, of seeing the connections and contingent relations between apparent oppositions (Zedner; Bottoms; Hudson;

Daly; Duff; qtd. in Daly 204). Hybrid models of state and non-state interventions offer a range of options to violence-free lives within mainstream state systems. Building on a US community-based vision to address the safety of women and their children and hold the abuser accountable, widening the circle of informal and formal supports is applied in situations in which the state is already involved and seeks to build partnerships that exert familial, community, and legal leverages to stop the abuse (Pennell and Kim 178). Uneasy about the reliance of domestic violence organizations and child welfare services on legal remedies to protect women and children, Pennell and Kim are committed to engaging culturally based groups to end family violence, where families are often embedded within their ethnic and cultural communities (Pennell and Kim 178). Widening the circle elevates the leadership of the family (close family members, relatives and other close connections to the family) while still leveraging legal resources to safeguard women and their children in the home (Pennell and Kim 178). For example, survivors and perpetrators along with their family members and their informal networks of friends and other supportive service agencies are involved in family-centred forums and are integral to decision-making, without relinquishing state resources and protections (Pennell and Kim 183). The inclusion of friends and family as supports for an abused woman may be helpful for the family's immediate safety and long-term plans, when considering that the majority of abused women do not seek safety in state systems. Seventy-seven percent of women in Ontario who leave their abusive partners stay with friends or relatives, while thirteen percent go to transition houses or shelters; thirteen percent move into places of their own; and five percent stay in hotels (Rodgers, qtd.in Sinclair 53). These face-to-face meetings can build a context of cultural safety where family groups can speak in their own language and access

traditional and religious/spiritual interventions and practices, particularly transformative for racialized, First Nations and immigrant communities/women (Pennell and Kim 184).

The inclusion of abusers and their supports in these face-to-face meetings is critical to improve abuser accountability and community safety, according to Sherman and Strang. Given evidence on patterns of criminal offending and desistance, *only* face-to-face meetings can provide an experience with enough emotional power to substantially reduce repeat offending (Sherman and Strang 32). The recent trend to a more emotionally intelligent approach to criminal justice acknowledges the distinctiveness of feelings and bonds with people involved in these face-to-face meetings given the complex emotional cocktail of anger, shame, guilt and regret (Sherman and Strang 12). While others claim that face-to-face meetings between victims and offenders and their supporters is a practice worth maintaining and perhaps enlarging, they caution against heavy expectations of strong stories of repair and goodwill most of the time (Daly 209). In cases where the power imbalance in violent relationships between abusers and victims of violence is too entrenched to support face-to-face meetings, the conventional justice system can be the alternate option.

Reparation in face-to-face meetings between victims and offenders relies heavily on well-trained facilitators who can set the conditions that will allow for painful emotions such as shame and grief to be felt, expressed, and shared by the victim, the offender and the other participants (Retzinger and Scheff 328). Facilitators trained in gender power imbalances can create a survivor-centred space where the abused woman can make clear to the offender and their families and friends the effects of the violence on her and her children (Morris and Gelsthorpe 130). Friends and families of the abused woman can also provide a supportive basis for her voice to be heard, including the support of anti-violence men (Morris and Gelsthorpe 130). A Maori

practice removes the abusers' right to speak, allowing only for statements to be made on their behalf (Morris and Gelsthorpe 130-131). Other strategies to support the safety of all at the meeting include consulting with the survivor on whom to invite; having the offender join the meeting by phone; negotiating ground rules; and strategically using breaks to ease tensions (Pennell and Kim 185).

The involvement of abusers and their supports at community-based interventions can enhance community safety, the safety of abused mothers, and the safety of professionals. Learning about abusers, understanding their circumstances and meeting their supporters allows all professional and informal supports and most importantly the abused woman to better develop safety plans to support their families' safety and the community's safety. In the meeting, the community supporters of the abuser, such as in-laws and relatives, may identify as potential allies for the safety of abused women and the children and for holding the abuser accountable. While women shelters have often lacked information about abusers' whereabouts and plans, this community-shared information will help all state professionals and informal supports to collectively develop a fulsome safety plan that meets the immediate crisis needs and longer-term re-stabilization plans of mother survivors and their families. Additionally, community meetings support the increased safety of state social workers whose personal safety was often in jeopardy in state-centred systems when required to have one-on-one meetings with the abuser.

Community-based face-to-face meetings also provide dialogic spaces for holding state systems accountable. At these face-to-face meetings, informal and formal supports can support abused mothers to push back against state systems that have targeted them and held them accountable for their families' safety. One-on-one conversations between women and police and women and CAS where women were not believed are instead, replaced with large group

discussions where informal and formal supports of mothers can challenge the gender and racial discrimination that unfairly holds them accountable for their family's safety. For example, rather than requiring a mother to relocate for her and her children's safety, as many mothers were directed by CAS under threat of child apprehension, considerations for abuser accountability at these meetings might include removal of the abuser from the family home and the local community. For First Nations women on reserve, offender banishment from the reserve might be discussed as the option to uphold the safety needs of abused women and their children and the community. Additionally, mothers can challenge CAS interventions and their Eurocentric standards of child well-being that add to their daily childcare burdens.

If the safety of all abused women and their families is to be addressed, community-based alternatives must attend to the needs of women with children who want to stay with abusers and keep their families intact, and the safety needs of immigrant and racialized women who fear deportation and child welfare and police interventions (Kim). Community-based discussions in Ontario to address violence against women in immigrant families reveal problems with the hybrid model of state and non-state options at the community level. At a 2016 conference entitled "Understanding and Responding to Family Violence in the Context of Migration: A Community of Practice Conversation," participants included state professionals, executive directors, front-line workers and academics, who were invited to consider alternative responses to anti-violence interventions for new/immigrant families, within the local context of a growing Muslim community. To engender thinking about alternative non-state approaches to family violence, participants studied and discussed in large and small groups a case study about a Muslim man who slapped his wife in public. Large group discussions included Muslim community-centred interventions such as counselling for the abuser, the involvement of the local

imam for spiritual guidance and direction for the abuser and the family, and the outreach of the local Muslim community to keep the woman and her children safe. When the non-state option of intervening *without* calling the police about the assault was raised for discussion, there were several pushback comments revealing support for the mainstream collaborative state systems approach and a lack of understanding about systemic anti-Muslim racism within the triangle of shelter, CAS and police state systems. For example, one social worker in the medical field commented that reporting violence against women is an important feminist message to send to her daughter. Invited to deliver closing comments, a senior police officer in attendance took the opportunity to stress the importance of always calling the police. Resistance to a hybrid model of state and non-state interventions in Ontario suggests that more research is needed to examine how state-centred approaches to violence against women are failing immigrant families and communities. There are many complex layers of causality here. For example, a significant factor is the loss of status for the male head of the household who struggles to learn English and is overshadowed by the children who can learn it more quickly.

Hybrid alternatives offer new ways forward to address violence against women within state systems. Many women, particularly immigrant and racialized women who seek support and safety from violence within their community benefit from these widened supports. The inclusion of abusive men/ fathers and their family supports holds some promise of change in systems that exclude their active involvement in addressing their violence. However, it seems somewhat idealistic to expect abusers, who benefit from current gender-biased systems, to participate in alternative approaches that require more accountability. Furthermore, the assumption that a survivor-centric approach involving families and state systems is potentially transformative is problematic. As women's stories revealed, state systems, such as shelters, child welfare and

police, dominated by child-centric policies and Indigenous bands, families and relatives on reserves do not listen to women or children, nor act on their rights and needs to live without violence.

*iii. Alternative 3: Engaging Advocacy Groups*

Alternative visions of non-state responses to violence against women in the US context of violence against women are instructive for Canada, particularly given the similar trend of a crime approach to VAW advanced by the US antiviolence movement. Anti-state advocates in the US are critical of domestic violence movements that threw their support behind the institutions promising to protect women from domestic and sexual violence, rather than recognize the complicity of the criminal justice state in gender violence (Richie, qtd. in Smith). Since 1994, activists in the US rape crisis and domestic violence movements have promoted strengthening the criminal justice system as the primary means of reducing sexual and domestic violence (Smith 257). Like Canada, reformist strategies through changes in US legislation accompanied antiviolence advocate participation in police and judicial trainings, in an effort to sensitize state agents to the issues facing survivors of violence and to their responsibility in enforcing laws meant to enhance protection for survivors of violence and increase penalties for perpetrators (Kim 200). Acknowledging the important ground-breaking work of earlier US feminist anti-violence movements is important as they advanced the needs and rights of abused women by breaking the silence around violence against women and providing critically needed services to survivors. Over time, however, these movements seldom address sexual and domestic violence within the larger context of institutionalized gender, racialized and colonial violence (Smith 258).

Critical of mainstream system responses to VAW that reinscribe colonialism, patriarchy, racism and gender violence, US community groups developed non-state community accountability forms of governmentality, based on mutual respect and interrelatedness (Smith 267). Creating community accountability strategies for ending violence is actually about creating alternatives that are not based on a nation-state model of governance (Smith 268). Non-state community-based approaches do not encourage survivors to engage the criminal justice system; rather, they ask, “Why have we given survivors no other option but to engage this system?” (Smith 267). Fed up with existing organizations that fail to protect US women of colour from violence, a small radical group of women of colour activists organized in 2000 and started INCITE! Women of Color Against Violence (Smith 267; INCITE!). Today, INCITE is a nationwide network with grassroots chapters committed to speaking out about violence against women of colour, trans and gender-nonconforming women; attacks on immigrants' rights and Indigenous treaty rights; and the reproductive rights of women of color. They work to develop community accountability models in conjunction with local organizing efforts. Through workshops and activist institutes, women of color have strategized about possible community accountability models, distributing them to other local groups to experiment with and provide feedback to other women of colour organizers (Smith 267).

One of the most well-developed community accountability models, Friends Are Reaching Out (FAR Out), exists in queer communities of color in the US (Smith 269). FAR Out Program is part of the NW Network, founded in 1987 by lesbian survivors of battering (The NW Network). The organization works with LGBT survivors to strengthen their own social networks, build community to actively resist abuse, and advance economic and social justice (The NW Network). The premise of this model is that when people are abused, they become isolated and

they are further isolated within the domestic violence movement and shelter systems, where women residents are asked not to share specifics about the shelter location to protect the safety of all residents from abusers (Smith 269). FAR Out's model is based on developing friendship groups that make regular commitments to stay in contact with each other and develop processes to talk openly about their sexual relationship dynamics with friends. Talking about sexual relationships openly with friends makes it easier for friends to hold friends accountable (Smith 269). In sharing relationship dynamics openly, the capacity of the community develops to learn about those experiencing domestic violence, while supporting survivors and holding accountable the perpetrators (Smith 269).

Similarly, Creative Interventions is a collaborative project with Asian immigrant domestic violence advocacy organizations based in the San Francisco Bay area that is building non-state community-based interventions within immigrant, queer and racialized communities, as alternatives to law enforcement, the courts and prison (Pennell and Kim). These collectives, in many ways, reflect the early origins of 2<sup>nd</sup> wave non-state shelters organized by women's collectives to provide safe spaces for women fleeing violence. Aligned with social justice movements in the US organizing outside the state to address intimate violence, they collectively challenged the individualist approaches of the criminal justice system/policing to protect women. Non-association orders and charges against perpetrators often increase women's exposure to violence, particularly when children are involved and abusers have parental rights. Their community-based model is particularly relevant in immigrant communities where they are more distrustful of criminal legal systems. Oriented toward problem solving, they engage their community networks and seek solutions that hold the possibility of keeping families and community intact (Kim 207). Individuals, organizations, and community organizations can carry

out these community-based interventions without expecting a healthy, thriving, cooperative set of family members, neighbours or spiritual/congregation members. Rather, they assume an incomplete and imperfect collection of individuals connected in some way to, and motivated to end, a situation of intimate violence (Kim 196).

How does the Creative Interventions model benefit women seeking violence-free lives? Their project challenges the individualist approaches of state-centred systems by engaging circles of friends, family and community to build collective responses, mapping allies, and using resources available and familiar to those affected by violence to construct remedies (Pennell and Kim 178). Unlike conventional antiviolenence solutions that presume immediate safety to be the ultimate goal, Creative Interventions offers the dialogic space for the articulation of more nuanced individual and collectively oriented set of goals developed from questions such as: What does she want? What are her goals? How can she organize her intimate network and other accessible resources networks to help her attain her goals? (Kim 208). The inclusion of allies and family supports does not necessarily rely on the initial engagement or buy-in of the primary survivor, allowing for the possibility of earlier interventions and the improved safety of abused women and their children (Kim 207). Rather than relying on state-centred, social service delivery models as the primary site of violence intervention, such interventions to violence can be carried out in people's homes and community spaces (Kim 207).

The engagement of the perpetrator of violence is a possible option and when approached with care, holds more promise than the transfer of this authority to the criminal legal system (Kim 208). Recognizing that non-state community-based interventions to VAW are a relatively new and unexplored territory, the issue of abuser accountability has not yet been resolved (Kim 206). The tendency in non-state approaches to VAW is to replace state punishment of abusers

with retributive community justice (Kim 212). Community banning, firing from jobs, persistent public shaming and persecution of perpetrators, and unclear and arbitrary consequences are just some of the consequences employed in the name of offender accountability (Kim 212). The tendencies in non-state approaches for either punishment or easy excuses are not truly transformative to survivors, perpetrators and communities (Kim 212). In addition, working with community conflict reveals how easy it is to “push for premature closure out of compassion, weariness, and a host of conflicting emotion and agendas” (Kim 211-212).

Expanding alternatives for abused women is important in seeking new ways forward to address gender-based violence. Community accountability models that resist the involvement of state systems provide new hope for grassroots anti-violence initiatives within marginalized Indigenous, racialized, immigrant and LGBTQ communities. Developing community capacity to support survivors and hold the community and abusers accountable addresses many of the key concerns of safety and protection, lacking in conventional state systems. While a survivor-centric model is advanced in the Creative Interventions model, it is concerning that, the so-called buy-in of the primary survivor is not required, particularly when women survivors have vehemently spoken against state systems that fail to listen to them. Furthermore, absent from these alternative models are children, the needs of children and their possible involvement in community accountability models. Additionally, emphasis on retributive approaches for abusers occludes any reference to therapeutic supports for abusers, especially abuse survivors and their children. Many mothers in my study raised this important request. Recognizing that non-state interventions are still evolving, we need more research to concretely understand how abuse survivors are benefiting from these alternative non-state models, not to mention changing male violence.

Alternative options concerned with systemic barriers are narrowly focused on the safety of women, children and communities. As women's narratives revealed, women with children seeking violence-free lives demand more than safety. They need accessible, affordable and safe housing. They need childcare support, so they can work. They need income support to pursue educational opportunities. Finally, they need access to programs to help their children and families with the trauma of violence. The narrow focus of hybrid and non-state approaches on the criminal justice system and community-based accountability models is limited in addressing these structural roots of violence. Within the neoliberal policy trend of reduced social spending and the re-privatization of childcare in the family, women fleeing violence demand the state be more accountable and effective in these areas.

#### **4. Broken Promises: State Accountability for Risky Economies and State Violence Against Women With Children**

*I think the government needs to step up. When I left the abuser...I lost everything in my house, I lost my car, I lost my job...I lost everything. I didn't have two cents to rub together. I have built myself up...but the government doesn't do anything...they gave me \$500 for start-up money, when I need to get a place and furnish the whole place. (focus group, southern Ontario, personal communication, 2015)*

*Guaranteed Income support...every Canadian should have \$30,000 a year...it is cheaper for me to eat McDonalds everyday than it is to buy fresh food. That is wrong...And then you have CAS knocking at your door wondering why you have crap food in your cupboards. You are feeding Kraft Dinner to your kids. (focus group, northern Ontario, personal communication)*

Women in both focus groups hold the state accountable for their families' downward spiral into poverty. They claim government support programs have failed to address the downward financial and personal spiral they encountered after leaving abusive partners. Low-income mothers subsisting on inadequate state income supports live in fear of CAS who document their neglectful living conditions, rather than intervene to address their sub-standard living conditions and lack of healthy food for their families. These women struggle to feed their children and make ends meet.

The United Nations is calling for the Canadian government to address the national problems of stagnant child poverty, domestic violence, and the plight of children in child welfare systems, particularly those placed outside families. National news stories about 10,000 sexual assault complaints by women going unfounded within police forces across Canada is a national problem. Noting the limitations of the blunt instrument of the law in addressing violence against women, Sinclair advocates a much broader approach to address gender violence, locating violence against women and their children within the gendered and structural inequalities women with children encounter. Women need affordable and accessible housing, adequate family income supports, accessible daycare and equal pay (Sinclair 103).

To reverse the neoliberal trend toward child-centric policies, the federal government must invest in strengthening families, particularly low-income single-mother families seeking violence-free lives. Income supports and childcare policies to strengthen families and communities are key to prevent families and children from entering state systems. New federal policies are needed to address growing income inequality and a shrinking welfare state in light of new social risks, such as women's increased labour participation and the growing demographic of single mother families. Decades of broken promises for childcare by the federal governments

have contributed to a crisis in women's caring labour. As revealed in Chapters Three and Four, the trend in federal (and provincial) policy to child development has deepened race, class and gender inequalities, particularly for women with children seeking violence-free lives. This must be met with a renewed federal commitment to a state-funded, universal, fully accessible and affordable national child-care program. The national inquiry into Missing and Murdered Indigenous Women and Girls is an important and critical initiative. However, a federal response to violence against women must address all forms of gender-based violence against all women, Indigenous and non-Indigenous, racialized and immigrant women and mothers with children. Federal leadership is critical given federal responsibility for criminal and divorce laws. In addition, federal leadership is critical to address gender discrimination in the Indian Act against non-status Indigenous women fleeing violence and jurisdictional decisions about mother and child welfare where violence exists, on and off reserves.

In the current neoliberal context of federal devolution of policy support and investment in violence against women and mother/child welfare, provincial policy reforms must address pressing safety and social welfare concerns. With the fading of federal supports to address growing income inequality, Ontario's state-funded "guaranteed minimum annual income support" currently under review is certainly a hopeful sign of change. The Ontario government earmarked \$25 million in the 2016/17 fiscal year to establish a pilot project for a guaranteed minimum annual income support sometime before April 2017 (Beeby). Recognizing the lack of affordable housing, will these guaranteed minimum income supports allow mothers to find immediate crisis and long-term housing that is safe, bug-free and affordable? Without federal or provincial commitments to fully funded childcare supports, will mothers receiving this proposed guaranteed annual income be lifted out of low-level poverty, yet still be unable to pursue waged

work or educational opportunities? Who is investing in the extra child-protection work mandated by the child welfare state? As the experiences of single mother families highlighted in chapter 4, women with children fleeing violence carry the burden of child-protection work on top of their daily childcare responsibilities, often ten to fifteen years after leaving the abuser. State income supports must recognize and account for this child protection work performed by single mothers, like Chantelle and Julianne, to fully and fairly address the systemic barriers they face in living violence-free lives.

Ontario policy initiatives must also address women's gendered and racialized inequalities in the face of gender-based violence. The narrow and de-gendered focus on child-centric and child protection reforms mask persistent systemic barriers women with children encounter when fleeing violence. Increased state funding for the violence against women sector in Ontario is necessary to restore much needed VAW services and programs and strengthen the feminist voice in policy arenas concerned with violence against women with children. Acknowledging the failure of collaborative state-run systems to support women and their families, particularly low-income, racialized, and First Nations/ Metis families, state funding of alternative accountability models for violence against women are key to expand the options of all women where violence exists in their families, a point I return to later in this chapter.

State-funded supports for parenting through the crisis of violence and beyond are critically needed in northern Ontario, on and off reserve, as the focus groups revealed.

*There should be assistance with personal growth with the parents involved so that they can become people with knowledge and tools so that they can become better parents, so they can teach their children how to become better parents. There is nothing. It is just*

*take your child away, be punished.* (focus group, northern Ontario, personal communication)

*CAS is not teaching the people what they did wrong...even if you meet all their checklists, they are still not satisfied. CAS used to have parenting classes...they used to do like parenting classes where you looked at how you were raised, but you could only access the classes if you had an open file. There is no [non-CAS] place for people who want to be better parents.* (focus group, northern Ontario, personal communication)

While women seek state-funded parenting programs to support their children and families through the short-term crisis and long term effects of family violence, they are critical of CAS-mandated parenting courses that are used to measure their mothering capabilities and then punish them with the removal of their children. Rather than expert-led parenting programs based on Eurocentric, middle-class standards that retrench intensive mothering practices largely out of reach for many mothers, state-funded programs need to support parents and their traumatized children, through the early crisis and longer term effects of violence, with healthy child and parent supports. Parenting supports for fathers are also badly needed in Ontario. In northern Ontario, the focus group noted “We have no services for men. We have PAR [Partner Abuse Response]. That is all we have...but there are no parenting groups for men” (personal communication). A single father in southern Ontario expressed similar concerns about the lack of parent supports, where he suggested that social drop-ins for parents, and particularly for single dads, would really help him with the isolation he feels as a single parent.

Developing new state-funded networking opportunities to support single mother and fathers are key. Increased alliances with LGBTQ community-based supports, such as The LGBTQ Parenting Network in Toronto are important to support different pathways to

parenthood, including adoption, pregnancy and birth, surrogacy, co-parenting, and foster parenting that challenge the dominant heteronormative, two-parent nuclear family with biological children (Sherbourne Health Centre). A single gay-identified father shared similar concerns about the isolation of single fatherhood remarking on the importance of community supports, like The LGBTQ Parenting Network, in supporting his parent/child relationship. Another single parenting group in Toronto, organized around and beyond fertility options, also expands the options for single parent supports. At the “On Our Own” Support Group, single mothers and fathers are welcomed who want to share, discuss and explore feelings, information, issues, and solutions related to single parenthood by choice (CReATe Fertility Centre).

##### **5. State Accountability: Breaking the Cycle of Systemic Violence Against Women**

*There is no oversight. I made a complaint against my worker, my supervisor. The agency decides. There is nobody else to go to. I was advised to go to my MPP. There is no oversight...they have their own laws...The most frustrating thing is CAS has policies and procedures that they use how they want. (focus group, northern Ontario, personal communication)*

*CAS and Police need to review their protocols and have transparency- all their policies and procedures should be public documents so mothers know their rights and can hold CAS accountable. (focus group, northern Ontario, personal communication)*

*I think CAS needs to be regulated more. They don't have a government body...they need to be watched. And they need to have rules in place...I believe they should reunite the kids with families...I think there should have laws in place where they work with abused women with their children. (focus group, northern Ontario, personal communication)*

*They have this lack of transparency within the Children's Aid. They don't allow you to discuss with your children the reasons why the kids are in care....You are supervised. If you say anything [to the children] about coming home, they freak on you. You can't discuss why they are gone, you can't discuss the process. But the Child and Family Services Act says you are allowed to talk with your kids, but Children's Aid does not allow it...You are made to look like the perpetrator...the kids wonder why won't you take me home. (focus group, southern Ontario, personal communication)*

Addressing Ontario's lack of transparency and accountability for the ongoing systemic violence women and their children experience when seeking violence-free lives, was a key priority for the women in both focus groups. There was consensus across both focus groups that state systems, such as CAS, police and shelters must be held accountable for their uneven, unclear and discriminatory practices. In exercising their rights, women in both focus groups demanded full transparency and disclosure of police and CAS protocols and practices. Critical of how women are silenced within child welfare systems where their parental rights are trounced on with little or no recourse, mothers are demanding state oversight of the child welfare state and state regulation of the child welfare state to assist, not hinder, family stability.

With the changes in intergovernmental relations over the last several decades, marked by the decline in cost sharing and the loosening of accountability for federal transfers to the provinces, the federal government has less leverage to hold the provinces to account (Graefe et al.; Anderson and Findlay 418). The new accountability techniques, such as public reporting, that gained currency in this troubling neoliberal era of increasing private responsibility for public problems, burdened citizens with the work and costs associated of gathering information to hold the state to account (Kershaw, qtd.in Anderson and Findlay 418). Meanwhile, Ontario continues

to protect state-funded systems from public scrutiny and citizen involvement. Bipartisanship over the last two decades regarding public accountability for oppressive policies and practices of Ontario's child welfare state is disconcerting. The Liberals, like the Conservatives before them, continue to shield CAS from independent oversight and rigorous accountability. Social workers suffer in work environments of fear and reprisal, as noted in Chapter Six, while findings in Chapter Seven exposed how children, the most vulnerable citizens, also suffer in oppressive state care where they are denied public access to files, policies or processes to hold CAS to account. The child welfare state ignored, discouraged or worse, threatened state officials and academic researchers, who challenged the policies and practices of child welfare. In addressing women's demands for an open and transparent process for bringing forward their complaints against CAS, the appointment of a provincial ombudsman with powers to act on parent's complaints against child welfare systems is critical. In the interim, a full public review of the thousands of complaints by parents against CAS, unaddressed for years in the absence of a provincial ombudsman, will shed light on the discriminatory practices of child welfare institutions and policing that have destabilized rather than strengthened families fleeing violence. Such a review could point the way forward for institutional and systemic change.

To change the system from within, women in the northern focus group, predominantly First Nations/Metis mothers, stressed the need for state-funded training of state workers to address systemic colonialism, racism and sexism.

*More domestic violence training for CAS and police. Not just a one-week domestic violence training for someone who is deciding if kids need to stay...or moms need to go.*  
(focus group, northern Ontario, personal communication)

*Cultural competency training- it is an intensive all day training and you learn all about First Nations culture, community, where we go from here...and everybody needs it. I took it and it is useful. Everybody needs to know what was lost and what can be regained. Cultural competency about everyone's race and religion. There is so much friggin racism...the only way it is going to go away is if you face it. There are so many judgemental attitudes. (focus group, northern Ontario, personal communication)*

State-funded cultural competency and anti-racism/anti-oppression (AR/AO) training can challenge so-called objective social work models based on risky motherhood that retrench gendered and racialized inequalities within state institutions. With shared AR/AO practices, new formal alliances between state workers across sectors can be developed to address the oppressive failure to protect and non-compliance practices of the child welfare state and challenge systemic discrimination within the collaborative triangle of police/criminal justice, shelters and CAS.

## **6. Survivor Advocacy, Activism and Alliances**

The inclusion of women survivor experiences in policy agendas and at policy tables addressing violence against women and their children is essential to the political project to drive social change and state accountability at the federal, provincial and community level. While statistical methods and mathematical modelling have often dominated at policy tables, an emergent theme in research studying violence against women and children is how qualitative research better illuminates violence, particularly how race, class, gender, and sexual orientation affect the experience of abuse (White et al.). Reflecting this new emphasis on valuing abused women's lived experiences, provincial initiatives in Ontario are supporting community-based research studying survivor inclusion at policy tables. In 2008, the Ontario Association of Interval and Transition Houses (OAITH) sought the input and participation of 149 women survivors of

violence from eleven Ontario communities into policy development and systemic change (“Survivor Voices”). The summary report revealed that women survivors of abuse want to actively and meaningfully be engaged in improving community services for women experiencing violence (OAITH, “Survivor Voices”). With funding from Status of Women Canada, OAITH conducted further community-based research about survivor inclusion in the VAW sector from September 2011 to March 2013 that included participants such as survivors, and staff at women’s services and community agencies. The result of this in-depth consultation was a 2013 report “Survivor Inclusion Project: Creating Meaningful Survivor Engagement” that proposed a Survivor Inclusion model for creating conversation between VAW organizations and survivors and building practices for engaging survivors and incorporating their voices into the work in an ongoing way (OAITH, “Survivor Inclusion”). Primarily focused on the integration of survivor engagement within existing VAW policy tables and committees, the Survivor Inclusion model seeks to empower and strengthen women survivors’ engagement through peer mentoring and education and volunteer initiatives about and within existing state systems (OAITH, “Survivor Inclusion” 38-41). For example, since its inception in 2001 northern Ontario, the Algoma Council of Domestic Violence in Sault Ste. Marie has encouraged survivors to attend their decision-making meetings (Breton et al.). There, survivors contribute to discussions about supportive initiatives in the community to end violence against women, such as local events and fundraisers (Breton et al.).

The integration of individual women survivors in existing state systems and committees is fraught with problems given the dismal history of survivor inclusion initiatives and the professionalization of state systems over the last several decades. Since the beginning of the Ontario antiviolence movement over 30 years ago and the development of services and networks

of shelters to support woman seeking violence-free lives, the ongoing survivor involvement and leadership in VAW initiatives has decreased (OAITH, “Survivor Voices” 1). According to OAITH, systems have become more collaborative and services more professionalized- even within women’s grassroots agencies- where fewer survivors have found their way into leadership positions on policy and program delivery (OAITH, “Survivor Voices” 1). According to UK research, supporting the success of survivor inclusion at existing policy tables and forums is not without its challenges, particularly given the increasing bureaucracy of these expert-led forums. Their research highlights how survivor engagement at expert-led policy meetings and forums rarely works because of overly bureaucratic procedures and approaches that alienate survivors (Hague and Mullender). Individual survivors risk further marginalization and re-victimization at state decision-making bodies responsible for the systemic barriers women encounter given the unequal power relations at existing policy tables. For example, at a 2015 province-wide conference entitled “Building a Bigger Wave Together!” a manager revealed that an invited survivor did not feel comfortable at the community table that included a police officer who had been unhelpful when the survivor was fleeing violence. Other comments about survivor inclusion highlighted how abused women fear reprisal from state experts when speaking out about women’s experiences of being silenced and not believed by police and CAS. Echoing similar sentiments in OAITH research, survivors identified “anxiety about engaging with services and systems they feel are often disrespectful, disbelieving and discriminatory” (OAITH, “Survivor Voices” v).

The recent development of survivor groups from early partnerships between VAW committees and local survivors has laid the groundwork for a collective and activist response to violence against women and systemic oppressions (OAITH, “Survivor Inclusion” 39). A small

but growing number of survivor activist groups in Ontario are collectively organizing to raise awareness about violence against women within and outside state systems. In Sault Ste. Marie, the Freedom Sisters began in 2009 with a core membership of three women and has steadily grown to a group of ten women who continue to meet monthly. Their membership includes Metis and First Nations women, students, social workers, homemakers, retirees and full and part time employees. The majority have been or are single mothers who experienced violence (Breton et al.). Their primary focus is community-based public education and awareness on the topic of violence through a survivor's perspective and the telling of individual survivor stories at speaking engagements, such as International Women's Day events and December 6th Day of Remembrance (Breton et al.). Another survivor group, Survivor Voices Oxford established in 2008, has five committed members who take part in local anti-violence events in the community, such as Take Back the Night, International Women's Day and Shine the Light on Woman Abuse Campaign in November, when supportive communities turn on purple lights (OAITH, "Survivor Inclusion" 36). This survivor group has also met with government ministers and MPP's to discuss funding for women's services. They also provided consulting services to the OACAS for their practice guide "Critical Connections: Where Women Abuse and Child Safety Intersect," and consulted with the Attorney General to improve restraining orders to better support abused women (OAITH, "Survivor Inclusion" 36).

These survivor groups offer new hope for women collectively demanding state accountability for VAW and systemic oppressions. Rather than an individualized approach to survivor inclusion in existing committees, this core group of survivors provide a more fulsome bottom-up experience of systemic barriers preventing women and their children from living violence-free lives. Survivors bring in-depth expertise to these tables, recognizing their complex

and multiple identities as mothers from minority communities, survivors of violence, mental health workers/survivors, social work students, community leaders, anti-violence activists, feminists, front-line workers/advocates, and ECE educators. Furthermore, a survivor advocacy model shifts women's knowledge of systemic and structural racism, sexism and classism, from the periphery of decision-making at expert-led state tables, to the centre of policy agendas.

Provincial state funding for survivor advocacy groups is key to the successful participation of survivor groups. They need to be paid for their work, their childcare and transportation costs, and other costs associated with community meetings, such as translation and interpretation, and technology costs (OAITH, "Survivor Inclusion" 16). Recognizing that childcare is one of the biggest barriers for survivor advocacy and organizing, funding from a local VAW Council allowed for a survivor advocacy group to provide supper and childcare for mothers attending the monthly meetings (Breton et al.). Yet, at the provincial level, lack of state funding hinders the participation of survivor groups at important provincial policy tables. For example, a funding request by the Freedom Sisters to Legal Aid Ontario for travel expenses to cover the costs of survivor attendance at a 2016 regional meeting, was unmet (Breton et al.). Dishearteningly, survivor experiences of the legal barriers encountered by abused women in northern Ontario were absent from a state decision-making table where partners in the Violence against Women community and other legal and community service providers collaborated on developing a strategy to expand and improve legal aid services for domestic violence survivors (Breton et al.).

Recent evidence of survivor leadership in addressing systemic discrimination and barriers reveals the roadblocks within existing state systems to drive social change. For example, in 2016, the survivor group The Freedom Sisters hosted their first conference "Supporting Voices in the

North” (Breton et al.). This two-day conference, funded by the Ontario Ministry of Attorney General, included “Trauma Essentials” training for court workers, police services, victim support services, Children’s Aid Societies, Ontario Works, Social Housing, and women’s shelters to examine how domestic violence services are not meeting the broad and diverse needs of women fleeing violence. A central part of this training was the inclusion of the lived experiences of survivors who have been harmed by many of these state-funded services and community-based criminal justice supports (Breton et al.). The conference brought survivor-centred training on domestic violence and sexual violence to students, survivors, and fifty front-line workers from Indigenous and non-Indigenous women’s shelters and mental health services (Breton et al.). The success of the conference in reaching large numbers of participants from diverse communities demonstrates that survivors have the drive and capacity to create social change within social service systems. However, the noticeable absence of staff, social workers and professionals from Children’s Aid Societies, court systems and policing at the conference highlights the lack of support and legitimacy for survivor advocacy within these troubling coordinated state systems (Breton et al.).

Integrating survivor advocacy is key for systemic change where future policy forums and decision-making committees are reimagined as survivor-centred alliances of struggle, resistance, advocacy and action. Mapping new allies historically unrepresented and under-represented at existing state tables can widen the circle of support for abused women, mitigating unequal power relations in expert-led bureaucratic state systems. For example, the inclusion of specialist advocates from First Nations, Muslim/immigrant community centres, child justice advocates, anti-poverty and anti-homelessness activists, and White Ribbon advocates for men and boys against violence against women can assist with confronting and decolonizing existing state

policy committees and agendas. Other new allies include (older) child survivors of family violence whose experiences with CAS and family court systems have been appallingly absent at most state decision-making tables. Finally, front line worker/ advocates frustrated with working within existing state systems that are shaming and blaming women for the abuse and failing to protect their children may also be helpful. I wonder what visions for change an experienced social worker can offer, who when asked what changes are needed to support abused women with children, responded: “there needs to be a revolution” (personal communication).

Survivor-centred alliances will generate different questions and provide new insights about mainstream state-run systems that are failing mother survivors and their families while broadening and strengthening transformative visions for non-state and community-based accountability models to address violence against women with children. As this survivor activist highlights, the voices and experiences of survivor mothers provide critical insights for transformative change in state policy and state systems:

*The plunge into single parent status furthered the race, gender and class oppression in the multiple state systems they faced. These women have survived. Their survivor voices can tell you what it is like to sit in the back of a police car as a victim of domestic violence, to face the Children’s Aid worker who shows up at the door unannounced to do an investigation, to be stalked by her abuser, and to be so in fear that the abuser will take her children that the mother allows the abuser to walk through peace bonds and protection orders. These mother survivors know how it feels to be forced to attend court and sit across from their abuser and feel the terror to the point that they forget how to speak. These women can tell you that sometimes the only reason you held on, the only*

*reason that you made it through was because of the small arms that hugged you good night and the hope of a future that is better for them (Breton et al.).*

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## Appendix A

## Domestic Violence Deaths in Ontario, 2002-2013

Source: Office of the Chief Coroner for Ontario 6

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013*	Totals
Number of cases	30	22	22	29	33	27	20	20	26	32	24	21	306
Homicides	19	18	13	21	26	17	15	15	20	25	15	17	221 72%
Homicide-suicide	11	4	9	8	7	10	5	5	6	7	9	4	85 28%
Total # of deaths	46	26	32	37	52	44	29	29	33	39	31	28	426
Total # of homicide victims	35	22	23	29	45	34	24	25	27	30	24	24	342 80%
Total # of homicide victims – female (adult)	26	19	21	29	28	27	20	20	22	28	19	21	280 82%
Total # of homicide victims – female (child)	4	1	1	0	8	1	0	3	1	0	0	0	19 6%
Total # of homicide victims – male (adult)	4	1	1	0	3	4	4	2	4	2	4	3	32 9%
Total # of homicide victims – male (child)	1	1	0	0	6	2	0	0	0	0	1	0	11 3%
Average age of homicide victim	37.8	34.9	40	38.2	28	34.7	43.3	37.2	36.1	45.6	44.8	38.8	38.3
Total # of perpetrator deaths (suicide or other)	11	4	9	8	7	10	5	4	6	9	7	4	84 20%
Total # of perpetrator deaths (suicide or other) – female (adult)	0	0	1	0	0	1	0	0	0	0	0	0	2 2%
Total # of perpetrator deaths (suicide or other) – male (adult)	11	4	8	8	7	9	5	4	6	9	7	4	82 98%
Average age of deceased perpetrator	42.5	45.5	42.2	45	51.1	45.2	43.8	60	44.67	45.1	76.6	41	48.6

## Appendix B

### Women Murdered by their Partners, Ontario 1995-2012

The data for this table and the ones that follow are drawn from a partial list of female victims of domestic violence collected by the London Abused Women's Centre. It is a partial list of women murdered where there was previous contact with the legal system (police, courts, bail, etc.) or where the women's complaints were not taken seriously or denied.

Most of these murdered women had children; only twelve did not. The majority were murdered after leaving their abuser. Notably, this death rate did not decline after the state implemented measures to improve the safety of women and their children in 2004. Almost sixty percent of the murders occurred after 2004. The murderers were all men.

	<b>Name of Mother</b>	<b>Women's Age</b>	<b>Children</b>	<b>Date of Women's Death</b>	<b>Relationship to Murderer</b>
1	Maryanne Matesic	47	1	1995	estranged husband
2	Janie Marie Maxwell	33	1	1995	unknown
3	Donna Barr	43	3	1996	former husband
4	Maria Sanchez	33	3	1996	former boyfriend
5	Arlene May	39	5	1996	former boyfriend
6	Carol Ann Leach	unknown	0	1996	current husband
7	Carol Butler	459	0	1996	current husband
8	Natalie Katherine Pawluch	42	1	1996	current husband
9	Stephanie Tanaskow	36	2	1997	current husband
10	Valentina Mechko	57	2	1997	former husband
11	Sabrina Benkartoussa	34	1	1999	estranged partner
12	Halina Deborah Abraham	30	0	1999	former partner
13	Valerie Lucas	23	1	1999	former partner
14	Harjaap (Jay) Bolla	29	2	2000	former boyfriend
15	Gillian Hadley	35	1	2000	former partner
16	Tara Rutherford	26	1	2001	current husband
17	Patty Anne Killingbeck	30	2	2001	unknown
18	Karen Drinkwalter	unknown	2	2002	estranged husband
19	Marj Smrekar	42	2	2003	estranged husband
20	Zofia Bonder	45	3	2003	current husband
21	Maureen Nicholson	39	1	2003	current husband
22	Irene Peteigney	30	2	2004	unknown
23	Hemattie Roopdial	25	2	2004	estranged husband
24	Susan Kilby	39	2	2004	former husband
25.	Aysegul Candir	47	0	2004	estranged husband
26.	Szilvia Veres	35	0	2005	former boyfriend
27	Vanessa Sismar	24	0	2005	former partner

	<b>Name of Mother</b>	<b>Women's Age</b>	<b>Children</b>	<b>Date of Women's Death</b>	<b>Relationship to Murderer</b>
28	Sandra Schott	32	3	2005	current husband
29	Lori Dupont	36	1	2005	estranged boyfriend
30	Mary Ann Davis	25	2	2005	current partner
31	Fallon Mason	23	2	2006	former partner
32	Francine Mailly	37	3	2006	estranged husband
33	Meherun Nessa	35	3	2006	current husband
34	Natalie Novak	20	0	2006	estranged husband
35	Cindy MacDonald	29	0	2006	current boyfriend
36	Gwendolyn Pilgrim	35	0	2006	current boyfriend
37	Kathy Rajher	66	0	2006	current husband
38	Stephanie Stevenson	33	2	2006	estranged husband
39	Amy Lam	47	1	2007	current partner
40	Cybil Dawn Stoney	37	0	2009	former partner
41	Muruwet Tuncer	41	4	2009	former husband
42	Sherry Martin	52	3	2009	current partner
43	Heather Slichta	44	1	2009	estranged partner
44	Heidi Ferguson	39	2	2009	estranged husband
45	Ashley Boudreau	24	0	2010	current boyfriend
46	Ayan Osman	28	3?	2010	estranged boyfriend
47	Antoinette Lavoie	69	2	2010	current husband
48	Tunde Nemet	46	3	2011	current husband
49	Nasrin Toreihi	47	2	2011	former husband
50	Rejina Kendy	26	pregnant	2011	current husband
51	Samantha Collins	29	2	2007	current partner
52	Andrene Graham	40	2	2012	current boyfriend
53	Theresa Lefebvre	46	2	2012	current husband
54	Lakhvir Dhaliwal	37	2	2012	current husband

Angela Glancy is omitted from this table, but included in the others. She did not die from her stab wounds, but her child was murdered by her estranged partner.

Data Source: London Abused Women's Centre, "Partial list of Women /Children Murdered since June 1995, where Bail Release/Previous Criminal History was a Factor or where Denial/Minimalization of VAW Blatant."

## Appendix C

### Children and Others Murdered

Tragically, we see from this data that children, friends, and family members were also sometimes murdered by the abusive partners of women. In eight families, eleven children were murdered. Two mothers, one sister, and one male friend were also murdered.

What is striking, in the context of the state focus on the child, is with the murder of 54 women, a total of four children were killed at the same time. Eight more children died in their mother's absence. One woman survived the attack, but her child died.

<b>Name of Mother</b>	<b>Children's Name &amp; age</b>	<b>Relationship to Murderer</b>
Angela Glancy *	Robert Lawrence Mends (2)	estranged father
Francine Mailly	Jessica Mailly (12)	estranged father
	Brandon Mailly (9)	estranged father
	Kevin Mailly (7)	estranged father
Unknown**	Ilya Kapustyan (14)	current step-father
Unknown**	Luke Schillings (3)	current father
Unknown**	Alexis Currie (2)	current father on an access visit
Unknown**	Jared Andrew Osidacz (8)	current father
Unknown**	Ashely Dauds (15)	estranged father
	Stephanie Dauds (15)	estranged father
Unknown**	Bryce Smith (3 mos.)	current father
	<b>Other's Murdered</b>	<b>Relationship to Murderer</b>
Donna Barr	male friend	
Sabrina Benkartoussa	sister killed	estranged brother-in-law
Angela Glancy		estranged father
Francine Mailly		estranged father
Amy Lam	mother killed	current son-in-law
Heather Slichta	mother killed	estranged son-in-law

\* Glancy was attacked but did not die. Her child was murdered.

\*\* The data source shows that the child was killed, but data on the mother is unknown.

Data Source: London Abused Women's Centre, "Partial List."

## Appendix D

### Prior State System Involvement

This table outlines how much contact the women had with state institutions prior to the murder. Eighty-five percent of women were involved with at least one state system. Only eight women had no contact with state systems. Eighty-three percent of the women had sought help from the police; only seven of the women had no prior contact with police. Many of the murderers had a significant history with the courts or criminal justice system; seventeen of them had restraining orders in effect at the time of the murder. Very few women accessed a women's shelter.

	<b>Name of Woman</b>	<b>Police</b>	<b>Child welfare</b>	<b>Shelter</b>	<b>Legal history *</b>	<b>Restraining order/peace bond in effect</b>
1	Maryanne Matesic					
2	Janie Marie Maxwell					
3	Donna Barr	✓			✓	
4	Maria Sanchez	✓			✓	
5	Arlene May	✓			✓	✓
6	Carol Ann Leach	✓			✓	
7	Carol Butler	✓				
8	Natalie Katherine Pawluch	✓			✓	✓
9	Stephanie Tanaskow	✓				
10	Valentina Mechko	✓			✓	✓
11	Sabrina Benkartoussa	✓			✓	✓
12	Halina Deborah Abraham	✓			✓	
13	Valerie Lucas					
14	Harjaap (Jay) Bolla	✓			✓	✓
15	Gillian Hadley	✓			✓	
16	Tara Rutherford	✓			✓	✓
17	Patty Anne Killingbeck					
18	Karen Drinkwalter	✓			✓	✓
19	Angela Glancy	✓			✓	
20	Marj Smrekar	✓			✓	**
21	Zofia Bonder	✓				
22	Maureen Nicholson					
23	Irene Peteigney	✓				
24	Hemattie Roopdial	✓				
25	Susan Kilby					
26	Aysegul Candir					
27	Szilvia Veres	✓			✓	✓

	Name of Woman	Police	Child welfare	Shelter	Legal history ***	Restraining order/peace bond in effect
28	Vanessa Sismar	✓			✓	
29	Sandra Schott	✓				
30	Lori Dupont	✓			✓	***
31	Mary Ann Davis	✓			✓	
32	Fallon Mason	✓	✓		✓	
33	Francine Mailly	✓	✓		✓	✓
34	Meherun Nessa	✓	✓			
35	Natalie Novak	✓			✓	✓
36	Cindy MacDonald	✓			✓	✓
37	Gwendolyn Pilgrim	✓			✓	✓
38	Kathy Rajher	✓		✓		
39	Stephanie Stevenson					
40	Amy Lam	✓				
41	Cybil Dawn Stoney	✓			✓	
42	Muruwet Tuncer	✓		✓	✓	
43	Sherry Martin	✓				
44	Heather Slichta	✓			✓	✓
45	Heidi Ferguson	✓				
46	Ashley Boudreau	✓				
47	Ayan Osman	✓			✓	✓
48	Antoinette Lavoie	✓			✓	
49	Tunde Nemet	✓			✓	✓
50	Nasrin Toreihi	✓				
51	Rejina Kendy	✓	✓		✓	✓
52	Samantha Collins					
53	Andrene Graham	✓			✓	✓
54	Theresa Lefebvre	✓				
55	Lakhvir Dhaliwal	✓				

\* History with the Courts, including jail time, out on bail, or under a restraining order.

\*\* Woman tried several times to get restraining order, but courts said she did not have enough evidence

\*\*\* Woman in process of getting a peace bond before she was murdered

Data Source: London Abused Women's Centre, "Partial List."