

# Ontario ombudsman slams 'systematic government ineptitude' for daycare deaths <sup>[1]</sup>

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## EXCERPTS

In a scathing 142-page report, Ontario's ombudsman decried the "systematic government ineptitude" in oversight of unlicensed home daycares in the wake of the deaths of four children in the GTA over seven months in 2013-14.

Andre Marin issued an unprecedented 113 recommendations Wednesday to improve safety for the estimated 823,000 children cared for in unregulated settings across the province.

Despite the "legacy of dysfunction" he found at the Ministry of Education, Marin lauded the government for "its genuine and focused efforts," which have already addressed the majority of his recommendations, including a dedicated enforcement unit to investigate complaints about unlicensed daycares.

Marin noted that new daycare legislation, which was introduced last December and received second reading Wednesday, will address 35 of his recommendations once it is passed. Although he stopped short of calling for all daycares to be licensed, Marin urged the ministry to consider tougher standards for the unlicensed sector, including a centralized registry.

"Our investigation revealed just how bad it was - and believe me, our title, Careless about Child Care, is putting it mildly," Marin said in a written statement. "The momentum spurred by these children's terrible deaths must not be lost."

(Both Marin and Education Minister Liz Sandals cancelled scheduled news conferences about the report following the shootings in Ottawa.)

The ombudsman's investigation was prompted by the "shocking" death of 2-year-old Eva Ravikovich in a "brazenly illegal" unlicensed home daycare in July 2013, his report said. Eva was found without vital signs in an operation that cared for 29 children in adjoining houses on Yellowwood Circle in Vaughan, which were "fraught with unsanitary and dangerous conditions."

Dirty diapers in the kitchen, potentially toxic bacteria in rotting food and 14 dogs, their feces and urine soiling the floors, were found by public health officials after her death.

Marin called Eva's case the "canary in the coal mine" because in the year before her death, four complaints about the home were lodged with the ministry, but never followed up. Out of 448 complaints about overcrowding between January 2012 and July 2013, officials failed to do site visits in 25 cases, he noted.

Marin's subsequent investigation revealed for the first time that two of the other daycares where children died were also overcrowded.

Last November, 9-month-old Aspen Moore died in an unregulated Markham home daycare where 12 children were registered. In February, a 4-month-old baby died in unlicensed care in a northwest Toronto apartment where police observed eight children in care.

Less than a week before Eva died, toddler Allison Tucker, also 2, drowned in her babysitter's condo. Maria Sosa, 34, was charged with manslaughter in January this year.

Under current legislation, the only rule governing unlicensed daycares limits operators to no more than five children under age 10. But, as Marin noted, that is not a hard cap. They can also care for their own children and exceed the maximum if children are "of common parentage."

The government's "Childcare Modernization Act" is the first substantive change to child care law since 1983. It aims to eliminate incentives for daycares to remain unlicensed by capping the number of infants allowed at two, and forcing operators to include their own kids toward the government-imposed limit of five kids. The bill would also allow inspectors to immediately close illegal operations and raise fines on violators from the current \$2,000 to a maximum of \$250,000 if the government takes the operator to court.

Marin found that a lack of rules was not the only problem with the "so-called system" of unlicensed home daycare.

"Along with sloppy, slipshod record keeping and the failure to educate daycare operators, parents and even government staff about the law, we uncovered long-standing legal loopholes that allow illegal daycares to operate under the guise of private schools and so-called summer 'camps,'" Marin said.

Read the full story at the Toronto Star <sup>[2]</sup>

**Region:** Ontario <sup>[3]</sup>

**Tags:** unregulated <sup>[4]</sup>

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