

Responding to changes in reported child maltreatment: Federal program and policy implications (OIS 1993/1998)

Health Canada Policy Forum on the *Canadian Incidence Study of Reported Child Abuse and Neglect*, Ottawa, ON

Nico Trocmé

December 10, 2002



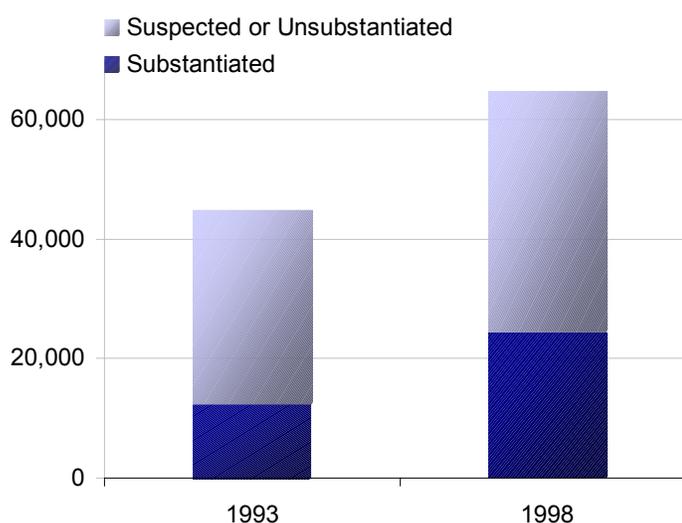
Centre of Excellence
for Child Welfare

Centre d'excellence pour
la protection et le bien-être des enfants

Introduction

Rates of reported child abuse and neglect have been increasing across Canada. In Ontario, the number of investigations increased 27% between 1998 and 2000 and the number of children in care have increased 36% during the same period.¹ Between 1994 and 1999 the number of investigations in Alberta has increased by 19% and children in care have increased by 67%,² while in British Columbia the in-care population increased by 50%.³

Increasing caseloads noted across Canada are consistent with findings from the 1993 and 1998 Ontario Incidence Studies of Reported Child Abuse and Neglect.⁴ Between 1993 and 1998, the estimated number of child maltreatment investigations increased 44% in Ontario, from 44,900 to 64,800 and the number of substantiated investigations nearly doubled, from 12,300 in 1993 to 24,400.



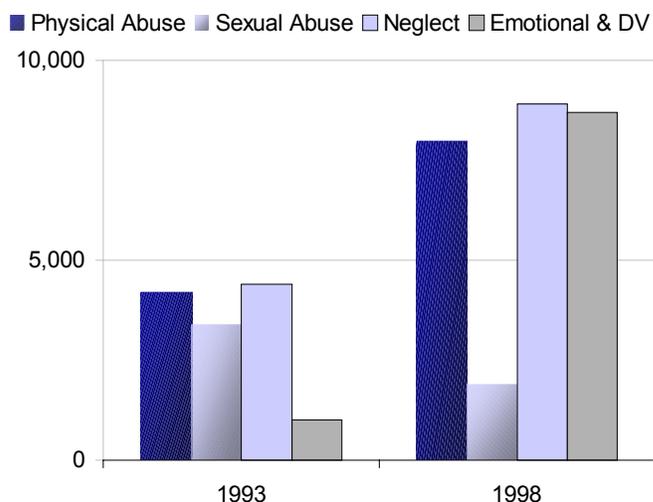
While the overall increase in caseloads and children in care is drawing attention from policy makers and service providers, analysis of the factors underlying this increase has been limited. The overall increase has not been uniform across types of maltreatment: rates of physical abuse have nearly doubled, rates of sexual abuse have decreased by 44%, rates of neglect have

¹ <http://www.oacas.org/resources/casstats.htm>

² J. McDermott, personal communication, December 13, 2001

³ R. Minshall, personal communication, November 28, 2001

⁴ Trocmé, N., Fallon, B., MacLaurin, B., Copp, B. (2002). The changing face of child welfare investigations in Ontario: Ontario Incidence Studies of Reported Child Abuse and Neglect (OIS 1993/1998). Toronto, ON: Centre of Excellence for Child Welfare, Faculty of Social Work, University of Toronto, 23 pages.



doubled and rates of emotional maltreatment and exposure to spousal violence have nearly increased nine fold.⁵

Many of these changes have significant implications for Provincial and Territorial child welfare authorities. Increasing and changing caseloads are placing pressure on child welfare service providers to develop alternative approaches to responding to the

needs of maltreated children and their families. Although child welfare services fall clearly within the mandate of Provincial and Territorial authorities, the prevention of abuse and neglect goes well beyond these protection mandates. The following discussion paper examines some of the Federal program and policy implications arising from some of the changes documented in the 1993 and 1998 Ontario Incidence Studies. The paper builds primarily on findings reported in the OIS 93/98 comparison analysis, as well as on some of the tables from the OIS 1993 and OIS 1998 reports. Readers should refer to the 93/98 document for a more detailed presentation of the data.

Methodology

The two Ontario incidence studies of reported child abuse and neglect collected information directly from child welfare workers about a Provincially representative sample of children investigated because of suspected child abuse or neglect. The OIS 1993 was a stand-alone study, while the OIS 1998 was conducted in conjunction with the Canadian Incidence Study of Reported Child Abuse and Neglect (CIS). The OIS 1993 collected data from a sample of 2,447 child maltreatment investigations reported between March and June 1993 from a random sample of 15 child welfare agencies. The OIS 1998 tracked child maltreatment investigations conducted between October 1 and December 31, 1998 in a random sample of 13 child welfare service areas, yielding a sample of 3,053 child investigations. Both studies excluded incidents that have remained unreported to a CAS, reported cases that were screened out before being fully investigated, new reports on cases that were already open and cases that were reported only to the police.

⁵ OIS 93-98, Table 2a

Weighting

Provincial estimates were calculated by applying annualization and regionalization weights that reflected the sampling strategies used by the two studies. Estimates for rates of maltreatment are presented both as annual incidence rates per 1,000 children in Ontario in 1993 or 1998, as well as estimated counts of investigated children. To control for changes in the child population, all 1993 and 1998 comparisons are based on incidence rates. Weighted estimates are based on a sample of 2,447 child maltreatment investigations in the OIS 1993 and 3,053 child maltreatment investigations in the OIS 1998, yielding an overall weighted estimate of 44,900 investigations in 1993 and 64,800 investigations in 1998. All figures presented in this paper were directly derived from tables in the OIS 1993⁶ and OIS 1998⁷ reports.

Limitations

Some caution is required in interpreting OIS findings. Ratings provided by investigating workers could not be independently confirmed, specifically for types and level of maltreatment. These are not observable events, rather judgments made by the worker at the end of the investigation period. The 1993 and 1998 OIS document incidents that were reported to a child welfare authority. Child maltreatment not reported, reported only to the police or made about cases already being served by a child welfare agency are not included in the data.

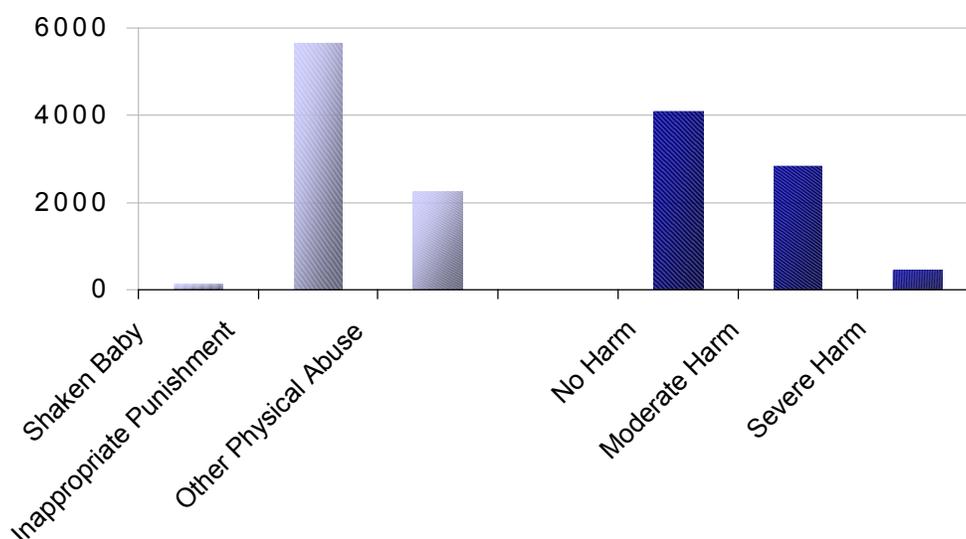
Data reported in this paper are directly derived from the OIS 1993, OIS 1998, and OIS 93/98 documents, and have not been further analysed. More comprehensive follow-up analyses are in progress and will eventually provide a more systematic and comprehensive interpretation of the issues raised in this discussion paper.

⁶ Trocmé, N., McPhee, D., Tam, K.K. & Hay, T. (1994). Ontario incidence study of reported child abuse and neglect (OIS 1993). Toronto, ON: Institute for the Prevention of Child Abuse

⁷ Trocmé, N., Fallon, B., MacLaurin, B., Bartholomew, S., Ortiz, J., Thompson, J., Helfrich, W., & Daciuk, J. (2002). The 1998 Ontario incidence study of reported child abuse and neglect (OIS 1998). Toronto, ON: Centre of Excellence for Child Welfare, Faculty of Social Work, University of Toronto

Physical abuse & corporal punishment

The number of substantiated investigations of physical abuse nearly doubled, growing from an estimated 4,200 in 1993, to 8,000 in 1998. Although physical abuse is often assumed to involve situations where children have been severely harmed, in 55% of cases no physical harm was noted and severe harm requiring medical treatment was noted in only 6% of substantiated physical abuse cases.⁸



Abusive inappropriate punishment rather than battered children sustaining severe injuries are far more typical of the types of abuse cases being substantiated by child welfare agencies. By 1998, 71% of substantiated investigations of physical abuse involved inappropriate punishment.⁹ In fact, nearly one-fifth of all substantiated investigations of child maltreatment involved physical abuse caused by inappropriate punishment.

The rapidly growing number of cases of abusive inappropriate punishment draws attention to the need for preventive parent education programs that can help parents develop more

⁸ OIS 98, Table 4-1(a)

⁹ OIS 98, Table 3-5

effective methods for disciplining their children. Several Federal initiatives, including many CAP-C funded programs, include such parent education initiatives. The Centre of Excellence for Child Welfare is currently funding an evaluation of a group for Haitian parents at the Montreal Centre Mariebourg, which seeks to promote alternatives to physical punishment. National leadership in this area could be further strengthened by expanding these initiatives, conducting systematic evaluation, and disseminating the results of these pilot programs.

Beyond parent education, broader public education campaigns may also help to shift public attitudes about the effectiveness of corporal punishment. A survey of parents in Quebec found that spanking and hitting young children continues to be a technique used by many parents.¹⁰ Such campaigns could take the shape of a national positive parenting campaign, similar to past “participaction” campaigns in Canada, or the alternatives to spanking campaign in Sweden.¹¹ The Invest in Kids Foundation “Years Before Five” campaign is another example of a public education strategy designed to change public attitudes and beliefs about child development and parenting.

Section 43 of the Criminal Code protects “persons in authority” - parents, teachers, and persons standing in the place of parents - from criminal prosecution if the degree of force used is deemed to be “reasonable under the circumstances.” Notwithstanding current debates about the implications and feasibility of amending or repealing Section 43, this section of the criminal code is certainly a source of potential confusion for parents and for professionals trying to balance Provincial and Federal statutes. Until such issues are resolved, it is particularly important to support clear public health messages about alternatives to spanking and hitting.

¹⁰ Bouchard, C. & Desfosses, E. (1989) ‘Utilisation des comportements coercitifs envers les enfants: stress, conflits et manque de soutien dans la vie des meres’, *Apprentissage et socialisation* 12(1): 19-28.

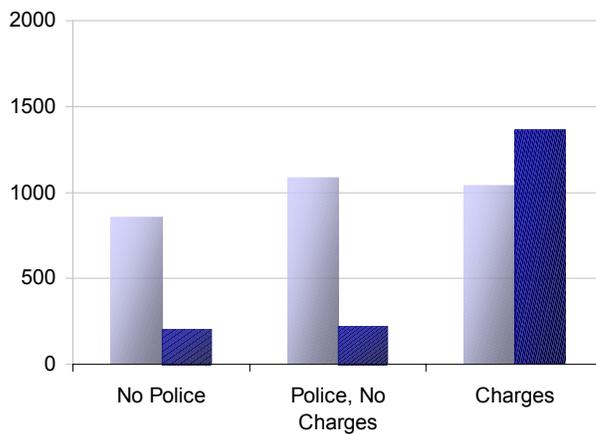
¹¹ Durrant, J.E. (1999) ‘Evaluating the success of Sweden's physical punishment ban’, *Child Abuse and Neglect* 23(5): 435-448.

Sexual abuse decline: abuser or victim deterrence?

The number of substantiated investigations of sexual abuse decreased by 44%, from 3,400 investigations in 1993, to 1,900 investigations in 1998. This decrease is consistent with decreases reported across the United States.¹²

Such a dramatic decrease requires careful analysis. As of yet there is no conclusive evidence to determine whether this decrease can be attributed to a growing reluctance on the part of victims to disclose abuse, hesitancy on the part of parents to report, or to an actual decrease in abuse rates. An actual decrease in abuse rates would be an indication that heightened public awareness, prevention programs, joint police-child welfare investigation protocols and aggressive charging policies have had a positive effect in deterring abusers.

Alternatively, the decrease could mean that victims and non-offending parents are becoming hesitant to involve authorities. According to this explanation, a criminal court response may be perceived as overly intrusive in some instances and may be deterring victims from reporting.



Interestingly, the proportion of substantiated cases involving criminal charges has increased dramatically from 35% in 1993 to 76% in 1998.¹³

A full analysis of these changes is currently under way and may help to provide more weight to one of the two explanations. Either way, the implications at the Federal level will be important. If charging policies and prevention programs have been effective, consideration should be

¹² Jones, A. M., Finkelhor, D., & Kopiec, K. (2001). Why is sexual abuse declining? A survey of state child protection administrators. *Child Abuse & Neglect*, 25, 1139-1158.

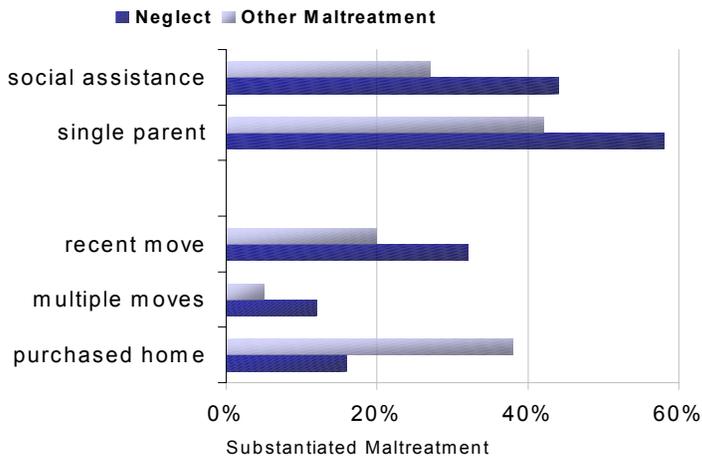
¹³ OIS 93 Table 5-4, OIS 98 Table 5-5

given to expanding these programs to other forms of maltreatment. If, however, criminal charging policies are deterring disclosure, attention will need to be given to developing alternative response protocols. Until there is sufficient evidence to support either strategy, support for research on this question should be a priority.

Neglect and child poverty

The number of substantiated investigations of neglect doubled between 1993 and 1998 from 4,400 investigations, to an estimated 8,900 investigations. Increases were noted across all forms of neglect tracked by the OIS 1998, particularly in cases involving inadequate supervision, medical neglect and permitting maladaptive or criminal behaviour.

While some of this increase may be attributed to growing awareness of the negative effects of child neglect, cuts in social service spending and in services to poor families and the deepening income gap between poor and middle class families are also a key factor underlying this dramatic increase.¹⁴ Indeed, of all forms of maltreatment, neglect remains the form of maltreatment the most closely associated with poverty.¹⁵



The 1998 OIS found that poverty was most often noted in cases of neglect. Forty-four percent of neglect cases involved families dependent on social assistance, compared to 27% for other forms of maltreatment.¹⁶ In contrast, families reported because of other forms of maltreatment were much more likely to live in purchased homes (38% vs. 16%),¹⁷ and less likely to have moved within the

¹⁴ See for example The Progress of Canada's Children 2002, Ottawa: Canadian Council on Social Development.

¹⁵ see for example Drake, B. & Pandey, S. (1996) Understanding the relationship between neighborhood, *Child Abuse & Neglect*. Vol 20(11), pp. 1003-1018

¹⁶ OIS 98 Table 7-5

¹⁷ OIS 98 Tables 7-6 & 7-8

previous six months (20% vs. 32%).

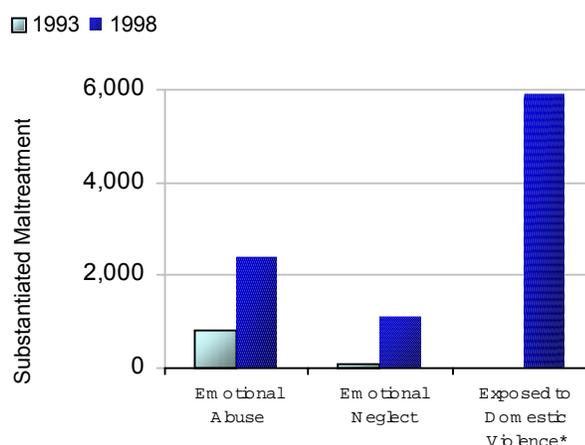
Income support, access to affordable and stable housing and support services for families living in poverty are critical issues affecting a growing number of children and families coming into contact with child welfare services. These are issues that go well beyond the mandate of Provincial and Territorial child welfare services. There continues to be a key role for Federal leadership in combating child poverty.

Exposure to spousal violence: Who is the maltreating parent?

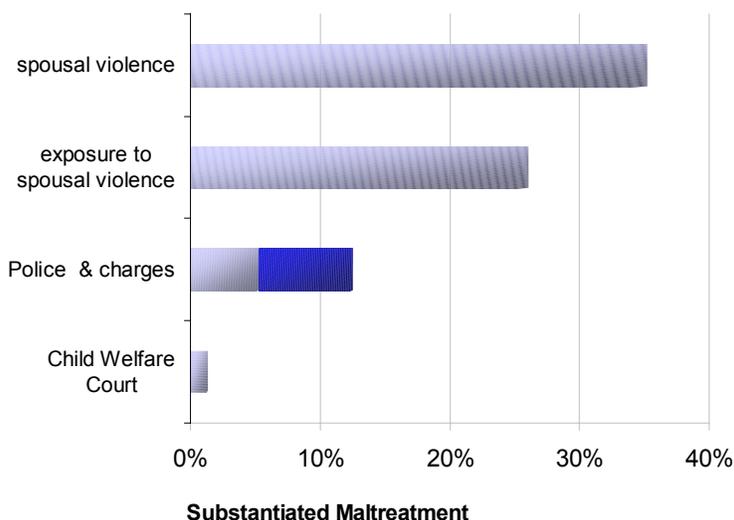
The most dramatic increase in the last five years has been with respect to investigations of emotional maltreatment. A nearly nine-fold increase brought the number of substantiated emotional maltreatment investigations from 1,000 investigations in 1993, to 8,700 investigations in 1998.

This increase has been largely driven by investigations involving exposure to spousal violence. Exposure to spousal violence was not separately recorded in the 1993 study. Introduced in the 1998 study as a form of emotional maltreatment, exposure to domestic violence was recorded in nearly 6,000 substantiated investigations, 24% of all substantiated cases of maltreatment.¹⁸ Since 1993, six provinces have added exposure to spousal violence as a category of maltreatment requiring investigation.

Specific reference to exposure to spousal violence was not included in the 1999 changes to Ontario's *Child and Family Services Act* (CFSA). Amendments broadening the scope of intervention in cases involving emotional maltreatment may have had some impact on the child welfare response to spousal violence.



¹⁸ OIS 93-98, Table 1



Reports from professionals, and in particular the police, are responsible for most of the increase in spousal violence cases. This increase requires the development of services and inter-agency protocols designed to meet the needs of these children without further compromising the victimized parent.¹⁹

The increase in spousal violence cases reflects growing awareness of the effects of exposure to spousal violence

on children. The rapid increase in cases is very similar to the increase in sexual abuse cases in the 1980s. Unlike sexual abuse, however, there has not been the same development of services, protocols and legislation to address the complexities specific to spousal violence cases. In response to the growing number of sexual abuse cases, jurisdictions across Canada developed programs to support victims, protocols to ensure a well-coordinated criminal and child welfare response, and explicit intervention policies designed to remove the perpetrator and keep the victim at home.

A similar response is needed to ensure that victims of spousal violence are not put at further risk because they fear losing their children to the child welfare system. While Provincial legislation may incorporate children’s exposure to spousal violence as a form of child maltreatment, the lack of a consistent and clear definition of what constitutes the grounds for intervention leaves many victims of spousal violence vulnerable to broad interpretation by individual workers or agencies. New Zealand’s spousal violence legislation addresses this concern. In its definition of spousal violence, the Act holds the perpetrator of the violence responsible for child maltreatment and dissolves the parent victim of spousal violence from responsibility.²⁰ This type of legislation is more likely to help alleviate some of the fears that victims of spousal violence face when they become involved with child welfare authorities.

¹⁹ Currently the Provincial network of CAS Directors of Service is examining the issue, its policy implications, and preferred service models to respond to the increase in spousal violence cases.

²⁰ *Spousal Violence Act* 1995, 086, part 1, s. 3.b.

Efforts are underway to develop policies and programs in Canada in response to growing concerns about the protection of children in cases involving spousal abuse. Both Manitoba and Ontario have introduced legislation and programs to address these problems. Ontario has been running joint training sessions bringing together staff from child welfare and “violence against women” service providers. These issues, however, go far beyond Provincial and Territorial child welfare mandates. In addition to the criminal assault issues that arise in these cases, the lack of well-developed protocols and programs provides an opportunity for national organizations and the Federal Government to support the development of coordinated multi-sectoral responses where victimized parents do not become further victimized by a child protection response.

Conclusion

Although child welfare legislation and services primarily fall under the responsibility of Provincial and Territorial governments, the protection and well-being of children are responsibilities that must be shared across all levels of the community, from older siblings to grand-parents, from neighbours to community groups, from Provincially mandated service providers to the Federal government. The importance of a broad community engagement is becoming more apparent as Provincial and Territorial authorities continue to put more resources into their child welfare systems with limited evidence of positive results. Just as crime cannot be effectively fought by hiring more police officers and building more prisons, the protection and well-being of children cannot be assured by simply hiring more child welfare workers and placing more children in care.

Increasing child welfare caseloads are drawing renewed attention to child welfare policy and practice across Canada. This attention provides an opportunity for communities and different levels of government to re-think the residual model of child welfare service delivery that has dominated practice in Canada. The need to move beyond this model is at the root of a number of differential or alternative response initiatives²¹ seeking to develop collaborative community-based solutions outside of a narrow interpretation of child protection mandates. While many of these initiatives have focused on engaging local community-level service providers, the same argument could be made with respect to the national level organizations. This discussion paper has identified a number of national-level issues specific to physical abuse, sexual abuse, child neglect and exposure to spousal

²¹ For further discussion see: (1) Waldfogel, J. (1998). Differential response: A new paradigm for child protection. In J. Waldfogel (Ed.), *The future of child protection: How to break the cycle of abuse and neglect*. Cambridge, MA: Harvard University Press, (2) discussion paper for the Alberta Response Model.

violence that also could be addressed in order to fully mobilize our collective resources to effectively meet the needs of maltreated children.