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Babes in Arms: An Application of The Australian Federal Child Care Model to Canada

By

Nikolas Anthony Prsa

An Internship Paper

Submitted to the Faculty of Graduate Studies
through the Department of Political Science
in Partial Fulfillment of the Requirements for
the Degree of Master of Arts
at the University of Windsor

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2022

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Babes in Arms: An Application of The Australian Federal Childcare Model to Canada

by

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September 1, 2022

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ABSTRACT

This paper examines the feasibility of implementing the Australian model of federal childcare policy in Canada. A historical institutionalist approach is used to examine this feasibility by means of qualitative and comparative analyses. The distinct policy histories and current measures of both countries are outlined and studied through the course of this paper. Its research finds that, while Australia possesses some similarities in political structure to Canada, their distinct socio-political contexts make much of the former's model inapplicable to the latter. Canadian federalism's asymmetry and the political will of its federal units to defend powers conceded to them make it highly unlikely for the federal government to implement one of the most important aspects of the Australian model: a nationwide care standard for childcare facilities. While enacting this tenet of Australian policy is untenable, this paper recommends that federal authorities expand their existing monetary benefits for childcare and for both national and subnational governments to maintain existing agreements on childcare provision.

DEDICATION

To my father – Anthony – whose example in academic dedication, inquisitiveness of the world, and unfailing, unconditional love I aim to achieve at least an iota of.

To my mother – Lynne – for her kindness, heartfelt support, and willingness to entertain her son’s long tangents on the state of the world when visits are paid.

To my siblings – Milan, Stefani, and Karlo – to whom I hope my work is one they exceed in their own ways. All three are already well on their way at the time of writing.

To my grandparents – especially Michael Otton Melega, whose spirit of reaching for the greatest level of success and selflessness lives on long after his passing.

To my very best friends – Ricardo and Jacob – who may never fully understand how much they have made me into the man I am today.

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Thanks also go to placement-turned-employer, Workforce WindsorEssex. Corey Shenken, Justin Falconer, and Tashlyn Teskey are among a team of titans of those in this region that live, breathe, sleep, and eat to make my hometown a better place to work in. Your passion is unmatched and played a special role in navigating this journey with me.

The cohort with whom I entered my graduate studies was an exceptional group of bright and inquisitive scholars. I must recognize Eric, Muhammad, Pelle, and Safa in particular for not only their diverse perspectives, but for being some of the most inseparable friends I have ever made.

Finally, I extend my very special thanks to Adam, Nick, and Stav for the laughs along the way. Dudes rock!

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Chapter I. Introduction

For parents, access to childcare is a significant determinant of their ability to participate in the workforce. Canadian female workplace participation continues to lag behind that of Canadian men by a margin of nine percent, and the scale of this disparity has been consistent from 2011 to 2021.¹ Djankov, Trumbic and Zhang have observed that lower female labour force participation is generally tied to a disproportionate reliance on women to provide childcare.² They further examined this phenomenon in the context of the COVID-19 pandemic in developed nations around the world; this involved observing that Australian levels of female labour force participation have improved and were primarily assisted by its federal government's expanded childcare subsidies.³ Though introduced as a temporary measure, these increased subsidies were delivered through the existing framework of federal childcare cost mitigation in Australia; this was outlined by the authors in response to Canada's relatively poorer mitigation of this disparity.⁴ While Canadian workplaces gradually re-opened with waves of vaccination and improved epidemiological circumstances, the gap between men and women remains largely unchanged.⁵

Djankov, Trumbic, and Zhang's observation of the Australian policy response to childcare needs alongside this Canadian problem sparks interest due to a lack of further research into applying this policy comparison since the COVID-19 pandemic began. Mahon and Brennan performed comparative analyses of Australian and Canadian in-home childcare and parental

¹ Statistics Canada. Table 14-10-0327-02 "Unemployment rate, participation rate and employment rate by sex, annual."

² Simeon Djankov, Tea Trumbic, and Eva (Yiwen) Zhang, "COVID-19 and the Gender Gap in Advanced Economies." *VOX, CEPR Policy Portal*. December 14, 2020.

³ *Ibid.*

⁴ *Ibid.*

⁵ Statistics Canada.

leave regimes in 2017 to illustrate potential convergence, but events since this period have seen large shifts in policy and room for further exploration; they also do not examine the feasibility of applying one state's policy to the other. Additionally, Mahon, Anttonen, Bergqvist, Brennan, and Hobson's convergent policy analysis of Australian and Canadian childcare policy was performed in 2012, two Canadian federal elections and three Australian federal elections ago.⁶ Their comparative study rests primarily in Australia having similarities to Canada in terms of political organization and demographics, being a federation with and comparable population size. More specifically, Australia and Canada have well-established liberal welfare systems, have high-income economies, and are politically free democracies based in the Westminster legislative tradition.⁷

This is not to say that the two states are identical; Mahon and Brennan make clear differentiations between the two states in their findings. For example, they observe that Canadian provinces have a greater share of jurisdiction than Australian states, and that the Australian federal model has individual states which have a more equal level of political influence.⁸ However, the existing literature making policy comparisons between the two states make it a reasonable analysis to continue. There exists significant potential for some aspects of the Australian federal government's response to be transferrable to the Canadian political arena. Despite these similarities, however, the discrepancies in historical contexts and institutional structures may pose too significant of a barrier to any effort to transfer this policy in-full.

⁶ Rianne Mahon et al, "Convergent Care Regimes? Childcare Arrangements in Australia, Canada, Finland and Sweden." *Journal of European Social Policy* 22, no. 4 (2012): 419.

⁷ Rianne Mahon and Deborah Brennan, "Federalism and the 'New Politics' of Welfare Development: Childcare and Parental Leave in Australia and Canada." *Publius* 43, no. 1 (January 1, 2013): 91.

⁸ *Ibid.*

The research approach of this paper will be qualitative and comparative in order to examine the policy histories and present landscapes of both Canada and Australia with respect to early childhood education and care, or ECEC. The examination will address the following research question: is the Australian Government's model for federal childcare policy applicable to Canada?

Chapter II. Key Terms and Research Methods

The term 'early childhood education and care' (ECEC) will form the main reference for centre-based, in-home, and other forms of childcare that take place outside of school hours. Much of the literature utilized in the research of this paper uses the term ECEC, and this consistency will benefit the use of this research with other available materials.

The hypothesis to be tested is that it is unlikely that a federal ECEC policy enacted in Australia could be enacted in Canada due to significant differences in institutional structure and political culture. This paper will test this hypothesis via a thorough examination of both state contexts, illustrating the present ECEC regimes of Canada and Australia, as well as the historical and institutional contexts of both regimes. Following these examinations, the central elements of the Australian ECEC regime will be outlined to observe which elements already exist in Canada. For elements that do not currently exist in the Canadian ECEC regime, the paper will determine if existing barriers to these outstanding policy elements could be overcome through federal government action. These potential barriers will include institutional structures, devolution of powers between subnational jurisdictions, and contemporary political climate. If these barriers are not outside the scope of Canadian federal power and feasibility, then this paper will conclude that the Australian childcare policy model could be applied in Canada. If these barriers are

outside the scope of Canadian federal power or feasibility, then this paper will conclude that the Australian ECEC policy model is not applicable to Canada.

Examining the feasibility of policy change between governments lends to the application of a historical institutionalist lens. This involves a focus on understanding how the behaviours of actors and institutions inform each other, how institutional structures explain power imbalances in political environments, and exploring path dependence based on how institutional structures emerge.⁹ Historical institutionalism, essentially, posits that policy decisions and institutional behaviours of the past have a substantial influence on the policy decisions that follow them.¹⁰ As the primary points of analysis in this study are the political structures of both Canada and Australia and their evolution over time, this framework is applicable to the research being conducted. Canada and Australia's shared past in British settler colonialism and political structure offers the opportunity to examine how much or little these two states have deviated over time in their construction and policy decisions on ECEC - and how Canada's subsequent policy decisions may be informed.

This school of analysis offers several compelling perspectives that will contribute to this paper's work. More specifically, Peter Hall's observations will serve as a framework to guide its research path. Hall argues that a combination of principles from both sociological and rational camps of historical institutionalism offer compelling explanations for institutional change. In summary, he proposes that new policies or reforms can be enacted if the sociological context leading to them is favorable, but the likelihood of these changes still depends on contemporary

⁹ Peter Burnham, Lutz, Grant, and Layton-Henry. *Research Methods in Politics* (Houndsmills: Palgrave Macmillan, 2008), 23

¹⁰ *Ibid.*, 24

institutional organization.¹¹ Hall places particular emphasis on observing the conditions of policy and institutions that may be already in place between relevant actors, as their machinations often inform the conditions for negotiating new agreements between them.¹²

The work of Wolfgang Streeck and Kathleen Thelen, who take a similarly multifaceted approach to institutional analysis, will also contribute to the examination of this case. Streeck and Thelen emphasise that while formal institutions are important determinants of change, practical implications of new policy are equally important to consider.¹³ They further observe that most policy change involving formal institutions does not come from sudden, momentous exterior events, but rather from small shifts within institutions that gather other time; in addition, conflicts between actors over institutional direction are not static but continuous “skirmishes.”¹⁴ While the schools of rational choice - focused on the self-interest of actors - and constructivism - focused on how different actors may perceive the same issue - could explain some of these behaviours, the eclectic approaches of these authors combine these influences within a structure that is more directly relevant to the focus of this paper's research. Thus, the historical institutionalist approach has been determined to be the most appropriate framework.

Work focused on the study of Canadian federalism, such as the work of April Allen, will assist in navigating negotiations between the federal government and provincial and territorial authorities. Allen illustrates two strategic approaches that previous federal governments have

¹¹ Peter Hall, “Historical Institutionalism in Rationalist and Sociological Perspective” in *Explaining Institutional Change: Ambiguity, Agency, and Power*. (Cambridge: Cambridge University Press, 2009), 206.

¹² *Ibid.*, 213

¹³ Wolfgang Streeck and Kathleen Ann Thelen, *Beyond Continuity Institutional Change in Advanced Political Economies*. (Oxford: Oxford University Press), 18.

¹⁴ *Ibid.*, 19

taken in order to successfully achieve their policy goals, both of which are directly related by Allen to ECEC negotiations. The first relies on framing proposed policy as merely complementing the existing policy through more generous federal funding, or a “status-quo justification.”¹⁵ The second potential strategy involves the federal government conceding supreme authority of provinces in the realm of social policy, coupled with framing increased monetary investment as being within federal jurisdiction.¹⁶ Allen’s explanation of these preceding efforts at ECEC negotiations also provide historical contexts to the positions of an important actor in Canadian federalism: the province of Quebec.

The research literature and data utilized will include primary government sources, such as policy announcements and statistics and secondary academic sources, such as peer-reviewed journal articles. Additionally, tertiary sources in the vein of mainstream media articles are used for supplementary purposes to provide context that would be relevant to the public. These sources will span between the early 2000s to the present day to gather from this necessarily wide variety of resources.

Chapter III. ECEC Policy in Canada: History and Practice

Canada lacks a unified federal ECEC system, with individual provinces possessing their own standards to providing these services. However, there exists a long and storied history of activism in achieving this federal system of decentralized responsibility, and this is intrinsically tied with Canada’s relationship with the concept of a welfare state. The history of social safety

¹⁵ April D. Allen, “Buying Votes, Building Identities: Federal Social Policy Responses to Sub-State Nationalism in Québec.” *The American Review of Canadian Studies* (2012), 220.

¹⁶ *Ibid.*, 221

nets in the country is more complex. The federal government has, historically, been involved in the provision of ECEC. In 1942, the government of then-prime minister William Lyon Mackenzie King issued an order in-council a mandate for the Ministry of Labour to provide facilities that provide ECEC with financial assistance.¹⁷ In essence, ECEC was subsidized to allow women to work in industries that were deemed essential to the war effort. Access to this subsidy disproportionately favoured women living in urban centres - where war industries were located - and this policy was quickly repealed after the end of the Second World War as enlisted men returned.¹⁸ This regression is not entirely surprising for two reasons: prevailing and deeply entrenched policy attitudes towards non-nuclear families and the infancy of the Canadian welfare state.

Historically, Canadian welfare models were a replication of British ‘poor laws,’ meaning that social relief in Canada was legally delegated to churches and other religious institutions until the mid-1800s.¹⁹ At this time, the relief provided was based on the notion of a ‘deserving poor’ where only the most unfit members of Canadian society could qualify for assistance.²⁰ With respect to any measures of child support, married women were required to prove that their husband had abandoned them and that they were not responsible for the dissolution of the relationship, while unmarried women were obligated to pursue their children’s fathers for support. In both cases, external assistance was entertained only as a last resort.²¹ While the mid-

¹⁷ Danielle McKenzie, “A Long History of Failure: Feeling the Effects of Canada’s Childcare Policy.” *Canadian Journal Of Law And Society* 29, no. 3 (2014): 399

¹⁸ *Ibid*, 399

¹⁹ McKenzie, 398

²⁰ *Ibid*, 398

²¹ Shelley A.M Gavigan and Dorothy E Chunn. “From Mothers’ Allowance to Mothers Need Not Apply: Canadian Welfare Law as Liberal and Neo-Liberal Reforms.” *Osgoode Hall Law Journal* (1960) 45, no. 4 (2007): 739

1800s saw more legislative action at the federal and provincial levels to ostensibly pursue neglectful fathers from avoiding support, Canadian women were rarely successful in their pursuits. Indeed, Gavigan and Chunn observe that such reforms were not particularly concerned with illustrating working, single mothers as valued members of society; instead, these were driven by maintaining the ‘morals’ deemed inherent in a nuclear family, one that bore a working father and a child-rearing mother that remained in the home.²²

As industrialization and the growth of urban centres began to intensify from this period through the early 20th century, so too did the number of families that did not fit this nuclear mold, especially impoverished immigrants and racial minorities with working mothers. This created the perception that the nuclear family was threatened, resulting in said reforms and the rise of ECEC-based advocacy organizations. Langford et al describe Canadian ECEC advocacy organizations as generally fitting into one of four categories: research groups with a focus on ECEC, unions with memberships concerned with ECEC provisions, ECEC worker organizations, and grassroots organizations that advocate for ECEC alongside other policies concerned with students, women, and those in poverty.²³ Some of these organizations viewed and continue to view governments as largely antagonistic actors, acting inherently in opposition to the goals of state intervention in ECEC.²⁴

The mid-to-late 20th century saw some movement towards creating a Canada-wide ECEC system. The 1960s and 1970s were predominantly governed federally by the centrist Liberal Party under Prime Minister Pierre Trudeau, whose informal confidence-and-supply agreement

²² *Ibid*, 738

²³ Rachel Langford et al. “Conflictual and Cooperative Childcare Politics in Canada.” *International Journal of Child Care and Education Policy* (Seoul) 10, no. 1 (2016): 3

²⁴ *Ibid*, 4

with the left-wing New Democratic Party brought greater attention to ECEC needs. The late 1960s saw a far greater number of women enter the workforce due to growth in the service industry, which increased enfranchisement energized feminist movements in the country to demand greater policy attention to maintain this.²⁵ In response to this public pressure, the Royal Commission on the Status of Women in Canada was formed by the Liberal government. The Commission's final report was published in 1970 and proposed that the government enact a National Daycare Act in order to guide negotiations with provincial governments.²⁶ Instead, the government sought to expand its existing Canada Assistance Plan, which reimbursed half of provincial subsidies for ECEC and proposed an income-dependent scale of federal benefits for ECEC services, without establishing national standards of care. This policy implied that ECEC access was not an essential issue of gender equality, but rather an issue related to poverty as many of this particular government's policies were framed.²⁷ Mahon and Brennan directly attribute the exacerbated inequality in provincial ECEC access and funding to this decision to expand the existing Plan and leave provinces to determine their own rates of service expansion.²⁸ They also note that the expanded Plan only extended partial coverage of operating costs to non-profit ECEC centres, which contributed to the overall majority of Canadian ECEC facilities being non-profit.²⁹

By the 1980s, the United States and the United Kingdom saw right-wing governments formed under platforms of reduced state intervention by previous governments, and Brian Mulroney's Progressive Conservative Party would follow suit in 1984. In the case of ECEC, the

²⁵ Mahon and Brennan, 97

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ *Ibid.*

primary arguments against establishing a national standard largely centered on the perceived intrusion on families' freedom to determine the type of care best-suited for their children, and the desire to preserve an ECEC system based on free enterprise.³⁰ The result was exacerbated regional disparities in care standards. Teghtsoonian, for example, notes that some provinces required all ECEC staff have prior ECEC work experience or undergo training, while others did not require either for any staff.³¹ As these disparities become increasingly difficult to ignore, Mulroney's government announced a National Child Care Strategy in 1987. The Strategy had three main components, the first two being ECEC tax incentives for parents totaling \$2.3 billion and the Child Care Special Initiatives Fund of \$100 million. The third component, the Canadian Child Care Act (Bill C-144), outlined a scheme of cost-sharing between the federal government and provincial governments for 50% of operational costs and 75% of space-building costs under provincial initiatives for ECEC facilities.³² However, the Strategy was conspicuous in not outlining any federally imposed standards of ECEC that provinces would have to follow in order to qualify for this funding.³³

Many Canadian ECEC organizations, especially the Childcare Advocacy Association of Canada (CCAAC), strongly opposed the Strategy on account of its proposed inclusion of for-profit organizations.³⁴ The Mulroney government would defend the absence of federal standards based on ECEC administration being under provincial jurisdiction; the government stated that its

³⁰ Katherine Teghtsoonian, "Institutions and Ideology: Sources of Opposition to Federal Regulation of Child Care Services in Canada and the United States." *Governance* 5, no. 2 (April 1, 1992): 206

³¹ *Ibid*, 203

³² *Ibid*, 206

³³ *Ibid*.

³⁴ Langford et al, 4

own legal advice concluded that such measures would be unconstitutional.³⁵ The opposition Liberal Party and New Democrats contended that the Mulroney government could still establish federal ‘objectives’ in ECEC service quality in order to circumvent this. Direct analogies were made to the Canadian health care system, in which provinces receive federal health care funding on the basis that their systems are “accessible; [...] comprehensive; [...] universal; [...] portable; and [...] publicly administered.”³⁶ The Mulroney government would content that Bill C-144's preamble illustrating “the need to improve the availability, affordability, quality, and accessibility of child care” was sufficient; the government faced strong internal opposition to any federal standards beyond this statement, exacerbated by the concurrent Meech Lake Accord negotiations.³⁷ These negotiations involved interprovincial debate regarding the government’s intentions to further decentralize the federal system with respect to heated topics like Quebec’s status in the federation, and the Progressive Conservatives had little appetite for an additional arena of contention.³⁸ This internal conflict effectively doomed any movement within the Mulroney government for widening the Framework, which was eventually abandoned.

The next two decades were defined by the Liberal Party’s return to government under Jean Chretien and later Paul Martin. The proposed ECEC policies were framed as a means of combatting poverty once more, but particularly framed at reducing poverty amongst Canadian children.³⁹ The government designed its National Child Benefit to partially subsidize ECEC services for low-income families but allowed provincial authorities to reclaim this amount on

³⁵ Teghtsoonian, 206

³⁶ *Ibid*, 207

³⁷ *Ibid*.

³⁸ *Ibid*, 212

³⁹ Mahon and Brennan, 98

their own authority in order to fund initiatives for early childhood development.⁴⁰ This reflected the Chretien and Martin governments' views of ECEC as only one part of a wider platform for childhood development, resulting in very marginal progress with respect to ECEC access and affordability. Stephen Harper's Conservative Party 2006 federal election win would precede the abandonment of these marginal measures and virtually no federally directed action on ECEC policy for the following nine years.⁴¹

In 2015, the Liberals returned to government under Justin Trudeau's leadership and would publish their Multilateral Early Learning and Child Care Framework in 2017. The Framework largely serves to illustrate the guiding values of the current federal government in negotiating potential ECEC agreements with provinces and territories – such as affordability of care, promoting innovation, and inclusive spaces – but also outlines important insights into where federal roles begin and end with respect to ECEC policy. Paramount among these is the scope which the federal government sought to assist provinces and territories; these were ECEC programs and facilities regulated by these governments “including, but not limited to, regulated child care centres, regulated family child care homes, early learning centres, preschools and nursery schools.”⁴² These investments are limited by the Framework to these services provided to children under the age of six, and the federal government's position has been that individual provinces and territories will continue to administer their own ECEC standards.⁴³ By its own admission, the federal government acknowledges that the “primary responsibility” in developing

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

⁴² “Multilateral Early Learning and Child Care Framework.” *Employment and Social Development Canada*, 2017. <https://www.canada.ca/en/employment-social-development/programs/early-learning-child-care/reports/2017-multilateral-framework.html#h2.2>.

⁴³ “Multilateral Early Learning and Child Care Framework.”

and executing these standards falls to provincial and territorial authorities, rather than the federal government establishing a concrete national standard of ECEC.⁴⁴

Trudeau's government and the Government of Ontario announced a \$13.2 billion funding deal over six years for ECEC in March 2022.⁴⁵ While proposed in some form since the government's election in 2015, the COVID-19 pandemic provided an important impetus in forming concrete actions through the growing disparity for parents returning to the workforce, especially mothers. With this announcement, the federal government completed year-long negotiations with all provinces and territories with the intention of providing access to \$10-per-day ECEC services for Canadians by 2026. The individual terms of these vary widely; in the case of Ontario, its deal with the federal government maintains Ontario's existing ECEC tax credit program and is the only provincial deal to stipulate a financial review in the third year of funding to address any potential funding shortfalls.⁴⁶ Others, like that of Manitoba, have funding deals that set hourly minimum wages for ECEC workers.⁴⁷ The impact timelines for individual agreements also vary. The Northwest Territories, for example, saw the average cost of ECEC services halved immediately while other provinces expect this level of decrease to occur over

⁴⁴ *Ibid.*

⁴⁵ "News Release: \$13.2 Billion Child Care Deal Will Lower Fees for Families." *Ontario Newsroom - Government of Ontario*, March 28, 2022. <https://news.ontario.ca/en/release/1001868/132-billion-child-care-deal-will-lower-fees-for-families>.

⁴⁶ "News Releases: Canada-Manitoba Early Learning and Child-Care Agreement to Strengthen Child Care and Support Recruitment, Retention of Early Childhood Workforce across Manitoba." *Province of Manitoba*, February 22, 2022. <https://news.gov.mb.ca/news/index.html?item=53497>.

⁴⁷ *Ibid.*

several years.⁴⁸ Every agreement, however, involves the federal government providing each province and territory with funding to subsidize ECEC costs and new space construction.

With different provincial systems of funding and standards leading up to these negotiations, serious gaps in ECEC delivery and quality continue to be apparent across Canada. Utilizing the recently-emerged term of ‘childcare deserts,’ Prentice and White find that low-income neighbourhoods in Canadian cities have far lower access to licensed ECEC facilities. In some cases, high-income neighbourhoods in the same city have ten-times as many facilities in similarly populated areas that are low income.⁴⁹ For those who can find spaces, the annual cost of ECEC can be up to \$21,000 per child for parents and living in Toronto or Vancouver.⁵⁰ Another significant regional variation is the share of for-profit and non-profit ECEC facilities. 70 per-cent of Canadian ECEC facilities are non-profit, with the remaining 30 per-cent being for-profit. For-profit care is absent in most of the territories while most facilities in Newfoundland and Labrador are for-profit, for example.⁵¹

Relief for these high costs is also dependent on one’s province or territory. Quebec is viewed as the most generous in its provision of ECEC; up to 55% of children can qualify for low-cost care through provincial tax credits.⁵² Allen explains this particular approach with the observation that Quebec’s history of European-style welfare systems have become intrinsic to the identity of the province, and this approach has been a point of pride and a defining aspect of

⁴⁸ “Child Care in Canada: A Look at the Deals Signed by Each Province and Territory.” *Global News*, March 28, 2022. <https://globalnews.ca/news/8715816/child-care-deals-canada/>.

⁴⁹ Susan Prentice and Linda A White. “Childcare Deserts and Distributional Disadvantages: The Legacies of Split Childcare Policies and Programmes in Canada.” *Journal of International and Comparative Social Policy* 35, no. 1 (2019): 61

⁵⁰ *Ibid*, 62

⁵¹ *Ibid*, 63

⁵² *Ibid*, 62

Quebecois national identity.⁵³ Most provinces provide some fee relief, but qualification often requires the parent or guardian to be significantly below the poverty line while working, training for new employment, or being in education; in some provinces, minimum or co-payments must be paid even by those who qualify for the greatest relief. Some provinces further stipulate that ECEC subsidies can only be used towards non-profit facilities.⁵⁴ The Canadian Centre for Policy Alternatives reported that those who qualify for the most generous provincial subsidies may still pay in excess of \$400 in fees for each child in a space on account of inadequate direct funding levels and relatively restrictive conditions for co-pay qualification.⁵⁵ There does exist a federal Child Care Expense Deduction, but higher-income families qualify for the most relief through this scheme; the broader and unindexed Canada Child Benefit, which can provide up to \$6,400 in tax credits, is less likely to be utilized by low income families because of its long confusing application process.⁵⁶

From a historical institutionalist perspective, Canada's federal government involvement in ECEC funding has been defined by 'policy drift.' This refers to a long history of disputes between provincial and federal governments leaving a keen sense of reluctance to pursue coordinated social policies outside of pensions and healthcare.⁵⁷ The strategies described by Allen have also been on full display through this; in particular, concessions to provincial authority have been central to the current government's Framework and the successful negotiation of ECEC agreements with provincial and territorial authorities. Canada's overall structure, in which the federal government holds the greatest financial power and provinces hold

⁵³ Allen, 222

⁵⁴ Prentice and White, 63

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*, 66

⁵⁷ *Ibid.*, 68

extensive jurisdictional powers, seems to exacerbate this. These aspects of jurisdictional conflict in Canada will be revisited later in this paper to illustrate the potential for future policy exploration in the framework of Australian ECEC policy. In order to

Chapter IV. ECEC Policy in Australia: History and Practice

The federal government of Australia began direct ECEC policy intervention in 1972, although as Harris illustrates, its roots begin much earlier.⁵⁸ From the 1880s to the 1910s, both women's and workers' rights were the focal points of Australia's public consciousness and represented the first large-scale questioning of its structural inequalities. More specifically, the reality of women and children's economic reliance on male caregivers was the source of significant anxiety amongst the burgeoning first wave of Australian feminism. Rather than achieve the status of equality with Australian men, activist leaders like Louise Lawson sought to achieve economic and social independence from them.⁵⁹ Indeed, she notes that Australia's status as a former British penal colony transplanted much of the same structures which privileged white, Protestant men in Britain. With Australian women bearing no right to the custody of their children or the ownership of property, they and their children were extremely vulnerable to male violence; in a single month in the 1890s, a Sydney refuge admitted over six-hundred children and over 1,011 women.⁶⁰

⁵⁸ Nonie Harris, "Radical Activism and Accidental Philanthropy: The Impact of First Wave Feminist Activism on the Later Construction of Child Care Policies in Australia and the United States of America." *Women's Studies International Forum* 31, no. 1 (2008): 42–52. *um* 31, no1 (2008): 45

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

Despite these wide structural inequalities, the primary avenue for Lawson and other activists was government intervention. Beyond a goal of achieving suffrage, the Australian state was viewed by Australian activists as a vehicle towards their enfranchisement with a view to its evolution into a “maternalist welfare state.” This state framework involves the security of women and children being institutionally guaranteed; as the Australian state maintained these structures reducing the opportunity of women and children, activists saw the state as being responsible for rectifying its inequalities.⁶¹ Even in the embryonic form that such activism found itself in the 1890s, a movement for publicly funded ECEC was already being championed. Inspired by philosopher Friedrich Fröbel’s development of the kindergarten model in Germany and the subsequent American ‘free kindergarten’ movement, Anderson advocated for free and early access to ECEC as an answer to not only the education and well-being of impoverished children, but also the reduction of burden for working women.⁶² This was coloured heavily by the realities of the severe economic depression in Australia as the 19th century ended, with activist Maybanke Anderson finding that working women often had little choice but to leave their own children unattended as they worked in order to provide for them. Anderson founded the country’s first free kindergarten in a particularly poor Sydney suburb in 1896 with partial funding from the state of New South Wales. By the time of her death in 1927, fifteen were running in other disadvantaged Sydney neighbourhoods and a Free Kindergarten Union had been established in New South Wales.⁶³

Harris writes that these early victories for Australian ECEC lay in the fact that the private needs of Australian women were successfully framed as being part of the public interest. Much

⁶¹ *Ibid.*

⁶² Harris, 46

⁶³ *Ibid.*, 45-46

of this is attributed to state funded ECEC being promoted as a multi-pronged solution from the state to a variety of social problems in Australia. Beyond being a ‘women’s issue:’ quality education, poverty reduction, and epicenters for greater social cohesion were all listed as intrinsic benefits resulting from the establishment of these institutions.⁶⁴ Furthermore, she argues Australian activists framing the state as both the source of and solution to these structural inequalities was a radical model for social change at that time, laying the foundation for achieving more expansive reforms.⁶⁵

These expansive reforms were not immediate. For most of the 20th century, ECEC in Australia was largely left to “a mix of philanthropic organizations and small private businesses” as states maintained individual regulation standards owing to their jurisdictional advantage.⁶⁶ Public ECEC services were also based on income and were structured to discourage low-income beneficiaries of ECEC from benefiting as they earned more from any state funding. By the 1960s and 1970s, second-wave feminists in Australia had revived the conversation regarding the extent of ECEC provisions. In the process, these second-wave feminists cooperated with a wide spectrum of public stakeholders including parents, ECEC workers, female politicians and civil servants, and trade unions.⁶⁷ The resulting social movement advocated for a universal, federally funded model of ECEC, with the eclectic nature of this movement citing the wide social benefits that would arise because of its institution. Mahon et al further note that Australia’s strong labour and social democratic movements through the century provided a social base for increased

⁶⁴ *Ibid.*

⁶⁵ Harris, 50

⁶⁶ Susan Newberry and Deborah Brennan, “The Marketisation of Early Childhood Education and Care (ECEC) in Australia: A Structured Response.” *Financial Accountability & Management* 29, no. 3 (2013): 233.

⁶⁷ Harris, 50

government intervention, despite the Australian Labor Party residing on the opposition benches from 1945 until the 1970s.⁶⁸ When elected in 1972, the Labor government of Gough Whitlam reshaped the ECEC Act that had been passed by the lame-duck departing government. While the original Act had proposed a voucher system, the Whitlam government “instead offered capital and operating grants limiting these to non-profit, centre-based ECEC, provided by qualified staff.”⁶⁹ Whitlam utilized Section 81 of the Australian constitution, which enables the federal government to distribute its own tax revenue, as a means of providing federal fiscal support to various levels of government and ECEC institutions while avoiding conflict with the jurisdiction of individual Australian states, who still primarily funded ECEC facilities. Whitlam’s successor, Bob Hawke, would further introduce federal ECEC fee relief in 1984 and expand this relief to commercial ECEC centres in 1990.⁷⁰

Federal Australian ECEC policy falls under the responsibility of the Department of Education, Skills and Employment. Standards in ECEC are regulated nationally by the National Quality Framework (NQF), covering daycares and after-school facilities nationally and preschools outside the states of Western Australia and Tasmania. Introduced in 2012 to consolidate individual state standards for certification and care quality, the Framework is administered by the Australian Children’s Education and Care Quality Authority (ACECQA) created in conjunction with the Framework.⁷¹ Within the Framework is a National Quality Standard (NQS) to certify the qualifications of Australian ECEC facilities must meet to operate.

⁶⁸ Mahon et al, 419–431

⁶⁹ Mahon et al 423

⁷⁰ Greg McIntosh, (1998). “Childcare in Australia: current provision and recent developments” *Parliament of Australia*, Parliamentary Library

⁷¹ “Administrative Arrangements Order made on 5 December 2019 with effect from 1 February 2020” (Canberra: 2020), 12. *Australian Government*.

Measured on a five-point qualitative scale from 'excellent' to 'significant improvement required,' the NQS includes the following areas:

- Educational program and practice;
- Children's health and safety;
- Physical environment;
- Staffing arrangements;
- Relationships with children;
- Collaborative partnerships with families and communities; and
- Governance and leadership.⁷²

The Framework also provides pre-approved learning curriculum that facilities may institute to automatically meet the educational program and practice standard. While a national standard, the Framework is enforced and regulated by the educational departments of individual Australian states and territories.⁷³ In their examination, Logan, Press, and Sumsion observe that Hawke's expansions of funding helped to create today's ECEC landscape in Australia, "a predominantly for-profit childcare sector" in which funding is dependent on compliance with federally mandated standards.⁷⁴ Since the 1990 fee expansion relief in particular, the mixed model of ECEC provision in Australia has been consolidated. For-profit facilities operate alongside

⁷² "Assessment and rating process." *ACECQA*. September 2020. Accessed May 10, 2021. <https://www.acecqa.gov.au/assessment/assessment-and-rating-process>.

⁷³ Karen Thorpe, Emily Westwood, Elena Jansen, Ryan Menner, Sandy Houen, and Sally Staton. "Working Towards the Australian National Quality Standard for ECEC: What Do We Know? Where Should We Go?" *The Australian Educational Researcher* 48, no. 2 (March 24, 2020): 229

⁷⁴ Helen Logan, Frances Press, and Jennifer Sumsion. "The Shaping of Australian Early Childhood Education and Care : What Can We Learn from a Critical Juncture?" *Australasian Journal of Early Childhood* 41, no. 1 (2016): 64.

publicly funded facilities. In general, for-profit facilities are dominant throughout the country and can expand their operations and spaces due to the regular subsidization of ECEC.

In terms of funding, parents and guardians may apply for the Child Care Subsidy, which replaced the Child Care Benefit and Child Care Rebate in 2018.⁷⁵ Those applying must have children under 13 years of age that do not attend high school (or 14 to 18 during high school, if the child has a disability) with full immunization. Funding is provided directly to ECEC facilities to reduce fees paid by parents or guardians based on six income tiers; for reference, the median Australian household gross income is A\$116,584 as of 2018.⁷⁶ Those with a family income of A\$70,015 or less receive the greatest fee subsidy at 85%; subsequent income tiers gradually reduce the subsidy to 50% for families annually earning between A\$175,015 and A\$254,305 with those earning greater than A\$354,305 generally ineligible for any subsidy.⁷⁷ Funding is also dependent on the activity level of parents or guardians based on expected time spent on 'recognized activities' every two weeks, including paid or unpaid work and schooling; unpaid leave periods are also recognized, but are restricted to maximum time periods.⁷⁸ Subsidies for ECEC are provided to families using centre-based care, family daycares, after-school hours care, and in-home care; however, in-home care applications have separate criteria.

Chapter V. Application of Australian ECEC Policy to Canada

⁷⁵ "Child Care Subsidy" *Services Australia*. May 26, 2019. Accessed July 1, 2021.

<https://www.servicesaustralia.gov.au/individuals/services/centrelink/child-care-subsidy>

⁷⁶ "Survey of Income and Housing, User Guide, Australia, 2017-18." *Australian Bureau of Statistics*, June 2019. Accessed 1 July 2021.

<https://www.abs.gov.au/ausstats/abs@.nsf/mf/6553.0>

⁷⁷ "Child Care Subsidy - Your income can affect it." *Services Australia*.

⁷⁸ "Child Care Subsidy - Recognised Activities." *Services Australia*. March 13, 2019. Accessed July 1, 2021. <https://www.servicesaustralia.gov.au/individuals/services/centrelink/child-care-subsidy/how-much-you-can-get/your-activity-level-affects-it/recognised-activities>.

Before the application of Australian ECEC model is to be compared to Canada, it is useful to ensure its central aspects are made clear. The model in question can be summarized as follows:

- a mixed ECEC sector, comprised of both for-profit and public facilities,
- ECEC costs federally subsidized to consumers directly, with low-income families qualifying for the greatest relief; and
- federally-mandated standards for ECEC facilities, administered by subnational jurisdictions.

These individual pillars of policy will be individually examined to observe their relevance and feasibility to the Canadian case. For those that do not already exist in the Canadian context, the potential for their implementation will be measured against the historical precedents for policy change in Canada and the present climate studied previously in this paper.

To begin, the Canadian ECEC sector already includes for-profit and non-profit facilities. While market share does vary regionally, they are both ubiquitous on a national scale as they are in the Australian ECEC sector. In terms of fee relief, the Canada Child Benefit and differing provincial and territorial tax rebates existed prior to and following the completion of the federal government's negotiations, but the national benefit's maximum of \$6,400 represents less than 30% coverage of the current cost of ECEC in Toronto and Vancouver compared to potential 85% fee coverage for low-income Australian parents and caregivers. This can be attributed to the Canadian federal government's negotiating framework on financial supports for facilities in order to lower upfront cost to parents and caregivers. This is a direct contrast to the Australian policy of focusing fee relief and subsidies to consumers, especially those who have a lower income. While the existence of the federal benefit means it would be possible to replicate the

levels of consumer subsidy seen in Australia, this is clearly not part of the current federal government's agenda.

The most significant obstacles to implementing the Australian model arise when examining the context of federal ECEC policy in Canada. Over 30 years in the political wilderness passed for the federal government to institute a new framework for provincial ECEC funding, but the 2017 Multilateral Early Learning and Child Care Framework remains very similar in principle to the Mulroney government's proposed National Child Care Strategy of 1987. Importantly, it directly avoids instituting substantive quality and delivery standards on provincial and territorial authorities and seeks to entertain existing measures at these levels instead. Even within this quite limited framework, skepticism has emerged in Ontario over funding guarantees for ECEC centres among for-profit centre owners. According to these owners, the for-profit ECEC industry is already highly regulated at the provincial level and said funding agreements effectively treat these establishments like state-owned enterprises.⁷⁹ Considering that the Framework is seeking to reimburse construction costs and 'reasonable' levels of rent, it would not be unreasonable to speculate the level of furor that could be incurred were the federal government to impose new standards of licensure for ECEC centres in any one province or territory, let alone thirteen.

The current Liberal federal government may not also be in a strong position to negotiate this level of change. With minority status in the House of Commons, its policy is confined by a confidence-and-supply agreement with the NDP and is vulnerable to potential confidence votes. Additionally, the differences in agenda between provinces and territories on ECEC policy are the

⁷⁹ Dave McGinn, "In Ontario, Owners of for-Profit Daycares Are Reluctant to Join Federal Child-Care Deal." *The Globe and Mail*, June 13, 2022.
<https://www.theglobeandmail.com/canada/article-ontario-child-care-deal-2/>.

result of decades of internally-developed political cultures that are not necessarily in agreement. Quebec's generous ECEC policy, for example, is guided by its inclination towards a European-style welfare system. This model is eschewed in provinces like Alberta, Manitoba, and Saskatchewan, where an emphasis on free-market models of social services are mainstream approaches. As illustrated by Allen, Quebec and these Western provinces have contentious relationships with the federal government across history and during the present day when federal policies may compromise their own autonomy, the former on account of nationalist sentiments and the latter's phenomenon of 'Western alienation.' These make any imposition of federal standards upon provinces a potential setting for elevated levels of conflict, which the present ECEC agreements directly sought to avoid.

One only needs to look to the case of health care at-large to view what tensions may arise when the federal government seeks to impose such conditions for funding. While the *Canada Health Act, 1985* precludes the previously mentioned broad standards for provincial and territorial funding from Ottawa, the Act and its predecessors were largely dependent on these lower levels of government having the ability to set their own standards of care beyond basic services.⁸⁰ Attempts by the federal government to implement more rigid conditions for health care funding have largely been met with disquiet from provincial governments and disincentivized attempts to do so.⁸¹ The reasoning behind using this example is that the division of powers over public health in Canada has already been readily tested. Federal authorities have informal constitutional authority regarding the spending of its tax revenue - as is the case in Australia - and formal authority over particular groups like First Nations and Inuit health via

⁸⁰ "The Health of Canadians, the Federal Role, Vol. Five Principles and Recommendations for Reform, Part I." Ottawa: the Standing Committee, 2002, 35

⁸¹ *Ibid.*

section 91 of the *Constitution Act, 1867*; on the other hand, provincial authorities are granted wide authority via section 92 over how physicians are licensed, the limits on public coverage of services, and standards of delivery.⁸² When provinces and territories already possess stringent powers over their own industrial standards and have shown clear will to defend them, they are unlikely to surrender an authority which the federal government has already conceded to them.

For a legally untested standard like ECEC, the chances of success for imposing a national standard of care are quite low. While the specific constitutional provisions mandating provincial authority over ECEC are unclear, repeated federal concessions that ECEC standards fall to provinces and territories would undermine most constitutional arguments that more authoritative conditions could be imposed by the federal government. Here Hall's historical institutionalist framework is particularly relevant; recall his observations on the importance of agreement between actors on policy enactment. In the case of ECEC negotiations in Canada, it is evident that all involved levels of government have formed a clear consensus; ECEC regulation and licensure falls outside federal authority. To usurp this would represent a dramatic about-face on the part of the federal government, especially after over a year of negotiations based upon this consensus. With Ontario's agreement renewal being conditional on a specifying a future review, this would not only risk the federal government's negotiating position for national standards, but also the continued existence of the present agreement and potentially those made with other provinces and territories.

While Canada's federal government does possess the authority to subsidize the cost of ECEC services to consumers, the presence of substantive, federal quality standards is an essential component of the Australian model. The lack of strong federal standards for ECEC

⁸² "The Health of Canadians," 5

facilities, on the other hand, has been essential to the Canadian federal government's framework for ECEC provision, as well as its negotiations for implementing it. With the imposition of these standards upon provincial authorities unfeasible, this makes the Australian model of ECEC policy substantially inapplicable to Canada.

Chapter VI. Recommendations and Conclusion

The goal of the research undertaken in this paper was to test the potential of replicating Australia's model of federal ECEC policy in Canada. In analyzing the two paths of support taken, it became clear that substantial differences in historical context and political economy have informed the paths both the Canadian and Australian federal governments have taken to address accessibility and cost of ECEC services. Similarities exist in the presence of both for-profit and non-profit facilities resembling that of Australia and the potential for direct federal consumer subsidies existing. However, it has been found that Canada's federal government does not possess the means or position to impose national standards to the degree that Australia's federal government has. An attempt to do so by the Canadian federal government would run contrary to the spirit of the agreements recently made with provinces and territories on ECEC policy, and these units of government would almost certainly react adversely. The progress made through these agreements, as well as their very existence, would be placed at risk in doing so. With the Australian model being unlikely to be implemented fully and feasibly in Canada, it is reasonable to accept the hypothesis outlined by this paper.

This does not mean that a more concerted effort is outside the scope of Canadian federal authorities in other areas. A more generous Canada Child Benefit, with increased campaigns of awareness for lower-income Canadians, would more closely resemble part of the Australian

model of subsidization. The Child Care Expense Deduction disproportionately benefitting high-income families is also an area in which the federal government can adjust its policy, either through restructuring the Child Care Expense Deduction or eliminating it in favour of an expanded Canada Child Benefit. Either of these would not infringe on the authority of provincial and territorial governments and would represent a more equitable landscape for Canadian parents and caregivers alongside the individual funding agreements for provincial and territorial ECEC sectors.

While the complete Australian model is unfeasible in the Canadian context, it is important that both a foundation of trust and exchange of interests are maintained between federal, provincial, and territorial authorities. Hall repeatedly emphasizes the necessity of parties to substantial institutional change actively engaging in such processes, and that institutional change is often incremental with an emphasis on experimentation and tinkering.⁸³ The agreements made between the federal government and its provincial and territorial counterparts speak to this; they are highly individualized in order to account for the collective interests of both levels of government involved and open the door to future discussions on the subject. Any future federal government that wishes to implement further changes in ECEC accessibility and affordability would have these agreements to revisit with provincial and territorial authorities, which is a far more advantageous position than having no framework whatsoever. They represent the most significant platform for ECEC policy change in decades of Canadian politics in spite of their flaws, and to negate them simply because they do not fit the comparative model used in this study would be highly reductive. It is for these reasons that existing ECEC agreements between federal and provincial and territorial governments should be maintained for the foreseeable

⁸³ Hall, 218

future, and that all levels of government continue to further the best possible care standards for future generations of Canadians.

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