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FOR IMMEDIATE RELEASE

Legislation that could severely and negatively impact the rights of children in Manitoba deserves fulsome study

Until the rights of children can be ensured, the Child Welfare League of Canada (CWLC) and VOICES: Manitoba's Youth in Care respectfully request that the Government of Manitoba remove the sections pertaining to Children's Special Allowance and to the right of children in care and advocates to legally challenge the Government from Bill 34 – The Budget Implementation and Tax Statutes Amendment Act.

On March 19, 2020 the Manitoba Government introduced Bill 34, which includes provisions to end the ability of current and former children in care to take legal action against the government for withdrawing their Children's Special Allowance (CSA) funds. The CSA is equal to the maximum Canada Child Benefit Payment and the Child Disability Benefit and is used for the care, maintenance, training or education of children in care.

In 2018, a class action lawsuit was filed on behalf of off-reserve children in Manitoba who had their CSA clawed back by the province. A trial date is set for September 2020, however, if Bill 34 passes, the lawsuit will become invalid. As Marie Christian, Director of VOICES: Manitoba's Youth in Care notes, "All children have a right to be involved in their plan of care and the right to have their opinions considered, and that can't happen if the process is rushed."

Governments must ensure that the rights of young people in care are protected and that they are given an equal opportunity to thrive. When governments do not live up to their obligations, young people should have the option to hold them accountable for their actions.

CWLC and VOICES are concerned that the full implications of the proposed legislation cannot be properly studied and considered during this time of uncertainty and crisis, when the focus needs to be on the COVID-19 pandemic response and recovery. The changes proposed under Bill 34 have the potential to severely and negatively impact the rights of children, and their safety and overall well-being. They deserve fulsome study and should not be folded into an omnibus bill. Moreover, it is vital that the legal rights of children in care be preserved, allowing them to hold the government accountable for all legislation and policies affecting them.

“We are committed to seeing more children grow up with their family, kin, and communities, and to securing better outcomes for those who are in care,” says Rachel Gouin, Executive Director of CWLC. “Now is not the time to legislate changes that cannot be properly scrutinized for their impact on child and family well-being.”

We ask the Manitoba Government to reconsider its actions and withdraw sections pertaining to the Children’s Special Allowance from Bill 34 – The Budget Implementation and Tax Statutes Amendment Act.

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