



Child Welfare Law by Jodi L. Wyman

In the area of child welfare, Manitoba is ahead of the rest of the country.

The *Child and Family Services Act* requires CFS Agencies to provide support to families. Where children are in need of protection the Agencies are to apprehend children and place them in a safe place. According to Manitoba Aboriginal and Northern Affairs, 16.6 of every 1000 Manitoba children are in care (foster or group homes).

The current child welfare system has been undergoing major changes. The Manitoba Government has entered into agreements with the Assembly of Manitoba Chiefs and the Manitoba Metis Federation to develop a plan to allow First Nation and Metis communities to develop and deliver Aboriginal more extensive child welfare services.

Since the 1980's, First Nations-controlled Child and Family Services Agencies have been serving the on-reserve population. There are currently seven agencies throughout Manitoba. The plan is to extend the Aboriginal-controlled Child and Family Service Agencies to

off reserve families.

Prior to this change, which Agency assisted families depended upon where the children lived. An Aboriginal family living in the City of Brandon for example would be assisted by the Child and Family Services Agency of Western Manitoba, and not the Dakota Ojibway Child and Family Services. Similarly, a Metis family had no opportunity to be assisted by a Metis organization. This has now changed.

Over the course of 2004 there will be a shifting of case files. Instead of one Child and Family Services Directorate, there are now four Authorities. There is Northern and a Southern First Nations Authority, a Metis Child and Family Services Authority, and as well the General Authority which will assist non-aboriginal and non-Metis families. Each Authority will be separate but still governed by the Child and Family Services Act of Manitoba.

The Manitoba Metis Federation will oversee the Metis CFS

Agency, the Assembly of Manitoba Chiefs will represent the Southern First Nations, and Manitoba Keewatinowi Okinakanak will oversee the Northern First Nations. Together with the General Authority, all authorities have signed a Child and Family Services Protocol. They have committed to working cooperatively with each other. For example, there is likely to be one shared emergency call centre, with families later given their choice of Agency.

Obviously, this change will be a major endeavour. The shift has already begun in the Northern communities, and will affect Brandon and area around July of 2004.

Manitoba should be proud that it is the first Province to have implemented such important changes in its child welfare system.