

## Bill 4

### The Standardized Child and Youth Welfare Act

**WHEREAS** “Child welfare services, or child and family services, are services designed to protect children and encourage family stability. The main aim of these services is to safeguard children from abuse and neglect ”<sup>1</sup>; and

**WHEREAS** “Over the past several decades, child care has become increasingly common in Canada, and, by 2003, an estimated 54% of Canadian children were in some type of non-parental care.”<sup>2</sup>; and

**WHEREAS** The pan-Canadian crisis of resource shortages has contributed to less cooperation between service providers of different jurisdictions [despite the] Provincial/Territorial Protocol on Children and Families Moving between Provinces and Territories<sup>3</sup>; and

**WHEREAS** The federal government’s underfunding of services for First Nations children living on reserves has created a crisis situation for these children and their families.<sup>3</sup>

### **THEREFORE, HER MAJESTY, BY AND WITH THE ADVICE AND CONSENT OF THE YOUTH PARLIAMENT OF MANITOBA ENACTS AS FOLLOWS:**

- 1 As of January 1, 2018, the Government of Canada shall implement a national framework for child welfare services provided to individuals under 18 years of age. This framework will define a national standard for child and youth welfare services in order to maintain consistency across provincial and territorial jurisdictions.
  - (1) The Government of Canada will create a Standard Agency Framework Electorate for a Holistic Outlook on Minority Empowerment [**SAFE HOME**] that will work cooperatively with child welfare agencies from each province and territory.
    - (a) **SAFE HOME** will be composed of research experts in in areas that include but are not limited to; statistics, social work, child advocacy, law and Indigenous relations.
  - (2) **SAFE HOME** will include Indigenous child welfare agencies in the decision-making process regarding the standard of services provided to Indigenous children. With respect to their rights to self-determination, services must be culturally adequate and recognize each individual’s values.
- 2 In accordance with Canada’s commitments to international law regarding the protection of children, the best interests of a child shall always be prioritized in each decision concerning their wellbeing.
  - (1) “Child” shall be nationally defined as any individual under 15 years of age or “youth” between the ages of 16-18 who is
    - (a) A Canadian Citizen
    - (b) An immigrant, refugee or asylum seeker residing in Canada
  - (2) Children and youth shall be provided services that meet the national standard without discrimination on factors that include but are not limited to:

1. Canadian Human Rights tribunal ,( Page 1) <http://s3.documentcloud.org/documents/2698184/Jugement.pdf>

2. <http://www.statcan.gc.ca/pub/11-008-x/2010002/article/11344-eng.htm>

3. Child Welfare League of Canada (Pge 10)

[http://www.nationalchildrensalliance.com/nca/pubs/2003/Children\\_in\\_Care\\_March\\_2003.pdf](http://www.nationalchildrensalliance.com/nca/pubs/2003/Children_in_Care_March_2003.pdf)

4. Amnesty International , <http://www.amnesty.ca/our-work/issues/indigenous-peoples/indigenous-peoples-in-canada/discrimination-against-first-nations>

- (a) Gender, sexual orientation, culture, religion, ethnicity, disability, age
  - (3) Children and Youth shall be provided services that preserve their family environment and protect their cultural identity while maintaining their rights to life, liberty and security.
  - (4) As of 16 years of age, each youth shall have the right to be involved in the decision making process concerning their placement in the child welfare system. The respective individuals shall
    - (a) Have access to support from child advocacy agencies
    - (b) Be granted access to information regarding their case
- 3** Funding for child and youth welfare services shall remain within the already established territorial jurisdictions agreed between provincial and federal governments. Government funding must meet the national standard and take into consideration individual need and geographical location.
- (1) Provincial and territorial governments will continue to fund services provided to children within their province
  - (2) The Federal Government of Canada will provide funding for child welfare services on reserves
    - (a) Funding must be comparable to other child welfare services within the child's province of residency
  - (3) Jordan's Principle shall be applied in each case to oversee that
    - (a) Under no circumstance shall a child be denied access to basic needs due to territorial disputes between federal and provincial Governments.
    - (b) If territorial disputes occur, each government shall be mandated to provide half of the child's necessary funding
- 4** Child and youth welfare agencies must provide **SAFE HOME** with annual reports prior to the end of each fiscal year in order to ensure proper provision of services. Agencies will be granted 3 official warnings before facing legal sanctions. Failure to meet the national standards established by **SAFE HOME** will result in
- (1) Monetary sanctions
  - (2) Loss of legal status

## **Explanatory Note**

### **The Standardized Child and Youth Welfare Act**

*Presented by the Minister of Revenue*

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1. The Government of Canada will create a Standard Agency Framework Electorate for a Holistic Outlook on Minority Empowerment [**SAFE HOME**]. Research experts from each province will gather to define a national standard for child and youth welfare services.
2. **SAFE HOME** will monitor the quality of services provided to children under 15 years of age or youth between 16-18 who are Canadian citizens or residents.
3. The Federal Government of Canada will fund services for children and youth on reserves. Provincial and Territorial Governments will fund child and youth welfare services within their regions. If territorial disputes occur over a specific case, each government will be mandated to pay half of the necessary funding.
4. Child and youth welfare agencies will submit annual reports to **SAFE HOME** to ensure that their services meet the national standard and that their funding is distributed properly.

1. Canadian Human Rights tribunal ,( Page 1) <http://s3.documentcloud.org/documents/2698184/Jugement.pdf>
2. <http://www.statcan.gc.ca/pub/11-008-x/2010002/article/11344-eng.htm>
3. Child Welfare League of Canada (Pge 10)  
[http://www.nationalchildrensalliance.com/nca/pubs/2003/Children\\_in\\_Care\\_March\\_2003.pdf](http://www.nationalchildrensalliance.com/nca/pubs/2003/Children_in_Care_March_2003.pdf)
4. Amnesty International , <http://www.amnesty.ca/our-work/issues/indigenous-peoples/indigenous-peoples-in-canada/discrimination-against-first-nations>