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## **AMC Supports Class Action Lawsuit Filed in Manitoba Regarding Birth Alerts**

**Treaty One Territory, Manitoba** - Earlier this week, a class-action lawsuit was filed in Winnipeg against the province of Manitoba regarding the controversial and discriminatory practice of Birth Alerts. The basis for the claim is that Birth Alerts are unconstitutional and are a Human Rights violation.

“The Assembly of Manitoba Chiefs (AMC) has been a strong advocate in taking countless actions to end the practice of Birth Alerts and Newborn Apprehensions. This includes the Executive Council of Chiefs passing a resolution in 2016 calling for the end of the apprehension of First Nation babies. The Chiefs also expanded the mandate of the Women’s Council to include Child and Family Matters, advocating for the inclusion of child welfare in the National Inquiry into Missing and Murdered Indigenous Women and Girls (the Inquiry). As well, the First Nations Family Advocate participated in the Inquiry as an expert witness calling for governments to examine the legality of Birth Alerts and to end the practice of Birth Alerts,” stated Grand Chief Arlen Dumas.

Chief Betsy Kennedy, Chairperson of the Women’s Council stated “The Women’s Council lends a strong voice for the issues that impact First Nations women. Since the inception of the First Nations Family Advocate Office, we have witnessed the injustice and inhumane actions of the provincial government and the rooted impacts on First Nations families involved with the Child Welfare system, particularly on First Nations expectant mothers. For too long, we have had the provincial government telling us what is in the best interest of our children and families. This has led to the destruction of our families and Nations. This is evident as seen through the suffering of mental health, addictions, homelessness, and poverty.”

In 2021, a class-action lawsuit was brought against British Columbia seeking justice for the practice of Birth Alerts that have separated hundreds of parents and newborn infants, with First Nations families disproportionately affected.

“Despite the apparent end of Birth Alerts in July 2020 that the Manitoba government announced, our office still receives calls from mothers experiencing a Birth Alert and/or Newborn Apprehension. Newborn Apprehensions and the removal of children is an extremely traumatic practice that has long-lasting physical, mental and emotional effects for First Nations families. Today, the lawsuit is a step in the right direction to help address this discriminatory practice and ensure families receive justice,” stated Cora Morgan, First Nations Family Advocate.

Previously, section 9(4) of the Manitoba Child and Family Services Act identified two types of birth alerts: one issued for women over the age of 18; and one for unmarried minors (mandatory in Manitoba), particularly if they are deemed to be high risk. In both instances, the Agency that issued the Birth Alert had the legal right to apprehend the newborn infant under the premise of acting in “the best interests of the child.”

“This class action is about acknowledging the suffering of First Nations families and children. It addresses the systemic racism and discrimination that exists within these colonial institutions. We cannot rely on the government to have our best interest and to ensure the wellbeing of our children and families. We need to take a stand and reclaim our inherent rights to care and provide that support for our families and Nations who are working towards implementing their own laws over children and families,” concluded Grand Chief Dumas.

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**About the Assembly of Manitoba Chiefs**

The AMC was formed in 1988 by the Chiefs in Manitoba to advocate on issues that commonly affect First Nations in Manitoba. AMC is an authorized representative of 62 of the 63 First Nations in Manitoba with a total of more than 151,000 First Nation citizens in the province, accounting for approximately 12 percent of the provincial population. AMC represents a diversity of Anishinaabe (Ojibway), Nehetho / Inineew (Cree), Anishinew (Ojibwe-Cree), Denesuline (Dene) and Dakota Oyate (Dakota) people.