



FOR IMMEDIATE RELEASE
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AMC Demands Full Restitution of CSA Funds Unlawfully Taken From First Nations Children in Care

Treaty One Territory, Manitoba – Today, the Assembly of Manitoba Chiefs (AMC) calls on Manitoba to make full restitution to First Nations children in care for the Children’s Special Allowances Funds unlawfully and discriminatorily taken from them.

The AMC makes this call in response to the Province of Manitoba’s unilateral announcement of its creation of a Collaborative Table on Policy and Legislation Affecting Indigenous Peoples. The Province also announced that it would not appeal the Court of Queen's Bench ruling in May 2022 regarding Manitoba's discriminatory capture of Children's Special Allowance (CSA) funds from First Nations children in provincial foster care.

In November 2020, the AMC-First Nations Family Advocate Office began a legal challenge against the *Budget Implementation and Tax Statutes Amendment Act* (BITSA). Section 231 of BITSA entrenched into law Manitoba’s discriminatory clawback and theft of \$338 million in federal CSA funds intended to support First Nations children in provincial foster care. The Act also sought to deny First Nations children the right to take Manitoba to court for its clawback of CSA funds from children in care.

"The AMC is pleased that the current provincial government will not appeal the decision that found it discriminated against First Nations children. However, the AMC is disappointed that the province of Manitoba has not yet agreed to provide restitution to those children. While we can appreciate the intent behind the province creating a collaborative pan-Indigenous table, the message is that First Nations as Treaty rights holders continue to be left out of key conversations on policy creation and budgeting at critical moments that have had detrimental impacts on the health and well-being of our families. Without any consultation with First Nations, Manitoba created Section 231 of BITSA to deny First Nations children and youth both their right to CSA funds and their right to access to justice through our court system," stated Acting Grand Chief Cornell McLean. "At this juncture, we require more than an invite to another table – the children and youth affected need restitution for the harm they endured."

The two-year legal battle has created a strong sense of mistrust amongst leadership and First Nations citizens. To re-establish a semblance of trust and goodwill, families need to see Manitoba effect meaningful change for the children and youth impacted by the CSA's.

"We are at a crossroads – we can keep having conversations around the table about what to do about how the child welfare system impacts our families, or the province can act now by stepping aside and finally listening to what we have been saying this entire time. The province must concede that the only way forward is to restore the jurisdiction of child and family matters to First Nations," states First Nations Family Advocate Cora Morgan.

The AMC calls upon the provincial government to immediately begin discussing compensation for First Nations children and youth impacted by the loss of their CSA funds and put into practice their intention to listen by honouring the many calls for restoration of First Nations jurisdiction over child and family matters that continue to echo throughout the region.



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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 / Ininew (Cree), Anishininew (Ojibwe-Cree), Denesuline (Dene) and Dakota Oyate (Dakota) people.