

COMPLIANCE DETERMINATION

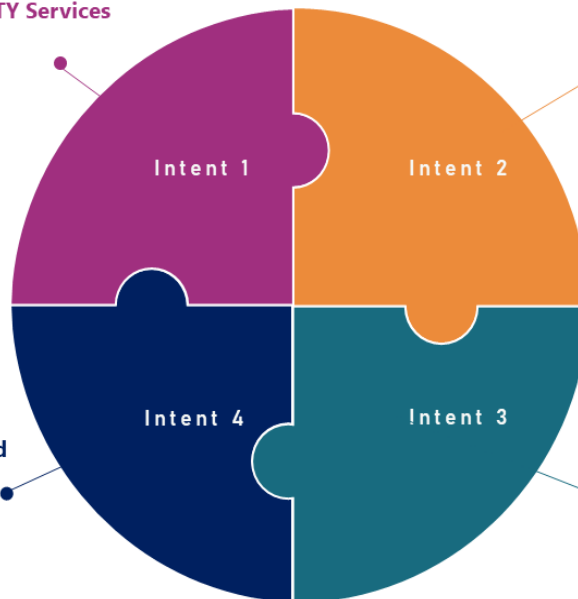
Disabilities – Recommendation 1

Recommendation Summary: Enact new legislation to govern services for children with disabilities.

Primary Public Body: Government of Manitoba

1. Develop and enact a legislative mandate for the Children's disABILITY Services Program.

GOM has completed jurisdictional scans of legislation in other provinces, and reported that legislative options are currently being developed based on these scans that will guide Intent 2, 3, and 4. Full enactment of the legislation will take a few years.



2. Legislation empowers and resources Children's disABILITY Services to provide a broad continuum of supports.

GOM reported that legislative options are currently being developed.

3. Consult stakeholders in developing legislation including meaningful consultation of First Nations, Metis, and Inuit government and communities.

GOM reported this is to be initiated.

4. Repeal s.14(1)(i) and s.14(1)(ii) of The Child and Family Services Act.

GOM reported this is to be initiated.

COMPLIANCE DETERMINATION

0.25

Limitedly Compliant

Recommendation Compliance Summary

In accordance with subsection 11(1) clause (d) of *The Advocate for Children and Youth Act* (ACYA), the Advocate retains the responsibility "to monitor the implementation of recommendations included in reports made under section 27 (investigation) or special reports made under section 31."

This form details the assessment of implementation of compliance made under the referenced subsection of the ACYA. MACY assesses implementation of compliance with recommendations once a year but receives updates from public bodies every six months.

1. Recommendation Information	
Special Report Name:	Bridging the Gaps: Achieving Substantive Equality for Children with Disabilities in Manitoba
Date Released:	3/25/2021
Full Recommendation: (including details)	Recommendation One: The Manitoba Advocate for Children and Youth recommends the Government of Manitoba develop and enact a legislative mandate for the Children's disABILITY Services Program, similar to Alberta's <i>Family Support for Children with Disabilities Act</i> , that empowers and resources Children's disABILITY Services to provide a broad continuum of supports for children living with disabilities and their families.
Intent(s) of Recommendation:	The intents of the recommendation are to: <ol style="list-style-type: none"> 1. Develop and enact a legislative mandate for Children's disABILITY Services Program. 2. Legislation empowers and resources Children's disABILITY Services to provide a broad continuum of supports. 3. Consult stakeholders in developing legislation, including meaningful consultation of First Nations, Metis, and Inuit governments and communities. 4. Repeal s.14(1)(i) and s.14(1)(ii) of <i>The Child and Family Services Act</i>.
Issue:	Disabilities
Public Body	Manitoba Families
Dates of Previous Official Updates from Public Body:	June 30, 2022
2. Compliance Determination	
Limitedly Compliant 0.25	Actions taken only implement a small part of the recommendation, requirements are only fulfilled to a limited degree by actions taken, resulting in significant deficiency in implementation.
Self-Assessment	N/A
Previous Compliance Determination	N/A
3. Rationale for Determination (How did you reach this compliance determination)	

Intent 1: Develop and enact a legislative mandate for Children’s disABILITY Services Program.

2022

- Manitoba Families reported that the department is exploring legislative options.
- The department reported that a jurisdictional scan of other provinces has been completed and that the department intends to consult provinces that have introduced legislation to learn about the impacts of these legislations. MACY has requested a copy of the jurisdictional scan.
- The department also reported that it has reviewed legislation within Manitoba which directly or indirectly addresses or impacts the rights of children with disabilities.

Intent 2: Legislation empowers and resources Children’s disABILITY Services to provide a broad continuum of supports.

2022

- Manitoba Families reported that the department is exploring legislative options.

Intent 3: Consult stakeholders in developing legislation, including meaningful consultation of First Nations, Metis, and Inuit governments and communities.

2022

- Manitoba Families reported that this is “to be initiated.”

Intent 4: Repeal s.14(1)(i) and s.14(1)(ii) of *The Child and Family Services Act*.

2022

- Manitoba Families reported that this is “to be initiated.”

Analysis Summary: MACY recognizes that legislative enactments take time. Preliminary steps have been taken in the implementation of this recommendation, including a jurisdictional scan and review of legislation. Substantial action to move this recommendation forward, however, remains. As such, this recommendation has been deemed limitedly compliant.