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## Introduction

Chapter 3 of Volume 1 contains provincial policy and standards for child protection services under Part II and Part III of *The Child and Family Services Act*.

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## Chapter Content

This chapter is divided into eight sections as follows:

- Section 1 – [Child Protection Services](#)
- Section 2 – [Legal Proceedings](#)
- Section 3 – [Child Abuse](#)
- Section 4 – [Provincial Child Abuse Investigations](#)
- Section 5 – [Child Sexual Exploitation](#)
- Section 6 – [Apprehension for Medical Treatment](#)
- Section 7 – [Working with Law Enforcement](#)
- Section 8 – Youth Involved with the Law – *To be completed*

*When applicable, the sections to be added to this manual will replace existing policies and standards available through the Child Protection Branch.*

## Legislation

[Children in Need of Protection](#)

[Reporting a Child in Need of Protection](#)

## Children in Need of Protection

As stated in [section 2](#) of *The Child and Family Services Act*, protecting children is the first priority in any proceedings under the Act. [Section 17](#) defines a *child in need of protection* and lists illustrations (examples) for agencies, police, courts and others to follow. This approach to defining a child in need of protection is not limiting and gives agencies and police broad powers to investigate and intervene in child protection situations.

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The examples listed in section 17 of the Act include a child who is abused or in danger of being abused. The definition of abuse in [section 1](#) lists physical injury, emotional disability and sexual exploitation as forms of abuse.

## Reporting a Child in Need of Protection

Under [section 18](#) of *The Child and Family Services Act*, a person (including a peace officer) who reasonably believes that a child is or might be in need of protection must immediately report the information to a child and family services agency or to a parent or guardian. The person must report the information to an agency when the person:

- does not know the identity of a parent or guardian
- believes the parent or guardian is responsible for causing a child to be in need of protection or is unable or unwilling to provide adequate protection to the child
- believes that the child is or might be suffering abuse by a parent or guardian of the child or by a person who has the care, control or charge of the child

The duty to report applies to a person who has acquired the information through the discharge of professional duties or within a confidential relationship, but does not abrogate any privilege that may exist because of the relationship between a solicitor and the solicitor's client.

## Policy

[Terminology](#)  
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## Terminology

The following terms apply to the sections in this Chapter:

**Care Provider** – a homemaker, parent aide, child support worker, youth care worker, foster parent or place-of-safety parent employed or retained by a child and family services agency to provide care for a child.

**Collateral** – an external and independent person or organization assisting a child and family services agency in a child protection investigation or in monitoring or supervising a child protection case.

**Court** – the Court of Queens Bench of Manitoba (Family Division) or the Provincial Court (Family Division) unless otherwise stated.

## Guidelines and Publications

The [Revised Manitoba Guidelines on Identifying and Reporting a Child in Need of Protection \(Including Child Abuse\)](http://www.pacca.mb.ca) [www.pacca.mb.ca] were approved in 1999 to help professionals and the general public understand and carry out their responsibilities to protect children through early identification and reporting.

Many other publications relating to child protection services are available on-line through the [Family Services and Consumers Affairs](#) and the [Provincial Advisory Committee on Child Abuse \(PACCA\) websites](#).

## Standards

The provincial standards in this chapter are minimum requirements for services to families under Part III of *The Child and Family Services Act*.

Agencies are also required to follow culturally appropriate standards developed by their respective mandating authorities pursuant to [section 19](#) of *The Child and Family Services Authorities Act*.