

1998 BILL 202

Second Session, 24th Legislature, 46 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 202

CHILD WELFARE AMENDMENT ACT, 1998

MRS. SLOAN

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 202

1998

CHILD WELFARE AMENDMENT ACT, 1998

(Assented to _____, 1998)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Amends SA
1984 cC-8.1

1 The *Child Welfare Act* is amended by this Act.

2 The following is added after section 2.1:

Annual Reports
of Child and
Family Services
Authorities

2.2(1) In this section, "Authority" means a Child and Family Services Authority.

(2) Every Authority shall submit to the Minister each January an annual report respecting the programs and services provided by that Authority under this Act.

(3) The report under subsection (2) shall include the following:

- (a) a list of service providers contracted by the Authority to provide protective services to children;
- (b) the number of children being provided with protective services;
- (c) the type of services provided to each child;
- (d) the duration of each child's involvement with the Authority;

Explanatory Notes

- 1** Amends chapter C-8.1 of the Statutes of Alberta, 1984.
- 2** Annual Reports of Child and Family Service Authorities.

- (e) the reasons for the Authority terminating its involvement with a child;
 - (f) the number of children suffering from neglect and abuse while being provided with protective services;
 - (g) the number of children who died while being provided with protective services by the Authority;
 - (h) a summary of
 - (i) any recommendations made by the Children's Advocate relating to the Authority, and
 - (ii) the actions taken by the Authority in response to the Children's Advocate's recommendations;
 - (i) a summary of the recommendations resulting from investigations conducted by the Authority regarding suspected abuse or neglect of children being provided with protective services;
 - (j) a list of the referrals made by the Authority to other Government agencies regarding each child;
 - (k) a list of the referrals made by other Government agencies to the Authority regarding each child;
 - (l) a list of programs provided by the Authority in conjunction with another Government department; and
 - (m) any other matter the Minister determines is necessary to carry out the purpose and intent of this Act.
- (4)** On receiving the reports under subsection (2), the Minister shall
- (a) prepare a summary of the reports, and
 - (b) lay a copy of the summary before the Legislative Assembly if it is sitting, and if not, within 15 days

after the commencement of the next ensuing sitting.

3 Section 91(2) is amended

(a) in clause (d) by adding the following after "committed":

"or that the disclosure is necessary to ensure the safety or well-being of the child to whom the information relates."

(b) by adding the following after clause (j):

(j.1) the public if the person disclosing the information has reasonable and probable grounds to believe that disclosure is necessary to ensure the safety or well-being of the child to whom the information relates.

3 Section 91(2) presently reads:

91(2) Subject to section 66, the Minister or any person employed or assisting in the administration of this Act may disclose or communicate any information referred to in subsection (1) to the following:

- (a) the guardian, parent or foster parent of the child to whom the information relates or the lawyer of any of them;*
- (b) the child to whom the information relates or his lawyer;*
- (c) a physician, certified psychologist or registered social worker who is responsible for any care or treatment being provided to the child to whom the information relates or for any assessment in respect of that child;*
- (d) a member of a police service or an agent of the Minister of Justice and Attorney General if the person disclosing the information has reasonable and probable grounds to believe that an offence under an Act of the Parliament of Canada has been committed;*
- (e) a teacher if he has responsibility for the education of a child to whom the information relates;*
- (f) the board of an approved hospital or health unit, or a regional health authority under the Regional Health Authorities Act, that is responsible for providing services to the child to whom the information relates;*
- (g) any person employed or engaged by the Minister or by a Child and Family Services Authority;*
- (h) any person assisting the Minister in the administration of this Act;*
- (h.1) the Children's Advocate or his delegate;*
- (i) any person employed in the administration of child protection legislation in another province;*
- (j) any person with the consent in writing of the Minister, the child or a guardian of the child.*