

2019 Bill 202

First Session, 30th Legislature, 68 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 202

**CHILD, YOUTH AND FAMILY ENHANCEMENT
(PROTECTING ALBERTA'S CHILDREN)
AMENDMENT ACT, 2019**

MR. ELLIS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 202
Mr. Ellis

BILL 202

2019

CHILD, YOUTH AND FAMILY ENHANCEMENT (PROTECTING ALBERTA'S CHILDREN) AMENDMENT ACT, 2019

(Assented to , 2019)

Preamble

WHEREAS all children must be protected from violence, abuse and mistreatment;

WHEREAS a child in need of intervention is an emergency situation that should be reported immediately;

WHEREAS all Albertans are responsible for the safety and protection of children; and

WHEREAS current legislation must be strengthened to ensure that all children in Alberta are valued and protected;

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

Amends RSA 2000 cC-12

1 The *Child, Youth and Family Enhancement Act* is amended by this Act.

2 Section 1(1) is amended by adding the following after clause (q.01):

(q.02) “police officer” means a police officer as defined in the *Police Act*;

Explanatory Notes

1 Amends chapter C-12 of the Revised Statutes of Alberta 2000.

2 Interpretation

3 Section 4 is amended

- (a) by repealing subsection (1) and substituting the following:**

Reporting child in need

4(1) Any person who has reasonable and probable grounds to believe that a child is in need of intervention shall forthwith report the matter to

- (a) a director, or
- (b) a police officer.

- (b) by adding the following after subsection (1.1):**

(1.2) A police officer who receives a report pursuant to subsection (1)(b) shall report the matter to a director as soon as practicable.

- (c) by repealing subsection (6) and substituting the following:**

(6) Any person who fails to comply with subsection (1) is guilty of an offence and liable to a fine of not more than \$10 000 or to imprisonment for a term of not more than 6 months, or to both a fine and imprisonment.

4 Section 126.1(1) is amended by adding “or a police officer” after “the name of a person who makes a report to the director”.

3 Section 4 presently reads in part:

4(1) Any person who has reasonable and probable grounds to believe that a child is in need of intervention shall forthwith report the matter to a director.

(1.1) A referral received pursuant to section 35 of the Youth Criminal Justice Act (Canada) is deemed to be a report made under subsection (1).

(6) Any person who fails to comply with subsection (1) is guilty of an offence and liable to a fine of not more than \$2000 and in default of payment to imprisonment for a term of not more than 6 months.

4 Section 126.1 presently reads in part:

126.1(1) Despite section 126(1), the name of a person who makes a report to the director under section 4 or 5 and information that would identify that person is privileged information of the person making the report and is not admissible in evidence in any action or proceeding before any court or an Appeal Panel or before any inquiry without the consent of the person.

