

BILL

No. 621

An Act to amend *The Child and Family Services Act (Betty's Law)*

(Assented to)

Preamble

WHEREAS state policies that saw Indigenous children taken into care, including through residential schools and the “sixties scoop”, undermined fundamental aspects of Indigenous cultures by separating Indigenous peoples from their traditional ways of life, language, and family structures;

WHEREAS families continue to struggle with the intergenerational effects of these policies;

WHEREAS Indigenous children continue to be vastly overresponded in the child and family services system;

WHEREAS a truthful account of history is the only thing that can lay the foundation for meaningful reconciliation between Indigenous and non-Indigenous Canadians.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 *The Child and Family Services (Betty's Law) Amendment Act.*

S.S. 1989-90, c C-7.2 amended

2 *The Child and Family Services Act*, S.S. 1989-90, c C-7.2 is amended in the manner set forth in this Act.

Section 74 amended

3 **Section 74 is amended by:**

(a) adding the following to clause after subsection (5.1):

“(a) In determining whether disclosure is favoured, the Minister shall consider all relevant circumstances, including whether:

- (i) the disclosure relates to information regarding the death or injury of a child in care being sought by the child's family members;
- (ii) the disclosure relates to sixties scoop or residential school records;
- (iii) the disclosure would contribute to or promote the goals of truth and reconciliation;

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(iv) the disclosure would contribute to improving the child and family services regime;

(v) the disclosure would assist in researching or validating the claims or grievances of Indigenous peoples regarding the child and family services system;

(vi) the disclosure would assist living family members of a deceased person to which the information relates in their pursuit for answers around intergenerational questions regarding a deceased family member taken into care”.

(b) adding the following subsection after subsection (5.1):

“(5.02) If the Minister decides not to release any or a portion of the information mentioned in subsection (1), the Minister shall provide written reasons for their decision to the applicant”.

New Section 74.1

4 The following section is added after section 74:

“Preservation of records

74.1 The Minister shall take steps to preserve all documents within their care and control relating to any Indigenous child's time in a federally or provincially operated Indian residential school, federally or provincially operated day school, boarding home, vocational, or reformatory school, as well as any records relating to a child taken into care as part of the sixties scoop. For the purposes of this subsection, preservation of all relevant documents through electronic format is sufficient”.

Coming into force

5 This Act comes into force on Assent.

FOURTH SESSION

Twenty-ninth Legislature

SASKATCHEWAN

BILL

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Received and read the

First time

Second time

Third time

And Passed

Ms. Meara Conway

Printed under the authority of
The Speaker of the Legislative Assembly
of Saskatchewan
2024