

EXPLANATORY NOTES
BILL No. 629

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

**Clause
of Bill**

- 1 Short title.
- 2 Amending language.
- 3 **Section 74 amended**

Explanation

The following clauses added to subsection (9):

“(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;
- (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) If the Minister decides not to release any or a portion of the information mentioned in subsection (2), the Minister shall provide written reasons for their decision to the applicant”.

- 4 **New Section 74.2**

“Preservation of records

74.2 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”.

5 Coming into force