



For Immediate Release  
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## LANDMARK ONTARIO BILL WILL MODERNIZE PRIVACY RIGHTS FOR FOSTER KIDS

**Queen's Park, Ontario** – Today, the Child Welfare Political Action Committee (Child Welfare PAC) is pleased that the *Fostering Privacy Fairness Act, 2020*, co-developed with Sarnia-Lambton MPP Bob Bailey, passed First Reading.

This legislation seeks to correct a long-standing administrative issue that leaves those raised in foster care with less privacy rights than juvenile offenders.

"We end up in foster care through no fault of our own and even in adult life we remain haunted by often inaccurate versions of our childhoods," **said Jane Kovarikova, founder of the Child Welfare PAC, former Crown Ward, and current doctoral candidate at Western.** "This legislation protects our futures."

Deeply personal and intimate information about foster children is recorded in child welfare files. In Ontario, these files remain accessible to child protection sector employees for life.

The Child Welfare PAC is aware of many instances where the files of former foster children have been inappropriately accessed in ways that have interfered with job and board governance opportunities, custody disputes in family court, and in child adoptions.

"Without this legislative protection, these files can and will be unfairly used to stigmatize adults like me long after we have aged out of care," **said Carina Chan, Child Welfare PAC team member, former youth-in-care, and family lawyer.** "We are grateful for the political goodwill towards remedying this issue from all parties."

This proposed *Act* amends Ontario's *Child, Youth and Family Services Act, 2017* by defining an appropriate access period to these sensitive files, protecting the identities of foster children in adult life, and allowing third party access to sealed files only through the courts.

The Child Welfare PAC is encouraging other provinces and territories to follow Ontario's lead and protect the privacy rights of foster children under their jurisdictions.

"The *Fostering Privacy Fairness Act* is really about ensuring the equality of privacy rights for all Ontarians, regardless of who you are or where you came from," **said MPP Bob Bailey.** "Protecting the privacy of these young adults is something important that we can do to help them move past their childhood and towards the bright future they deserve."

"Our government is committed to changing the child welfare system and ensuring better and brighter futures for all the children and youth who have been impacted," **said Jill Dunlop, Associate Minister of Children and Women's Issues.** "I am proud to work with great organizations like Child Welfare PAC and passionate Members on changes that can make a real difference in the lives of these individuals."

"If anyone deserves a fresh start in adult life, it is kids raised in the foster care system. This bill is making history by treating foster kids like they matter, like they have human rights too," **concluded Kovarikova.**

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### Quick Facts:

- There are an estimated 100,000+ former Crown Wards in Ontario, not including other types of former youth in care, that will be impacted by this bill
- The software solution where files are easily searched and accessed indefinitely is called the Child Protection Information Network (CPIN)
- At least 73 breaches related to snooping and cyber attacks were reported to the Information and Privacy Commissioner of Ontario by child protection agencies since January
- Hard copy files suffer similar problems with unrestrained access possible indefinitely
- Opposition to sealing childhood files is rooted in the prejudicial notion that foster children are more likely to harm their offspring – often couched as “safety” concerns – same flawed logic that enabled the former prejudicial birth alert policy
- Academic data unequivocally does not support these alleged “safety” concerns
- This bill defines an appropriate access period to these childhood files – age 21; protects the identity of adults who left care; and allows for third party access to sealed files through the courts

### About [Child Welfare PAC](#):

The Child Welfare PAC is a federal not-for-profit that represents the interests of children raised by the government. The advisory committee consists of professionals from academia, law, business, advocacy & public service who have lived experience in child protection systems. The complete advocacy agenda may be reviewed here: [www.childwelfarepac.com](http://www.childwelfarepac.com)

### Resources:

[Click here for Fostering Privacy Fairness Act, 2020, Backgrounder](#)



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