



Ontario Association of  
Children's Aid Societies

SUBMISSION TO THE STANDING COMMITTEE ON JUSTICE POLICY

**Bill 194, *Strengthening Cyber  
Security and Building Trust in  
the Public Sector Act, 2024***

NOVEMBER 14, 2024

## About the Ontario Association of Children's Aid Societies

The Ontario Association of Children's Aid Societies (OACAS) is a provincial membership organization representing 47 of Ontario's 50 mandated children's aid societies and Indigenous Child and Family Well-Being Agencies (child welfare agencies). We support members by providing practice tools, educational and training opportunities, as well as communication and advocacy supports to help bring positive change to the Ontario child welfare system and improve outcomes for children, youth, and families.

### Introduction

OACAS welcomes the opportunity to provide comments on Bill 194, *Strengthening Cyber Security and Building Trust in the Public Sector Act, 2024* (Bill 194 or the Bill) to the Standing Committee on Justice Policy (the Standing Committee).

The Ministry of Public Business and Service Delivery (MPBSD) is proposing new legislation that would, if passed, provide new tools to prevent and respond to cyber security threats and safeguard critical public services in critical sectors such as hospitals, education, and child welfare.

OACAS and our members commend MPBSD for taking steps to strengthen cyber security in the public sector and better protect the safety and privacy of everyone living in Ontario, particularly the personal information and data of children and youth. Child welfare agencies support some of the most vulnerable children and youth across the provinces and we share the Ontario government's commitment to safeguarding their personal information and data.

OACAS and our members support Bill 194 in principle; however, how exactly the Bill will strengthen cyber security and safeguard the privacy of children and youth remains to be seen through yet-to-be-released regulations. As the Standing Committee contemplates Bill 194, there are key considerations we would like to bring to your attention. In this submission, we outline key considerations related to:

- Indigenous data sovereignty
- Human resources and system readiness
- Existing privacy protections
- Administrative tasks

### Key Considerations

#### Indigenous Data Sovereignty

Indigenous data sovereignty refers to the fundamental rights of Indigenous Peoples to control, access, interpret, and manage information and data. We urge the Standing Committee to ensure Bill 194 reflects these fundamental rights. To this end, we recommend

that the Standing Committee consider regional frameworks regarding Indigenous data sovereignty, such as the [First Nations principles of OCAP](#). Standing for ownership, control, accesses, and possession, this framework establishes how First Nations' data and information will be collected, protected, used, or shared.

### **Human Resources & System Readiness**

Schedule 1 sets out the regulation-making authority related to cyber security and the use of artificial intelligence by public sector entities, which includes mandated child welfare agencies. For example, if passed, Bill 194 would require public sector entities to develop and implement programs for ensuring cyber security and accountability frameworks related to artificial intelligence.

While contemplating Bill 194, we encourage the Standing Committee to remain mindful that each agency is an independent, non-profit organization. There is variability in the resources child welfare agencies have access to, from human resources (i.e., staff) to technologies and digital infrastructure. For example, not all child welfare agencies use the Child Protection Information Network (CPIN). Bill 194 must remain sensitive to this reality within the Ontario child welfare sector. This will be of particular importance should the Bill pass; the Ministry will need to remain aware of system readiness and resource needs to promote a timely, smooth, successful implementation process.

### **Existing Privacy Protections**

We would like to remind the Standing Committee that the Ontario government has recently made changes to the *Child, Youth and Family Services Act, 2017* (CYFSA) to introduce measures focused on safeguarding the personal information, data, and privacy of children and youth through the addition of Part X. Part X outlines rules that service providers, including child welfare agencies, must follow.

We recommend that the Standing Committee review Bill 194 with Part X of the CYFSA in mind to ensure that the two pieces of legislation align and are not duplicative. If Part X and Bill 194 are not aligned, this may cause confusion within impacted sectors (i.e., education, health, child welfare, etc.) and among public entities, particularly service providers like child welfare agencies as they work to remain in compliance with two separate pieces of legislation enumerating tools and measures designed to safeguard personal information, data, and privacy.

### **Administrative Tasks**

On behalf of our members, OACAS would like to highlight that Bill 194 may come with an increase in administrative tasks and elevate workload pressures. For example, the



development, implementation, and maintenance of programs for ensuring cyber security and accountability frameworks related to artificial intelligence.

We remind the Standing Committee that the Bill follows a series of significant legislative, regulatory, and policy changes (i.e., *Supporting Children's Futures Act, 2024, Quality Standards Framework, Ready, Set, Go*, etc.) that have already increased administrative tasks and heightened workload pressures on child welfare agencies. If passed, we recommend MPBSD work closely with the Ontario child welfare sector to identify opportunities to reduce administrative burden and mitigate associated workload pressures.

Again, OACAS is grateful for the opportunity to provide comments on Bill 194. We also appreciate that the Ministry has been and continues to consult key partners across sectors, including child welfare, to gather feedback and insights to support the development of regulations should the Bill pass. We are grateful for this partnership and look forward to continuing to work together to ensure systems serving children, youth, and families in the public sector remain resilient and well-equipped to protect personal information and data and maintain the privacy of children, youth, and families.

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