

## Draft Regulation

Youth Protection Act  
(R.S.Q., c. P-34.1)

### Review of the situation of a child

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and the second paragraph of section 132 of the Youth Protection Act (R.S.Q., c. P-34.1), that the Regulation respecting the review of the situation of a child, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation determines the time periods for review of the situation of children subject to protective measures under the Youth Protection Act and the time periods for review of the situation of children who have been in care for one year under the Act respecting health services and social services (R.S.Q., c. S-4.2).

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Line Bérubé, 1075, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1S 2M1; telephone: 418 266-6828; fax: 418 266-6807; e-mail: line.berube@msss.gouv.qc.ca

Any interested person having comments to make on the matter is asked to send them in writing before the expiry of the 60-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec) G1S 2M1.

PHILIPPE COUILLARD,  
*Minister of Health and Social Services*

## Regulation respecting the review of the situation of a child

Youth Protection Act  
(R.S.Q., c. P-34.1, s. 132, 1st par., subpars. c and d)

### DIVISION I REVIEW UNDER SECTION 57 OF THE ACT

**1.** The director must review the situation of a child on the expiry of an agreement on voluntary measures or an order.

Despite the foregoing, the director must review the situation of a child

(1) every 12 months, if an order is longer than 12 months;

(2) every six months, if an agreement on voluntary measures or an order is longer than six months and the child in foster care is five years of age or under; or

(3) every six months, in the first two years of foster care, if an agreement on voluntary measures or an order is longer than six months and the child in foster care is from six to 12 years of age.

In addition, the director may review the situation of a child at any time if new facts so warrant.

**2.** To allow the director to review the situation of a child, the worker responsible for the application of the protective measure must report to the director in writing on the situation of the child.

The report must be made four weeks before the expiry date of the agreement on voluntary measures or the order, or four weeks before the expiry of the time periods referred to in subparagraphs 1 to 3 of the second paragraph of section 1.

The director may, however, require the report earlier if new facts arise or the agreement on voluntary measures or the order covers a period of less than three months.

**3.** The report must contain

(1) the initial reasons for intervention and the duration of the taking in charge by the director;

(2) the objectives and the protective and rehabilitative measures envisaged at the time of taking charge of the situation of the child that are described in the agreement on voluntary measures or the order;

(3) a list of the principal interventions undertaken within the framework of the agreement on voluntary measures or the order;

(4) a concise assessment of

(a) child and parental functioning;

(b) the child's current relationship with the parents;

(c) the frequency of the child's contacts with the parents and the nature of their relationship if the child has been entrusted to the care of a person, foster family, rehabilitation centre or hospital centre;

(d) the perception and assessment of the situation by the parents and the child; and

(e) the perception and assessment of the situation by a person who has daily contacts with the child, if the child has been entrusted to the care of a rehabilitation centre;

(5) an opinion of the worker in charge on the reasons as to whether an intervention by the director should be continued;

(6) an opinion of the worker in charge on the future directing of the child in reference to priority measures; and

(7) an opinion of the worker in charge as to whether the child should remain with or be returned to the parental environment or if that latter option is not possible, on the other measures that would be most appropriate to ensure continuity of care, stable relationships and stable living conditions on a permanent basis.

## DIVISION II

### REVIEW UNDER SECTION 57.1 OF THE ACT

**4.** For the purposes of this Division, an institution must notify the director each time a child is in the situation referred to in section 57.1 of the Youth Protection Act (R.S.Q., c. P-34.1).

**5.** The director must review the situation of a child after being notified by an institution and every 12 months in the subsequent two years.

The director is to review the situation of a child on the date determined at the last review.

The director may, however, review the situation of a child at any time if new facts so warrant.

**6.** To allow the director to review the situation of a child referred to in section 57.1 of the Act, the worker responsible for the child's follow-up must report to the director in writing on the situation of the child.

The report must be at the time of the first notice and thereafter four weeks before the date set for the next review.

The director may, however, require the report earlier if new facts arise.

**7.** The report must contain the information required by section 3, with the necessary modifications.

**8.** This Regulation replaces the Regulation respecting the review of the situation of a child, made by Order in Council 2199-85 dated 23 October 1985.

**9.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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