

## New disclosure veto addresses privacy concerns, adoption law strikes right balance: Commissioner Cavoukian

Ontario Information and Privacy Commissioner Ann Cavoukian applauds the Ontario government for moving quickly to introduce new adoption legislation that includes both a disclosure veto for adoptees and birth parents in adoptions that have already taken place and also promotes openness for adoptions where a disclosure veto is not registered and for all future adoptions. Commissioner Cavoukian had been seeking the inclusion of a disclosure veto for past adoptions at the request of a number of adoptees and birth parents.

If passed, the bill introduced today will give adoptees and birth parents the right of access to adoption records while also providing a right for them to register a disclosure veto to prevent disclosure, for all adoption orders made before September 1, 2008. After that date, all adoptions will be open.

All adoptees and birth parents, regardless of when the adoption took place, will have the right to register a notice that they do not wish to be contacted by the other party. In addition, all adoptees and birth parents who do wish to be contacted will have the ability to indicate how they prefer to be contacted.

“I am delighted that the government has taken such quick action to introduce new legislation on this very important issue,” said Commissioner Cavoukian. “I have always supported openness in adoptions on a going-forward basis. I was deeply concerned, however, for those adoptees and birth parents who entered into adoptions prior to the change in the law, and who fear that disclosing their identities now could have a devastating impact on their lives. Those individuals should have the right to keep their privacy protected. I believe that by including a disclosure veto for adoptions that have already taken place, this bill strikes an appropriate balance in this regard.”

Adoptees and birth parents who filed no-contact notices or manner-of-contact-notices with the government under the previous legislation will have to refile those notices under the new legislation. “I want to alert these individuals that their notices will not be grandfathered under the new legislation, but will need to be refiled,” said Commissioner Cavoukian.

In developing the bill, the government consulted with Commissioner Cavoukian. “I thank the government for giving my office the opportunity to provide comments on the draft legislation,” said Commissioner Cavoukian. “I look forward to continuing to work with the Ministry of Community and Social Services as it moves towards implementation.”

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