



ARCS: 292-30
File: CFD-2018-83982

July 18, 2018

Sent via email:

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Children and Family Development. Your request is for:

Yearly totals (2010-2018): For the number of Continuing Custody Order applications by BC's Ministry of Children and Family Development; For CCO applications that proceed to protection hearings broken down by regions or Service Delivery Areas; For the number of CCO applications that are granted broken down by region, and the number of applications pertaining to Indigenous children; For each year in the range, according to MCFD's internal audits, what is the compliance rate for starting protection hearings within 45 days after the conclusion of the presentation hearing (CFCSA Section 37). (Date Range for Record Search: From 01/01/2010 To 05/29/2018)

Please find enclosed a copy of the records located in response to your request. These records are provided to you in their entirety.

Please note that information for the remainder of your request is not being provided as it goes beyond the Ministry's duty to assist as per section 6 (2)(b) of FOIPPA.

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The Ministry has provided the following explanation:

Most of the data is held by the courts, not by the Ministry of Children and Family Development (MCFD) and, therefore, not captured in our systems. Specifically we are unable to count hearings/applicants because that data is held with family court and would quite possibly require a manual count. If we were to provide a manual count this would be via a contract to ad hoc (LSB) counsel and would incur significant legal costs as it is outside of a contract counsel billing or funding. For the Continuing Custody Order (CCO) applications that proceed to protection hearings broken down by Service Delivery Area (SDA), this would require manual review of all MCFD files within the time frame; identifying which ones went to CCO, and, of those, which ones went to CCO because of a protection hearing. This data is not readily available and would require creating new data based on numerous other files.

A complete copy of FOIPPA is available online at:

http://www.bclaws.ca/civix/document/id/complete/statreg/96165_00

Your file is now closed.

These records will be published on the BC Government's Open Information website a minimum of five business days after release. To find out more about Open Information, please access the Open Information website at: www.gov.bc.ca/openinformation

If you have any questions regarding your request, please contact Melinda Frelick, the analyst assigned to your request, at 250 387-1027. This number can be reached toll-free by calling from Vancouver, 604 660-2421, or from elsewhere in BC, 1 800 663-7867 and asking to be transferred to 250 387-1027.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,



Melinda Frelick, FOI Analyst
On behalf of Jamie Onciul-Omelus, Manager
Social / Tech Team, Information Access Operations

Enclosures

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250 387-5629 Fax 250 387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.