

Ministry of Community
and Social Services

Ministry of Children and
Youth Services

Ministère des Services
sociaux et communautaires

Ministère des Services à l'enfance
et à la jeunesse



Freedom of Information and Protection of Privacy Unit
Business Planning and Corporate Services Division
880 Bay Street, 2nd Floor
Toronto ON M7A 2B6
Telephone: (416) 327-6101
Fax: (416) 326-2567

February 19, 2013

Mr. Chris Carter
60 Barthe Street
Chatham, Ontario
N7L 1T6

Re: FOI Appeal PA12-521 / FOI Request CYS2012/0040

Dear Mr. Carter:

On January 10, 2013, the ministry received a Notice of Mediation from the Office of the Information and Privacy Commissioner of Ontario concerning the above-noted Freedom of Information Appeal.

Since that time, the ministry has had several discussions on the scope and specifics of this appeal with the assigned Mediator, Ms. Andrea Schwartz. Ms. Schwartz asked the ministry to review exemptions we had applied under Section 21 of the Act to the record disclosed to you on November 14, 2012 (Bibliography, pages 72 and 73). The exemptions related to the personal information of individuals named in litigation or in inquests.

The ministry has reviewed its application of Section 21 to the exemptions in question. In doing so, the ministry has tried to determine whether the exempted information was already publicly available and thus could be disclosed without constituting an unjustified invasion of individuals' personal privacy.

First, the ministry has tried on several occasions to confirm if the disclosed record, which dates back to 1998, was publicly released along with the bibliography at that time. However, the ministry cannot definitively confirm that the disclosed record was publicly released in its entirety in 1998.

Second, the ministry has tried to determine whether the specific information it exempted is publicly available through other means. The ministry has conducted searches through the Canadian Legal Information Institute website, as well as a general Google search, for the information exempted in each case.

Through these searches, the ministry has confirmed that information related to one case previously exempted is publicly available. As such, the ministry is enclosing a revised copy of page 73 of the records for you.

We trust you find this information helpful. Please do not hesitate to contact Cristina Brandao, Policy Analyst, at (416) 327-0312, with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Cate Parker", written in a cursive style.

Cate Parker
Manager

Enclosure

c: Ms. Andrea Schwartz, Mediator, Office of the Information and Privacy Commissioner

Inquests, Recommendations, Whitby, [REDACTED]

Inquests, Recommendations, Kitchener, [REDACTED]

Legislative Assembly of British Columbia: Child, Family and Community Service Act, Queen's Printer for British Columbia, 1994.

Legislative Analyst's Office: Child Abuse and Neglect in California. Part 1, 1996.

Legislative Assembly of Alberta, First Session, 24th Legislature, 26 Elizabeth II. Bill 27. Child Welfare Amendment Act, 1997

Legislative Assembly of British Columbia: Child, Family and Community Service Amendment Act, 1995

Legislative Assembly of British Columbia, Third Session, Thirty-fifth Parliament, 43 Elizabeth II. Child, Family and Community Service Act, 1994

Ontario Court (General Division): Reasons For Decision. The Catholic Children's Aid Society of Metropolitan Toronto and [REDACTED] and [REDACTED] 1996

Ontario Court of Justice: Catholic Children's Aid Society of Metropolitan Toronto and [REDACTED] and [REDACTED] 1993.

Ontario Court of Justice (General Division): Reasons for Judgement. Catholic Children's Aid Society of Metropolitan Toronto and [REDACTED] and [REDACTED] 1993

Ontario Court of Justice (Provincial Division): Reasons for Judgement. [REDACTED] and [REDACTED] 1991

Ontario Court of Justice: Reasons for Judgment, [REDACTED] and [REDACTED] and Catholic Children's Aid Society, 1992

Ontario Court (Provincial Division): Reasons For Judgment, Catholic Children's Aid Society of Metropolitan Toronto and Lisa Marie O and Michael P. 1995

Ontario Court (Provincial Division): Reasons for Judgment, Children's Aid Society of Haldimand-Norfolk and [REDACTED] and [REDACTED] 1995

Ontario Court (Provincial Division): Reasons for Judgment. Her Majesty The Queen against [REDACTED] 1996

Standing Committee on Social Development, Legislative Assembly of Ontario: Children at Risk. 3rd Session, 35th Parliament, 42 Elizabeth II, July 1994

Unified Family Court: Reasons for Judgment. [REDACTED] and [REDACTED] The Hamilton-Wentworth Children's Aid Society and [REDACTED] 1990

EXEMPTION

Section: 21