



March 16, 2006

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Dear Mary Lou Daniels,

As you may be aware, the *Child and Family Services Act*, R.S.O. 1990, c. C.11, ss. 68 (1) (the Act) makes it mandatory for a Children's Aid Society (CAS) to make available their actual written review procedure to any person upon request. See below:

*68. (1) A society shall establish a written review procedure, which shall be approved by a Director, for hearing and dealing with complaints by any person regarding services sought or received from the society, and shall make the review procedure available to any person on request.*

These requests are denied by CAS's on a regular basis -- clearly in violation of ss. 68. (1) of the Act -- and instead they hand out pamphlets with information relating to the actual written review procedure which can be found in the CAS's Policies and Procedures Manuals.

In order to promote fairness and efficiency to both the Ministry and myself, prior to making my actual FIPPA request, I would like to ask for a response from you as to whether or not the Ministry or any of its regional offices have on file copies of each Children's Aid Society's actual written review procedures which were sent to the Ministry for approval by a Ministry Director as per Section 68 (1) of the Act.

Specifically, does the Ministry or any of its regional offices have on record at any facility, copies of each Children's Aid Society's actual written review procedure as is written in their Policies and Procedures Manual or does the Ministry or any of its regional offices only have on record at any facility, copies of each Children's Aid Society's pamphlets, flyers or documents which contain information related to the actual written review procedure.

The reason I am trying to clarify this matter is so that I can make a FIPPA request for a copy of the Ottawa Children's Aid Society's actual written review procedure as written in their Policies and Procedures Manual and as approved by a Ministry Director rather than their publicly available pamphlet which merely contains information relating to their actual written review procedure.

As you may be aware, Bill 210, *An Act to Amend the Child and Family Services Act* proposes to amend Section 68 of the Act in such a way as to eliminate a Children's Aid Society's currently existing obligation to have their actual written review procedure made available to any person upon request.

The carefully worded, proposed amendment to ss. 68 (1) of the Act contained within Bill 210 clearly demonstrate the intent of the Ministry to eliminate any persons ability to obtain access to the actual written review procedure as is written a CAS's Policies and Procedures Manual. (See the proposed amendment in Bill 210 below)

*Available to public*

*(3) A society shall make information relating to the complaint review procedure available to any person upon request.*

This proposed amendment, once passed third reading stage at the Legislative Assembly will terminate the currently existing right of all members of the public to gain any kind of access to a Society's actual written review procedure, which will further reduce accountability and transparency of Ontario's Children's Aid Societies.

It is for this reason that I ask you to respond as quickly as is possible so that I may make an appropriate FIPPA request before the passing of Bill 210.

Please contact me if you have any questions regarding my request.

Sincerely,

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