



Ami Wyllie
request-479601-cf66c1b7@whatdotheyknow.com

Your ref: CAF 18-053
Our ref: Gov/CAF 18-053

Cafcass National Office
3rd Floor
21 Bloomsbury Street
London
WC1B 3HF

Tel 0300 456 4000

08 May 2018

Dear Ms Wyllie,

Re: Freedom of Information Request

Thank you for your email of 23 April 2018. You made the following requests for information:

Number of section 7 reports in English courts that have been ordered by a judge/magistrate and subsequently cancelled by CAFCASS in the last three years?

Cafcass does not 'cancel' S7 reports as the completion and filing of the report has been ordered by the court. However, if the court orders the completion of a S7 report by Cafcass, Cafcass may challenge this order if it feels this is inappropriate and it may be withdrawn by the court but the circumstances for this must be exceptional. For example, it may be appropriate that the S7 report should be completed by the local authority rather than by Cafcass. However, these issues should be raised with the court before a decision on the allocation of responsibility for a section 7 report is made, where possible. Please see our [Good Practice Guidance: determining whether Cafcass or a local authority should prepare a section 7 report](#) which sets out when a S7 report should be completed by the local authority.

Cafcass does not hold statistics or information on the number of S7 reports which were ordered by the court to be completed by Cafcass but which were then withdrawn or completed by the local authority. This information will be held in each individual case file. In order to provide a response, each case file would need to be checked individually; as Cafcass handles tens of thousands of cases annually, the cost of compliance would exceed the appropriate limit which for Cafcass is £450. In our estimation the cost (a flat rate of £25 per hour provided by the FOI Act) would exceed the appropriate limit which is 18 hours for Cafcass, in order to complete one or more of the following activities permitted to be accounted for, which are:

- Determining whether the information is held;
- Locating the information, or a document containing it;
- Retrieving the information, or a document containing it; and

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- Extracting the information from a document containing it.

A response to this request is therefore exempt under Section 12 of the Freedom of Information Act.

12 Exemption where cost of compliance exceeds appropriate limit.

1. Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
2. Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
3. In subsections (1) and (2) "the appropriate limit" means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
4. The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
5. The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Of those cases, how many weeks after the section 7 report was ordered did CAFCASS cancel the report?

Please see the answer to question one.

What reasons were judges/magistrates and parents given for the cancellation and what process was put in place of the section 7 report?

Please see the answer to question one.

We hope that you feel your question has been answered effectively. If you are unhappy with the decisions made in relation to your request, you may ask for an internal review to be undertaken. If you are dissatisfied with the way the internal review is handled or with the final decision made at that review about the information released, you are free to contact the Information Commissioner's Office (<https://ico.org.uk/>):



**Post**

Information Commissioner's Office
Wycliffe House, Water Lane,
Wilmslow,
Cheshire
SK9 5AF

Fax

01625 524 510

Tel

0303 123 1113

E-mail

casework@ico.org.uk

Yours sincerely,

Governance Team

Cafcass

Governance@cafcass.gov.uk

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Cafcass, the Children and Family Court Advisory and Support Service, is a non-departmental body of the Ministry of Justice
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