



MINISTRY OF SOCIAL DEVELOPMENT

Te Manatū Whakahiato Ora

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14 JAN 2014

Leigh Baillie
fyi-request-1011-38b45bab@requests.fyi.org.nz

Dear Ms Baillie

Thank you for your two emails of 20 July 2013 requesting, under the Official Information Act 1982, the information regarding settlement payments and amount spent on legal representation.

I apologise for the delay in providing you with a response to your Official Information Act requests and for any inconvenience this may have caused you.

I will address each of your questions in turn.

- *How many settlement payments have been paid out to families due to CYF errors outside of the normal complaints process but in court proceedings?*
- *Of those, how many have had suppression orders placed on them so that amounts cannot be disclosed?*
- *How much was the highest amount awarded to an individual family in either an out of court or in court settlement?*

The Ministry does not centrally collate the information requested above. Your request for this information is very broad and substantial manual collation would be required to locate and prepare all of the data and information within scope of your request. As such I refuse your request under section 18(f) of the Official Information Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

- *How much, over the last five years, has CYF spent on legal representation in relation to its cases?*

Prior to 2012/13 the Ministry did not centrally collate this information as the costs for this moved between a number of team budgets. However I can advise you that in 2012/13 the total cost of Crown Solicitors appearances in the Family Court was \$1,030.

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Providing you with the amount Child, Youth and Family spent on legal representation prior to 2012/13 would require substantial manual collation. As such I refuse your request under section 18(f) of the Official Information Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

- *How much, over the last five years, has CYF paid for others' legal representation?*

In terms of legal representation for others, the only funding that Child, Youth and Family provides, is assistance with legal costs as part of the Home for Life initiative.

The initiative aims to reduce the amount of time children and young people spend in state care as well as reducing the number of placement changes they experience. Providing a home for life where a child or young person feels wanted and valued helps establish a sense of belonging and promotes their wellbeing.

Home for Life removes obstacles that caregivers, whether kin or non kin, may have when deciding to care for a child or young person permanently. Child, Youth and Family assists Home for Life parents by providing a three year support package which includes financial assistance. When a caregiver makes a lifelong commitment to a child or young person in foster care, they assume guardianship by a custody order under the Children, Young Persons and Their Families Act 1989 or through a parenting order under the Care of Children Act 2004.

You can find more information on the Home for Life initiative at the following link:

www.practicecentre.cyf.govt.nz/policy/permanent-care-and-creating-a-home-for-life/resources/home-for-life-support.html

The table below shows the total amount paid by Child, Youth and Family in respect of Home for Life for the financial years 2009/10 to 2012/13 and 2013/14 (as at October 2013):

Financial Year	Amount Paid
2009/10	\$1,279,831.77
2010/11	\$1,545,546.53
2011/12	\$1,720,118.54
2012/13	\$1,752,701.72
2013/14	\$671,707.30

You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsman
PO Box 10-152
WELLINGTON 6143

Yours sincerely

A handwritten signature in black ink, appearing to read 'DS', with a long horizontal flourish extending to the right.

PP

David Shanks
Deputy Chief Executive Corporate and Governance