



**Your ref: CAF 16-77**  
**Our ref: Gov/CAF 16-77**

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

Tel 0300 456 4000

6 June 2016

## **Re: Freedom of Information Request**

Thank you for your email of 4 June 2016. You made the following requests for information:

I wish to know, the number of cases in which Cafcass has been involved in the last years (ideally in the last few years but any data will do) and in how many of these cases the Cafcass Officer/Family Court Adviser recommended for the child/children in question to spend more time with their father rather than their mother.

I also wish to know in how many cases the recommendation was for the child to spend an equal amount of time with their respective parents.

Please see below for our response.

The number of [private law cases](#) received by Cafcass per month can be seen on our website.

Cafcass does not collect information on individual recommendations within reports centrally. 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
- 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.

Baroness Tyler of Enfield Chair  
Anthony Douglas CBE Chief Executive





## 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.

However, the following information about how Cafcass makes recommendations to the court regarding the amount of time a child should spend with their parent may be of interest to you.

Cafcass’ role is to assess children’s needs, to write reports or a case analysis for court making recommendations for how a child’s welfare and best interests can be best promoted and safeguarded. Therefore, when considering how much time a child should spend with each parent, Cafcass’ recommendation to the court will be based on what the Cafcass officer assesses is in the child’s best interests in that specific case. This will be different in every case, as every case is individual and depends on many factors including, but not limited to, the child’s age, personality, stage of development, relationship with the parents, as well as the relationship between parents. In accordance with Government policy, Cafcass supports children maintaining a meaningful relationship with both parents, where it is safe and in the best interests of the child to do so.

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

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final decision made at that review about the information released, you are free to contact the Information Commissioner's office ([www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.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](mailto:casework@ico.org.uk)

Yours sincerely,

Governance Team

Cafcass

[Governance@cafcass.gsi.gov.uk](mailto:Governance@cafcass.gsi.gov.uk)

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Anthony Douglas CBE Chief Executive



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