

27 February 2025

Dear

### **Request for Information - ATISN 23337**

Thank you for your correspondence received on 31 January, part of which has been processed as a request for recorded information under the Freedom of Information Act (FoIA). You asked for the following recorded information:

- 1) Does Cafcass Cymru have a policy or guidance stating that its officers cannot determine facts in cases where there has been no formal finding of fact hearing? If so, please provide details of this policy or guidance.
- 2) Over the past three years, how many cases involved Cafcass officers recommending police disclosures, and what proportion of these cases involved allegations of domestic abuse or coercive control?
- 3) Does Cafcass Cymru have a policy similar to Cafcass England's "Engaging with and Seeing Children Policy," which requires children to be seen in person during court proceedings and following a change in their living arrangements to assess their well-being and current situation? Can you provide a copy of your policy

### **Our response**

- 1) We do not hold information matching the description of your request. You may however, find the attached link [Finding of fact hearings: practice guidance for Cafcass Cymru practitioners | GOV.WALES](#) of interest.
- 2) Whilst Cafcass Cymru may hold information that falls within the description of this part of your request, we can only retrieve this information by examining individual case files. In order to identify and locate the information, we estimate it will cost more than the appropriate limit set out in the Freedom of Information and Data Protection (Appropriate limit and Fees) Regulations 2004 to answer your request. The appropriate limit specified for central government is £600. This represents the estimated cost of it taking over 24 hours of time to determine whether we hold the information and to thereafter locate, retrieve and extract it.

Normally, I would undertake a sample check of cases to evidence the time it would take to locate, retrieve and extract the information. However, I have undertaken similar sample checks in the past and these have averaged 4 minutes per case. The information you have requested is less accessible and I am therefore satisfied retrieving this would take longer than 4 minutes.

In 2024, Cafcass Cymru filed over 7,400 reports. To provide the information in respect of 2024 alone, would take an estimated 493 hours. This is based on it taking a nominal 4 minutes per file, to locate, retrieve and extract the information (7,400 files x 4 minutes = 29,600 minutes/60 = 493 hours).

- 3) We do not hold information matching the description of your request. The duties of Cafcass Cymru officers in relation to conducting their enquiries are set out in

legislation, practice directions issued by the President of the Family Division and the specific directions made in orders of the court in relation to each particular case, for example, Practice Direction 12B (pilot) sets out what the Child Impact Report should include.

If you are dissatisfied with our handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to:

Nigel Brown  
Chief Executive  
Cafcass Cymru  
[cafcasscymru@gov.wales](mailto:cafcasscymru@gov.wales)

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. Normally, however, you should pursue the matter through our internal procedure before you complain to the Information Commissioner.

The Information Commissioner can be contacted at:

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

Telephone: 0303 123 1113  
Website: [www.ico.org.uk](http://www.ico.org.uk)

Yours sincerely