



**OMBUDSMAN**  
**Legislative Assembly**  
**Province of British Columbia**

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August 10, 1999  
File: 9806779/RH

Ms. Barbara Rodrigues

PENTICTON BC

Dear Ms. Rodrigues:

I am writing further to our August 4, 1999 telephone conversation regarding your earlier complaint to the Ombudsman Office regarding the Ministry for Children and Families (the Ministry). Your specific complaint concerned the Ministry's position that it would not provide funding for autism treatment which your son Jeremy requires. You said that you object to Ministry policy which is willing to pay \$1,600.00 monthly for day-care for Jeremy, but will not permit a similar amount of funding to be used for the Lovaas Treatment Program.

When we spoke on August 4, 1999 we informed you that we had spoken to Ms. Nancy Bell at the Children's Commission. We inquired if the Children's Commission was actively involved in this matter and were informed that the Commission had accepted your file and that it is under review. When we spoke on the telephone we informed that as the Children's Commission would be conducting a review we would not overlay our review on their process. We also said that you had a remedy available to you that might resolve your complaint. You agreed and said you would follow-up with the Children's Commission.

Section 13 of the *Ombudsman Act* sets out those circumstances where the Ombudsman may decline to investigate or terminate an investigation. In particular section 13 (c) states:

13 The Ombudsman may refuse to investigate or cease investigating a complaint if, in the opinion of the Ombudsman, any of the following apply:

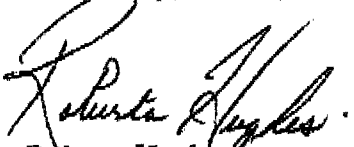
- (c) the law or existing administrative procedure provides a remedy adequate in the circumstances for the person aggrieved, and, if the person aggrieved has not availed himself or herself of the remedy, there is no reasonable justification for the failure to do so;

R.S.B.C. 1996

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If after the Children's Commission completes its review process you believe that unfairness occurred, you may re-contact us and we will re-assess our role at that time. If you have questions about this letter please contact the undersigned at 1-800-567-3247.

Yours truly,



Roberta Hughes  
Ombudsman Officer