



Joint Committee on Human Rights

Uncorrected oral evidence: Human rights of children in the social care system in England (HC 1218)

Wednesday 10 September 2025

2.15 pm

Watch the meeting

Members present: Sir Desmond Swayne (The Chair); Juliet Campbell; Baroness Kennedy of The Shaws; Afzal Khan; Lord Murray of Blidworth; Lord Sewell of Sanderstead; Peter Swallow.

In the absence of Lord Alton of Liverpool, Sir Desmond Swayne was called to the Chair.

Questions 1 - 25

Witnesses

I: Lynn Perry MBE, CEO, Barnardo's; Matt Blow, Policy and Public Affairs Manager, Become; Stewart MacLachlan, Legal and Policy Manager, Coram Children's Legal Centre.

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Examination of witnesses

Matt Blow, Stewart MacLachlan and Lynn Perry.

Q1 The Chair: Welcome to the 30th meeting of the Joint Committee on Human Rights. This is the first meeting where we take evidence on our new inquiry into the human rights of children in the social care system. We are very privileged indeed to have witnesses before us. We have Lynn Perry MBE, the chief executive of Barnardo's, Matt Blow, the policy and public affairs manager of Become, and Stewart MacLachlan, legal and policy manager of Coram Children's Legal Centre. Thank you very much for coming.

Can you provide us with an overview of the children's social care system in England? What are the purposes and principles of the system and what kind of support is available to children?

Matt Blow: Thanks for having us here. The children's social care system in England is designed to protect children from harm, promote their welfare and ensure that children grow up in safe and loving homes. When deemed that a child can no longer live with their parents, they are taken into care and the local authority becomes responsible for arranging appropriate accommodation and care to meet that child's needs. There can be a range of reasons why children enter the care system. It could be related to experiencing abuse or neglect or not being safe at home. It could be related to an illness or disability that they or their parents might have, family breakdown or loads of other reasons.

In terms of the children's social care system in England, the vast majority of children in care live in foster care—about 67%—with most of the rest living in either children's homes or, for 16 and 17 year-olds, in supported accommodation. There are also a large number of children who live in informal kinship arrangements with connected carers or family members, such as grandparents, aunts and uncles—lots of relations or family friends.

Going into care can be a real lifeline for children. It can provide vital support, care and lifelong relationships, but we hear at Become that unfortunately this is not the case for all children and those purposes are not always fulfilled. The care system at the moment is overwhelmed. There are record numbers of children in care and a shortage of appropriate homes and carers to meet the needs of children. For children and young people, this often means that they face really significant levels of instability. They will have experienced trauma and adversity before coming into care, but in the care system they are often moved from home to home or school to school, separated from their siblings or other important people in their lives, or moved to the other side of the country.

When young people leave the care system, they can also face a care cliff. They can be moved really abruptly out of care, with an expectation that they will be living independently from around the age of their 18th birthday, much younger than the average population. Often, support and

relationships can fall away and they do not have the right support around them to be able to make a positive start to adulthood.

The Chair: Lynn and Stewart, is there anything you want to add to that?

Lynn Perry: One thing that I would add is about the changing population of children in care. We know that there are increasing numbers of children in care, but there is also the age profile of children. We now have more older children who are entering care in need of support, including children who are unaccompanied and seeking sanctuary in the UK.

Stewart MacLachlan: In terms of some of the principles around the Children Act, when children come into care and when courts are making decisions, I would note that there is the principle that children and families should stay together and get the help they need before they come into care. Where that happens, the local authority then has a number of duties to them as they are looked after and accommodated.

Children can be looked after in a number of ways, as Matt mentioned. It is also worth noting the number of children who are not actually looked after but still engage with the care system. That might be children who have a disability and the family needs support, children in need under Section 17 and when you are looking at children who are homeless as 16 or 17 year-olds as well.

The Chair: What is a looked-after child or a child in care? How can children who are not under that definition access support within the social services system?

Stewart MacLachlan: There are these technical definitions. Where someone says "children in care" that can, on a legal basis, mean different things. A looked-after child is someone under the care of the local authority for more than 24 hours. If they fall into a category of Section 20, which is voluntary accommodation, that is where a child is accommodated with the agreement of the parents or carers, or unaccompanied asylum-seeking children in a number of cases as well, where the parents retain responsibility. You also have care proceedings and children who are looked after under a care order under Section 31. That is where they are placed in care by a family court due to safeguarding concerns.

Lynn Perry: The main legislation governing children's social care, as colleagues have said, is the Children Act 1989. It is important to note that that was introduced in part in response to the UK Government's decision to ratify the United Nations Convention on the Rights of the Child and to ensure compliance with that treaty in UK law. The Act establishes a threshold for state intervention in the lives of children and families. It creates provision for orders, including emergency protection orders and supervision orders. There are other ways in which children and families can access support through Section 17 if they are considered to be in need of support from the local authority.

Q2 Lord Murray of Blidworth: Before I start, because this is a fresh inquiry, I need to declare my interest as a practising barrister who practises in public law and commercial law. I am going to start with a very searingly tough question. Could you, for the benefit of everybody who is watching, please outline the legal framework applicable to children's social care and where you think the key human rights provisions lie within that framework?

Matt Blow: Local authorities have a number of legal responsibilities, mainly under the Children Act, to children in care, including to keep children safe, protect their welfare and provide accommodation. Many of these link to the UNCRC and the Human Rights Act. Duties include acting in the best interest of a child, considering a child's wishes and feelings in decisions, promoting their education and ensuring their overall health and well-being.

In more recent legislation, the Children and Social Work Act 2017, local authorities have corporate parenting responsibilities to children in care and care leavers up to the age of 25. There are seven principles that local authorities should have best regard to. They again echo a lot of what is in the UNCRC. In terms of the accommodation duties the local authorities have to provide to children in care, where reasonably practical, in the Children Act, children should be accommodated within their local authority area, as close to home as possible. They should be kept living with their siblings where that is in their best interests.

As part of that suite of duties, there is also a sufficiency duty on local authorities. That is for local authorities to plan and deliver enough of the right type of homes to meet the needs of children under their care. All those duties have big links to Article 8 of the ECHR. It is a big concern that Become has in terms of those rights not being fulfilled.

Lord Murray of Blidworth: Thank you very much. I do not know whether Stewart or Lynn has anything to add to that summary.

Lynn Perry: The Act is also supported by statutory guidance on working together to safeguard children. It is also important to think about other legislation for children who are in care, including unaccompanied asylum-seeking children in care, which includes the Borders, Citizenship and Immigration Act. The need to safeguard and promote children's welfare in immigration and asylum functions is also outlined there.

Lord Murray of Blidworth: That includes children in the care of the Home Office. Is that what you are suggesting?

Lynn Perry: Children in care, yes.

Q3 Lord Sewell of Sanderstead: How does the children's social care system impact on the right to respect for private and family life, as guaranteed under Article 8? Is this right adequately protected?

Lynn Perry: There are probably a few areas that I would focus on here. The first is in respect of family contact and, specifically, sibling contact.

The care system often disrupts relationships for children and families. Many children and young people also become separated from their siblings at that time. One thing that we hear frequently within Barnardo's is about the frequency of contact, but also the quality of that contact. People describe to us their experience in contact centres, particularly older children who do not feel that perhaps they are suitable for maintaining the quality relationship and contact that children want with their families.

It can be quite difficult, and the figures are quite high. One in three children in care are separated from their siblings. A recent survey by Coram showed that as many as 22% of eight to 10 year-olds and 31% of 11 to 18 year-olds reported that they felt they had too little contact with their siblings. When they do, as I have said, they indicate that it is not always suitable for older children.

One other thing that compounds that for a lot of children is the distance at which they are placed from families. That is not just disruptive to maintaining family networks and support but also can create discontinuity in their education and ability to access other support services. We know that that is an issue and that out-of-area placements are one thing that drives some of that. Better provision of contact centres and a presumption of sibling contact, where that is appropriate, would go some way to address that.

One other thing that is worth mentioning here is support for children who cannot live with their birth parents but who potentially could be in the care of the wider family. There has been a lot of focus, particularly through the recent children's social care review, on kinship as an opportunity to provide stability for children with their extended families. We consider that that is often overlooked in care proceedings. Also, because of a lack of consistent support for people who would potentially be kinship carers, it is not something that is always considered at the right time and supported in the right way.

Finally, there are some specific challenges for unaccompanied asylum-seeking children, specifically in relation to family reunification. We are particularly concerned about the recent announcement of the temporary suspension of the family reunification route. That temporary suspension will be in place until future legislation on the reform of Article 8 receives Royal Assent. That will make it more difficult for children to reunite with their parents.

Stewart MacLachlan: In relation to the sibling separation, Lynn mentioned our Coram Voice report around that. That has a lot of useful recommendations in it, but also noting children and young people's views and whether they feel that they are heard when they are talking about their sibling separation. The report found that around half of the young people felt listened to, but many did not and felt that decisions were being made for them, rather than them being empowered to give their views across when that happens.

Lord Sewell of Sanderstead: Can I ask you about that? Is there a balance here between child protection issues and this access to siblings and saying that the child has a right in that regard. You can see that there could be problems there, can you not?

Stewart MacLachlan: Yes. The bigger issue for young people was that, if there was an issue and there was a reason why sibling separation was occurring, that was not always explained to them or made clear. Where there was a child protection issue, that would be different to where it is not happening because of lack of accommodation or lack of places, et cetera.

The other thing I wanted to say about family and private life was in a similar vein around immigration and asylum. It has always been quite difficult for children in care who are seeking asylum, but also those with an immigration issue. There are many young people in care with immigration issues that go beyond those who have arrived in the UK seeking sanctuary. It is also children that come into care for a variety of reasons and then are still required to resolve their immigration status, because they may be a dependant of parents on a student visa. They may have come into care at birth. Their own immigration status and citizenship will need to be resolved.

That can sometimes be ignored for many years until you come to a cusp where it is deemed crucial, so, say, for example, when they are looking at further and higher education and accommodation beyond being in care. Children can go through quite a long period of life in care without actually having their immigration status resolved. That is something that we say really needs to be prioritised when they come into care. If there is an immigration issue, that needs to be identified quickly and resolved.

Q4 **Lord Murray of Blidworth:** On kinship care, I am quite interested in this concept that kinship care can be used to keep the wider family together, and I think that that is consistent with our understanding of Article 8. Is it the panel's view that there is generally an informal basis to kinship care, or should it be more legally formalised? If so, do we have sufficient powers within the current legal framework to achieve that?

Lynn Perry: There is some variability in terms of the arrangements, just as you say. We know that kinship care can offer children greater stability and can improve their outcomes, including their well-being, continuity of education and access to support networks. To ensure that kinship carers are fully supported to look after children, they need fair financial support, but also things such as workplace protections and access to mental health services and support to help them to navigate the complexity that some children and young people within their families will present with.

We know that there are improved outcomes for those children. They are less likely to experience disruption in their care compared to children who are in foster care. Currently, relatives and friends who become kinship carers get varying levels of support. That depends on the local authority, but also the legal status of the kinship care arrangement. Those who care

for children under a special guardianship order or a child placement order often receive corresponding higher levels of support than those doing so informally by agreement with family members. There was a survey by the charity Kinship in 2022 that showed, of those kinship carers who had received local authority support, 25% of them had rated the quality of the support as very poor.

There is certainly work to be done to increase consistency and the quality of support. A recommendation to increase support for kinship carers would be very welcome, including the introduction of a standard kinship care allowance for kinship carers. A right to kinship care leave from work would also be very helpful. We have also seen some reductions in adoption support and the special guardian fund, which provides funding for mental health support, which lots of children who have experienced trauma and disruption in their lives obviously require. There are some steps that could be taken to strengthen those kinship care arrangements.

Lord Murray of Blidworth: I get the impression from your answer that you think there is not a problem with the legal arrangement. It is more the financial consequences of the legal status.

Lynn Perry: It is the support, the financial consequences and access to services. Also, better employment rights for kinship carers would be helpful.

Matt Blow: I wanted to come back to the family and private life, if possible. There was something that Lynn mentioned about children being moved far from home. We, at Become, have a Gone Too Far campaign. That illustrates some of the wider challenges within the care system. At the moment, more than a fifth of all children in care are living more than 20 miles away from home. That is the metric that the DfE use to measure. There are some who are hundreds of miles away from home. For children, that is separation from their communities, those wider networks and family networks, their friends, school teachers and those people who really matter to them. Often those moves can happen abruptly.

Over the last decade or so, you have seen a big increase in the number of children who have been moved far from home. The numbers have increased by about 67% since 2013. At the same time, the number of children in the care population has increased by about 23%.

Lord Murray of Blidworth: Why is that?

Matt Blow: This is a symptom of the increasing challenges that local authorities face in delivering sufficiency, so the right type and number of homes within the local area to meet the needs of children, particularly those who might be at higher risk or have complex needs. One of those challenges is rising demand for services, so there are record numbers of children in care. There are rising care costs. The cost of residential care has tripled since 2015, in terms of what local authorities spend on that, even though there has only been a 14% increase in the number of

children in residential care. There are workforce challenges, particularly in terms of foster care. The majority of children in care are living with foster carers, but, in the last four years, there has been a reduction in the number of fostering households by about 14%, while the care population has gone up. There are myriad challenges that local authorities are facing.

Another one that we may come to later is around a power imbalance between some of the largest private providers, which have a big market share, and local authority commissioners. Because of the way the care market works, local authorities do not have an awful lot of control over the type of provision that is built and developed and where it is built and developed. A consequence of that is that you see a geographical skew across the country. More than a quarter of all children's homes are in the north-west. Only 6% of all children's homes are in London, so it does not align with the care populations in those areas.

Another factor in terms of that imbalance is around matching. Particularly for children who may have complex needs, who require more specialist provision, local authorities can struggle to find an appropriate home, sometimes because some providers might not accept those children. There is a view that some providers feel as though accepting a child with higher risks might impact on their Ofsted rating, so there is a big challenge there.

There are lots of challenges that are affecting local authorities. The Government, through the Children's Wellbeing and Schools Bill, have introduced a number of measures to tackle some of those challenges, but at the moment we think that there is a big gap in terms of accountability. There is no national strategy for providing the right type and number of homes across the country to meet children's needs. There is no data about how many children are living in accommodation that is not in line with their care plan, or the number of children who are moved far from home due to a lack of appropriate options that breaks down whether those issues are purposeful. There are really big impacts for children in terms of that separation from friends and family, in terms of impacts on their mental health and loneliness.

The Chair: We will be coming back to some of those challenges shortly. Meanwhile, Lord Murray, you have the floor on Article 5.

Q5 Lord Murray of Blidworth: Article 5 guarantees the right to liberty and security. To what extent do the panel think that the present social care system provides support to children who are deprived of their liberty?

Matt Blow: There are some similarities to the previous conversation. There are too many children in care who are having their day-to-day freedoms restricted or being moved to inappropriate or illegal homes that are not registered with Ofsted, due to that shortage of appropriate homes, particularly for children with complex needs, or a lack of therapeutic support to keep them safe. One way that we see this is a big rise in the number of children who are subject to deprivation of liberty

safeguards. The numbers have gone from 102 in 2017-18 to 1,238 in 2023-24. I am not sure of the percentage rise, but it is a massive increase.

Lord Murray of Blidworth: It is a concerning increase.

Matt Blow: DoLS should be short term, but more than half of DoLS, the last time data was released, were for over six months. For children, that has massive impacts on their restrictions in terms of their day-to-day living and routine. There are restrictions in terms of their communication with friends and family, so, again, links to Article 8. There are issues around privacy as well, in terms of people subject to DoLS.

One other element to this is an increase in unregistered, illegal accommodation. All children's homes and supported accommodation need to register with Ofsted to be operating on a legal basis and be scrutinised by Ofsted. There are a number of children who are subject to DoLS who are being moved into unregistered illegal accommodation. We have heard some shocking stories about children being moved into barges and caravans, so really unsuitable accommodation, because there is nowhere else.

Local authorities are saying that often these moves happen on a short-term basis, when local authorities cannot find an appropriate home in a short timeframe. This has a massive impact for children's rights. There has been a 400% increase in the number of unregistered children's homes in the last three years. The Government are introducing some measures in the Children's Wellbeing and Schools Bill, but we think more needs to be done.

Lord Murray of Blidworth: How confident are you, in the circumstances where there is a child who is deprived of their liberty and who has capacity issues, that the local authority takes their in loco parentis role with sufficient seriousness?

Matt Blow: From some of the conversations that we have had with local authorities, there are challenges within the system in terms of that lack of appropriate options. Local authorities do not want to send children to unregistered illegal accommodation. There needs to be a bigger clampdown on these homes. The fact that they are increasing is really bad.

Local authorities need more support to be able to ensure that they provide accommodation that provides a therapeutic basis or is able to keep children safe. We think that there needs to be a national strategy to ensure that local authorities get the support that they need to ensure that there is accountability and data. These challenges are affecting local authorities across the country. We think that national Government need to play a greater role in supporting them to tackle this.

Q6 **Lord Sewell of Sanderstead:** In terms of a fair trial, which is the right that we all have, we want to explore the extent to which there are human

rights concerns for children in the social care system. Do you think that there are issues around that?

Lynn Perry: Child protection proceedings are obviously one area that really profoundly affects children and parents. It is really essential, therefore, that parents feel that they are able to meaningfully engage in those proceedings and have the right level of advocacy to navigate what we know can be very complex and difficult to understand legal processes. We also know that the impact of children being removed from their families creates a lot of trauma, and support through those proceedings is absolutely critical, especially if there is a high risk of a child being removed. Clearly, that is a very serious decision. It has very significant consequences for everybody who is involved in proceedings. It is critical, therefore, that people feel that their voices and experiences are heard in those proceedings.

Currently, women often report finding court proceedings very challenging. The unfamiliarity of the environment, the terms, the acronyms and the language that is used within those proceedings can be quite difficult to navigate. The experience is often one of feeling overwhelmed, powerless and sometimes underrepresented. In order to ensure fairness in those proceedings, consistent access to good advocacy is really important for parents. Advocacy plays such an important role in helping people to navigate what are very challenging circumstances in a way that improves their overall experience of statutory interventions. It can also be a very important factor in reducing the psychological trauma of separation that people experience in those proceedings.

We would like to see a statutory duty on local authorities to provide support and advocacy for parents, particularly to prevent repeated child removals. That would be in line with the recommendations made in the independent review of children's social care and the representations made there that children should be offered that sort of advocacy and guidance throughout that process. There are a couple of other areas that I would like to talk to, but I wonder whether you want to go to Matt or Stewart on that particular point.

Q7 Lord Murray of Blidworth: Do we have any comments on legal aid for children in care?

Stewart MacLachlan: Our main focus is that we work mostly with children and young people once they are in care. The legal aid system has been in crisis for some time and that directly affects the children and young people in care and their ability to access legal advice. That is in terms of, for example, if they are going through a complaints procedure and then it needs to move to a more serious step and getting legal representation. There is a lack of community care legal aid providers available.

Also, in terms of, say, for example, unaccompanied asylum-seeking children or children with immigration issues, there is a significant lack of legal aid representatives available for those children and young people.

From the very beginning, they can be waiting months or longer to get a legal representative. Some do not have legal representation at all.

Lord Murray of Blidworth: What is the reason for that? Is it that they are not entitled to legal aid, or is it that there are not enough practitioners?

Stewart MacLachlan: No, they are entitled to legal aid. As well as those with asylum issues, all separated children are entitled to legal aid for immigration issues, but there is a significant lack of provision. That has been for a variety of reasons, with civil legal aid rates remaining low in the long term and a lack of being able to recruit new legal aid practitioners because of the low pay and the issues with being able to keep legal aid firms going. That has left massive gaps and legal aid advice deserts as well, depending on where you are geographically. For example, Jo Wilding has done a report and mapped immigration and asylum services. You will find large areas throughout the UK where there are just one or zero legal aid providers for asylum and immigration, so getting that advice in the first place is incredibly difficult.

Q8 Baroness Kennedy of The Shaws: I wanted to take up that issue of the absence of people with expertise. There was a time when people made a choice to be experts in children's rights and the issues affecting children in the courts, and they developed great expertise. One thing that we have seen because of the savage assault on legal aid is that it is almost impossible to make a living on the rates of pay that people get, and people are not choosing to go into this area of expertise.

There is a dearth of persons who are available to do these cases, and so often people end up being unrepresented, or poorly represented because people have not had time to prepare properly. You need to have time to sit with people, take proper instructions, gain their confidence and trust and therefore hear the full facts in order to present them to the court. It is all dealt with now in the most pressurised way that is poorly paid and not an area that is respected in terms of practice or encouraged by sets of chambers or law firms. Would you say that that is right?

Stewart MacLachlan: Yes. All of that is correct.

Baroness Kennedy of The Shaws: It is one of those leading questions.

The Chair: It is leading the witness.

Baroness Kennedy of The Shaws: This is generally understood, is it not? In this whole area, it is understood. There is a great sadness around this, that we have lost a cohort of really committed lawyers who never earned great amounts of money but at least were able to survive, live properly and practise as a professional. It is just not happening anymore, particularly in this area where children, who are our great resource for the future, are poorly represented.

Q9 Lord Sewell of Sanderstead: Can I ask another leading question on top of that one? Would you think it would be good for a fund or resource to

be set aside, so that those children vulnerable in the social care system could access that for legal aid? What is the answer to this?

Lynn Perry: One answer is that legal aid entitlements need to come earlier. It is very difficult to access legal aid at the moment. Quite often, when people do, it is quite late. There is also no legal aid entitlement in respect of appeals, and that is particularly challenging for young people. We know that access to legal aid is one of the single most important determinants in achieving positive outcomes for children and young people.

There was an uplift in fees, I think of 15%, but that has not fixed the capacity issues or entitlements. At Barnardo's we run the independent child trafficking guardianship scheme and see that this is a challenge repeatedly for young people that we work with. As Stewart has said, there is geographical disparity. There are points in process that are particularly difficult. There is a whole host of legal issues that legal aid could support with, including age disputes, asylum claims and resolution of insecure immigration status for young people, but it is quite often quite late.

- Q10 **Baroness Kennedy of The Shaws:** One thing you mentioned was how traumatising it can be for a family if a child is going to be taken into care and taken away from parents. It is a very long time since I had experience in the courts that you work with, but I always remember that it was that children want to know that their parents at least fought for them. That is why it is so important not just that children are represented but that their parents are represented, or their mother is represented, so that her circumstances are presented from her perspective, as to why she is having problems perhaps in caring for her child. There is that business where it is representation for the child, but it is also representation particularly where you are talking about taking a child away from the family.

Lynn Perry: Yes.

- Q11 **Peter Swallow:** Sir Desmond, you are very well known for your leading questions in the Chamber. Clearly you are rubbing off on others. To what extent are there protections in the children's social care system against discrimination in the enjoyment of convention rights, prohibited by Article 14?

Stewart MacLachlan: In terms of our evidence, our main focus would be from Coram Voice, which is our partner organisation within the Coram charities, which does a lot more work in the area. It found in its research that many children in care experience stigma and they worried about being labelled or judged if their care background was known. It found that one in five of those reported being fearful of bullying and reported feeling adults embarrassed them, in terms of their care experience.

We have also seen examples of issues with stigma around care. For example, we have worked with young people who have been trying to get accommodation and it says, "No one with care experience", in there. For

example, you see social work intervention or support being offered very early where a care leaver has a child or is with child. There is that stigma of, "They are going to need support from social care because of that", and that is not necessarily always the case. That is where we see those kinds of issues.

There are movements towards seeing care experiences as a protected characteristic and some of the protections that would allow under the Equality Act. We can see that that would be beneficial. Having looked at the research by the Children's Commissioner for England, they have pointed out that most children would be supportive of having that protection in place. A lot of it is quite underlying. You do not always see that and it is not always obvious. It is a way of relieving that stigma and issue.

Lynn Perry: To build from there, we did some research in Barnardo's that demonstrates that some black children have particularly poor experiences of the care system for a range of issues that include things such as adultification, cultural isolation and their needs not being effectively met. That means that the outcomes for those children are likely to be poorer still. There is a disproportionate number of black care experienced children and young people in the criminal justice system.

We think that that is a really important area for focus to tackle that discrimination and make sure that all children in care are able to enjoy their full rights under the convention. More needs to be done to make sure that we develop culturally sensitive care for children and that there is better mental health support for children. We need some urgent reforms to try to tackle some of the systemic bias that is within their experience and improve their outcomes.

We did a specific project—I will share some insights from that with you—back in 2023 to understand the experience of black children in the care system and their over-representation. There was also, in parallel, some research by Manchester Metropolitan University that showed that outcomes are particularly poor for this group. Nearly one in 10 black children in care has served a custodial sentence by the time they are 18, compared to one in 20 white children in care. Our report, *Double Discrimination*, showed the reality for those children and speaks from their lived experience.

It is really important to consider how we better meet the cultural needs of this group and to have that focus on quality, excellence and inclusion in care. Proposals that came out of that research included things such as developing a black foster care network, improving access to mental health support, culturally sensitive ways of delivering services to children in care and a real focus on reducing the over-criminalisation of children in the care system overall and a refocus on the national protocol to that end. There is more that I would probably say about unaccompanied asylum-seeking children, but I will pause there.

Peter Swallow: Indeed, I think that that is the next question.

Lord Murray of Blidworth: Sorry, before we get there, can I ask one question for my benefit and the benefit of those watching? Could you unpack for us what you mean by adultification?

The Chair: We are about to come to that.

Baroness Kennedy of The Shaws: It comes as a separate question in a minute.

Q12 **Juliet Campbell:** You have touched on this a little bit in a previous response, but I wonder whether you could expand on the extent that there are human rights concerns about accommodation available to children in care. Are there particular concerns in relation to child asylum seekers?

Lynn Perry: We have covered some of it in terms of accommodation and the suitability of accommodation. There are a number of challenges. One is accommodation that is some considerable distance, perhaps, from where children have their support networks, particularly for young people who are moving into independent living. Lots of young people who are leaving care have said to us previously that that creates a multiplicity of challenges for them. They are often unable to have a guarantor. They do not have a deposit for accommodation. They are, therefore, not able to always access the sort of quality accommodation that they might want to. They often end up on the fringes of towns and cities, which then, of course, impacts their ability to access support, but also to think about things such as employment, access to education, training and skills-based provision without that coming at some considerable expense for them.

Young people also tell us that, because of that, the cost of living is often higher for them. They are often dependent upon small, independent shops in their local areas. They do not have access to resources and facilities such as big supermarkets and the discounts and things that come with that. They are only eligible for the under-25 rate of universal credit, despite the fact that they have all the responsibilities financially of people over 25 without access to, as one young person described it to us, the bank of mum and dad to support them in hard times. That is a particular set of challenges facing children in relation to accommodation.

Juliet Campbell: Are there any particular concerns in relation to child asylum seekers?

Lynn Perry: Some of those similar challenges clearly apply to children and young people who are unaccompanied asylum seekers. They are further compounded and exacerbated.

Matt Blow: I was going to come in on an issue around supported accommodation. There has been a big increase in the number of children in supported accommodation in recent years. There was also a regulatory change introduced a couple of years ago, so children under the age of 16 can no longer live in supported accommodation. By supported accommodation, we mean semi-independent living, so foyer-type accommodation, where they will have their own bedroom but they might

have a shared living space. They will have adults coming in to support them, but not adults living in a caring capacity with them that are there 24/7. There are other forms of supported accommodation, such as supported lodgings.

There has been this big increase in supported accommodation linked to the regulatory change. At Become we hear from young people and we are concerned that this accommodation is not always suitable to keep children safe and make sure that their needs are identified and met.

Unaccompanied asylum-seeking children are massively overrepresented. Some 60% of all unaccompanied asylum-seeking children in the care system live in supported accommodation. We have concerns. We have heard from young people that they have experienced antisocial behaviour. They have been living with older adults who might have substance misuse or mental health problems. We have also heard of children being moved into supported accommodation and then being exploited in terms of sexual exploitation or criminal exploitation.

A key thing is around the age. These are children who are 16 and 17 years old, who may be doing their GCSEs or A-levels. It is a real time of transition to be moved into what is effectively semi-independent living and feeling as though there is a big loss in relationships and support, but they are having to adapt to a new way of living, trying to study for their exams where there are older adults who may be making noise or other challenges where they do not feel very safe. We think that this is a big concern. Also, for unaccompanied asylum-seeking children, it is often not appropriate. We think that, instead of lowering standards for 16 and 17 year-olds, all children in care should live in settings that provide them with full care.

Q13 Peter Swallow: Ms Perry, your comment about young people being placed at the edge of towns prompted me to remember some recent highly careless news reporting about driving tests for asylum seekers. Digging into a lot of these stories they were actually talking about were driving tests being provided to looked-after children, some of whom may have included unaccompanied asylum-seeker children. I wanted to invite you to comment on, frankly, the way that some of these stories are reported in the media and the effect that has on all looked-after children.

Lynn Perry: It is very challenging for children and young people. Across Barnardo's, we worked with 350,000 children, young people, parents and carers last year. We hear a lot from the voices and experiences of young people directly. We know that there are a whole host of challenges, many of which we have talked about here today already. For a lot of children and young people, their experience of care is stigmatising. Also, when they are facing into what they consider to be discriminatory or prejudiced views, and expressions of those views, that compounds their trauma and distress further still.

There is a lot of good work going on in a lot of local authorities to try to improve access to support and services for children and young people,

and a lot of very creative thinking about how to do that. The example that you have just shared is one way in which I am sure the intent was to support young people to be able to access services and support and to increase their social connection and ability to engage meaningfully in society. They no doubt saw that as a very positive intervention to improve the quality of their life and their outcomes. There is a lot of work that is going on in that spirit. That ought to be commended and potentially replicated in order to improve outcomes for young people.

The Chair: The questions that I was going to ask about kinship care have largely been addressed. Juliet, you have the floor on your concerns about outsourcing.

Q14 **Juliet Campbell:** We have seen increasingly that social services in England have been outsourced to for-profit organisations and private providers. To what extent are there human rights concerns relating to outsourcing services to such providers?

Lynn Perry: Matt picked up a couple of points earlier about the uneven provision that we see. There is also some financial instability that relates to outsourcing, which presents as a potential risk. One thing that is significant in that is that any abrupt closure of any provision could seriously disrupt very vulnerable children and young people's lives.

The issue that Matt raised earlier, which was one of profit motive, can affect the geographical spread of accommodation for children and young people. As Matt said, there are a lot more children's homes in the north of the country and the north-west, where I live, than there are in areas such as London. That relates directly to the cost of property.

Linked to that, there is also a higher risk that children will be placed further from their families and the place that they know as home. That also undermines their contact with family, their enjoyment of Article 8 as well as, really importantly, their continuity of education. Education is about more than attendance and attainment. It is also about friendships, social inclusion and networks of support for children.

Currently, 78% of children's residential care homes in England are run by the private sector. They are regulated and subject to inspection. It is important to note that many of them do provide high-quality care to children, but an overreliance on that sector is something that we consider to be a risk. To illustrate that point, in March 2025 the north-west had 1,000 children's homes. London had 250. That leads to a lot of out-of-area placements.

The CMA report in 2022 found that some providers are carrying very high levels of debt, which runs the risk of firm failure. That would mean severe disruption to children, as I said at the outset. That is something that is important, as care for children, where there is a corporate parenting responsibility, should never be at risk of market failure.

It is really important that, within the Children's Wellbeing and Schools Bill, there are lots of welcome measures that have the potential to tackle

or help tackle this issue, which include greater financial oversight of the market. Implementation of that would help to mitigate that risk. It is really important to protect children. Long term, anything that could be done to support efforts to diversify the market and enable there to be a much greater range of providers that can offer care to children would really strengthen that situation. There was funding pledged in the spending review, which will provide some capital investment in the development of children's residential care, which is also a welcome measure and should go some way towards addressing those challenges.

Q15 Lord Murray of Blidworth: From the human rights perspective, do the panel have a view on the question about whether the private providers of care homes are public authorities for the purposes of enforcing any potential breaches of human rights while they are in their care? The question is that, as a private company, they are not public authorities on the face of the Act. There has been quite a lot of litigation about this. I do not know whether this is an issue that any of you have ever encountered.

Stewart MacLachlan: It is not something that we deal with that often, but I would imagine that there is a lot of litigation around it. They are bound by the Human Rights Act if they are carrying out functions of a public nature. I wish I could provide a lot more on that, but I have not been involved in it.

Lord Murray of Blidworth: I am slightly comforted by your lack of engagement. You are not telling me that this is a big problem, so that is a good thing.

Baroness Kennedy of The Shaws: I do not know whether that is necessarily the inference that one could draw from the answer of Mr MacLachlan. He is involved very much with the care end of it. The challenges that are made by the private sector providers are saying, "We are not bound by certain aspects of human rights commitment because we are not a public body". Those arguments would not fall within the remit of the organisations that we are hearing from just now.

It has been an issue, as you know. I do not know whether those cases have not been resolved in a way that says, "Once you take on those public functions, you are as committed as any other to the standards that you would expect of any public body". The law has become much clearer on that than it was originally.

Lord Murray of Blidworth: Coram Children's Legal Centre has played a significant part in litigation in relation to children's rights, has it not, in the last few years?

Stewart MacLachlan: Yes, but not specifically around the issue of public bodies and private organisations. We largely represent children and young people in relation to immigration, family law, community care, education law, et cetera.

Peter Swallow: It is also a relevant question, of course, to Mr MacLachlan's positive suggestion about expanding the Equality Act

because that only applies in most cases to public bodies as well.

- Q16 **Juliet Campbell:** Again, you have touched a little bit on the adultification of children in care. When children, particularly those who are 16 and over, are treated as if they were adults, what human rights issues does this give rise to?

Stewart MacLachlan: One area where we have seen this at Coram is 16 and 17 year-olds who are at risk of becoming homeless and who are looking for accommodation. They have often found that their human rights are not adhered to by the local authorities. You see a large number of 16 to 17 year-olds who become homeless; they are not assessed under the Children Act but rather under the Housing Act. There are gatekeeping issues involved. They sometimes get inaccurate information or inadequate advocacy to help them navigate those rights.

At Coram, we have recommended that in this scenario they need access to more accurate information, regular access to advocacy and we need an improvement in the local authority-level data on who approaches them for support and how they are assessed.

Matt Blow: When young people leave care, they often face a care cliff, where their relationships and support fall away and they are expected to become independent and face adulthood abruptly, often at short notice, around their 18th birthday.

The average age of young people leaving the parental home in England is 24, but most care leavers leave home at 18. At that big time of transition, when they are entering the workplace or further education, they have a lot to balance in terms of managing budgets, cooking and everything like that, without a safety net to fall back on.

One of the things that we hear through our care advice line is that there are a range of legal rights and entitlements for care leavers that link to the human rights framework. Care leavers are often unaware of their rights. The point around advocacy is really important, but it is also about the professionals that work with young people as well. Young people leaving care should have a personal adviser appointed by the local authority, who is the key point of contact who co-ordinates the support that the local authority provides to them. There is no standardised induction training or qualification for personal advisers, and that leads to a real variation in terms of knowledge among personal advisers.

One important change that the Government should make is to standardise high-quality induction training and qualifications for personal advisers.

Baroness Kennedy of The Shaws: That seems sensible.

Matt Blow: There is a whole host of other things. Housing and homelessness have been touched on. Care leavers are nine times more likely to experience homelessness than other young people. There are also rising rates of homelessness amongst care leavers. For 18 to 20

year-olds, statutory homelessness has increased by over 50% in the last five years. Housing is a big focus.

Those rights and entitlements are more difficult because there is a postcode lottery of support that local authorities provide. Often, children are moved out of the area. Their rights and entitlements are provided by their home local authority but they may be living in a different area. We were really pleased to see the recent change around local area connection, but there needs to be much more in terms of helping young people to be empowered around their rights.

Q17 Baroness Kennedy of The Shaws: I really wanted to take up the issue of having a special adviser who takes people in that transition as they leave care and start living independently. For so many people, there is an uncertainty around what that role implies. It should be a very professionalised role. Many of those young people will not know how to manage their money and suddenly they are expected to do that. They will often be much more vulnerable to the problems that exist in our society for young people because they may be leaving behind the friendship circles that they have had. Setting them up in a home on their own and expecting them to be able to manage all of that can lead to loneliness and real problems for them.

The other thing that I am very concerned about is that the statistics are very clear that children who have been in care very rarely go into higher education. I say this as someone who has been involved in higher education and in seeking to provide bursaries to disadvantaged young people. The problem is that often the university does not know that someone has been in care. If the special adviser to a young person leaving care was well trained and well inducted, that person could be in touch with the university to let them know.

Lots of students have the experience of suddenly feeling that everybody is cleverer than they are, that everybody is smarter than they are, that everybody knows what is supposed to be going on here and how they are supposed to behave, and they do not understand all of that. They often have a term two panic. They really need help through that. It is important for universities, tutors and people in the universities and the social services inside universities to know the particular vulnerabilities that there are for young people.

That is one of those roles where a special adviser could be really important. For the small number who manage to get into higher education, they often drop out in that first year because of the intimidation that they feel by being in an institution of that sort. I really feel strongly that the surrounding support systems are really not well enough established.

Lynn Perry: One of the other things that compounds that challenge is disruption for young people at the age of 18. Sometimes the continuity of their care is in question right at the very point at which they are preparing for their A-levels and making plans about their future. That all

the more reinforces the importance of having some consistency of support through the personal adviser. That is absolutely critical.

- Q18 **Lord Sewell of Sanderstead:** Is “adultification” a strange term? Through the Children Act we are giving very young children a voice, which is prominent in divorce cases and things like that. This is another leading question, but I will hopefully get an answer from it. In some ways, are we sending mixed messages? We are giving young people who are very vulnerable these adult contexts, and yet at the same time we are concerned about the fact that they are being put in a situation where perhaps at 16 they are not ready for an adult world.

On top of that, there is another issue about some of the data, which I found from working in areas where there have been youth custody issues and children getting into the criminal justice system. They can be preying on other children as well. There is a sense of, “What do we really mean by ‘adults’?” In fact, does the system itself confuse children in terms of what their rights and responsibilities are?

The Chair: We will come back to that with Dr Swallow. While you are thinking about that, I will go to Lord Murray.

Lord Murray of Blidworth: My question was simply going to be to ask you to set out what you each understand by “adultification”. We have before us the definition provided by CoramBAAF, which is of course part of Mr MacLachlan’s group. It is quite a difficult concept. That is exactly what Lord Sewell’s question was driving at. It would be quite helpful to hear from you about that.

Baroness Kennedy of The Shaws: Chair, I was slightly confused by Lord Sewell’s question; forgive me. It seemed to me that you were saying that in some ways there are people who, when they are 17 and are still deemed in law to be children, are pretty worldly and knowing.

Lord Sewell of Sanderstead: They will have the vote as well.

Baroness Kennedy of The Shaws: There is some sort of business about when you are an adult. That area between 16 and 18 is often one where people want to be treated as an adult but still have not developed the maturity. In law, the choice has been made to treat people in that area, the transition area, as children because too often you can make the mistake of assuming, because of swagger or whatever, that someone is knowing when in fact they are still as vulnerable, underneath the surface, as any other child.

Lord Sewell of Sanderstead: I would agree with that.

Baroness Kennedy of The Shaws: What is being asked of you is, “What is ‘adultification’?” When we talk about it, are we talking about it as always being negative, or are we talking about it helping people towards adulthood?

Juliet Campbell: I wanted to add to what the Baroness Kennedy has

said. People who are between 16 and 18 quite often look older. How are professionals trained to understand that, even if somebody does look like they are 20, the law says they are a child and they ought to continue to be treated in that way? That is another one. It is not just about swagger or the vulnerabilities that come with being a looked-after person. Some people just look older. You get 15 year-olds who are growing whiskers; they look older than their age. It is very easy for professionals to treat them in the way that they look.

Q19 The Chair: What do our witnesses make of those last three observations?

Matt Blow: There are certain contexts that care-experienced young people are put into at an earlier age than other young people. That is a big factor. Again, I go back to Lynn's point about the transition out of care. The care system is really focused on preparation for adulthood and independence. Actually, young people often do not feel ready at 18 or whatever age it happens to live independently. They do not have the support in place.

They can often be in the middle of their exams. We did a report a couple of months ago that showed the instability in the education system for children during their GCSEs and A-levels. We found that 30% of year 13s doing their A-level exams either move home or leave care during the three months that they are doing their exams. That is a very significant difference to children who are not care-experienced and who are not going through that. There is a whole additional context and there are additional responsibilities that are put on to care-experienced people from a much earlier age.

Another element is the service response to young people. We talked before about discrimination and racial discrimination. Generally, care-experienced young people are significantly overrepresented in the criminal justice system. One of the causes of this is the response from professionals. Professionals can see them as more mature than they are because they potentially live independently or do not live in a family setting. Professionals may have stigma in terms of prejudicial views about young people. That is really challenging. There should be much more training across the public sector for the people who engage with young people, such as the police, health professionals and teachers.

We have heard stories from young people about being misdiagnosed because of assumptions that professionals made. It can really impact on their outcomes. There needs to be a greater understanding about what care experience is, what challenges care-experienced people face, the impact of childhood trauma and some of the context behind some of those interventions.

Q20 Lord Sewell of Sanderstead: It seems to me from what you have just said that you could easily infer that you could approach this group the other way around. You could see them not as adults but probably as immature. There is no rationale that they are going to appear to you to

be more adult than the norm, but, in a prejudicial way, you could see them as immature. I am not really sure whether this concept holds water, because you could look at it completely in reverse.

Lynn Perry: Sometimes it is about the assumptions that are made by people in relation to children's life experiences and the assumptions that people might make, therefore, about their resilience and their ability to manage difficult or challenging situations, which we really need to be very thoughtful about.

For children and young people in the care system and other vulnerable children and young people, including those who are unaccompanied and seeking sanctuary in the UK, it is really important not to lose sight of the fact that many of them have suffered trauma, adversity and really challenging life circumstances. It is not their responsibility to care for themselves when they are under the auspices of the Children Act. They have the same rights to protection as every other child and young person under the Act.

To Matt's point, training for the workforce is really important, so we can continuously test some of those assumptions and remind ourselves about the legal responsibilities that we have to children and young people under the Act and other legislation. The conversation here has perfectly illustrated the point that was made earlier that this can be quite confusing for children and young people themselves. Nevertheless, there are some really strong principles in law about the views, wishes and feelings of children and young people, and there are opportunities to express those in decisions that are made about them.

The Chair: Does that confusion abate when they reach 18? Dr Swallow?

Q21 **Peter Swallow:** We have already extensively covered the general question that I was going to ask, so let me instead ask two very specific questions around this topic. First, for young people reaching the age of 18 with special educational needs and disabilities, the local authority's duty to them often extends until 25. Is this also the case when they are care-experienced?

Secondly, around this point, is the adviser that is available to support care leavers also available to those leaving kinship care? Are they available to some or all of those young adults?

Matt Blow: In terms of legal responsibilities, local authorities, as the corporate parent, are the corporate parents of children up to the age of 25, which includes care-experienced young people and care leavers. Those responsibilities include having in mind the best interests of the child; listening to children's views and trying to reflect those in decisions; ensuring stability in their education, relationships and work life; preparing them for adulthood; and a range of other things. There are a range of responsibilities that local authorities have under statute to care leavers up to the age of 25 around education and housing.

As far as I am aware, personal advisers apply to care leavers who had looked-after child status. That would apply to children in foster kinship care but not in informal kinship care, I think. I would look at other people to clarify.

Peter Swallow: Sir Desmond is really rubbing off on me. Let me ask a leading question: is that sufficient, or should all those leaving kinship care have access to that support?

Baroness Kennedy of The Shaws: That would not constitute a leading question.

Peter Swallow: I apologise. It is not a leading question, but it is still a question.

The Chair: Answer.

Matt Blow: I definitely support what Lynn was saying before in terms of strengthening support for children in kinship care and kinship carers. There is also a challenge around the inconsistency of legal duties for care leavers. There is a hierarchy of care leaver status in terms of when you entered care, how long you were in care for and when you left. We think there should be a common law standard approach for care leavers. We should also think about strengthening support for those in kinship care.

Q22 **Baroness Kennedy of The Shaws:** This may have come up before I was able to arrive, because of the strike, but are kinship carers recompensed in the same way that ordinary foster parents are?

Lynn Perry: No. We did pick that up earlier. There are inconsistencies. Quite a high percentage of kinship carers report that they struggle financially and they lack access to the specialist support that helps them to maintain stability and the loving and caring environment that they want for children in their care. There are some inconsistencies.

Lord Murray of Blidworth: They tend to be the kinship carers who do not have legal status.

Lynn Perry: Yes.

Q23 **Afzal Khan:** To what extent are children's rights from the UN Convention on the Rights of the Child reflected in the children's social care system in England? Linked to that, would incorporation of the UNCRC affect this?

Matt Blow: In terms of the Children Act, there is some reflection in terms of the duties for local authorities, but this is an important point. If the UNCRC was incorporated into domestic law, those duties would apply to all public authorities. The professionals who also have a lot of interaction with care-experienced young people would be bound by those duties. We would be very supportive of incorporation.

Another benefit of it would be around improving our rights-respecting society. We would be helping children and young people to understand what their rights are as well as professionals. There are a range of social,

economic and cultural rights in the UNCRC that are not reflected in the Children Act or other legislation, including particular rights that talk about the protection of children in care or children who are not living with their families. We think there would be a range of benefits from incorporation.

Lynn Perry: Yes, we agree. If we were to incorporate the UN convention, it would certainly strengthen some of the protections.

One of the other factors and potential benefits is that it has the potential to drive more child-centred policy-making, particularly for those children who face disadvantage. Of course, it would not be a panacea, but it would signal a real cultural shift towards the prioritisation of children's rights across government, particularly if you were to pair that with measures that included things such as mandatory children's impact assessments in decision-making about significant policy changes. That incorporation could have an impact and provide an important layer of additional protection.

Of course, there is some precedent in Scotland. Within Barnardo's, we work across the four nations of the UK. The implementation of the promise is very much focused on ensuring that children's fundamental rights are met. That has included measures of the likes that we have talked about today, around things such as guaranteeing the right to sibling contact in legislation.

It would certainly focus attention in a more concentrated way. It could also be useful in thinking about the allocation of resources and spending decisions by central government and devolved public bodies. As a charity, we are particularly keen to see children's rights and welfare impact assessments on key decisions being embedded across central Government. The incorporation of the UNCRC might provide a framework that could support that.

Q24 **Baroness Kennedy of The Shaws:** Maybe you could assist us in looking at what has been introduced in Scotland that might influence the recommendations that would come from this committee in its report. Could you help us with that?

Lynn Perry: Certainly, yes. There is some learning that would be useful to this committee.

Baroness Kennedy of The Shaws: That would be helpful. You say that you work across the four nations. I was always given to understand that Wales was particularly good on children and had made that a prominent aspect of their social care. Is that regarded as the reality?

Lynn Perry: The implementation of the promise in Scotland has probably raised the profile of the focus on children's rights. In relation to the question on UNCRC incorporation, that is where there is potentially some good learning.

Baroness Kennedy of The Shaws: The final question is really about the business of recommendations. Do you have further human rights

concerns related to the children's social care system in England that you would like to flag? Are there any that we have not included in the questions that we have asked of you? Are there any other recommendations that you would wish to take forward that we have not covered?

Stewart MacLachlan: I will quickly cover incorporation. Coram Children's Legal Centre strongly supports incorporation. An important part of it is around accountability. It creates legal rights that can be adjudicated, which are not necessarily always available. As Lynn mentioned, it builds that culture.

I work part-time in Scotland. We have seen that difference in terms of culture around incorporation. It is limited because of the nature of the devolution settlement. Because of the reference to the Supreme Court, it is now extremely limited in the sense that it only touches upon devolved matters. Even then, if the legislation emanates from Westminster, it is not covered by the UNCRC. In most cases, it has to be an Act of the Scottish Parliament, many of which simply amend Westminster Acts. There is a lot of learning there.

Baroness Kennedy of The Shaws: Incorporation would have to be a non-devolved matter. It would have to cover the whole of the United Kingdom.

Stewart MacLachlan: Yes.

Baroness Kennedy of The Shaws: Therefore, Scotland might be able to do things that pick up on, if you like, the sentiment of the UNCRC, but it can only do so within the devolved limits. Matt, did you also have the same view about incorporation?

Matt Blow: Yes.

Baroness Kennedy of The Shaws: You are for it. I want to go back to the recommendations. Are there any recommendations that you would wish us to take forward? For example, Ms Perry, you mentioned that something like 75% of provision is now in the private sector. You mentioned that it is precarious because some are in financial difficulties, indebtedness and might face bankruptcy. I would imagine that is one of the anxieties. There are others that have been making money hand over fist. There are some private entities that have been making enormous profit and driving Maseratis. The chief executives, we were told, are living the life of Riley.

All I am saying is that, as you mentioned, seeking to make greater diversity of provision was important. How would you go about doing that? What would you be saying to us should be one of our recommendations?

Lynn Perry: As you said, the CMA report highlighted some of the issues that you have just described. One of the things that is really important is greater financial oversight. There are proposals to limit the levels of profit that can be made by private providers. Some of that is potentially driving

a shift in that space, but it is really important to think about a mixed economy of provision.

We talked earlier about foster carers, for example, and the need to recruit more foster carers. The current focus for the recruitment of foster carers is very much in a local authority context, but there are, of course, lots of independent providers of foster care. Barnardo's is a large provider of foster care. We also experience the shortage of foster carers for children. It is important to think a little more broadly about the potential providers that are within the wider children's social care sector in any initiatives that are taken forward about changing provision.

Q25 The Chair: If each of you had one recommendation that you would regard as being very important to be in our report, what would it be?

Matt Blow: Tying back to the rights around family life, there needs to be a national strategy to ensure that there are the right type of homes to meet children's needs in the right areas of the country. That needs to include a needs assessment, an assessment of what types of homes are needed in which local area and how much of that is provided.

The Government need to make significant investments, particularly in terms of foster care recruitment and retention and children who are currently let down by the system, such as sibling groups who are separated. Are there more foster carers that would be able to have sibling groups? Are there foster carers that will be able to provide foster care for children with complex needs?

As part of that, there needs to be greater data and accountability of when sufficiency is not being provided and children are being let down, moved to the other side of the country or separated from their family as a result of the system.

Stewart MacLachlan: Incorporating the UNCRC would be part of the big picture. In terms of the children in care and care leavers that we work with who have immigration issues, we have worked on a report called *Taking Care* with a number of other children's charities. The idea is that local authorities should take all steps to identify all looked-after children and care leavers with immigration and nationality issues. It is estimated that there are at least 19,000 children and care leavers in care who face different issues.

We need to identify and connect them to legal advice and enable them to apply for permanent status or British citizenship, whichever is relevant to them. When they go through the care system and turn 18, a lot of those issues will hit if they have not resolved that immigration status or nationality status. They would be able to move forward rather than come across these significant stumbling blocks and barriers.

Lynn Perry: We need to strengthen provisions that support children's rights to enjoy family life. We have talked about a number of areas here today. Having suitable places for children to live would also have been on my list, particularly in respect of the right to liberty for children. Stewart

has already talked about unaccompanied asylum-seeking children, who are also legally children in care. It is really important that their rights are upheld in existing legislation and the new legislation that is currently moving through Parliament.

The Chair: Can I thank our witnesses for the time that they have given us, and their knowledge and expertise, which will be very important to our recommendations and our report? You have given us a great deal to think about. Thank you very much indeed.