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# Backbench Business Committee

## Representations: Backbench Business

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Tuesday 8 February 2022

Ordered by the House of Commons to be published on 8 February 2022.

Watch the meeting

Members present: Ian Mearns (Chair); Duncan Baker; Bob Blackman; Patricia Gibson; Nigel Mills; Kate Osborne.

Questions 1 to 9

### Representations

I: Dame Caroline Dinenage and Anum Qaisar.

II: Martin Docherty-Hughes.

Written evidence from witnesses:

- [Add names of witnesses and hyperlink to submissions]



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Error! Unknown Error! Unknown document Page 2 of 8 document property name. Dame Caroline Dinenage and Anne Qaisar made representations.

Chair: Good afternoon and welcome to the Backbench Business Committee. We have two applications in front of us this afternoon, the first of which is from Dame Caroline Dinenage, on improving outcomes for childhood cancer.

**Dame Caroline Dinenage:** Thank you so much for having me. You will have to forgive me, because I haven't done this in about seven or eight years, having been a Minister for six and a half. If I get it wrong, you'll have to just kick me under the table.

The reason I wanted to come and see you was that—well, actually, it all started when I was approached by one of my constituents. Her daughter, Sophie, passed away on 18 September last year, and she had a very rare, but very aggressive form of cancer called rhabdomyosarcoma. Sophie was just 10 years old when she died, and she was just a remarkable young lady.

During Sophie's battle with cancer, which was just a year long, she created a bucket list, which included all the things you might expect from a nine-year-old. She wanted to cook with Gordon Ramsay and have a pair of high heels, but she also created a list of the things that she wanted to change for other young people who might be in the same boat as her.

Sophie wanted play specialists to be available in hospitals seven days a week, rather than just on weekdays, because children want to play at weekends. She wanted hospital food for children to be geared towards children, when so many hospitals serve food geared towards adults. Quite often, if a child is poorly and doesn't want to eat at meal times, they may feel a bit hungry later on, when they're feeling a bit better, but quite often the meal times are very set, and she wanted that to be a lot more flexible. In some hospitals, it is, but that is not necessarily across the board.

Following Sophie's tragic death last September, her fantastic mum, Charlotte, took up the bucket list and has added to it herself. She wants to do everything she can to make more progress on how we research, detect and treat, and how we care for children with cancer. It is often referred to as "rare", but cancer is the biggest killer of children under the age of 14. One in 450 children will be diagnosed with cancer. There are around 1,800 new cancer cases in children each year.

A very common theme is around how we detect the signs and symptoms of cancer. In Sophie's case, she had suffered for a few months with tummy problems. They'd been to see the GP, who initially suggested Gaviscon; they said she might have IBS. She started bleeding, and the doctor suggested that it might be her period. She was nine years old. By

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Error! Unknown document property name. Error! Unknown document property name. document Page 3 of 8 the time her parents were so worried that they took her to A&E, the paediatrician discovered a 12 cm-long tumour.

Error! Unknown document property name. Error! Unknown document property name. Unfortunately, Sophie's story, which I raised at PMQs last week, is not at all unusual. Some 53% of childhood cancers end up being picked up through A&E, while 67% of adult cancers are picked up by their GP. It is all about trying to improve outcomes. To give you an idea of scale, there were 461 cases of meningitis last year, resulting in 30 deaths, so the level of cancer deaths is significantly higher. However, you can see how the training and publicity around the signs and symptoms of meningitis have made a world of difference. It is time to do the same with childhood cancer.

There are lots of other concerns I would like to bring into this debate, such as how we research children's cancer and how we treat it. There are obviously ethical challenges in doing clinical trials with children. However, children are quite often treated the same way an adult might be, meaning that even if the cancer is cured, the child's body may well have been ravaged by the treatment, with long-term impacts that they may never recover from.

As you can see, this debate has some fantastic support from across the House. Everybody on the list expressed an interest in coming to support the application today, but most people are tied up in other Committees. However, every single constituency in the United Kingdom will have a story like mine—a child like Sophie, and families and communities impacted by childhood cancer. It deserves a debate in the Chamber, particularly on how we improve the outcomes for the many lives that have been affected by it.

**Ms Qaisar:** I will just add that health is, of course, devolved in Scotland, but I think this is an important opportunity for us to look at research into childhood cancer.

Rayhan from my constituency was only four years old when he was diagnosed with a brain tumour. He sadly died just months later. When I have spoken to his mum Nadia to give her support, she has said, "Anum, there is not enough research into this." I think a Backbench Business debate is a great opportunity for us as MPs across the Floor of the House to come together and discuss how we can improve outcomes for young people.

Q2 **Bob Blackman:** Caroline, you clearly have a sufficient number of speakers for a 90-minute debate, certainly, and it is to be a general debate. You may appreciate that time in the Chamber is very limited. Just prior to the start of this meeting, we discussed exactly how limited it is.

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Error! Unknown document property name. Error! Unknown document property name. document Page 4 of 8 There are opportunities in Westminster Hall. We can give you a longer debate in Westminster Hall, if that suffices, as it is a general debate. Would we accept that, if it is offered? Error! Unknown document property name.

**Dame Caroline Dinanage:** I would prefer to have this debate on the Floor of the House. I have set out a number of reasons why it impacts every constituency, but it has not been debated on the Floor of the House in a really, really long time. There have been two Westminster Hall debates—one in 2016 and one in 2020—both as a result of an e-petition, but this has never had its own debate on the Floor of the House, and I think it warrants it.

**Bob Blackman:** Obviously, you want the Government to do something as a result of the debate. The other thing you could do is to put in a divisible motion, which means that we would have to timetable it in the Chamber eventually. It would join the queue of other worthy debates that we have already.

Q3 **Chair:** Obviously, from the perspective of children who are suffering from cancer, time is of the essence, but, from your perspective, is there any sort of urgency in getting the debate heard? I think the likelihood is that you would probably not get any Chamber time until mid to late March at the earliest.

**Dame Caroline Dinanage:** I would be happy to wait. There are children dying and parents and families suffering all the time. When you consider that there were debates on this in 2016 and 2020, this is not going to change between now and March. The only thing I would say is that I am not available between 10 and 20 March. I have a medical appointment, so any time after that would be fine. I am very happy to take the advice of the Committee on the best way of allowing the greatest number of MPs to be able to contribute.

Q4 **Chair:** There are a couple of things. Your application is quite heavy on Conservative names. If you can get some additional names from other parties, that would be useful. Also, in terms of getting Chamber time, if you have a good think about what you would want the Government to do and put in a divisible motion to that effect, that would really help from our perspective in terms of boosting it up the rankings. Okay?

**Dame Caroline Dinanage:** Thank you very much.

Q5 **Bob Blackman:** To be clear, we would expect to see four or five Opposition Members speaking in such a debate. At the moment, you have got three. If you could add another three or four, that would be very helpful.

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Error! Unknown Error! Unknown document Page 5 of 8 document Dame Caroline Dinanage: You want more Opposition names and a property name. division motion. Would I send it back to you in the normal way?

Error! Unknown document property name. Chair: Absolutely. When I am dealing with a live application, it can be added to by you as the lead Member. Okay?

Dame Caroline Dinanage: Thank you very much. property name.

Chair: Our pleasure. Nice to see you. Thank you very much. I am afraid to say that we do not have our second applicant, Martin Docherty-Hughes, with us.

Patricia Gibson: I just texted him to see if he was on his way, but maybe he has been caught up.

Chair: I suggest that we suspend for two or three minutes to give him time to get here; if he is not here by 27 or 28 minutes past, we will adjourn.

Sitting suspended.

4.26 pm

On resuming—

Martin Docherty-Hughes made representations.

Chair: We meet again as the Backbench Business Committee. Our next application is from Mr Martin Docherty-Hughes and its subject is the imprisonment of Jagtar Singh Johal.

Martin Docherty-Hughes: Thank you, Chair. I am grateful for the opportunity to come in front of the Committee to make my case.

Some members of the Committee will be aware of my constituent's ongoing detention, so far without trial, within the Republic of India. There have already been accusations of torture. It has also been stated by several well-respected charities that my constituent is being detained arbitrarily. That is also being discussed at this moment in time by the United Nations special rapporteur on torture. I am aware that that is being discussed either in New York or in other sitting areas of the UN.

This week will be the fourth year that my constituent will have been detained on their birthday. This Wednesday will be Jagtar's birthday and it will be the fourth birthday on which he will have been held without trial.

As a constituency MP, I have sought to utilise regular parliamentary channels to ensure that my constituent's ongoing detention is heard, but that has become extremely difficult, given the case in India. I must be

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very clear that I make no judgment on whether my constituent is guilty or innocent, as that is clearly up to the judicial process of the Republic of India. However, I have a concern, shared by Members across the House—you will have noted the cross-party signatures—that the media trial over the last four years has made it very concerning that a fair trial could be achieved from that position.

As I say, I make no judgment on the judicial process in the Republic of India, but I do think we have got to the point where the judicial system here at home needs to be reminded that the Government of India need to make a formal decision about whether or not to bring this to trial. There are now in excess of 100 postponed pre-trial appointments, which give me grave cause for concern for my constituent’s long-term position in the Republic of India.

The opportunity for Members across the House to bring this to the Floor in a formal process, in a Backbench Business debate, would once again highlight not only my constituent’s issue, but the concern held here in the UK by the Indian community, specifically the Sikh community, that this could happen to any other UK citizen who does not fundamentally agree with the present Government of the Republic of India.

Another issue of which we have to be mindful is that it could have been any of us who was arbitrarily detained. I don’t know if you know the case, but Jagtar had recently been married. He was hijacked off the street by plain-clothes police officers. He was hooded and dragged out of his car, in which his new wife was sitting. She did not see him for a number of weeks, and we did not know what had happened to him in the formal process.

So far, myself, the family and those who are interested in the case have had an Adjournment debate, which was several years ago. During the main part of the pandemic we were able to have a Westminster Hall debate—that was back in 2020. The only real avenue for us to bring this issue forward again now is a debate in Backbench Business time.

Jagtar has now been detained without trial for so long that we have had three Prime Ministers, four Foreign Secretaries and numerous Under-Secretaries. That is a very complex and difficult situation for me to conduct myself in as a parliamentarian. I want to be as diplomatic as possible, but that does make things even more complex.

We have seen a range of desk officers, and while I am very grateful for the work that the Foreign, Commonwealth and Development Office teams are doing, it is difficult for them when there is consistent ministerial change.



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That said, one Foreign Secretary did meet us—that was Jeremy Hunt.

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Other Members have actually met the Prime Minister to discuss my constituent's case—that was I must admit, probably a mistake. It was also highlighted on the Floor of the House.

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That shows you that this issue is complex, and there is now a requirement to have a fuller debate on the Floor of the House to make sure that the Sikh community, but also the wider Indian community and every other UK citizen, recognises that we take very seriously the arbitrary detention of a UK citizen without trial.

**Chair:** Thank you very much indeed, Martin. Any questions?

**Q7 Bob Blackman:** I am not questioning the subject or the detail, but it strikes me that this is very much an Adjournment debate type of subject, where you could quite legitimately raise the key point in your application on the Floor of the House and get an answer from the Minister, whoever they are at the time. Don't get me wrong, but I just wonder how other colleagues will contribute to such a debate, when a very specific individual is in detention at the moment.

**Martin Docherty-Hughes:** We have already had the Adjournment debate. The difficulty is also that the Minister responsible does not sit in the House of Commons; they sit in the House of peers, so for me an Adjournment debate does not answer that first point.

In some senses, you would say that a Backbench Business debate does not do that either, but what a Backbench Business does do is allow all the other Members who have signed the application more opportunity to participate in the debate, because it is not technically just about my constituent; it is about a human rights issue and about a UK citizen being arbitrarily detained. That is a question we should all be interested in; it is not just about my constituent.

I go back to the point that this is not about India's judicial process—India is a sovereign, independent nation state—but we do have to discuss issues that impact the human rights of all our citizens. This is not just a Mr Johal issue.

**Bob Blackman:** It is your application, but I would suggest that if you are making it a broader issue, perhaps that should be reflected in the title of the debate. But I leave it to others to comment.

**Q8 Chair:** Okay, Martin, the application is in. It is live. It has cross-party support. If we could not find Chamber time in a timely fashion, would a 90-minute or a three-hour Westminster Hall debate suffice or not?



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**Martin Docherty-Hughes:** The difficulty is that we have been through the parliamentary process so far—we have had an Adjournment debate, and we have had a Westminster Hall debate in the middle of a global pandemic. The point for me, as a constituency MP who is interested in not only the issues of my constituent but the human rights of every UK citizen who may travel to the Republic of India, is that this issue now raises serious concerns.

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This application is also very cross-party—I don't think the Father of the House would sign it randomly or that senior former Cabinet Ministers would sign it lightly. I think they would be more supportive of the opportunity to have the debate on the Floor of the House, which would show not just the seriousness of my constituent's case—in a similar way to the Zaghari-Ratcliffe case—but our capability to engage with our allies in an open, robust fashion.

**Q9 Chair:** The text of the motion is not asking the Government to do anything; it is asking the House to take a view.

**Martin Docherty-Hughes:** Indeed.

**Chair:** In that case, Martin, thank you very much indeed. We will now go into private session. It was good to see you. Thanks very much for coming.

**Martin Docherty-Hughes:** Once again, apologies for my late arrival.