



Backbench Business Committee

Transcript of meeting

Tuesday 24 November 2015

Representations made before the Backbench Business Committee on Tuesday 24 November 2015.

Members present: Ian Mearns (Chair), Mr Peter Bone, Mr Philip Hollobone, Gavin Newlands, Mr David Nuttall and Jess Phillips.

Lucy Allan; Kit Malthouse and Ann Coffey; Ian Austin; Mr Ian Liddell-Grainger and Sue Hayman made representations.

Questions 1-13

Lucy Allan made representations.

Q1 Chair: Right, Lucy, over to you, on children in care. Tell us the reason for your application, please.

Lucy Allan: Thank you very much, Mr Chairman, for giving me the time to come and speak to you all today. The motion that I would like to bring forward relates to the rising numbers of children going into the care system. This issue affects all constituencies in different ways. The Members I have spoken with who have expressed an interest in supporting the motion will come at it from different angles, but they all have concerns about those who are least able to speak up for themselves. The care population is typically made up of people from the most disadvantaged backgrounds and who are least able to have a voice and to articulate the issues that concern them. That is where we, as parliamentarians, come into this.

The issue was debated by the Lords in 2011, and I think the Scottish Parliament debated a similar issue in 2012. The reason it is particularly topical is that the Government are very much focused on a pro-adoption drive. As you said this morning, Mr Chairman, not all children coming into the care system are adoptable. Some come in at a later stage in their lives. At five-plus they are not usually going to be suitable for adoption, due to their previous bonding history with their family and all of that.

One thing that is now starting to happen among local authority children's services is that instead of thinking of increasing numbers in the care system as being a good thing—historically, previous Governments have considered that to be positive—some are now taking what the Department for Education describes as an “innovative” direction by looking to reduce the number of children

coming into the system in the first place. That is partly due to the outcomes for children in the care system. One council that has done that brilliantly is Leeds City Council. In fact, my council in Telford is examining ways in which it can reduce the number of children who are currently on the fringes of care, who do not need to be placed into the care system, because of the impact upon them.

I would very much like the Government to start thinking along those more innovative lines, because we have heard quite a lot from the Prime Minister about adoption, and we have heard a lot from Sir Martin Narey about how increasing the care population is sometimes the best thing to do, just in case. I do not think that is good enough, either for our children or for their families, given the outcomes for children in the care system.

Those are the key points that I wanted to make. You will see from the list that there is cross-party support from Members who have a particular interest in the area, including a former children's Minister and a number of others who have spoken out on behalf of the most vulnerable and disadvantaged children in our society.

Chair: Thank you very much. Are there any comments or questions, please?

Q2 Mr Nuttall: I have a comment for Lucy. Would anybody really oppose a motion such as the one you have tabled? My concern is that this debate will be a series of people standing up to say, "What a good idea this is." Surely no one would suggest that having children staying at home with their families is not the right thing to do.

Jess Phillips: I disagree. I think there is a counterview—I am not saying that I have that counterview—in that there are endless examples of serious case reviews where children have not been taken into care when they should have been and there is a concern that flipping things too far creates a risk factor in children's services. I'm not sure how many people would put it forward, but there is definitely a counterview.

Q3 Mr Nuttall: That is very helpful. In that case, how many of these people will be putting forward that counterview?

Lucy Allan: I know for a fact that the Minister for Children takes a different view, so that in itself was a reason why I wanted the issue explored. The Members on this list tended to want to examine the issue of children in care generally, rather than being wedded to this specific motion, so I am open about that with you, although a number of them have expressed concern about the increase in numbers. The Government and the Department for Education have seen that as a preventive measure, where you reduce the risk to children on the fringes of care by having almost a knee-jerk reaction—post the baby P and Daniel Pelka cases—and saying, "We don't want to be seen not to be taking action, so we're going to take this child and consign it to a life in care." That is not necessarily best for the child, best for society or, indeed, best for the family of that child, who will go on to have further children, potentially, to compensate for that loss.

Mr Bone: I think it is a very good application. I have two comments. I would have preferred to see more Members sitting there from other parties. Going back to what Mr Nuttall said, it is a substantive motion, but it is an apple pie substantive motion. If there had been a report, or if the Government wasn't doing something that it needed to do, that might have been a better debate. But generally speaking it is a very good application.

Q4 Jess Phillips: I would say that it is a good debate. There are Members here who are waiting to speak who could have sat up here with Lucy, because their names are on the list, but they just haven't. I would have sat with her, had I not been on this Committee.

I would change one thing about the motion. Peter, I think you are right that it is a bit motherhood and apple pie. I might suggest a small change so that it refers to bringing forward measures "to support more children". I think the key thing for the Government to do is not enabling, but supporting. One of the key problems at the moment is that local authorities don't give enough support to help mums and dads maintain good parenting and so on.

A few adjustments in the wording would put the Government's feet to the fire a little bit more, which is what we on this Committee always want to see.

Lucy Allan: That may be why I was a bit cautious.

Chair: Lucy, thank you very much again for the application. It was well supported. You may want to consider tweaking the motion.

Kit Malthouse and Ann Coffey made representations.

Q5 Chair: Good afternoon and welcome.

Kit Malthouse: Good afternoon and thank you very much for seeing us. One of the things that I have learned about this place is that if Back Benchers want to have an impact on legislation, it seems to be much better to get well ahead of it, before it even appears in the House, to try to stamp your mark on it. We know from the Queen's Speech that a criminal justice Bill is coming. A number of us have been concerned about the protections that are afforded to 16 and 17-year-olds, particularly protecting them from sexual exploitation, arising out of some of the horrific cases we have seen over the last couple of years, particularly in towns and cities.

Sixteen and 17-year-olds are defined in law as children, yet from a sexual offences point of view they very often do not receive the same protection as children. That has resulted in some quite alarming statistics showing that 16 and 17-year-olds are the most vulnerable to sexual exploitation and that that group has the most offences committed against it in the UK. That has alarmed enough of us, supported by the Children's Society, to ask for a 90-minute debate in Westminster Hall to try to signal to the Government that we think this is an issue they need to examine in some detail as they put the criminal justice Bill together.

It would be an opportunity for us to get the Minister there and, I hope, to impress on him the urgent need to look at this. At the same time it would allow Members to explore issues of sexual consent, age of consent, sexual education in schools and the way that children in sheltered accommodation or care—apropos of Lucy's application—are particularly vulnerable as a group in society and what we can do to protect them.

Ann Coffey: I entirely support the application. I think 16 and 17-year-olds are at an interesting age, because they are above the age of consent but are still considered children in law. One of the things we have to raise public awareness—and the awareness of legislators—about is that it is an age of vulnerability.

The previous Government altered language so that you could no longer refer to an under-18-year-old as a child prostitute; you now have to refer to them as a child who is sexually exploited. That

is a recognition of that vulnerability of 16 and 17-year-olds. We would like the opportunity to raise awareness of vulnerability in law and perhaps consider asking the Government, when the Bill is brought forward, to give extra protection to those children, so that if they are exploited by adults for sex or by organised gangs to be runners, the perpetrators of those offences would face heavier sentencing to reflect the fact that they have exploited an immature and much younger person.

Q6 Jess Phillips: This debate is well worth having. Having run a sexual exploitation service, I know what the chances are of the police taking any action in the case of anyone in this group who presents, because they think it is their boyfriend and they can consent all they like. It is near impossible to work successfully with this group for their ends.

You are asking for a debate in Westminster Hall. This is said all the time in this Committee, but at the moment the country is so conscious of this as an issue that people care about that I think having a substantive motion to make them change it, and potentially having it in the Chamber, would get loads of Members coming to talk about it.

Kit Malthouse: We are happy to take advice on that. If the Committee thinks that would be more appropriate, we could certainly craft something along those lines.

Chair: That is something you need to consider, with the caveat that Chamber time is more difficult to get.

Q7 Jess Phillips: That is normally what we expect. I felt the need to say something because I care.

Ann Coffey: Obviously we don't want to go away and come back with another application.

Jess Phillips: But you do want the Government to listen.

Q8 Chair: Something that this Committee was very cognisant of in the previous Parliament was that a very successful and over-subscribed 90-minute Westminster Hall debate would lead on to a Chamber debate with many more contributors. That is fine; that will be given the green light, in terms of being an appropriate debate to have, and it will be added to the list. There is one thing that I could suggest, because you may be interested in it: there was an excellent report by the Education Committee in the previous Parliament called "Into independence, not out of care". You might find that useful.

Ann Coffey: We will be sure to mention it if you give us our debate.

Q9 Chair: In terms of ministerial response, you have talked about the criminal justice Bill, but would it be a Home Office Minister that you were looking for to respond?

Kit Malthouse: I think the criminal justice Bill will be a Home Office Bill, so it might be for a Home Office Minister, not least because one of the aspects we want to talk about is sentencing for existing offences. For instance, on the Psychoactive Substances Bill, I am lobbying to make selling psychoactive substances to minors—that is, those under 18—an aggravated offence. They are equivocating a little about it. It would give us a chance to explore some of those issues.

Chair: Thank you.

Ian Austin made representations.

Ian Austin: I thank the Committee for allowing me to make the case for what I think is a vital debate on behalf of the 10,000 people in the UK with cystic fibrosis, as well as countless other people suffering from genetic diseases. Those people have been given hope for a better future by a game-changing generation of new precision medicines that tackle the faulty genes that cause these conditions, instead of simply managing their symptoms in decline.

A new treatment about to be appraised by the NHS could bring the number of people with cystic fibrosis on a precision medicine up from 4% to 50%. That will offer hope of much-reduced admissions to hospital, disease stabilisation and significant increases to life expectancy. People such as Carly Jeavons in my constituency have seen massive improvements in their health, thanks to these new drugs. Just over a year ago, her health was dramatically declining; she was spending two weeks in hospital every three months. Now, as a result of a new treatment called Orkambi, she has a new lease of life.

However, unless there is a speedy reform of the appraisal system, people with cystic fibrosis and other conditions will die without having had the chance to experience the long-term benefits that these treatments can bring. That is because the NHS drug appraisal system is based on short-term clinical trials data, and cannot accurately assess the long-term health benefits and cost savings that these treatments would bring over a longer period.

It is no exaggeration to say that people are dying because of this system. Without reform, drug research of this kind could dry up, and a once-in-a-generation opportunity to beat cystic fibrosis and genetic rare diseases could be missed. The Government recognise that, and have created the Office for Life Sciences and the accelerated access review, among various initiatives, to investigate reform. The review has just published an interim report that raises many questions. It has some really encouraging ideas, but the details, timescale and implementation are all unclear. A debate like this would give the Government the opportunity to answer important questions on their progress and plans, and it would highlight the role that organisations such as the Cystic Fibrosis Trust can play, in providing a wealth of expertise and data.

People with cystic fibrosis and other genetic conditions do not have the time to wait, and they need our help with this. You will have seen the list of the cross-party group of MPs who support this.

Q10 Chair: We haven't actually seen that list.

Ian Austin: Have you not? I will give you the names at the end. If this debate is confirmed today, I promise that you will see Westminster Hall packed with MPs speaking on behalf of countless constituents with cystic fibrosis and other conditions who are being refused life-changing treatments because of the outdated system.

What is more, the Cystic Fibrosis Trust is working in partnership with Parliamentary Outreach to make the debate fully digital; there would be an online discussion beforehand between MPs and people with cystic fibrosis, so that they can watch us, share their opinions and experiences, and speak up directly for themselves with Government Ministers. That is important because cystic fibrosis is a uniquely cruel condition, in that people with it are unable to come together because of the risk of cross-infection. They are vulnerable to the different bacteria that grow in their lungs. While usually

harmless to people who do not have cystic fibrosis, those bacteria can settle in the lungs and be harmful to people who do have it.

Getting together to lobby Parliament has never been an option for people with cystic fibrosis before, but if you give us the opportunity to have this timely debate, you could change that. I know that people with cystic fibrosis would take every advantage of that, and it would make a massive difference. It would enable their voice to be heard in Parliament in a way that it has not been before.

The other people are: George Howarth, Philip Davies, Graham Jones, Paul Blomfield, Jason McCartney, Mark Durkan, Jim Shannon, Sir David Amess and Julian Sturdy. There is cross-party support for this, right across the House.

Chair: It's all blokes!

Jess Phillips: I'm glad you said that. That's normally my line.

Ian Austin: I'm sorry about that. I will rectify it.

Q11 Mr Hollobone: I know you are a very modest fellow; you have applied for 90 minutes, but given that you think the Chamber will be packed out because of the interest in this subject, would three hours not be more appropriate?

Ian Austin: We will take whatever you give us. The more time given to this, the better. If you were prepared to do that, it would be massively welcomed.

Chair: Thank you. If you could forward us the full list of names, with the potential for a three-hour debate if you want more time, we would be very happy to have that.

Mr Ian Liddell-Grainger and Sue Hayman made representations.

Q12 Chair: You are here representing Graham Stuart, Norman Lamb and Neil Parish.

Mr Liddell-Grainger: This debate, Mr Chairman and colleagues, is one of fairness—straightforward fairness. As all of us Members of Parliament know, there are discrepancies in the funding of local government, be it unitary, city, urban or rural. One of the problems that any rural constituency faces—not just now; this goes back many years—is that we have a difference of up to 45% between the funding for an urban seat and a rural seat. What we are trying to do is carry on a campaign that started some years ago. We have had petitions and other debates, but in a few weeks' time, the Government will announce the local government settlement, so we think this debate would be timely. Sixty-two Members of the House, including ladies, from all parties—

Jess Phillips: Women.

Mr Liddell-Grainger: Sorry; Sue is here to dig me in the ribs if I get it wrong. Sixty-two Members across all parties, including women, have signed this to try to get the Government to understand that the issue is important in areas such as mine. I have a council that gets only just over £4 million for its entire budget, which is the smallest in Britain. To others in cities, £4 million does not even cover one of their departments. We are trying to say to the Government, “We would like you to rethink this.” I do not think that can be done just by one party; it has to be done with a broader scope. I am sorry that Graham cannot be here. We want to get the Government to rethink this. We did this

under Eric, and we are continuing the campaign. I urge colleagues to allow this debate to happen, for fairness, so we can get to the bottom of why there is a 45% discrepancy—sometimes it is hundreds of millions of pounds—and why we parliamentarians cannot get fairness for rural and small areas.

Sue Hayman: I support everything that Ian said. One of the big issues is not just that rural communities get underfunded in the first place, but that it costs more in many areas to deliver services, because of the distances that people have to drive and the cost of petrol. The time it takes to get between one person and another means that fewer people can be seen, for example, when delivering domiciliary care. Services struggle to meet demand in rural areas. It is very important that this is all looked at in the round, and that we can put this before the Chamber and have a proper debate on it.

Q13 Chair: I am afraid to say that, again, as with Ian Austin's application, we do not have the long list of names.

Mr Liddell-Grainger: I have it here. We can leave it with you. I apologise that we did not have it earlier, but there it is. I will leave that—I'll give it to the Clerk.

Chair: That is very good. Thank you very much indeed. Any comments or questions? No. Thank you. One other application was tabled, but it does not look as though the applicants are here, so I will bring the formal proceedings to an end.