

Backbench Business Committee

Representations: Backbench Debates

Tuesday 24 October 2017

Ordered by the House of Commons to be published on 17 October 2017.

Watch the meeting

Members present: Ian Mearns (Chair); Bob Blackman; Robert Courts; Chris Davies; Alex Sobel; Mr William Wragg.

Questions 1-24

Witnesses

[I:](#) Mrs Maria Miller.

[II:](#) Stephen Kinnock, Anna Soubry and Heidi Alexander.

[III:](#) Heidi Allen, Wera Hobhouse and Mr Kevan Jones.

[IV:](#) Siobhain McDonagh.

[V:](#) Christian Matheson.

Written evidence from witnesses:

– [Add names of witnesses and hyperlink to submissions]

Mrs Maria Miller made representations.

Q1 **Chair:** Good afternoon everyone, and welcome to the Backbench Business Committee. This afternoon, we have four applications. First up is Maria Miller on sexual harassment and sexual violence in schools.

Mrs Miller: This is a joint application on behalf of myself and Jess Phillips. It relates back to a Women and Equalities Committee report published just over a year ago on sexual harassment in schools. We are putting forward a substantive motion because of the increasing concern that people have about the levels of sexual harassment in our schools.

I draw your attention to the data that is now being collected by our police forces, with 922 reports of sexual offences in schools or on school premises in the last year. The police lead on child protection says that this is just the tip of the iceberg. The data includes more than 200 rapes on school grounds between 2013 and 2017.

The reason we feel we need a debate on this is to underline to the Government the importance of pressing forward with real change in this area. The Government did give us a very encouraging response to our report, but since then there are indications that the situation is actually getting worse in schools. I think this will be a timely way to encourage the Government to update the House on the progress it is making as well as giving Members the opportunity to share their experiences in their constituencies.

There can be few on this Committee who will not have seen the concern expressed across the board at the issue of sexual harassment. When you look at our report on sexual harassment in schools, the work of Universities UK on sexual harassment in universities and the work of the TUC on sexual harassment in the workplace, few would think this is not an important debate and not an issue that Parliament should be seen to be taking very seriously.

Chair: Thank you very much indeed. It was most remiss of me not to welcome Mr Chris Davies, a new Committee member, to his first meeting of the Committee.

Q2 **Mr Wragg:** Thank you for the application. It is an incredibly important cause. The Leader's office has been incredibly generous with Chamber time in the forthcoming couple of weeks—I cannot think why that is. In terms of those people who have put themselves down to speak, are you sure they would definitely turn up to speak in a Chamber debate? You have not put down a preference for either the Chamber or Westminster Hall.

Mrs Miller: The indication of those who would be interested in the debate is, I think, straightforward. To be honest, I have to say, Mr Wragg, that I could have got a lot more names. This is something that is creating a great deal of concern in all parties, so there would be wide interest and I



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do think that this issue would lend itself to being in the main Chamber, as indeed would many of the issues that we look at on the Women and Equalities Committee.

Q3 Bob Blackman: I have not read the report, I confess, but does it cover teaching staff as well as students and pupils within schools?

Mrs Miller: No, Mr Blackman, it is specifically about peer-on-peer abuse. Not that other forms of abuse in schools are not important, but this is focused on peer-on-peer abuse. I encourage you to read the report—it is really comprehensive—and also to read the Government’s response. I do not think there is a lack of intent to act on this, but I am quite disappointed at the rate of adoption of new policies in schools. It can take an entire academic year to have new policies and guidelines brought into place and I am not sure we would accept that with other issues that involve children in potentially threatening situations.

Q4 Chair: There is the possibility that we have Chamber time to offer on Thursday 2nd, which is next Thursday, and that we will be allocated time on the following Monday and Tuesday before the mini-recess. If you were offered any time during that period, are you sure that you could fulfil the needs of the Chamber and hold a debate that would use the time up?

Mrs Miller: Mr Mearns, I have to admit to you that I am due to go to the Commonwealth Parliamentary Association annual meeting in Bangladesh, so I am not due to be present in the Chamber on the Monday and Tuesday before the recess. I apologise for that; I was not necessarily aware of that when I made the submission. Although I am sure that Jess Phillips would be able to step into the breach, like me she would probably want to do it as a double act. I think it would be stronger that way.

Chair: In that, case, thank you very much. That is very useful to know.

Mrs Miller: I thank the Committee for their time.

Q5 Bob Blackman: Did you answer whether you would be available on 2 November?

Mrs Miller: I would make myself available, yes.

Bob Blackman: Fine.

Chair: Thank you.

Stephen Kinnock, Anna Soubry and Heidi Alexander made representations.

Q6 Chair: Next up is Stephen Kinnock on British membership of the European economic area.

Stephen Kinnock: Thank you, Chair. I am very pleased to have the two co-sponsors with me here today. I will invite them to add their contributions. There is a clear rationale for having a debate on this issue. In the context of the Brexit negotiations, the UK’s role within the European economic area is a very important one.



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There is a difference of opinion legally speaking. A number of lawyers have said, and the Government's current position is, that the UK is a member of the European economic area by dint of our membership of the European Union.

However, there is a very strong school of legal opinion that takes the opposite view and believes that it is necessary for the UK to trigger departure from the European economic area as a separate and parallel process to Brexit, because the EEA agreement is a stand-alone agreement and article 127 makes it clear that any country that wishes to leave the EEA must do so by triggering article 127 on the basis of 12 months' notice.

Given how important it is, both in terms of the legal position and, of course, politically and constitutionally, and in the context of the transition deal potentially being negotiated and the broader Brexit negotiations, we feel there is a clear and strong rationale for a Back-Bench debate on this issue.

We have secured definite wishes to speak from the list of speakers you have before you and a number of others have indicated their interest in participating in the debate subsequent to my submitting the application. I would like to invite Anna to say a few words about the debate.

Anna Soubry: I obviously agree with all that Stephen has said. One striking thing about the previous Session was the lack of Back-Bench business debates on the nuts and bolts of Brexit. We did have some debates. I think we had a debate about the effect of our leaving the EU on transport, for example, but these really important nuts-and-bolts issues, perhaps bizarrely, have not actually been debated on the Floor of the Chamber.

It is important that we have the opportunity to debate these very important matters. It will assist the Government, if I may say, in negotiations with the European Union. I am not saying it would provide a mandate, but it would certainly help the Government to give clarity on these important issues, and it would give all of us the opportunity to speak on behalf of our constituents on the most important topic in decades—I think we would all agree on that.

It is really important that Parliament has a role in this. Without that, it is not only bad for democracy; I think it is bad for Brexit, because it is not seen to involve people in the way that it should involve them, by not giving us the opportunity to explore all these very important decisions and options.

Heidi Alexander: I concur with everything that Stephen and Anna have said. If you look at what Ministers have said recently about triggering article 127 of the European economic area agreement, they have been very ambiguous in their statements. I believe that the Government's position is moving towards a state where we will see the formal notification of the UK leaving the European economic area.

Article 127 of the EEA agreement says that we need to give 12 months' written notice to other contracting parties of our intention to leave. If that date was to coincide, for example, with leaving the EU at the end of March 2019, this might be something that the Government is considering doing in the early months of next year to comply with that.

We know that the European Union (Withdrawal) Bill is delayed. We also know that there are hundreds of amendments to the Bill. I have tabled a new clause that would require a parliamentary vote before the triggering of our seeking to leave the European economic area, but there is no guarantee that that amendment will be selected or that it will not be squeezed out in terms of time.

Given that the European economic area is essentially the single market—and we know that countries such as Norway, Iceland and Liechtenstein are in the single market and outside the EU—I think it is vitally important that proper parliamentary air time urgently be given to this issue. I do not think it should be left to the vagaries of parliamentary timetables during the consideration of the Bill.

The way that the Bill is currently drafted gives Ministers, in effect, a back-door authorisation to trigger article 127. I do not think that that is a well-known fact among our colleagues; I certainly do not think it is a well-known fact out there among the British public. Given the importance of this issue, I think it should be debated fully and transparently on the Floor of the House.

Q7 Mr Wragg: Thank you for the application. Clearly, it is a cross-party application, but in terms of the strength and quality of the debate, and indeed the application, have you sought the names of sponsors who might have a contrary opinion?

Stephen Kinnock: As you have seen, we have cross-party support from Liberal Democrats, the SNP and your own colleagues. Clearly, we would be delighted if speakers from both sides of the leave-remain spectrum wished to participate, but our primary aim has been to ensure that we get sufficient speakers to secure the debate, and then to build from there. Of course we want diversity of views in the room. We are also, as you will have seen, applying for a Division at the end of the debate. I am sure that it will generate quite a lot of interest right across the House if we can secure that.

Anna Soubry: It is interesting to note from the conversations and comments on the Floor and in the press that there are some people—I am thinking of Sir William Cash, for example—who only recently argued that we should be in a form of EFTA, with Norway and Liechtenstein. We should be very cautious before assuming that those who might oppose the motion will fall into the same camp as they normally do. It is interesting—this is one of the good things about a debate—when you find people who come together and agree on things, especially on territory where they are normally at arms drawn.



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Stephen Kinnock: I would add to that that I have had conversations with Sir William Cash about this. I have the pleasure of serving under his chairmanship on the European Scrutiny Committee. He is also attracted to the idea of the EFTA arbitration court, which is not in the jurisdiction of the ECJ, of course, which he has very strong views on.

Anna Soubry: Yes, he has said that.

Stephen Kinnock: It potentially offers a different kind of jurisdiction that is not ECJ jurisdiction.

Q8 **Mr Wragg:** Get his name on the list then, and it will be fine.

Stephen Kinnock: I would be happy to invite him, but I cannot guarantee what his answer will be.

Q9 **Bob Blackman:** I do not want to get into the merits of the debate. Clearly, there is a need for a debate. I am concerned about the timing of the debate, given that we have had a delay in the withdrawal Bill for various reasons, not least the number of amendments. I want to get from you, as the applicants for the debate, what your ideal timeframe is for having the debate in the Chamber.

Stephen Kinnock: We have asked for three hours, but perhaps that is not your question.

Q10 **Bob Blackman:** No, my question is about the date. Presumably you want it before we come back to the withdrawal Bill in Committee, but do you want it before the November recess or afterwards? What is your ideal timing for holding the debate?

Stephen Kinnock: As soon as possible—as soon as we can find a date that works for the Committee, and understanding all the other constraints. I do not know if that is helpful to you.

Q11 **Bob Blackman:** It is your application—our job is to facilitate debate. We potentially have dates on 6 and 7 November, which is the week of the November recess. Clearly, that time is likely to be available, although it is not guaranteed, but we have to tease out from the applicants which debates could fit into that time, and which ones should wait a little while—which is perfectly reasonable—until after the November recess, because of the availability of speakers.

Anna Soubry: That would be either the Monday or the Tuesday, wouldn't it?

Heidi Alexander: I think that would be ideal.

Anna Soubry: I do, too.

Heidi Alexander: However, if it is not possible to have the debate prior to the mini-recess, we want the debate full stop. We could do it quickly, so if you have slots that are coming up in the next few weeks, we would be keen to take them, because we believe it is an urgent debate and one that needs to be had.



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Stephen Kinnock: There is just one caveat from me: I have to be in Brussels and Paris on Brexit Select Committee duties from 7 to 9 November—so 6 November could work.

Bob Blackman: Okay, that is very helpful, thank you.

Chair: Thank you very much for the application.

Heidi Allen, Wera Hobhouse and Mr Kevan Jones made representations.

Q12 **Chair:** Next we have Heidi Allen on mental health and suicide in the autistic community. Good afternoon and welcome.

Heidi Allen: One of the first things I remember as a new MP was opening my post bag over the summer, sitting in my garden, just wading through letters that had come to me, and reading about an 18-year-old boy—one of my constituents—who, for no reason at all it seemed, had decided, with no notice, to throw himself under a train. I will never forget that. His family had no answers, and I have been doing my best to support them, through the local mental health services, since then so that they can try to work out what on earth went wrong.

About two weeks ago, a charity called Autistica, which focuses completely on understanding autism and how it affects people, came to me with a piece of research that it is doing, which focuses, just by chance, on Cambridgeshire and Peterborough—my local authority area—as well as Derbyshire. The researchers are looking at links that might exist between mental health issues and suicide and autism. Even though they have only just started this piece of work and the findings are still evolving, they have already found that there is at least a link between autism and suicide in 10% of the cases. As they were explaining that to me, it hit me between the eyes, and I found myself just thinking, “I wonder—I wonder if that poor family have any idea.” This boy was gifted—he was musically and mathematically extremely talented—and his family are still looking for answers.

It seems to me that we need to look in more detail at whether there is a real link between the two. Autism understandably attracts an awful lot of attention and people talk about it, but never in the House have we debated the links between autism, mental health and suicide. We have never done that. Whenever we do have autism debates, typically 30 or 40 MPs turn up. There is an event going on in Parliament as we speak today.

Given that only 1% of the population is autistic, those sorts of findings are huge. The NHS forward view already includes a request for NHS England to define and identify mental health care pathways for people with autism, but there are no data on that yet and there are no proposals being brought forward. We are waiting to hear—it will be some time in 2018. It seems to me that we could be really powerful in influencing what they put in there.



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We have full cross-party support. As well as Wera from the Liberal Democrats and Kevan from Labour, we have Dr Lisa Cameron from the SNP. About 20 MPs have already said that they would speak in the debate.

To me it feels that the link is so powerful that I don't think we can ignore it, and the link has never been debated in the House.

Wera Hobhouse: I think this is an example of where we can actually save lives, if we are better aware of the issue. The charity came to me as well and I learned so much in just an hour about this issue. I believe that there is nobody in this room, and probably nobody out there in society, who has not been touched by autism in one form or another. The fact that people with autism, however severe it is, do not receive the mental health services that they deserve is a very serious issue. I think we should discuss that.

Mr Kevan Jones: I am supporting this debate because any excuse to talk about mental health in the Chamber is welcome. There are a whole range of different conditions when we talk about mental health, and this is one that I do not think has been explored. As Heidi said, it is an area that we need to look at.

Added to that, there is a crisis taking place across the UK at the moment in terms of delays in diagnosis and assessments for young people and children with autism. That is another thing the debate would allow Members to raise individual cases of from their own constituencies. I know that in my area, waiting two years for a diagnosis of autism is something that is causing great stress, not just to individuals, but also to the families.

This would be a good example to show that the House is taking mental health seriously in its broadest scope.

Q13 **Bob Blackman:** I am very supportive of the application. The only concern I have is that the substantive motion is really just a noting motion. Given the case that you have made, what do you want the Government to do?

Heidi Allen: I would like principally to raise awareness. For example, when GPs register the details of what conditions somebody has, autism is not on there. So when a GP thinks that perhaps somebody has mental health issues, the autism flag is not there. That early indicator that says, "This is really somebody who we have to take extra care of," is just falling through the cracks. Some policy tweaks around that in terms of the way that GPs register data would be a good start.

It is broadly about more awareness. It is also an attempt to influence NHS England's proposals that will be coming next year, but there are some practical things like the GP register.

Q14 **Bob Blackman:** The reason that I raise this is that if we are to keep debating time in the Chamber for what is a very important subject—I do not disagree about that—I would personally like to see a call for action, rather than just something noting the support. From what you are saying, there is sufficient support. I would suggest that your application would be



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considerably strengthened by strengthening the motion and calling for action from the Government, from NHS England or whatever else you consider necessary, on improving the position on diagnosis and assistance.

Heidi Allen: If my co-sponsors agree, and if that is something we are able to do here and now—

Q15 **Bob Blackman:** I wouldn't make it up on the spot; maybe go away and come back to us.

Heidi Allen: No, but the GP register is at the heart of it, because that is the initial flag, so certainly we could work something up along those lines.

Q16 **Bob Blackman:** The other consideration is timing. This is an important issue. You have asked for the debate in the week commencing 13 November.

Heidi Allen: Or after the autumn statement, when the noise of that has gone.

Bob Blackman: So that gives you time to consider the appropriate motion and hopefully come back to us with a reworded question.

Chair: If you are spurred to do something such as calling on Government Departments to do something, please do not let the DFE off; it has a responsibility within this as well. I am just grinding my axe, don't worry.

Q17 **Alex Sobel:** On the timing, you have asked for the debate to be in the week beginning 13 November. We have not yet been allocated time that far in advance. If you wanted it for that week, we could not make a decision today. Would you be willing to have it sooner, in debate time that we have already been allocated?

Heidi Allen: Yes, although with Bob's saying that we need to come back with an amended motion anyway, perhaps that will push us into that window.

Bob Blackman: That is for the Committee to decide; that was my personal view.

Chair: There would be time. We have some time allocated for Thursday next week, and we have been informed that we will be getting time on both the Monday and the Tuesday of the week after. That would give you time to bring back any updates or amendments to the Committee before next Tuesday and still be allocated that time.

Heidi Allen: Okay, perfect. We will aim for that. Thank you.

Siobhain McDonagh made representations.

Q18 **Chair:** Next up we have Siobhain McDonagh on temporary accommodation.

Siobhain McDonagh: There are currently 77,240 families for whom local authorities have accepted a responsibility to house them but cannot

currently do it, so they are in temporary accommodation. In those families, there are 120,540 children.

Some 20% of those families are placed in boroughs some distance from their home; that is an increase of 59% in the last five years. We all know from our experience of casework how devastating it can be for a family to be placed some distance from their home, or to be placed in temporary accommodation of a very poor standard for a long period of time. Temporary accommodation stays are, on average, 11 months; we can be sure that that goes into several years in London.

The families we are talking about are often the most vulnerable in our communities: there is a high proportion of children with mental and physical health problems and children who are on at-risk registers and whose families have been subject to domestic violence.

While there is a requirement on the part of local authorities to inform the borough that they are housing a family in, in effect that does not happen. I went to talk to different boroughs about their experiences of families being shipped out. I have a letter here from the chief executive of Thurrock Council in Essex, dated 26 April; for anybody who is not a Londoner, I represent a south London constituency, while Thurrock is in the east in Essex.

It states: "Unfortunately, our experience in Thurrock has often been that the notifications are either not sent or sent to the wrong contact within the Council. Over the past couple of years, Housing departments across Essex have noticed an increase in the number of cases who report that they were placed in another borough from London without the formal notification being received. We do not have data to show the impact of these placements; looking at school places and Children's Social Services, our data collection does not capture information that would necessarily inform us on this issue, but anecdotally we are aware of an increased number of children from London families in our schools. We do not have the means for calculating the cost of this."

When they later dug down, they got responses from London boroughs and found that, in the 10 months between April 2016 and February 2017, 183 families were placed in their borough. That is just one outside-London borough talking.

We are talking about very vulnerable families. In my borough I am aware of a local warehouse that has been converted into temporary accommodation for 84 families. Currently, Bromley, Croydon, Sutton and my own council, Merton, take places. The health visitor, Debbie Fawcett, an extraordinarily wonderful woman who is great at her job, goes round and knocks on the doors weekly to find those families because she is not notified of them. They do not change their GPs because they want to keep them and they want to stay in contact with their local hospitals, so there is no formal notification.



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That is boring nuts and bolts stuff but it is the stuff that we do in our constituencies. It is not unreasonable for the Government to require a named person to be informed of any homeless family being housed on a temporary basis in their borough. It is not unreasonable for the Government and the DCLG to have specific and detailed requirements for what they accept as temporary accommodation and when they accept that a family will be placed in an outside borough.

It is a great time to have the debate; the DCLG is currently consulting on the code of guidance for homeless families. The autumn statement and the Budget are coming up. Housing issues are coming to the forefront in a way that they never have in the last 20 years of my being an MP in this House. I think that, by being on the Floor of the House, we could all represent our most vulnerable constituents in the best way possible, to Government and to the wider community, and talk about the impact on their lives.

I say this not to be sensationalist, but I am of the view that the next sex scandal for children will be in temporary accommodation. The problems are beginning and we are not currently witnessing them. We have an opportunity to stand up and require that these regulations are in place.

Q19 Bob Blackman: I have a lot of sympathy, as you can imagine, with the subject of the debate. In terms of timing, some of what you have said is being answered in legislation that comes into force on 1 April next year, but by no means all of it.

You have stressed the urgency and you have a long list of speakers who potentially are available. We have time on 2, 6 or 7 November to allocate. If you are offered any of those dates, can you take them up?

Siobhain McDonagh: I am happy to take any of those dates. My personal preference is for the 2nd or 7th, but if it is the 6th I will go with it.

Q20 Bob Blackman: Or the 7th, you say?

Siobhain McDonagh: Yes, I would love the 7th, personally.

If it is okay with you, Mr Mearns, I have made photocopies of some photographs that I have taken of the converted warehouse in my constituency that is currently being used as temporary accommodation, which I thought might be of some sort of gruesome interest.

Chair: Thank you very much.

Siobhain McDonagh: Thank you for your time.

Christian Matheson made representations.

Q21 Chair: We have an unlisted application from Mr Chris Matheson on tolls on the Mersey crossing. It is supported by a number of Members. You are looking for a 90-minute debate in Westminster Hall if we have any time.

Christian Matheson: This issue, as I said in my application, is causing consternation in the sub-region that I represent. There are now four

crossings on the River Mersey and every single one is tolled: there are two tunnels and now two bridges.

The problem is that the first bridge—the original crossing—from Runcorn to Widnes, has also been tolled now that the new Mersey crossing has opened. Essentially, that potentially adds a commuting cost of £1,000 to people who, until now, did not have to pay. It comes at a time when bridges in other parts of the country—the crossings across the Forth and, following the Government's recent announcement, the Severn—are being abolished. So people in my area are rather bewildered and a little let down that we have to pay those charges. Not only is the introduction of a retrospective charge putting people's backs up, but we are seeing the contrary in other parts of the country.

Ms McDonagh just spoke of nuts and bolts issues and I accept that this is somewhat of a niche issue for my sub-region, but because the crossings are fairly central to that sub-region, in order to get from one side of the Mersey to the other, it is pretty important to the lives of many people.

The new crossing has opened in the last week. The old Runcorn-Widnes bridge, which will in turn be tolled, is closed for repairs and construction, so everyone has been having to go across the new crossing. There have been public demonstrations against the tolls as the bridge has opened, and there is a feeling that we seem to be getting the wrong end of the stick, which other parts of the country do not get.

I am aware that in my application I do not have cross-party support. It is a peculiarity of the sub-region that we tend to be from one political party, but that is not, I hope, detrimental to the application. It is simply the nature of the politics in the area.

Q22 Mr Wragg: Thank you for your application, Mr Matheson. On that question of cross-party support, I wondered whether the Members for Eddisbury and for Tatton might have some interest, but I will leave that there.

On the application to have a debate in Westminster Hall, we are not entirely sure of our schedule for Westminster Hall at the moment. I wondered whether this had already been the subject of an Adjournment debate, or whether you intended to apply for one of those as well.

Christian Matheson: We have all been applying for Adjournment debates, but unfortunately we have not been successful in the shuffle. It is not for want of trying. Because of the urgency, with the bridge open and the toll being levied, we were keen to push the matter forward.

As for the Members for Eddisbury and for Tatton, I have not spoken to them, but the Member for Tatton was of course previously a Wirral Member, so she would know the area well and might well have a residual interest that she may wish to speak on. If I may, Mr Wragg, I will take your guidance and advice, and approach those Members.

Chair: We will tell Esther you're coming!



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Q23 **Bob Blackman:** Can you be clear which Department you envisage answering the debate? Is it Transport?

Christian Matheson: Transport.

Q24 **Bob Blackman:** I am not sure whether we are going to get any allocations on the 7th. Do we know?

Chair: We don't know yet.

Bob Blackman: If we offered you Tuesday 7 November, would you accept it? You said Westminster Hall on Tuesday or Thursday.

Christian Matheson: I am sure we would, yes. There is a sense of urgency among Members—perhaps other Members as well, quite frankly—and we are very keen to have the debate as soon as possible.

Chair: Thank you. That concludes the public consideration of the Committee. We will now go into private session.