

# Article 39

Vicky Ford MP  
Parliamentary Under Secretary of State (Minister for Children and Families)  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London SW1 3BT

*By email*

6 July 2021

Dear Minister

## **CHILDREN'S SOCIAL CARE REVIEW & POLICY-MAKING PROCESS**

Following recent public statements by the Chair of the Children's Social Care Review, Josh MacAlister, I am writing to seek reassurance that the usual policy-making process will be followed in respect of any recommendations for changes to legislation which the government accepts.

An extended interview was recently made available online in which the Chair was asked why the Children's Social Care Review is being conducted so quickly. This was in light of the review's first report being published last month, just three months after it started, and its final report with recommendations being due to be completed by spring 2022.

In the interview, Josh MacAlister explained that the review is being undertaken "at pace" in order to produce recommendations and implement change, including legislative change, before the next general election (which must be held by May 2024). The Chair referred to the Conservative Party's majority in the House of Commons.

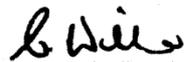
Having secured a judgment from the Court of Appeal last year, which sets out very clearly the Secretary of State's consultation duties when proposing to amend legislation affecting the rights of children, we are seeking an assurance that the government will follow the customary and accepted practice of Green and White Paper consultation after the Children's Social Care Review has issued its final recommendations.

The importance of careful review of legislative proposals cannot be overstated when it comes to the safety and protection of vulnerable children and the rights and entitlements of families to support from the state.

None of the questions in the review's interim report, *The Case for Change*, asks about legislative change, and there are no precise legislative proposals set out in the document (though some are implicit in the text). The questions posed in the review's interim report are very broad and lack the specificity found in government consultation documents. Moreover, the review is described as being independent of government, which must mean that its work cannot replace the government's own policy-making process (though the review's independence from government is widely contested, including by Article 39).

I would be very grateful to receive as a matter of urgency your reassurance that proper opportunity will be made available for appropriate and adequate consultation on any proposed changes to legislation.

Best wishes,

A handwritten signature in black ink, appearing to read 'C Willow', written in a cursive style.

Carlyne Willow  
Article 39 Director