

Ein cyf/Our ref: MA-P/FM/2542/19

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Dear Lynne,

Improving outcomes for children

I write in reply to your letter of 21 June.

Let me be clear at the outset: too many children are taken away from their families in Wales and that position has worsened inexorably, year after year, since the early 1990s. That is not a personal or idiosyncratic view of mine, it is the view of successive Presidents of the Family Court division.

In 2016 the then President, Sir James Munby concluded that the system faced a 'clear and imminent crisis', with no clear strategy through which that crisis could be addressed. I am not prepared for us to be without a strategy in Wales. Moreover, Sir James concluded that the inexorable rise in the number and proportion of children drawn into public care was associated with local authority behaviour which, he said, "must be playing a significant role" in the rise of cases brought before the Family Courts. He concluded that the wide variation in the scale of the increases in rates between local authorities justified a focus on the discharge of their responsibilities.

These views have been echoed by Sir James' successor, Sir Andrew McFarlane. His conclusion is exactly the one I have drawn myself, and which underpins my determination that we should take action to address this injustice here in Wales. Sir Andrew says:

'We have reached a stage where the threshold for obtaining a public law court order is noticeably low, whereas the threshold for a family being able to access specialist support services in the community is conversely very high'.

This, then, is a children's rights issue - the right to be supported to live with your own family, rather than to be removed from it.

Nor should we accept that nothing can be done to move the system in that direction. Near the start of this decade, Neath Port Talbot took a higher proportion of children into public care than any other local authority in Wales or England. Today, after concerted action, the pattern has been reversed. They reduced their rates of children looked after by a third between 2013 and 2018. Other local authorities, such as Newport, have succeeded over the long haul in providing a service which has bucked the trend which has otherwise run so strongly in Wales and England.

I recognise that shifting to prevention will be challenging for some. To help the process, last year we provided an additional £9m recurrent funding to support preventative activity and this year we have provided regional partnership boards with an extra £15 million for children looked after and prevention of the need for care. There are other funds available that local authorities could be applying for, such as Invest to Save and the Transformation Fund. Authorities can learn from each other's good practice. Welsh Government officials captured some of this work in the appreciative inquiry carried out as part of the Ministerial Advisory Group prevention workstream.

In my leadership manifesto I made only one single proposal for new targets in Welsh public services - and that was in pursuit of the already-established Welsh Government ambition to stabilise and then reduce the proportion of children in Wales removed from their families, placed out of county and placed out of country. I did so because five years, and more, of exhortation, advice, specialist reports, funding of professional leadership and other actions had failed to have the impact we need to see. The purpose of targets is never to undermine child safety but to concentrate the minds of local authorities on the common task. I welcome the agreement of 18 of our 22 local authorities to plans which will now help to make a practical difference. It is concerning that some of those authorities yet to agree plans are amongst those with the greatest need to take action and, in a minority of cases, they appear more interested in diverting debate away from their own responsibilities than in engaging with the fundamentally important issues at stake.

I look forward to the continuing support of your committee in the ambition I know we share of pursuing the best interests of children and their families in Wales.

Best Wishes

A handwritten signature in blue ink, appearing to read 'Mark', with a stylized 'D' and 'R' for 'Drakeford'.

MARK DRAKEFORD