

Extract from **Protection of Freedoms Act Debate – House of Lords, November 2011:**

**Baroness Heyhoe Flint (deceased) 8.30pm 8 Nov**

2011 : <http://www.publications.parliament.uk/pa/ld201011/ldhansrd/text/111108-0002.htm>

*“Clause 64 amends the Safeguarding Vulnerable Groups Act 2006 by narrowing the definition of regulated activity, as my noble friend Lady Walmsley mentioned. Crucially, this would exclude any role fulfilled while subject to the,*

*“day to day supervision of another person who is engaging in regulated activity relating to children”.*

***The proposed changes mean that an individual who has been barred would not be prevented from working with children in a supervised role—for example, as an assistant coach at a cricket club, provided that another supervising adult such as a head coach was present, because that assistant coach will no longer be liable to a full criminal record check”***

*“With respect, the new arrangement fails to understand the way in which sports clubs are run. The House needs to note that, for example, many sports coaches, club minibuses drivers and match organisers in a sports club could be considered as assistants if the club has a head coach, but unless the head coach were working alongside every volunteer assistant at every session it would be wrong to classify these people as assistants. I ask the Minister to consider how a sports club is to interpret the concept of supervision when on summer or winter evenings successful cricket clubs and **junior football clubs may have hundreds of children being coached across a spread of sports fields and pitches. Does the head coach actually spread himself or herself to supervise every one of these sessions and all the volunteer assistants involved? That is an unfair burden to place on the sports club and one that may deter volunteering as well as reduce protection.**”*

**Baroness Grey Thompson 8.50 pm 8 Nov**

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***Unsurprisingly, I have decided to keep my main comments at this stage to those parts of the Bill which could have a serious effect on British sport. I refer specifically to Part 5 of the Bill, on safeguarding vulnerable groups. I support the comments of the noble Baroness, Lady Dean of Thornton-le-Fylde, in calling for the correct balance for criminal record checks.***

***I also have some concerns over Clause 64, which narrows the definition of “regulated activity”. It makes an assumption that day-to-day supervision is enough, but I believe that the proposed changes mean that an individual who has been barred would not be prevented from working with children in a supervised role. The issue of “regulated activity” has been raised by many in your Lordships’ House, so I will not talk any more on this point now, but I agree that it places another unfair burden on yet other volunteers. I believe that it might be appropriate for all bodies in this sector to be granted an exemption from Clause 64(5).***