

# International Development Committee

## Oral evidence: Sexual exploitation and abuse in the aid sector: next steps, HC 605

Tuesday 20 October 2020

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Members present: Sarah Champion (Chair); Theo Clarke; Brendan Clarke-Smith; Mrs Pauline Latham; Mr Ian Liddell-Grainger; Mr Virendra Sharma.

Questions 161 - 211

### Witnesses

I: Hannan Sulieman, Deputy Executive Director, Management, UNICEF; Diane Goodman, Senior Co-ordinator on Protection from Sexual Exploitation, Abuse and Harassment, UNHCR.

II: Stephanie Draper, Chief Executive, Bond; Franziska Schwarz, Senior Adviser, Sector Safeguarding, Bond; Helen Stephenson CBE, Chief Executive Officer, Charity Commission for England and Wales; Harvey Grenville, Senior Technical Adviser, Charity Commission for England and Wales.



## Examination of witnesses

Witnesses: Hannan Sulieman and Diane Goodman.

Q161 **Chair:** Welcome to the witness session for the International Development Select Committee's investigation into sexual exploitation and abuse within the aid sector. Thank you very much to our witnesses and Committee members for joining us today.

We have two sessions. For the first one, we are very fortunate to be joined by Hannan Sulieman, who is the deputy executive director of UNICEF, the United Nations Children's Fund. We are also joined by Diane Goodman, who is a senior co-ordinator on protection from sexual exploitation, abuse and harassment at UNHCR, which is the UN Refugee Agency. Thank you both very much for joining us. I wonder if you could just give us a little introduction to what you actually do on the ground.

**Hannan Sulieman:** Thank you for inviting us today; we are very pleased to be here with you. The United Nations Children's Fund, what we call UNICEF, works in over 120 countries around the world. We have about 15,000 personnel around the world and we work on issues that are of direct relevance to children. These revolve around health, education, water and sanitation, and child protection. We work in various sectors with Governments, NGOs, our donor partners and other stakeholders.

**Diane Goodman:** My name is Diane Goodman. You said my title, so I will not repeat it; it is a long one. I work for UNHCR, the UN Refugee Agency, which I know is familiar to all of you because we have often come and appeared before you. I will just say a bit about my work. This is a new position in UNHCR that is part of our increased efforts to better effectively tackle sexual exploitation, abuse and sexual harassment. It is part of our dedicated safeguarding capacity in that area.

**Chair:** Thank you. I really appreciate both of you coming. I know that you are here to represent your particular organisations, not the UN umbrella as a whole.

Q162 **Mrs Latham:** Thank you both for coming. This is a question for both of you—in fact, all my questions are for both of you. Where has your organisation made the most progress to tackle sexual exploitation and abuse? Where do the biggest challenges persist?

**Hannan Sulieman:** That is a very good question. Thank you very much. There are a few areas where we have made progress and there are certainly quite a few where we have not. Over the last few years, we have invested a lot internally and externally. Let me start with the internal.

Internally, we have introduced mandatory training for all our staff on preventing sexual exploitation and abuse, and also training for our partners. Over 90% of our staff have completed that training. Accompanying the training, we also have awareness sessions, orientation



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discussions and so on. We have revised our partnership arrangements with NGOs and others to make sure that there are clear clauses and conditions related to preventing sexual exploitation and abuse. That is being rolled out globally across the world.

We have invested a lot in our organisational culture so that we adhere to the core values that are very relevant to this agenda. That is ongoing work. We have hired a senior organisational culture adviser, and a co-ordinator for preventing sexual exploitation and abuse, to be based in the executive director's office. We have introduced a notification system so that, as soon as we get anything at a country level where there is an allegation of sexual exploitation and abuse, that goes directly to the executive director for immediate action.

We have also strengthened our investigations capacity. We have recruited 11 investigators and trained them in child forensic and evidence building. We have also tried to focus on sexual exploitation and provided training in that area. I would say these are areas where we have made quite significant progress internally.

Externally, with the programmes that we implement, we have taken the approach that preventing sexual exploitation and abuse has to be a fundamental part of the wider programmes that we have: the child protection programmes and particularly gender-based violence. We have introduced this initiative and this programme into all the humanitarian contexts that we work in and we are also introducing them in the non-humanitarian contexts.

We have assigned PSEA focal points in all the country offices. We have supported the United Nations resident co-ordinator's office to make sure that there is dedicated co-ordination capacity for this. Along with the rest of the UN, we have designed the victim assistance protocol that is rolled out. This is really critical because it gives the guidance and approach on how to work with and support victims, including investigative matters, legal aid and so on. This is quite a big milestone. We have expanded our gender-based violence programming, but let me also say that the funding and support for gender-based programming is quite minimal. We have not at all reached the target that we want to.

The biggest challenge that we face is still the ability of not just our staff, but others, to speak up. It has increased, but there is still a gap. When it comes to communities, because of the gender power relations, the education systems and so on, we are still seeing a heavy reluctance by victims to speak up, or even non-victims, especially women. Even though we have set up different community-based mechanisms, this is probably our biggest concern.

The next is the stigma associated with this, which prevents women and younger girls from speaking up. We have to deal with these issues of power dynamics, education levels and access to services in a much more preventive manner. These are the challenges that we continue to face.



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We have seen that recently in the Democratic Republic of Congo and I would say it is not just there. It is also in other countries, so we have to do much more on the preventive side of things.

**Diane Goodman:** I have been focused on this area for two and a half years. My background is that I also worked a lot in the field on gender-based violence with refugees in Africa and Asia. When UNHCR decided to have a dedicated capacity in this area of tackling sexual exploitation, abuse and sexual harassment, I really felt motivated for it. It has been a real privilege to work on it. At the same time, the more I work on it, the more I realise we need to do. We need to tackle it at so many levels.

UNHCR was not involved in the Ebola response in the DRC. But the fact that these abuses happened, they were so widespread, people seemed to know but victims did not feel that they could speak up and report, and their needs have not been addressed, is a stark reminder to us all of how much more we need to do. UNHCR is really committed to doing that, but it is going to take time. We need to be very humble, but we are committed to stay the course.

We have also made progress. I will highlight a couple of areas and then maybe we can have a further discussion. I will not go into too much detail. The first area where I think we have made progress is really strengthening accountability structures, enhancing our investigation capacity and taking action to make sure that perpetrators absolutely do not move through the system.

The second is the area of creating a safe space for dialogue so that staff can feel comfortable talking about and reflecting on these issues. We are really trying to encourage the “speak up” culture, which is also what Hannan mentioned. The third area where we have made some progress, but we still have a way to go, is really promoting a victim-centred approach and putting victims at the centre of what we do so that we are listening to them; we are taking their needs, views and rights into account; and we are able to provide them services in a very safe, sensitive and accessible manner. Those are some of the key areas.

In terms of challenges, I fully agree that underreporting remains a major challenge. There are a lot of risks for reporting from the perpetrator, but also from the community. They could be from armed elements, or even police authorities in certain countries, so another major challenge is protecting those who do report. It is important to remember that we work in some of the most difficult places on the planet and situations that are characterised by violence and displacement. There are few resources. The rule of law may have broken down. Judicial systems are not functioning. Gender equality is a major issue. These are some challenging places where we work.

We do what we can. For example, in a refugee situation, to protect victims we might try to move them from one camp to another, or work with the host Government to find a safe space to relocate them. But that



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is why we all need to work together. It is not something the humanitarian community can do by itself.

Q163 **Mr Sharma:** Diane, why do you think UNHCR has a high number of reported cases of sexual exploitation and abuse compared to other UN agencies and aid organisations?

**Diane Goodman:** As I just mentioned, underreporting is a challenge. To some extent we think that, when there are increased reports, that shows an increased level of trust in the system. At the same time, we are a very field-based organisation. We are right in the field. We have 17,000 colleagues working in the field. We work with over 1,000 NGOs, so we have that day-to-day contact with the populations we serve. Indeed, that is an area where there is greater risk. We are aware of that and that is why we are so committed to try to address this.

UNHCR's numbers include allegations of sexual exploitation and abuse against one of our staff members, but also allegations of sexual exploitation and abuse of one of our implementing partners, so 80% of the allegations of sexual exploitation and abuse attributed to UNHCR relate to our partners. That is why we are working very closely to support our partners, build their capacity and strengthen both in prevention and response.

Here are just a few things that we have done working with other agencies such as UNICEF and IOM. We have built a really interactive training package to support our partners. We are developing e-learning on investigation to support partners to carry out investigations. If our partners do not have the capacity to carry out an investigation, we will do that. Our investigative service will do it ourselves. Those are a few of the reasons in relation to the numbers.

Q164 **Mr Sharma:** You have partially answered the question I am going to put next. Have UNICEF and UNHCR undertaken any work to make it easier to report cases or encourage victims and survivors of sexual exploitation and abuse to come forward when they occur?

**Diane Goodman:** Yes. First is the work we are doing on awareness raising, which is a critical area of our work. We are working with the refugee communities so that they are better of aware of their rights. We work with women. We work with community groups. We try to do that in diverse ways. It could be something as simple as going around with a megaphone on awareness raising or an Instagram campaign.

It is really important that we work with women. Maybe I can share an example with you on an awareness-raising activity we did in Somalia that highlights that; I always think it is practical to have some examples from the field. During Covid-19, we wanted to switch to radio announcements for informing women and communities that this terrible conduct was prohibited and all services were free of charge. When we consulted with the women, they said, "You can do the radio, and could you link it with



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the Covid-19 awareness raising? We think that will get more people. At the same time, can you make sure that you do it only between 3 pm and 4 pm? That is the time that women are at home and they are not in the fields collecting firewood.” That just highlights that we have to work with communities.

One more initiative that I want to mention about awareness raising is a new fund that the high commissioner has established with our partner the International Council of Voluntary Agencies. That is a community engagement and outreach fund to support small, local NGOs in grants of \$15,000 to \$20,000 to do community outreach. We advertised this. We launched this. We shared it. We found that the response was overwhelming. We got 1,600 applications from all over the world; we only had funds for 20. They were really targeting disadvantaged groups, socially isolated groups, geographically isolated groups, adolescents and children, to support them. We found that there was a real gap there to support these local community-based organisations on awareness raising.

That relates particularly to awareness raising and not reporting. Maybe I can add after on the measures we take for reporting per se, but awareness raising is the first step.

**Hannan Sulieman:** I fully agree with Diane. Awareness raising is the start. Secondly, as we increase the ability of communities to report, we need to make sure that the services are there at the tail end of it. As we are doing that, we also want to make sure that the legal aid and victim assistance are there.

Let me come back to the reporting. On the reporting, we have designed a notification alert system within the organisation. Once a case comes to our attention, it goes up the chain to the executive director within hours. We have also trained our partners on reporting mechanisms and tried to make sure that there is familiarity and consistency across the various partners that work in this area.

At the community level, and this is where the key is, we have set up different schemes. For example, in Mozambique, when the hurricane hit, we immediately set up an SMS system so that information could go out on where and how individuals could report these issues. We have designed communication materials to accompany that. We have put those at accommodation centres, resettlement sites and so on. In DRC, for example, we have done that with community committees, also using different informational tools. We have set them up at health centres. We have set up what we call a listening office where we have a community worker equipped with key messages, information to provide and context that can be facilitated. We have also set up hotlines and other reporting mechanisms.

There are different tools, but we know that the bigger problem is the hesitation, in particular by women and girls, to speak up and use those channels. They still feel very vulnerable and part of that has to do with



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power imbalances in the community. Part of it has to do with information. Part of it has to do with their confidence in the aid workers who are there supporting them, whether it is the UN or NGOs. We have a lot of work to do in terms of really connecting with the community. We need to find the right entry point so that they do use those reporting mechanisms. Where they have used them, the chain has then gone well in terms of victim assistance, legal aid and so on. But the numbers are small, even though they are increasing.

We need to find other ways to directly work with communities, to give these women the confidence to speak up. We need to hire more women among our ranks so they can talk to women in their language and take into account their cultural settings. We have invested a lot in translation. We have had all kinds of information material translated into so many languages, but the issue is that trust and credibility. That needs a long-term investment. This will not happen overnight. It will take years of investment and building up relationships at the community level. Once these systems work, we will be in a much better place. In fact, the assistance part is the easy part. It is the reporting and speaking out that are very difficult.

Q165 **Mr Sharma:** Although it may be a leading question, do you think your organisations should be doing more to make sure that cases of sexual exploitation and abuse are not going unreported?

**Hannan Sulieman:** Yes, definitely. We are proud of the fact that the cases of reporting have been increasing on an annual basis, but, to be very honest, we know that there are so many more out there because people do not report. Yes, we do need to do more on underreporting. We have some ideas of how to do that. This requires partnership across various UN agencies, but more so local organisations. There are ways to do this. We know where it has worked and where it has not, so we can improve on that further.

**Diane Goodman:** I agree with everything that you have said. Consultation with women on reporting is really key to find out which mechanisms work for them and what is appropriate in their context and culture. We have to remember that it is a really sensitive issue, so perhaps they feel most sensitive when they are in women's safe spaces or in a livelihoods project with somebody they know and trust. That is how they will end up reporting, but we still need to have multiple ways of reporting. That way, women can identify the area that they feel the most comfortable with.

I also agree that we need to be able provide services. If they report, and then they do not get the support they need, or they do not see any action being taken, that is very frustrating. The support and assistance is provided through our gender-based violence programmes. That is a critical area and Hannan has already spoken about that key area of our work.





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**Chair:** If our witnesses have additional things to add to one another's answers, that is great, but I am just thinking of time. If we could be brief and informative in our answers, it would be most appreciated.

Q166 **Mrs Latham:** You both talked about the processes you have in place. I want to ask more about the steps you have taken to inform the women and children of their rights and make sure they know exactly what kinds of help and support they are entitled to, in order to reduce the risk of exploitation.

Diane, you talked about an Instagram campaign. I find that a very strange thing to do in the situation these very vulnerable women and girls are in. They are in developing countries. They are not in the West, Britain, the United States or even Australia. Is Instagram really one of the most appropriate ways to do it, and why do you wait? You have all these things in place for women to come to you. Do you ever go to them and ask them what is happening to them?

We heard from the reporters last week in the DRC, but I think it happens everywhere, that people expect the abused to come and say, "I have been abused. Help me." They are not going to do that, surely. You need mechanisms where you go out and find those people. That is probably why it has been underreported in both of your cases. If you are just setting committees and structures, they are all very worthy things, but do they do what it says on the tin? Do they actually stop the exploitation and abuse? I do not think so.

**Diane Goodman:** We have to look at the difference between an awareness-raising campaign and how we work to encourage reporting because they are two different things. For the awareness-raising campaign, when I said "from a megaphone to Instagram", I was a bit conscious of the time, but that was designed with the women themselves. It can be a WhatsApp link. It can be a hotline. A hotline is more for reporting, but we have SMS trees. We have somebody going around on a bicycle. We have community workers. Social media actually has been used by some for awareness raising, but that has always been designed in consultation with the women.

On reporting, we are on the ground. Our partners are on the ground. That is the very basis of our work as a protection agency. We go out to speak to people. We do not go looking for reports, but we try to provide safe spaces where women feel comfortable. That is what we have found. When we provide the safe spaces, and they are there with our partner and colleague personnel, they do report. It is such a sensitive issue, so they need to be in that environment where they feel comfortable. It can be a literacy class for women. It can be a livelihoods project, and that is where we find a lot of the reporting does take place.

We also work with the women in designing the reporting mechanisms. One example was in Yemen where we had complaints boxes. You have perhaps heard of that. People put their complaints in a complaints box,





but the women said, "We do not like the complaints boxes". First of all, it is highly sensitive information. They are not very accessible. Many of the women are illiterate, so they are not going to write in complaints boxes. We then did a big consultation to ask, "How do you feel the most comfortable doing these complaints?"

We are out there. We are engaging with women. We are providing programmes where they can come and report. Undoubtedly, it is a challenge. We have to do more and do better, but we are really working on it. It is a key area of our focus. We have a network of 400 PSEA focal points in the field. It is their job to carry out awareness raising and training. If there are victims, they can refer them to the appropriate services. We have really beefed up our capacity there; they have gone from 200 to 400. We have lots more to do. I fully agree, but we are really trying.

**Hannan Sulieman:** Let me make the distinction between reporting for individual cases versus community level. I completely agree with Diane here. We do not go and seek out individuals to see whether there are grievances because we feel that it may expose them. We try to have group discussions, awareness sessions and so on, as Diane was describing, and then confidential channels through which they can report.

For example, let us take the case of the DRC. We do not have a lot of information, but we understand that there are numerous victims out there. That is when we formalise it. We send out a fact-finding mission to see what information we can get and an investigation. We do not go seeking out individuals at the risk of exposing them, especially in settings like displaced persons camps, refugee settings and so on.

Q167 **Mrs Latham:** I am very surprised that you do not try to identify people who have been abused and exploited, and you just wait for them to come to you. What other measures to prevent it occurring in the first place has your organisation undertaken?

**Hannan Sulieman:** Let me come back to the first point on your question. When we know that there is a risk and increased exposure, we try to find out more information through group discussions and others, and then take action in responding or providing avenues. The important thing is to keep sharing the information, the reporting channels and the safety of those reporting channels consistently. It has exposed people before. When we go to certain individuals, it exposes them because the protection mechanisms in these kinds of settlements are very difficult to fathom.

On the preventive measures, we think it is a combination of issues. We need to work on initiatives that have to do with gender relations, providing more of a power balance between men and women, and girls and boys. That is done through education. It is done through awareness sessions. It is done by making sure that they have access to income and



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something that gives them more prominence in their households. It is really part of our overall programming.

In many of these communities, we find that there is a link with the education levels. There is a link in terms of how the community family set-up is. We have to work on various fronts to empower women to speak up and take their place in society. That is very difficult. It requires investment over years. It is not one, two or five years; it is even longer than that. The biggest challenge facing us is the gender inequity that is prevalent in a lot of these communities.

When there are good examples to share, that helps alleviate some of those things. It is making sure that the programmes speak to one another as well. I am not sure if I answered your question fully, but please let me know if not.

**Diane Goodman:** In the field I agree, but for prevention we also need to address the root causes. Sexual exploitation, abuse and harassment are grounded in power differentials and gender inequalities. This requires that we tackle those; that goes into the work that we do with our colleagues, staff and partners. That is a critical area of work.

One area is training, but I know that we have been training for a long time and it has not been so effective. We are really trying to look at different kinds of training. We have developed a learning package where we try to make it very interactive, explore issues such as power differentials, put the victim's voice in there and really roll it out. At the same place as I mentioned in the beginning, we are really trying to create the safe spaces for dialogue.

There has been a lot of leadership from our high commissioner and our deputy high commissioner on that, trying to reach out to 17,000 personnel in very innovative ways. We have had town halls totally dedicated to these issues where we brought the victim's voice in and staff were able to participate in an interactive platform. We also did one together with UNICEF. Executive Director Fore was there and we had all the staff of both the organisations there. It is the same with the representatives.

Q168 **Mrs Latham:** Do you mind if I cut in there? I am very conscious of time and we have only got through two questions. Could I ask you a very quick question? Does zero tolerance of your staff in this situation mean they get sacked as soon as it is found out that they have been abusing women and girls?

**Diane Goodman:** Yes.

**Hannan Sulieman:** Yes.

Q169 **Mrs Latham:** How many have been sacked in the last year?



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**Hannan Sulieman:** I will get that information. We have had to terminate employees for that and I will get that information for you. I do not have the number with me. When it involves partners, we also terminate the contracts with partners if it has been found that that is accurate.

**Diane Goodman:** I can give you the numbers. When somebody is found to have committed sexual exploitation and abuse, they are terminated. They are entered in the Clear Check database so they cannot be hired in the UN at all. In cases of criminal conduct, they are referred to national authorities for criminal prosecution.

I have some numbers here. We dismissed one staff member in 2018. In 2019, we had another case that was substantiated. The staff member resigned before the disciplinary process, but that staff member also went into the Clear Check database and cannot be hired within the UN system. This year, we have had five cases that have been substantiated. One staff member has been dismissed and the disciplinary process is still going on for the other cases. We have referred four cases for criminal prosecution to the national authorities. We are waiting to hear from that. I have to say that, when the prosecution starts, UNHCR will lift immunity. There is absolutely no immunity for perpetrators of sexual exploitation and abuse.

**Mrs Latham:** Good.

**Hannan Sulieman:** Since 2017, we have had six personnel who have been terminated. We currently have 32 cases that are still ongoing.

**Chair:** Can I ask witnesses to do quick fire answers, bullet points and highlighter, going forwards?

Q170 **Theo Clarke:** Diane, how does UNICEF and UNHCR work with the UN field victims' rights advocates?

**Diane Goodman:** I will be very quick. Where there are field victims' rights advocates in the field, we work very well with them, our PSEA focal points and other agencies. We work in a co-ordinated structure to ensure the victims get the assistance they need. I also work very well and closely with the victims' rights advocate Jane Connors.

Q171 **Theo Clarke:** There is a UN field victims' rights advocate stationed in the DRC, and yet we have heard that sexual exploitation and abuse did take place during the Ebola response with impunity. Why do you think that the systems failed in that context?

**Hannan Sulieman:** We are looking into this as we speak because the victims' rights advocate in the DRC actually did not receive any reports in relation to the Ebola crisis. We are looking into this and we will have more information in the coming weeks. We are doing that together with the United Nations victims' rights advocate.

Q172 **Theo Clarke:** Can I just push on that, though? Have you introduced any new policies or practices since those allegations in the DRC Ebola



response have come to light?

**Hannan Sulieman:** We have a team on the ground now that is looking into this. They have gone onsite to see what we need to do. We believe that the changes have to be made on the complaints reporting mechanism. We are trying to see to what extent the victim assistance protocol has been internalised and is being introduced in the Democratic Republic of Congo. These are the key areas where we feel we need to do some immediate work as we also try to find the facts and investigate more specifically into these particular incidences that did occur.

Q173 **Chair:** Hannan, could I just push you a little? You have spoken a lot about needing to get victims to speak up more about reporting mechanisms. They clearly failed in the DRC. As you work with the most vulnerable children on the planet by definition of your work, do you not think that you are going to be a magnet for people who are looking to abuse children? Should much more emphasis not be put on you preventing that abuse from the very beginning, rather than waiting and then putting in place report mechanisms?

**Hannan Sulieman:** Absolutely, this is exactly the point. We are investing so much in prevention, but we have not scaled it up to the extent that we need to. We do this through our gender-based violence programmes. The key is prevention because that is the best way. We do not want things to get to the point where they are reported after the abuse happens.

The prevention includes various elements: education; awareness raising; addressing the underlying issues of gender imbalance and gender inequity in communities; giving women the confidence to speak out and challenge issues in their communities; and, from our side, providing them with the trust that they can tap into through the NGOs that we work with, or directly with our staff and other partners. I could not agree with you more. Prevention is absolutely the No. 1 strategy.

Q174 **Mr Liddell-Grainger:** Do you know how often investigations have actually resulted in robust action being taken against the perpetrators? I know you have been asked how many there were. What are the most common forms of enforcement? I know you said they cannot work in the UN, but that is only within your body. On the action taken against perpetrators by countries, have there been prosecutions by nations to do with this awful thing?

**Hannan Sulieman:** When it comes to sexual exploitation and abuse, once we know that this has happened, it is termination. It is then not just within our own organisation, but within the UN system. We would inform our NGO partners as well, so it is really within the aid sector. Termination is one. There are other measures taken, terminating partnerships et cetera. National processes vary from country to country, but we can get that information and share it with you in the coming days.



**Diane Goodman:** As I mentioned, we have referred four cases of sexual exploitation and abuse to the national authorities for criminal prosecution. So far, we have not heard back from them. We would really urge states that get these referrals from any of our agencies to commence these prosecutions. It is a critical area.

Q175 **Mr Liddell-Grainger:** You have not quite answered the question, but can I just move on because of time? We have been told by witnesses that the UN has invoked immunity for employees to protect perpetrators from robust investigations. Are you aware of this occurring in UNHCR or UNICEF? Are you aware of any of this? If you are, why?

**Diane Goodman:** There is no immunity for committing sexual exploitation and abuse. We have strong investigation procedures with specialised capacity. We always put the protection of the victim at the forefront in the context of our investigation.

**Hannan Sulieman:** It is the same for UNICEF.

Q176 **Mr Liddell-Grainger:** It is absolutely crucial. The last bit is about the impact of the new UN protocol on the provision of assistance to victims of sexual exploitation and abuse, and the support provided to the treatment of victims and survivors. Who reports the abuses to your organisation?

**Hannan Sulieman:** We get them through different channels. Sometimes the victims themselves would approach, for example, our child protection officers, or they would report through our NGO implementing partner. In countries where there are UN missions, they sometimes report to the protection department in the UN mission. Once it comes to our child protection officer, it immediately goes to the head of our country office and to our executive director. That is our internal notification system. We have a time limit of 48 hours to make sure that that notification reaches all the way to the executive director. I hope that answers your question.

**Mr Liddell-Grainger:** Yes, it does.

**Diane Goodman:** A lot of our allegations come through our colleagues. All colleagues have a mandatory obligation to report. In our system, it is a bit different. They have to report to our inspector-general's office, which is an independent body. It is a mandatory obligation. If you do not, that can be considered misconduct.

Q177 **Theo Clarke:** Do you have any suggestions for how the UK Foreign, Commonwealth and Development Office could use its diplomatic clout to take the safeguarding agenda forward internationally?

**Diane Goodman:** The UK has quite a lot of experience in development and promoting rule of law, so to take forward these criminal prosecutions of those who have committed sexual exploitation and abuse could be a very important area. Having the ability to prosecute their own nationals, whether the exploitation and abuse occurred in their country or another



country, would also be important, as would encouraging others to do the same.

**Hannan Sulieman:** I completely agree with Diane. I would say, "Keep having this as a priority agenda item." We always forget to what extent it matters when this agenda item is brought up in public discourse, in media, in communication and in our annual discussions that we have with the UK Government. We have to keep it on top of the agenda.

Q178 **Brendan Clarke-Smith:** Good afternoon, everybody. What are the main barriers to humanitarian staff speaking up when they observe sexual exploitation and abuse, and it is perpetrated by fellow humanitarians?

**Diane Goodman:** That is a good question. In the past, it has been the fear of speaking up. That is the key area where we have really tried to make a change. For example, they do not necessarily trust the system, so we have created a "speak up" helpline. It was created about a year and a half ago. Staff can report 24/7. They can report anonymously any forms of abuse, including this.

We really keep trying to promote a "speak up" culture. We have also increased the measures that we can take so that staff are protected from retaliation for speaking up. We are trying to work on this area to really build trust in the system and provide any way that they can report, including anonymously. We also track what happens after they report to make sure of their safety and security.

**Hannan Sulieman:** We are the same. Likewise, we have set up internal anonymous hotlines that staff can report through. We have also made sure that, through the trainings where over 90% of our staff have been trained, it is clear that they should speak up and report.

Part of the hesitation, like Diane said, is trust in the system. One way to overcome that in addition to the hotlines is to go back to staff and let them know: "In other instances when this has happened, here is the action that the organisation has taken. You can trust the system. Change will happen and here is how it has happened". We can use that to illustrate that there is a responsibility to keep reporting. We also make sure staff know that someone is listening to them, even if they are in the furthest remote location in an office in the middle of nowhere, by making sure that the communication is two-way and interactive.

Q179 **Brendan Clarke-Smith:** What measures have your organisations been taking to address this culture of impunity that can sometimes prevent people from speaking up or the perpetrators facing justice?

**Diane Goodman:** That was an important point about knowing what happens. The high commissioner has been very strong on this messaging. Every year, we publish all the disciplinary action that has been taken in this area.





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Another important post that we instigated is a position of a psychosocial case manager for sexual harassment. This is one person dedicated to supporting victims of sexual harassment. They can call her confidentially and receive advice and guidance. That goes back to your “speaking up” culture question. On changing the culture, I mentioned a few measures. We also have these reflective leadership dialogues for leaders to reflect on gender and power differentials.

I know we are short on time. Finally, I want to mention that there have been real grassroots movements in our organisation from colleagues demanding that we do things differently. We have a group, Women for Change, promoting greater engagement and less sexism, and explaining some of the harassment that happened to women. We have Men for Change fighting for the same thing. Now we have a group, Stronger Together, that is looking at race, racism and racial discrimination. There is also a real engagement from all colleagues and the most senior top leadership. We want a change. We want safe, inclusive, respectful working environments.

**Hannan Sulieman:** We do these global staff surveys every year. In the last survey that we did, we saw that the level of confidence from staff to speak up was around 90%. That was a significant improvement. That was a result of various things: giving them the channels to speak, walking the talk from the top and demonstrating the role modelling from the top. We have also done extensive ethics training. We have ethics month every year. We have over 2,300 staff who have been trained in that. We have also set up different groups, for example young UNICEF and humans of UNICEF.

We are using good examples when things happen to circulate them throughout the organisation. But it is important to say that organisational culture change is a continuous process. We need to keep doing it over the long term. It is not going to start or finish in a year or two. This is a continuous process of making sure that we have an internal culture that adheres to our values.

Q180 **Brendan Clarke-Smith:** Moving on to something slightly different, Diane, what are the high commissioner’s priorities for his championship on protection from sexual exploitation and abuse and sexual harassment at the Inter-Agency Standing Committee? How are they going to be implemented?

**Diane Goodman:** The priorities are much related to what we are talking about today. To echo what Hannan said, this is going to take time. We need to be humble and stay the course. One main priority is prevention. The second main priority is creating these safe spaces where people feel comfortable to report and speak up. The third priority is promoting a respectful use of authority.

I talked about a couple of initiatives under that: the training package and that fund for community engagement and outreach. We have also





developed a communications package, which he shared with his peers, the other members of the Inter-Agency Standing Committee, to facilitate them having a dialogue with colleagues in the field on this. It has very powerful videos and materials, with real testimonies, to try to engage in that discussion. At the upcoming meeting of all the principals and heads of agencies, there will be a dedicated discussion looking at organisational culture, at attitudes and values, and at what needs to change.

**Q181 Brendan Clarke-Smith:** On that note, Hannan, UNICEF was the previous PSEA champion at the IASC. What successes did you achieve and what challenges did you face during this time?

**Hannan Sulieman:** During that time, we introduced PSEA focal points in every resident co-ordinator's office in the countries around the world, so that the PSEA agenda becomes a core priority for the UN. We also introduced the victim-assistance protocol during the time. We allocated additional resources to countries around the world for the programmes that they do. These were, I would say, the three main achievements. The fourth is probably keeping this on the agenda, within not just the UN but also the NGOs, and the investment that has been made in the training elements of this. Thousands of workers around the world have been trained on PSEA.

**Q182 Brendan Clarke-Smith:** Diane, would you be able to tell us about the working group on this subject and how it helps UN agencies co-ordinate their efforts to tackle exploitation and abuse?

**Diane Goodman:** There are many working groups. We engaged in a number of working groups, both those of the special co-ordinator and within the context of the Inter-Agency Standing Committee. This is one area where I have seen agencies pull together and work better in a co-ordinated fashion.

As a concrete example, with Covid-19 we quickly realised the risks of sexual exploitation and abuse. We got together and created some technical guidance on what colleagues could do in the field on awareness-raising and prevention, as a quick checklist for staff on the ground: to check the reporting mechanisms and what the implications would be, to check the health sector, and to look at who is being hired and ask, "Can you quickly do background checks?" There is a real engagement on the part of the international community and humanitarian workers to work together to tackle sexual exploitation and abuse.

**Q183 Chair:** When Ian was asking the question, he was asking if you had any data about the ratio of people making reports to actions being taken against the alleged perpetrators. I wonder if that is something that you could put to us in writing, because it would be interesting to see the follow-through of that.

**Hannan Sulieman:** Absolutely, yes.

**Diane Goodman:** Definitely.



**Chair:** In that case, thank you so much for being so open with your answers. We really appreciate it and it helps our inquiry enormously. Thank you very much to Committee members.

## Examination of witnesses

Witnesses: Stephanie Draper, Franziska Schwarz, Helen Stephenson and Harvey Grenville.

Q184 **Chair:** I would now like to welcome Stephanie Draper, who is the chief executive of Bond, and Helen Stephenson, who is the chief executive of the Charity Commission for England and Wales. Thank you very much for your patience. I know we are running a little over our allocated time, so thank you both for bearing with us. I wonder if you could introduce us to both your organisations and the colleagues you have brought with you.

**Stephanie Draper:** I am Stephanie Draper. I am the CEO at Bond. Bond is the membership body for UK-based NGOs working in international development and we support NGOs in the sector to learn and improve. Since March 2018, we have been working consistently on safeguarding. I have with me Franziska, who is leading our work in the safeguarding area.

**Franziska Schwarz:** My name is Franziska Schwarz and I am the senior adviser for sector safeguarding at Bond.

**Helen Stephenson:** My name is Helen Stephenson and I am the chief executive of the Charity Commission for England and Wales. We are responsible for about 168,000 registered charities in England and Wales. We are the regulator and a non-ministerial Government Department. I have with me my colleague Harvey Grenville, who is a senior case officer in the commission, with a special responsibility for safeguarding.

**Harvey Grenville:** My name is Harvey Grenville. I am senior technical adviser at the commission. In my previous role as head of investigations and enforcement, I was responsible for the delivery of the commission's statutory inquiries, which included Oxfam and Save the Children.

**Chair:** Thank you all very much for joining us today.

Q185 **Mrs Latham:** Helen, can you update us on your recent engagements with international aid organisations on sexual exploitation and abuse in the sector?

**Helen Stephenson:** There are two areas of main concern for us at the moment. I will talk to one and then I will ask Harvey to come in on the other. The first is around charities operating in Myanmar. Since the summer, we have been concerned about potential sexual exploitation in that country, so we have been in contact with and are working with a sample of charities operating in that country.



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In particular, we want to understand what steps they are taking to ensure that the partner organisations they are working with have proper safeguarding policies, procedures and cultures in place, that they are receiving allegations or concerns from those partner organisations, and that they can assure themselves that their partner organisations are properly reporting incidents to them. Once we have that information, we will follow up with those individual charities, if we need to, and consider issuing an alert to the rest of the sector, if we think there are systemic problems there. That is one area. Harvey, perhaps you could talk to the work we are doing in the Democratic Republic of Congo.

**Harvey Grenville:** We have received notification of eight serious incidents in the DRC concerning sexual abuse or harassment. Some of these were received prior to the recent media articles and some since, and it is not appropriate to go into specific details of the live cases but we can confirm that these RSIs included allegations of serious sexual assault, the exchange of jobs or money for sex, and sexual harassment.

I would like to quickly make a couple of points on this. Some information provided by previous witnesses may give the impression that the subjects of concern involving international aid charities are exclusively expat Europeans, but our engagement through our casework with international aid charities indicates that the situation is more complex than that and that it involves local nationals as well as other foreign nationals. This has particular implications on jurisdiction and goes back to Mr Liddell-Grainger's question in the earlier session about how subjects of concern are held to account.

To give two specific high-level examples, in the DRC cases we are engaged with, two of the subjects of concern are local nationals. In one of those cases, the DRC Ministry of Labour is opining on whether the subject of concern should be dismissed from the charity. In the other case, the survivor of a serious sexual assault does not have the confidence to progress the matter through the local law-enforcement and judiciary system. These give some practical examples of the challenges of holding perpetrators of abuse and harassment to account.

We are also engaged individually with the charities to make sure that we are satisfied that they are handling the allegations seriously and, as with all our serious incident casework, we work with each charity. If we are not satisfied that they are adequately gripping the issue, we will take robust action. It is our intention then to draw together the work we are doing in Africa and in Myanmar, to issue further regulatory alerts to that sector and to set out our expectations of what further steps they should be taking or further considerations they should be factoring into their work.

Q186 **Mrs Latham:** Stephanie, can you tell us how your members in Bond have used the practice and guidance you have developed to help them tackle sexual exploitation and abuse within the aid sector?



**Stephanie Draper:** Guidance and tools are a really important foundation to knowing what organisations need to do. They have been embedding that into their own organisational practices. Something like our reporting tool has been used by organisations to update their various approaches and make sure that they are fit for purpose. It has been translated into multiple languages. We are responsible for bringing the learning together, translating that into appropriate guidance and making sure that we are all, collectively, learning as a sector, and that individual organisations are then putting it into practice on the ground. That is the reporting area.

We are very focused now on how we deepen that and get beyond compliance, due diligence and reporting, to deal with the issues that we know are happening, like underreporting, and embed it into the culture. Our latest work is about how you create the culture of safeguarding that means that it is ruled out and prevented as much as possible, as well as dealing with the cases themselves. That is the combined approach.

We are also actively inputting into a lot of the cross-sector schemes that are about preventing perpetrators being employed in the sector. That is the misconduct disclosure scheme, working with Interpol on pushing for criminal-record checks and that side of things.

Q187 **Mrs Latham:** Covid-19 is impacting everybody around the world but it will have a significant impact on Bond's members and many will probably end up reducing their numbers of staffing and resources. How will that impact on their ability to take practical measures on safeguarding?

**Stephanie Draper:** That is a really good question. Safeguarding has to be a hygiene factor. It is about the way that our members operate. A lot of the basic structures, systems and processes are embedded into the way that programmes work. At the same time, it is ongoing. This is a long journey. It is a very complex problem that needs to be solved, so we also need to be constantly looking at ways to improve.

One of the things that emerged out of the DRC reports, but also elsewhere, is how you get to a much stronger locally led response and how you can work with community groups to design reporting systems that work for the women who may need to use them. That needs further investment. Funding will be squeezed.

Over the last few years, we have seen evidence that nearly three-quarters of our members have increased their safeguarding resource but, if you lose unrestricted funding, there is pressure on everything that you are doing. Balanced against that, this is not dropping in terms of level of priority for our members. It may be other things that suffer but we are going to be under pressure over the next few years, for sure.

Q188 **Mrs Latham:** Smaller organisations could face different challenges to larger ones in making more stringent safeguarding requirements. What measures have the Charity Commission and Bond taken to help them address those?



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**Helen Stephenson:** We have been very clear that making sure that people who come into contact with your charity, whether you are operating in the UK or internationally, is a No. 1 priority. It is not a nice-to-have administrative overhead; it is an essential part of being a charity. People expect people who are cared for by charities to be safe from harm. Charities working internationally, if they cannot keep people safe, should not be in receipt of overseas aid. It is that fundamental to me. It cannot all be about discretionary funding; in my view, it should be a core part of programme funding for anybody who is internationally funding.

In terms of what we are doing in the Charity Commission, we are working very hard to make sure that our guidance and our approach are very clear to charities, in particular making sure that it is more than a set of processes and policies, but is about developing a culture of safeguarding in an organisation and trying to help charities with that.

We have an international charities engagement team, which has workshops and one-to-ones—virtual at the moment—with small charities. They cover a range of topics in those workshops and one-to-ones, including on safeguarding. One of the most sought-after areas that charities look to us for advice on is safeguarding. We are not able to do an awful lot proactively in terms of engagement but we do focus on international charities, particularly small ones, because it is so important that the way in which they run their organisation is robust.

**Mrs Latham:** It has been larger ones that have got themselves into some difficulty, though.

**Stephanie Draper:** It is difficult to generalise about smaller or larger organisations per se being better or worse at this. We can say that smaller organisations tend to have fewer staff, which means that safeguarding is often embedded into programme roles. That can be a good thing because it means that it is really core to everything that they are doing. Smaller members seem to see fewer safeguarding incidents reported, which could be because there are fewer incidences but it might also be about whether they have the practical knowledge to bring that forward.

We have been helping on a number of things. One is about managing investigations. Small organisations do not have the capacity to do investigations themselves. They do not have in-house investigators. We run training on managing investigations, so that small charities can commission, design the terms of reference and make those investigations happen, should they need to. We have been running workshops for smaller NGOs to understand what they particularly need and how they can implement things like the CHS standard.

Finally, on the culture side, we created two versions: one which is focused on smaller organisations and the other on larger organisations, just because of the differences that people are facing. We are very



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focused on ensuring that this is a sector-wide approach and that it is fit for purpose for everyone.

Q189 **Mrs Latham:** I wonder if I could ask both of you if you feel that the current regulatory system is sufficient to hold international aid organisations to account for failing to take adequate measures to prevent exploitation and abuse.

**Helen Stephenson:** The inquiry has very clearly demonstrated that there is no magic bullet in terms of the international aid sector. I consider that further structural reforms are needed. The aid sector is made up of so many different types of organisations and, even as your witnesses today have shown us, not all of them are charities. There are Government agencies, businesses and a whole raft of different types of organisations that are delivering international aid. These are cross-national, so it really is a complex question. One could suggest that one single organisation probably cannot cover all of that, although the opportunities and the requirement to strengthen frameworks potentially in this country and internationally could be looked at. We would welcome that.

Additionally, ensuring that we maintain the absolute prevalence of the ability to prosecute criminally where abuse occurs always has to trump other forms of more civil regulation, like ours. I am sorry that I do not have a magic answer but your inquiry is demonstrating that this is really needs to be strengthened.

**Stephanie Draper:** For our members, who are UK NGOs, the Charity Commission plays a really important role in regulating them as charities, and safeguarding as part of that. We need to make sure that the Charity Commission is fully funded, so that it can support that and do the investigations, so that we can take the learning as a sector and be constantly improving. That seems to be working. We are hearing about reporting increasing. That side of things appears to be effective. We need to acknowledge that, as Helen says, there are a multitude of different agencies, so we can speak only to our constituents.

Q190 **Mrs Latham:** Helen, have you had any conversations with the Government about a dedicated international aid regulator?

**Helen Stephenson:** We have not formally had any conversations in that regard, but we have very close links with, and are in regular contact with, the FCDO. We have not had specific conversations but we liaise well with counterparts in Government who are responsible for the international aid sector.

Q191 **Mrs Latham:** The Charity Commission has previously raised some concerns about its capacity and funding to cope with the increase in the workload, such as dealing with the serious incident reports. Have your concerns been realised?





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**Helen Stephenson:** As has already been said, the number of serious incident reports and whistleblowing incidents has doubled in the last couple of years. I welcome that. It is a really important form of transparency and accountability in the sector. Our budget is less than it was in 2010; however, in 2012, we closed five inquiries and, this year, we are on course to close 181 inquiries.

We are a robust and efficient regulator and we have shown that. As an organisation, I would like to be more proactive in seeking out harm and wrongdoing, and in what we do to support and help people to get it right. The sector is hugely important to our society and, indeed, internationally. We could do more to help it release further impact into society, and I would welcome the opportunity to do more.

**Stephanie Draper:** Resourcing so that cases are dealt with quickly, so that we can rapidly action the responses, is critically important. Clearly, our members do not wait for the results of an inquiry before acting and ensuring that survivors are protected. That side of things needs to be resourced, so we would be really supportive of that.

Q192 **Mrs Latham:** I have a couple of short questions for Helen following your investigation into Oxfam's handling of events in Haiti. You issued it with an official warning. What effect did this have on the organisation?

**Helen Stephenson:** I am going to bring Harvey in here because he has been working closely on the inquiry and liaising closely with Oxfam. Opening a statutory inquiry is the most serious form of regulatory intervention that we can take and any charity—not least a big charity—takes that very seriously. Indeed, not only did we issue an official warning to Oxfam but we set it a statutory plan that it needed to fulfil. It has been working thoroughly and closely on that, and Harvey can update us on where we are in terms of the fulfilment and closure of that plan.

**Harvey Grenville:** That latter point about the section 84 direction and the action plan that we set Oxfam is an important mechanism by which we were able to hold it to account once the inquiry had closed. For 15 months, we have been monitoring and supervising its progress. We are expecting to be able to publish a report in the next few months summarising Oxfam's progress since the inquiry closed, but it is safe to say that that action plan and the inquiry have had a significant effect on ensuring that Oxfam is not the same organisation that it was in 2011 or even in 2017, when we first started engaging with it.

Q193 **Mrs Latham:** Helen, you talked about what you did. Could you have decided to use any stronger powers against Oxfam? What other options did you have available to you at that time?

**Helen Stephenson:** As I said, we issued an official warning and a section 84 statutory action plan. I am confident that those were the most robust and appropriate regulatory powers that we were able to use. The key point here is that the findings of the inquiry were that the issues raised were down to not just one person's failing but a series of failings in





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the organisation. Therefore, it was appropriate that the sanction was to the organisation and not to individuals in that case.

We do have the powers to disqualify when the evidence and the bar have been met, and we are confident that, in this instance, those were the right powers to exercise in relation to Oxfam. That is not to say that we have the full suite of powers available that we think we need but, in that instance, that was the right thing to do and it has brought about the right response. As Harvey said, we have seen that taken very seriously by the staff and trustees at Oxfam.

Q194 **Mrs Latham:** It has not gone away, has it? They have also been mentioned in the DRC as having perpetrators within the organisation. That is still a problem, so they have not completely sorted it out, have they?

**Helen Stephenson:** In an international situation, with some of the evidence that you have heard in the commission, incidences of safeguarding cannot be eradicated. From our position, it is the way in which the charity responds to those incidents that means the trustees and the staff are taking that seriously. Harvey, I do not know whether you want to comment on the individual case.

**Harvey Grenville:** That is an important point. If you look at the three key components, prevention and risk management is a key strand but, as Helen says, one can never entirely eliminate such incidents from occurring. Specifically in respect of Oxfam, on the incidents that have taken place, it reported to us before these matters were publicised in the media, which shows that its systems had advanced. It has also been able to demonstrate a much more comprehensive and effective response to such issues when they arose.

Picking up on one other practical example on the powers point, in previous sessions you have touched on underreporting. In the Oxfam inquiry report, we criticised the trustees at the time for a lack of proactive work since 2017 in tackling the issue of underreporting. This was a specific item that was picked up in the action plan. Over the last year, Oxfam have been working hard on this. Three research studies have been produced by Oxfam in Iraq, Myanmar and Ghana, which, if the Committee is not aware of them, would be quite helpful material. It is a practical example of how Oxfam has moved on from the organisation that it was three or even 10 years ago.

Q195 **Mrs Latham:** What message has the outcome of the inquiries into Save the Children and Oxfam sent to other aid organisations, particularly yours, Stephanie, about their responsibility to tackle sexual exploitation and abuse?

**Stephanie Draper:** Our members are mortified to hear of instances of any sexual abuse and exploitation in their work. This is not aligned to our values as a sector. We are looking to improve lives and support people at



their most vulnerable times. Raising the incidences and being reminded that this is still a systemic issue that needs to be addressed keeps our nose to the grindstone on this, but we are dealing with entrenched cultural and power inequalities. That is a long-term challenge and needs multiple actions on multiple fronts. While the Charity Commission holding us to account is really important, we are also very active in holding ourselves to account and committed to making the necessary improvements.

**Helen Stephenson:** Coming back to the charity sector, I know it is a truism but a charity has to be, first and foremost, a place of safety where people can be protected from harm. It is essential. It was unusual for the commission to have two household name charities in inquiry. In fact, at the close of this year, during lockdown, we published a report into the RNIB, which is a domestic charity. Again, there were safeguarding concerns in that charity.

There are three large, household name charities where we found failings in the culture and the processes for keeping people safe. As a result of that, we issued an alert to charities on the register that were responsible for vulnerable beneficiaries, setting out the requirements again to create a culture that promotes safeguarding, not just a set of policies and procedures, important though those are.

In the last two months, I have been talking to 20 or so household name charities just to check in on them after the effects of Covid. I have been talking to chief executives and chairs, and a number of them have referred back to the letter that I sent and the alert that we sent. They worked through it with the executive and trustee board, which, to me, is an example of the kind of proactive work that we should be doing as the regulator to make sure that we are helping the charity sector to change its culture and to ensure that these issues are first and foremost in all of our minds. We cannot afford to drop our attention on this, so we will remain committed to it, and I know that Bond will too.

Q196 **Brendan Clarke-Smith:** Stephanie, could you please update us on the safeguarding culture tool that one of the working groups has been developing?

**Stephanie Draper:** The tool is up and running. It has been tested by a record number of CEOs and directors in our member organisations and is now an online tool.

As Helen was saying, this is about getting to a cultural response and getting beyond due diligence. There has been a lot of focus on systems, processes and reporting, but we know that this is about constantly asking, "How are we keeping people safe?" and keeping that very front of mind. The tool enables boards and executive teams to have conversations between themselves and with their staff: "Do we have a culture of safeguarding? Where are we on that spectrum? What are the indicators that show that we are making progress and going in the right



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direction?" Being able to have that depth of conversation is what is going to accelerate progress next.

**Franziska Schwarz:** The tool is not live yet. It is being developed at the moment but we will have it by the end of the year.

One really important thing that we wanted to do with the tool was to move beyond the compliance element, so that we do not look at safeguarding as something that we have to do as organisations because that is what we are being asked to do, but we are looking at how we can ensure that our organisations are safe places in which to engage and to be for everyone in the organisation, from the most junior members or the most marginalised within an organisation to everyone at the top.

The other important thing about the tool is that it is really for leaders to understand what role they play in creating this. The extent to which you might listen to smaller concerns from staff creates a culture for everyone in the organisation to feel comfortable about speaking up or not. That is one of the key things that the tool is hoping to achieve.

Q197 **Brendan Clarke-Smith:** I was just going to ask about cultural change, which is linked to a lot of other dynamics, to do with racism, gender power imbalances and so on. Could this tool help overcome those as well?

**Stephanie Draper:** They are also significant issues that help address power inequalities. We need more representation and inclusion as a sector, and we are actively working with the sector on that, as well as accelerating locally led solutions. A lot of this is about trust on the ground, which you get through working with local communities, and ensuring that women's and children's rights groups are supported and able to make everyone aware of their rights and how to report. There is a whole spectrum of looking at the whole system for prevention of this in the long term.

Q198 **Brendan Clarke-Smith:** Helen, you said you were willing to take strong measures to address shortcomings in safeguarding culture. How do you assess safeguarding culture at charities and decide which measures should be used?

**Helen Stephenson:** It is very dependent on the case that we have to take into consideration. Just to remind the Committee, our jurisdiction is over the behaviour and the actions of the trustees, so our responsibility is to ensure that they are fulfilling their responsibilities in terms of keeping people safe. We are not able to prosecute or, indeed, look into individual instances of sexual abuse. We use the powers that we have available to us but it is important to raise the fact that those powers are predicated, by and large, on the protection of property. Charity law is based on the fact that we should protect assets and property.

What they do not enable us to do is to proactively intervene where we feel that people are at risk of harm. At the moment, some of our powers



where we can step in and perhaps appoint an interim manager to take over some of the running of a charity from a trustee require us to have quite strong evidence of mismanagement or misconduct already in place in that charity.

It is quite a high bar that Parliament has set for us to use those particular interventionary powers. If we have concerns about risk of harm to individuals or people within a charity, we are not able to intervene as robustly as we would like. That is one of the areas in which we are looking at the efficacy of our powers and considering whether we need to ask to strengthen in certain areas.

Q199 **Brendan Clarke-Smith:** Going back to Stephanie, we heard that awareness of sexual exploitation and abuse has been raised among aid workers. How are you encouraging your members to help more recipients of aid to come forward too?

**Stephanie Draper:** We have our reporting tool, which is helping to make sure that our members have the systems in place for reporting. Harvey referred to the work that Oxfam has been doing on identifying the barriers to reporting. Alongside having those systems and processes in place, and the right culture, we also need to be overcoming the barriers that people face, which comes back again to this locally led approach, making sure that you have women's groups on the ground who can support survivors but also people in knowing their rights and being able to report. We are continuing to look for ways to improve that. Essentially, we provide the foundations and our members implement.

**Franziska Schwarz:** We know that people want to report to those they trust, and we have heard that in the previous evidence session and from other witnesses as well. Making sure that our members understand the need to build trust and confidence within the communities in which they work, so that they feel comfortable speaking out, could be done perhaps through working with local partner organisations that have a very good understanding of the local context and the cultural and social situations that they find themselves in.

It is also really important to design any reporting mechanism around what the communities really want, which means asking the communities what they want to report and how they want to report it, and then building that reporting mechanism with the communities, asking them to test it and taking an iterative approach. If something does not work, they need to go back to amend it and make it so that people feel confident speaking out.

Another thing that comes into this would be to really act on the small things. If somebody is seen to really take even the smallest concern seriously and do something about it, they will be trusted to also take bigger things seriously.

Q200 **Brendan Clarke-Smith:** Do aid organisations know when they should be



alerting the Charity Commission to these safeguarding concerns?

**Stephanie Draper:** We did a survey and only 10% of our members think that they need more guidance. We are hearing that reporting is happening. Overall, organisations know when to report. There is a little bit of confusion—and we have had conversations with charities—about clarity on when to report on partners and at what stages. This is a very complex supply chain, if you like, of working with a variety of organisations.

We do not necessarily get quick feedback on serious reporting, so it would be good to know whether any over-reporting is happening. Our members are erring on the side of reporting absolutely everything, because that is the right thing to do. Some more feedback loops would be helpful but, generally, we do know when to report, for sure.

**Helen Stephenson:** We have certainly seen an increase in the number of serious incident reports since 2018. They have, effectively, doubled, which we see as a positive thing because it is charities taking their responsibilities seriously. The transparency and accountability that are part of that reporting procedure are important.

We have improved the way in which people report to us. We now have an online tool that allows us to check very quickly and to get back to trustees, if there are any issues that we need to raise. We do not open a case on every serious incident report. The real purpose of them is to check that trustees are responding appropriately. If we do not get the right information or if we are concerned, we do open a compliance case.

It is good that we are seeing more reporting. More things are happening than are being reported to us. Sometimes, when we expect charities to report because of the work that they are doing or the size of the charity, we do not see any incidents. We went out to about 200 charities where we would have expected them to report some serious incidents, just to check in with them and, as a result, some are better at reporting. This is an ongoing journey for us and for the sector, and one which I want to see increase. As the sector becomes more aware that we are analysing that data, using it to assess risk and to potentially go back out to the sector to alert it to the risks, it will be able to see that feedback loop that Stephanie was describing. It is important for us to see this move on in the sector.

Q201 **Brendan Clarke-Smith:** Finally, would you like to see organisations adopt more prevention measures to stop these abuses happening in the first place? If so, what measures could they use?

**Stephanie Draper:** We need to be addressing power inequalities, so we need to be maintaining UK leadership on gender-based programmes, addressing violence against women, and women's economic empowerment and education. That whole area is really important as a key part of prevention. In terms of safeguarding itself, it is making sure



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that safeguarding is part of programming, not an afterthought, and is embedded in the culture of the organisation, as we have discussed.

It is about visibly taking steps to prevent incidents happening in the first place. That is not just training for staff but awareness-raising for women, girls, boys and men in the community about what their rights are, working with local partners to ensure that they can help with understanding the specific contexts and needs, and being really visible if something does happen. We understand that some of the underreporting is due to people not necessarily being confident that something will happen as a result, so the action taken needs to be visible while respecting the needs of the survivors.

There is a lot that we can do around prevention. As Helen acknowledged, these instances are still going to happen as we live in a world where these power inequalities exist, so we need to be balancing really active prevention activities with responding and learning when things do happen.

**Helen Stephenson:** I do not have anything really to add to that. Clearly, the more that we can do to prevent and create the culture where these kinds of activities cannot happen, the far better it is. At the commission, that is something that we are very much committed to, trying to prevent things from going wrong rather than dealing with them when they have gone wrong, so I would definitely echo those thoughts.

Q202 **Mr Liddell-Grainger:** Do you think that strengthening the legal requirements on aid organisations to protect whistleblowers from within, putting aside their organisation, is the only way we are going to achieve proper protection from retaliation?

**Stephanie Draper:** In our submission, we said that strengthening legal measures to protect whistleblowers is a good thing. The effectiveness of whistleblowing is closely linked to culture and to people being able to speak up, but individual organisations have to be explicit about protecting people who do that. That additional legal protection through the EU directive gives additional confidence that people are protected, so it is very worthwhile. It also broadens out the number of people who are protected, covering volunteers and contractors, and can start to tackle the absence of protection in countries where it is illegal to blow the whistle. We think that that would be a good thing.

Q203 **Mr Liddell-Grainger:** You have introduced measures. What action would you take if you found that a UK charity was using non-disclosure agreements to silence whistleblowers and others who speak up about the concerns of their organisations?

**Stephanie Draper:** Our view is that NDAs should only ever be used at the request of a victim or survivor. They should never be used to stop someone from speaking out.

Q204 **Mr Liddell-Grainger:** Have you found recent cases of where they are





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using non-disclosure agreements?

**Stephanie Draper:** I cannot speak to what specific charities do but that is our position.

Q205 **Mr Liddell-Grainger:** But nothing has been reported to you about that. You have never had anything reported and you have never heard a charity say, "We have used one". As far as you are aware, this is a practice that has gone.

**Stephanie Draper:** I do not know. I cannot give you a definitive answer on that but nothing has been reported to us on the use of non-disclosure agreements.

Q206 **Mr Liddell-Grainger:** Moving on, do you have any concerns that the aid worker registration scheme, including its component parts, could have negative consequences, particularly to be misused to retaliate against those who speak out about concerns?

**Franziska Schwarz:** The employment cycle initiatives that are underway in the sector are really intended to reduce opportunities for abuse and exploitation to happen in the sector. They are really intended to keep out of the sector people who may have bad intentions or who may look for an opportunity to exploit. The collaboration we have seen across organisations on the employment cycle initiatives is just another opportunity to stop incidents from happening. We see it as a really good benefit that could help as an additional prevention measure.

You asked specifically about the aid worker registration scheme. Our understanding of the scheme is that it will not include any misconduct data, so it is just a record of employment, a basic record of where somebody has worked. From that perspective, the risk of retaliation would be minimised.

Q207 **Mr Liddell-Grainger:** How effective can the employment scheme be at preventing perpetrators from being reemployed within the aid sector? That is what we asked in the last session. We do hear that most cases of sexual exploitation and abuse still go unreported.

**Franziska Schwarz:** It is right that the misconduct disclosure scheme you are referring to relies on cases being reported. It is not a silver bullet. It is not going to be the solution to absolutely everything, but it is just one of the things that organisations are doing. Investing in recruitment practice and in better and safer recruitment also sends a clear message to anyone who comes to our sector to try to exploit. If it is not accepted within the sector, and if there are additional measures on referencing and measures that verify an employment record, that also sets a culture that stops people from coming into our sector. It is just one of the many things that organisations are doing, and an additional thing to try to come at it from all angles.

Q208 **Chair:** Could I ask you some final questions particularly in relation to the





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new Department, FCDO? I know that both of you were working with and had very good relationships with its forebear, DFID. Could you both tell us what measures the Department should use to hold organisations to account when their safeguarding systems fail? Rather than what they might be doing, what should they be doing?

**Stephanie Draper:** The first thing that we want to see from the FCDO is sustained commitment and leadership on this. It is really reassuring to see that Dominic Raab has reaffirmed the commitment to keep safeguarding very much on the agenda.

There is a really important element about continuing to fund the work that I talked about earlier on supporting women's and child's rights organisations, addressing gender-based violence and that side of things.

There is work that our members are asking for about having consistency of due diligence processes and donor requirements, so that that is more universal, and then maintaining support and funding for making progress in safeguarding too. Is there anything I have missed, Franziska?

**Franziska Schwarz:** One way in which the new Department could really help improve conduct when an incident is reported is to try to understand what has happened. What were the issues? What has gone wrong? What processes were in place that may not have been sufficient or have not worked in that particular context? They need to understand that context, learn from it and see how improvements could be put in place. Perhaps that could be done through action plans and then seeing how things have improved over time.

This learning should then be shared in a confidential and anonymous way, where possible. Where specific measures should be put in place for improvement, or there are clear recommendations for improvement, it is important to allow time for those improvements to take place. We have heard in many evidence sessions that culture change takes a really long time. Rather than asking for things to be done yesterday, we need to ensure that there is sufficient time for organisations to learn and to change their processes, so that they have the trust from communities that things will change in the future.

**Helen Stephenson:** First, our experience has been that this remains a priority for the Department and for the Government as a whole, which we welcome. With the leadership that the UK Government took in response to the crisis that this raised, we are seeing the fruit here in some of the things that you have touched on as part of the solutions. We know that they are not fully effective but we are seeing change in the way in which the UK NGO sector in particular is thinking about these issues, such as carrying on with disciplinary action even if somebody resigns. These types of issues were raised through the incidents in 2018. We have seen change. We have seen leadership from the UK Government, which we all hope will continue to bring leverage across the international sector.



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As I touched on earlier, we cannot underestimate the power of institutional donors and the effect that they can have. As a regulator, I would like to think that we have huge effect in the sector but I also know that it is the institutional donors that are funding that have real power to achieve change. We need to continue to ensure that funding for safeguarding is core and that there is leverage through the monitoring and distribution of that funding so that safeguarding practice is robust in organisations. Whether they are charities, private organisations or Government organisations, they should consider safeguarding as an essential part of their responsibility in delivering the aid.

Q209 **Chair:** On that point, what is your assessment of the Government's progress to meet the donor commitments from the safeguarding summit?

**Helen Stephenson:** I am going to go to Harvey on that one, who does most of the day-to-day liaison with the Government on that. Harvey, what would be your assessment there?

**Harvey Grenville:** As Helen said, there has been progress. I do not think it would be at the pace or as far as we would like, and there is further work still to be done in a number of areas. As Helen said, the institutional donors' power to help drive standards is a key lever as part of this.

Q210 **Chair:** How are your organisations going to work with the new Department to make sure that the momentum we see every time there is a crisis around sexual exploitation and the urgency to embed these cultural changes are pushed through by the new Department?

**Helen Stephenson:** It is important to state that ours has not changed, in the sense that the focus and the structures that were inherent in the old structure are still there, and we are still engaging. I would not say that it is seamless, because machinery of Government changes are never seamless, but we have not stopped any of the engagement prior to the machinery of Government change, and nor would we expect to. Indeed, as Harvey has been leading on the majority of that, the reception that we have, the exchange and the interaction have been as strong and robust as they were prior to the machinery of Government change, and I would expect that to continue.

**Harvey Grenville:** We are continuing to regularly exchange information with FCDO relevant to our respective roles. We are a participant in the cross-Whitehall ODA safeguarding group. We are still a participant in the steering committee for the aid worker registration scheme. As Helen said, that regular liaison is continuing. We are in contact with senior officials within FCDO on a regular basis and often several times a month.

**Stephanie Draper:** Likewise, we will continue to work with the safeguarding unit. We have made it very clear in our hallmarks for success for the new Department that safeguarding needs to remain a priority. We will be continuing to work with them on new contracting areas to make sure that that is still embedded into the way that they



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work as a donor. Hopefully, with greater policy coherence, we might make some progress on DBS checks, for which we have been waiting for our NGO workers for a while and which are still not forthcoming. That would be a really helpful thing to progress on too.

**Q211 Chair:** Stephanie, it would be remiss of me not to mention that Bond put out a report today saying that 48% of humanitarian aid organisations in the UK might not be around in two years' time because of a combination of factors, the main driver seeming to be Covid. I wonder if you could say a little bit about that. Is that likely and what impact will that have on the humanitarian sector as a whole?

**Stephanie Draper:** The evidence is very stark. A number of our organisations are saying that they do not necessarily see themselves able to operate beyond the next year or two. What that means is that there will be fewer organisations delivering lifesaving work, WASH programmes, education programmes and all the things that our members do. There will be less of that happening by British NGOs. The cuts are having a bearing on that, so we need transparency about how these things are happening, and engagement, so that we can plan forward as a sector. It is a really important part of the British institutions that we are leading in this area and that are making a really active contribution. Any support we can get would be incredibly helpful.

**Chair:** The report is shocking and stark, and the impact worldwide, if that was to come to bear, would be truly horrific. We are doing an inquiry into the secondary impacts of Covid-19, and things like fundraising and the furloughing of staff should be seen within that context. I can assure you that this Committee is very supportive of trying to do all we can for the sector.

Could I draw this session to a close? Thank you very much to Committee members, but real thanks to the witnesses in this session. What has been really nice for me is that you have identified that underlying culture of power imbalance and gender inequality and the need to address it. What we have heard a lot of from other witnesses and from evidence is a focus on why victims are not reporting and measures to make victims report, and what you do to the perpetrator once the abuse has happened. What we care about is how we prevent the abuse. Recognising that that power imbalance, which is fundamental when you are dealing with the most vulnerable people in the world, exists is the only that you can realistically prevent it.

I agree with you that we need to embed safeguarding within all the projects and that, when something does go wrong—and you have both been very realistic and I appreciate that both Bond and the Charity Commission are very realistic in the work they are doing—there needs to be quick, robust and public action, both as a measure that the organisation is taking it seriously and so that the perpetrators realise that this is not happening on your watch. I also agree on the need for proper protections for whistleblowers and learning from failure. Failures are



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going to happen and we have, in the past, seen organisations go into lockdown mode and reputational damage, which really does not help them or the people we are trying to serve.

It has been very reassuring to hear about the work of the Charity Commission and Bond on this, and we are really grateful for your time today in sharing that experience. Thank you all very much.