

International Development Committee

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

Tuesday 17 November 2020

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Members present: Sarah Champion (Chair); Mr Richard Bacon; Theo Clarke; Brendan Clarke-Smith; Mrs Pauline Latham; Navendu Mishra; Kate Osamor; Dr Dan Poulter; Mr Virendra Sharma.

Questions 244 - 289

Witnesses

I: Rt Hon James Cleverly MP, Minister of State for Middle East and North Africa, Foreign, Commonwealth and Development Office; Peter Taylor, Head, Safeguarding Unit, Foreign, Commonwealth and Development Office.



Examination of witnesses

Witnesses: Rt Hon James Cleverly and Peter Taylor.

Q244 **Chair:** This is the seventh oral evidence session of the International Development Committee's inquiry into sexual exploitation and abuse in the aid sector. We have a single panel today: Minister Cleverly, the Minister for Safeguarding at the FCDO; and Peter Taylor, the head of the safeguarding unit. Thank you both very much for joining us today and thank you from the Committee for making the time.

Minister Cleverly, I have to start by asking about the swirling reports of the 0.7% potentially dropping for a period down to 0.5%. I wonder whether you can tell us if there is any substance to this and any potential impact on the Department's safeguarding commitments.

James Cleverly: I have seen the reports of this and I know that there is media speculation sloshing around. I have not been invited either officially or unofficially to feed into any thoughts around that, so at this stage all I can see is that it is speculation. We recognise in the Department that this cross-cutting agenda for something as important as safeguarding would need to be protected. Because of the projected reduction in UK GNI, we have already gone through a process where we had to look at the quantum, not the 0.7%, of ODA spending. Throughout that, we have still maintained safeguarding as an important element.

As I say, at the moment it is speculation in the media. I am not going to be too motivated by what is just speculation, but I can assure you that this is a really important issue for the UK. It is one where we are very proud of the leadership role we have taken. I have absolute confidence that this will maintain its position as an important agenda item irrespective of what might happen to ODA budgets in forthcoming years.

Q245 **Chair:** Thank you very much for that reassurance. I wonder if you could also tell us a little about your role and introduce Peter Taylor to us. We have seen that safeguarding has been a topic that the Government have tried to lead on internationally, which we are very grateful for, but it does take someone to champion it to make that difference. We hope it is you, Minister. I wonder if you can tell us more about what your role actually entails.

James Cleverly: All Ministers in FCDO have both geographical responsibilities—mine is Middle East and North Africa—and a number of cross-cutting thematic responsibilities, and safeguarding is mine. I was appointed as Minister with responsibility for this at the point of being given this role by the Prime Minister, so I have had this throughout the time I have been at the FCDO. As a Minister of State, this is an area of work that the Prime Minister and the Foreign Secretary are passionate about. Having someone at Minister of State level with responsibility for this is an indicator that it has been given to one of the more senior Ministers in the Department.



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I will let Peter explain his role in a bit more detail but, from a ministerial point of view, I suppose my job is twofold. It is to be the face and the voice of the Department for events like this, but also to make sure that I keep the work done at official level relevant and embedded with the work my ministerial colleagues have. I snap at the heels of the officials, who themselves snap at the heels of my ministerial colleagues, to make sure this work is embedded. I will invite Peter to explain his role.

Peter Taylor: I am head of the safeguarding unit in FCDO. Prior to the merger, I was head of the safeguarding unit in DFID for just under two and a half years. My role has many aspects to it, but it is a mixture of internal capability building, awareness raising and then external policy influencing and trying to drive change right across the sector. We are funding a series of programmes, which sit within my portfolio and I am accountable for them, where we have to try to achieve the strategic objectives set out in the 2020 safeguarding strategy that was published in September.

Q246 **Mr Bacon:** Welcome, Minister Cleverly and your colleague. Thank you for joining us. The first question I would like to ask you about sexual exploitation and abuse is this. As the Minister within FCDO responsible for safeguarding, what do you see as your primary challenge in dealing with all this?

James Cleverly: One of the real difficulties we have is that, in all aid and development scenarios, there is a massive power imbalance. As the UK is a wealthy G7 country and therefore one of the world's major ODA donors, we will find our money and people embedded in projects all over the world. The nature of development is that there is a power imbalance. We have seen, sadly, that where you have power imbalances there is an opportunity for that power imbalance to be abused.

We take it incredibly seriously, as do a lot of our international partners. But we can only ever be, typically, one of a number of partners active. Although we have a very good reputation for having our own house in order and taking decisive action when things have gone wrong, we are only ever going to be one voice. Getting a really co-ordinated international message on this is going to be one of our enduring challenges. We will lean into that and we will fight hard to get it, but that is always going to be a challenge for us.

Q247 **Mr Bacon:** What data do you have on the scale of the problem? What information is available to you to help you to assess the scale of the task that confronts you?

James Cleverly: This is one of the other inevitable challenges when you are working in an aid environment. You are often working in areas where there are broken or non-existent governmental systems, and you are relying for that data capture on people who are working in difficult and confusing areas. Getting hard data is difficult.



We are seeing an increase in reporting. It may sound perverse, but that is probably a good thing. Just like the abuse we see domestically in the UK, we are pretty certain that there is massive under-reporting. Therefore, an increase in reporting probably shows that people are finding it easier to report something that we already know exists, but there are still huge problems in getting anything like a universal understanding of the scale. We have work streams to strengthen the quality of the data we collect, and we are trying to build a robust evidence base, but, again, this is one of these areas where we have to be realistic. There will always be under-reporting and there will always be data distortions.

Q248 Mr Bacon: You mentioned the word “embedded” earlier. DFID published a report as part of its strategic vision for gender equality called *A Call to Action for Her Potential, Our Future*, which I am sure you are familiar with. Can you explain to the Committee how you will work with Baroness Sugg to ensure the relevant measures set out in that report are embedded throughout the work of the new FCDO?

James Cleverly: This is where the themes that the Prime Minister, the Foreign Secretary and the Department are passionate about overlap. Empowering and educating women is really key, because the victims of sexual abuse and exploitation, while not exclusively women, in a very significant number of cases are women. Giving those women the belief that they have a voice and that that voice will be respected and listened to is incredibly important. Reinforcing the message that this is not okay, not inevitable and not just an acceptable price for having international support is really important.

The broader empowerment of women, the education of girls, making sure that women have a voice in conflict resolution, which is also part of my portfolio, and making sure that there are more women around the decision-making table on international bodies all sit in the crossover between Baroness Sugg’s area of responsibility and mine. Safeguarding and women, peace and security both sit in my portfolio. There is a massive crossover, which is about making sure that women have a meaningful voice and that, when women are disempowered, they are listened to and the people who do have power, whether men or women, exercise that power in support of them. That is part of the network we are trying to create in terms of agendas.

Q249 Mr Sharma: Hi, Minister. How will you build on the UK’s safeguarding strategy for the aid sector published in September 2020? What mechanisms are in place to ensure co-ordination on upholding common standards across all ODA-spending Departments?

James Cleverly: I am going to start at the back end of that question, if you do not mind. Each Government Department is responsible for the terms and conditions of all its employees. I am very pleased that all ODA-spending Government Departments have subscribed to the wording in that strategy about the inappropriateness and unacceptability of sexual



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relationships where you have that power imbalance, and it is regarded as gross misconduct. That is a very tangible way that the UK Government are living by the standards we are setting for others.

We are also putting structures in place. For example, the safeguarding resource and support hub is an FCDO programme to provide practical support to small aid organisations in developing countries, to strengthen their safeguarding policies and practices. This is part of a recognition that in the UK we have to get our house in order. As I said, one of the enduring challenges is that we are almost never in a situation where we work alone. We are working through delivery partners; we are working in international areas. Through making sure that it is not just words in a strategy but action on the ground, we are living by our own values, but also helping to disseminate those values to our delivery partners around the world.

Q250 Mr Sharma: Will the FCDO continue DFID's approach and include a safeguarding chapter in its annual report and accounts, including the number of safeguarding concerns it receives?

James Cleverly: I am going to turn to Peter. My understanding is that that is the case, but I just want to make sure. I am getting a nod.

Peter Taylor: The exact structure of the first ever FCDO annual report to Parliament has to be decided and the detail has to be worked through, but we have discussed this internally at official level. We have not gone to the Ministers yet on this, but the intention is certainly to continue with the model that DFID used of having a standalone safeguarding section in the report that also includes numbers about cases.

Q251 Mr Sharma: Thank you very much to both of you for reconfirming what we used to have. How will the FCDO show leadership to ensure that racism, sexism and other discriminatory attitudes will not be tolerated anywhere in ODA-funded programmes?

James Cleverly: You make a very good point. Sexual harassment is a manifestation of the inappropriate behaviours that are, unfortunately, too often driven by those power imbalances, but it is not the only one. One point that was brought up at a recent Westminster Hall debate is that attitudes sometimes creep into the aid and development sector about the knight in shining armour coming to save the poor underlings. That can manifest itself, as we were discussing, in sexual harassment and, unfortunately, exploitation and abuse, but also in either a passive, subtle racism or, at times, a more pernicious racism. A lot of the structures we will put in place to deal with harassment, exploitation and abuse will also give people an outlet to report and be protected from other forms and manifestations of discrimination.

It is important to recognise that it is not the same problem, but it comes from similar roots. Much of the structure we put in place about the protection of whistleblowers and listening to and respecting the views and



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voices of victims will be just as relevant for other forms of discrimination and harassment. Although the structures we put in place are not specifically for this, I hope they will be relevant for this issue as well.

Q252 Chair: Minister, you referenced the Westminster Hall debate that we had, which I thought was very good. You gave reassurance that the sexual harassment or abuse of beneficiaries, if perpetuated by any Government employee in any of the Departments spending ODA, would count as gross misconduct. We did push you on whether that would also apply to contractors and subcontractors. I know you were trying to clarify that point. I wonder if you have clarity on it yet.

James Cleverly: Unfortunately, I am not in a position to give anything cast-iron on that one. Peter, I do not know whether that is something you can clarify at the moment.

Peter Taylor: If you look at what is written into the supply partner code of conduct, for example, it is clear that, for any organisation we fund, if there are cases of sexual exploitation, sexual abuse or any kind of gross misconduct, as we have been talking about, it would be grounds for possible termination of our funding to that organisation. We have been very clear about the standards we have adopted ourselves and that we expect of others as well.

We have seen multiple cases of employees of funding partners being dismissed because of sexual exploitation or abuse. You have heard about some of those or some of those have been put into written evidence. We have included some of those in, for example, the annual report on progress against the October 2018 London safeguarding summit commitments that we published last month.

Chair: Thank you for that reassurance.

Q253 Mrs Latham: Minister, could I take you now to the Democratic Republic of Congo? What action have you taken in the light of the recent scandal involving sexual exploitation and abuse during the Ebola response in the DRC and the apparent failure of the reporting mechanisms at the organisations that are based there?

James Cleverly: This was an incredibly distressing set of allegations that were put forward. Unfortunately, we think that the allegations that have been brought to public attention are probably not the sum total, and we take these allegations incredibly seriously. We are very supportive of the WHO's announcement in October of an independent commission. We remain in contact with them and we will make sure we get sight of the findings as soon as they are available. We will scrutinise them and make sure both the WHO as an organisation and we as a Government learn lessons from that.

As Peter was saying, we hold our delivery partners to the same very, very high level of accountability when accusations like this are made. We will make sure that we work with the WHO in actioning whatever comes



out from this. We want to ensure, through our relationships with third parties and NGOs, that they learn the lessons when mistakes are made, and also that individuals are held to account. We will do that in conjunction with the WHO.

Q254 Mrs Latham: The UK is the biggest donor to the WHO, so what you said is quite interesting. They are conducting a review, but actually some of their employees were perpetrators. How is it that they are being allowed to mark their own homework? I find that quite disturbing, because I would have expected you to have had quite serious conversations with them, given that quite a few of their employees were perpetrators of sexual exploitation. Why are we allowing them to mark their own homework and other people's homework when it does not seem to be a problem for them?

James Cleverly: You make a very, very important point about the challenges we have around the number of international partners we work with. While I am very proud that the UK is taking a lead and we are putting some very firm structures in place, both internally and in our work with international partners, to strengthen the frameworks and safeguarding processes they have, ultimately we do not have the capability to be the investigative actor, because there are so many potential organisations.

While we are very proud that we are laying down some really tough measures on ourselves and some tough expectations of others, good news would ultimately be organisations, particularly big multilateral ones that have the internal capability, putting their own houses in order, having their own robust processes and dealing with it properly. I am not suggesting that this is happening in the WHO, but there is a risk that they lean back and say, "It is someone else's problem to deal with this; if they do not spot it, it is not for us to deal with". We have to send a very clear message that, if it happens within your organisation and on your watch, you have the responsibility to grip it.

We will be looking over their shoulder. You talked about marking their homework. They have to get their house in order, but we are looking over their shoulder while they are doing that. I get that initially that might look as if we are not taking an active role, but we do not have the capability to be engaged in all the areas where that might happen. Being a facilitator of better practices and marking that is a better place for the UK Government to be.

Q255 Mrs Latham: I find it rather disturbing, because we have been talking about sexual exploitation and abuse since the large summit Penny Mordaunt put on when she was Secretary of State for DFID. We have been talking about this. Priti Patel was also quite hot on it. It seems to have gone off the boil since then. Anne-Marie Trevelyan was not really in the position for long enough to do a huge amount, but I am really concerned. Even as recently as March 2020, allegations had been reported in the international media since February 2019. It seems to be



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that everybody accepts that it is going to happen. I am very worried that we are going to say, "Okay, WHO can deal with that. It happens, but let them deal with it and we will move on".

I feel as if we are not doing enough within FCDO. Partly that is because it is such a huge Department. You have lots and lots of other things you need to do, but I am worried that we are going to lose the focus on this. I raised it in the DFID Committee for years before it was taken notice of, and I will continue to raise it because I am extremely worried.

DFID funded an operational review of exposure to corrupt practices in the DRC, which was published this year in July. It reported widespread risk of SEA in DRC, which we have known about from international peacekeepers and all sorts of people. Did that prompt any actions or processes to tackle the problem by FCDO?

James Cleverly: We published an operational review in June, which referred to—I do not like using the word "rumours"—the talk that there had been longstanding and fairly widespread safeguarding breaches in the Ebola response. Since then, the FCDO has developed a roadmap with other donors to implement the recommendations from that. We are taking specific action on those DRC reports.

I want to assure you that we continue to have this as a priority. Rather than me sitting here at a Select Committee and saying, "Believe me: we still take it seriously," we have to demonstrate it through our actions. The merger has been a really important piece of work, and that has perhaps dominated the narrative over the last few months, but the whole point of the merger was to make sure that we got the skill, expertise and passion from DFID and allied that to the international heft the FCO had, and not to lose either. I feel confident that, were I to sit in front of you on this issue in 12 months' time, I would be able to point to continued evidence of this being a priority.

It is really easy for me to sit here and say, "Trust me: we still take this incredibly seriously." We do, and I am going to say that, but one of the Foreign Secretary's buzzwords is "show, not tell". He wants us, through this merger, in the very near future to be able to point at specific things and say, "Look, I assured you that this would remain a priority, and we have done this, this, this and this." I am very happy to be judged against that yardstick.

Q256 **Mrs Latham:** Maybe I can point you in the direction of Myanmar. The Charity Commission told our Committee that it is concerned about the potential sexual exploitation there. In fact, Helen Stephenson CBE said the commission is working with a sample of charities on the matter. What role do you and the FCDO have in ensuring we do not end up with a situation in Myanmar rather like the one we have in the Democratic Republic of Congo?

Peter Taylor: We were aware of the concerns of the Charity Commission before Helen raised them with you in her evidence session. We have been



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in contact with the Charity Commission. Our role, coming to your question, Pauline, is partly to facilitate dialogue between relevant parties. The Charity Commission came to us and asked for a bit of advice about whom it should be talking to. We put it in touch with relevant FCDO staff in the UK and in-country, and there have been conversations going on about some of the challenges in-country.

As has been said, in many fragile, conflict-affected countries, safeguarding incidents occur far too often. I am not picking up anything that would suggest that Myanmar has anything on the scale of the challenges we have seen in the DRC, but the staff in-country and back in headquarters are keeping a close eye on it and are in regular dialogue. The country development director there and his team have regular meetings on safeguarding with all the implementing partners in-country, just as would happen in any country with a significant development programme.

Q257 Mrs Latham: We did know that in Myanmar there was an awful lot of sexual exploitation and abuse before many of the now refugees fled the country. It is not a new problem, and we need to be very careful. Maybe, Minister, that is something you need to have a special eye on.

James Cleverly: I will take that on board and make sure that I get updates from that region.

Q258 Navendu Mishra: Thank you, Minister and Mr Taylor, for coming to this Committee. The next two questions I will be asking are based on accountability and standards. First, how long do FCDO partners have to implement reforms in response to the recommendations set out as a result of the central assurance assessments? Also, importantly, what will happen if effective action to remedy the weakness identified is not taken?

James Cleverly: The ability of organisations to implement the changes we are trying to drive through will be very dependent on the nature of the organisations. As I said, we have put in place support. It is not just about holding organisations to account. It is also about trying to make sure that they can improve. Ultimately, we do not just want to be calling out failures when they happen. That is an important part of it, but we want to prevent those failures. The resource and support hub that I spoke about earlier is about helping these organisations, particularly the smaller organisations, improve.

I do not know off the top of my head whether we have a specific set of time horizons. Perhaps Peter could speak to that in a second. Ultimately, where we see failures, we reserve a number of responses up to and including the removal of funding. Peter, can I invite you to talk about timescales?

Peter Taylor: For example, if we did a central assurance assessment on the World Health Organisation, which we do from time to time, and weaknesses were identified there, we might, as the Minister has said, link



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some percentage of our overall funding to it to making progress in that area. If it did not, some funding would potentially be withheld.

You are referring to the central assurance assessments that we carried out on 31 civil society organisations over the past couple of years. Basically, with the recommendations that have come out of them, we have said to those organisations, "It is for you to go away and implement those. It is for you to decide what the priorities are, how you want to take them forward and which ones you want to implement first." Exactly how closely we oversee that would depend on the individual organisation. For those organisations where we provide quite a lot of central core funding, we would expect to pay much closer attention to the implementation of those recommendations and making sure that they are implemented quickly.

Some of the organisations that we carried out central assurance assessments on are more disparate, so they might be partners in a dozen countries or programmes across the FCDO portfolio. For each portfolio and each programme within that portfolio, there will be an SRO, a senior responsible owner, within the FCDO at an official level who has to assure themselves that the implementing partner is meeting the safeguarding standards we require. They will draw on the findings of that central assurance assessment and make sure that those recommendations, where they are relevant to the implementation of that programme, are being implemented.

Q259 Navendu Mishra: Obviously, it depends on what you are dealing with, but you would not say there is an estimated timeline of organisations dealing with these issues in order to protect people who are receiving aid.

Peter Taylor: All I would say on that is that it will depend on the nature of the recommendations. For the most serious or urgent ones, we would expect them to be done in a few months, no more. Others might be about longer-term culture change.

We did the central assurance assessments and all the organisations met the standards that were required. We are comfortable that they are in a decent place. There is a lot of room for improvement. As you know, we have published a summary of these assessments. You heard from another witness in an earlier session about some of the areas where organisations need to improve. We will keep supporting them, through things like the resource and support hub that the Minister mentioned and other bits of guidance and tools we are funding to help them improve even further.

Q260 Navendu Mishra: I take the point you are making about the level of funding that goes into organisations. Of course, the organisations that get much higher levels of funding will probably face more scrutiny from the Department. Would you agree that the Department's approach should be about safeguarding people? That should be the first and foremost priority, rather than the level of public money going from the British



taxpayer into those organisations. Is that the approach the Department takes or is it primarily driven by the amount of funding that is being dished out?

James Cleverly: To make it clear, our priority is people first. It is people-focused. There is a correlation between the scale of our investment and the number of people reached. The bigger financial investments tend to be on the larger-scale projects. While it is not perfect—in something as complicated as this, there is no one-off, perfect answer—working with the bigger partners and the larger projects has the best chance of improving the situation for numbers of people. That is why we tend to focus on that.

As I say, we have the resource hub, but we also fund safeguarding leadership training via the Open University and a number of massive open online courses. We are also trying to get to as many partners and partner organisations as possible, but it is absolutely people-centric. We are trying to find ways of most efficiently getting to most people quickly.

Q261 **Mr Bacon:** I wanted to know, first of all, how much money is spent on the resource and support hub in total.

Peter Taylor: The programme that was approved was for up to £10 million over five years. That is initially. We are currently about one year into those five years.

Q262 **Mr Bacon:** It is a couple of million pounds a year. Presumably not all of that, as the Minister was saying earlier, is for safeguarding; it is for a variety of things, including leadership training and so on, or is it mostly safeguarding?

Peter Taylor: It is 100% for safeguarding against exploitation and abuse.

Q263 **Mr Bacon:** That is a good premise for my next question. Minister, I want to know what you would say to a constituent of mine who pays tax and who says that you are giving taxes they have earned and paid into the Government to organisations overseas to spend? Because some of them complain about the overhead costs of meeting your safeguarding requirements, you are also spending my constituents' taxes on helping them not go around engaging in sexual exploitation and abuse. What would you say to a constituent of mine who asked, "Why don't you just not give them the money? Give it to somebody else who can show they can meet your standards without any extra cost for us as taxpayers".

James Cleverly: It is a very important point. Creating a supportive environment in the UK for the overseas aid and humanitarian development work we do is really important. Demonstrating that we are being careful with British taxpayers' money is a really important part of that. If I am going to be critical of DFID, historically it has been less good at explaining to the British people why what we do is so very important.



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There will always be these power imbalances. The sad truth of the matter is that, in war-torn or disease-ravaged parts of the world, there will be people who sexually exploit and abuse. Sadly, one of the things we have seen is that individuals from these very large, well respected and high-profile organisations have done these terrible things. Believing that there are some organisations so good that they do not need to be supported and held to account, unfortunately, is a fiction.

We have to spend money on this, in the same way that we spend money on policing police forces. We have professional standards officers, who make sure that the people who protect us act with probity and the right level of ethics. The sad truth is that there will always be a degree of expenditure to make sure that someone watches the watchman. This is as true in the international sphere as it is in domestic policing. Frankly, if I could wave a magic wand, there are lots of other ways I would want to spend £10 million, but the fact is that, until human nature and the habits of abusive people change permanently, we will always have to spend money on this.

Mr Bacon: That was a good answer. Thank you.

Q264 **Navendu Mishra:** Minister, my question carries on with the theme of accountability and standards. Whistleblowers are one of the most powerful routes for these abuses to come forward. I would like to ask you a bit more about the next steps you are taking to ensure that whistleblowers at implementing partners of FCDO are empowered to come forward and protected from retaliation. Some of the countries these groups operate in perhaps do not have the same safety standards as we have in the UK or Europe. What is your Department doing to protect these whistleblowers and to stop retaliatory attacks against them?

James Cleverly: You make a very, very important point. Until there is a wider-spread perception that whistleblowers will be listened to and protected, there is, unfortunately, a massive disincentive for them to come forward. We know this is important. The FCDO pushes for this, but we are also a learning organisation. On this, we have regular meetings of an independent reference group and a cross-sector safeguarding group specifically with whistleblowing as an area for learning.

We require partners to have a whistleblowing policy in place, and this is assessed through our due diligence processes. An independent assessment has shown that since 2018, 39% more organisations have strengthened their whistleblowing approach. Again, this is one of these things where data on this is difficult.

Q265 **Navendu Mishra:** I am really sorry to interrupt you, Minister. I am conscious of time; I know we do not have you for long. I appreciate the data you are mentioning from 2018, but my question was about what future steps the Department is going to take to protect whistleblowers. I appreciate that a lot of work has been done in the past, but what future plans does the Department have to protect these people and to make



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sure that organisations that work for UK taxpayers are held to account and to our standards.

James Cleverly: You make a fair point. For us, it is about making sure that those whistleblowing support processes are embedded and that they are driven down through to the delivery partners. We do assessments; we have assessed 31 major NGOs against six pillars, which includes whistleblowing procedures. We published the findings of that in September, but we will continue pushing to ensure the respect and protection of whistleblowers becomes culturally embedded. We will continue to push that with the partners that we fund.

Q266 **Navendu Mishra:** All Committee Members and all MPs would agree that a lot more needs to be done to protect whistleblowers. It is good to see the Department take that seriously. As I say, I am conscious of time so I will try to rattle through the questions.

James Cleverly: I will try to be quicker in my answers.

Q267 **Navendu Mishra:** I am sure the Chair will intervene if I am being slow. Regarding future plans, do you have any plans to clarify and promote an offence for staff at these implementing partners who do not come forward to blow the whistle on perpetrators? This is on the theme of the previous question.

James Cleverly: We cannot either write or necessarily enforce the employment terms and conditions for delivery partners. We make it clear that the UK expects a high level of accountability, and we expect structures to be put in place. We will keep pushing that with delivery partners. Basically, yes, we will use our money, but we will also use our international platform to make sure that this becomes regarded as the norm of behaviour through the sector.

Q268 **Navendu Mishra:** Does your Department have any plans to undertake further assessments in the field where sexual exploitation and abuse of aid recipients takes place? You have covered some of this in the previous questions. Unless you want to add anything, I am happy to move on to the next question.

Peter Taylor: There are continuous assessments that happen in the field. For every programme that is being implemented at country level, the country team should be involved in regular monitoring and regular risk-assessment. Safeguarding will be one risk that is regularly assessed, so there is ongoing assessment. If a team is particularly worried about the risk, they can bring in third-party experts as well to help with that monitoring and assessment.

Q269 **Navendu Mishra:** I will move on from the whistleblowing theme to the theme of prevention. It is very important to have clear language and to improve clarity when it comes to preventing sexual exploitation and abuse. How is the Department working with CHS Alliance to improve and clarify language embedded in the core humanitarian standards in order to



prevent sexual abuse and exploitation?

Peter Taylor: We are working very closely with CHS Alliance in various ways. First, we have brought it, this year, into the cross-sector safeguarding steering group, which the Minister mentioned earlier, because the CHS Alliance standards are one of the two sets of standards that underpin all the commitments made since 2018. They are really fundamental here, so we have brought them into this process of information-sharing and learning from all the groups that made commitments at the London summit in 2018.

We have funded them to produce an update on what used to be called the preventing sexual exploitation and abuse handbook. It was written in 2017. We have paid for an update, and it was published last month. It has been extended to cover sexual harassment as well. There is also a related index, which allows organisations to work through the steps they need to take to meet the standards. The index has been updated and we have strengthened the language on whistleblowing as well, to go back to your last point. We will continue to work with the CHS Alliance and the Inter-Agency Standing Committee, which owns the other set of standards that underpin all the commitments, as they go through a process of updating the overall standards in the next year or two.

Q270 **Navendu Mishra:** Mr Taylor, I am sure you are familiar with the Humanitarian Quality Assurance Initiative, HQAI. What is the significance of the audits undertaken by HQAI? For example, if an organisation was certified by HQAI, would that give your Department the assurance it needs that this organisation is implementing a policy that is fit for purpose when it comes to safeguarding? Maybe I should direct this at the Minister first.

Peter Taylor: I am happy to answer, Minister, if you prefer.

James Cleverly: It is quite a technical one, if you do not mind.

Peter Taylor: No, that is fine. HQAI is verifying adherence to the CHS standard and the donors have said, "We expect partners to adhere to one of two sets of standards, or both", one of which is the CHS standard. If an organisation is certified by HQAI, there is a very strong likelihood that they are meeting the standards we require. Having said that, it will depend, of course, on when that work took place.

As you heard from Pierre Hauselmann when he gave evidence to you, earlier in this series of evidence sessions, there will probably be qualifications and areas of weakness for organisations to work on. We would not just say, "They are certified; that is good enough". We would look at the certification and the work that HQAI has done, and use that to take our own decisions about whether we feel comfortable that they are meeting the standards we require.

Q271 **Navendu Mishra:** The point you make about making sure that checks are done rather than just accepting the certification from HQAI is very



important. Thank you for that answer.

Minister, on a personal note, it makes me incredibly proud to see the work that UK aid does across the world, to help some of the poorest people in the world. It is very important that the UK supports people who take part in whistleblowing and the victims of abuse, but it is important to note that we need to build global standards when it comes to safeguarding. Could you tell me a little more about your work with other donor countries to align the safeguarding requirements set out in the enhanced due diligence assessments to help partners implement and meet the criteria for contracts globally?

James Cleverly: You are right that this is the kind of thing that needs international work, because, as I said in the opening, it is very, very rare that the UK is going to be the only donor or the only country involved in this. The Prime Minister sits with the UN body, so he is our representative at the UN level with regard to this issue. I want to call it the “working group”. Peter, remind me of its formal title.

Peter Taylor: It is the Circle of Leadership.

James Cleverly: The Circle of Leadership, yes.

Navendu Mishra: It is an interesting name.

James Cleverly: I know. That is why I refuse to hold the name in my brain. The Prime Minister is our voice on that. It is the Head of Government at that level in the international sphere, because you are absolutely right: there is a lot that we can do. I am very proud of our leadership in this area, but ultimately this needs to be international in its response, driving the culture change. Going to the point Pauline made, this is about making sure that we properly embed in all donor countries, and, indeed, countries where this work happens, that this is not an acceptable price for international support. That is the most important thing that we need to drive at the international level. We absolutely do have allies in the international sphere on this.

Chair: Minister, can I pause you at this point? We are two thirds of the way through our time, but only halfway through the questions. We would really appreciate snappy answers. If you could give us great quotes for our report, we would be very grateful. We just want to get you on record on a lot of different topics.

Q272 **Theo Clarke:** Please could you provide with us an update on the programme of support to survivors and victims that was promised for launch next year?

James Cleverly: We are finalising a programme focusing on the challenges and barriers for survivors. The implementation of the programme will begin in early 2021, and the programme has been developed over the last year in consultation with a wide range of stakeholders, including victims and survivors of exploitation and harassment. We will ensure it is survivor-centred in its approach, and we



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will work to both prevent and respond to harassment, abuse and exploitation.

Q273 **Theo Clarke:** Have you had any discussions regarding setting up an independent international victims commissioner under the FCDO to support victims of British perpetrators offending abroad?

James Cleverly: I have had discussions about having a single point of contact within the FCDO. Peter will, I am sure, come up with the details. We have methods by which we can be contacted. My concern about having this point is that it is not always easy for the victims of this to find a way of contacting the UK directly. We want to make sure that they have multiple routes for reporting. Peter, could you provide any details on—I would not call it a hotline—the methods for direct reporting?

Peter Taylor: The safeguarding investigations team sits in FCDO. People can report by phone or email. There can be indirect reporting if people do not have access to either of those methods. As the Minister says, we feel that the best route forward is to try to strengthen local national-level accountability and reporting mechanisms, rather than suggesting that somehow this should sit in FCDO. There are also risks with that, with us somehow being seen to be the police person or something like that. Whenever a victim or survivor comes to us, and many do, as you will have seen from the figures we published, we will always look to provide the support and help. As the Minister says, with this new programme we will be looking to improve access to reporting for victims, survivors and whistleblowers, improve investigations of any allegations and make sure that the support services they require are better.

Q274 **Theo Clarke:** Have you given any consideration to how the provisions relating to offences committed overseas included in section 66 to 68 of the Domestic Abuse Bill could be applied to British aid workers and provide a route to justice for beneficiaries of aid who became victims and survivors?

James Cleverly: I have to confess that I had not considered how it might work, in terms of the applicability of UK domestic law into the international sphere. I have to confess that it is not an area I personally have explored yet. I do not know whether stuff has been done at official level that I have not seen yet, Peter, that you might want to come in on.

Peter Taylor: At the moment, as you are probably aware, under the 2003 Sexual Offences Act, there is section 72, where extraterritorial jurisdiction can apply for sexual offences against under-18s. As I understand it, and this is not an FCDO lead, the proposal under the Domestic Abuse Bill is to extend the scope of violent and sexual offences that would be covered. Therefore, any UK aid workers who commit a wider range of offences, not just those sexual offences, not just those against under-18s, could then come into scope of extraterritorial jurisdiction.



Q275 **Kate Osamor:** Welcome, Minister Cleverly and Peter Taylor. I have a few questions on funding and support to aid organisations. What impact will the cuts to be implemented due to the Covid-19 pandemic have on resources to combat sexual exploitation and abuse in the aid sector?

James Cleverly: We have mentioned that we have a number of programmes, including the resourcing and support hub, which is in place. At the moment, we have gone through a process to look at our budgets in light of this year's economic contraction. We will have to go through a similar process in future years. As I say, this is highlighted as a priority, as is evidenced by the Prime Minister's involvement with the Circle of Leadership. While I cannot give guarantees that the budget aligned for this will be unaffected, I can give guarantees that it will remain a priority.

Q276 **Kate Osamor:** Is this a protected area of expenditure?

James Cleverly: I do not think it has a specific protected budget line. Peter, tell me if I am wrong on this, but that is my understanding.

Peter Taylor: Yes, that is my understanding. With the Budget coming up and so on, we will have to see what comes out of that and the announcements in the coming weeks. As the Minister said earlier, when we had to go through this process of finding reductions, as the economy has shrunk, safeguarding was protected. We do not have a very large programme budget. To give you a sense, we are probably spending in the region of £6 million or £7 million a year. If you think about the totality of FCDO ODA spend, it is pretty small, although there is a lot more spending that is going on safeguarding activities in individual programmes. In terms of central programming, we are very small. I hope we will continue to be able to press ahead with our plans, but those are decisions that will need to be made by the Foreign Secretary and others over the coming weeks and months.

Q277 **Kate Osamor:** I am hoping that, with such a big task at hand, safeguarding is protected and the work you are doing is not suddenly, abruptly ended. That is what I hope would happen. Thank you for your answers. I have two more. What is your answer to organisations that have told us, as a Committee, that it is difficult to meet overhead costs relating to safeguarding, such as training costs, at the same time as meeting stringent value for money targets set by donors?

James Cleverly: Our response is that we recognise that, if an organisation is doing it properly, its funding should predominantly go to delivery for the people they are there to support, so we do not want to see organisations with big administrative overheads. That said, when something is as key as this, there is a moral imperative and, quite simply, a huge reputational risk for organisations if they get this wrong. This is the kind of thing they should be prioritising. Peter is right. I should have been clearer. When we went through the recent reprioritisation programme, we protected this, the UK Government, and that should send a message to our delivery partners that we expect them to also prioritise



it. This is not an excuse to get sloppy and have flabby administrative overheads, but we expect them to take this as seriously as we do.

Q278 **Kate Osamor:** Would you say that you are actively engaging with smaller organisations to find out what support they need to meet the safeguarding targets?

James Cleverly: Again, I refer to the response and support hub, because it is very much about making sure that those smaller organisations are equipped to deal with this properly. They are the ones that are often closest to the ground. Where we do have large multilateral institutions or larger NGOs, their programmes are often delivered through smaller delivery partners. You cannot get this right without those small partners being able to get this right.

Q279 **Kate Osamor:** How was the tendering process for the safeguarding resource and support hub undertaken and the contracts for implementing the hub awarded? Was it an open and fair process for all sizes of organisations?

James Cleverly: On this one, I am going to have to hand over to Peter because that is something I was not sighted on.

Peter Taylor: That is fine. This happened under DFID, rather than FCO, and DFID was responsible for that tendering process. We held an early market engagement exercise and allowed anyone who was interested in the idea to come and discuss it, and to put forward thoughts about it. In the end, we used one of our framework agreements. There are different ways of tendering, as I am sure you know. You can go through what was an OJEU process, an open tender, or you can go through one of the framework tender processes, where there are prequalified suppliers.

We had to take a decision about time, how quickly we wanted to move forward, and in the end we decided to go down a framework process. As I said, it has been up and running for about a year now. If we had not, we might still only just be completing the tendering process and awarding the contract. We felt that the best thing to do was to use a framework agreement. We have a broad consortium working on it. Some organisations were not originally on the framework agreement but have been able to link up with members of the prequalified organisations on the framework agreement. We tried to make it as inclusive as possible, but we went through a framework route, rather than an open competition.

Q280 **Chair:** Minister, in the interests of time, I have a number of quick-fire questions for you. First, do you think the Charity Commission has enough remit and resources to deal with offences when they are happening internationally by UK charities?

James Cleverly: I cannot really speak on behalf of the Charity Commission. I imagine, as with all oversight bodies like that, it would always want to be better resourced. The very international nature of this



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problem would make it difficult for it to do so. I do not pretend to have enough experience in the interaction between the Charity Commission and the NGOs and charities that work in this to point to either good practice or shortfalls. Peter might be able to.

Q281 Chair: Rather than that, Minister, the reason we ask the question is that, in previous reports on this, this Committee has been advocating to have an independent international commissioner. We find that a lot of the crimes committed overseas are left to be dealt with overseas, in countries that quite often have very fragile legal systems. Therefore the Charity Commission does not have the reach, so these perpetrators can get away with it.

I have raised with the Minister previously about DBS checks and that the regulated activity currently does not include foreign aid. I will be writing to the Minister. Has the Minister had any thoughts about expanding the guidance on that, so that foreign aid workers could apply for DBS checks? Therefore, had there been any previous sexual offences, they would have been recognised.

James Cleverly: I am looking at that. There are a couple of other things I have been thinking about that may perform the same function, but coming at it in a slightly different way. There is the international child protection certificate, which may perform a similar function. We are working with Interpol on the Project Soteria to improve tools and services to co-ordinate international law enforcement around this area. It is something I have looked at. DBS checks are quite limited at the moment, as you say. We are looking at a number of ways of basically accomplishing the same thing, which is preventing people from moving away from a problem or investigation to step straight into a similar environment.

Q282 Chair: The NGOs have been pushing for this for some time. The DBS scheme is already set up. We do not need to reinvent it. It is more about showing intent to prevent safeguarding, so could the Minister give that serious consideration? Another issue that keeps coming up is UN officials believing that they have immunity when it comes to offences they might be committing. The UN at the top level says it has zero tolerance of this, but on the ground this myth is perpetuated. What conversations has the Minister had with the UN counterparts about challenging this misperception?

James Cleverly: I have not had direct conversations about this, but, as I say, the Prime Minister is a member of the Circle of Leadership. You are right: the most important thing is that it is made clear that this perception of invulnerability is not correct and that, from the top of the UN right down to the operatives on the ground, whether they are in military uniform or others, there is not impunity. We are going to support the UN Secretary-General in pushing down the message through the organisation that these actions are not acceptable and that there is not impunity.



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Q283 **Chair:** That is very reassuring. Thank you. Why does the UK not contribute to the UN victims assistance trust fund?

James Cleverly: We use our funding to push for others and we regard it as an important vehicle and mechanism. It is funded by us and a number of other donors. We will continue to push for wider involvement in that fund.

Q284 **Chair:** Does the wider involvement include contributing cash?

James Cleverly: From our point of view, we do what we think is right and we encourage others to do so.

Q285 **Chair:** So we do not think it is right to fund victim support.

James Cleverly: We do. We have put funding into other areas, for example, to the point I made to Richard, our £10 million over five years into the safeguarding resource. We are encouraging others to fund the trust fund so that it is properly funded. We cannot address all the potential ways forward on this one.

Q286 **Brendan Clarke-Smith:** Minister, what impact is the training delivered by British peace support teams and the British gender advisers having on the behaviour and culture of the peacekeeping troops with regard to SEA? How are we measuring this impact?

James Cleverly: We are very proud of the fact that there are no allegations against UK peacekeepers and that we use our model as best practice. We train thousands of non-UK peacekeepers. It is hard to have very specific measures of the outcome of this, but the SEA allegations on peacekeeping have increased, unfortunately. I think this is a reflection of better reporting, rather than a worsening situation. We will continue to push UK standards and values to our training of international partners.

Q287 **Brendan Clarke-Smith:** What does the UK do to pursue the issue of SEA with peacekeepers bilaterally with our key partners in Africa and Asia? Do you think the merger of aid and diplomacy is going to help with that?

James Cleverly: Yes, I do. The combination of both our aid spending and our diplomatic efforts working in conjunction will improve things. We spend money. Spending money is not the whole solution but is part of the solution. We provided £4.5 million to tackle sexual exploitation and abuse specifically in peacekeeping. There will be more that comes out in the ICAI review shortly. We ensured that there was strong language in the November mandate renewal, for example, for the UN peacekeeping mission in the Central African Republic. We are putting in money, but also the diplomatic work. You are right: the combination of the two means that will be an enhanced activity under the new merged Department.

Q288 **Brendan Clarke-Smith:** Following on from that, in terms of holding contributing countries to account on that, what is the UK doing to build alliances with these countries? For example, I am thinking of the



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establishment of a regulatory body external to the UN, providing an independent oversight, perhaps, of peacekeeping missions.

James Cleverly: I understand the point about external oversight. As I discussed before, our philosophy is that it is better that the organisation get its own house in order, and that is what we will continue to push for. We do that at the top level, with the Prime Minister's engagement at the most senior levels of the United Nations, but also at the most intimate, grassroots level, with the direct training of non-UK UN peacekeepers. We will work at both the multilateral and the bilateral level to drive forward to UK's philosophy, so that it is shared by peacekeepers irrespective of their country of origin.

Q289 **Brendan Clarke-Smith:** Some have suggested that perhaps part of the problem is that some troop contributing countries have been using sexual violence strategically. Do you agree with the assessment that has been made that this happens, or do you think this is overemphasised?

James Cleverly: One of the challenges we have in international peacekeeping is that donor militaries often have very different attitudes to the UK. We have to make it clear that those attitudes that might come from those donor countries are not acceptable in the international sphere. I would not feel comfortable describing it in the way that some have, but I would accept that not all countries' armed forces operate at the level of the UK Armed Forces. I am very proud that we work at a very professional level. It is entirely right that we seek to export that professionalism with other countries we work with.

Chair: Minister, we have been incredibly grateful for the time you have given to us and how open you have been with your questions. On behalf of the Committee, thank you very much for all that. With the forthcoming spending reviews and potential cuts to ODA spending, I would urge you to consider safeguarding and ring-fencing safeguarding. It is something that we really need to see embedded in all the work that is done with some of the most vulnerable people in the world. We are very grateful for your time. Thank you very much to Peter Taylor.

There seems to be a focus on addressing and identifying the perpetrators, which we absolutely welcome. The new Department, FCDO, should look at embedding prevention within all the programmes, because of course, once there is a perpetrator, there is also a victim and survivor, and a crime has been carried out. Thank you very much to the Committee.