

Home Affairs Committee

Oral evidence: Implementation of Independent Inquiry into Child Sexual Abuse, HC 616

Tuesday 21 January 2025

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Members present: Dame Karen Bradley (Chair); Shaun Davies; Mr Paul Kohler; Ben Maguire; Robbie Moore; Margaret Mullane; Chris Murray; Joani Reid; Bell Ribeiro-Addy; Jake Richards.

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Witnesses

[I](#): Professor Alexis Jay CBE, Chair, Independent Inquiry into Child Sexual Abuse; John O'Brien, Secretary, Independent Inquiry into Child Sexual Abuse.

Examination of witnesses

Witnesses: Professor Alexis Jay CBE and John O'Brien.

Q1 Chair: May I welcome our witnesses to the Committee? We are delighted that Professor Alexis Jay and John O'Brien have been able to join us today. The Committee is very interested in the work that you have done over a very long period.

I will start by asking you about the scope of the inquiry and what conversations you had with the Home Office and the then Home Secretary about its scope. Do you think that the scope was right, given how big and extensive an inquiry it was?

Professor Jay: To begin at the beginning, I had no discussion about the scope of the inquiry, because I was initially a member of the panel. However, John, as the secretary to the inquiry, would have had discussions about the scope of it.

John O'Brien: It was an unusual situation because I was director of safeguarding in the Home Office when the original non-statutory inquiry was set up. I had discussions around the scope for that before I came across to be secretary, but, in terms of scope for this inquiry, there had been eight or nine months of very intensive lobbying for an inquiry into child sexual abuse to be held. We met with all sorts of people, groups of victims and survivors, who came and talked to us. It became very clear that if the scope was not broad, it would not be perceived to have done its job by those same victims and survivors, because they came from every conceivable institution you can imagine to talk to us about abuse happening.

I remember some people saying to me at the time that it would only have happened in disadvantaged communities, but when people came to speak to us it had happened absolutely everywhere, so the scope needed to be very broad. Then there were discussions about whether there should be a cut-off date, but we already knew that some of the victims were in their 80s and some were even in their early 90s, so we felt that there should not be a cut-off date either.

I know that there was a lot of criticism of those terms of reference, but I think that without them there would have been whole sections of victims and survivors in institutions that had not been examined, and it would have left a lot of questions unanswered.

Q2 Chair: It was incredibly broad. Do you think that, because it was so big, there are areas that have just not had the examination they should have had?

Professor Jay: No, I don't think that, because what emerged reasonably quickly—and we carried out 15 investigation areas that were a combination of locations and thematic aspects of it—was that perpetrator behaviours in institutions were very similar, regardless of the settings in



which the abuse had occurred. In other words, in the grandest public school and the lowliest children's home, the perpetrators behaved in very, very similar ways. Indeed, in the final report, we listed those sorts of behaviours and the negative behaviours of institutions in response to that in several other areas. That was a big learning going forward, that that was the case.

Just to add something to what John said, there were no time parameters, but the furthest back we went was to the beginning of the child migrant scheme in the 1920s. The reason for that was that the victims were ageing and many were deceased. Although the Government accepted our recommendation and took it further, and in fact made payments, we recommended that flat-rate payments should be made to those who were surviving, and they allowed the nearest relative or the family to receive the compensation funding. That was how we started—that was the very first one.

Q3 **Bell Ribeiro-Addy:** The first two chairs appointed were Baroness Butler-Sloss and Fiona Woolf, and they withdrew after it was alleged that they were linked to individuals and establishments under investigation. Do you think that this disrupted the inquiry in any way?

John O'Brien: They were chairs of the non-statutory inquiry that was set up, prior to it being turned into a statutory inquiry. Clearly it was disrupted. It is difficult to describe the feeling that victim survivors had at the time when that first non-statutory inquiry was announced and established. Clearly it caused massive disappointment and disruption when those two chairs had to stand down. Understandably it did, and in the end it is what led to the calls for it to be statutory, because there was a growing belief that that was the only way that people would be held properly to account.

You have to be totally honest and say that that caused a massive disruption and, perhaps more than anything, it really started to erode the trust that those victims and survivors had in the whole inquiry process. It meant that quite a lot of time had to be spent rebuilding that trust at the beginning of the statutory inquiry.

Q4 **Bell Ribeiro-Addy:** What was your opinion of the responses from the then Government and other institutions to the final IICSA report?

Professor Jay: From October 2022—is that what you are referring to?

Bell Ribeiro-Addy: Yes.

Professor Jay: That was the end of the process, when we finally launched the final report. Of course it was not the first time we published recommendations, because we had done that in the course of the entire inquiry, which I would commend others to do, rather than waiting until the end to do everything.



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I think we had, apart from the 20, six that we had repeated, because we did not consider the initial response when they had been part of an investigation report. We considered the response to the institutions concerned, including the Government. We did not consider the responses to be adequate, so we repeated those and added others. In addition to that, I think we had 87 from the previous—if you are interested, no doubt we will come on to that.

There have been a lot of Home Secretaries in the course of this experience. At that time, the Home Secretary was Grant Shapps. He made a very supportive statement in the House and we were much encouraged by it. However, I think that was probably the high point of our experience with the last Administration, because within a couple of weeks, Mr Shapps was not there: it was the next person, Ms Braverman.

It was awful. I cannot tell you how it felt to read the final printed version of the Government's response. It was inconsequential, it was insubstantial and it committed to nothing. The wording that was very often used among the 20 recommendations was, "We accept the need for—" whatever it was, but with no specific commitment to delivering it or to any timescale whatsoever at that stage.

The reaction from all of us, but mostly victims and survivors, was such huge disappointment and anger at what they had pinned a great deal of hope and anticipation on: that the recommendations made would be delivered. I can give you more detail on what that process of attempted engagement was like, but only if you are interested.

Chair: We would be happy for you to do that.

Professor Jay: Are you sure? Yes, I did have a note of all the various dates when we attempted engagement. There were many. Ultimately it was of course with the Survivors Trust and others that we have tried to gain support for the implementation of the recommendations. It has been nearly two and a half years now since we launched the final report. There were a number of occasions when we heard from officials that they were attempting to take things forward, but unfortunately it never had any outcome.

We had follow-ups to some of the discussions, but there were not that many. There were long periods when nothing happened and there was no contact with me, or indeed with the victims and survivor organisations, about what should happen, nor any opinion on how to take things forward.

I proposed at one stage—I think in April or May 2023—that a small grouping be formed to follow up and act as a monitor on what was happening. I wrote to the chief of staff at No. 10 and also to the Home Office about the idea. It did not have to be expensive; it would just meet regularly and check what was happening. I received no response. Also, it was suggested to me that I should discuss it with the Home Secretary at



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the time. It was prior to the final printed account of the Government's response. I did raise it with her, but she was very vague and nothing further was heard.

Indeed, as I recall, I heard nothing further at all until the next Home Secretary came along. That was later in the year, when Mr Cleverly was appointed. I wrote to him saying, "Perhaps we could reset this relationship and try to move things forward." He was very amenable. We did have a couple of meetings with him and he attended an event in January last year that we organised here to try to raise interest.

I want to mention one other aspect. At the end of May, after we had seen the published response from the Government, the three panel members from the original inquiry and I wrote to *The Times* newspaper saying how upset and distressed so many people were after all this time and all the energy, as the response felt disingenuous. It appeared to promise something and in fact there was no substance to it. That was our public statement of what we felt about what had happened.

I was on holiday and had a message that somebody from the Home Office wished to talk to me about how we could take the recommendations forward. I thought that maybe this was a chance—this was in June. We had sent the letter to *The Times* in May. What then happened, which I thought was improper, was that a special adviser came on demanding to know why I had written to *The Times*. I was very clear that I was not accountable to this person, as an independent chair, for any actions at all and that I did have ideas about how we could take things forward if they were willing to listen. That was not a happy experience either of engaging or trying to push for these much-needed recommendations to go forward.

Sorry, that was a long answer to your question, but I think it is important to say that we were not sitting back throughout this period. We were constantly trying to get political attention on the fact that these recommendations had not been acted on. Of course, it is one of the biggest weaknesses of the public inquiry system: it is wonderful for establishing truth and so on, but the big weakness is that there is no provision for structured monitoring of whether action is taken or not, and verification of that action as part of the whole system afterwards.

Q5 **Bell Ribeiro-Addy:** Thank you very much. That answered my next two questions. That was brilliant, but I just want to be clear: was that the extent of your engagement with the Home Office following the publishing of the report?

Professor Jay: Yes. I have a note of the different dates here that were relevant; I think I have probably covered them all. Of course I should say that this has changed since the general election. Indeed, apart from Mr Cleverly attending the event in January, Jess Phillips also attended it. They were supportive, but there was one recommendation that was going to be acted on, which was a version of mandatory reporting. It was a kind



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of inadequate version of mandatory reporting, which had some problems with it. But it was the only one, and that fell with the Criminal Justice Bill when the election was called.

Q6 **Jake Richards:** The account of your communications with the Home Office over the period from October 2022 is pretty shocking. I have two questions flowing from that.

The first is quite broad, and you may not feel that it is appropriate to answer it, but what was going on here? You had set out a number of recommendations. It was clearly a time of political chaos with the number of Home Secretaries, which you have touched on. Suella Braverman came to what is now my constituency and met with survivors during that period as Home Secretary. Was it that there was a lack of bandwidth in the Home Office and that it was concentrating on other things, or was it a disagreement as to substantive policy? What was going on?

Secondly, as you have pointed out, your inquiry made a number of recommendations in 2020, as it did throughout. As I understand it, six of those—tell me if I am wrong—were explicitly rejected by the Government. What communication did you have around those?

Professor Jay: In relation to the Home Office, I can only say—and John may have something different to add—that we were made aware by officials that the interdepartmental aspects of many of the recommendations were considerable. I think that there were five or six Departments that needed to be involved in the decision making, if that is the right way to put it.

There was not a lot of support for the recommendations. Part of the problem was a disagreement with the process where they are required to get sign-off. I think the officials were very frustrated by that. John, you may have something different.

John O'Brien: To be fair to the Home Office, only four of the final report recommendations related to it. There would need to be broad cross-Government agreement to the implementation of all 20, and that clearly wasn't happening. We only saw the tip of what was happening, but it was clear that it was not proving possible for the Home Office to get agreement from other Departments to launch a cohesive response to the report.

Q7 **Jake Richards:** You said that you wrote to the chief of staff of the Prime Minister in 2023. Is it your view that this has to be led by Downing Street, as it is so cross-departmental? Did you make any further attempts to engage with other officials in Downing Street, if not the Prime Ministers themselves?

Professor Jay: No, I didn't. There was a point of contact because the person concerned had shown quite a lot of interest in the inquiry. I did indeed make quite a supportive comment when the announcement was made about mandatory reporting, but we didn't fully know the detail of it



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at that stage. Nevertheless, in some ways anything was better than nothing, because we had heard absolutely nothing about the other recommendations, except for one that was rejected. I personally felt very strongly about that, which was that there should be a cessation of pain compliance in custodial institutions where there were under-18-year-olds. That was rejected outright.

Q8 Chris Murray: You have set out your engagement with the Home Office over the years. Was there any time, under any Home Secretary or any Home Office Minister, when you were advised that the scope of your inquiry was either too broad for the recommendations to be implemented or too narrow, specifically on grooming gangs? Did anyone ever intimate to you, either before or after publication, that it was too broad?

Professor Jay: No—nor too narrow, of course. I think that the width of it was a benefit, for the reasons I mentioned earlier. Personally, because of the nature of being a chair, I did not engage directly with the political side of it. Fairness and objectivity are very important as the chair of a public inquiry, but there was no communication of that type.

Q9 Chris Murray: Did anyone ever say to you at any point that a second inquiry might be required?

Professor Jay: No. Absolutely not, no.

Q10 Chris Murray: There have obviously been a lot of calls for that recently. When did you first hear of a call for second inquiry into the issue?

Professor Jay: Probably the same time as you did, but it was as a consequence of the general discussion in the public domain about grooming gangs. I do not particularly use that term; I never have, not even when I was doing the work in Rotherham on what we call organised networks. Absolutely not, I had never heard any of it before.

Q11 Chris Murray: So over seven years and seven Home Secretaries, the first call for a second inquiry was late last year?

Professor Jay: Yes, that is right.

Q12 Shaun Davies: I will just place on the record, first, that I was the leader at Telford and Wrekin council. The inquiry was going to come to Telford. It did not come to Telford, so we set up a local inquiry, which is now seen by others as a good standard of a local inquiry. I am also the former chair of the Local Government Association.

Just taking you back to the recommendations and the publishing of the recommendations, I take your point that you did it in stages. Did you have any conversations with any other Cabinet Ministers or other Ministers around the implementation of those recommendations, taking on board, as you say, that not all of them relate to the Home Office?

Professor Jay: No. It was very clear legally that, in the role I was in, it was not for me to negotiate such things in a political dimension in any



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way. It really wasn't. I cannot say that I was not familiar with some of the views, because obviously people in the inquiry—John and others—must engage. John is the secretary and the accounting officer and they do have some engagement around, "What are your views about this or that?", but not politically.

Shaun Davies: On the recommendations as well?

Professor Jay: John would need to speak for himself. I personally had no engagement, and that was considered to be the proper position for a chair of a public inquiry to be in.

Shaun Davies: Mr O'Brien?

John O'Brien: I certainly had no discussion around our recommendations, because I think that that is a line that should not be crossed. The recommendation should flow from the evidence that the chair and the panel have heard.

After the final report was finalised within the inquiry, we obviously started talking to Departments where there were recommendations that would go beyond Home Office borders, if I can put it like that, but it would have been entirely improper to tell people what those recommendations were. The whole point of publication was to make sure that they were in the public arena at the same time as they were—

Q13 **Shaun Davies:** Professor Jay, you had a phone call from a special adviser within Government about your press and media comments, expressing frustration about the lack of action. Can you say a little bit more about that conversation and what the purpose of the conversation was, from your perspective?

Professor Jay: Yes. As I say, I was on holiday at the time, and I got an email message saying, "This person wants to set up a meeting with you." I contacted the secretary who was involved and said, "What is the purpose of the meeting?" I was told that it was to discuss the next steps in the recommendations and implementation of the recommendations.

Q14 **Shaun Davies:** Was that the conversation that you had?

Professor Jay: It was a non-conversation, because the starting point was, "Why did you write to *The Times*?"

Q15 **Shaun Davies:** What was the tone of that conversation? Was it a genuine curiosity about why you had gone public, or a desire to want to work together to implement the recommendations? What is your perspective?

Professor Jay: I don't want to make too much of this, but it was definitely adversarial.

Q16 **Chair:** It was after the recommendations, so it was not a special adviser getting involved during the inquiry?



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Professor Jay: No. It was after the Government's formal position had been published. That is the point I referred to earlier: that I and my three colleagues who were panel members decided we would write and say, "You have let down so many people by this response and by the lack of specificity about what needs to be done." Indeed, there was hardly any.

Q17 **Shaun Davies:** Did that conversation lead to any effective change in terms of the then Government's approach around the recommendations?

Professor Jay: No. In fact, it led to quite a long silence. That conversation took place some time in the first two weeks in June. The next contact that I personally had—well, I made it—was when I wrote to Mr Cleverly and said, "Perhaps we could reset this." I was continuously thinking that somebody would surely get in touch to take some of this forward. It did not happen. I wrote to them and got a very quick response in late November or December of the same year, but in the intervening months nobody from the inquiry had any contact. The inquiry, of course, did not exist at that stage, because it had closed on 31 March. Nevertheless, there was plenty of scope. Everyone would know how to be in touch.

Q18 **Shaun Davies:** Would you be able to provide the Committee with a written timetable of that contact for our use later on?

Professor Jay: It is pretty well established. You will have recorded it, will you?

Shaun Davies: We do not need that?

Q19 **Chair:** No, I think it is fine, but I just want to be absolutely clear that it would have been inappropriate for Ministers or special advisers to interfere while the inquiry was ongoing.

Professor Jay: Yes.

Chair: Therefore you would not expect to have had any contact, but once you had finished and the recommendations had been published you feel that there was insufficient contact from Ministers and responses until quite recently. We will come on to that.

Professor Jay: Yes, I do think that. I don't think there is much scope for disagreement about it.

Chair: No, that is fine—I just wanted to be absolutely clear.

Q20 **Ben Maguire:** I just want to follow up on some of my colleagues' questions. I find it absolutely shocking that you do not seem to have had any engagement, not just with the Home Office but with other Government Departments, when you have been set up as an independent inquiry to look at this and make recommendations. I am totally shocked by that. What is your view on not only having had no engagement with the Home Office and other Departments, but seemingly having had no support to implement your recommendations? Why do you think that



was? Was it cost pressures? Was it difficulties in implementing them, practically speaking?

Professor Jay: I have never fully understood it, because we were meticulous in the evidence gathering. We were very confident that the basis for the recommendations we made was solid. We were aware that of course some redress would inevitably involve one-off money—quite a lot of one-off money, as you know from other inquiries—but what I did not expect was complete silence. It was not just with us, as the inquiry did not exist any more; it was also with victims and survivors. I would not say all of them, by the way, but for some of the organisations we were in touch with, nothing was happening.

John O'Brien: Can I add something to that? I think it is a fundamental fault with the inquiry process. We need to be clear that this story that you are hearing will not be unique to IICSA. I am sure that there will be other inquiries that will have had a similar experience, because the minute the chair writes the letter to the relevant Minister, saying, "I have now completed," everything stops. There is no apparatus in place for the inquiry to be influential.

It is very interesting that in the individual investigation reports we published as we went along, which contained recommendations, we ran a process whereby after three months we would write to the relevant organisation—very often a Government Department—asking what was happening. We would repeat that process at six months and nine months. We have published all the letters on our website. Over 80% of those interim recommendations were implemented. I don't think those two things are disconnected.

Q21 **Margaret Mullane:** Following on from Ben's question on the strategic position on safeguarding: when the focus shifts, which is a problem, and the leadership needs to be there to keep safeguarding and child sexual abuse at the top of the agenda—especially from what you said earlier about the victims—do you think that is possible?

Professor Jay: In which context, sorry?

Margaret Mullane: Where something happens and then the focus is gone. You both highlighted that.

Professor Jay: Yes, indeed. For the same reasons that John set out, the public inquiry system is very strong. Its initial purpose is to get to the truth of what happened, but it is not prosecutorial. You can name names—as we did in many reports—of people who had failed, but it is for the police to investigate and to follow through. In some instances, of course, that simply was not possible, because it was too long in the past for them to do it.

On a general point, the leadership and the culture of organisations in relation to child sexual abuse is hugely important. I learned that lesson. I always knew it, of course; I was 30 years in local government. In



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Rotherham, when I wrote the report, the political attitude to some of those issues was extremely important—and negative.

Q22 **Margaret Mullane:** You make reference to how it switched to county lines at that point.

Professor Jay: You mean child criminal exploitation?

Margaret Mullane: Yes.

Professor Jay: Yes, indeed. The focus did change to that. At the beginning, way back in the 2000s—I know this from the work in Rotherham, because we looked at what had happened in the past—child sexual exploitation was seen as a gang response to the street price of heroin and the need to find other business outlets for criminality. That was fairly shocking, but of course you are quite right that later county lines came along.

We were aware that in Rotherham—I wrote about this in the report—the specialist police were excellent. They knew something and were properly trained in CSE. But going back 10 years, the general impression of that police force, and perhaps wider, was that it prioritised car crime and housebreaking. Important as they are, somehow it appeared that they were always seen as more important than the welfare of children and the appalling abuse that was going on. It might have been quite widespread at the time, but the specialist police were excellent.

Q23 **Joani Reid:** Professor, I think I am hearing from you—correct me if I am wrong—not only that there was a failure to implement, but that the extent to which there was agreement to adopt the recommendations was all in rhetoric. There was no real cross-Government agreement on these recommendations, so in reality there was quite a divide between the practice and the rhetoric. Would you agree with that?

Professor Jay: That was what we were led to believe by officials at the time.

Q24 **Joani Reid:** Officials told you that although the Government were publicly saying that they would adopt the recommendations, in reality there was some concern about the recommendations themselves?

Professor Jay: Perhaps one example I could give you is mandatory reporting. The Department for Education was not keen on that, for example, but that had nothing necessarily to do with the intrinsic value of the recommendations. We understood it was a more pragmatic response: that teachers would not stand for it. This was never told to us directly. We were told of this at the time by officials. That is not the same as saying, “It’s a bad thing.” It is just saying, “It’s too difficult to do” or “We don’t want to get into a row with trade unions over this,” and so on. There is a subtle difference there.

Joani Reid: Understood. Thank you.



Q25 Mr Kohler: I have two questions: one on process and one on detail. You paint a pretty shocking picture of inaction—almost active inaction. You submit your report, the initiative goes to the Government. There are a few kind words. You try to express your disquiet quietly. Nothing happens. You go to the press and you are slapped down. You both referred to this in passing, but how should the public inquiry process change so that we do not have Governments just sitting on these things? How would you change the process?

Professor Jay: That is probably one of the biggest questions facing public inquiries. It is good that it is being aired, because from my perspective the biggest weakness is the lack of follow-up and monitoring built into the process, not necessarily only those in the public inquiry. There should be more of an independent process that should involve the key beneficiaries—or however you would like to describe them—of the recommendations as well.

There needs to be something more than what we have just now, because you can see that it is nearly two and a half years later. There will be action; I assume, of course, that that will take place. Some of these things take a while to implement, but some could be done. Indeed, in the conversation with the special adviser, I listed the areas that could be done without primary legislation. In other words, it could be done quite quickly. I think there were four or five that it was possible to take forward.

We knew that Parliament was running out of time for primary legislation, but we were looking for the Government to do something and make a commitment that if they were re-elected this would be a priority in the next Parliament. In many ways, it should not have been for us to try to resolve that problem. It should have happened. John, you have views on the public inquiry.

John O'Brien: Yes. Just picking up on what Alexis said, in the year or two either side of us there were other major inquiries reporting. What you have is an environment in which inquiries are set up for all sorts of reasons. You never know at the beginning how long they are going to take. You sometimes get a concentration of inquiries all reporting at once. Many of the recommendations require primary legislation, and you would require a clear parliamentary timetable for four years to get them all implemented, even if nothing else happened. There needs to be some sort of monitoring process to make sure that there is oversight that can advise Government not just on how you implement IICSA's recommendations, but on what the important ones are to implement to solve the biggest problems in all the areas that the inquiry has looked at.

Personally, I feel that we also need to get the balance right between national statutory inquiries and non-statutory inquiries. I have seen very effective non-statutory inquiries. Very often, you will hear people say, "Well, they can't compel evidence," but sometimes we don't give it a try. You could have a non-statutory inquiry that goes along very successfully



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taking evidence. Indeed, we have had examples of that: Hillsborough was one.

We need to get the balance right, because the minute you make it statutory you introduce processes that automatically increase cost and time. We need to focus on what the problem is that we are trying to solve. Is it local? Is it very specific? Would a non-statutory inquiry do the job? We need to ask those questions before considering the statutory process, because it includes legal processes and all sorts of other requirements that just extend cost and time.

In my view, the biggest failure of the whole system is the failure to have independent oversight of the recommendations. We will shortly be having other inquiries reporting—on the Post Office, for example—and you will have more and more recommendations, in many cases requiring primary legislation, going into a pot while the Government agenda is already taking up a large part of the parliamentary timetable. We need to have an honest conversation with people about that. We need somebody to honestly say, “We are doing these ones first, and this is why.”

Q26 Mr Kohler: Thank you: that was very helpful. I am sure we will take that up as a Committee.

My other question is on the detail. Before the whole issue hit the headlines in December, what conversations or dialogue did you have with the new Government?

Professor Jay: As I said earlier on, Ms Phillips attended the event that we had and spoke in January last year. I think we had a discussion in September with her and colleagues, who are behind me here, from the Survivors Trust. A lawyer who was also part of the campaign was present. We had a discussion at the beginning of September. Obviously the new Government had a lot to do, so we were not quite sure how things would proceed from there, but was that the last time—

John O’Brien: It was the last time that we had a formal meeting before the one last week.

Professor Jay: Yes. We had one last week.

John O’Brien: There were positive signs coming out that there was a commitment to try to get things done.

Q27 Mr Kohler: With the new Government, did you go to them and remind them of the report, or did they come to you? How did it happen?

Professor Jay: We probably approached them: “Here’s another option. Let’s see if we can—”

Chair: We are going to come on to more questions on the current situation, but I just want to bring Jake Richards in.

Q28 Jake Richards: I want to move back a bit to what I think Paul called the



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active inaction—a good phrase—from October 2022 onwards. Both of you worked on this for seven years. You gave up a huge amount of your time. Perhaps even more importantly, survivors gave evidence. How does it make you feel? If you have had conversations with them, how does it make them feel when you compare that period of inactivity and the lack of engagement with what we have had over the last two, three or four weeks?

Some of the same politicians—the chief of staff, who I think is now in the House of Lords, who did not respond to you—are calling for another inquiry, calling for the Government to take immediate action, essentially after a period of 18 months of inaction. Could you share with us how that makes you feel professionally? I know you know some of the survivors very well: perhaps you can say how it makes them feel.

Professor Jay: The overriding concern at this point is to just get it done, to be honest. We have had a huge number of requests for media interviews and so on. I feel very concerned at the weaponisation of child sexual abuse that has gone on. I will not make any comment about the various actors involved in that; I would not give them the oxygen of publicity. We would not necessarily have chosen for it to have come about in this way, but we just need to get on with it. We are assured of a timetable by the end of February. It was a relief, more than whoops of joy.

Q29 **Mr Kohler:** When you were last before the Committee, you said that the three most important recommendations were mandatory reporting, a redress scheme and a child protection authority.

Professor Jay: Yes.

Mr Kohler: Do you still think that those are the three most important recommendations?

Professor Jay: I have had no evidence that would suggest otherwise. The rest are very important as well. Yes, I would continue to have those three as the most important ones, but I have no illusions. They would—each of them—take quite a bit of time. They are not going to be easily addressed.

With redress, we had a thematic investigation and the inquiry into accountability and reparations amassed an enormous amount of material internationally and elsewhere—more locally, from Northern Ireland and Scotland, but also from Australia, Canada and anywhere else that was relevant to redress. A lot of the work was done to set up such a scheme. There will almost certainly be funding, but that should be implemented. It does not require a great deal more investigation or research in order to do it, in my opinion, but obviously we were concerned.

Mandatory reporting is hugely important, for reasons that I think everyone will know. More than anything else, that was the response that we got from victims and survivors when we asked them. There were a



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very significant number—over 7,000—and by far the majority said that what would have made a difference to their experience was if there had been a trusted adult that they could approach, knowing with confidence that they would do something about it. But what happened in so many cases that we heard about was that they plucked up the courage to talk to somebody, but the abuse did not stop. They believed that this adult was going to do something, and they did nothing. That must have been devastating for children.

Q30 Mr Kohler: The Home Secretary said in her statement last week that the Government were going forward with three recommendations, one of which is mandatory reporting. The other two are making grooming an aggravating factor and the way data is collected. Do you agree that those are the priorities that should be taken forward, or were there better ones?

Professor Jay: Certainly the dataset. I know it always sounds nerdy, but it is so hugely important. In respect of the subject that has been most under discussion, child sexual exploitation, we know that it is not going to be able to be done very quickly, because police forces all have different styles of classification, if indeed they monitor anything that is relevant. The descriptives that they use are not the same across all the police forces.

To get an accurate picture of the problem with child sexual exploitation, the baseline across the board needs to be consistent. Just now, it is not. It is hugely important that that be fixed if we are to gain an accurate picture of where there are very serious problems that need to be addressed. Of course, we recommended a core dataset, and I absolutely believe in the importance of that.

Q31 Mr Kohler: Making grooming an aggravating factor was not in your final report. It was in one of the subsidiary reports.

Professor Jay: The subsidiary one. That is correct.

Mr Kohler: Why did it not make it into the final list of 20 recommendations?

Professor Jay: Because it was very specific to child sexual exploitation. The final report was never intended to be a collection of the most important from the rest. The only reason we included six others that had already been in other investigation reports is that the responses of those who should have been doing it were inadequate.

I have the perfect example of that. You might find it impossible to believe, but it is true: there is no regulation of children's home staff in England, whereas Scotland, Wales and Northern Ireland have had such a system of regulation in place. I first became a regulated person in 2002. In England, the only regulated people in the social care field are social workers. Indeed, some Government at some point stopped the regulation of social workers in training, which is bizarre. I don't know why they did



that. However, in the other three countries there is significant regulation of others, and the priority is nearly always residential children's homes.

Of course, we found that although it is a decreasing marketplace because of the extensive use of foster care and other types of care, nevertheless it would be considered very important that they should be regulated. We could never understand why that had not happened, because it was 2012 when it was due to be introduced, but it did not happen.

Q32 Chair: Do you see marked differences between England and other nations—

Professor Jay: In this respect, yes.

Chair: —in actual practical outcomes that are different because of it?

Professor Jay: Oh, I see. It is quite difficult to know, as I have just been saying, about outcomes in these cases. However, you have to do some things because they are the right thing to do. I consider strongly that this is the right thing to do—that people who are looking after the most vulnerable in our populations should be properly regulated. I cannot understand why it has never been done. There is only one category at the moment in children's social care, which is the social workers who are regulated. The settings are regulated, but that is an entirely different matter.

Q33 Chair: On mandatory reporting with Rotherham in particular, what difference do you think it would have made if there had been mandatory reporting at the time?

Professor Jay: There were so many people who told me that they had tried to tell people, and indeed many of them did tell their senior people. There was a grouping of children's home staff who used to meet regularly and say, "How can we deal with this? We have all these numbers of cars that turn up late at night to pick up usually girls, but not only girls, from children's homes and they cannot lock them in." That is not how a children's home should operate, but they had no outlet and nobody was interested in listening.

Certainly there was also evidence from some researchers and others who wrote to the Home Office and drew their attention. You may not remember all of this, but there was an inquiry into it and the person concerned was treated very badly when this emerged. Basically, they attempted to discipline her for having taken the actions that she had taken in writing to the divisional commander of police and indeed to the children's social care director about this. She was punished for it. So there were people who did try, but I have absolutely no doubt that mandatory reporting would have made a difference faster in these circumstances.

Q34 Chair: I say this because I was the Minister for Safeguarding from 2015 to 2016 and I remember meeting the victims. I went to Rotherham and



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sat down with them, and the frustration was, “We told people and nobody listened to us,” so it really has resonated with me. My fear is that a mandatory report, unless it is acted upon, just means that you have ticked the box and have done what you needed to do. I certainly heard that from survivors constantly. It cannot just be a report; it has to be something that is acted on.

Professor Jay: Yes. In so far as we started to develop the model, we definitely thought that there ought to be a designated person in the police or children’s social care or whatever. It was not just your own boss; there needed to be somebody so a degree of protection would be afforded to those who were, in effect, whistleblowers and complying with the law. John knows a bit more about this.

John O’Brien: I think mandatory reporting is also important for a different reason. I cannot count the number of times during the inquiry that when an institution finally accepted that sexual abuse of children had been happening, it immediately closed itself down. I do not mean that literally; I mean that there was enormous pressure from those at the top for everything to be internalised. That led to a significant number of cases that were not reported to the police at all and were not reported to social services at all. Perpetrators were simply moved to a different area of the company or whatever it was.

I think mandatory reporting will make a real difference, because it needs to have two stages to it. You need to make sure that people are able to report—that was your point, Chair—and that the person they report to takes action. You also need to make sure that there is a disincentive to those at the top of organisations persuading people not to report, with no action that can be taken on anybody until that report has been made. That was such a common problem. In many areas that we looked at, the organisations that would have dealt with that report were excellent, but the reports simply were not getting through to them.

I think it will have a very big impact once the reports start being made. I agree absolutely that there needs to be a structure beyond that, but the first thing we need to do is make sure that the right information gets to the right people so that the right action can be taken.

The important thing on the data in many of the cases is that very often what would be recorded on the database was abuse, not sexual abuse. The consequence was that all the doorways to the right services for that child who had been sexually abused would not open properly, because it was recorded as abuse. We need to make data recording very accurate. You need to accurately record what has happened so that all the genuinely excellent services that exist in many areas kick into place. Those two things combined, I think, will make quite a significant difference.

Professor Jay: One thing to add to that is that although we have talked a lot about police and children’s social care, there are much bigger



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settings in which mandatory reporting would make a big difference, for the reasons that John gave. They include religious organisations and other more closed settings where they are not required to adhere to the standards of secular bodies.

Chair: I will bring in Chris Murray and Joani Reid, and then we will move on from what has happened in the past to where we are today.

Q35 Chris Murray: In your previous answer, you spoke about how some survivors had gone forward to authorities to make reports and nothing had happened. We are talking a lot about processes, politics and administrative structures here, but at the heart of this are the victims, who are victims of terrible crimes. Delay has cost, not just in terms of what we want to do as a Government, but for those people. Can you talk a bit about what it was like for survivors of child sexual exploitation and child sexual abuse to give evidence to your committee? What were the difficulties that they faced? How did you overcome them? What impact has the lack of progress had on them?

Professor Jay: At least one person behind me could better answer that question for you, because you need to talk to victims and survivors themselves who, as you rightly say, are at the heart of it, as indeed Theresa May—as the instigator of this public inquiry—intended. The victims must be at the heart of it. I hope that we delivered that in various ways—lots of different ways.

There was not just one way of doing that, but perhaps the most significant was something called the Truth Project, where individuals who had been the victims of abuse were invited to come forward confidentially and have a session with a trained facilitator—usually psychologists, social workers, ex-police or whoever—who had a background and who had additional training for this purpose. We consider that to be an innovation that was successful and meant a great deal.

We had the most extraordinary range of people who came forward to tell us about their experiences. It was quite shocking. Every six months or so we published anonymous accounts, with the agreement of the individuals, in various volumes from the inquiry. They are extraordinary. They are probably the best evidence—well, perhaps not evidence, but certainly material—that I have seen, better than all sorts of research projects. A lot of it is in their own words. The Truth Project was hugely significant. Was the oldest person who came forward 84, John?

John O'Brien: Eighty-seven.

Professor Jay: Eighty-seven. He had never spoken to anyone other than his wife and immediate family, I think, and had never gone out of his house on his own since it happened.

John O'Brien: This is a very powerful story, but I think it is worth telling. This was a gentleman in his 80s whose abuse had happened between the



ages of six and 12 by his local priest. Unusually, his parents had taken his report to them very seriously. They reported it to the police at the time, but this was in the early 1950s. Nothing happened; the priest was believed.

The important point about the truth sessions is that many victims do not want to give evidence formally—they don't want to go through that process—so the truth session was a way for them to come and talk to us in a completely informal environment. He did not want to give evidence formally, but he came to speak to us. He took great care to tell me quite carefully during the session that he had told his parents at the time. He had married quite young; he told his wife as soon as they got married that he had been abused. He told each of his three children when they reached 18 that he had been abused. It was not until he wrote to me two weeks after the session that the relevance of that became obvious to me. He said, "I had never left the house on my own from the age of 12. I had either been accompanied by my parents, by my wife or by my children. I thought you might like to know that after your session I felt able to leave the house for the first time on my own in 70-odd years."

The impact of people being able to come and share their experience in that way can be quite dramatic. Alexis alluded to this being the first time that he had shared it with anybody outside his family. That was quite common in the Truth Project.

You asked about the process. You have to create the right environment, so we were careful with the rooms and how we decorated them. You have to create an environment where people feel comfortable to come and talk to you about quite personal things. If you do it, it can be a very powerful way to engage with people who do not want to give evidence. Giving evidence at a formal inquiry is a big task to ask anybody to undertake. For a survivor, it can be quite daunting.

Professor Jay: I have one or two other points that came up from all of that. Many people have a perception of child sexual abuse as being a one-off event. We discovered from the Truth Project that the average length of time was four years, not one night. Four years was the average time that they reported to us the abuse went on for; the average time it took for the individual to tell anybody about it—to disclose it, as we usually say—was 26 years.

Q36 **Chris Murray:** Thank you very much. That is very powerful.

One can understand that a survivor may feel quite conflicted or ambivalent about engaging with the process. As you say, you have set out a range of different methodologies for them to engage. If a survivor changes their mind about whether they have given you evidence or been granted anonymity, what do you think is the correct response from an inquiry?



Professor Jay: Of course they should agree to it, if people change their mind. I do not know if there are legal reasons; I am well aware that there is some discussion in Scotland at the moment on this issue, but it is not one that we have confronted. If people change their mind, that is fine.

John O'Brien: You asked what the correct process should be, rather than perhaps what we did. If a survivor gives evidence and changes their mind, it will usually not be changing their mind about the evidence; it will be changing their mind about their name being associated with the evidence. In those circumstances, if you want my opinion, I think the chair should exercise their discretion to grant anonymity.

Q37 **Chris Murray:** Thank you very much. This is my final question. The recommendations that you set out in your inquiry work first to help victims of historic child sexual abuse, but also to strengthen our resilience against it happening now. Obviously it is happening across the UK in every community just now. What is your view of the impact of the delay in implementing your recommendations on current victims of child sexual abuse?

Professor Jay: Although much of what we did was non-recent, in nearly every case—when we were looking, say, at a boarding school or a religious organisation—we checked what the case currently was and what the current practice was. Obviously we would bear in mind how many reports of sexual abuse of children had taken place not just in the 1970s or 1980s, but in the last few years as well. We went out of our way to make sure that it was up to date in that respect, but there has been a significant effect on people. Attribution is a problem, but nevertheless the delays that have occurred—at least for those who are victims or survivors of abuse, and possibly for young people in the system right now; certainly for the adult survivors—have been devastating. There is a lot of anger, some despair and some distress.

Q38 **Joani Reid:** You have already collected a significant amount of data from Scotland and Northern Ireland, if I am correct, and of course you are an academic and are based in Scotland. I suppose this is speculation, but can I ask about the systemic and institutional issues that you identify in the report as leading to child sexual abuse? Do you have any reason to believe that the situation is any better or worse in Scotland and Northern Ireland? To what extent do you think your recommendations are applicable across the UK? You will know that there is an ongoing inquiry in Scotland.

Professor Jay: Yes, of course, and I know about Northern Ireland as well. I have no doubt that people behave in similar ways, both institutionally and as individual abusers, in whatever country. There could be an argument that because of the children's hearing system in Scotland it may have been picked up earlier, but I have not seen any evidence to confirm that that is the case. It is possible, but I don't think there is any difference at all. There is a difference in context and some settings are more prominent than others in different countries, but my strong view—



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and I have expressed it in one or two sessions in the Scottish Parliament—is that they must take the recommendations seriously. There is a lot of support for that as well.

Particular issues like mandatory reporting have to be seriously considered, and in terms of the implementation there should be no complacency in any of the other countries about these matters.

Q39 Joani Reid: On mandatory reporting, I believe that the First Minister said last week that it would be considered. Do you envisage any situation in which mandatory reporting could justifiably not be adopted, if that makes sense?

Professor Jay: I don't support this. That is why we made a statement, in what we wrote about mandatory reporting, that there should be no exceptions. Of course, the Catholic Church, for example, would say that the seal of the confessional should be an exception. There are areas—possibly children's confidential helplines—that may have to be considered seriously, but we were very clear that there should be a minimal number of exceptions. I certainly do not think that the seal of the confessional should be one of them.

Chair: We will now move on to the present day. Thank you for filling us in on the past. We will start with Shaun Davies.

Q40 Shaun Davies: I have a quick question on mandatory reporting, before I move on to the recent events. I think you said that the recommendation that the previous Government were bringing forward fell as a result of the general election. I remember you saying that that version of mandatory reporting did not necessarily take the view that you think it ought to have. Could you expand on that point, very quickly?

Professor Jay: This is quite a complicated issue. John, you probably know this better than I do, but it concerns the protections that were not necessarily afforded to children of 13 and over.

John O'Brien: In the recommendation for mandatory reporting that we made in the inquiry, we recognised that there are consensual relationships between children under 18, but maybe particularly in that 16-to-18 age range. You have to be careful that you are not making a report mandatory on what everybody accepts is a consensual relationship, because it can lead to all sorts of consequences. Children do not then gain access to all the help they need to have a proper consensual relationship.

To answer your question, I described it as Swiss cheese. There were so many exceptions that allowed the exercise of discretion by whoever the person who was responsible for making the report should be that it was effectively worthless if they considered that. You could have a situation where you had a 13-year-old and a 17-year-old, and if they both said that they were in a consensual relationship it negated the need to make a report.



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Q41 **Shaun Davies:** So, to summarise, the version that was being brought forward before the general election was not mandatory enough, in your opinion: there were so many exceptions that effectively it did not make it mandatory.

John O'Brien: There were other exceptions, but the biggest exception was around 13 to 18-year-olds.

Q42 **Shaun Davies:** That is very helpful. Thank you.

Let us turn to recent developments since the July general election and under the new Home Secretary. Can you explain to the Committee the contact that you had with the new Home Secretary and Home Office Ministers, specifically from July to December of last year?

Professor Jay: I have referred to the meeting with Ms Phillips, the safeguarding Minister, which took place in September. There was another one.

John O'Brien: There was a meeting last week.

Shaun Davies: I will come on to the meeting last week, if possible, but from July to December was there one meeting with Minister Phillips?

John O'Brien: And the event in Parliament here. That was before—

Q43 **Shaun Davies:** That was before the general election. Did the meeting follow the same settings as the previous attempts that you had had with various Home Secretaries before the general election, in terms of wanting to understand the process of taking your recommendations forward?

Professor Jay: It was a general discussion about it, I would say. We were there, and there were three other people as well. It was more general than specific.

Q44 **Shaun Davies:** Were you given any assurances that work was under way in regard to the report, in that general meeting that you had with Minister Phillips?

Professor Jay: Yes. Again, not specifically; we heard about what particular areas of work were under way, but what was referred to was the issue we talked about earlier, which were the discussions with other Departments. As far as we could see, the Home Office was attempting to co-ordinate that. I think that is reasonable to say, but that was at quite an early stage.

Q45 **Shaun Davies:** Did you have any meetings from July to December with civil servants or officials, or any conversations with civil servants or officials, about where this was on the work programme?

Professor Jay: Not using those words. We always asked, "When is it going to happen and when is anything coming forward?" Whoever we were talking to, we would ask that, of course.



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Q46 **Shaun Davies:** There was a meeting last week, which you have referred to a number of times. What prompted that meeting with the Home Office?

Professor Jay: I don't know what prompted it; I don't even know that I could guess, particularly. We were not necessarily discussing the matters that had been in the public domain quite prominently. We were discussing the recommendations and where that was going. It was a long and detailed discussion about the implementation of the recommendations in the report.

Q47 **Shaun Davies:** The first meeting last year with Minister Phillips was in terms of the general direction of the work and the fact that the new Government came in and there was a piece of work to be done. January was much more specific, in terms of talking about the individual recommendations and the timescale to deliver them. Would that be fair?

Professor Jay: January was when we held an event last—

Shaun Davies: Forgive me: last week's meeting.

Professor Jay: Okay. I thought you meant the previous January.

Shaun Davies: Sorry, this January.

Professor Jay: Yes. We were not aware of whatever announcements were going to be made. Of course they were quite significant on Thursday. We were assured that things were moving forward on our recommendations.

John O'Brien: I think at the earlier meeting it was obvious that the Home Office was seriously engaging with other Departments about how to deliver the package of recommendations. That was obvious from what was said—that there was active engagement across Government to try to get agreement. In the meeting last week, it was clear that that had borne some success, because there were conversations about specific recommendations. We were not told what those were, other than the mention of mandatory reporting, but as Alexis said, a couple of days later there was an announcement that said, "We are accepting all of them."

Q48 **Shaun Davies:** In terms of the progress from July up to and including this month, has there been any other period of time when you have seen that rapid progress—"rapid" is my word—outside that window, from the recommendations being delivered? Did you get a sense that things were moving and under way from the meeting that you had with the Home Office from July onwards?

Professor Jay: It was only the September meeting, of course.

Shaun Davies: And the meeting last week.

Professor Jay: Yes. Last week was a very specific context.



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Q49 Shaun Davies: Okay. Have you had any meetings with any other Member of Parliament in a leadership position since, say, Christmas on this issue?

Professor Jay: Yes, I met with Ed Davey, at his request.

Shaun Davies: Are there any other Members of Parliament you have had discussions with about this, from Christmas onwards?

Professor Jay: Sarah Champion, whom I knew from Rotherham, of course. I had it in mind to run some sort of event for MPs newly elected at the last election to orientate them to the report and its recommendations, but it was all predicated on the fact that they had not been implemented at that stage, so we are not entirely sure where that stands now. I don't feel the need necessarily to participate in it. It depends what the focus is.

Q50 Shaun Davies: To be clear, from July onwards you have met Minister Phillips in the one meeting, and then most recently Sarah Champion and Ed Davey, and then the meeting we have all described last week. In the meeting last week, were any new commitments made to you?

Professor Jay: I suppose, yes: there was a new commitment to meeting with us regularly to keep us informed, both at official level and at ministerial level. Personally, I want my expertise to be used. Of course I want to be informed, but we are sitting on all this material that could help with the process, depending on which recommendations we are talking about. I did not just want it to be reporting back. I am sure that there may be commitments as well around victims and survivors, and I think they would want to be more actively involved.

Q51 Shaun Davies: Finally from me, in this set of questions, there was an expectation from your perspective that there would be further follow-up meetings with Home Office Ministers and other Ministers as appropriate. Is it your expectation and assumption that that is what will happen as a result of the meeting last week?

Professor Jay: Yes. We came away with that strong impression, and we will certainly be following up.

John O'Brien: Can I add something?

Shaun Davies: Of course, Mr O'Brien.

John O'Brien: For the purpose of completeness, the Home Secretary did join that Parliament meeting—the one last week.

Shaun Davies: Thank you. The Home Secretary was also there?

Professor Jay: Yes.

Q52 Mr Kohler: On the September meeting, just to be clear: I think you intimated that Minister Phillips initiated it. Is that correct, or was it you



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going to her?

Professor Jay: I am trying to remember the origins. It almost certainly would have begun at some point with us writing and saying, "We want to talk to you about this."

Q53 **Mr Kohler:** At that meeting, did you feel more confident than at your previous meetings with the previous Government?

John O'Brien: Yes, there was a definite impression that there had been more engagement across other Departments to try to get, as I said, a cohesive response to it, because the Home Office can only have responsibility for four. It was clear that there had been conversations going on that that were trying to get agreement across Government to do a more comprehensive and cohesive package. That became clearer at the meeting last week.

Q54 **Mr Kohler:** The January meeting last week: when was that arranged? Was it arranged in the wake of the publicity or was it already in the calendar?

Professor Jay: I am afraid I can't remember exactly. Was it before Christmas or after?

John O'Brien: It was arranged in the wake of the publicity, I think, would be the way to describe it.

Q55 **Chris Murray:** I am surprised by what you are saying there, Professor Jay and Mr O'Brien, because this issue has received significant publicity over the last couple of weeks. It has been on the front page of newspapers; it has been at the top of the headlines; it has been raised at Prime Minister's questions. Did any parliamentarians from Opposition parties reach out to you, given your significant experience and expertise, and say, "Hang on: we have had loads of recommendations over seven years and they have not been implemented. Why has this been?"? Apart from Ed Davey, of course.

Professor Jay: No. I have been thinking hard. I am sure I would have remembered.

Chris Murray: No curiosity at all as to what the substance of the delay has been?

Professor Jay: I don't remember any contacts. We did a Home Affairs Select Committee back in January 2023 and we did an Education Select Committee as well around that time. Nothing emerged from that.

Chris Murray: No curiosity?

Q56 **Joani Reid:** Does that include the Leader of the Opposition and the Shadow Home Secretary—nothing?

Professor Jay: Yes, I did have an online meeting with Yvette Cooper. That would have been in 2023—maybe September.



Joani Reid: I meant since July, but thank you. That is clear.

- Q57 **Jake Richards:** Very quickly on this topic, one political party has said that it is going to set up its own inquiry, as far as I understand it, into a specific aspect of child abuse. As people who have been heavily involved in the seven-year national inquiry, do you have any comment on the ability, or in fact appropriateness, of a political party undertaking an investigation into these serious criminal activities?

Professor Jay: I cannot see what is to be gained from it.

John O'Brien: With a political party, I struggle to see how that is independent. We need to be careful of people's expectation, when you announce that an inquiry is going to be independent, that it is going to take evidence independently. I think that is quite tricky.

- Q58 **Jake Richards:** Just pressing it one step further, in terms of the effect that that could have on survivors, whether they engage with the process or not: do you have any word of caution for people who are setting up these inquiries off the back of what seems to be political rhetoric?

Professor Jay: Absolutely. You make a very good point. There is a reason why public inquiries are so expensive. A lot of it is, of course, down to the legal costs, but my inquiry invested a fair amount of money in support to witnesses, but also a huge amount of support to victims, because we were well aware of what is often referred to as the triggering aspect of either evidence-giving or even just relaying and talking about these experiences that they have had as children. It must be handled very carefully.

Not only that, but of course we had good liaison with Operation Hydrant and the police. We had very strict rules about referring anything of what we used to call a blue-light nature, anything that caused any alarm or had the potential for further harm to take place. These are all aspects of a public inquiry, or any inquiry, that I think people hugely underestimate when they say, "Let's have a public inquiry," because they are all important. You have to act out the fairness and objectivity principle very carefully, otherwise you could have all sorts of legal threats. It would not be proper because you are supposed to act, as the chair and those involved directly, in a way that is unimpeachable in that sense.

John O'Brien: Could I add something on the process, just to give a demonstration? For anybody coming to the Truth Project, they would write in. We had teams of psychologists working on the inquiry. Somebody, four weeks out, would hold an online or phone call meeting with them, talk through what evidence would look and feel like, talk through any special requirements and ask whether they wanted to bring somebody with them. They would keep in contact until the day they came. That same psychiatrist would be there on the day of the session, meet with them beforehand and make sure that there were no last-minute issues. They would follow up contact for up to four weeks



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afterwards and would then make sure that there was an appropriate hand-off to a support service in their local area.

I only say that because that proved to be a very wise decision in quite a lot of cases, because you can imagine how triggering it might be to come and talk yet again to a complete stranger about something that happened to you 30, 40 or 50 years ago, which you have tried to bury to some extent.

- Q59 **Jake Richards:** You would agree that there are reams of evidence about the best evidence that survivors can give, the appropriate settings and the formalities that have to take place. This should not be done in a slap-handed manner at all.

John O'Brien: No.

Jake Richards: Not just for protecting the victims, but also for them to achieve the best evidence.

John O'Brien: Yes.

Professor Jay: Yes. Indeed, we had the same approaches up to a point, as John has described, with all witnesses. Some people did not choose to engage in it, but they were all offered support.

- Q60 **Mr Kohler:** Very quickly, just for the record: am I right in my understanding that other Lib Dem MPs were present at that meeting with Ed Davey?

Professor Jay: One was. To be honest, I can't remember precisely who was, but there was certainly one.

John O'Brien: I think it was one other MP and three advisers.

- Q61 **Ben Maguire:** You have said, Professor Jay, that the overwhelming message from the victims throughout all of this is just to get it done—not to talk about it or debate it any further, but simply to implement the recommendations that you made after quite a lengthy statutory inquiry. The theme throughout this hearing today seems to be about implementation and taking responsibility for implementing the recommendations. Where do you think that the responsibility should be to monitor that implementation and make sure it happens?

Professor Jay: There are different options. One that has been discussed before was whether a Select Committee ought to do that, for example. It is important that be is a combination of individuals with direct experience that can contribute something to it, as well as Government representatives or any of those who are charged with delivering it in whatever way. It obviously needs to include victims and survivors, the experts, if they have something specifically to contribute, and Government or any of the particular agencies. There is also the possibility that Select Committees could do that, with the necessary expertise.



Q62 **Ben Maguire:** You said earlier that, rightly, some of the recommendations are implemented and prioritised faster than others. As part of future inquiries, should there be some mandatory implementation timetable that is binding on Governments to follow and on which they can be held to account, rather than this back-and-forth with Ministers and officials, which seems to be quite an optional thing?

Professor Jay: Yes, of course it would help. Certainly we could not require anything of Government, but we did say that a response within six months would be appropriate—a proper response—and they more or less adhered to that. Unfortunately, it would not have made any difference in that case, because it was the nature and quality of the response that was weak, as far as we were concerned, and lacking specificity in timescale.

Chair: It is often the case with Select Committee reports, and they are supposed to respond to those within four months—or is it six weeks? *[Interruption.]* Two months, yes. We do not always get very good responses.

John O'Brien: Yes. I go back to what I said earlier: there will always be a number of inquiries reporting at the same time. As well as oversight to make sure that recommendations are implemented, the work has to be done on the ground so that the recommendations that are being overseen are those that are due to be implemented in whatever the timetable is. The last thing you want is false timetables, so the work that says, "If we publish this timetable, how are we going to meet it?" is really important. It is an obvious thing to say, but we have seen quite a lot of that through the life of the inquiry. People say, "We'll get that done in six months," but actually, when whichever organisation has looked at it, that has not been possible.

The important point that Alexis makes is that there needs to be something sitting on top of that to hold Government to account and say, "Why hasn't it happened? Why is it not happening?"

Q63 **Shaun Davies:** You have mentioned a couple of times the point about multiple inquiries reporting at the same time. Just to check, were you ever given an impression or told by anybody—yourself or Professor Jay—that other inquiries were taking prominence in terms of bandwidth or parliamentary time, or anything like that? Was there any reason specifically why you were told that there was a problem with taking forward the recommendations of this particular inquiry?

John O'Brien: No. I made the point more because almost no inquiry has had success in getting very many of its recommendations implemented. My point was that even if the Government of the day were so inclined, this would be a very long timetable if you had 19 recommendations all requiring different types of priority.

Q64 **Robbie Moore:** Let me start by thanking both of you—particularly you,



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Professor Jay—for your involvement over many, many years and for speaking and listening to some incredibly horrendous stories from many victims and survivors.

I am deeply frustrated—that is too light a word; in fact I am infuriated—that not all of the recommendations have been enacted in full. My reading of the report that you produced, incredibly detailed as it was, is that regardless of political party, both nationally and at local levels, this is a failure of the British state at all levels and indeed anyone with safeguarding responsibilities to enact their full responsibilities in enacting all of your recommendations in full, as I have been advocating for consistently.

What I would like to focus on is the fact that you have done an incredibly detailed report, and hopefully we will be in a position where those recommendations are being put in place in full. The report that you carried out was very wide-ranging, quite rightly. Do you feel now that there should be a national inquiry specifically looking at rape gangs, gang-related grooming and child sexual exploitation in areas where concerns have been raised—not only in Rotherham, but across the Bradford district, as I have been advocating for?

Professor Jay: I made my own position clear a couple of weeks ago: I certainly, at this point, do not think that there should be a national inquiry. Certainly a local inquiry would be justified, but not a national public inquiry, having just spent years and years on it. They were for different reasons. First of all, there was a discussion—I cannot remember where it originated—at the beginning of all this, and there was a view that perhaps the recommendations should be further delayed. Clearly I was not going to agree to or support anything that said that. However, beyond that, I simply do not understand, and I do have the experience of Rotherham to go on as well.

It is more of a concern to me that victims and survivors will not necessarily have their aspirations met by a public inquiry unless they know a little more about the processes involved and how lengthy anything in the nature of a public inquiry could be. I hear so often that people will be brought to justice, but they cannot be brought to justice by a public inquiry. It does not have that power.

- Q65 **Robbie Moore:** There is an acknowledgment that, quite rightly, your report was very wide-ranging. On the assumption that this Government enact the full recommendations—I can understand your frustration that they have not been put in place fully, so let us assume that that is the aspiration of this Government and they are done at speed—is there not a possibility of having a twin-track process and having a national inquiry? There are concerns in over 50 towns, like Rotherham, like Telford and like the Bradford district, which has never had a spotlight shone on it. By just having a hotchpotch approach with very in-depth local inquiries, you are not getting the full picture when you are specifically looking at the challenges associated with rape gangs, gang-related grooming and child



sexual exploitation.

Professor Jay: You may be right, but on the other hand, in the CSE investigation that we carried out, we were very clear that this was not a problem on the wane at all. People were treating it as if it were a problem that was going away, when it was not. We said that in the report.

The data was awful. I would rather we allowed the proposed exercises on data to be in place to see if we could better understand the picture from facts. It would be nice if people relied on some facts and numbers for a change and took some of the aspects out of all this that I found distasteful. I agree with you that it should be a matter that does not attract specific politics. It is about children and it has to be about children.

Q66 **Robbie Moore:** Yes, which is why I am specifically saying that there has been failure at a political level in all political parties. I have been quite clear on that consistently, for a long period. I just want to dig a little deeper on why we would not want to provide more openness and transparency with a national inquiry that looks specifically at this issue.

Can I just pose a challenge to you that I am faced with? Across the Bradford district, we have never had a local inquiry. We have never had any spotlight shone on it. There was a weak report that was produced in 2021 that was 50 pages long and looked at some horrendous child sexual exploitation and gang rapes of only five children. It concluded that children “remain unprotected while some perpetrators remain unknown and unchallenged”.

Across the Bradford district, only last week eight men were convicted for gang rape in Keighley; in February 2022, four men were convicted of gang rape; in February 2016, 12 men were convicted of gang rape; and in 2015, 11 men were convicted of gang rape. All were from British Pakistani heritage, some of them being second-generation. These challenges have been posed and no spotlight has been shone on a local area. You have refusals of local leadership to allow that spotlight to take place, and that is not just happening across the Bradford district.

Should the national Government not step in when there are concerns being raised at that local level to do the right thing, in my view, of having a national inquiry that looks very specifically at these individual areas across the UK, if there are concerns in over 50 towns? Collectively, that should be the right approach: we would be doing justice not only in the sense of leading to convictions, but by instilling trust back in the system for those victims and those survivors, in the very state that has failed them.

Professor Jay: It is not particularly a debate that I wish to enter into at this stage. I would suggest—we clearly find this in our reports on CSE as well—that there are many police forces who simply do not prioritise this. They should get on and do that. Their profiling should be hugely better



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than it currently is. Hugely improved profiling and the need to prioritise it is central to what you have just said, and obviously in bringing to justice the criminals that you are describing.

It is not very clear how that fits with what a public inquiry can do. I don't know what the inspectorate of constabulary has already done, for example, latterly. Has it done enough? I cannot easily see a lengthy and expensive public inquiry necessarily being able to do what you are describing.

Q67 Robbie Moore: Can I just ask why you chose six different towns or geographical areas to focus on? None of them was in West Yorkshire; none of them was in South Yorkshire. In fact, the only two in the north were Durham and St Helens. One of them was Warwickshire, for example. Why those six?

Professor Jay: We were very keen not to visit those areas that had already been the subject of reviews. We wanted to be sure that we were looking at what was being done. We are absolutely clear that this was not a problem that was diminishing at all. We wanted to verify and take account of what was going on in those areas and being done either to be preventive, which would be good, or, if not that, at least to identify in those particular areas where the group activity was going on. This may sound like an argument in your favour, but it is not necessarily: we read case files in these areas and we were able to identify that there were several children—

Q68 Robbie Moore: Did you read any case files across Keighley or the Bradford district as part of it?

Professor Jay: No, I am talking about the six areas you have referred to.

Robbie Moore: Oh, right—sorry.

Professor Jay: Of those areas, two had reported that there were no organised networks that they were aware of. This is through the police; two of them indicated that. We read case files that indicated clearly that children were being sexually exploited. There is an obvious mismatch there. We could reasonably expect that that might be the case in a number of other areas: that the police work is not being fully undertaken comprehensively to identify these networks. It should be, and it is not.

Q69 Robbie Moore: I completely agree with what you have just said, which is why the level of concern that I have is so strong, particularly around those areas such as the Bradford district that have not had a spotlight on them.

The Home Secretary gave a statement to the House last week announcing, effectively, five audits that are going to take place. Do you think that that is going far enough, when they will not be statutory and they will not have the ability to compel witnesses to come forward? I



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would like you to expand a little on the specifics of the Home Secretary's announcement. If you are more favourable to a local inquiry taking place, is the Home Secretary's announcement going far enough?

Professor Jay: I don't know enough about those particular areas to be able to comment on that. It is absolutely necessary to know something about local areas, but you can also generalise from the kind of information that we found in case file reading. It is the easiest way into knowing how the issue is being responded to.

Q70 **Robbie Moore:** If you are not at this stage agreeable to a national inquiry, I want to come back to my area, which I have been talking about for a long time: the Bradford district. How is it best to achieve a local inquiry across an area like Bradford, where the current position is that we do not have local leadership on Bradford council willing for that inquiry to take place? We also have our West Yorkshire Mayor—and indeed her deputy mayor for policing—saying very publicly, "This is not a Bradford problem; this is a national problem."

How do we break this barrier if the national Government are not willing to enforce a statutory inquiry that compels witnesses and will lead to convictions—as we have seen in Rochdale, for example, where the Mayor in Manchester did the right thing? How do we break this challenge when valid concerns are being raised not only by Members of Parliament like me, but indeed by local victims and survivors? Should it not be a duty of the Government to step in to force statutory inquiries at a local level?

Professor Jay: You have some views about this, John, which may be relevant here about trying to get a meld of the two, if you like. I can only refer to my own experience in Rotherham. That was some years ago. It was non-statutory, it was not expensive and it took 10 months.

Robbie Moore: But that was with the will of the Rotherham council to do that.

Professor Jay: I was just coming to that, yes. It was with the will of them, but I understand that it took a lot of persuasion that this was the right thing to do. Ultimately, people are persuaded. As I have learned in this a lot, they are generally persuaded to do things by bad publicity. If they will not do something because it is the right thing to do, sometimes bad publicity will set that. I have heard it said in other places—I think I may even have quoted it in the report that we produced—that "We will not be another Rotherham." That does not mean that it does not exist; just "We will not be". In other words, there would be a collusion not to commission such reports.

I am simply giving you a possible explanation. I have no idea if it applies, but I know that it has applied in other places: that by having an inquiry, you might be causing the area to be represented in a way that is not desirable.

Q71 **Robbie Moore:** Finally from me, in an earlier answer you indicated that



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the weight of this Committee has an ability to shine a spotlight on these challenges. Is there any advice that you would like to give us as a Committee beyond today, specifically on this issue, given the concerns that I have raised, not only at a local level but at a national level? What additional questions should we be asking others?

Professor Jay: I am happy to assist in any way that is helpful to the Committee. If you have any further questions, of course I would be more than happy to try to address them.

Q72 **Mr Kohler:** There might clearly be a case for another national inquiry if systemic issues had not been addressed by your report, but your contention is presumably that you have addressed those systemic issues or are seeking to address those systemic issues with your recommendations. Is that correct?

Professor Jay: Yes, and there are a lot of recommendations across the piece on child sexual abuse that are also relevant to CSE—of course they are. The recommendations are not exclusive to children who have been abused in schools or the Church or wherever. In terms of the behaviours, they are equally applicable to CSE.

Q73 **Mr Kohler:** You talk about some police forces not prioritising this type of crime. Would the presence of another national inquiry be likely to encourage them, or would it give another excuse for not prioritising it?

Professor Jay: I don't know. David Cameron announced a major policing priority in 2015, but whether anybody has confirmed that it is happening, I do not know. That may be a question to ask.

Chair: It is probably for HMIC, I guess, but it may be something for this Committee as well.

Q74 **Shaun Davies:** One of the key differences between a national statutory inquiry and a non-statutory national or non-statutory local inquiry, as has been spoken about quite a lot, is the inability for a non-statutory inquiry to compel people to come and give evidence. Certainly my experience, in the inquiry that we ended up commissioning in Telford because the Government did not want to commission a specific inquiry, was that people who the inquiry wanted to talk to did not come forward. Those are detailed in the report.

Did you have the ability to compel in the national inquiry? Was that a useful tool to you as a chair? Do you have any views, Professor Jay or Mr O'Brien, on the ability for local areas to compel?

Professor Jay: It is difficult to know, because we do not know what it would have been like without it. Nevertheless, there were a small number of occasions when it was essential. Some people just think that if they do not reply to contact, you will just go away. That never happened in the public inquiry that I chaired, nor in any public inquiry, because we were fairly ruthless in pursuing individuals. If they said they were sick or



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something, they had to give us a medical certificate—"and by the way, we'll be seeing you when you're better."

We even used tracing agencies to track people down, to make sure that just a wrong address or whatever was not good enough, whether it was deliberate or accidental. You do not have to resort to sending the police around, but you could if you needed to. There were only a couple of occasions when we had to push it with a threat that we could prosecute if they did not co-operate. Mostly you have to do all the other things first, of course. It was certainly helpful in some cases, but I cannot say that that accounted for an awful lot.

At the beginning—everybody does this in a public inquiry—we said, "Do not destroy any materials." But it doesn't matter what kind of inquiry it is: they could still do it, because you wouldn't know what you didn't know, as it were. Sometimes there were witnesses to that, which we were aware of, and we would bring them in—deliberate destruction of records. It has been useful, but in our experience it does not constitute a huge part of it, partly because it is very hard to validate necessarily going back in time.

Q75 Shaun Davies: Can I follow up with one or both of you on the point about the ability for local inquiries either to exercise that role or to apply to the authority in circumstances where they feel the need to? Obviously there is the duty of candour through Hillsborough that is coming through. Your views on that would be really helpful.

John O'Brien: I personally do not believe that the duty of candour will make a huge amount of difference, if I am honest. I see a duty of candour that already exists, particularly in places like the NHS, and it appears to me that it is not hugely effective. I remain unconvinced that a duty of candour will do that.

We are into the sphere of personal opinions now, but having spent this long in the national inquiry, I can say that Alexis is quite right: it is a tiny percentage of people that you need to go to compulsion with. That is a really important thing to remember. Most people do come forward and do give you the full evidence.

You can tell. You get 80 files and one of them refers to file 85, so you know quite quickly the people you are going to need to compel. Having said that, I do think, being a real geek, that there should be a look at the Inquiries Act to see if the ability to call what we currently describe as a national statutory inquiry—but let's take the word "national" out, so a statutory inquiry—should perhaps be devolved a bit further, maybe to regional Mayors. Going too local would mean that it might get misused, but given that regional Mayors did not exist when the Inquiries Act was written, I think that there is a case for looking at whether the ability to compel should now sit solely with Ministers or whether you could extend it. You would just have to distinguish that if you did that, it would be up to that regional Mayor to agree it and fund it. I do think that might give



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people the ability, with cases such as those that Mr Moore was talking about, to try to persuade at a local level. You would then have the full weight of what would effectively now be called a national statutory inquiry.

Chair: I am conscious that we are running out of time. I will bring in Jake Richards and then Margaret, Joani, Robbie and Ben. Quick questions, please.

Q76 Jake Richards: My constituency is on the outskirts of Rotherham. After your report and Baroness Casey's report, clearly there has been great progress in Rotherham and in children's services. There are still great challenges and you never let your eye off the ball, but there has been a lot of progress. Where progress has been made—equally so in Telford and other areas—following a light being shone, to use Robbie's phrase, what is the best mechanism for sharing that on a national basis?

Professor Jay: There is the centre for expertise and the Government funds on child sexual abuse, so I suppose that would be an obvious outlet. I don't want to criticise it; it is just that I simply don't know what their outputs are. That improving practice example is certainly worth doing, because people are searching for ways to address this across the country and across the UK. It is important. I am aware that a number of improvements had taken place. That was one of the outcomes of the non-statutory inquiry that I conducted. Of course it did refer, as you obviously know, to the NCA, which took over the operation, which became Operation Stovewood.

Q77 Margaret Mullane: Do you have confidence that the data on ethnicity will now be collected? How do you think that would help with prevention, if at all?

Professor Jay: First of all, ethnicity should be the ethnicity of the victims as well as the perpetrators. I hope it will contribute to some of the discussions where a factual basis for whatever is being said would be absolutely helpful one way or another, because at the moment this whole debate is rampant with all sorts of disinformation and statements that are made. We need to know the basic information.

I would also add, by the way, that it is very important that things like disability should be included and whether a child is in residential care, because these are two important issues that are not counted. They might be, but they are not required to be counted at the moment in anything to do with victims and these are predisposing factors. All around, a better single core dataset that is accurately reporting would have a great deal to contribute.

John O'Brien: Do you mind if I come in? In the six areas that we looked at, two of them reported that they had not only no grooming gangs but almost no instances of organised child sexual abuse at all. But of course they did; they just did not record it. I go back to my earlier point that



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this was not about ethnicity; this was about the recording of what had taken place. What was recorded was generic abuse, not sexual abuse.

On some of Alexis's concerns around the questions about a local versus statutory requirement, I am confused as to what it might expose. It would expose different things in different areas, in my view, depending on the quality of the data that is available to underpin it. If we do one thing now to start improving our understanding of wider abuse, but particularly the issue in question, it is to start getting data collection and the recording of accurate data in place. If you go up and down the country, I have no doubt at all that you will find areas that have all sorts of grooming gangs and there will be all sorts of ethnicity involved, depending on the area you look at. What will be missing is the ability to properly quantify it, because the data will not support it. In the areas we looked at, they looked us in the eye and said, "We don't have any." They did not for one moment think that it was because they were not doing things they should have been doing.

Throughout our inquiry, data was the bane of our lives. Being able to get hold of accurate, reliable data on the quantity of sexual abuse across the piece was a nightmare, to be honest with you.

- Q78 Robbie Moore:** Reporting is absolutely vital, based on the complexity of what is being reported—I completely agree—but it is also important, is it not, that the ethnicity of the perpetrator is recorded as well as the ethnicity of the victim?

John O'Brien: Absolutely.

Robbie Moore: And therefore, building on that, why that additional challenge exists.

John O'Brien: Yes. I was merely making the point that if you record the ethnicity but not the crime, if you like, you get an inaccurate picture of what is occurring. You might understand more about ethnicity, but you still will not have a complete picture of "Is it sexual abuse or is it general abuse?" Does that make sense? Because very often sexual crimes—it is very rarely the other way around—are recorded as general abuse.

- Q79 Joani Reid:** Having standard baseline data processes is important, but would you agree that for it to be maximally effective you would want that standard database across the UK, including in Scotland and Northern Ireland? My understanding is that Police Scotland does not record ethnicity either for perpetrators or for victims, and it is equally a problem for Police Scotland. Would you agree that we need to collect that data and have a standard dataset across our nations? It is gold-standard stuff and we are far away from that, as you say.

Professor Jay: It is difficult enough—and indeed I am straying into another area here—but nevertheless when we talk about child criminal exploitation it is a huge issue, because it crosses boundaries all the time.



Joani Reid: Exactly.

Professor Jay: Indeed, even if we talked about modern slavery, which has emerged much more in the last few years, not just in child criminal exploitation but also in sexual exploitation, there is a lot of transferability and crossing of boundaries. That would be ideal, but I am not sure how long it would take to get agreement on it.

Joani Reid: That is a shame, because it is so important. It is not that much to ask, is it, that we have standard data?

Professor Jay: There are political arguments, I am sure, about it all.

Joani Reid: Yes, sadly.

Chair: I remember trying to get police forces to standardise the recording of children who had gone missing. It is completely different everywhere, and even within forces it is different. It is very important.

Q80 **Ben Maguire:** To summarise, then, we have talked a lot about the implementation process and timescales, but I wonder if you have any further reflections on the independent inquiry process, the relationship with the Government and any recommendations or suggestions that we have not yet covered.

Professor Jay: I don't think I have anything further to add to what I have already said about any of that, because there really should not be a relationship. If it is a proper independent inquiry, it should be independent of everybody at that stage throughout it. Although there is the point that we use Government data all the time and whatever else, at a more formal level it would undermine the independence. It needs to be independent and fair to all participants, including Government, of course, because there were some people who were in every inquiry, for example. I don't think I have anything to add to the hugely important issue that we have already discussed about monitoring arrangements.

John O'Brien: I think getting the terms of reference right at the beginning is important. I am not suggesting that ours were not, but sometimes the discussion of the terms of reference is perhaps not as deep as it should be. It is about getting that right at the beginning so that it does not impinge on the independence of the inquiry.

I keep coming back to it: we spent nearly £187 million, and here we are talking about two and a half years where nothing has happened. I genuinely feel that had even the data that we have been talking about been in place, you would be having a slightly different conversation about the issue at the moment.

I go back to what I said: that the Inquiries Act was written in 2005 and has not really been updated since. I think we need to take a long, hard look at it and say, "Is it still relevant, given the changes that have happened since?"



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- Q81 **Shaun Davies:** Just to be very clear, there is definitely a distinction between the independence that you need as a chair and as an inquiry on the setting up and investigating piece, and what happens once the recommendations have been reported.

To go back to the Telford local inquiry that we commissioned, as part of that process the independent chair came back a year on, effectively to inspect progress. Do you feel that that could be built into future inquiries, where the actual people who do the investigation are asked to go back at an appropriate time to measure progress? I think you mentioned that that had happened elsewhere. I wonder whether you could say a little more about that.

Professor Jay: There is absolutely a case for those who have been involved to come back, because they understand what the intention was fully. There is also scope for others to contribute to that assessment, if you like. Here I would say that victims and survivors ought to be involved from the local area or wherever the locality is that you are talking about—the school or whatever. There definitely has to be a little more latitude to bring in people who are directly affected or who are working in that environment or whatever.

- Q82 **Chair:** Have you had any indications about the redress scheme? Has that been agreed by the Government? When might that be implemented?

Professor Jay: I seem to remember one meeting we were at with Ms Braverman. There was only one meeting at which redress was raised and nobody has discussed redress with us since then.

John O'Brien: The statement last week said that all 20 had been accepted, so I can only take it as read that redress is in that.

Chair: We can make more inquiries on that. Can I thank you both for your time? We have gone slightly over our allocated time; I do apologise for that, but as you saw, we had so many questions.

I also want to thank you for all the work that you did. It is a long process and it was incredibly thorough and detailed, so thank you for your dedication to doing that.