



Home Affairs Committee

Oral evidence: [Child sexual exploitation and the response to localised grooming: follow-up](#), HC 203

Tuesday 8 July 2014

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Written evidence from witness:

- [Mark Sedwill, Permanent Secretary](#)

Members present: Keith Vaz (Chair); Ian Austin, Nicola Blackwood, Michael Ellis, Paul Flynn, Lorraine Fullbrook, Dr Julian Huppert, Yasmin Qureshi, Mark Reckless, Mr David Winnick.

Questions 32 - 141

Witness: **Mark Sedwill**, Permanent Secretary, Home Office, gave evidence.

Q32 Chair: I welcome Mark Sedwill, the Permanent Secretary at the Home Office. This is part of the Committee's ongoing examination of the work of the Home Office and it relates specifically, Mr Sedwill, to the evidence session last week. First of all, thank you for the very full and complete letter that you sent me and the Committee last Saturday. It contained a great deal of information; it went beyond what the Committee asked for; and, uniquely in the seven years I have sat in this chair, it arrived before the deadline that the Committee had set. So if that is going to be a precedent for the Home Office in the future it is something that we welcome. Thank you very much for sending us that letter.

We want to principally examine you on that letter today, so we are going to talk about process but we are not going to talk about individuals. We are going to be talking about the process of governance. If one reads the letter—and it is in the public domain—you seem to have a passion about ensuring that you get to the bottom of the issue of child abuse. You use quite emotional and emotive language in this letter. Is it something that you want to see resolved finally and conclusively while you are Permanent Secretary?

Mark Sedwill: Yes, Mr Chairman, it is. I was at school during the era that we are referring to. People of my age are the ones who have had their lives blighted by this. I was very moved by Tessa Munt's interview yesterday; I think many of you will have seen it. I have talked to people who have said the same things, that they did not know what to do, they did not know who to turn to, they did not know whether they could say anything, they did not think they would be believed and so they stayed silent, and they just tried to move on,

get on with their lives. Some like Tessa Munt have managed to do so, with the support of friends and family, and others have always struggled.

As I said in my letter, as a citizen and as a parent I still shudder when I think of this. I just do, but as a public servant I think all of us—and you have made this point yourself—must be appalled at how the system as a whole, the state as a whole failed its most vulnerable citizens and we have to put that right. A lot of what this Home Secretary has done, with the sexual violence against the vulnerable, the violence against women and girls, the Modern Slavery Bill that is on the Floor at the moment, is in that territory. So we do have to address this and thank you, Mr Chairman, for giving me the opportunity to make that point.

Q33 Chair: Let us look at the failures of the Home Office then, since you have correctly said that a lot of people have let these children down. The Committee and I do not hold you responsible for the fact that this inquiry began only in February of last year, but in your letter you are very clear that as a result of the work of Tom Watson in particular, who the Committee commends for all the work that he has done in this area, you initiated an internal review, even though in your letter you said this was in the public domain for about two years. So a year into it being in the public domain you decided to do this. You commissioned your report, the inquiry, conducted by an unnamed individual who you have confidence in, without asking Ministers' permission because you regarded this as your responsibility as Permanent Secretary. It was concluded in June of last year. Is that right?

Mark Sedwill: Yes, broadly speaking, Mr Chairman. I would describe it slightly differently.

Chair: Okay, please.

Mark Sedwill: I talked it over with the Home Secretary. I told her what my intentions were and of course, as she said in the House yesterday, she supported the approach I was taking, but quite properly felt it was a decision for me rather than for her because of the nature of the investigation that we were commissioning.

Q34 Chair: The criticism was about your officials and the way in which the Home Office had dealt with matters, not about criticism of Ministers. Is that right?

Mark Sedwill: It was more that Tom Watson's initial query to us was quite specifically about material that the late Geoffrey Dickens MP sent to the Home Office in the mid-1980s. That related to papers of a previous administration, so in any case I would normally be asked about the right way to proceed in answering a parliamentary query of that kind. Frankly, the normal way to proceed would be to do a file search against the terms that were there, probably respond fairly swiftly, and in this case I would imagine essentially have said that most of the information is no longer held.

It was clear to me on the basis of the question that that was not going to be good enough, that we had to look not only into the specifics that Mr Watson had sought to ask us about, particularly the Geoffrey Dickens correspondence, but more broadly. The primary purpose of what I was doing was not so much to respond to Mr Watson, although of course we had to do that, but it struck me that what we had to do was look through all of the Home Office

files, all the material we retain, and see whether there was any material that was relevant to the ongoing police investigation. So the primary purpose was to support that.

Q35 Chair: You left this exclusively to the gentleman or lady who was conducting this review and you do not wish to tell the Committee who this was but you have confidence in the abilities of this person?

Mark Sedwill: Yes, I do.

Q36 Chair: When the report was ready and published to you and you passed it on to the police, did you tell the Home Secretary what was in the report?

Mark Sedwill: I shared with the Home Secretary the executive summary and the broad conclusions. I told her what we were doing with the material but, as she said yesterday, it would not be appropriate for her, or indeed for anything other than a very small number of people, to have seen at least the sensitive personal information in the report. I did not even see all the accompanying material myself. It was not appropriate.

Chair: Let us go to what the Home Secretary said to the House.

Mark Sedwill: Mr Chairman, you asked me about the investigator. I can just make a point here. Quite often these things are done within the department and people hear, we say, "The Permanent Secretary is doing an inquiry". I am not a professional investigator and it was quite clear to me that I needed somebody to do this who had a proper investigative background and who, particularly since they might have come across information that could have a bearing on criminal inquiries, would know how to handle that properly and how to handle any interviews properly. That is why I wanted to bring in someone who was independent of the Home Office, had not worked in London and had that professional investigative background.

Q37 Chair: Indeed. We will be examining the Home Secretary next week when she comes before us. Did you say, "Don't look at this report because it contains personal information" or did she say to you, "I don't want to look at this report"? Can you confirm that no special adviser or anyone else looked at this report except yourself and a few people?

Mark Sedwill: I can confirm that. It was not the full details of the report. The full text of the report and the attachments were not shared with Ministers or special advisers or anyone who did not have an immediate need to see it, so that was myself and the people supporting the investigator. We did not have a conversation of the kind that you suggest, Mr Chairman, because it was quite clear to me and to the Home Secretary that the way we were handling this was the appropriate methodology.

Q38 Chair: Did you tell her that 114 files had gone missing?

Mark Sedwill: I don't recall having that particular exchange but of course, as you know, she would certainly have become aware of that particular fact when we responded to a further follow-up question from Mr Watson in the autumn of last year.

Q39 Chair: That is 15 October when you replied to the PQ. 114,000 was not mentioned in that PQ.

Mark Sedwill: Sorry, 114 not 114,000. You just said 114,000, Mr Chairman.

Chair: Sorry, 114. You are getting worried.

Mark Sedwill: Well, I am concerned, frankly, about the 114 and I am concerned about all material that we can't find.

Q40 Chair: Let's go back a second, sorry. We are all concerned about it; that is why I asked you. Did you tell the Home Secretary when you finished your report that 114 files had gone missing, some of them that may have been relevant to the inquiry that you asked an unnamed person to conduct, a report of which she never saw but relied on your obviously excellent judgment in telling her that you regarded this as something that was a matter for you? You didn't tell her then that 114 files had gone missing?

Mark Sedwill: I don't recall doing so and I don't imagine I would. I went through with her the broad conclusions of the report and the broad process that we had followed, and of course the investigator concluded that he had not seen any evidence that there was any material within the scope of his inquiry, so including those files, that had been inappropriately destroyed or removed. It was at that level.

Q41 Chair: Do you know who authorised the removal or destruction of these files?

Mark Sedwill: No, I don't, and this is the issue with the 114, Mr Chairman. Most of these files were probably destroyed because the kinds of topics that they covered would have been subject to the normal file destruction procedures that were in place at that time but they can't be confirmed to have been destroyed because there is not a proper log of what was destroyed and what was not.

Q42 Chair: That causes you concern about the way in which the Home Office keeps records, I assume.

Mark Sedwill: Indeed, Mr Chairman. Of course, when I commissioned this review—and you will recall that Mr Watson's question asked for copies of the original correspondence from the late Geoffrey Dickens to be placed in the Library of the House—I must admit I presumed that we would be able to locate quite a lot of that. I assumed it would be possible to find that, to find the responses and just be able to present that material and I assumed that there would be other material that would be relevant. Of course it is a matter of concern to me that we no longer have copies of that correspondence; the family, regrettably, no longer have copies of it. Therefore, we are having to work from file references, files largely that refer to it and descriptions of what happened rather than the original source material itself.

Q43 Chair: Let me bring you up to date now. You wrote to us on Saturday night and you said that you were appointing an independent legal figure. Do you have the name of that independent legal figure?

Mark Sedwill: I do, Mr Chairman. We have not put this out to the media yet but I am pleased to inform the Committee that the figure will be Richard Whittam QC. He is the First Senior Treasury Counsel for Crime.

Q44 Chair: Is that an internal person from Whitehall?

Mark Sedwill: No. He is an independent QC. He is a Queen's Counsel, he still has a defence practice, but he also has a prosecution practice and Treasury Counsel—some of you will be familiar with this—are essentially barristers that the Government engages. I think, for example, he prosecuted in one of the recent high profile cases.

Q45 Chair: When you wrote to me and the rest of the Committee on Saturday you said that it was the independent legal figure who was going to lead the inquiry. When the Home Secretary addressed the House yesterday she sort of downgraded this independent legal figure and said she was appointing Peter Wanless. What happened over the weekend that caused this change of heart: your decision to appoint an independent legal figure to review the review and the Home Secretary's decision to appoint someone else from outside Whitehall?

Mark Sedwill: Essentially this was a joint decision. I operate entirely under the authority of the Secretary of State, of course, except when there are specific issues that I have to deal with separately. We concluded when we looked at this again after the weekend, we were preparing for the statement yesterday and the big announcement of the overall inquiry, which as you will now know is going to be led by Lady Elizabeth Butler-Sloss, that it was—

Chair: Yes. That has been in the media already.

Mark Sedwill: That has just been announced. It made sense for this second review to have a double independence. We had always intended that there would be a child protection expert alongside. Once Mr Wanless made clear that he was available then it obviously made sense for the Home Secretary to—

Q46 Chair: You did not make that clear in your letter to me. You made the decision on Monday morning with the Home Secretary?

Mark Sedwill: There were further conversations over the weekend and of course she made the decision and announced Peter Wanless yesterday. I think we must not worry too much about who is doing what. These are two very distinguished figures. This is the Wanless-Whittam review. They will both bring this double independence to it; the independence of an experienced QC and the independence of the CEO of the NSPCC. I think they both have unimpeachable reputations.

Q47 Chair: If this was left to the Home Office rather than campaigning MPs like Tim Loughton, Simon Danczuk and Tom Watson, do you think you would be sitting in front of us today telling us about these two inquiries? It seems that the Home Office of its own volition, apart from your review last year, had taken no steps to examine any of these issues. Would you be sitting here today if it had not been for work that had been done outside Government?

Mark Sedwill: I think a great deal of tremendous work has been done outside Government. The Home Secretary paid tribute yesterday to various MPs for all their campaigning work on this. But I think the Home Office and this Home Secretary have taken a lead as well. I mentioned some of the policy initiatives that she has led. The decision to appoint the broader inquiry to look at the system as a whole and why and how it failed and how we ensure that we learn those lessons and therefore we can protect today's children, having failed to protect some of my generation's most vulnerable children, was of course a Home Office and Home Secretary initiative.

Q48 Mr Winnick: As far as the process is concerned, Mr Sedwill, can I ask you questions regarding the information or allegations that Mr Dickens sent information to the Home Secretary at the time? Would I be correct in saying that if the Home Secretary, whoever the Home Secretary happened to be and whichever party happened to be in Government, had this information given to him—presumably the very fact that he had it would mean that a Member of Parliament gave it to him because otherwise he would not have seen it in the first instance—that he would pass it on immediately to his officials?

Mark Sedwill: That certainly should be the case, Mr Winnick, and as far as the independent investigation could tell that was indeed the case.

Q49 Mr Winnick: Is there any possible doubt that, whoever the Home Secretary was at any given time in these cases of historical abuse—obviously the inquiry will look into these matters further as one would expect—they acted in a way that was not appropriate?

Mark Sedwill: I would never go as far as to say there is no possible doubt, because that is not even the legal test, Mr Winnick. The evidence, as we have just been exploring, is still quite patchy from that era. We do not have all the correspondence, so I think we have to be more cautious than the formulation that you have suggested there, and of course criminal investigations are ongoing and I do not wish to prejudice any of those. They may have information that I am not privy to and should obviously pursue that, but what the investigator found was that the Home Office and the Secretary of State at that time appeared to handle the material appropriately and pass it on to the appropriate authorities. The exact formulation is the one in the executive summary and in my letter. I can read that to you but I am trying to characterise it from memory. That is probably the right formulation to use. I would not want to go further than that formulation because that was the formulation the investigator concluded.

Q50 Mr Winnick: Obviously you were far removed at the time from the Home Office, but would you have expected that if the Home Secretary actually saw it in the first instance, as I have said before, that it was given to him by a parliamentary colleague otherwise he would not see it? Am I not right? It would go to the correspondence in the private office or whatever. Am I right?

Mark Sedwill: Indeed, and that is what would happen now. If we had an allegation now in a letter about, for example, child abuse in an institution, a school or a hospital or something of that kind, that would be passed straight to the police by the correspondence unit and we would do a quick reply to the individual concerned just to let them know that is what had happened. So you are right, that is the normal procedure.

Q51 Mr Winnick: Would you have expected the Home Secretary in passing on the information—and the inquiry will demonstrate whether that was in fact the position or not—to give it to his Permanent Secretary or the private office? What would be the process now?

Mark Sedwill: Now it would be handed through the private office straight into the ministerial correspondence unit, I would expect. It is quite rare for material to be handed over direct, of course, and therefore there is not a standard procedure for it, but a Minister who received correspondence of that kind now should hand it straight to their private office who would hand it on either, if it was a policy matter, to the unit concerned or, if there were a specific allegation, they would pass it straight on via the unit concerned to the police.

Q52 Mr Winnick: Do you think there is any justification that some consider it rather sinister—and I am using the word deliberately; it is not my view but some might consider it sinister—that these 114 files, which the Chair mentioned and that have been so much in the media, have somehow disappeared, been destroyed?

Mark Sedwill: The investigator did not conclude that and therefore I have no reason to think that but of course, as you have suggested, there is a lot of information missing from this era, not just the 114 files but a lot of other information, including the original correspondence from Mr Dickens. There is no evidence that we could find that suggested that had been handled inappropriately but of course, given the seriousness of these matters, it is very important that we don't jump to conclusions and that the police can continue their investigations—they may have some of this material—to get to the truth.

Q53 Mr Winnick: Isn't this the sort of material that would be normally retained by the Home Office?

Mark Sedwill: Some material would but most correspondence in this period was destroyed after two years. Of course, serious material of the kind that we are referring to is handed on to the appropriate authority, so it is not retained by the Home Office but is handed to the criminal authorities.

Q54 Mr Winnick: Do you think that the inquiry will put much emphasis on trying to find out why these 114 files, which apparently contain names, allegations, possibly of parliamentarians, disappeared?

Mark Sedwill: That is a matter for the Wanless-Whittam review to look at. The investigator did look into that. It is perhaps just worth noting that of the, I think, 573 files that he was able to examine, there were only 13 instances of specific allegations and he did not find any evidence, admittedly indirect of course, that Mr Dickens had named

individual parliamentarians or prominent public figures, nor was there any evidence from what Mr Dickens himself said in Parliament through Hansard that he had done so. I think one needs to be cautious about drawing that conclusion.

Q55 Mr Winnick: It has been suggested by David Mellor—as you know a former Home Office Minister, not Secretary—that there is a kind of witch hunt. Do you think there is any justification for Mr Mellor’s comments?

Mark Sedwill: I think what is important is that there is a series of thorough criminal investigations by the police that, even though it is 30 years later and much of the evidence will be difficult to establish, tries to get to the truth. There are almost two dozen police investigations countrywide into serious child abuse in historical cases. I think it is vital that they seek to get to the truth and bring criminal prosecutions.

Q56 Mr Winnick: Do you take the view that the sooner these investigations and inquiries take place and perhaps the guilty are brought to justice, if it is possible—and certainly the sexual abuse of children is one of the most monstrous crimes one can imagine—the sooner some of these innuendoes that are flying around, in which names are being bandied around, quite likely of innocent people, end, the better?

Mark Sedwill: What I want is a successful conclusion to the criminal investigations. Of course, those are better handled if they are able to be pursued without a lot of public comment. The police will be very careful about the information they release but I think it is getting to the truth that matters.

Q57 Nicola Blackwood: Mr Sedwill, the Home Secretary yesterday announced a non-statutory over-arching inquiry. I think that everybody in this room will agree that for too long victims have been denied the access to transparency and justice and this can have very long-term effects. I hope that in the process of setting up this inquiry and debating it we are not going to be raising false hopes about exactly what such an inquiry can achieve after all that time. With that in mind, I wanted to ask you a few questions about the establishment of the inquiry. The first thing I want to ask about is the timetable for the inquiry. I know that the chair has already been announced but what about the rest of the panel members and the actual setting up of the inquiry and when they will start taking evidence?

Mark Sedwill: I met Lady Elizabeth Butler-Sloss this morning and she is already absolutely on to this agenda. She recognises the need to proceed as quickly as possible. She wants to identify other panel members quickly and then get the inquiry moving. But as she said herself, she wants to be left to do that. She is not planning to make a lot of public commentary about the establishment of that until she has brought the panel together. The other thing she has said is that she wants to confirm the final terms of reference for her inquiry once the panel is in place so that she can seek their advice, but she wants to proceed promptly I know.

Q58 Nicola Blackwood: Will you be setting some kind of deadline, given the fact that expectations have now been raised, victims are now hoping that they will finally reach some kind of resolution, that they will make some progress with cases that perhaps they have been

pursuing for years and years? If she is not planning to make any public commentary, perhaps if they know when they might hope to have an announcement that might at least give some comfort.

Mark Sedwill: I must leave Lady Butler-Sloss the opportunity to make her own judgment about that. She has only just been appointed, as you know. I think everybody agrees, to go to Mr Winnick's earlier point, justice delayed is justice denied, and for many people justice has been delayed for an entire generation. Her inquiry is not going to be pursuing individual cases. I am sure she will want to hear cases of that kind to help illuminate her work, but fundamentally the purpose of her inquiry, as the Home Secretary set out, is to look at the system and how the systems failed these vulnerable children.

Nicola Blackwood: Failures of public bodies?

Mark Sedwill: Well, and private and third sector bodies. It is fundamentally about that. She will want to proceed promptly, I know, and she will want to do it thoroughly. I would expect that there will be some kind of report within a few months but I think it would be too early for me to try to commit her to that at this stage.

Q59 Nicola Blackwood: A report within a few months?

Mark Sedwill: Well, an interim report or an initial report. I would expect that she would want to do something within a few months, but I think that is very much for her to determine. The Home Secretary indicated some of this yesterday when talking about the timetable for this within the current Parliament. I can use the exact same language. I would not want to go beyond what the Home Secretary said yesterday in Parliament at this stage. It is only just the first hour since we announced Lady Butler-Sloss as the lead for this.

Q60 Nicola Blackwood: That is true. In the points that you have just made about terms of reference and in the debate around the statement there were some concerns that were raised about how a non-statutory body would compel documents and co-operation. There is one thing about compelling co-operation with the Government; this Government is intending to co-operate with such an inquiry. Police co-operation is another matter and perhaps you could give advice over what kind of level of police co-operation you think is likely to come forward. The next is local authority co-operation, given the number of care homes and other bodies that are likely to come into play in this inquiry. How do you think the terms of reference can be set so that the inquiry can be just and effective and make any kind of progress at all?

Mark Sedwill: The Home Secretary was quite clear yesterday, and I am sure that the chair of the inquiry, Lady Butler-Sloss is the same, that we expect the full co-operation of all the bodies that she wishes to seek evidence from and we will take action within Government, national and local, to try to ensure that that co-operation is complete.

Q61 Nicola Blackwood: At what point in this process, if such co-operation is not forthcoming, will the Government consider triggering a full public inquiry? The door was left open for that in the event that this non-statutory inquiry is not seen as making the progress that is necessary to get to the bottom of the injustices that we have all taken note of today.

Mark Sedwill: I think that would be primarily triggered on the advice of the inquiry panel itself. If Lady Butler-Sloss and her team considered it was necessary to convert then of course that would be a very important moment. I think that would be the primary trigger for it and it might not be because of the particular circumstances you set out. But we do believe this is a very powerful institution that the Home Secretary is establishing, in particular with somebody of Lady Butler-Sloss' reputation and track record. She ran the Cleveland inquiry; she has participated in many others. Lady Butler-Sloss and the Home Secretary are quite clear that they intend this inquiry, to use the Prime Minister's phrase, to leave no stone unturned. So I am sure it will be thorough and complete.

Q62 Michael Ellis: I am sorry, Mr Sedwill, I am not happy about these 114 files. I am going to pursue some questions with you and I am going to ask you to be succinct in your answers and outline some of the issues about these 114 files as best you can, please. I have looked at the terms of reference for the 2013 review that you undertook into the child abuse files. One of the terms of reference is that an executive summary suitable for publication should be provided. Why not the whole report? Why should a summary be suitable for publication? What is meant by that?

Mark Sedwill: The whole report contained some sensitive personal information and we would have to redact some of that.

Q63 Michael Ellis: Why can't you redact names and addresses and keep the rest of it in?

Mark Sedwill: Mr Ellis, we are looking at doing that but we want to be sure that none of the material in the report that is relevant to the police, which was the primary purpose of this, is compromised. To be clear, the primary purpose of this inquiry was to find the evidence for the police. It was then also, because it was prompted by Mr Watson, to be able to answer the specific questions he had raised, and that is what the executive summary of the interim report was designed for.

Q64 Michael Ellis: It would inspire public confidence if the whole report rather than an executive summary were to be published. I think everyone would accept that names and addresses can be redacted.

Mark Sedwill: We have suggested, I think, that the Wanless-Whittam review might oversee the work that we are doing to redact the full report so that it can be published. It was always our intention that the report with suitable redactions might be published at some point. We released the executive summary at the appropriate time last year. We are looking at redactions now and the Wanless-Whittam review can provide the guidance to us on that.

Q65 Michael Ellis: Other files of a similar nature and files relating to integrity of Members of Parliament historically have been routinely copied, it is my understanding, by the security services in certain circumstances. Where you have found 114 files missing, has any search been made of the security service archive as to whether copies were kept 30 years ago of any of the material in question?

Mark Sedwill: Not by me. A point I would make, and this came up in the House to some extent yesterday, is that I think all public bodies, particularly those in the scope of the Butler-Sloss inquiry, will be well advised to carry out a similar review of all the material they hold to the one that I commissioned last year.

Q66 Michael Ellis: Have you checked the departmental security unit at the Home Office as well as the Office for Security and Counter Terrorism and other departments? I notice from the report that the central Home Office database is referred to. I am presuming that there are other ancillary databases. Do you not think it would be a good idea that those that are not within the central Home Office database are also checked perhaps for copies?

Mark Sedwill: Mr Ellis, if you look at my letter to the Committee, it mentions four phases to the investigation.

Michael Ellis: Are you talking about the new investigation now?

Mark Sedwill: No, my letter to the Committee that was about the investigation that was carried out. If you look at that, the fourth phase was precisely that. They looked at other material beyond the central database, including the higher classification material.

Q67 Michael Ellis: Thank you. How do you know that there are 114 files missing as opposed to 112 or 201? How do you know that there are precisely 114 files missing?

Mark Sedwill: As you will see from my letter and as you will see from the summary, there is a total database of about 750,000 files. They ran a range of search terms across that database to try to identify the relevant and potentially relevant files, and some of that I have set out in my letter. I will be brief but I can come back to it if you wish. That identified the total number of files that were relevant or potentially relevant; 573 were still available to be inspected. In that search, 114 were identified that fell into this category.

Q68 Michael Ellis: Have you identified those 114 because you still have the titles of those files? The files have been lost or have been destroyed but the titles of the files and their serial numbers still exist, don't they?

Mark Sedwill: That is right.

Michael Ellis: Can you undertake to provide the titles of those files to this Committee?

Mark Sedwill: What I would like to do is allow the Wanless-Whittam review to consider that, but I am certainly open to releasing as much information of that kind as I can. To be fair—and I am grateful to the Chairman—I have tried to be as transparent as I can within the bounds of propriety.

Michael Ellis: I am not saying otherwise, Mr Sedwill.

Mark Sedwill: I absolutely take your point, Mr Ellis, and will seek to do so.

Q69 Michael Ellis: The file titles may go some way towards clarifying the issue. To that extent also, I am going to ask you about the file serial numbers and I am doing that for a reason. I appreciate that you may not have this information immediately to hand but I am presuming that if you have the file titles you also have the file serial numbers. What would be interesting to know is whether files within your registry at the Home Office adjacent to the missing files are also missing, that were on different subjects not perhaps related to child abuse. If file number 30 related to child abuse and is missing, and file number 29 and file number 31 relating to meetings with foreign countries or whatever are still present, that would imply, rather than incompetence 30 years ago that a load of files have gone missing, that a particular file has been deliberately removed. Are the files adjacent to the missing files still present?

Mark Sedwill: Mr Ellis, I will have to take that away. I don't know the exact methodology the investigator used to identify this and I don't know whether the file references quite lend themselves to the inquiry but let me take that away and I will come back to you. I will write back to the Committee with an answer to that question.

Q70 Michael Ellis: Could you also ask to look at the registry index? My understanding is that there is an index of files. That index will usually, in normal circumstances, indicate what happened to the file, whether it was destroyed or removed to another department or whatever. If the index is silent as to what happened to the file, that might indicate a sinister motive or if it illuminates what happened to the file, that might also be instructive. So perhaps the registry index will also be looked at.

Mark Sedwill: The registry index is how we identified the files, Mr Ellis.

Q71 Michael Ellis: Why is it that you are not able to say whether the files were removed or destroyed in that case?

Mark Sedwill: That is the point. Not all the files were held centrally and there was a devolved approach throughout the department at that time to file management and therefore central records, on the central index if you like, were not kept of whether every file was destroyed or whatever.

Q72 Chair: Thank you. Let us be clear what you are offering this Committee, and we are grateful for this offer, although I do not see why it is not something you can do straight away. Have you seen the list of names of the missing 114 files?

Mark Sedwill: I have not, no, and nor indeed the list of the 573 files the investigator—

Q73 Chair: I understand. I am not asking about the others, but in answer to the questions that have been put to you, this is a very odd report that you commissioned; a report that the Home Secretary does not want to read, a list of files that you do not know the names of.

Mark Sedwill: Sorry, it is not that she does not want to, Mr Chairman, please. It is not—

Chair: She does not want to read it because it is not proper, that is perfectly fine. She has told us—

Mark Sedwill: It would be wrong to mischaracterise that.

Q74 Chair: No, we will see her next week so we will ask her why she did not want to read it. I am talking about you now, Mr Sedwill. You have commissioned a report that everyone says was done in good faith. A few people have read this report. It has not been put in the Library of the House in a redacted form. There is a lot of concern over the 114 files; not even you know the names of these files.

Mark Sedwill: No, because I relied on the judgment of the investigator and the investigator concluded that there was no reason to believe those files were inappropriately handled. As I said, in the material that he did uncover, in the 573 files that he was able to examine physically, he came across 13 instances of specific allegations, nine that had already gone to the police, four that were quite ephemeral and that we handed to the police when he discovered them.

Chair: I understand that.

Mark Sedwill: I relied on his judgment of what was suitable.

Q75 Chair: Of course. This is not questioning your judgment; well, perhaps I am questioning your judgment. I would have thought if somebody came to you, as the Permanent Secretary of the Home Office, and said, "There are 114 files missing. I don't think that they were inappropriately destroyed and I don't think they contained any information that was relevant" I would say to them, as Mr Ellis has just asked, "Can I have the list of the names so I can be satisfied that everything is in order?" You never asked for that and nobody has asked for that except today.

Mark Sedwill: That material was what the investigator found and he handed all that material over to the police. I was very—

Q76 Chair: The police have it?

Mark Sedwill: The police have all the material the investigator considered relevant.

Q77 Chair: Do the police have a list of names of the files?

Mark Sedwill: I will have to come back to you, Mr Chairman, on the detail. You are asking me to go essentially beyond the material that I have already disclosed. I will have to come back to you on exactly—

Q78 Chair: Well, not really, I am just asking whether it is possible for you to write to this Committee by Friday and you, yourself, to look at that list. I am even relying on your good faith, Mr Sedwill. I think the Committee wants to know that somebody has looked at this list. At the moment, nobody has looked at this list.

Mark Sedwill: Mr Chairman, they have.

Chair: Who?

Mark Sedwill: The professional investigator I commissioned to do the work has looked at this list. I realise your frustration, Mr Chairman, but I am very clear in these circumstances. I am not an investigator; I am not going to second guess investigators. I brought him in; he was under the supervision of the Director of Criminal Investigations from Customs, under that professional supervision; I am confident in the work that he did. It is not for me to second guess either the investigation or the conclusions that he reached.

Q79 Chair: Mr Sedwill, this is becoming like a John Le Carré novel. You appoint someone to do an investigation, who you say is a terrific guy or woman. They go off and conduct the investigation. You are asking a Committee of Parliament to rely on your good faith in choosing this person and the report that they have written, and you are not telling us that when the report came forward and said there were 114 missing files that you asked for their titles. I am not asking anything more. Would you go away and get this list and satisfy yourself?

Mark Sedwill: I am happy to go and get the list and if I can share it with the Committee I will, but you are asking me whether I looked at this list itself and the answer to that is I relied on the professional investigator.

Chair: Of course. But if you could do that and go and look at them and share it with the Committee we would be most grateful.

Q80 Lorraine Fullbrook: Mr Sedwill, can I ask what exactly constitutes a file?

Mark Sedwill: It may be something quite specific about a particular meeting that has been held or a very narrow policy issue and therefore may contain a very small amount of information, or it may contain hundreds of pages of submissions and other internal material. It depends on the issue concerned.

Q81 Lorraine Fullbrook: Could we be talking about one file being a telephone call log, for example, and another file being a filing cabinet?

Mark Sedwill: It is unlikely to be either of those, but there is a range. It is unlikely to be that big or that small. Files are done thematically by subject so if there were a particular paper or meeting or incident that did not naturally fit into some other piece of work, there might be a specific file opened for it and it could be a very small file. Normally, however, files will contain dozens of letters or other material.

Lorraine Fullbrook: Or it could be one handwritten letter, for example. Could it be?

Mark Sedwill: In theory, yes. Unlikely, but yes.

Q82 Lorraine Fullbrook: Of the 114 files, my understanding is the Grigg system of archiving and disposal of files was introduced to the Home Office in 1982.

Mark Sedwill: That is right.

Lorraine Fullbrook: When did that system move on?

Mark Sedwill: It was 1999, I think, the late 1990s.

Q83 Lorraine Fullbrook: Your commissioned report is from 1979 to 1999?

Mark Sedwill: That is right.

Lorraine Fullbrook: Of the 114 files, what preceded the Grigg system from 1979 to 1982 in the case of archiving and disposal?

Mark Sedwill: As far as we know, there was not a particularly organised system. The Grigg system was brought in across Government, and filing in the Home Office before that period did not follow a particular central common methodology all the way across. Although there are flaws in the file records from the 1980s, the files further back are even less structured than the kind of system Mr Ellis was describing.

Q84 Lorraine Fullbrook: For the first three years there was no summary of the titles of the documents that had been disposed of?

Mark Sedwill: I do not know exactly what they found in the first three years. I know they looked over the entire period. Files existed before that, they did have titles; it is just that it was a different methodology for organising.

Q85 Lorraine Fullbrook: There is no log of how they were disposed of?

Mark Sedwill: I do not know, Ms Fullbrook. I can let you know whether there was a log at that stage.

Q86 Lorraine Fullbrook: Under the Grigg system from 1982 there was a summary log of the files that were being disposed across the department?

Mark Sedwill: Yes.

Q87 Lorraine Fullbrook: The 114, which could be bits of paper, for example, not necessarily lever arch files or filing cabinets, all related to between 1982 and 1999, did they, or until the Grigg system finished?

Mark Sedwill: I will correct this in writing if I am wrong, but it related to the whole period. The central record database, the index, covers the entire period. It is just that the Grigg system was the filing methodology for most of that period but not for the first couple of years, but the index covers the entire period that they searched across. It may be helpful if I just mention this. They searched on terms; they searched on Mr Dickens' name and potential misspellings of it, on child sex abuse, on child abuse, on paedophilia, paedophile, etc, PIE, and variations of all of those words and others in order to try to

ensure that they identified, from the 750,000 files, files that might be potentially relevant, and that was over the entire period.

Q88 Lorraine Fullbrook: On the Grigg system, after a five-year period the file is closed and then it is held for five years before being disposed of on the first review, is my understanding.

Mark Sedwill: Yes, a proportion are disposed on the first review and then others are held back for a further review later. That is right.

Q89 Lorraine Fullbrook: So what closes the file at the first instance?

Mark Sedwill: This has varied over the years. In this era there were registrars in individual departments around Government departments and they took the decisions on file management. If, as you suggest, there was a very specific piece of correspondence or incident or event that was being referred to in a file then they might conclude that has closed, that is no longer a live file. In other cases the file would be kept open because there was relevant material.

Q90 Lorraine Fullbrook: On the second review, which would be 25 years later, is it not the case that a civil servant could, if they thought there was something damaging to them, be allowed to destroy that file under the Grigg system?

Mark Sedwill: There is a civil servant who would make that decision but, of course, it is most unlikely that there would be material in a file relating to that individual civil servant. Of course, no system is proof against some kind of inappropriate behaviour. We have people, and indeed take disciplinary action against people who, for example, access information they should not get to.

Q91 Lorraine Fullbrook: But was it allowed under the Grigg system on the second review, the 25-year review, that a civil servant could destroy something that they felt was damaging to them?

Mark Sedwill: It was not allowed, no, absolutely not. There were always policies around what material should be retained and what material should be destroyed, and civil servants are obliged to follow those policies. No civil servant should ever have access to any material that relates to them or something in which they have a personal interest.

Q92 Lorraine Fullbrook: Nowadays in the current system of archiving and disposal of files there is a summary of what is being destroyed, for example, and we would not have this situation in the future?

Mark Sedwill: I would hope not. The systems these days, partly because they are digital of course, are more robust. Much of the problem we now face is the volume of information and the unstructured nature of much of the information that we deal with in the modern era, but there is always a digital footprint. For example, if I commission an internal

investigation, a leak inquiry or some disciplinary inquiry, even if someone has deleted an e-mail there will still be a trace of that e-mail on a central archive. So it is a very different system in the digital era.

Q93 Chair: Before I call Mr Austin, you said in your letter that there were four cases involving Home Office officials that had been referred to the police. Is that allegations of child abuse or inappropriate use of files?

Mark Sedwill: I think this was at the end of this period, because we actually did extend the file search, the investigator extended the file search beyond the end of this period. There were four files relating to Home Office personnel. The police had drawn them to our attention. They were being investigated and then in the end prosecuted and convicted for inappropriate pornographic images and material of that kind and were dismissed. So it was the other way around, if you like; this was the police investigating.

Q94 Chair: How many Home Office officials have been dismissed for inappropriate use of files?

Mark Sedwill: I would have to come back to the Committee on that.

Chair: Thank you, if you could do that.

Q95 Ian Austin: I would like to ask some questions about the report into the Paedophile Information Exchange. In section 4.2 of the report it says that the head of the Voluntary Services Unit left the Home Office in 1983. Can you tell me why he left?

Mark Sedwill: I would have to come back to you, Mr Austin. I don't know and, of course, there is a duty of confidentiality to the individual.

Ian Austin: Okay. If you are able to tell us, if you could come back that would be good.

Mark Sedwill: I will come back to you.

Q96 Ian Austin: The report says that the senior investigator "heard information from former employees that vouched for the individual's integrity and presented a view that they would not knowingly have supported or facilitated the alleged funding to PIE". Presumably you share that view?

Mark Sedwill: This is a long time, of course, before I was even in Government but I have no reason to doubt that conclusion.

Q97 Ian Austin: Do you know how many former employees were asked and what position they held?

Mark Sedwill: I don't.

Q98 Ian Austin: Are you able to tell us that?

Mark Sedwill: Again, I need to be careful about getting too far into all the details of these individual reviews, but if I can share any further information I will.

Ian Austin: If you can't you will tell us why?

Mark Sedwill: Yes.

Q99 Ian Austin: Fine. The head of the Voluntary Services Unit at the time mentioned was Clifford Hindley—

Mark Sedwill: I think that is right, yes.

Ian Austin: In paragraph 7.5 you say that, "It is the reasonable conclusion of the senior investigator, taking all the facts into account, that on the balance of probabilities the alleged funding from the Voluntary Services Unit to PIE did not take place". Would it not be equally reasonable to conclude, given the information that is not available, that funding might have been provided but the evidence has been lost or destroyed?

Mark Sedwill: That was the conclusion that investigator reached and again I have no reason to doubt it. Financial information is quite difficult to completely remove because we retain, and indeed Hansard retain of course, published details of Home Office accounts and there is quite a lot of the information in there. He found no evidence that the Home Office had directly funded the PIE and no evidence that the funding to these other institutions who had some links with the PIE had been diverted to it. It is most unlikely that it would be possible to hide a funding trail because Government generally has a very tight audit on where its money goes.

Q100 Ian Austin: Tighter now than perhaps it did then. The inquiry came about because Tom Watson put forward the name of a retired Home Office worker who claimed to have seen a submission suggesting funding for PIE. Did the senior investigator interview the retired Home Office worker as part of the inquiry?

Mark Sedwill: Again, Mr Austin, I don't know and it is not really appropriate for me to get into the detail of how an investigator proceeds. My point, Mr Austin, is that I do not want to prejudge the Wanless-Whittam review. You have made quite a lot of comments on the reviews we conducted. I have confidence they were done professionally but the Wanless-Whittam review will look at all of this and give us an authoritative answer.

Q101 Ian Austin: Let me put it another way. A Member of Parliament made an allegation and a review was launched to look into that. I am surprised to be told that that review did not interview the retired Home Office worker who claimed to have seen the submission suggesting funding for PIE. It is not much of an investigation, it seems to me. Can you shed any light as to why that is the case, if it is? If you are not able to, could you write to us and tell us why?

Mark Sedwill: Mr Austin, the answer to that is—

Ian Austin: The investigation happened this year, didn't it?

Mark Sedwill: Yes, it did, as did the other one last year. But the point I am making is the point I have made several times. I am not an investigator, I do not consider myself professionally qualified to second guess the judgments of individual investigators. I am sure that as one looks through these reports one can say, "Could this have been done? Could that have been done? Should something have been done differently?" The reason I brought in professional investigators to do these things was to allow people who actually have the experience to do it. The Wanless-Whittam review will give us the authoritative answer as to whether the procedures they followed were appropriate.

Q102 Ian Austin: I am asking you if you can find out. I am told that the investigation into what that retired Home Office worker had claimed did not actually interview the retired Home Office worker, even though it was his claim that triggered the investigation. I would like to know whether that is true and I would like to ask if you are able to tell us that. Do you know whether the senior investigator, so-called, was aware of Clifford Hindley's published works? For example, was he aware that Clifford Hindley is cited in a biography of Benjamin Britten for making a study of "aspects of ancient Greek pederasty"?

Mark Sedwill: Again, Mr Austin, you are asking me to—

Ian Austin: It was a report to your department.

Mark Sedwill: I know that but—

Ian Austin: If I can get this information, you could have done.

Mark Sedwill: Mr Austin, you are asking me to second guess a professional investigation. You are asking me to tell you what the investigator did and did not look at. I don't know.

Q103 Ian Austin: I am sorry, I am not a senior investigator; I have no investigative background; I am able to establish this stuff. I think your investigation conducted by your senior investigator ought to have been able to do the same.

Mark Sedwill: Mr Austin, you are saying because I do not know the answer that none of this was—

Ian Austin: But if I can—

Mark Sedwill: No, you are saying that, because I do not know the answer to your question about—

Ian Austin: But you commissioned the inquiry.

Chair: Let Mr Sedwill finish.

Mark Sedwill: What you are asking me is whether I know every single procedure that the investigator took. You are giving some examples about whether he did certain things. Of course I don't know that. That is for the investigator himself. I am not saying he did not do

any of the things you are suggesting; I am just telling you I do not know because that is why I appointed an investigator.

Q104 Ian Austin: I would like you to find out. I have one final question if I may. The payments to organisations from the Voluntary Services Unit presumably would have required ministerial sign-off. Are you able to tell us which Ministers would have approved the funding?

Mark Sedwill: Funding of that kind would normally require ministerial approval. Again, I can see whether we can find that out. I do not know whether those papers still exist.

Ian Austin: I think it would be very helpful if you could provide us with any submissions and notes of meetings relating to any funding recommendations from the Voluntary Services Unit during this period.

Mark Sedwill: I will do what I can.

Chair: We will make a shopping list at the end, if I can call it that.

Ian Austin: It is fine. My staff are taking a note, Mr Chairman.

Chair: I think I may prefer my notes considering you have lost 114 files.

Mark Sedwill: Mr Chairman, as you know, I am establishing a practice, at least on this issue, of not only answering your questions but trying to provide information beyond them as well.

Chair: You have and we are very grateful, and I have thanked you for that.

Q105 Dr Huppert: Three hopefully brief questions. The first one is to understand a bit more about the files. What exactly is known about them? You imply you do not know how large they are, but is anything known about dates or anything else or is it just the titles alone?

Mark Sedwill: I would have to come back to you. I think there is some basic information kept about the files. As Mr Ellis was suggesting earlier, there are file references, titles. There would be, I would imagine, some date information as well. But it is essentially just an entry on a database because that is what was revealed by the file search and then, as we have established, it has not been possible to find the physical files themselves and in most cases we think they were probably destroyed.

Q106 Dr Huppert: It might be quite interesting to know whether they cluster at particular times. I would have thought a database would say something about how large it was, so maybe I am wrong in that.

Mark Sedwill: I think I have realised what you are reaching for, because it is essentially the same point as Mr Ellis: is there something untoward or suspicious in essentially the pattern of the absences? That is something the investigator looked at but that is clearly a judgment again that the Wanless-Whittam review must make. I would not want to try to

put my own judgment on that, not least because this Committee quite clearly, and I, want to be sure that these are independent judgments that are being made.

Q107 Dr Huppert: Moving quickly then, you mentioned the Wanless-Whittam review. Mr Whittam is security cleared to the highest level, I think he says in his descriptions. I do not know about Mr Wanless' security clearance. Will they be allowed to have a look at absolutely anything that they wish to look at or will there be some things that they may not look at?

Mark Sedwill: My intention is that they can see everything they wish to look at and I would not expect any objections, certainly not from within the Home Office, because that will not happen, nor from anyone else. Yes, is the short answer.

Q108 Dr Huppert: Thank you. Just one final question: both at the time and now, who can order a file to be destroyed?

Mark Sedwill: It is not essentially an order in quite the way that maybe the question is designed. There is not a sort of process by which it comes down from Ministers or the Permanent Secretary or anyone of that kind. This is a professional duty on the registrars and they, against a policy that is set out—the Grigg system during this period that Ms Fullbrook was asking about—determine whether or not files merit destruction. So it is an entirely professional procedure in that way.

Q109 Dr Huppert: So there is nobody other than a registrar who could get a file destroyed, no matter how they tried?

Mark Sedwill: The system has changed over the years so we no longer have distributed registrars in quite the same way, but there are policies that people have to follow. For example, if you are asking could I issue an instruction to, say, remove this or remove that, at the very least there would be an audit trail of that and I have to be accountable for the judgment I made.

Q110 Dr Huppert: So whoever deleted these must have been a registrar? You are saying there is no possibility that somebody else could have done?

Mark Sedwill: Mr Huppert, the one absolute in this is that I am not going to make absolute assurances because I simply can't. We are talking about a long time ago. We are talking about procedures that, as we know, are deficient in significant respects. The reason we have had so much time on this is because we do not know that the 114 files were properly handled, and of course there are others recorded across the entire file log as well. So I can't give you an absolute assurance. I can tell you what should have happened and I can tell you that files are only to be destroyed according to policies and procedures that are set out at the time and of course change from time to time over the years.

Q111 Mark Reckless: Would it be fair to say that your personal attention has been more on the Home Office review of lost files and less on the wider non-statutory inquiry?

Mark Sedwill: Over the last period, yes, but essentially as Permanent Secretary I am as involved in policy as I am in process, so I would not say it is more one than the other. But of course the internal review was a piece of work that I commissioned and, therefore, obviously gave it my attention.

Q112 Mark Reckless: The Home Office are the lead department for the external inquiry, if I may call it that, and you take responsibility for supporting and facilitating that?

Mark Sedwill: Yes, indeed. We will provide whatever secretariat support and other expert support; we will liaise with other Government departments, to go to the point that Ms Blackwood was asking about earlier, to ensure that they provide all the information the inquiry wants. So, yes, we are very much going to support the inquiry's work.

Q113 Mark Reckless: Earlier you exhorted other public bodies to search and share relevant documents. Would you include in that the Government Whips' Office?

Mark Sedwill: In fact, I meant when I said that to refer to the comment you made in response to the statement yesterday. I think all bodies who may have information—either as I was seeking that may be relevant to criminal investigations or that may be relevant to the Butler-Sloss inquiry—should carry out the kind of exercise that I carried out last year, with proper independent scrutiny, and provide that information as determined. I would extend this to all bodies.

Q114 Mark Reckless: If you were looking at an isolated file or document, even a few files, you would not necessarily know if they were going to be helpful to a particular police inquiry if you had not been informed of that inquiry. Would you, therefore, encourage such bodies to share any potentially relevant documentation with the Butler-Sloss inquiry, at least in the first instance?

Mark Sedwill: Either that or, if it relates to specific allegations, then with the police. Most of the material we have shared is I think what the police might regard as intelligence that might support an inquiry they are pursuing. I do not know what other information they have available to them of course. We will respond to any further inquiries they make and I would encourage others to do the same, if it is specific, with the police; if it is more about systems and process, then with the Butler-Sloss inquiry.

Q115 Mark Reckless: For the police I think there are concerns as to how linked up those police intelligence systems are and particular inquiries where there may be links that the relevant forces do not know about. Can the Butler-Sloss inquiry be a sort of point of contact for sharing that information to ensure that dots are linked up that may not be done currently?

Mark Sedwill: I think in terms of the individual criminal investigations, again I would say—and I think this would be their view but obviously it is for them to decide—the best route would be into the police. The police are working to deconflict the various investigations that they have going on across the country to ensure that there are not

overlaps or gaps between the investigations. If material that, for example, my or another institution thought was relevant was handed to a particular police force, they should be able to judge whether or not that might be relevant to another police inquiry because they would be privy to that in the way that outsiders like us would not.

Q116 Mark Reckless: You referred to registrars and changing policies for authorising document destruction. Are there protocols and guidelines that apply across Government for document destruction?

Mark Sedwill: Yes. The Grigg system was a system that was a Government-wide system and the National Archive now essentially set the overall policy parameters. Obviously different departments will have different immediate procedures, but fundamentally it is a common system.

Q117 Mark Reckless: Should the Government Whips' Office be compliant with that cross-Government protocol and guidance?

Mark Sedwill: I think, Mr Reckless, that you are taking me beyond my competence.

Q118 Mark Reckless: Mr Sedwill, who else can I address these questions to? You have just said at the beginning of my questions that the Home Office is the lead in terms of facilitating this. If you could advise me as a parliamentarian how the Whips' Office can be required to answer that question in the same way before a Select Committee, I would be grateful for your advice.

Mark Sedwill: I do not know enough about how the Whips' Office manages its information, frankly, to give you a very intelligent answer so—

Q119 Mark Reckless: Can I just give you one input into that before you answer then? An ex-Whip wrote about 1996 that there was a dispute within the Whips' Office about whether notes for Whips were the personal property of the Whip concerned or Government property. It was in response to that sort of a concern that a new policy for document shredding was instituted. I would like your answer as to whether that policy—I do not know what it is—is compliant or should be compliant with the Government protocols?

Mark Sedwill: The Home Office has the lead for supporting the Butler-Sloss inquiry, but of course I do not have the lead for the overall file management systems across Government as a whole. I simply am not familiar enough, Mr Reckless, with the procedures in the Whips' Office to say very much. It is a matter for them.

Q120 Mark Reckless: Would you encourage them to share those procedures?

Mark Sedwill: As I have said, I would encourage all institutions, including all Government institutions—as I said, I did mean to refer to your comment—to put themselves in a position to share information with the police and share information with the Butler-Sloss inquiry, and I think all institutions should do that.

Q121 Mark Reckless: Including to state what their document destruction processes are and how those have changed. In particular, the reference I made to 1996, the question I have is: does that apply to historic documents? Were they all shredded at a point in time? Should we get the answer to that?

Mark Sedwill: Again, Mr Reckless, I do not want to tell this Committee what questions you should be asking and who you should be asking them of. I do not think that is proper for me to do, but of course—

Q122 Chair: You can advise this Committee and if you think we should have someone in please tell us.

Mark Sedwill: Mr Reckless is clearly pursuing a line of inquiry here that he is interested in and I think the Committee must make a judgment about that. But to be clear, I do not want to sound evasive. It is just that this is outside my department and I can only answer for my own department.

Q123 Mark Reckless: But you are the lead department for these inquiries.

Mark Sedwill: For the inquiries, but that is why—

Q124 Mark Reckless: You said the inquiry should consider these matters.

Mark Sedwill: Indeed, but it is then a matter for the inquiry themselves about how they wish to do so. It is not for me to say that.

Q125 Chair: But you do not wish to tell us about the mechanisms.

Mark Sedwill: I do not know enough about the mechanisms, Mr Chairman, to—

Q126 Mark Reckless: But you have agreed it would be useful for those mechanisms to be shared?

Mark Sedwill: Again, I think with all of this kind of information there is no reason it should not be transparent.

Q127 Mark Reckless: My final question, Mr Sedwill: do you pivot between instructions from Ministers and the long-term interests of the Home Office?

Mark Sedwill: Do you know, that was the first time I had seen that phrase when I read it in the media this morning? My job is to deliver this Home Secretary's agenda right to the last day of this Parliament. Part of that agenda is to ensure that the Home Office is in good shape to deliver not only her agenda but her successor's agenda into the future, and that is the way I would describe my obligations to her as my Secretary of State.

Chair: That sounds extremely loyal and I would support that.

Q128 Paul Flynn: Those of us who were in Parliament with Mr Geoffrey Dickens are glad to see the tributes being paid to his courage and his persistence in these cases, and he certainly did a great job in exposing a number of paedophiles. You mention in your letter another aspect to his complaints that involved the occult and alleged satanic practices. As I recall, very few of those had a very sound basis in the complaints. Is it possible that there might be an innocent explanation for the missing files in that they were not regarded as being worthwhile and they had not made complaints that stuck?

Mark Sedwill: I think that is right, Mr Flynn. It is difficult for us to reach a judgment but I think you are right to suggest that we should not assume there is anything sinister. The investigator did not find any evidence to suggest that there was. He said he found no evidence that the destruction of files, including of the 114, was inappropriate. It is phrasing it slightly differently but essentially I am endorsing your point.

Q129 Paul Flynn: Following up the points Mr Ellis made, I think many of us have been very surprised, knowing the level of security clearance that is necessary if we employ a worker in this House, that there seems to be an absence of activity from the intelligence service about many of these famous paedophiles who were very indiscreet and had been active in their paedophile activities over many years. Have the intelligence services been reporting on prominent figures who are a danger? Are they doing it now? Will they be doing it in the future?

Mark Sedwill: The primary function of the intelligence services, of course, is national security, so this is a function for the police rather than the intelligence services. As you know, Mr Flynn, I can't be drawn into commenting on exactly what the security intelligence services do but, just to answer your point, that is primarily a matter for the police rather than other national security agencies.

Q130 Paul Flynn: But it is looking into the future and we have all been thinking about how we are going to avoid what has happened in the past. The least satisfactory way of getting information is for MPs who may or may not collect information and send it in. We look back on Sir James Savile and the fact that he was knighted, that he went to 11 New Year's Eve parties hosted by Margaret Thatcher and that he was a great and trusted friend of royalty. Should somebody who was in potentially a position where there were security implications, those cases, and Sir Cyril Smith, again honoured by the country—shouldn't the job of the security services—I do not think anyone else can do it properly—be to report when there are people of grave danger, at least to stop their activities in their lifetimes?

Mark Sedwill: Mr Flynn, I think all of us would agree that there were many failures throughout the systems, the healthcare system, the police system and elsewhere, that permitted Jimmy Savile, Cyril Smith and others to pursue their activities. The vetting service is not run by the intelligence agencies. There are vetting services; the Foreign Office runs one and the Ministry of Defence runs another. Of course, good security vetting should be able to identify this. There have been many lessons learnt since that period. The police national database of intelligence material, for example, was established partly in response to failings of the kind you have set out. I think it is for the Butler-Sloss inquiry to determine what these broader system lessons are for us, but I absolutely endorse the approach you set out.

Paul Flynn: I am grateful to you.

Q131 Yasmin Qureshi: I may have missed it, but did the investigator speak to the Home Office official who had left the Home Office and who said he had handled those files?

Mark Sedwill: Which investigation? There are two investigations, I am sorry, Ms Qureshi. There were two investigations. There was the first investigation that did the file search and looked at Geoffrey Dickens' work. Then there was the second investigation, the second investigator that Mr Austin was asking about, that related to the funding of the—

Chair: It is the mystery man who did the first investigation Ms Qureshi wants to know about.

Mark Sedwill: He did not interview former Ministers or officials. I set that out in my letter. That is partly because again we have to be very careful, given that there are still ongoing criminal investigations.

Q132 Nicola Blackwood: Mr Sedwill, I want you to help me understand a couple of your answers to Ms Fullbrook on understanding what the contents of the files were. It seems to me that, other than the name of the file possibly, you have no idea what the contents might be. I wondered if there is any way to trace cross-references in any other files. If there is no trace of cross-references that does appear to be somewhat sinister, does it not?

Mark Sedwill: File titles give some indication of the subject matter. They are supposed to be intuitive. They have become more so over the years, to be frank. There is material in other files that is relevant. We were not able, for example, to find a file with all of Mr Dickens' original correspondence in but there were then other files that contained letters referring to that or responses.

Q133 Nicola Blackwood: So you have found cross-references?

Mark Sedwill: That formed the basis of the material that the investigator and the investigation—

Q134 Nicola Blackwood: Has that built up a picture of the contents of these files and the nature of their contents, what they say?

Mark Sedwill: Without wishing to go into what the Wanless-Whittam review will do, it was on that basis, on the basis of material that was available to him, that the investigator reached the conclusion that he did not see any evidence of inappropriate removal of material, including these 114 files.

Q135 Nicola Blackwood: You said in the first instance there were no interviews for Home Office officials.

Mark Sedwill: Of former Ministers and officials.

Nicola Blackwood: Former Ministers and officials, but in the Wanless-Whittam investigation will there be interviews of officials? Will you be able to narrow down those who might have had access to these files so you can gain a fuller picture of what might have happened and what their content might have been?

Mark Sedwill: That will be a matter for them and that is one of the reasons that there is a QC involved in this, but they will be subject to the same boundary where they do not wish, even inadvertently, to disrupt an ongoing criminal investigation. Of course, the police have the names of all the officials that we could identify as having been responsible for this correspondence with Mr Dickens, responsible for the material at the time. Therefore, we are leaving to the police whether they wish to interview any of those individuals, presumably on the basis of other information they may have that I am not privy to. That is a matter for them.

Q136 Nicola Blackwood: A final question on the Butler-Sloss inquiry. I understand that most of the terms of references and mechanisms you want to leave to her. However, a concern has been raised about retired police officers and concerns they may have regarding pensions if they have signed gagging orders or are subject to the Official Secrets Act. This may not be something that the panel can solve by themselves and I would like an assurance that the Home Office will do whatever they can to enable testimony from former police officers to come forward to the inquiry.

Mark Sedwill: The short answer is yes, but to be clear there is no confidentiality clause, or gagging order if you prefer, or indeed the Official Secrets Act, that obliges you not to reveal information about a criminal act. Indeed, quite the reverse is true. It would be completely unlawful for somebody to impose a gagging clause of that kind and everyone needs to remember that every member of the public has a duty to co-operate with the police if they have information about a criminal act, even a criminal act 30 or 40 years ago.

Q137 Chair: Thank you. We are going to conclude now because I know you have to be away and the Committee has other witnesses. You talked about lessons being learnt and you have probably seen today's Ombudsman's report. It is a damning report into the way in which the Home Office dealt with an immigration case. You have now paid out £120,000 in the so-called "crossbow stalker" case. It is interesting that what the Ombudsman said is that the Home Office, in effect, lost the complainant's two follow-up letters following a failure to act on information that she sent in to stop this man entering the country. He then stalked her with a crossbow, tried to burn down her house, and this is all failure from officials to follow up on complaints. It sounds very similar, although it is different subject matter, to what you have had to deal with. How are you going to stop this culture that seems to pervade the Home Office at the moment?

Mark Sedwill: Mr Chairman, I am grateful to you for raising it. This is an appalling episode and I have written to the family to apologise. I have offered to meet them and we have provided, as you have acknowledged, compensation to them, as the Ombudsman has suggested. This simply should not have happened. That is quite clear and the Ombudsman's report makes that quite clear, and I apologise again to the Hewitt family for the distress they suffered as a result. This was a case of maladministration. It was a failure by at the time the Border Agency, but that is part of the Home Office. I am not going to

logic chop about that. It was a failure by the Border Agency to follow up information properly.

There are recommendations in that report and we are acting on all of those recommendations. Indeed, some of that change is already in place and we are acting on all those recommendations. Just very briefly, for example I strengthened our internal audit function anyway, aside from this report, and I have now appointed a director of risk and compliance within the Home Office—the kind of role you would have in a City firm or a bank or something of that kind—to try to strengthen our understanding of and illumination of the risks that exist within the Home Office and therefore the risks that we let individuals down.

Q138 Chair: Concluding on the child abuse issues, do you think the police should have more than the seven officers they have at the moment to investigate? It seems like a very small number if you look at some of the other investigations they have been involved in.

Mark Sedwill: There are investigations, of course, across policing so, as I mentioned, there are something like two dozen investigations. It is in the end an operational judgment for the police. I am not qualified to make a judgment. It is for them, but they know how serious this is and they know they will need to deploy resources to try to bring the guilty to justice.

Q139 Chair: You are the first Permanent Secretary to have initiated an internal review. You have many predecessors who have had the same information but none of them did what you did. It may mean that you find we are ungrateful, having started the investigation, the review, that it has ended up in this current state and we have asked these questions of you in the last hour and a half. But I am sure you will appreciate we regard these as very serious matters, as you do, as you said in your letter. I think there is a feeling of the Committee that the first review was not satisfactory in this sense. It is not a question of good faith or your choice of investigator, although we do not know who that is, but there seems to be a number of items that still need to be chased up in respect of the first review and we welcome the fact that there is a second review. Some people do not like reviews into reviews. We have seen this with phone hacking; the John Yates review lasted, I think, a couple of hours. This is going to last a much longer time and it is going to be independent, and we welcome that.

In respect of Lady Butler-Sloss, a very distinguished person has been appointed. Were there any concerns that you had before the appointment made that she was a Member of the Upper House and some of the allegations may have been made about Members of this House? Was that considered at all, despite the fact that she is extraordinarily distinguished and a very good head of the Family Division, that she is a Member of Parliament and she is very closely related to a former Lord Chancellor?

Mark Sedwill: The short answer, Mr Chairman, is no. She is a woman of unimpeachable integrity. She is a Cross-Bench peer, of course, so she is also highly independent in the House of Lords. I think anyone who has ever dealt with her would not question for a second the integrity, capability, intelligence and rigour she will bring to this review.

Q140 Chair: I agree with you and I just put that to you. Finally, could you let us have the following, just to remind you, in case your note takers did not write these down, not that I am casting any aspersions on your current crop of note takers. We would like you to look at that list, the titles of the 114 files. I think it should have been done last year but we will give you the benefit of the doubt. Have a look at them and if you are able to share it with this Committee we would like to see a copy of that list, please. We would like a redacted copy of the report as soon as possible. You want perhaps to wait for the inquiry to look into this but we will expect a reply on this if you feel that is the case. We would like a list not of the names of the members of staff of the Home Office who have been dismissed for unauthorised disclosure of files; we would like the numbers since 1979, please. We would like to know, in answer to Mr Austin's questions, the Ministers who signed off the VSU expenditure. We would like all that by noon on Friday.

Mark Sedwill: Mr Chairman, we will provide all that we can, where we still have the records of course. We recognise some of this is a long time ago but I will do my best to provide you with all that information or information that is relevant to it if we can't find the specifics, but we will do our absolute best.

Q141 Chair: We, as a Committee, are very grateful to you for the letter you sent us, for coming here today and for answering questions in a very open and transparent way. Thank you.

Mark Sedwill: Mr Chairman, I appreciate it. Thank you.