



Home Affairs Committee

Oral evidence: [Historic child abuse](#), HC 710

Tuesday 11 November 2014

Ordered by the House of Commons to be published on 11 November 2014.

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

Questions 112 – 191

Witnesses: **Alison Millar**, Counsel for the victims groups, **Hilary Willmer**, Chair, Parents against child sexual exploitation (PACE), and **Peter Saunders**, CEO, The National Association for People Abused in Childhood (NAPAC), gave evidence.

Q112 Chair: This is the first session as part of our remit to confirm—or not—the appointment of the Home Secretary’s nominee for the chair of the child abuse inquiry. As part of that process, the Committee has decided to call in representatives of some of the victims. I want to stress that these are some of the representatives. There are many more out there who we do not have contact with. The Committee was able to meet in private session to hear from some of the victims last Thursday, but this is an open, oral session.

We had asked the Home Secretary to come in to give evidence to us, but the Committee has decided to write to her to express concern about this process so far and the suggestion that the Committee should be deciding on a shortlist of candidates. The Committee is very clear that it is not our position to decide on a shortlist of candidates. It is for the Home Secretary to make her nominee and we will then have a confirmation hearing. So this is formal evidence as part of that hearing that will be published at the time of our recommendation.

I welcome Alison Millar, Peter Saunders and Hilary Willmer to the dais. I will start and the Committee will follow me with questions. I want to spend about 10 minutes or so on the process so far and then the future process. Alison Millar, if I start with you. Have you or your clients been consulted by the Home Office about either the terms of reference or the panel that currently sits or a future head of the inquiry?

Alison Millar: No.

Chair: Mr Saunders, have you at the moment been consulted on any of those three points?

Peter Saunders: Up until very recently, Mr Vaz, we have not been consulted, although we—as in myself and a number of other survivors—have been invited to meet the Home Secretary on Thursday, which we look forward to doing.

Chair: Ms Willmer?

Hilary Willmer: We would be exactly the same—not until recently but have been invited for the next meeting.

Q113 Chair: Looking back at the process—which I do not want to do for very long as I have said—how would you describe the way in which this matter has been done so far, Ms Millar?

Alison Millar: I am concerned on behalf of my clients. When the Home Secretary announced this inquiry in July, she said that the principles behind it would be maximum transparency wherever possible. I think what my clients are saying to me is that there has been a lack of transparency so far about how people have been appointed—both as chair and to the panel—and there has been a lack of consultation and engagement with interested parties, and most particularly those affected by abuse, over the way this inquiry should be handled, what the terms of reference should be and, most crucially, how it can involve people in the process. The way it has been handled so far is a matter of regret to my clients.

Chair: Mr Saunders?

Peter Saunders: I echo what Alison has said. We survivors have long awaited a serious look at this very deeply embedded in our society holocaust of child abuse. At NAPAC, as you know, we support adult survivors of childhood abuse and have done for many years. The experience of many thousands of those people is that they have been ignored. Of course, at the root of all childhood abuse is the very real betrayal, which is what child abuse is.

It is easier perhaps to speak as an adult, but the many people that come to NAPAC—and the many people we have been meeting with recently and the people who will be meeting with the Home Secretary in the coming days—are survivors of something that happened to them when they were children. What they want, what I want, is for a proper inquiry that will begin to uncover the truth, and there is not a lot of confidence in that process at the moment, Mr Vaz.

Chair: We will come to the future in just one second. I just want to finish with the process so far. Hilary Willmer?

Hilary Willmer: I would echo all that has been said, so I will not repeat it. But I think what is a good thing about today is that there is some recognition that most children who are exploited by people outside the family are living at home and, therefore, parents have crucial knowledge and information. We have worked with a large number of parents, about 158 families at the moment, for instance. Their perspective, the fact that we are here today and that it can be taken seriously, is a key factor in safeguarding, when there is appropriate support. It is a positive sign, but it is fairly late in the day and so often still parents are blamed and excluded.

Q114 Chair: Indeed. Now let us move on to the future, and I want you to concentrate on three aspects if you could in your answers. First of all, how should the head of the inquiry be selected? Secondly, are you happy with the terms of reference that have been published so far? Thirdly, are you happy with the panel that has been selected so far or do you believe you should start again with a new panel? Those are the three critical issues for you to answer today, which will help us in the

very limited role that we have in confirming the name of the head of the inquiry: how do you think we should select the name; are you happy with the terms of reference, should they be changed; and are you happy with the panel or should that be changed at this stage?

Alison Millar: Obviously there is quite a lot to cover there. You asked, first of all, about who should head up the inquiry, the chair. I represent a number of clients. They do not speak with a unanimous voice on this, so these are my personal thoughts, informed by my clients but cannot be taken to be representative of all of them. One of the things that perhaps you have not talked about just now is whether this inquiry should be put on a statutory footing.

Chair: Yes, sorry, that is one of the points.

Alison Millar: I think there is a wide measure of agreement from my clients, and other organisations representing survivors of abuse and their families whom I have spoken to, that this inquiry should be a statutory inquiry in order to have the powers it will need to seize documents, to compel witnesses to give evidence and take that evidence under oath, and also for there to essentially be criminal sanctions if documents are withheld or destroyed or suppressed, those kinds of things. If you are going to have an inquiry on a statutory footing that does call into question who is the most appropriate person to head up the inquiry and whether there will be practical difficulties if it is not, say, a senior judge or a retired judge or somebody from a judicial background. So I would like contribute that in relation to the head of the inquiry.

Q115 Chair: Thank you. Are you happy with the terms of reference or do you think they should be added to or subtracted from, rewritten? Are they terms of reference we can proceed with?

Alison Millar: When we—myself and other organisations that support or represent survivors—had a meeting with the inquiry we were told that, in relation to the terms of reference, it is only the very short first paragraph that is the terms of reference and the rest is methodology. The terms of reference at the moment seem to be focusing on: have there been institutional failures to protect children? Obviously there have been. If the inquiry reviews that, have they been addressed, what lessons need to be learned, it is a very short—

Chair: Should it be wider?

Alison Millar: I think it should be. There are lots and lots of points to make. I think the most crucial one is looking at how to correct the institutional failures, but it is not looking at the position of people like my clients, the people that Peter and Hilary support, who are the people affected by the abuse and their relatives and how to support them, looking at the institutional responses to them and their needs now.

Q116 Chair: Finally, on the panel, are you happy with the panel? Do you think it should be changed? Do you think there should be additional people or fewer people?

Alison Millar: I think this is a very vexed subject and there has been a lot of rather heated correspondence, things on the internet about this.

Chair: We know that but what is your view?

Alison Millar: My view is that there should be a fresh start now. Sadly, although it seems to me there are some very good people on this panel, there has been a lack of transparency about how

they have been appointed. This has led to a lot of unfortunate questions being asked, but the terms of reference should be got right first and then panel members appointed afresh.

Q117 Chair: Mr Saunders, on those three points very quickly. First of all, how should the head of the inquiry be selected? I assume you agree with the statutory footing point?

Peter Saunders: I do indeed, yes.

Chair: The head of the inquiry?

Peter Saunders: I do not envy the Home Secretary having to make a third decision on this matter. I think she has to look for somebody who has respect, the sort of respect of a Nelson Mandela, but somebody who has compassion, the compassion of a Mother Teresa, and I think she needs to appoint somebody with the Rottweiler tendencies of a lawyer, such as a Michael Mansfield kind of character. I am not proposing him necessarily but he is very popular with a lot of survivor groups I know. As I say, I would not want to be in the Home Secretary's—

Q118 Chair: You have identified the problem. What is the solution? How would she do this?

Peter Saunders: As you know, we—as in myself and a number of survivors—are meeting with Mrs May on Thursday when, hopefully, we will have a private discussion about our views. We are very grateful that the Home Secretary—

Chair: We do not want names here, just the process, Mr Saunders. How does she do it? She just casts around and gets people to send in suggestions?

Peter Saunders: No, because she will get 50 different suggestions. I think talking to survivors and survivor representatives is a good start. That is the conversation that she should have had six months ago before this whole mess got off the ground.

Q119 Chair: Of course. Terms of reference; rewritten or kept the same?

Peter Saunders: I would agree with Alison that they probably need revisiting.

Q120 Chair: The panel?

Peter Saunders: The panel. Again, as Alison said, there are undoubtedly some good people on the panel that we would not have an issue with, but there are certainly people on the panel that we do have issues with and we will be putting that to the Home Secretary on Thursday.

Q121 Chair: Do you think the panel should be recreated or can it carry on and just be added to?

Peter Saunders: I am in two minds about whether or not to just get on with it, knowing that we do not have confidence in the panel as it is constituted at the moment, but our suggestion at the Friday meeting when we met some of the secretariat, which of course is provided by the Home Office—which is part of the problem, Mr Vaz. We have a secretariat from the Home Office that is going to be looking at issues that emanated from the Home Office, and so there are trust issues around that.

Chair: So you want an independent secretariat?

Peter Saunders: If there was such a thing I would have thought an independent secretariat would have been very helpful. Discussion with survivors who are at the heart of what this is all about would have been helpful before appointing a panel, some of whom we know we have issues with. I am not going to mention any names because I don't think that is fair, but as an example if panel members are there because of their political connections—because we do not see this as a political issue, this is about protecting our children—then I think that is very unfortunate, and if somebody, who I am assured is on the panel, is actually a trustee of an organisation that runs care homes for children, then again, if that is true, I would have an issue with that appointment.

Q122 Chair: Thank you. Very helpful. Finally, Hilary Willmer, on these three points as briefly as you can, presumably you agree with the statutory footing point?

Hilary Willmer: Yes.

Chair: As far as the terms of reference are concerned, do you think they ought to be rewritten?

Hilary Willmer: I am not sure that they need to be. I agree with what has already been said. On Saturday we had a parent network day of parents from all around the country, so I was able to discuss the inquiry with them and that was really useful. One thing is that they have a concern with the whole process, that this can be so much looking at institutional failures, which is necessary. It can be—

Chair: Can we just stick to the terms of reference?

Hilary Willmer: Well, okay then—

Chair: Do you think they should be rewritten?

Hilary Willmer: I think it would be good to revisit them.

Q123 Chair: As far as the panel is concerned, are you happy with the panel or do you think we need new members?

Hilary Willmer: Again, I do not think I necessarily have anything to add. But I think, if the process is starting with the meeting on Thursday, that is the occasion with people meeting with representatives, certainly from—

Chair: No, we are asking, we have our own process. We will not wait until Friday. I am asking for your views, as a witness representing people: do you think that the panel is okay or do you think we should change the panel?

Hilary Willmer: I do not think there is anyone on it representing, for instance, the sort of issues of the wider family perspective and I think that might be helpful because—

Chair: So we could have additions?

Hilary Willmer: We could have additions and I would echo that there are questions about some of them.

Q124 Chair: How do you think the Home Secretary should select the head of the inquiry before the name comes to us? Not on the names here, the process.

Hilary Willmer: The process: I think the characteristics have already been virtually shared and agreed. I think—

Chair: So far we have Nelson Mandela, Mother Teresa and Mike Mansfield.

Hilary Willmer: Yes, that is true and all of us can see that that is somewhat problematic. We would all like them in our organisations. Obviously the process, someone with legal training, with warmth and understanding and some knowledge of abuse, and also crucially that they have the abilities—which may go without saying—that they are a good chair who can keep it focused, who can be sure where it is going, can draw it together, and all that sort of thing. The parents did say it would be good to look for someone outside London because they do think there is a danger, always in everything, of everything being London-centric and there are actually competent people outside the metropolis.

Chair: Very helpful indeed.

Q125 Lorraine Fullbrook: Why can you not say here today who specifically on the panel you have no confidence in? The panel consists of what are considered to be experts in social care, academia, law enforcement, media, voluntary sector and to have experience in child abuse themselves, so who specifically? It will become a matter of public knowledge anyway. Who specifically do you have a problem with on the panel currently and why?

Peter Saunders: I represent a charity that hears from a lot of survivors—a lot of survivors—and nobody wants this to succeed more than them, can I assure you of that? This is about protecting our children in the future. We cannot turn the clocks back but in order to protect our children in the future we need to uncover the truth of the past and to expose them and to bring to justice people who need to be brought to justice. Anything less than that will be seen as a whitewash. If we do not have a panel in whom most survivors have trust and confidence, then it would be seen as a whitewash before it even gets off the ground. Many survivors will not engage with it if it is perceived as such.

There are people on that panel who, for a multitude of reasons that we do not have time to go into now, probably should not be where they are now, as I have said, because of political allegiances, because of commercial allegiances, because some of them appear to be friends with people who are in Parliament, and we think that is not appropriate. Having said that, there are certainly one or two people on the panel that I am sure would have the confidence of most survivors.

Q126 Lorraine Fullbrook: Chairman, if I may, my question was: this will become a matter of public record. This is a Committee of the House. You have stated that you have no confidence in some members of the panel.

Peter Saunders: Correct.

Lorraine Fullbrook: Who specifically do you have no confidence in, given their assumed eminence in these areas?

Chair: I think Ms Fullbrook wants you to name names.

Lorraine Fullbrook: I do.

Peter Saunders: I don't want to name names. I think that is for the Home Secretary to hear because it is for her to decide who is appointed, is it not? I could be wrong. I don't know about these things. I know that we are here because of the pressure put on by our colleagues in the media that survivors' voices are at long last being heard, because we have been writing to Ministers in Parliament for a long time and we have got nowhere. We have never had any positive responses, certainly not for a long time. Then the media get on board because they recognise that this is not about a bunch of old men like me and others that are whingeing about the past.

Lorraine Fullbrook: No, I understand—

Peter Saunders: This is about preventing our children in the future suffering as we did and suffering as many children are doing today.

Chair: I think we have an answer. Mr Saunders does not want to name anyone.

Lorraine Fullbrook: Sure.

Q127 Dr Huppert: Part of our role is to try to make sure that there is confidence, and it is difficult if you will not say what the problems are, but the question I was going to ask—

Peter Saunders: With respect, I did say what the problems are: political allegiances, commercial interests, political friends. I said that, but I don't want to name the names.

Dr Huppert: But assuming I do not know the full friend list of everybody who is on the panel, that makes it very hard to assess. It also makes it very hard for other survivors to comment on whether they agree with the assessments and so forth. You gave a list of the characteristics that you wanted for people. I think you have all done this and talked about how amazing they have to be in all sorts of different ways. They have to be skilled in this area but not have been involved in anything that could potentially come in; they have to have all sorts of skills but not be part of the establishment and so forth. Do you think there is anybody in the country who would actually satisfy enough survivors for this to have a chance of working?

Alison Millar: I would hope so. I have suggested that what we should perhaps be looking at is a senior judicial figure or a retired judge, because of their powers. The crucial point that we have learnt from the previous chairs is that they must be independent of the Executive. You would hope you could find members of the judiciary who are independent of the Executive, who perhaps, as Hilary has said, are not members of the London Bar, have grown up through the regional Bar. I know there have also been suggestions that perhaps we could look at figures who have practised in the Commonwealth jurisdictions. I think it is for the Home Secretary to take on board the points that are being made about the need for independence, particularly from Ministers in the Home Office or Ministers advising the Home Office who may have dealt with historic allegations of child abuse. There must be figures who are not on close dining terms or related to former Cabinet Ministers.

Q128 Dr Huppert: I take the point that it would be possible to find retired judges, for example, who are not on close terms with Cabinet Ministers. I agree, but given the widespread nature of this, given how much has happened in so many different settings, I worry that it will be very hard to find even the most respected, retired judges who have at no point had contact with people who have worked for places where things have happened.

Alison Millar: Doesn't that come back to the due diligence exercise and the need for this to be gone into before their appointment? If there is a figure out there—a name recommended—then rather than the Home Secretary appointing this person and then potentially a kerfuffle arising when some conflict of interest is discovered, if the person's name is out there and people have the opportunity to say whether there are any serious concerns about this person, links that they have, connections that they have that may make them unsuitable, that process can be gone through.

Q129 Dr Huppert: I worry that people may not know at the beginning of the inquiry because that is part of what the inquiry will find out, but you have confidence there is such a judge. Ms Willmer, do you share that confidence that there are people out there who will command respect?

Hilary Willmer: I think we always have to have hope in this life, even if it doesn't always get fulfilled. I agree that the judiciary thing and the perceived and actual independence is absolutely crucial and, although it was a throwaway remark about looking outside London, I do hope that that will be taken seriously because then it is obvious to other people that they are not necessarily part of the Westminster bubble or whatever.

Chair: We will certainly take that seriously.

Q130 Mr Winnick: Mr Saunders and Ms Willmer, my questions are directed to you. Do you think that the position over historical abuse is to some extent tied up with allegations that pretty influential people—establishment figures, if you like to use the phrase—were involved?

Peter Saunders: Yes, Mr Winnick, there is no question of that. I was listening to Lord Tebbit on the radio not many weeks ago, and I was surprised that I ever found myself in agreement with Lord Tebbit. He voiced his concerns that there almost certainly have been establishment cover-ups at the very highest levels. It did not surprise him and it also did not surprise him that eventually survivors were going to be speaking out. Again, I would reiterate that—thanks to some people in Parliament but particularly our friends out there in the media—they have managed to get this to a point now where at long last our Government are being forced to listen to our concerns.

It is unfortunate in a way that it arises around the issues that involve high profile people such as Cyril Smith, who we now know was a prolific abuser of children, or Jimmy Savile, who was a prolific abuser of children and of course given the keys to Broadmoor, among other places, while he was on his rounds. Unfortunately I think that does in some ways detract from the wider issue of abuse, which we all know mostly occurs within the household. The vast majority of the people that contact NAPAC on a daily basis have been abused by somebody under their own roof, and it is often dad or mum or uncle or granddad. That is the sad reality and that is not being addressed either.

Q131 Mr Winnick: Mr Saunders, everyone would agree that the vast majority of cases are along the lines that you state, in households, but what has now come to light is the statement of quite a distinguished journalist—I am referring to Don Hale—who has said that Barbara Castle, who was the Member of Parliament where his newsletter was circulating, handed him a file of alleged paedophiles and she said this included a number of people in pretty influential positions. He says that Special Branch officers seized the file from him and he has not heard anything since. What do you say to that, bearing in mind that this is a journalist of distinction who has been a journalist for many years, and was in fact awarded journalist of the year not so long ago?

Chair: Mr Saunders? Could we be brief in our answers so we can—

Peter Saunders: You have discovered I have difficulty doing that, Mr Vaz, but I will be brief. As we sit here speaking today, Mr Winnick, I have no doubt that there will be dossiers and files up and down this country being destroyed or burnt or lost. That is the sad reality because, as much as we here are appalled at child abuse, there are too many abusers and perpetrators out there and some of them are in positions of great power, sadly.

Q132 Mr Winnick: Mr Saunders, does that mean that you are saying in effect—perhaps you are not—that the file that Geoffrey Dickens handed to the Minister at the time was lost deliberately or destroyed and it is not just an accident that the Home Office could not find it?

Peter Saunders: I do not know the answer because I was not there, but when a file goes missing that allegedly has names of people who are at the top of the political tree, which is what we have reason to believe was the case, then it is little wonder that it disappeared, sadly.

Q133 Nicola Blackwood: I want to talk a little bit about ongoing consultation with survivors. Clearly the process up until now has not worked as effectively as it needs to, and so what I would like to understand is what you think would be the best process to put in place to ensure that the mistakes that have been made up until now are not made going forward. I have heard some proposals, such as there is put in place an interlocutor between survivors' groups and the inquiry, and then perhaps a survivors' panel is put in place. Do you think that that would be the most appropriate process, or perhaps another system would be more appropriate, just so that we understand what you think is best even though you are not entirely representative? I wonder if you would like to start, Ms Millar.

Alison Millar: I had not heard the proposal for the interlocutor before. I had heard the discussion of a survivors' panel. I think what I would say with that is that survivors of abuse will obviously have their own deeply held and deeply awful experience, which they will contribute and they will contribute as best they can. But a panel of survivors will not be totally representative of the entire community of people—not that there is a community—or the entire number or type or nature of people who have been abused. I think there has to be a consultation process that involves organisations that represent large numbers of survivors of abuse, such as NAPAC and Hilary's organisation and other organisations, but also some means by which if people want to write in, if they want to contribute, if they want to put their views across, they are able to do that.

In Australia where there is a royal commission going on at the moment, there was a period of consultation—I think it took about three months—before the terms of reference were devised. It was a really wide consultation, engaging a lot of people who were interested in this and enabling people to come forward with their views. You may think that sounds pretty daunting, to open the

doors to everyone to contribute. But if you are doing that at the stage where you were looking at how the inquiry is set up and goes about its business, you have much more chance then of engaging people at the stage where the inquiry is hearing direct firsthand experiences or listening to people. If the inquiry is open from the start it stands a much better chance of engaging with people down the line.

Q134 Nicola Blackwood: Was that consultation done before or after the panel was selected in Australia?

Alison Millar: Before.

Q135 Nicola Blackwood: Before, okay. Hilary, what do you think?

Hilary Willmer: We had questions when I talked to the parents about opportunity for writing in written evidence and also the possibility of meeting in groups from either the Crown or the interlocutor. What also came out very strongly was the sense that, “We are pleased to be here today because talking about evidence from survivors is—who are the survivors?” For instance, in the small group of 30 parents that we were talking with there were two whose sons had committed suicide as a result of exploitation. There were three or four who are grandparents bringing up children who are fathered by one of the perpetrators. The long-term effects of that are huge. There were two or three or more whose children were in long-term psychiatric—often secure—units, and another two who had ended up either in or out of prison or just out of prison because their lives had been so ruined. Obviously if the survivors themselves are dead, it is important to take evidence and to be in touch with those who travelled the journey so closely.

I take the point that there is all sorts of different abuse, which is one of the points of the problem of the width of the inquiry, that it is about abuse in all its forms, interfamilial abuse, paedophilia, and the particular area that we work in, which is sexual exploitation outside the family. They are all exploitation, they are all abuse, but there are different issues that arise from them. So I think the plea would be that the different areas are recognised to be to some extent different, but opportunity is made particularly for those who travelled the journey closely and are desperately affected by what has happened themselves.

Nicola Blackwood: Mr Saunders?

Peter Saunders: For a couple of years NAPAC has been voicing concern about a lack of something like a royal commission, and I wrote to the Prime Minister some time ago suggesting a royal commission on the basis of Australia, a Commonwealth country, having been granted one. I did get a response from the Children and Families Minister to say that we were not going to have a royal commission.

Specifically about the panel and the suggestion of a survivors’ panel that was discussed on Friday in fact and the issue of who is to head up the panel, I suggested would it be possible to have a dual chairship because if we were to have a judge or a retired judge—and we would all want to have a good look at the background of that judge because a lot of people, a lot of survivors will have an issue with people who come from the judiciary, particularly if—

Nicola Blackwood: You are talking about somebody heading up a survivors’ panel?

Peter Saunders: I think the survivors' panel is a good idea. Many of us agree that the current panel needs to be enhanced or strengthened and revisited, but coming back to the chair, Alison mentioned a judicial figure, like a retired judge or something like that, which I think would be appropriate but would not suit many survivors who have had a very challenging time through the judicial system, and you can understand that.

Q136 Nicola Blackwood: Yes. This was an issue that was raised in private session with a number of survivors on Thursday—although again it was not representative—where a number of survivors expressed their concerns about having a judicial figure because they had experienced difficulties going through the criminal justice system, which is fairly common. One suggestion that was brought forward was perhaps having a non-judicial chair but perhaps a co-chair or a deputy chair who was a retired judge or a very senior QC. Ms Millar, what would your response to that be, given the opinion that you expressed earlier?

Alison Millar: Where I was coming from with my opinion was the need for there to be someone who was able to certify any potential contempt of the inquiry to the appropriate court, if that can be taken care of by having such a figure, a judge or somebody like that on the panel but at the same time have somebody to co-chair who reaches out more in terms of their characteristics and lack of background, in the way that Peter has said. The judicial background may be something that is not appreciated by many survivors. I think that is a good idea.

Chair: Thank you. We will come back to this.

Q137 Yasmin Qureshi: Chair, may I make a declaration in light of the discussion that has been had this morning? Last week when I was being interviewed on the BBC about Ms Woolf, the presenter said to me, "Who do you think should do the job?" and the name I suggested, because I was asked directly, was Michael Mansfield. I just wanted to do that as a declaration.

I want to ask two questions. Am I understanding about the existing panel that while you do not want to say which names should not be on it, you are saying that the Home Secretary—in light of what you have said about political affiliations or financial interest—the Home Office and the civil servants should be doing their homework about all the people on the panel and, by a process of logical deduction, take out people who may be fitting into those categories without specifically mentioning names?

Peter Saunders: Absolutely. I think also to have on the panel somebody with strong investigative—if I have that right—experience as well, because there is going to be a lot of digging and delving that needs to be done. Of course, in Michael Mansfield we would have such a character.

Q138 Yasmin Qureshi: The second question is just quickly about the methodology that has been adopted. As I understand it, there has been some information out there as to how they will conduct the inquiry. You mentioned about Australia's royal commission. Again, if I understand correctly, are you saying that the methodology should be open, in the sense that anyone—obviously relevant people—who wants to make a presentation should be able to do so without having to even wait an for interlocutor or anybody acting as a go-between? The methodology could be very wide.

Alison Millar: Yes. The Australian royal commission, as far as I can see, operates on the basis of the key principles of transparency, redress and respect for survivors. It is very open and there are multiple ways that you can engage with the inquiry, and indeed lots of people have. The statistics

are that about 17,500 people have contacted that inquiry. There have been almost 8,000 pieces of correspondence and around 1,000 private hearings. A lot of people have engaged in the inquiry and that is in the context of the Australian population.

Q139 Mr Clappison: Thank you very much for your evidence today. I have found it very helpful. Can I take it from what you have said that you have confidence—without going into names—in at least some members of the panel? There is also the counsel to the inquiry, Ben Emmerson QC, who is a very eminent human rights barrister and, as a UN Special Rapporteur, you can have confidence in him. He is very eminent.

Peter Saunders: He is indeed. I don't think this situation is irretrievable.

Mr Clappison: Good.

Peter Saunders: But I think the fact that sometimes you make associations between one disaster with the people involved, so the fact that we have had two ill-judged appointments, in Elizabeth Butler-Sloss and Fiona Woolf, linked to the current panel and linked to the current counsel, inevitably people will think, "Well, couldn't they have got their act together a little bit?" But I take on board completely that Ben Emmerson is a highly credible and much respected member of the Bar.

Q140 Mr Clappison: I do not know Professor Alexis Jay. I don't know so much about her, but you are confident?

Peter Saunders: Absolutely, yes. We would potentially put her forward as a possible chair.

Q141 Mr Clappison: I was very pleased about what you said about not being irretrievable. The final point I was going to make to you is that we have had a few bumps along the way on this, to say the least, but it should still be possible to get an inquiry that above all commands the confidence of the public and of survivors and in which there is no conflict of interest or any appearance of conflict of interest, so that we can look into all these very long-established and deep-rooted problems.

Peter Saunders: I agree, and I hope we can have a brief discussion about how we support the many survivors who are coming forward because that is extremely important.

Q142 Chair: Indeed. Let me sum up what you are saying to this Committee today. As I have said, you are the first people we are seeing in respect of the confirmation hearings, so we have huge respect for your opinions and we want to keep this dialogue going. After this session is over there are going to be a lot of people writing in to say they were not invited. That is because we cannot invite everybody, but we would be very grateful if you could keep us informed of any information that comes into your position that would be helpful just to the confirmation hearing. That is what we are concerned with on this Committee, and we are very grateful for the general work that you all do. It is very time-consuming and you have shown yourselves to be extremely dedicated. We are very grateful for that.

What you are saying to this Committee is that you believe that so far the process has not been satisfactory—we agree—and that if due diligence had been conducted right at the start we probably would not be sitting here today. But given that that has happened, you would like to see an inquiry

that is on a statutory footing right from the start, not as the Home Secretary wants, if the chair of the panel decides. You want that very clear at the beginning. You want a head of the inquiry that commands the respect of the survivors' groups and others, where the name can be put out into the public domain and be properly tested. By the time it comes before this Committee that person would have basically had all their antecedents out there so people would know who we are dealing with.

Although Mr Saunders has given us characteristics of three people—two of whom are no longer with us, I am afraid—it is possible to find someone to head this inquiry. You have agreed with Mr Clappison that there are a couple of names there who you believe are very relevant and very helpful to the work you are doing. So it is possible to find a head. You seem to be in agreement that we need to look again at the terms of reference, whether to start them from scratch again or they need to change in some way.

Finally, there is agreement that the panel needs to be looked at again, either a completely new panel or amendments to the panel that is there at the moment, but you feel very strongly that there are people out there who can serve on this panel. You believe that there are some people on the panel who are pretty good people and would do a good job but there are others—who you will not name today, Mr Saunders—who you consider not to be up to scratch. Do I have it right so far?

Peter Saunders: Are we going to mention support for survivors, Mr Vaz?

Q143 Chair: I was just coming to that, which is why I paused. It is extremely important that throughout this process proper support is given to survivors' groups, whether it is through the interlocutor that Nicola Blackwood spoke of or it is other sources of support. We were concerned that a number of people who came to our meeting on Thursday did not have, for example, travelling expenses to come and meet this Committee. If you are going to take evidence and you are going to consult people, they need to be able to leave their jobs and come to see the people responsible. There needs to be an open and transparent dialogue with you and others. Is that what you are telling this Committee, in summary?

Alison Millar: The people who give evidence to this inquiry need to be supported. It is not just a question of travel expenses, although that is very important because we had distressed calls from people who came last week who were down literally to their last few pounds in their bank account. But it is not just about that. It is support psychologically, because reliving the trauma and telling the trauma is very psychologically difficult for many people and they need to feel safe. You are talking about criminal activity and some of those perpetrators may be at large. They need to feel that this is a safe process that they can engage in.

Q144 Chair: Absolutely. One final question, please, if I may, and a very brief answer from everybody. Bearing in mind what you have told the Committee this morning, do you think there should be a pause in what the panel is doing until these matters are resolved, or are you happy for the panel to continue with its work and the changes to take place in parallel? A very brief answer, please, because we have another witness and the House is sitting on Home Office matters at 1.00 pm. Alison Millar?

Alison Millar: These matters are too important to carry on without a pause.

Chair: Mr Saunders?

Peter Saunders: A brief pause, but we need a lot of support and ongoing support for survivors. We need the outcome to be that our children are better protected and proper systems of support in place for survivors for the long term. NAPAC cannot do it on its own. We are a small organisation. Our rent, Mr Vaz, has just been put up 50% by our kind, big society loving landlords, so we have to move premises. We do not know where we are going to go. Survivors need long-term support.

Chair: We get the point. Ms Willmer, a pause or carry on?

Hilary Willmer: I think a pause but, I agree, a short pause. Can I just say that one of the greatest forms of support, as well as the therapeutic support, is the belief that actually things will change? We are hearing stories today of the response that people get when they first come into this horrific situation where families are judged and, in going and looking at all the institutional failures that we need to, we do not lose sight of who is actually doing the raping and concentrate on better ways of bringing the perpetrators to justice.

Chair: Thank you very much. I can assure you that the Committee will be in touch with you again. We will be writing to you and if there is anything further you need from us please let us know.

Examination of Witnesses

Witnesses: **Peter Wanless**, NSPCC, and **Richard Whittam QC**, gave evidence.

Q145 Chair: Can I welcome to the dais Peter Wanless and Richard Whittam? I begin with an apology, which is not something that you hear from a Select Committee very often. But on the last occasion you came to give evidence to us unfortunately we were not able to take you because we were in the middle of cross-examining witnesses in respect of the Rotherham issue and we did not want to keep you beyond 6 o'clock, so we released you. My apologies for that.

Mr Wanless and Mr Whittam, when was this report completed and when was it sent to the Home Secretary? Members of this Committee only received it at 11.30 am this morning.

Peter Wanless: Yes. We completed the report on 15 October and that is when it was submitted to the Home Secretary.

Q146 Chair: What was the reason for such a delay in publishing this report? Is it because you had agreed with the Home Secretary that she would have some time to read it? It does seem like an awfully long time and, as you know, the shadow Home Secretary has now put down an urgent question calling for its publication and it is now published.

Peter Wanless: Yes. I am really pleased it is published. Both of us were keen to have as much of this material as possible open for consideration as quickly as possible. Clearly it was commissioned from us by her and she needed a bit of time to take it in, but I don't know why it took until today for it to be published.

Q147 Chair: Anyway, we have it now. If we seem to not ask all the questions that are relevant it is because we cannot speed read like QCs, or at least I cannot but others may be able to. So we may

write to you again for further information, although it is unlikely we will call you back, simply because we have done this twice now.

I want to talk to you about the 114 files. You seem to be giving the Home Office a clean bill of health in respect of this matter. You are saying, overall, that you do not believe that there was a cover-up to try to destroy these files. You seem to be saying in your conclusions and recommendations that record-keeping was not particularly brilliant but you do not think somebody went round in the middle of the night to take out 114 files and destroy them. Is that right or do you have further information you want to give this Committee? What is your overall impression of record-keeping and, indeed, what happened to these missing files?

Peter Wanless: Record-keeping not exactly brilliant is something of an understatement. The files are a mess and looking back 30 or 40 years was always going to be a challenging task. The fact that the Home Office had no systematic approach to flagging up crimes against children that were notified to them, there was no systematic recording of what papers were then subsequently passed to the police and when, and files were typically destroyed after two years if they were general correspondence, without a sense of whether general correspondence was about potholes in the road or serious things happening to children, all those things conspire to make it incredibly difficult to get a really strong picture of whether or not the right things were being done in relation to serious matters affecting children in that time.

Q148 Chair: So it was a bit shambolic?

Peter Wanless: It is really difficult to piece together in a systematic way, yes, and so we make clear that there are a considerable number of caveats about what one can conclude about what the Home Office did or did not receive during this period and what was done about it.

Q149 Chair: Mr Whittam, you do conclude that this was not a deliberate cover-up?

Richard Whittam: There is nothing to show that it was a deliberate cover-up, but we put the caveat in that it is very difficult at this removal of time with the equipment we were given.

Chair: What sort of equipment was that?

Richard Whittam: Just what is made available to you now is what still exists, and so in relation to the—

Q150 Chair: Did they physically give you disks and files, paper files, computer files?

Richard Whittam: They gave us paper files, where they still existed. We have access to their now computerised record of what files they hold. The weakness is the search by file name and as we touch on—for those of you who now have the report—there was a particular file that was relevant and it contained very relevant material but it was under the heading of the “Brighton Assaults” file. That is never going to appear on a search through a database by file titles.

Q151 Chair: Could we assume that there is still stuff in there that you in the very limited time—and we are very grateful for all the work you have done, and I am sure the Home Secretary is too—is it

still possible that under a different search name—you presumably were not sitting there typing in these names, were you, Mr Wanless?

Peter Wanless: Almost.

Chair: Oh, were you?

Peter Wanless: We were given the opportunity to interrogate the filing system with any search terms or dates or categories of file within the Home Office that we liked to do, and then we—

Q152 Chair: So these search terms on here that begin with Cyril Smith and end with Kincora, you typed in yourself?

Peter Wanless: Yes.

Chair: They did not type it in for you?

Peter Wanless: We watched them as they typed some of those in and saw what was generated, but of course it all depends on those terms being in the title of the file.

Q153 Chair: Sure. The Metropolitan Police are very keen to have computer-generated names for their inquiries. It is quite possible that someone in 1982 could have put another name for a particular file. It might still be there but it doesn't come out under the name of Cyril Smith, for example?

Richard Whittam: Precisely. When we were understanding how their search system works, we were allowed just to say, "Can we expand the dates?", for example, because, although our terms of reference had fixed dates, it does not help you as to the date of the material on the file. It might predate that. There might be an earlier date, a 1976 file that contains things for 1984. So it is rather an imprecise science. We asked them to put in various terms just so we could see what they threw up. We were sometimes surprised that what we thought were very wide terms threw up very few files. So to that extent it was an imprecise search. If I may just comment on the 114 files, which struck us as an obvious public concern.

Chair: Yes.

Richard Whittam: In a way, had there been greater detail about what those files are—we have tried to be as transparent as we can be in the circumstances, so you now have a list of the files with suitable redactions.

Q154 Chair: Who redacted them? There seems to be a lot of redactions. There is a lot of black ink on these reports, which obviously makes us more excited.

Peter Wanless: We have no redactions in our own report. We have fought back to have minimal redactions in the Home Office's original reviews. In relation to this particular schedule of the 114 files, I believe the only redactions are the names of constituents who had written to MPs. Where you have a correspondence case to protect the privacy of that individual, that is the only redaction.

Q155 Chair: Sure, but the names of the files are here. Unfortunately, I have not seen all these names, but this was something that Mark Sedwill promised to this Committee, that the names would be published at the time of publication of your report. The only thing you have redacted is the name of the constituent who wrote in?

Peter Wanless: That is right.

Q156 Chair: But in terms of the big huge redactions of half a page, why were they redacted? What was the explanation given to you?

Peter Wanless: Where there is a more significant redaction we have seen the text underneath those redactions. I do not think there are very many, but where there are they are either to protect the privacy of an individual or not to prejudice an ongoing or potential future prosecution. That has been a critical thing that we have had to be incredibly sensitive to through this entire operation, because we know that there are active police investigations under way in relation to child abuse crimes during this period.

Q157 Chair: Of the 114 files, 13 were alleged child abuse, nine were passed to the police by Mr Sedwill and his colleagues, and the other four have now been passed to the police. So 13 have gone to the police; four related to Home Office staff, we were told by Mr Sedwill. Do you have any further figures on these?

Peter Wanless: These were not files. These were items of information of material concern, potentially about children, which were passed on to the police and we have noted and confirmed the action taken in relation to those. We do not have others to add to that list.

Q158 Chair: Did you have full co-operation from local police forces and the Home Office? Did anyone volunteer information or was it the case that both of you had to go and ask for it?

Richard Whittam: The police responded to anything that we asked. Simon Bailey, Chief Constable for Norfolk Police, who is the national lead, responded immediately. He came to see us. We were put in touch with either the senior or the deputy senior investigating officer of the current ongoing investigations. They conversed with us freely about the work they were doing and in particular on looking at the recognised and accepted destruction policies, for example, the two-year destruction policy. We now know from historic abuse cases that there may be two years between allegations. Nowadays you can rely on cross-admissibility. It is very important that if the Home Office is destroying files after two years, somebody is keeping an eye on that, and Simon Bailey responded—I am not sure you have the annexes—in one of the annexes that they said that could be published and is published. They retain the intelligence to make sure that there is not anybody who falls between the gap of proper record-keeping at the Home Office, making sure things are reported as appropriate to the police who do keep tabs on them, whether or not there is more than a two-year gap in between the two.

Q159 Chair: Your recommendations are very clear. Are they now in effect? Is this happening now or is it still the case that this shambolic approach to record-keeping persists, with files being destroyed every two years? Did you leave Marsham Street with a spring in your step, feeling that the pair of you had brought light where there was darkness, or did you think, “They are not going to

change. This culture is just not going to change”? You are chuckling, Mr Wanless. That makes me believe that the latter is the case.

Peter Wanless: In relation to crimes against children, I leave with a greater confidence that we have expressed a determination and a focus to ensure that anything that is received by the Home Office that relates to a child being in danger will have a flag associated with it and someone will follow up what happens to that piece of paper. So I am confident that that has been accepted as a recommendation. My experience is that people need to be held to account for promises that they make and they then subsequently forget. I also think that, as relevant as that is to the Home Office, it is equally relevant to many other Government departments that could receive information about children who are at risk. I would like to see that as a recommendation applying not simply to the Home Office but across Government too.

Q160 Chair: There is no party political point in this because it is successive Governments. This is record-keeping that has gone on for years. What you are saying to this Committee is that you have seen no evidence of a direct cover-up. However, you could not find certain information because of the chaotic system that has existed in Home Office record-keeping over the last 30 years. So it is possible things have gone missing deliberately, but you cannot tell the Committee that you know that for sure?

Peter Wanless: Yes, that is correct.

Richard Whittam: Precisely as you have said, if there was a deliberate cover-up. So, rather than somebody after the event hiding a file, they may well have given it either a false name or not recorded it. By saying that we cannot point a finger saying there has been a deliberate cover-up, we are not suggesting for a moment either that there was not abuse or there was not some cover-up going on. We have to look at our terms of reference as to what you can find at this remove of time, bearing in mind some of the allegations made more broadly may well have been cover-ups. But whether that is an organised cover-up, whether that would ever be unearthed at the time, even now 30 years later, is very difficult to answer.

Chair: So the jury is still out. You will understand those words, Mr Whittam.

Richard Whittam: I do.

Q161 Mr Clappison: I have not had a chance to look at this in detail because I have been coming from my constituency this morning—

Richard Whittam: We apologise. We did not know it was going to be delivered when it was and we have had nothing to do with when it has been made public.

Mr Clappison: I am looking at the parts about the Paedophile Information Exchange. Can I cut to the chase on this and ask you: do you believe that public money was given to the Paedophile Information Exchange through the Home Office?

Peter Wanless: I don't know. I think this is unproven. There is an aspect of the information that was explained by the whistleblower to suggest that the Home Office might have been a channel that the Special Branch used to get some money into the Paedophile Information Exchange to keep tabs on them, and he explained how that might have taken place. We sought to investigate

in a way that the original review did not explicitly. Based on the papers that remain, we found it impossible to prove or disprove that one way or the other. What we did not find was any evidence of an explicit grant to the Paedophile Information Exchange or any suggestion that, as a matter of policy, because of some sort of sympathy for the Paedophile Information Exchange, grant funding was being given.

Q162 Mr Clappison: Were there any individuals you could identify within the Home Office who were sympathetic to or connected with the Paedophile Information Exchange?

Peter Wanless: The statement that was given by the whistleblower refers to one gentleman, his boss, who in exchanges with the whistleblower gave an impression to him that there might be a legitimate reason for funding the Paedophile Information Exchange, but I would not go any further than that. I do not know whether or not he was a sympathiser. Certainly there is nothing in the paperwork of the department to suggest that.

Q163 Mr Clappison: I think what you are telling us, added to the impression that the paperwork was altogether shambolic, that you are not able to discern where public money went?

Peter Wanless: In this case I cannot say whether the paperwork was shambolic or not shambolic because the rule at the time was that all the grant funding papers be destroyed after six years, so there could have been very clear and careful records kept of the awards made. Indeed, there is a schedule of most of the awards published in Hansard. We have some sense of order around those awards, but not records that have been kept for the whole period.

Q164 Mr Clappison: Can you give me an idea of the timescale over which this went on that you looked at? This was 1979. Were you looking at this information before 1979?

Peter Wanless: We looked at the grant funding for the life of the VSU, the Voluntary Services Unit in the Home Office. That was 1976 through to mid-1980s.

Q165 Mr Clappison: Mid-1980s. Final question: is it possible that because of the shambolic record-keeping of the Home Office over a long period the Home Office was informed of serious criminal offending but that offending was never investigated?

Peter Wanless: How do you prove what you do not know?

Richard Whittam: Of the files we saw where there was an allegation of crime, that was then sent on to be investigated. So of the files we saw where there was an allegation it was sent on. We have not seen a file where something was not then sent on, but of the files we saw, the material we saw, we did not see anything that was not followed up, to the extent that—and not that anybody would ever say any offences are less serious than others—there were reports that somebody had seen somebody looking suspiciously at children. It was sent to the Home Office and that was sent to the police for them to deal with. So it was not a question of ignoring them, of them not being serious from that point of view.

Q166 Paul Flynn: There is no doubt that a great many cover-ups have taken place, a huge amount of abuse involving people who certainly were protected, like Sir Jimmy Savile and Sir Cyril Smith. Not

only were their crimes covered up but they were celebrated through the honours system. There were many of us who were not too optimistic about pursuing the line of evidence from Mr Geoffrey Dickens, it wouldn't be a productive one, but what would be? You have great experience in inquiries yourself. How do you think we are going to find where the real cover-ups took place?

Peter Wanless: Thank you very much for that question. If there is one thing I wanted to try to convey today, it is the sense of what we have come across in the course of our work with people in the judicial system, people in the police services who have an understanding of the appalling crime of abuse and what it feels like to be a survivor and are keen to see justice. Together we have to try to create an environment in which people who have evidence and knowledge of these crimes feel confident and comfortable about speaking up and speaking out. There are active police investigations at the moment and whether or not pieces of paper are found that document appalling things that people were doing in the past is no substitute for the testimony of individuals who can explain carefully, even after a considerable period of time, what happened to them. I think that is our best chance of securing justice. We have seen in the last six months to a year some celebrated individuals who perhaps thought that they were above and beyond the law being brought to justice as a consequence of incredibly brave people who have had the support and encouragement to speak out.

Q167 Paul Flynn: The scale of the present inquiry is enormous, and it makes things like the Chilcot inquiry or the other inquiries relatively minor, but there is an enormous number of cases they can look at. Do you think it would be better to follow the examples of the small-scale inquiries that have taken place already about Jersey and the Clwyd inquiry and inquiries elsewhere of specific areas of abuse rather than deal with it as one huge subject that may take years to produce results?

Peter Wanless: I do have a fear of waiting years to produce results, not only because of the complexity and breadth of whatever shape that inquiry takes but also because we all know, not least through the great work of this Committee, that children are being abused today and there are risks and lessons that we need to learn at this moment in time. If there is any sense that lessons are going to await an inquiry to be learnt, we have a real problem. Whatever shape the inquiry looking into the past takes, it needs to help generate, reinforce and support the lessons we need to apply today for the children who are at risk today.

Richard Whittam: On the scale aspect, it is sensible to have things that are effective and those who are going to benefit from it by way of there being a proper inquiry have confidence in it and see a result coming forward. However it is framed it does have to be effective and allow people to speak and people to be taken seriously. We witnessed in our inquiry—I am not saying there cannot be further improvements—there has been a sea-change in the way police investigate things. People do listen to survivors and complainants more than they did and we know from the prosecutions there have been that the Director of Public Prosecutions is more readily willing to take cases that meet the appropriate test and so on, but it is very different now from it was in the period we are dealing with.

Q168 Chair: My colleague Simon Danczuk says that he put you in touch with a digital company that deals with sophisticated attempts to find files. Were you able to use that or are you just relying on paper files given to you by the Home Office?

Peter Wanless: Yes, that conversation with Simon was very helpful. I spoke to the people in question, and indeed there were other people offering us forensic search services of one kind or another. The challenge for this period, 1979-1999, is that all the files are paper. These sophisticated digital techniques are fantastic and I think have made a considerable contribution to the Hillsborough inquiry, for example, but are not relevant to the particular papers that we were looking at.

Q169 Chair: That is because the files were not retained digitally?

Richard Whittam: Precisely. We looked at it and I have done some work on Hillsborough after the independent panel and these things were scanned and available as pdfs. They simply were not here, and if you are dependent on a file title it was not something—we considered it with great care. We did speak to people who pretty much said, “It is not going to assist in what you are looking at now”. But we try to look at any aspect that might help us with our work.

Q170 Michael Ellis: Forgive me for being a little late. I was at a memorial service. Gentlemen, thank you for your work on this. Can I ask you two quick questions? On the number sequence of the files, one question that I asked—I think it was of Mr Sedwill—was if the numbers of the missing files were in sequence with files that were still present, that could be assumed to mean that files had been deliberately removed. If of 114, number 112 was missing and number 113 was still there, that might be suspicious. Do you have anything to say about your work in that regard?

Richard Whittam: When you have the opportunity to see it, annexe I sets out the list of 114 files. We put them in pretty much any order we could because at least we could do this bit electronically—by data generation, by title, by when it was last recorded as being seen—but whichever way you did it there is no particular pattern.

Michael Ellis: It is random?

Richard Whittam: It is random and there is not a block, even by title, or in fact who might have last seen it.

Q171 Michael Ellis: You can see a logical methodology behind their removal, can you?

Richard Whittam: I wouldn't use “logical” at all, but it doesn't reflect a pattern. Whichever way we looked at it, it didn't look as though somebody had been removing specific ones.

Q172 Michael Ellis: The only other question I have for you is: was it something you came across that files might be copied in certain circumstances to the security services, for example? It has been suggested that files that related in those days to Members of Parliament might have been copied to the security services. Is there any indication whether file copies might exist elsewhere other than at the Home Office where they were destroyed many years ago?

Richard Whittam: We didn't see any evidence of things being routinely copied and we made enquiries of the security services, Special Branch, the Whip's Office and the like, simply because we tried to ask where we thought people would say, particularly at this Committee, have we asked?

Q173 Michael Ellis: Did they have no copies?

Richard Whittam: In the report we deal with the replies we had. We are obviously dependent on other people to do the searches for us, but we did at least make the requests of those places and we deal in our report with those replies.

Q174 Chair: Did you get any files from the Whip's Office?

Richard Whittam: No, we didn't, but we thought we should go there because of the very famous quote in the film of a then senior Whip saying that in the 1970s Whips could get rid of problems for Members, including ones with small boys. The idea that anybody could ever say that, never mind in the 1970s—but we were aware of that not through the work we had done but through our own general knowledge—

Chair: Nothing was sent, anyway.

Richard Whittam: Nothing was sent, but we had to make the inquiry because somebody at that time had the audacity to make that public proclamation.

Chair: We would certainly have asked you about it.

Q175 Mr Winnick: There is no doubt that both of you carried out your work in a very conscientious manner. I have just looked at the report in the last few minutes and you do say that it is not possible to say whether files were removed or destroyed to cover up or hide allegations of organised or systematic child abuse. You qualify that by saying it should not be taken that there was such a cover-up, but as I understand it you do not rule out the possibility it might have occurred?

Richard Whittam: We couldn't on the information we have. It would be commenting beyond the material we found to go that far, but we mean exactly what we say. We can't say that. It shouldn't be interpreted as saying we are saying there was a cover-up but there just isn't the material there to come to that conclusion.

Peter Wanless: There are some things we have been able to do in the context of the registered filing system to reduce the likelihood of there being a cover-up within the system, I suppose. The fact that the Brighton assaults file gave us some extremely interesting and relevant information about the Dickens dossier but duplicated some papers that the original reviewer had found means that if you were trying to systematically cover up something across this rather complex, chaotic filing system you could have no guarantees, necessarily, you would be able to remove all the pieces of paper. There is a bit of assurance there that might not have been there previously, but who knows what was going on outside the filing system itself.

Q176 Mr Winnick: Did you listen today on the "Today" programme to a distinguished journalist, someone who certainly has not started his profession in the last few months or years, saying that Barbara Castle, who was the Member of Parliament where his paper was published and he had contacts with her over a period of time, handed him a dossier of paedophiles that he claims was taken away by the Special Branch. Did you see this particular journalist at all?

Richard Whittam: He didn't come to see us either in that sense. We were looking at what the Home Office had or might be able to find and we then went to the other areas like the security services, Crown Prosecution Service and the Attorney-General's office. I think Barbara Castle—and I will be corrected if I am wrong—finished her term as a Minister before our period, our terms of reference. It would appear then that the dossier may or may not have been something different from the Dickens dossier; we don't know. Even though we have finished our work, if he wants to come and tell us something we would receive it. Equally, as we have emphasised throughout, if anybody has any information please contact either the contact numbers on the back of the report or the Chief Constable of Norfolk who will point you in the right direction. If there is anything that somebody should be listening to we will either continue to listen or others will.

Q177 Mr Winnick: I will put this to you: if arising from your report there is a feeling that there was no cover-up, no desire to protect influential individuals at the time and the rest of it and therefore such allegations are paranoia, then suddenly today a journalist—not suddenly because the story appeared in the newspaper earlier on but broadcast today—makes these allegations, bearing in mind that he has quite a distinguished record, as I say, and carried out successful investigations, including of someone who was convicted of murder, does it not raise again the feeling that somewhere along the lines there has been a cover-up, for the reasons that have been alleged with influential individuals being protected?

Richard Whittam: The reason you could put that to an end would be if those allegations were investigated, rather than saying, "I have a dossier" and, as I understand it but only what one reads, there was then a newspaper report about it, followed up, had the names and contacted the individuals. The way to find out would be to pass those on to the police and have it investigated.

Chair: Thank you. Can I just say to colleagues we have to go to the Chamber for the Wanless-Whittam urgent question? It is obviously your day today. We do not have to go to the West End.

Q178 Nicola Blackwood: Thank you for the work you have done on this. It is obviously very important to a large number of people. I wanted to ask you about your methodology. You obviously looked at the paperwork, and I know that you did not adhere strictly to your terms of reference, but you also have written that you did not take evidence from witnesses in a formal sense although you were open to receiving and reading information from anyone who sought to contact you. Did you think in the course of going through this process of the inquiry that there was someone who could have shed light on the matters at hand if only you had been able to find them or contact them? Did you feel like there was a missing link that if this particular record-keeper had been around then you might have found out what had happened more clearly and they would have been able to help you sift through those papers?

Richard Whittam: We did not know each other at all, had not met each other before we embarked on this exercise, and we approached things differently, but I think if either of us had thought there was a missing individual, whatever the terms of reference were, we would have asked them. There is a lot out in the media generally and on the internet about all sorts of suggestions and there are apparently, for example, anonymous Home Office informants. We can't consider who the anonymous Home Office informant was 30 years ago. There was no

anybody who came to mind that we thought would give an answer to what we were looking for that we then decided we won't look at.

Peter Wanless: It is probably not exactly the question you are asking, but there are a small number of people in relation to the funding of the Paedophile Information Exchange review that I would have loved to have had the opportunity to have spoken to because I think that might have helped clarify that further, but for one reason or another they have not all been able to be tracked down.

Q179 Nicola Blackwood: In essence, you do not think that interviewing or taking evidence from individuals would have helped with the paper trail with regard to the 114 files but it might have helped with regards to the funding of the PIE, clarifying that issue?

Peter Wanless: Yes, but it wasn't the lack of our ability to do that. It was the lack of our ability in the time available to track them down, find them, see if they were still alive, have the conversation we needed to have, and so on.

Q180 Lorraine Fullbrook: Very quickly, can I ask you both what response you have had to your recommendation of how files should be marked and handled for an allegation of child abuse?

Richard Whittam: We have not had a tremendous amount of feedback from the Home Office. We received another letter, in fact while I was in court this morning, asking us to do a little bit of further work, and we will consider what we are being asked to do before we accept it. But as far as accepting recommendations, we understand that they accept our recommendations.

Peter Wanless: Coming back to the question the Chairman asked earlier, I think it has been accepted. We need to see it is implemented.

Richard Whittam: We understand that it is accepted.

Q181 Chair: You do not have millions of recommendations, do you? It is not like a Home Affairs Select Committee report. There are only three, one of which is about four words. You would like someone to write to you and say, "We are doing this now"?

Peter Wanless: It would be nice to know, to be confident that that was happening, and also we have had conversations with them about the relevance of this beyond the Home Office itself. I would like to be confident that the whole of Government takes this issue seriously.

Q182 Chair: Of course. If you had more time, could you have done more work on trying to track down what was going on? You were given a very limited timescale, weren't you? I know you do not want to dedicate your whole life to this, but you were given a very tight timetable.

Richard Whittam: We were given a tight timetable and, as you know, we were slightly delayed in submitting to the Home Office because we were still literally receiving material as we were sending it. For my part, I would think that efforts are better concentrated on looking to bring to justice outstanding complaints where there is evidence about them.

Chair: So the investigation that you talked about.

Richard Whittam: I am not trying to suggest this was not important to look at, but bearing in mind the paucity of records and the type of records and how long has passed since then, if we were to focus in a particular direction it would be to encourage the survivors to come forward—they would be treated differently now by the investigators—and concentrate in that area. That would be a better use of resources in my personal opinion.

Q183 Chair: You have been asked to do some work on Rotherham. Is that right? Has that begun?

Peter Wanless: No, that has not begun, so that was another task that involved having a look at work the Home Office had done once the Home Office had done it, and they are in the process of doing that.

Q184 Chair: So it has not started?

Peter Wanless: It has not started and we have yet to agree our final terms of reference for that exercise as well.

Q185 Chair: Have you been asked your views about the child abuse inquiry, the overarching child abuse inquiry? I am not saying they have asked you to head it, Mr Wanless, but bearing in mind what you have been doing, has anyone had you in? Have you met the Home Secretary to discuss the child abuse inquiry?

Peter Wanless: No.

Chair: Mr Wanless, Mr Whittam, we are most grateful. Apologies again for the last time, but we are extremely grateful to you for what you have done for us. Thank you very much.