

International Development Committee

Oral evidence: Sexual exploitation and abuse in the aid sector, HC 840

Wednesday 18 April 2018

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Members present: Stephen Twigg (Chair); Richard Burden; Mr Nigel Evans Mrs Pauline Latham; Chris Law; Lloyd Russell-Moyle; Paul Scully; Virendra Sharma.

Questions 149 - 201

Witnesses

I: Asmita Naik, Independent Consultant; Helen Evans, Former Global Head of Safeguarding, Oxford GB.

Examination of Witnesses

Witnesses: Asmita Naik and Helen Evans.

Q149 Chair: Thank you, everyone, for being here for this oral evidence session as part of our inquiry into sexual exploitation and abuse in the aid sector. Can I welcome Helen and Asmita, our expert witnesses today? We are aiming to run for an hour and a half and we have 15 questions we are seeking to cover. Some of those questions we will ask to both of you and some will be aimed specifically, based on your written evidence. Let me start by asking each of you: you both have given us evidence and have spoken about issues to do with sexual exploitation and abuse in the aid sector. Could each of you give us just a very brief opening statement about the key issues that you have raised? Perhaps, Helen, you would like to go first.

Helen Evans: My name is Helen Evans. I was Head of Safeguarding at Oxfam GB until 2015. In my evidence, I talk about the challenges of raising concerns about inadequate resourcing and taking those to the Charity Commission and Government through my MP. I also outline what I think could be some of the opportunities to make positive changes in the sector and to strengthen safeguarding practices as well.

Chair: Helen, thank you. We are going to return to both of those areas in questions shortly.

Asmita Naik: I am here in the role of an independent consultant. I have been working in development for 25 years. In 2002, I was involved in a UNHCR Save the Children report that for the first time put the issue of sexual exploitation on the global agenda. Certainly that report and the follow-up to that was a step change in addressing this issue. It did lead to high-level policy change, but 15 years on we see the same sort of issues there on the ground. My key concern in intervening and making this submission is to hope that any policy measures take stock of what has been done, build on that and take a further step forward in addressing this, particularly in terms of enforcement on the ground.

Q150 Mr Sharma: Helen, you told us that you did ask for additional resources in order to be able to manage an increasing workload but were only given limited resources. Do you think that Oxfam was taking this issue seriously enough at this time?

Helen Evans: What was really positive was that Oxfam did have a safeguarding function. A lot of aid agencies do not have one. There was myself as Head of Safeguarding, and I had an administrator to assist. When Oxfam first invested in that, that was probably commensurate with the number of reports we were getting. The challenge, though, was that as the number of reports increased, I did not see the resource to match an increased awareness of the challenges we were facing. That is where



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my frustrations were felt. I took those to the leadership team. I took that to the trustees. I thought a lot about why I did not get that at the time. The answer given was about funding constraints and about budgets. I found that difficult because there was 1.4 FTE for my work but then on the counter-fraud work, we had five full-time equivalents. I thought a lot about why that was.

There is a real challenge for the aid sector in terms of engaging with this issue. It is really hard, when you are working for an organisation because you believe in it and you want to do good, to engage with something that is so difficult and really hard to confront: that those who are meant to help are actually abusing. That has been a really barrier to an acknowledgement of the issue, and perhaps there is also a little bit of a fear of what happens when you do admit there is a problem. At least we now know that.

Q151 Mr Sharma: We were told by Oxfam that they now employ four specialists and are recruiting for two further posts. Does this seem like too little too late?

Helen Evans: I welcome the action that Oxfam has taken. What it has now put in place is what I asked for back in 2015. That is a positive step. In my experience, the more resource we put at this, the more we uncovered. At this stage, it is a little difficult to say whether that is going to be sufficient. The key thing for all the aid agencies is to keep an open mind and to keep pace. As we learn more about this issue and find new strategies to tackle it, we need to be open to ensuring we have the resources needed to then address it.

Q152 Mrs Latham: You mentioned that some aid agencies do not have safeguarding procedures. I find it pretty shocking that they do not, because they are dealing with vulnerable people all the time. I hope, because of what has gone on, they may think that they should get them in place. Could you just explain for my benefit how much of the abuse that you were aware of was here in this country and how much was abroad? It is quite difficult to get a feel of what percentage is where.

Helen Evans: The challenge we have on all of this is about the incidents—what is going on—and then what is reported. Where you get more reports, that may not be indicative of more incidents; it may be more indicative of more robust reporting mechanisms. In the year where we had the last report prior to when I left, the allegations were about 50-50. I attribute that to the fact that in the UK you have stronger statutory mechanisms and people are more aware of their rights. I would not personally say that is reflective of the split of incidents taking place.

Q153 Mrs Latham: When you talk about incidents abroad, what you are really talking about is people who do not feel they can go anywhere, because they are so vulnerable, and they actually just want some resources going to them, but they are having to have sex for it or whatever. That is the shocking thing. It seems to me that it is an entitlement by men in the



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sector who feel that they have power over these women and that that is okay. It is fairly shocking.

Helen Evans: The point that you make there about power is absolutely right. This is all to do with power and abuse of power. The majority of abusers are men, not exclusively, but that is at the nub of it. How do we strengthen accountability mechanisms to ensure that people cannot misuse that position of trust and responsibility?

Q154 **Chair:** Can I ask a bit more, Helen, about what you said about it being 50-50 and then you rightly put that into context in terms of the domestic and the international? For the 50% that was domestic, are we talking predominantly about some of the issues in Oxfam shops that attracted media attention? Can you say a little more about that?

Helen Evans: That is right. Oxfam has a network of shops. In my time, it was about 700. We have about 20,000 volunteers, and I think about 4,500 child volunteers when I was Head of Safeguarding, aged 14 upwards. My role was both international but also UK for any issues of alleged abuse of children within the charity shops.

Q155 **Mr Evans:** My colleague, Virendra Sharma, asked you whether it is too little too late, with the four specialists you have plus the two additional that you are recruiting. Can you say what these six people will be doing and over what sort of coverage they will be stretching? These are the six that will be operating throughout the entire world. Is that right?

Helen Evans: Just to clarify, I left Oxfam in 2015, so in terms of what action Oxfam GB is now taking, the knowledge I have is very akin to what you have in terms of what is in the public domain. My understanding is they have a safeguarding adviser focused in the UK, in their trading division, and then you have those who are focused internationally. It is also my understanding that those individuals will have a regional focus. The way the charity operates is it has a number of discrete regions and the advisers will have a particular regional focus. That is my understanding in terms of what is in the public domain.

Q156 **Mr Evans:** Do you think they will be reactive as far as whistleblowers coming to them, or will they be proactive in going out and seeking information?

Helen Evans: When I was appointed Head of Safeguarding, I established the function and a safeguarding strategy. One of the things we did was to identify in every country programme a safeguarding focal point. I looked to adopt learning from Rape Crisis England and Wales, recognising that if the majority of the abusers are men, having a women-only network of focal points is incredibly important to build trust. The focus on that was to be survivor-focused: first and foremost, giving that person just a chance to talk, meeting their emotional needs and then talking them through what their reporting options would be. It can take months, sometimes even a year, before someone will tell you exactly what has happened. It is incredibly important to be responsive and proactive.



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That was the key focus of the safeguarding strategy that I authored: that we need to move from a reactive approach—because if you are reactive you are always going to get a small number of incidents—to a proactive approach where you actually engage, reach out and help to empower and support people to come forward. It is the hardest thing to do, particularly when you are in a very vulnerable position, to disclose this. It is really risky.

Q157 Chair: You contrasted the numbers that you had working with you when were at Oxfam with the numbers working on fraud. Clearly, four specialists and two further posts—six—is a lot better than what you had. Do you think there is an ideal number for an organisation the size of Oxfam? Anticipating that you probably do, what number is that? I imagine the answer is more than six.

Helen Evans: Something I encouraged Oxfam to do is to take a risk-based approach, because it can depend on whether your charity is delivering aid directly. Is it working through partner organisations? Is it in humanitarian scale-ups where the context is more risky? For every organisation, you cannot equate it in terms of the income. It is really important to look at the individual risks. It is absolutely imperative that all aid agencies, as a minimum, should have a safeguarding function and head of safeguarding and resource behind that, which not all of them do at the moment.

Q158 Richard Burden: My question is to Asmita. When you raised issues of sexual abuse and exploitation with UNHCR, some measures were implemented to improve things, but it did also take quite a long time—I think several months—for them to send people in to investigate. Do you think UNHCR reacted too slowly on that occasion?

Asmita Naik: Yes. The response was essentially in two stages. Bearing in mind this is back in 2002, long before Me Too or any of the scandals that we have become aware of in recent years that have shown that sexual abuse is prevalent in all sectors of society. For about three months UNHCR was dealing with this alone. It subsequently was criticised for the way it handled the allegations in that period, for being slow and ineffectual, and certainly that is what I saw as a direct eye witness. It is quite striking that allegations that subsequently shocked the world and led to global headlines really raised quite a lacklustre response among UNHCR management. For the first two weeks, there was not even actually a meeting. There was literally, more or less, no action at all. There were then a series of meetings that were quite ineffectual and were not going anywhere.

The second stage of the response was then after the story broke and it came into the public domain through the media. There was then a two-pronged response. First, there were some in the international community, within UNHCR and within other UN agencies—NGOs, donors—who were really concerned by what they heard and reacted very constructively. They set up immediately, within a couple of weeks,



international working groups and started to address the issue. On the other side, though, particularly there were a few top officials, and particularly the UN High Commissioner at the time, who led a very negative campaign to discredit the report and deny the findings.

In the end, you had a twin-track approach, essentially. You did have a very constructive response by some in the international community, including in the UN system, that led to top-level policy change. There was the General Assembly Resolution, and the Secretary General issued a system-wide policy. There were various initiatives that flowed. All of that was undercut by denial and defensiveness by some top officials, which sent out a double message: that this was not really an issue and was all exaggerated. That whole scandal essentially set off this issue on an ambivalent footing where, on the one hand, it was recognised but there was also scepticism. That has carried on over the years.

Q159 Richard Burden: You have been very clear in terms of describing the problems of attitudes at different levels within the UN and within UNHCR specifically. In terms of the actual measures that came out of it, how adequate do you think they were?

Asmita Naik: What is known as the Inter-Agency Standing Committee, which is a UN working group, set about developing various policies and procedures. For the first time, really, codes of conduct were developed and became widely disseminated across the aid sector. Procedures were developed for investigations. Over time, certainly at policy and procedural level, a lot of work has been done. The knowledge is there. That took a long time. I cannot really quantify how quickly UNHCR responded in terms of developing its own procedures and so on and so forth. Overall, there was movement at that level. The crux of the matter is about whether all these fine policies are being adequately implemented. That is what the Oxfam scandal shows us: that they are not.

Q160 Richard Burden: We are now 16 years on from that. How do you think the changes that were made in response to that report and your work at that time can now be best built upon in light of revelations that have been coming out more recently?

Asmita Naik: It is really important to not reinvent the wheel, and to recognise that a lot of thinking, policy development and so on and so forth has been done. That infrastructure was necessary and if you are dealing with a new global issue, as we were in 2002, you do obviously need those kinds of resources. We have come to a point where we actually have to apply these instruments that we have. Key to that is enforcement, both internally and externally. Internally, the key to that is management accountability from the top down, at every level of the chain. This is the only way to enforce these codes of conduct, hold staff to account, investigate allegations and sanction offenders. The only way to implement this is to make sure the inculcation of codes and conduct and follow-up to violations is in the job description of every manager in



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every aid organisation. That is the only way it can flow down through the chain.

Secondly—perhaps you might want to ask me about this later—I will mention that that needs to be buttressed with an effective system of external oversight that can monitor how agencies are doing and where victims have recourse if their concerns are not dealt with adequately internally. I will hold on to the ombudsman idea in case you want to ask me later, but I am happy to elaborate now as well.

Richard Burden: I think we will be coming back to that, but thank you.

Q161 **Chair:** We will certainly be coming back to that. Before I move on to Pauline with the next question, I have a follow-up to that, Asmita. The suggestion that you have made there in terms of the managers and the responsibilities of managers is a really important one. Are there any organisations you are aware of that do that already? Is there any great example of good practice, either in the international system or in an NGO, where they are doing what you have suggested on that, or is this something where everyone has to improve?

Asmita Naik: I could not really give a definitive overview. That would require a study in itself. The point I am making is supported by the work the UN has done itself. The Inter-Agency Standing Committee did a study in 2010. It did a review of this issue. Their key finding was essentially about the lack of visible senior management leadership on this. There is no doubt that this is an issue across the board. We have had the scenario that because organisations are still so secretive about this and so defensive about this, even if there are some good organisations and good practices, we do not know about them and we need to know about them. I have faith that there are but we do not hear about them and we need to.

Q162 **Mrs Latham:** Some of the written evidence that has been provided to us points to a rather macho culture and a white western culture, with impunity amongst aid organisations, both locally and internationally, and abusers seeing sexual exploitation as a perk of the job. Since we had the last evidence session, I have had people say to me, “It was not that bad”, “Men and women”, or “They were away from home for a very long time, so it is okay then to abuse women in that situation”.

What do you both feel about how it can be improved abroad? Clearly there are local people who are employed, rather than just western people, but I do think there is a culture in the aid sector—and I have been talking about it for two years—and we should have an international register of aid workers, a bit like our DBS system, that people can refer to. When an aid organisation is employing an aid worker, they can check with this register to see if they have been abusers. The problem with that is they have to have been proved it. Many people seem to leave an organisation and move to another one before any final report comes out. They get away with it. They go from one organisation to another.



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Do you agree with that assessment, and why do you think people do not come forward in this situation? Obviously they are incredibly vulnerable, but there are other people within the organisation that must see this happening but all agree it is okay.

Asmita Naik: There are so many things in there that I could respond to. Maybe I will respond to one or two points and then Helen can pick up. First, on the point of organisational culture, this is absolutely core to the issue. When I talked about management accountability, that starts at the top with ethical leadership. Particularly in the submission I made and the example I gave, I talked about the very negative example set by the UN High Commissioner at the time himself, Ruud Lubbers. He ran the negative campaign against the report and the denials very publically, and then he was forced out of office under a cloud of claims of sexual harassment against him, so the tone is set from the top. When we talk about organisational culture, I still believe that most aid workers go into aid work because they are very idealistic. They have really high values. They want to do good. They believe in helping humanity. They want leaders who set that tone. How corrosive is it if you are an employee and you see your own colleagues violating the people you are trying to help?

In terms of this point about the macho culture, it is more of an issue of top leadership setting the right tone, because lower down there may be people who have values of different types and who have inappropriate behaviour, but that can never be controlled unless the leadership is setting the right tone.

On the registration, certainly there needs to be something that happens. My only concern with the idea of a register is how practical that would be when we are talking about vast numbers of aid workers from many different countries and from different administrative and legal systems. It would certainly be a logistically difficult thing to manage. What sort of information would it contain? If it is going to contain information about criminal records, that is only available for certain people and for certain countries. You risk creating an uneven kind of global marketplace, as it were, where some aid workers are very highly regulated and checked and others are not. That is one issue.

The register would also need to work equitably and be fair. For that, it would need to be independent, because if you are going to enter information that is going to affect people's work prospects and their opportunities, it needs to be independently verified. I clearly agree with you that something needs to be done. It is a question of finding the measures that would work the best.

Helen Evans: I will start with culture and echo Asmita's point. When I was investigating abuse, there was a strong correlation between the tone set by the country director and what everybody else would think was permissible. We know that the majority of abusers are men, so if you have the majority of people in leadership positions being men and the majority of the country management teams being men, there is definitely



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a correlation there in terms of the prevalence of abuse. Gender balance within the aid sector is an absolutely critical component of getting on top of this.

In terms of why people do not come forward, beneficiaries are some of the most vulnerable individuals. The people who are abusing are those they are meant to trust. If an aid worker is abusing you, how can you trust that his colleagues or her colleagues are going to listen to you? That is why it is critical that there is some form of independent agency that people can go, to because if you are asking a victim to come forward to the agency where the worker is working, they have no idea who they know and who their relationships are with. It could be that they are very pally with the head of that organisation. That independence is absolutely critical. Both Asmita and I will come on to talk about our view that it is essential to have an aid ombudsman.

In terms of improvements, there is a lot that DFID can do because donors hold a lot of power in respect to aid agencies. I can talk more about that. The other thing is transparency. That is really important for aid agencies going forward. There is a risk here that they are fearful of the impact this has had on Oxfam, and they do not want to be in the same position. We need leadership from Government and from the donors to say, "No, it is really important now that we are transparent about this, because if we are transparent we can get on top of the issue".

In terms of the passporting system, the challenge there is that for that to be effective you need quite a mature safeguarding system. You also need to have confidence that all those involved in that system are adhering to the same standards, because otherwise you could have one agency saying, "Let us blacklist this person", and another agency says, "Actually, we think your standards are too high or too low". Once we have a more mature global safeguarding system, absolutely we do need that, but there is a step to be taken before we are ready to do that.

Q163 Mrs Latham: If the Secretary of State sets a standard and demands that of organisations that DFID funds, that would raise the standards hugely. If there was any whistleblowing, she could immediately stop the funding to that agency. The problem with that is, of course, it is the most vulnerable people who suffer. That is the dilemma, is it not?

Asmita Naik: If I can also add, in terms of the register, as opposed to a measure like the ombudsman, it is pitching accountability at the level of individuals, whereas my feeling is that the accountability should be at the level of organisations. It is their responsibility to hold their employees to account. They have various tools at their disposal that they are not using adequately at the moment. If you create a system where huge numbers of aid workers, who are already doing very difficult jobs, often on very short contracts, with very few rights, are also then burdened with registration demands, which may have all sorts of implications such as insurance and all sorts of things, I would question whether the



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accountability is being pitched in the right place. The key is to hold the organisations to account.

In terms of organisational culture, what I have seen in my own experience—this is also in this Inter-Agency Standing Committee review in 2010 that I talked about—is that you do see a different approach when it comes to fraud and the behavioural controls that are put on that. There you will find management and leadership taking a much stronger line. You will find donors very strong on investigating those kinds of abuses. This issue is treated very differently, and I do believe that can make a big difference.

Chair: We are going to return to some of the issues around regulation in a moment.

Q164 **Lloyd Russell-Moyle:** I wanted to touch on a follow-up about the fraud analogy, if that is okay. I buy what you are saying: that there needs to be more accountability to the organisation and not just the individual. If we are going to use the fraud analogy, fraud is a criminal offence as well as an organisational offence. If someone commits it in the UK, they would be individually liable and punished, as well as the organisation potentially trying to take action. In a school, for example, we hold the school to account but we also have CRBs to hold the individual to account. I am not quite understanding the analogy. Are you saying it is just the wrong balance at the moment or are you saying that all the accountability should be held on the organisations and none on the individuals?

Asmita Naik: No, not at all. I am saying let us not pitch it at a level where we forget the organisations. If we had an aid ombudsman, that would be pitching it at an organisational level. The organisations then need to show what actions they have taken to hold their employees to account, which includes referring them to the police if they commit a criminal offence and taking other action against them.

You also need to bear in mind that we are talking about a lot of context where those civil and criminal remedies are not there against individuals. That is all very well for an aid agency that is regulated and based here, where the staff that it is concerned with are also British. In many of the contexts, it might be very difficult to take any kind of criminal or civil action.

No, I am certainly not saying that individuals should not be held to account. They absolutely should be, but I am saying that that role should be with organisations and they should be held to account for how they are holding their own employees to account.

Helen Evans: Building on that, for this system to be effective, you have to have reports coming forward that then mean you establish that someone is guilty and then it can feed into that system. The challenge is that if we implement this first, before we have a mature safeguarding



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system where you have focal points, you are building trust, you are getting allegations coming through and you have specialist trained investigators—at the moment, they rely on HR and counter-fraud, who do not have the specialist skill set to get the evidence required to take action—and you are going to have a system that is saying, “Tick, tick, tick”, for most people, because the mechanisms for getting reports are not strong enough. There is then a false assurance that this passport is saying, “Yes, this person is okay”, when in actual fact they may not be.

Building on Asmita’s point, we need to first of all look at engaging the agencies to make sure those systems have strength in terms of prevention and detection, as well as deterrents, for that to then feed into that passporting system. If we bring that in too soon, we could give a false assurance, which in itself could be quite risky.

Asmita Naik: Going back to the fraud analogy, in the current system in terms of grant-giving, particularly to NGOs, the donors, including DFID, are very rigorous in due diligence on the accounting side. At the moment, there is not really that on the safeguarding side, though there might be some box-ticking that goes on.

Q165 **Lloyd Russell-Moyle:** You do not think DFID itself is very strong on requirements of safeguarding.

Asmita Naik: I am sure it is equal to other donors. I have not done a comparison. If you compare it on the issue of fraud, for example, and you compare safeguarding, the checks that will be done are very few.

Q166 **Chair:** You have taken us off on this, so I am now joining you. It is really interesting. Is it partly about public and media interest? Obviously we have had huge public and media interest in this issue over the last few months, but I think I am right in saying that when the report was published or semi-published in 2002, there was not so much media interest. Do you think there has been more of a public media spotlight on fraud than there has been on sexual abuse and exploitation, and that that might be part of the reason for what you are describing?

Asmita Naik: It is something that donors clearly take very seriously. Most donors take it very seriously. They hold organisations to account for that. You can see that ripple down into the practices of organisations themselves. I do not know if it is purely about the level of public or media interest, because there are stories about fraud in aid but I am not sure there are so many. It is the culture within the donors as well: that they treat financial crime much more seriously.

Helen Evans: For a short time, I co-chaired the IASC’s work on PSEA—protection from sexual exploitation and abuse. One of the things we looked at was donor accountability because as a group we recognised that that was where we could get traction. I did a piece of work where we basically went to all the donors and said to them, “What are your policies? What are you asking?” Pretty much consistently, probably with



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the exception of AusAID at the time—this is back in 2014; AusAID was strongest—it was just asking for a policy. As Head of Safeguarding, I would often write the statements that went into bids and it was very light-touch. We called around and asked, “Do you have dedicated resource on this?” and DFID did not; it had nobody working on safeguarding but it did have people working on counter-fraud.

Even now, certainly in terms of the last few months, DFID does not have investigators with expertise in investigating allegations of rape. It is drawing on those with experience of counter-fraud and audit. It is absolutely critical that we get the investigators who have experience of handling disclosures of rape. It is really risky and dangerous not to, because you risk re-traumatising people and you risk compromising evidence that may be used in a future criminal case. That is critical.

In terms of my engagement over the last few months, DFID are listening. They have convened a group of safeguarding practitioners following the summit to give suggestions. There is definitely an appetite there. In terms of historically, no; they could have done so much more.

Q167 Chris Law: Why do you think the media focus more on fraud than sexual exploitation over all these years that this has been reported?

Helen Evans: We cannot underestimate how it is only very recently that the public have acknowledged that sexual abuse is endemic. There is a societal challenge. We have had disclosures in Hollywood and here in Westminster. My background and my experience is with Rape Crisis. Within the Rape Crisis movement, we have known about this for some time but it is only recently that it has hit the public consciousness. Me Too and people sharing their very personal experiences has really shone a light on it. It is almost a denial that it was really a problem.

It is also a really hard thing to engage with. You want the good people to be the good people, and to acknowledge that there are some people who are not good is really difficult, but we have to acknowledge it if we are going to confront it. We have seen that in other institutions like the church. It is that tipping point now. There is a reason why this time it hit the headlines and it got traction, and why in the past, although these instances have been covered in the press, this was the first time there was really traction on it, for that reason.

Q168 Lloyd Russell-Moyle: Thank you very much for that tangent. I think it was very useful to hear about that and about that balance between what the organisation and the individual do; I still think we need to focus a little bit on the individual. One of the things we have heard in terms of reports is that some of the short-term contracts that the sector perpetuates contribute to this insecurity and inequality, and particularly perpetuate the power dynamics. You mentioned earlier about power dynamics of men being generally at the top. That is exacerbated by short-term contracts. If you are a potential whistleblower, you are less likely to want to come forward because of the risk of your next contract



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not being granted or you being seen as troublesome. What are your thoughts about this? Do you think that is a contributing factor to the issue?

Helen Evans: In my time at Oxfam, we did not do analysis into whether people were on short-term contracts or not. In my experience, though, abusers will target those who are most vulnerable. That will often be the most junior staff, so it could be cleaners or interns. Within the beneficiary group, it could be women who are heading up their own households without a husband, or younger women. In terms of looking for a vulnerability, certainly if you are a finance or HR manager and you are the one who has the say over whether someone's contract is extended or not, that places you in a position of power and that individual in a position of vulnerability.

This speaks to a wider issue, which is that the aid sector is continually bidding for work. There is often a cycle of short-term contracts, but that can also lead to short-term thinking, because you might have a contract for a year, maybe two years or, if you are lucky, three years. You then have to start it all over again. In terms of the pressures that the sector is under and the heightened risks as a result, there is a bigger issue there. Certainly, anything we can do to minimise people's vulnerability will help to redress those power dynamics.

Asmita Naik: Yes, certainly that would play into it but it is difficult to see a way round that because the whole aid system is, as Helen pointed out, driven by short-term investment. That certainly plays a part of it. I am also thinking that even people on longer contracts are inhibited from reporting because, whether you are fearful of losing your job, of not getting a promotion or of being posted to somewhere you do not want to go, those kinds of factors are always going to play in, in terms of what the impact is going to be on you if you raise your voice or report something.

The bigger question is about how we make it possible for people to report safely. How do we turn what is now viewed as a negative into a positive? How do we make it a responsibility of every employee, and then applaud and praise those who report and raise concerns? It requires completely turning the current situation on its head. People who report can be many different people: they may be victims, they may be witnesses or they may be staff doing their jobs. People like us, who are in protection jobs or safeguarding, are in particularly vulnerable roles, because we are doing our job when we identify these kinds of issues. It could be informants. It could be whistleblowers. It could be a wide range of people. Unless we change the culture, and say that we require everyone to be vigilant and to report, and that we are going to honour and praise those that do report, it is going to be a very difficult issue to change. I do not think it is just about how long your contract is.

Q169 **Lloyd Russell-Moyle:** You mentioned the difficulty of there being a need for short-term contracts in some circumstances, although I suspect there



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is always a bulk of people who are maybe short-term in one place but you know that they will always be needed somewhere. In terms of HR processes, to your understanding, are these things done centrally or are they in the hands of people who are locally on the ground, who then might be more prone to using their power relations to stop people reporting?

Helen Evans: Before we had a safeguarding strategy at Oxfam GB, it was very much reliant on people at a local level, and reports would come through HR. If someone was there on deployment and then came back to HQ, it might get picked up that way. We identified people within each office to be a safeguarding focal point, and that was someone that the office would elect and appoint as a trusted individual. We then had regional focal points and then myself at HQ. There would be a channel of communication where we would always be talking with each other, because ultimately you are going to be more likely to disclose to somebody you know, because you are more likely to trust them. Those disclosures are more likely to be verbal in the first instance.

Often it would be very much about relationship-building. A focal point might get in touch with me via Skype and say, "I am hearing something. I am going to go for a chat with them". They would then come back to me. They would talk about what had been disclosed at that point. People often would not disclose the whole thing in the first instance; they would give you a little something and test your response. I would then talk that through with the focal point and we would look at strategies to help really build that confidence and look at some of those significant barriers. That could be people really fearful: "Am I going to be attacked?", "Is someone going to come to my house?", "Could my family be in danger?". We would think about whether there were any practicalities that we could do to help them.

It is really important to have a face to talk to. It is really, really important, because you are potentially putting your life in that person's hands, because it is a really dangerous thing, in many of the countries that aid countries operate in, to disclose sexual violence. You really have to have a lot of trust.

Q170 **Lloyd Russell-Moyle:** In terms of once someone has disclosed or raised a flag, have there been in the past, or are there, adequate protections that are put in for that person, in terms of protecting their contract and their employment rights, protecting them maybe by removing them, but making sure they are still on the payroll, so that they can feel that they can report but they will not be financially or professionally harmed?

Helen Evans: The answer is no. A case that preceded the Haiti case was in the public domain and was about an individual who brought a complaint and then lost her job. She was handed her notice by the person who had assaulted her. Absolutely more needs to be done. There has been a mind set of suspicion about why people are reporting. I personally believe we need to start with the premise of belief. To report,



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you risk your reputation; you risk all sorts of consequences. The vast majority of people, in my experience, are telling the truth. Rather than always hoping and wishing they are wrong, we have to work from a premise that most likely they are telling the truth and they deserve protection.

Q171 **Lloyd Russell-Moyle:** Despite the learning from Haiti where this person was dismissed, still you do not believe there are adequate protections for people who report these issues? That is quite an indictment, even with all the stuff that has happened.

Helen Evans: Safeguarding is a very emergent sector. Unlike HR or finance, it is not the norm to have a function like this within aid agencies. There is a lot of learning at the moment. From that, there is a lot more we need to do. We need to take all that you are hearing within the inquiry and think, "What are we going to do with that now?" because absolutely there is more that needs to be done.

Q172 **Paul Scully:** I wondered if you have an opinion about when people are raising these sorts of issues, and the main difference to the responses from the UN when they are raised at the UN level and at NGO level.

Asmita Naik: I cannot talk to specifics, because I am drawing on an example that is rather old now and the UN will have evolved in that time. Generally speaking, in terms of the UN and NGO responses, the main differences are, first, in terms of their roles. We have to recognise that the UN is in more of a co-ordinating and monitoring role. Its workers are probably less likely to be in direct contact with beneficiaries. That constitutes a difference in its role and places more of an ownership on it to lead the sector, set guidelines and monitor. This was very much what it was expected to do in 2002 but sadly failed.

The second difference in terms of the response is the legal privileges that the UN and its officials have in terms of diplomatic immunity. The reality is there is de facto immunity for most international organisations in these contexts. We have a breakdown of law and order and no really viable criminal or civil recourse. On top of that, the UN obviously enjoys diplomatic immunity and so do its officials. That also affects its response and its potential willingness to take action against its own employees.

Q173 **Paul Scully:** Helen, do you have a view on that as well?

Helen Evans: In terms of my experience of engaging with UN officials through the IASC PSEA taskforce, the sense I always got from my UN counterparts was that they thought that the INGOs were much further in front in terms of this. They would often say, "We looked at the INGOs for your community-based complaint mechanisms. You are much further ahead than we are on this". That was the sense of it that I got.

Q174 **Paul Scully:** I was then going to ask about why you thought the UN might be slower in investigating these sorts of things. Is it because of that complaint system that you think INGOs are better?



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Helen Evans: INGOs are better at detecting these problems and spotting those issues. In terms of the UN response, what I heard is that they can be incredibly slow and very bureaucratic. Bureaucracy can really inhibit the investigations. I did not have oversight of the exact details of the UN cases that were investigated.

Q175 **Chris Law:** Helen, I was wondering if you could tell me a little bit about your position on the Inter-Agency Standing Committee, what it was you were doing and whether it led you to notice any particular inefficiencies in the system.

Helen Evans: When I first joined, Oxfam was one of several agencies that participated in this group. Shortly before I left, I took on a co-chair role for the PSEA work. That was over a few years. There are a few things that all of those involved in those meetings would say. The first one is that everyone is massively under-resourced. I was one of the very, very few who was there as someone who had that as my job. Most people there were from either HR, accountability teams or programme quality teams; they were trying to do this on top of everything else they were doing.

The other common theme is that everybody says we cannot get traction from senior management on this. There is just not the leadership interest. A lot of their sense of that stemmed from the fact that their leaders did not think this was a big problem: "Where are the reports? We have only had a couple of reports, so why invest significant resource in this?" We all had a very strong feeling that this was the tip of the iceberg.

One of the things I was able to do at Oxfam is use confidential surveys. Whenever I did a training, I would always hand out confidential surveys. That was really what enabled me to gather the scale of under-reporting, because when you got the results, you thought, "This does not correlate with the formal reports we are getting".

Yes, within that group there was a sense of not enough priority being given by senior leadership, there not being enough resources and a real frustration as well that the donor community did not seem interested. There was a sense that if anyone could hold the aid agencies to account it would be the donors, but at that point in time there just was not the interest.

Q176 **Chris Law:** Of course, had there been resources here in the first place, you would be able to reveal much more in terms of reports that are coming in

Helen Evans: Absolutely. In Oxfam, there is a direct correlation between the investment in resources and the number of reports. When I first started, we had 12 reports, the next year it went to 19, then it was 39 and I understand there are over 80 now. That just shows that the more resource that you have, the more people are going to come



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forward; it is not that there are more incidents; it is just that you are getting on top of that under-reporting.

Q177 Chris Law: Just drawing the attention to the Protection from Sexual Exploitation and Abuse taskforce, do you think it is adequately resourced now, or is it still way behind the curve? Do you think it is doing enough in its role to prevent sexual exploitation and abuse?

Helen Evans: I am conscious my experience was up until 2015, so I cannot speak for recent years. Something I argued against very strongly at the time, before I left, was the bringing in of the PSEA taskforce into what they call the AAP taskforce—accountability to affected populations. That was very much driven by UN representatives at the meeting. What they said was, “To really tackle this, we need to acknowledge it is part of the wider accountability agenda. We should look at this in terms of wider community-based complaints mechanisms. It is one part of this”. What I said is, “Absolutely not at all. We are going to lose sight of this really important issue”, because it is not the same to report fraud as it is to report the fact that someone has raped you. The approaches you need to take are entirely different. To absorb this into the accountability agenda means it was lost.

I spoke very passionately about this. A number of other people in that room did as well. We had a meeting to discuss it and yet it went ahead. You have to question why. Why would senior leaders want to absorb this into another taskforce? Abuse happens when people are in powerful positions. There is a reason why this has not come out. There is a reason why these resources have not been allocated; it is because we are tackling people in powerful position who themselves are perpetrators. That is why we need accountability to external organisations.

Q178 Chris Law: So it has been a grand cover-up.

Helen Evans: There are a lot of people in the aid sector who do incredible work, who have been transparent and have been trying to be speaking on this, but, at all levels, why has it taken until 2017-18 across all the institutions for us to start talking about something that people have known about for years?

Q179 Chair: We are going to move on now to questions around possible solutions. Inevitably you have already touched upon some of the ideas that each of you have put forward, but this is really a chance to elaborate and for us to interrogate some of your suggestions. If I can start, Helen, with you, you wrote recently in *The Times*, and you have included it in your written evidence, a 10-point-plan for how the UK—specifically DFID—could strengthen safeguarding across the aid sector. Could you perhaps highlight two or three of those points that you think are particularly pressing for us to address to try to resolve some of these issues in the future?

Helen Evans: Absolutely. One of the things that I said is that DFID should make a condition of funding that aid agencies should allocate



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resources to safeguarding. I suggested 1%, which is quite a small figure, but it is also about the safe design of programmes. It should not be the case that somebody working on community mobilisation can go into people's tents in a refugee camp unaccompanied. That is an unsafely designed programme. There is something about both the design and the funding. The second is reporting. If the aid agencies mandate that everybody has to report on this and those reports are then published each year—"these are the reports from each agency and we are going to convene a conference"—it makes it easier for the aid agencies to then disclose. There will be a bit of a fear now. Oxfam was doing more than most, and yet they are the ones under the fiercest criticism at the moment. We do not want aid agencies now to retract and be fearful of speaking. The donors have an important role to play in terms of mandating that.

The other thing is the donors need to give public assurance that their money is being well spent. If they have a gold standard that they set and they then ask aid agencies to be accountable to, that gives greater public assurance. They also need to role-model best practice. They need a safeguarding team. They need specialist investigators. They need to show that what they are asking the aid agencies to do they are doing themselves.

Q180 **Chair:** "They" in this instance being DFID but also potentially other donors.

Helen Evans: Absolutely. DFID can play a really important role here in terms of convening other donors on this and looking at global standards. It is also really important to give survivors a voice on this, because when we talk about power dynamics, if we are really going to get on top of this, how are DFID going to facilitate those survivor voices coming to the fore? They could be commissioning studies. They could be doing a lot in terms of their work and investment on that. The key thing is that they have to take a role on it.

Chair: Thank you very much. We are going to return to the issue of survivor voices in a question later.

Q181 **Mrs Latham:** Asmita, you must have been banging your head against a brick wall and must have been so frustrated since 2002. I have been talking about this since 2015 and nobody has listened either. When you have been talking about it and making reports, it must have been dreadful for you to have carried on doing the job and banging your head against a brick wall all the time. I applaud the fact you carried on and kept highlighting it.

I have a question for you, Asmita, because you talked earlier about proposing an independent ombudsman for the aid sector. You have been talking about this, again, since 2002. Would it be fair to say that this is at the centre of your proposed approach? How do you see this body operating?



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Asmita Naik: Yes, it was something I recognised immediately after we concluded our visits in 2002 to the fields. It seemed essential that there should be external oversight and also some use of donor conditionality. Over time, I have come to think of it more as an ombudsman function. The idea of the ombudsman, just to reaffirm—it has been around for a long time, at least since the mid-90s—came about through the aid community itself soul-searching over its experiences in the field, not specifically on this issue but other experiences as well. The idea is there, and it may have different formulations and different ideas.

I am talking about a right to appeal to donors or policy-makers. That is the essence of what I am suggesting. I am not suggesting a major bureaucratic body that takes over everything that organisations should be doing. I am suggesting that there should just be a right of appeal for victims and their advocates if they feel the internal processes do not provide them with redress.

At the moment, we have a situation where policy-makers and donors are only finding out about this if the media chooses to report the story. In the case of Oxfam, this is seven years too late because it all happened in 2011. We need an institutionalised mechanism where these issues can be raised in a timely way, that can do justice to the victim, that can protect advocates and that can also protect the interests of taxpayers and everyone else who wants this issue to be dealt with. That is essentially what I am talking about: a right of appeal.

It needs to be backed by donors, because the only clout in this situation is donor-funding. Again, as I have said before, we are talking about many different contexts where the rule of law is not really functioning. It comes down to donor clout. It needs to be a donor-backed body that is transparent, so it can be overseen by Parliament, the media, the public and so on and so forth.

The other point I would stress is that we should not wait until we can craft the perfect ombudsman. There is no reason why UK aid cannot have its own ombudsman immediately. The more donors that come in and the more programmes that are covered, that is great. At least let us start somewhere with a basic mechanism that allows issues to be raised with donors where they are not resolved internally.

Essentially, as I say, things come up in two ways. First, the media chooses to report a story. Of course, understandably, there may be stories every week but it is not going to report them. It would not be news anymore. It is not really the media's role to look into this on a day-to-day basis.

The other ways issues come up are through personal relationships. If donors happen to have a friend who is an insider, they might be inclined to believe them, but we cannot leave such important issues to such ad hoc connections. We are doing a grave injustice to the victims if we do that.



Q182 Mrs Latham: I could see that that could work for employees of the charity. I can see that. What about the women in not just Haiti but anywhere, say in Bangladesh now? We have lots of refugees there, who are incredibly vulnerable people. They perhaps come from a society where abuse of women is not unusual and they actually get quite used to it, although it is absolutely appalling. Do you feel that they would have a voice? Where would they go, because they would not know about an ombudsman based in the UK? How would they get their voice through? How would the organisation, whoever the charity is that is helping them, hear that voice? If the woman was unhappy about the treatment she had and did not feel that the aid agency had investigated it further, how would she know to come to the UK? These are very, very vulnerable people and sometimes not terribly well educated, so they will not be used to this.

Asmita Naik: Yes. When I talk about the ombudsman, I am talking about it for beneficiary victims. I am not talking here about staff issues or staff sexual harassment, which is also a serious issue but there may other remedies for that.

Mrs Latham: There should be.

Asmita Naik: I am talking about beneficiaries. That also then depends on internal work in terms of building safeguarding systems and, as Helen has outlined, networks of safeguarding professionals at different levels who are picking up these complaints. That does depend on some work on that level. With the beneficiaries, you even find here with, say, the health and social care ombudsman, that the complaints are often made by representatives. It might be an MP or it might be an advocate on their behalf.

It is a system that should be open to beneficiaries directly if they want to engage with it, through publicising this in camps and so on. The NGOs certainly have experience with that. I have visited camps where they have advertised what the complaints mechanisms are and who they should report to. That avenue should be open, but the second approach also needs to be taken of proactively speaking to vulnerable populations, seeking these complaints and ensuring there is a channel whereby these can filter up to the top of the organisation. At the top of the organisation, there may be resistance. This is exactly what Helen and I have experienced. We have been at the top of the aid hierarchy, as it were, in a UN aid agency, in an NGO. If you meet resistance then and an organisation fails to act, where do you go? This is the issue. From that point of view, that is why we need external oversight.

Q183 Mrs Latham: Helen, do you have anything to add, because you have also suggested an ombudsman?

Helen Evans: It is absolutely essential to have some form of external scrutiny. What we have learnt from 2002 is that self-regulation does not



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work. We need a step change. We have to do something different. This is absolutely imperative.

One of the ways I could see it work is that, for example, the ombudsman might be based somewhere like Geneva—that might be a good location—but then you need to have regional leads and, within that, look at country leads. Something that, certainly in my time, would happen during a humanitarian scale-up is that we would always try to identify who might be the PSEA cluster lead. You need to look at, with that aid ombudsman, the country connections and how that is going to work.

You are quite right: just having one or two people in an office in London will not be effective. It can work but it is going to take resource—quite a lot of resource—to make it work. It is worth it, because one thing we have learnt from all of this is that we have to be accountable to those beneficiaries. Our fundamental humanitarian duty and imperative is to do no harm. Right now, we are discussing the fact that harm has been done. For aid to be effective and accountable, it needs an ombudsman. I would absolutely back up everything that Asmita has said there.

Q184 Mrs Latham: Who would fund it? Somebody has to fund it. Would it be the UN? I am slightly concerned about the UN having an even bigger power base. It does not always work.

Helen Evans: It does need to be donors. You could have DFID, CIDA and AusAID. They could all have a share in this. The governance would have to be looked at very carefully to make sure there was no sense of bias and no sense of control. There are ombudsmen for other areas of work and we can make it work. It was considered in the late 1990s and dismissed as an idea. I know there is some scope; the Dutch Government are doing a scoping exercise at the moment. It is not going to be easy but it is definitely doable. It will be possible to get the governance right.

Q185 Chair: You have both made a really compelling case for this ombudsman. I have two things for you. One is an observation based particularly on what Asmita said. It seems that for it to work, there needs to be the network of independent advocates on the ground that can assist. I liked your parallel with some of the ombudsmen that we have domestically and they come to us as MPs. I think you would need those advocates to be there in relation to Pauline's point about the powerless woman or girl, or boy for that matter, in the camp not knowing where to go.

Asmita, did you suggest that potentially an ombudsman could cover other issues as well? Did I hear that right? What sort of scope would you be looking at?

Asmita Naik: We are talking about different forms of egregious harm to beneficiaries. Clearly sexual exploitation and abuse is an absolutely heinous violation of beneficiaries, but there may be other types of abuses that occur as well, such as simple assault.



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Q186 **Chair:** Physical violence. Could corruption potentially be one?

Asmita Naik: The parameters would have to be crafted quite carefully because, again, this cannot be something that becomes so broad that it becomes unmanageable.

Q187 **Mrs Latham:** It could be meaningless because there are too many things to do. If corruption was in there, that is a big enough problem on its own, is it not?

Asmita Naik: Yes. The other thing I would stress in terms of the ombudsman, as the ombudsmen in this country domestically operate, is that we are not talking about an ombudsman who is going to hold aid agencies to account for absolutely everything. The test of reasonableness has to be there. We are talking about what the factors were that they could have controlled and what they could have done better. Clearly, both in West Africa and in the Oxfam examples, the very horror of the public has been because aid agencies have not done things that they could have done. Yes, in terms of the scope of it, the parameters and what it is looking at, that would have to be carefully formulated.

I would also like to highlight the power of individual cases. We are here because of one case involving Oxfam. Whether the mechanism picks up absolutely every case should not inhibit us from setting it up, because we are talking about the power of individual cases that come to light. I would very much hope and expect that an ombudsman would drive up internal enforcement. Which agency is going to want to have to show up their investigation records and their decision-making to an ombudsman? They are going to want to make sure they have done a rigorous job that cannot be challenged publically.

Mrs Latham: It might be better to have an ombudswoman.

Q188 **Mr Evans:** You have mentioned stories appearing and the power of that. You make a compelling case for the ombudsman, I have to say, but I am just wondering whether you believe as well that the role of the media has been absolutely magnificent in exposing an area that, quite frankly, has been appallingly maintained. Secondly, I know Helen mentioned about the cost of it being expensive, but the cost alone to Oxfam runs into millions. If you multiplied that by a number of other agencies who have also been hit badly, reputational damage really does come with a huge cost.

Asmita Naik: This is where something like an ombudsman would introduce more of a rationale to that and make the sector less vulnerable to scandals of this type that affect everyone.

Q189 **Mr Evans:** Could you see them bringing out an annual report whereby they look at a lot of organisations and say, like we do with some schools, "Failing".



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Asmita Naik: It depends whether there is the money to invest in that level of process. It could just be a report that says, "Okay, this year we had these cases and these are the ones where we found the agency to be failing". It can be as big or as small as you want to make it, but my key concern is that the idea should not be dismissed for being too big and unmanageable, because essentially, when it boils down to it, it comes down to a right to appeal, to take issues up with somebody.

I have described in my own submission that I tried to raise issues with DFID at that time, in 2002, and did not get anywhere. It cannot just depend on personal interventions. Yes, I do applaud the media. On both occasions, they have shone a light on this issue, in 2002 and now in 2018. The media is there to report news. The reality is that we know this goes on day in, day out, everywhere, which is not news because it is happening all the time. We need a system that picks that up all the time.

Chair: We have about 20 minutes and we have four fairly meaty things we still want to cover. I am going to move us on to those other areas but feel free to add in other comments in responding to those questions.

Q190 **Lloyd Russell-Moyle:** You have outlined very well that there may be an international regulatory framework or ombudsperson framework. Clearly there is also a domestic framework that charities, NGOs and people who are seeking British donations, whomever and wherever they are spent on, need to be regulated against here in Britain as well. We cannot just let the regulation fall on to the international level, and I think you were talking about some of that. Particularly Helen, because you have had experience of raising concerns with the Charity Commission, do you think they currently at the moment are adequately equipped to deal with safeguarding issues?

Helen Evans: I took my concerns to the Charity Commission in 2015 and my experience was very poor at that time. I was not invited for an interview. I was not asked any questions. I was just astounded, given my role and the seriousness of the issues I was bringing to their attention, that they just showed such a lack of curiosity.

I went back to them. At the end of last year, there was an article in *The Times*, which did not get as much pick-up as Haiti then did, but it did say that the Charity Commission were re-looking into things, so I went back and my experience then was different. I was invited in for an interview and I thought the investigators were well prepared and that that experience was very different.

If you look at the Charity Commission's budget, it is something like £24 million, with 300 or 400 staff, and then you look at the number of charities it is trying to regulate, the resources they have versus the scale of the need they need to tackle is totally incommensurate. I think, as a very minimum, they need a significant increase in resource.



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In terms of whether they are fit for purpose with the aid agencies, I personally think there needs to be a dedicated regulator, because their remit is within UK law. With these aid agencies, you might have an incident happen in country A, the victim is from country B, and the perpetrator is from country C and then moves onto another country. You need to work across multiple legal jurisdictions. That is a really big ask for the Charity Commission. There should be a dedicated regulator. Failing that, there needs to be considerably more resource.

As I said in my evidence as well, there are three other things that they could be doing already. The first one is that aid agencies such as Oxfam and Save the Children have an income of about £400 million. They should have a paid, independent safeguarding adviser sitting on their board and advising their trustees. In the annual return, there should be a statement of assurance in their safeguarding practices. I also think that should be subject to external independent scrutiny to give that assurance. Those three things could also make a difference in terms of the Charity Commission's powers.

I also believe that serious incident reporting should be on a statutory footing, as should be the need to report any form of sexual violence within the workplace.

Q191 Lloyd Russell-Moyle: Just so I am clear, when you said there needs to be an independent regulator for aid agencies, do you mean independent on these issues or actually that these agencies may need to be regulated by someone other than the Charity Commission entirely?

Helen Evans: My thoughts are that you need a dedicated regulator. If you contrast the average income for a charity, which I think is about £400,000, UK focused, versus Oxfam and Save the Children with £400 million, working across 90-plus countries, they are such different organisations to be regulating. There needs to be a dedicated regulator with the skills and expertise to manage that, or, failing that, a specialist team with the Charity Commission with considerably more resource.

Q192 Lloyd Russell-Moyle: Just like universities are officially charities but they are regulated by the Office for Students, because it takes those responsibilities for charity law and other law. You could have dual regulation as well, a bit like an educational charity, with Ofsted and the Charity Commission. There are models. My next question was actually about the powers of resources but I think you have covered that. Asmita, do you have any other things to add on domestic regulation, particularly?

Asmita Naik: No, I defer to Helen on that because she has dealt directly with it. I am very conscious from the work I do that there are vast amounts of aid that is not regulated by the Charity Commission, because we are talking about the funding that DFID gives to foreign organisations, to multilaterals and to the UN. The Charity Commission or a UK regulator would not have a remit over those.



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Q193 **Lloyd Russell-Moyle:** There could be a rather large expansion of ICAI to regulate some of these things.

Asmita Naik: When you have diplomatic immunity, that kind of regulation would not really work.

Q194 **Lloyd Russell-Moyle:** You mentioned diplomatic immunity earlier on. The Secretary General has been very clear that he will lift diplomatic immunity for any UN member of staff accused of sexually related crimes. Are you saying that has not happened, or it has not happened yet?

Asmita Naik: I am not aware of that happening. There are experts on diplomatic immunity that I really hope the Committee speaks to directly—legal experts who know more about this than I do. From what I understand, their concerns are that diplomatic immunity is not lifted for any kind of violation of this type.

Lloyd Russell-Moyle: We need to follow that up. Thank you.

Q195 **Richard Burden:** You have been very clear in your support for some kind of ombudsman system and the principle of independent regulation. Thanks also for alerting us to why you think the idea of a passport may need to come down the line—for that to work it would involve some quite big changes internally in the NGO sector, to ensure consistency. I am still not entirely clear on your view about the suggestion of a DBS system, the kind of thing that Kevin Watkins has been suggesting. What is your view on that?

Asmita Naik: DBS, where it is possible, should be applied. I would just point out that there will be so many aid workers who it would not be possible to apply that to because they are living in countries and jurisdictions that simply do not keep those kinds of records. That would work for UK aid workers or aid workers from other countries that have strong record-keeping, but it is not going to cover all aid workers. That is the challenge, as well as keeping that system up to date and current. Certainly it is an important thing to do, but the reality of police records around the world means that many aid workers are not going to have any records.

I also wonder how many cases that would pick up anyway, because from what I see—Helen may also confirm this—often in these situations we are talking about opportunistic sexual exploitation. These are not necessarily people with criminal records; they are people in situations who have the opportunity to exploit. That is also an issue: that you may do all these checks but you might not actually identify anybody.

Helen Evans: Building on that, I would echo Asmita's point. International aid work should be a regulated activity. I agree with that, but on the idea of DBS checks giving assurance, it sounds nice, it could be done and then aid agencies would say, "Great. We have done that". However, you need your specialist investigators, you need your focal points, and you need to invest in your safeguarding risk management



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framework; those are the things that need to be talked about. This is just something shiny that everyone will just feel good about and there will not be any change happening.

One thing I would alert you to, though, is that, within the UK—I have talked about abuse within the charity shops—there is an exemption within the law for DBS that means shop managers in charity shops do not need to be DBS-checked. You could be looking after 14-year-old children on your own every Saturday, and that is not deemed regulated activity, because shops have a retail exemption, even though parents will be thinking, “My child is safe in this shop. I trust them. They are doing this for Duke of Edinburgh and there is no compulsion”. Oxfam now does all DBS checks for shop managers, but a lot of charity retail shops are unsure about what they should be doing because there is this loophole in the law. I believe very strongly that that loophole should be closed. It should be clear that charity shops are not subject to the retail exemption for DBS checks.

Q196 Mrs Latham: There are also volunteers working in those shops who should be checked as well.

Helen Evans: Absolutely.

Q197 Mrs Latham: This is a question for both of you. At the recent safeguarding summit, the main attendees on the NGO side were CEOs and senior staff. You both said that it is at the top and leadership that has been lacking. Are they the right people to have on that? If they are not the right people and you invited people who had been abused and survivors of it, or whoever, would they feel confident and safe to come to something like that and do you think they are the right people to invite?

Helen Evans: When I heard about the summit I thought, “Great. Really good”. I then asked around people I know and not one person had an invitation. I asked, “Who has been invited?” and it was made clear to me that it was the chief execs. We are saying that there is a systemic problem, and that problem is to do with power and abuse of power, which starts at the top with the culture set, and these are the people we have invited. I was so disappointed that not one safeguarding practitioner that I knew of had been invited to that.

I wrote to DFID and I said, “Here is a list of people who know about this and have excellent experience. Bring them together”. They did, to their credit, convene a meeting of the safeguarding practitioners. Asmita and I attended, and we then shared some of our thoughts. We are talking about power and abuse of power, and that summit was an opportunity to tell the chief execs what people’s thoughts were on that, but in terms of tackling those power dynamics, no.

How you support survivors to come forward is really important. There is a lot of work that we could be doing with local charities in countries, particularly those working with women around gender-based violence,



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and talking to those organisations to say, "What will work best for you?" It is all about, rather than us saying, "We have the solution here", listening to them, hearing what will work for them and being responsive to that. Between now and when the autumn safeguarding summit takes place, that listening exercise needs to happen so that we can ensure their voices are heard. I hope that will happen.

Chair: That will be useful for our inquiry as well, because it is practicable for us to hear survivor voices too.

Q198 **Mrs Latham:** It would be very useful. When you went, and the list of people were invited, were you then in the same meeting with the CEOs and therefore some were nervous about speaking out, or were they two separate sessions?

Helen Evans: This was a private session and there were no chief execs there. I sent round a list of people and said, "These are experts in their fields". That ranged from former people with safeguarding experience within these workplaces, and some current and independent consultants. There was a real mixture of people. I certainly felt that it was a safe space to talk, and I appreciated DFID listening to my concerns and then bringing those people together.

In terms of the safeguarding summit, that is a challenge: how you bring people together and how you hear survivor voices. If you are going to have chief execs there and those who survivors will potentially see as the abusers, that is not going to work. That has to be worked through.

Asmita Naik: I just wanted to add that, thanks to Helen's efforts and also to DFID's openness, we now have a forum where we are contributing. It is clear that different stakeholders bring different knowledge. One very interesting observation is that the key point about external oversight did not appear in any of the early policy documentation or measures. That really comes from the likes of me and Helen making that point. It did not come from the CEOs or anybody in the sector, even though it is a very obvious point. It is really important to bring different voices to the table, and we do have an opportunity for that now.

Q199 **Paul Scully:** We talked a little bit earlier on about the media and its positive role, but it tends to have a default position in these sorts of circumstances, to talk about whistleblowers and these kinds of things. You both talked in your evidence about the negative impacts that you have had of people raising these sorts of issues. What sort of barriers are there? Can you illustrate some of the barriers that people have to speaking out?

Asmita Naik: Barriers exist at every level, certainly in terms of an employee or a staff member. They will be very fearful of the consequences for their jobs and livelihoods, and about being ostracised by colleagues and the wider community, and the social and emotional



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impacts of that. I am also aware of some people who have raised concerns that resulted in convictions, but who were sued for defamation. There are a lot of different reprisals just in terms of the level of people who you might say were advocates.

I also want to highlight the constraints on beneficiaries. Going back a long time, re-reading the report, it was very moving to hear why the beneficiaries do not report. Literally it came down to them being fearful that they would be deprived of food and that they would not get the next meal if they raised a report. Again and again we heard that. We heard that not only from the children. The children then felt social pressure that their families—their parents and their siblings—would not eat if they did not comply with these requirements to provide sexual services. Even the refugee leaders felt constrained because the aid workers had so much power. There is a huge amount of social opprobrium that really falls on someone who dares to report.

Helen Evans: I would echo all the points that Asmita made. When you are a beneficiary, if you complain you could lose your aid and be in an even worse position. Also, what are the benefits for you? That person may be moved on. In terms of a beneficiary weighing up the risks versus the benefits, it is really risky. Those risks can be really substantial. In my experience of investigating cases, security risk was the highest risk: could someone be attacked? In some of these cases, it could lead to conflict between different groups of people within a village. The security risks are incredibly high and security considerations always need to be worked into any investigation. There is also a lot of shame attached to this; you say that that has happened and then people say, “Was that your fault? Why did you say yes to that?” There is also a fear of not being believed and of people saying, “You have just made it up. Where is your evidence?”

The barriers are huge, which is why we need to work so hard to be proactive in reaching out to people and saying, “We will believe you, we will give you the protection, we are going to follow through on that and here is evidence of us doing it”. It does not matter how many policies you say or how much you say you are going to do things, we have to show through our actions. We have failed people. We failed people in 2002. This has been coming up, year on year, and we are still failing them. Why has it taken to now for it to finally be of interest? It is because the media got hold of it. For people to go to the media, it is the option of last resort, because the implications for people speaking to the media are huge.

Q200 **Paul Scully:** You talked about the ombudsman, which would work well at one level, clearly, but what more can we do to put systems in place, to go right down to that beneficiary level that you are talking about, and to protect people and encourage them to speak out?

Helen Evans: It comes down to resources. Absolutely, fundamentally, we have to say to aid agencies, “This has to be your priority”, because if



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you cannot keep the beneficiaries safe then what are we doing there? It cannot be that it is the greater good of delivering aid. No. We have to adhere to that fundamental principle of doing no harm. As I said before, we have to have focal points on the ground. They have to be specially trained in terms of how to handle disclosures. We have to have specialist investigators. We have to have proper training. We have to have proper vetting processes.

Within Oxfam's safeguarding risk management framework, we looked at every aspect of the safeguarding risk management system, from governance to management to monitoring and evaluation. The whole system has to be working for us to be effective in this. There is no one quick win here. All aid agencies now need to take a systemic approach to this. That system also is not just within the aid agencies. It is also within donor agencies with governments, as well as the aid agencies. It is about how we are all going to come together and take responsibility for this.

Asmita Naik: I would add that beneficiaries would speak up. They spoke up to us loud and clear in 2002. We talked to 1,500 people. At every camp we went to, at all levels, they were very willing to report it and talk about it. It is an absolute tragedy that there was no effective response to that, in essence because of the way it was handled. There was no redress for practically any of those victims. If you provide the means, they will report. They want this to be dealt with. It is important, obviously, then to respond appropriately as well.

Q201 **Paul Scully:** Helen, I had one specific question about Oxfam. It wrote that it always has a policy of promoting reporting. Does that ring true, in your experience?

Helen Evans: What Oxfam did, which many other aid agencies did not do, was publish these figures in its annual accountability report. In many respects, it did more than other aid agencies. As I have said to Oxfam and then to the Charity Commission, as the scale of reports became known, there were not the resources needed. If you are telling people to report, but you do not have the resources to do those investigations, you are letting people down.

Chair: Can I give enormous thanks on all our behalves to the two of you for your evidence, both the written evidence but also the last hour and a half? It has been incredibly helpful, constructive and comprehensive. It will assist our task as a Committee as we take further evidence over this period of the inquiry. Thank you both for what you have done to bring this issue to the fore and to recognise our responsibility as parliamentarians now to come up with proposals that make a real difference for the future. Thank you both very much indeed.