



House of Commons
International Development
Committee

Sexual exploitation and abuse in the aid sector

Eighth Report of Session 2017–19



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*Report, together with formal minutes relating
to the report*

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The International Development Committee

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Summary

Sexual exploitation and abuse by aid workers and peacekeepers is happening in the aid sector and it has been happening for a long time. Sexual violence, exploitation and abuse against women and girls is endemic in many developing countries, especially where there is conflict and forced displacement, as we have found in previous work.¹ Forms of systematic criminal sexual exploitation, for example in the form of human trafficking into prostitution, is also a common feature of such environments. Many aid and relief agencies, DFID included, have policies and programmes aimed at tackling all these challenges. Therefore, it is particularly horrifying to find evidence of personnel from the aid and security sectors perpetrating these abuses rather than combating them. Reports have regularly shown this kind of sexual exploitation and abuse being perpetrated across different countries, organisations and institutions, principally in humanitarian crises. At its core, sexual exploitation and abuse is an abuse of power and the power imbalance is predominantly, although not exclusively, men abusing women and girls. Due to confirmed under-reporting, the exact scale is currently impossible to define, but practitioners suspect that those cases which have come to light are only the ‘tip of the iceberg’. The lack of information must not be a cause for inaction. In addition to the abuse of aid beneficiaries, there is also evidence of significant numbers of cases of sexual harassment and abuse within aid organisations, including where the resulting proceedings have been conducted very poorly. There seems to be a common thread in this apparent inability of the aid sector to deal well with allegations, complaints and cases involving sexual abuse. There seems to be a strong tendency for victims and whistleblowers, rather than perpetrators, to end up feeling penalised.

The aid sector, collectively, has been aware of sexual exploitation and abuse by its own personnel for years, but the attention that it has given to the problem has not matched the challenge. Repeatedly, reports of sexual exploitation and abuse by aid workers and/or peacekeepers have emerged, the sector has reacted, but then the focus has faded. This episodic response has led to the existence of safeguarding policies and procedures that have never been effectively implemented. This has meant that where worthwhile safeguarding measures have been developed, they have never been adequately funded. A reactive, cyclical approach, driven by concern for reputational management has not, and will never, bring about meaningful change.

The sector’s movement on preventing sexual exploitation and abuse in the past few months is welcome but it is also long overdue. We are yet to be reassured that the momentum will be maintained. From DFID, we expect to see a high level of sustained engagement in looking after victims and survivors, equipping aid beneficiaries with more knowledge and confidence about their rights, pursuing perpetrators and preventing sexual exploitation and abuse, following the International Safeguarding Conference in October. To display this commitment and ensure progress, DFID should report annually on the safeguarding performance of the sector, including the number and distribution of cases, the resources committed, and DFID’s own actions and contributions to improvement. Such a report should include space for the voices of victims and survivors to be heard.

1 International Development Committee, Second Report of Session 2013–14, [Violence Against Women and Girls](#), HC107

Victims and survivors should demonstrably be front and centre of all efforts to tackle sexual exploitation and abuse and this means the inclusion of victim and survivor voices in policy-making processes on an ongoing basis. A failure to listen to and consider the needs of victims and survivors of sexual exploitation and abuse will engender a response that is not only ineffective, but potentially harmful.

Improving reporting of sexual exploitation and abuse is vital to understanding the problem, responding to it, and ultimately, to preventing it. Aid organisations and donors must consider this an absolute priority. The vulnerability of the victims and survivors of sexual abuse, and the power of the abuser, create multiple interlocking barriers to reporting. Practitioners within the aid sector have developed recommendations for how these can be overcome with victim-centred reporting mechanisms, but these have not been backed up with the resources required for implementation. It is galling to hear that the main obstacle to progress in this area has been a lack of funding. Donors, and in particular DFID, must provide funds to support the implementation of reporting mechanisms that have, at their core, an understanding of the extreme vulnerability of many of the people who are being asked to report. These should go hand-in-hand with a broader programme of initiatives to increase understanding of beneficiaries' rights and to tackle wider sexual and gender-based violence.

It is important that whistleblowing systems exist for the instances when the established reporting mechanisms fail. To be effective, these systems must be accessible and contain robust protections for the people who use them. The audit of whistleblowing practices outlined by DFID should ensure that systems and protections are working in practice, and not just at the policy level. But fundamental culture change is required to channel organisational energy into taking care of victims and tackling perpetrators rather than taking care of reputations and tackling whistleblowers.

The lack of clear, best practice guidelines on how to handle reports of sexual exploitation and abuse once they have been received - both in terms of conducting an investigation, and referring potential crimes to relevant authorities - leaves organisations ill-equipped and victims and survivors at risk. The working group established by the Safeguarding Summit to focus on reporting and DFID's new Safeguarding Unit should both play a role in rectifying this.

Across the board, resources for safeguarding are in deficit. We heard from aid organisations that this was due to the pressure to reduce overheads. Safeguarding is not dispensable: it should be treated as a fundamental element of programming. DFID should ensure that safeguarding is a line in every programme budget where there are safeguarding risks, and allow for these costs in grants and contracts.

The globalised and often chaotic nature of aid work presents challenges to robust employment screening. Indeed, this is likely to be a factor making relief aid, in particular, an attractive sector for people wishing to exploit others. A global register of aid workers would act as one barrier to sexual predators seeking to enter the international aid profession. The sector, led by DFID, should commit to making this a reality at the International Safeguarding Conference in October 2018. Logistical, practical and financial difficulties, whilst they present challenges, should not be treated as insurmountable obstacles.

In addition, the ease with which individuals known to be predatory and potentially dangerous have been able to move around the aid sector undetected is cause for deep concern and alarm. A primary concern for the sector should be the improvement of existing referencing procedures, so that all organisations are, at the very least, displaying basic HR good practice. The International Safeguarding Conference in October provides an excellent opportunity to secure commitment on a series of best practice standards with regards to referencing. DFID should consult other sectors and organisations with recognised safeguarding challenges—social work, education, the churches and scouting—to learn lessons and absorb best practice.

Zero tolerance on sexual exploitation and abuse must be more than just words. Safeguarding policies and procedures will be utterly meaningless without a root and branch transformation of organisational culture. Leaders cannot be complacent about the extent to which any part of the organisation is operating according to stated values, including the very top. DFID should use the opportunity of the International Safeguarding Conference to secure a commitment from all aid organisations to regular assessments of culture, based on agreed indicators.

A culture of zero tolerance must go hand in hand with a culture of transparency. It is vital that aid organisations are fully open about the number of sexual exploitation and abuse allegations they receive and how these allegations are dealt with. This is fundamental for developing a better understanding across the sector about when sexual exploitation and abuse is happening, and the most effective ways of responding to it. DFID needs to be clear that transparency about sexual exploitation and abuse will not be penalised, but improper handling of cases will, and this includes a failure to be fully open about what has occurred.

Additionally, we heard that whilst a structural gender imbalance persists within the sector, cultural change will be very difficult to achieve. Aid organisations should follow the example of the United Nations (UN) and aim to achieve gender parity on boards, at senior management level, and throughout the workforce. DFID should use the International Safeguarding Conference in October as an opportunity to secure commitment on gender parity, with agreed targets and timeframes.

As part of the inquiry, we visited the UN in New York where we heard about protection from sexual exploitation and abuse (PSEA) measures across the UN system. Whilst there are some examples of joined-up working, we also saw evidence of a lack of coordination, and an emphasis on processes and procedures, without much apparent focus on outcomes. With only a limited pot of resources for PSEA initiatives, it is imperative that the UN agencies pool their efforts to maximise their impact. The UK Government should continue to use its levers of influence to press for more collaborative working.

When it comes to investigating sexual exploitation and abuse allegations, the UN's approach lacks coherence. There is no single body taking an overall interest in the outcomes of investigations or driving them towards resolution, and the victims appear to be too easily forgotten. We appreciate that there may be advantages to decentralisation, but this does not preclude coordination and consistency. We want to see the UN adopting best practice standards for investigations, which all agencies must follow.

We heard that the UN's mechanisms for holding perpetrators to account are flawed. Impunity for sexual exploitation and abuse undermines the notion of zero tolerance and undercuts efforts to strengthen reporting mechanisms, by reinforcing the notion that there is no value in bringing forward allegations. It is imperative that criminal cases referred to Member States are given full consideration by the relevant prosecuting authorities for bringing to trial, and that the outcome of any judicial process is communicated back to the initial complainant.

The Charity Commission, as the charity sector regulator, plays a crucial role in monitoring and upholding standards on safeguarding in UK charities. The Government must ensure that the Charity Commission is provided with sufficient resources, including appropriately experienced staff, to enable it to meet the demand created by the likely increase in safeguarding related incident reports.

Beyond the UK, the international aid sector has been relying on self-regulation. The shortcomings that we have observed during the course of this inquiry demonstrate to us that self-regulation has failed. We call for the establishment of an independent aid ombudsman to provide a right to appeal, an avenue through which those who have suffered can seek justice by other means. DFID should play its part by ensuring that there is a sector-wide commitment on this at the International Safeguarding Conference in October.

When we launched our inquiry, the primary focus was the sexual exploitation and abuse of the intended beneficiaries of aid. Through the course of our evidence-taking we received submissions relating to the sexual harassment and abuse of aid workers. Within the aid sector, aid workers have reported sexual harassment and abuse ranging from unwanted sexual comments to rape. The victims and survivors are predominantly women, the perpetrators predominantly men. Most of the aid workers whose harassment and abuse cases have been brought to our attention are from donor countries: little is known about the experiences of locally-engaged aid workers in this context.

We are deeply troubled by the fact that aid workers have reported a lack of trust in their employers to handle allegations of sexual harassment and abuse. We are even more concerned by reports of negative consequences for the accuser. Aid organisations need to create an environment in which those who suffer harassment and abuse are safe to report without fear of retaliation and with the confidence that their allegations will be taken seriously. Failure to do so not only leaves staff without recourse to recompense and justice, it also puts staff at risk by allowing perpetrators to remain in post. We heard about 'boys' club' cultures within aid organisations, in which sexual harassment and abuse of staff can thrive unchallenged. We need to see a transformation of these cultures backed up, again, by gender parity.

Introduction

Revelations: Oxfam in Haiti

1. In February 2018, Sean O’Neill, writing in *The Times* newspaper, revealed that Oxfam GB staff, including the Country Director, had been paying local young women for sex in Haiti whilst working on the humanitarian response to the 2010 earthquake. It appeared that three Oxfam staff, including the Country Director, were allowed to resign without further penalty, and four were dismissed for gross misconduct. Equally serious have been the accusations that Oxfam failed to report the matter to the Charity Commission, DFID, or any other authority in clear terms, for fear of reputational damage. In doing so, the organisation exacerbated the risk of allowing the perpetrators to be re-employed within the sector and prevented the issue from being aired and tackled effectively.² The outrage provoked by this episode was very shortly magnified by further allegations in the media of similar cases in other international and multilateral aid organisations. There was also commentary and views from current and former aid workers that these stories reflected a culture of ‘abuse and impunity’ in the challenging environments in which humanitarian assistance was provided.³

Wider and related issues

Not a new problem

2. To compound the perception of a sector in crisis, two other strands of evidence quickly emerged. The first was the stark fact that the sexual exploitation and abuse of aid recipients by aid providers and peacekeepers is by no means a new issue. As we set out below, the problem has a documented history stretching back nearly 20 years and reaching across many geographical and organisational boundaries. It was raised at the World Humanitarian Summit in 2016, which we attended, leading to regular questions, in particular from Pauline Latham MP:

Oral evidence on DFID’s Priorities, October 2017

Mrs Latham: ...I wrote to your predecessor about this, because when I went to the humanitarian summit in Istanbul, more than a year ago now, I was shocked and horrified to find that it was common knowledge, not just among the UN institutions, but among NGOs. They all know that this is happening with people we give money to, and trust to look after vulnerable people: [aid workers] are raping and they are abusing children. How can we as a country lead by example to stop this ... ?

Secretary of State for International Development (Priti Patel): ...It is a stain on the international community that more has not been done in this whole area. It is just disgraceful and appalling, hence I have not been shy in my language. I am not prepared to sign up to the language the UN uses, which is ‘sexual exploitation and abuse’: it is child rape and sexual abuse

2 [The Times Newspaper, 9 February 2018](#)

3 See, for example, [NPR, 15 February 2018](#), [Civil Society, 29 May 2018](#) and [Thomson Reuters Foundation, 8 March 2018](#).

that is taking place. In terms of what we can do, we will lead this issue of reform within the United Nations, and I have been very clear about this with the Secretary-General, the Deputy Secretary-General and across to the heads of the UN agencies.⁴

3. In 2002 -- by all accounts the first systematic exposé of sexual exploitation and abuse by aid workers -- there was an explicit subsequent reluctance to pursue the perpetrators with no attempt evident by any multilateral or national authority to inspect or interrogate the evidence base on which the report was founded. In another episode -- child abuse by peacekeepers in the Central African Republic in 2014 -- the independent review of the UN's response concluded that it was "seriously flawed" with the initial disclosure deliberately and successfully "obscured" within other reporting.⁵

Examples of reporting of sexual exploitation and abuse (SEA) by aid workers and peacekeepers since 2002⁶

2002 – Sexual violence and exploitation: the experience of refugee children in Liberia, Guinea and Sierra Leone (UNHCR & Save the Children UK)⁷

In 2002, an assessment by UNHCR and Save the Children of the effects of sexual violence in conflict on children produced an unexpected strand of evidence. Asmita Naik, co-author, told us that the research was carried out "without anticipation or knowledge of sexual exploitation by aid workers". Sixty-seven allegations of SEA against refugee children were documented and personnel from 40 aid agencies and 9 peacekeeping battalions were implicated (based on 80 separate sources). The scandal was widely reported in the global media in February 2002.

The behaviours and conduct of aid workers and peacekeeping personnel uncovered by the 2002 West Africa report have been confirmed as far from isolated occurrences by other reports, studies and media investigations over the last two decades.

2004 & 2006 Sex and the UN: when peacemakers become predators (The Independent)⁸

In 2004, reporting by journalist Kate Holt documented SEA by both UN peacekeepers and UN civilian personnel in the 'MONUC' mission in the Democratic Republic of Congo. The consequent action taken by the UN was analysed by Anna Shotton, of the UN's Department of Peacekeeping Operations (DKPO). Her conclusions were published in 2006 and emphasised: the need for a comprehensive approach,

4 [Q43](#) (DFID's Priorities, Tuesday 24 October 2017, HC485)

5 [Taking Action on Sexual Exploitation and Abuse by Peacekeepers](#): Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic, 2015, piv

6 The incidence of SEA by aid workers and peacekeeping personnel has been periodically brought to the attention of the international aid sector in a number of reports since 2002, and some of the evidence the Committee has received has pointed to allegations being made as early as the mid-1990s. Most of these reports and episodes are discussed elsewhere in this report.

7 Only a summary of the findings has ever been formally published until [now](#). However, the full report, containing the names of the agencies and battalions, was submitted to UNHCR in 2002.

8 [Op. cit., The Independent, 2004](#) In 2010, the MONUC mission was refocused and renamed the "UN Organization Stabilization Mission in the Democratic Republic of the Congo" (MONUSCO)

continuous attention and pressure (including from Member States), substantial resources, new prevention measures but also quality investigation and accountability (in terms of both 'severe' dealing with culprits but also holding senior leadership to account) and 'culture change', in recognition of the fact that appropriate conduct is integral to mission success.⁹ It seems fair to note that implementation of this recipe -- with the addition of an over-riding focus on victims and survivors.-- is still required, 12 years later in 2018.

2007–2008 – “To complain or not to complain: still the question”: consultations with humanitarian aid beneficiaries on their perceptions of efforts to prevent and respond to sexual exploitation and abuse (Kenya, Namibia and Thailand)¹⁰

This study, by Kirsti Lattu, principal author, and Veronika Martin, Abdullahi Ali Ahmed and Margaret Nyambura, for the Humanitarian Partnership (supported by staff from a variety of organisations¹¹), looked for evidence of change following “discoveries of pervasive misconduct” and “weak or nonexistent codes of conduct, poor awareness of rights and duties, nonexistent or confusing complaints mechanisms and few (if any) on-staff investigators.” Between August and November 2007, humanitarian aid beneficiaries in Kenya, Namibia and Thailand were consulted about their perceptions of protection from sexual exploitation and abuse.

The study found that, although beneficiaries knew sexual abuse and exploitation was going on around them and perceived the risks, the vast majority of the 295 consulted said they would not complain about misconduct. Beneficiaries felt: they had few channels through which to complain; there was a lack confidentiality (with risks to their security); they did not want to make problems for fellow refugees; the complainant could be seen as the troublemaker; and there was a risk of losing aid if they complained about humanitarian agencies' staff's actions. For their part, humanitarian staff (volunteer, incentive and salaried) were reluctant to report on fellow aid workers for fear of retaliation.

On a positive note, in both Kenya and Namibia, a third or more of consultation participants had been informed about standards of conduct for humanitarian aid workers prohibiting sexual exploitation and abuse; and the firing of humanitarian staff for misconduct was not unknown in any of the three countries.

2008 – “No-one to turn to”: Under-reporting of child sexual exploitation and abuse by aid workers and peacekeepers in Haiti, Côte d'Ivoire & South Sudan (Save the Children)

This study, conducted by Corinna Csáky (who gave powerful oral evidence to this inquiry), indicated that significant levels of abuse of boys and girls continue in emergencies, with much of it going unreported. The report pointed out that any

9 A Strategy to Address Sexual Exploitation and Abuse by United Nations Peacekeeping Personnel Perspective, Anna Shotton, UN Department of Peacekeeping Operations, [Cornell International Law Journal, 2006, Vol 39, p97](#)

10 [To complain or not to complain: still the question, 2007](#)

11 Including UNHCR, Jesuit Refugee Services, African Humanitarian Action, FilmAid International, Windle Trust, Lutheran World Federation, CARE International, Karen Women's Organisation, Karen Refugee Committee, International Rescue Committee, Thai Burma Border Consortium and the US Embassy in Bangkok.

measures to tackle SEA are dependent on the willingness and ability of victims and survivors, and their carers, to report the abuse experienced: “Breaking the silence surrounding this problem is an essential step towards its elimination.” The evidence suggested that children and their families were not speaking out because of: stigma, fear, ignorance, powerlessness and a perception that nothing happens when abuses are reported.

The study found three ‘gaps’: victim/survivor communities (especially children and young people) were not being supported and encouraged to speak out about the abuse against them; there was weak leadership on this issue in many parts of the international system, leading to poor implementation of effective practice; and there was an acute lack of investment in tackling the underlying causes of child sexual exploitation and abuse in communities – abuse not just by those working on behalf of the international community but by a whole range of local actors.¹²

2015 – “Taking action on sexual exploitation and abuse by peacekeepers’: report of an independent review of sexual exploitation and abuse by international peacekeeping forces in the Central African Republic

In similar vein to the 2006 review of the MONUC case in the DRC, this 2015 report was an independent review of the handling of allegations of sexual exploitation and abuse by members of a French peacekeepers in the Central African Republic in 2014. The findings were damning: the initial reporting up the management line was strongly suggested to have been obscured in the way it was presented; the response of the many UN agencies with potential responsibilities were fragmented, bureaucratic and seriously flawed; and the care, protection or informing of the victims was, at best, an “afterthought” if considered at all.

Voices from Syria, 2018 (Whole of Syria GBV Focal Point, UNFPA)

Within this annual report on gender-based violence (GBV) in Syria it was clear that sexual exploitation and abuse by aid workers, amongst others, is an entrenched feature of the life experience of women and girls in Syria in the eighth year of the conflict there. The report also sheds light on the wider context for such abuse, for example, in the introduction: “With men absent, injured, killed, or unable to find employment the burden of responsibility often falls heavier on the shoulders of women and girls to maintain households. However, these additional responsibilities do not necessarily lead to greater empowerment or freedom for women. Invariably, it leads to an increase in workload and sometimes to additional abuse as men resist a perceived threat to their dominance. From aid distribution to gaining documentation, to attending school, guarding against exploitation and abuse is a constant challenge.”

More specifically, the report states that: “sexual exploitation by humanitarian workers at distributions was commonly cited by participants as a risk faced by women and girls when trying to access aid”.¹³

12 [No-one to turn to, 2008](#)

13 [Voices from Syria, 2018](#) (Whole of Syria GBV Focal Point, UNFPA)

Sexual harassment and abuse within aid agencies

4. The second strand of concerning evidence to emerge was around the incidence of sexual harassment and abuse *within* aid sector organisations and allegations of poor standards of process and governance in the way some of these cases have been dealt with. A case arising at Save the Children UK -- an organisation, at the heart of overt efforts to tackle SEA of aid beneficiaries -- epitomised this issue. We explore these issues in Part II of this report.

Responses: DFID, Charity Commission and others

5. The Oxfam Haiti scandal has rocked the international development world, and the charity aid sector in particular with a substantial and understandable fall in donations to Oxfam (not to mention cessation of DFID funding).

Our inquiry

6. Our immediate response was to call the senior leadership of Oxfam and Save the Children, and DFID's Permanent Secretary and other officials, to answer questions in public session. At the outset of the evidence session, the Chair announced that the Committee would be conducting a full inquiry into sexual exploitation in the aid sector.

7. In summary, the scope of inquiry and terms of reference were agreed to enable exploration of these issues while remaining within our remit of holding DFID to account. We looked to scrutinise:

- allegations of sexual exploitation and abuse of aid beneficiaries of aid by aid sector workers, peacekeepers, or others supported by UK funding
- allegations of sexual misconduct within aid sector organisations and how the handling of these illustrate values and governance processes
- evidence of the scale, incidence and seriousness of sexual exploitation and abuse in either humanitarian or other development aid contexts
- Oxfam GB's management of staff conduct in Haiti in 2011, the openness demonstrated, lessons learned and steps taken¹⁴
- the effectiveness of measures taken to tackle these problems and proposals for new approaches to safeguarding within the aid sector
- the response of the UK Government and the Charity Commission, available powers and resources and policies, i.e. whistleblowing

8. During the initial evidence session in February, we heard evidence of gaps in the UK legal framework in relation to attempts to respond effectively to these problems.¹⁵ We drew up a draft Bill – provisionally entitled the International Development (Safeguarding Vulnerable Groups) Bill – to provoke debate and invited witnesses to comment on its provisions. The draft Bill and explanatory notes, amended following this consultation,

¹⁴ During the course of our work this became the subject of a Charity Commission statutory inquiry.

¹⁵ [Q100](#)

are annexed to this report. The Chair of the Committee presented the Bill under the Ten Minute Rule on 4 July 2018 with the whole Committee's endorsement and support from across the House.¹⁶ Sponsors included the Chair of the Women and Equalities Committee, Maria Miller MP, and that Committee's inquiry into sexual harassment in the workplace has dealt with similar issues to those we have come across.¹⁷

Developments in the course of the inquiry

9. During our evidence-gathering, both DFID and the Charity Commission took steps to respond to the crisis. On 12 February, the Secretary of State announced:

- the current Oxfam leadership had apologised and committed to cooperation over reviewing the handling of the Haiti case and working towards reform
- the Charity Commission had urgently requested full and frank disclosure of what happened in 2011 from Oxfam and was considering its next steps
- DFID had demanded that all UK charities working overseas provide: (a) assurance that the moral leadership, systems, culture and transparency needed to protect vulnerable people were in place, and (b) confirmation that any and all concerns on safeguarding cases and individuals had been referred to the relevant authorities
- the creation of a DFID unit to review safeguarding across all parts of the aid sector, to examine what is being done to protect people from harm, including sexual exploitation and abuse and how to guard against criminal and predatory individuals being re-employed by charities, including the option of establishing a global register of development workers
- more work building on the introduction of sanctions for human rights abuses, including sexual exploitation, in new contracts with suppliers and requirements in funding agreements with a number of UN agencies to take action to prevent sexual exploitation and abuse and prompt action in response to allegations
- an urgent safeguarding summit with the UK aid sector to agree actions to strengthen safeguarding processes and mechanisms, including around staffing and recruitment (with more events expected during the year), and
- work with the Charity Commission to provide technical assistance and support to other nations that wish to improve the standard and regulations of safeguarding.¹⁸

10. On 12 February 2018, the Charity Commission announced that it had formally opened a statutory inquiry into Oxfam GB, stating its concerns that Oxfam may not have fully and frankly disclosed material details about the allegations at the time in 2011, the charity's handling of the incidents since, and the impact that these have both had on public trust and confidence.

16 See Annex 3 to this Report

17 See Women & Equalities Committee on [sexual harassment in the workplace](#)

18 Department for International Development, '[Statement from International Development Secretary on Oxfam and UK action to tackle sexual exploitation in the aid sector](#)', 12 February 2018

11. On 5 March 2018, following the Safeguarding Summit, the Secretary of State announced a number of measures, which those attending the safeguarding summit had agreed. These comprised:

- an independent body to promote external scrutiny and promote higher standards across the aid sector
- a review of referencing and vetting across the sector and the introduction of new standards
- an audit of whistleblowing practices across the sector to encourage individuals to report offences
- the development and implementation of mandatory standards aimed at making organisations accountable to beneficiaries (helping recipients to be able to identify where problems are occurring)
- aid organisations' annual reports to include specific information on safeguarding, including the number of cases
- mandatory induction training on safeguarding, and
- the establishment of clear guidelines for referring incidents, allegations and offenders to relevant authorities, including the National Crime Agency.

12. With respect to plans announced in February, DFID reported that:

- prompted by the Secretary of State's letter of 12 February, 26 charities had made serious incident reports to the Charity Commission, reporting 80 incidents broadly related to safeguarding issues (some of which relate to incidents that occurred prior to April 2017)
- Oxfam had agreed to withdraw from bidding for any new UK Government funding until DFID was satisfied that the organisation was meeting appropriate standards, and
- a review of allegations of sexual harassment and misconduct involving DFID staff had been concluded.¹⁹

13. On 20 March, the Secretary of State reported on the results of the safeguarding review commenced on 12 February. All organisations had achieved compliance with DFID's stipulations. DFID had rolled out the exercise to other partners; the private sector (i.e. the top 30 suppliers—accounting for 80% of DFID's contractual spend) and the multilaterals. The purpose of this exercise was a process audit, to gain partners' statements of assurance on safeguarding and assess the clarity of such statements.

14. On 11 April, the Charity Commission opened a statutory inquiry into Save the Children UK's handling, reporting and response to serious allegations of misconduct and harassment against senior staff members in 2012 and 2015.

¹⁹ Department for International Development, ['Actions to tackle exploitation and abuse agreed with UK charities'](#), 5 March 2018

15. On 17 May, the Secretary of State again updated the House on further progress, announcing:

- A joint statement signed by [ten multilateral financial institutions] reaffirming their commitment to preventing sexual harassment, abuse and exploitation, within both institutions and operations (many of which receive DFID funding) and an undertaking to press them “to translate this commitment into further concrete actions in 2018”;
- a special session on SEA in May led by the UN Secretary-General with UN agency heads leading to a commitment to a 24 hour helpline for staff to report harassment and access support (the Secretary of State would be pressing for agreement to a consistent UN-wide approach on reporting, investigation, outreach, and support in cases of sexual exploitation, abuse or harassment);
- Save the Children UK had withdrawn from bidding for UK Government funding during the Charity Commission’s statutory inquiry into its handling of internal cases;
- replies to DFID’s demands for assurance had been received from the Department’s top suppliers, multilateral partners, development capital partners and research partners (283 organisations) and a summary of the returns would be published;
- the outcome of the UK safeguarding summit in March was four NGO working groups and an external experts group to develop concrete proposals for:
 - accountability to beneficiaries and survivors;
 - shifting aid sector organisational culture to tackle power imbalances and gender inequality;
 - integrating safeguards into the employment cycle, including work on the proposal for a global register / passport; and
 - providing full accountability through improved reporting and complaints mechanisms
- steps to involve all UK Government departments who spend Official Development Assistance (ODA) in the current initiatives; and an undertaking to invite all UK ODA spending departments to adopt DFID’s new safeguarding due diligence standards should they wish
- a range of efforts to build alliances across the UK and international aid sectors to improve safeguarding performance and reduce SEA, including liaison with: the Foreign and Commonwealth Office, the Cabinet Office, the Charity Commission, Ministry of Defence, Canada as G7 Presidency, a group of [15 donors] and Development Assistance Committee of the OECD), and
- an international conference on SEA in London on the 18th October.²⁰

Part I: Sexual exploitation and abuse of the intended beneficiaries of aid

1 The nature and scale of the problem

16. Through our inquiry, we sought to gauge the nature and scale of sexual exploitation and abuse (SEA) of the intended beneficiaries of aid. It quickly became apparent that, due to the paucity of data available, this would be challenging. We have considered the testimonies of victims and survivors,²¹ the views of safeguarding experts, and the findings of those who have conducted research on this area. We are, however, acutely aware that what we have gleaned is unlikely to provide a full picture of the problem due to historical under-reporting by victims and survivors as well as failures to disclose by agencies and authorities.

The nature of the exploitation and abuse

17. The term ‘sexual exploitation and abuse’ could apply to a wide range of acts. According to the UN, sexual exploitation means “any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another” and sexual abuse refers to “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”.²²

18. In the UN Secretary-General’s 2017 report, ‘Special measures for protection from sexual exploitation and abuse: a new approach’, the different kinds of sexual exploitation and abuse against adults are listed as: rape, sexual assault, other forms of sexual violence, transactional sex, solicitation of transactional sex, exploitative relationship, trafficking for sexual exploitation and abuse and ‘other’. The different kinds of sexual exploitation and abuse against children are listed as: child rape, sexual assault, solicitation of child prostitution, trafficking for sexual exploitation and abuse, other forms of sexual violence against children and ‘other’.²³

19. UNA-UK highlight that within the broad definition of SEA, there could be victims who “do not regard themselves as being exploited” and give the example of a “potentially exploitative but consensual relationships between local inhabitants and Peacekeepers”.²⁴

21 The United Nations refers to those who have experienced sexual exploitation and abuse as ‘victims’. Some of the evidence we have received has also used the term ‘survivors’. We are conscious that these two terms have different connotations and those who have experienced sexual exploitation and abuse may consider themselves to be one or both. To reflect this, we have used both terms in the report.

22 United Nations Secretariat, [Secretary-General’s Bulletin: Special measures for protection from sexual exploitation and abuse](#) (October 2003), p 1

23 United Nations General Assembly, [Special Measures for Protection from Sexual Exploitation and Abuse: a new approach. Report of the Secretary General](#), (February 2017), p 41

24 UNA-UK ([SEA0047](#))

20. The revelations about Oxfam staff using prostitutes in Haiti, the trigger for this inquiry, highlighted that the exploitation of beneficiaries²⁵ could extend beyond those who are directly receiving aid. Mark Goldring, the now outgoing Chief Executive Officer of Oxfam GB, told us:

Oxfam used “beneficiary” to mean those in direct receipt of Oxfam assistance. In fact, the whole population of Port-au-Prince and surrounding areas, and indeed much of Haiti, were beneficiaries in the wider sense, of which they were affected by the earthquake or were living in poverty whether or not they were affected by the earthquake.²⁶

Winnie Byanyima, Executive Director of Oxfam International affirmed that, in her view, “the use of prostitutes in conditions of poverty, helplessness and conflict is exploitation and abuse”.²⁷

21. Not everyone who works in the sector agrees that the use of prostitutes constitutes sexual exploitation and abuse, although this does appear to be the growing consensus. We noted the Secretary of State’s evidence on a recent policy decision by the World Bank:

If I can give you the example of the World Bank ... whether its staff should be allowed to use prostitutes in countries where that is legal. It has decided that if you work for the World Bank you cannot do that. It does not have to have a complex policy to nuance that. You cannot do it. Yes, the chief executive said there was backlash against that and her reply is a good one, which was that you had the same effect when they banned smoking in the executive offices.²⁸

We note that whilst Oxfam’s Code of Conduct from 2017 does explicitly ban the use of prostitutes,²⁹ this was not the case in a Code of Conduct from 2012.³⁰

The victims and survivors

22. We heard that SEA is predominantly perpetrated against women and girls, although this is not exclusively the case. Steve Reeves, the Director of Child Safeguarding at Save the Children UK told us:

globally, it is pretty clear that girls and young women are most frequently the victims of sexual violence. We do see evidence of boys and young men being exploited sexually in the same way³¹

25 We are conscious of wider debate within the aid sector about the term “beneficiary” and its possible connotations of passivity. For the purposes of this report, we will use the term “beneficiary”, reflecting its continued common usage within in the aid sector, but we are cognisant that other terms may be more widely used in future.

26 [Q64](#)

27 [Q86](#)

28 [Q445](#)

29 Oxfam, ‘[Oxfam’s Joint Code of Conduct](#)’, (October 2017)

30 [https://www.chsalliance.org/files/files/Oxfam Code of Conduct Non Staff July 2012.pdf](https://www.chsalliance.org/files/files/Oxfam%20Code%20of%20Conduct%20Non%20Staff%20July%202012.pdf) Oxfam, ‘[Oxfam’s Joint Code of Conduct](#)’ (July 2012)

31 [Q108](#)

Asmita Naik, co-author of the 2002 UNHCR and Save the Children report that revealed SEA by UN and aid agency staff in West Africa, shared the findings of her research from refugee camps in Liberia, Guinea and Sierra Leone in 2001.

Victims were mainly girls aged 13 and 18 years, who reported far-reaching consequences of the abuse on their lives: pregnancies, abortions, teenage motherhood, exposure to sexually transmitted diseases and HIV/AIDS, lost educational, skills-training and employment opportunities and social exclusion. A refugee child said, “An [Aid] worker made me pregnant but now he left me and is loving to another young girl”.³²

She added that:

Boys were sometimes victims of sexual exploitation by male and female aid workers, but more often exploited in other ways, for instance, forced to carry out personal chores in exchange for aid supplies. One adolescent boy said, “I have no father and no mother and there are jobs that I am being made to do like washing underpants in exchange for food which I do because I have no parents. I wish I had my parents because I do not have any support and I am exposed to so much abuse”³³

The perpetrators

23. The exploitation and abuse is mainly perpetrated by men. Steve Reeves said:

As far as we can tell from the statistics available and the research available to us, this is abuse that is largely perpetrated by men. Although we should not discount the possibility that some women engage in sexually harmful behaviour, it is behaviour that is largely manifested by men.³⁴

This was corroborated by Helen Evans, the former Global Head of Safeguarding at Oxfam GB.³⁵ The abuse that Asmita Naik documented in 2001 was also perpetrated by men:

Exploiters were men in the community with power, money and influence and included mainly local humanitarian workers extorting sex in exchange for desperately needed aid supplies (biscuits, soap, medicines, plastic sheeting etc).³⁶

24. Corinna Csáky, author of Save the Children’s 2008 report, ‘No One to Turn To: the under-reporting of child sexual exploitation and abuse by aid workers and peacekeepers’, told us that: “It is also very important that you note that the abusers are both foreign and national staff. Some come from overseas, but many more are local people employed by international humanitarian organisations. With the exception of peacekeeping forces, local people make up the majority of humanitarian staff. It is no surprise therefore that they make up the highest proportion of abusers. From the perspective of victims and survivors, there is no difference between the two.”³⁷

32 Ms Asmita Naik ([SEA0042](#))

33 Ibid

34 [Q108](#)

35 [Q153](#)

36 Ms Asmita Naik ([SEA0042](#))

37 [Q473](#)

25. A recurring theme across the written and oral evidence is that SEA is, at its core, an abuse of power.³⁸ The already imbalanced provider-beneficiary relationship can be magnified in the context of a humanitarian emergency. The British Red Cross wrote that:

The opportunity for abuses of power in humanitarian contexts is high and there is often an imbalance of power in times of crises. During humanitarian emergencies, social protection systems can be significantly weakened and disrupted.³⁹

26. Corinna Csáky, shared with us testimony from those she had interviewed as part of her research in 2007, to illustrate how the children who were abused had already been highly vulnerable:

There is a girl who sleeps in the street, and there were a group of people who decided to make money off of her. They took her to a man who works for an NGO. He gave her one American dollar and the little girl was happy to see the money. It was two in the morning. The man took her and raped her. In the morning the little girl could not walk. (Young Boy, Haiti)⁴⁰

27. Overall, the picture that has developed over the course of our inquiry is one of exploitation and abuse rooted in a power imbalance that is predominantly, although not exclusively, gendered, with “powerful men as gatekeepers to food, shelter and security”⁴¹ exploiting and abusing “women and girls because they are powerless, they are vulnerable and they are voiceless”.⁴²

The scale of the problem

28. Evidence we have received suggests that sexual exploitation and abuse is endemic across the international aid sector, predominantly humanitarian provision, and a wide range of organisations have been implicated. The 67 allegations documented by the 2002 West Africa assessment report listed 40 aid agencies and 9 peacekeeping battalions across three countries in West Africa.⁴³ The research conducted for Save the Children’s 2008 report revealed that in emergency contexts in South Sudan, Côte d’Ivoire and Haiti, a wide range of organisations were implicated in abuse:

Our fieldwork revealed cases of abuse associated with a sum total of 23 humanitarian, peacekeeping and security organisations. These include civil humanitarian agencies such as those delivering food and nutritional assistance, care, education and health services, reconstruction, shelter, training, and livelihood support, as well as military actors providing peace and security services.⁴⁴

38 See for example, [Q65](#), [Q99](#), [Q153](#), Changing Aid ([SEA0025](#)), Rape Crisis England and Wales and Equality Now ([SEA0058](#))

39 British Red Cross ([SEA0020](#))

40 [The experiences of victims of sexual exploitation and abuse: Presentation by Corinna Csáky, author of 2008 report presents victim and survivor testimonies](#)

41 [Q99](#)

42 [Q65](#)

43 Ms Asmita Naik ([SEA0042](#))

44 Save the Children, [No One to Turn To: the under-reporting of child sexual exploitation and abuse by aid workers and peacekeepers](#) (2008), p 8

It also showed that:

A broad spectrum of different types of aid workers and peacekeepers were implicated in the abuse. For example, staff at every level, from guards and drivers to senior managers, were identified as having been involved. Participants also implicated a mix of local, national and international personnel, including staff described as ‘black,’ ‘white,’ ‘foreign’ and ‘local’ people.⁴⁵

29. No corner of the aid sector appears to be immune: the problem is a collective one. Kevin Watkins, Chief Executive Officer of Save the Children UK said:

this is not the occasional bad apple that we are dealing with here; it is a structural and systemic problem that we have to deal with through proper integration.⁴⁶

30. Although the problem appears pervasive, the exact scale of SEA in the aid sector is currently impossible to define. We heard repeatedly that there is under-reporting, based both on research⁴⁷ and anecdotal evidence.⁴⁸ The UN Secretary General (UNSG) acknowledged in his 2017 Special Measures report on SEA, “we feel certain that not all cases are reported”.⁴⁹ Practitioners suspect that those cases which have come to light are only the “tip of the iceberg”.⁵⁰

31. In terms of the impact of SEA, we were told by Rape Crisis and Equality Now that in addition to the “degrading, harmful and traumatic experience in itself”, SEA contributes to a context that is conducive to the objectification and exploitation of women and girls, where sexual violence is condoned and excused. SEA also forms:

part of the framing of sex-based inequality, reducing women’s and girls’ rights in multiple contexts and contributing to and reinforcing the environment for further abuse and discrimination against them.⁵¹

There is little understanding of how SEA impacts the effectiveness of aid programmes, and the ability of aid organisations to deliver support to beneficiary communities. A senior and experienced specialist in the aid sector told us in confidence that:

The way the communities we serve view us as a sector does matter. It is everything... we fail at almost all levels above our programmes to quantify the impact this has on the quality of our programmes, or our ability to actually deliver them to their intended audiences.⁵²

45 Save the Children, *No One to Turn To: the under-reporting of child sexual exploitation and abuse by aid workers and peacekeepers* (2008), p 9

46 Q115

47 See for example, Save the Children, *No One to Turn To: the under-reporting of child sexual exploitation and abuse by aid workers and peacekeepers* (2008)

48 See for example, ActionAid UK (SEA0023)

49 United Nations General Assembly, *Special Measures for Protection from Sexual Exploitation and Abuse: a new approach. Report of the Secretary General*, (February 2017)

50 Helen Evans (SEA0021)

51 Rape Crisis England and Wales and Equality Now (SEA0058)

52 Anonymous (unpublished)

32. This suggests that it is important for aid agencies to take a proactive approach to tackling SEA, even in the absence of more complete data. Plan International UK told us:

from what is known about abuse and the behaviour of abusers, it is important to base our organisational approaches on an assumption that it happens, whether or not there is specific evidence of it within our organisations.⁵³

Steve Reeves supported this:

The message to organisations should be that we should behave as though this abuse is happening, even if we see no evidence of it, because we know that it almost certainly is.⁵⁴

Changing Aid, a group of aid workers, former aid workers and safeguarding experts, said that such an approach, where the sector accepts “that SEA has been happening and will happen again” would be a “foundational attitudinal shift”.⁵⁵

33. We are conscious that the recent heightened awareness of sexual exploitation and abuse in the aid sector, has not taken place in a vacuum. As Helen Evans points out, the MeToo movement has brought to light the fact that sexual harassment and abuse affects any section of society in which there is an imbalance of power.⁵⁶ The Women and Equalities Committee has recently conducted a cross-sectoral inquiry into this issue.⁵⁷

34. We also recognise, as DFID referenced in its written submission, that sexual exploitation and abuse of the intended beneficiaries of aid occurs within a wider context of gender-based violence.⁵⁸ Save the Children’s 2008 report emphasised that sexual exploitation and abuse of children by aid workers “often goes hand in hand with abuse committed by individuals within the community, such as businessmen, teachers and the police, as well as abuse committed within children’s own families”.⁵⁹ Corinna Csáky, who authored the report in 2008, explained through testimony why it was important to understand SEA within a wider context of sexual violence.

The humanitarian staff committing the abuse are often from the local community. Therefore, you cannot consider abuse by humanitarian workers and abuse by other people separately. You need to think of them both together and deal with them both together. (Mother, South Sudan)⁶⁰

35. Dr Orly Stern, a senior fellow at the Harvard Humanitarian Initiative, described in a recent article for IRIN the challenges for a PSEA practitioner who is only able to respond to cases of sexual abuse perpetrated by members of the aid sector, in a community where there is sexual abuse being perpetrated more widely.⁶¹

53 Plan International UK ([SEA0024](#))

54 [Q106](#)

55 Changing Aid ([SEA0025](#))

56 Helen Evans ([SEA0021](#))

57 See Women & Equalities Committee on [sexual harassment in the workplace](#)

58 Department for International Development ([SEA0012](#))

59 Save the Children, [No One to Turn To: the under-reporting of child sexual exploitation and abuse by aid workers and peacekeepers](#) (2008), p 3

60 [The experiences of victims of sexual exploitation and abuse: Presentation by Corinna Csáky, author of 2008 report presents victim and survivor testimonies](#)

61 [“First Person: Two nearly identical cases of sex abuse; two very different responses”, IRIN News, 27 June 2018](#)

36. The impact of the sexual abuse and exploitation of intended beneficiaries of aid—relief aid in particular—obviously and clearly falls directly upon the victims and survivors of that abuse. In the vast majority of cases, such people will be desperate, already traumatised by disaster, conflict, loss and separation from family and community, and suffering from deprivation of the basic physical necessities. In many forced displacement scenarios, it seems criminal exploiters swiftly target new refugee encampments.⁶² The arrival of international aid—goods and services and people to help—should be, literally, a “relief”. Clearly this has not always been the case:

- circumstances where the distribution of shelter, food, water, etc. can provide potential abusers with powerful levers of influence is abominable; a situation where even one further abuser is provided with official access to these vulnerable people, under the imprimatur of an international aid organisation, is unconscionable;
- in addition to the actual abuse is the impact on the relationship between the beneficiary community and the aid organisations trying to deliver effective assistance (presumably including dignified and secure facilities for women and girls and protection from trafficking); the impact of abuse-related loss of trust and confidence on aid effectiveness (let alone other aid strategy objectives) has not been even considered, let alone assessed, as far as we are aware; and
- at a more mechanistic level, a significant incidence of sexual abuse and exploitation, linked to the distribution of aid, must distort the allocation of that aid away from any pretence of ‘needs assessment’ and have a negative impact on the effectiveness of that aid.

Collective ineffectiveness in combating sexual exploitation and abuse by aid workers inevitably damages and constrains the aid sector as a whole. We are sure the vast majority of aid sector workers are innocent of such conduct. However, everyone is tainted by such scandals and the inability, as yet, to have confidence in the systems to deal with, let alone prevent, such behaviours.

37. In recent months, the MeToo movement has helped bring to light the extent to which sexual abuse pervades workplaces and society at large. The international aid sector is not exempt, and we should not expect it to be. But the distressingly familiar pattern of senior male executives sexually harassing junior female employees - while present in aid organisations - is not the whole story in that sector. Sexual exploitation and abuse is ultimately an abuse of power and the aid sector is one of extreme power imbalance: those receiving aid in humanitarian crisis situations are some of the most vulnerable and disempowered people in the world. The sector as a whole needs to confront the fact that, although the exact scale remains unknown, sexual exploitation and abuse is happening and it is happening across organisations, countries and institutions. It is endemic, and it has been for a long time. Outrage is appropriate, but surprise is not. The sector needs a complete change of mindset, whereby those who fund and deliver aid are actively working together to seek out and root out the problem.

62 See for example, [The Guardian, May 2017](#) and: ‘an estimated twenty-one million people have fallen prey to the criminal enterprise of human trafficking .. there is one factor common to all: vulnerability to exploitation ... as the 2016 Trafficking in Persons (TIP) report highlights, [refugees are among the most vulnerable groups](#)’.

2 The historical response to SEA

38. We have heard about a myriad of policies, procedures, principles, mechanisms, measures, initiatives and task forces, with which the international aid sector has responded to the periodic revelations of sexual exploitation and abuse, but there appears to have been a lack of commitment to drive real change. Asmita Naik told us:

There have clearly been policy-level measures since the 2002 West Africa scandal; the problem seems to be the lack of adequate implementation... it appears from recent revelations that organisations could do more to prevent and respond to abuse.⁶³

The historical response of multilateral organisations

39. Our evidence suggests that over the past 16 years, multilateral organisations have taken a distinctly reactive approach to SEA, and have failed to sustain momentum or produce tangible outcomes. The International Rescue Committee (IRC) UK told us: “The UN has multiple initiatives to tackle this issue, though responses tend to be more reactive than proactive, and attention is cyclical”⁶⁴

40. DFID told us about some of the steps that had been taken at the multilateral level in response to SEA revelations in the early 2000s:

the Inter-Agency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises was established in 2002, which developed a set of six core principles to reflect the commitment of its members (UN, INGOs and other humanitarian actors) to strengthening and enhancing the protection and care of women and children in humanitarian situations. In response to the IASC’s recommendations, the UN published the Secretary General’s Bulletin (SGB) entitled Special Measures for Protection from Sexual Exploitation and Sexual Abuse, defining the behaviour of UN staff and related personnel in relation to SEA.⁶⁵

41. However, this Task Force has struggled to produce results. It secured agreement from its members to an action plan, but the IASC’s critical review in 2010, evaluating the SEA activities of UN, NGO, IOM and IFRC personnel, showed that agencies were not implementing policies effectively.⁶⁶ IASC established a second Task Force on Protection from Sexual Exploitation and Abuse (PSEA) in January 2012 (the previous Task Force was seemingly, inexplicably, dissolved).⁶⁷ According to the IRC UK, this PSEA Task Force has made some “good efforts” to tackle the problem, but IASC has struggled to operationalise agreed measures due to lack of resources.⁶⁸

63 Ms Asmita Naik ([SEA005](#))

64 International Rescue Committee UK ([SEA0030](#))

65 Department for International Development ([SEA0012](#))

66 Helen Evans ([SEA0021](#))

67 Inter-Agency Standing Committee, ‘IASC Task Team on Accountability to Affected Populations and Protection from Sexual Exploitation and Abuse (AAP/PSEA)’, accessed 24 July 2018

68 International Rescue Committee UK ([SEA0030](#))

42. Following the publication of Save the Children’s 2008 report, ‘No One to Turn To’, there was a “flurry of activity” in the UN and amongst NGOs around protecting children from SEA.⁶⁹ This included a cross-UN-wide meeting and high-level political statements, but, according to Corinna Csáky, the author of the report, these “remained very much at the technical guidance level” and lacked implementation on the ground.⁷⁰

43. In 2015, the publication of the report of the High-Level External Independent Review Panel on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic, provided another push for action and a UN Special Coordinator on SEA, Jane Holl Lute, was appointed in 2016 to “support the ongoing efforts of the Secretary-General and the leadership of United Nations offices, departments, funds and programmes to better align our peacekeeping and human rights systems and to strengthen United Nations response to sexual exploitation and abuse”.⁷¹

44. One year later, in February 2017, the UN Secretary-General, António Guterres published a Special Measures Report outlining a “new approach” to tackling SEA, in which he acknowledged the “insufficient attention and a lack of sustained efforts on the part of the senior United Nations leadership and Member States, until provoked by crisis”.⁷² He has since introduced a series of measures for tackling SEA as part of this “new approach”. In late 2017, Marie Deschamps, a former justice of the Supreme Court of Canada and chair of the 2015 United Nations Report of an Independent Review on SEA by International Peacekeeping Forces in the Central African Republic, commented:

I must say that not much has been done. Both Secretary-General Ban Ki-moon and Secretary-General Guterres are speaking up against sexual abuse, but in practice I am less than sure that anything circulates to the United Nations because what we can observe are the very same problems that we have observed for decades ...⁷³

The UN’s response to SEA will be discussed in more detail in Chapter 8.

The historical response of NGOs

45. The response of NGOs appears to have been similarly shallow in its implementation. According to the Overseas Development Institute, “While it is important to recognise past efforts, the response to investigations and reports of SEA has mainly been to update codes of conduct and safeguarding policies”.⁷⁴ DFID outlined several collective initiatives undertaken by NGOs. These include:

the Humanitarian Accountability Project, to develop and enforce codes of conduct and implement reporting and investigations systems; the Keeping Children Safe initiative, which helps organisations implement International

69 [Q488](#)

70 [Qq487–88](#)

71 [United Nations, ‘Secretary-General Appoints Jane Holl Lute of United States as Special Coordinator on Improving United Nations Response to Sexual Exploitation and Abuse’, 8 February 2016](#)

72 [United Nations General Assembly, *Special Measures for Protection from Sexual Exploitation and Abuse: a new approach. Report of the Secretary General*, \(February 2017\), p 6](#)

73 [Carnegie Council for Ethics in International Affairs, ‘A Climate of Impunity? The Problem of Sexual Abuse by UN Peacekeeping Forces, with Justice Marie Deschamps’, December 2017](#)

74 [Overseas Development Institute \(SEA0027\)](#)

Child Safeguarding Standards; and the Core Humanitarian Standard (and its predecessors) to describe the essential elements of principled, accountable and high-quality humanitarian aid.⁷⁵

DFID acknowledged, however, that “a better understanding is required of how effectively these standards translate into the practices required”.⁷⁶

46. The evidence that we received specifically on Oxfam’s historical response to SEA reflects this pattern of policy change without proper implementation. After their internal investigation into sexual exploitation in Haiti in 2011, Oxfam created a dedicated safeguarding role, but have admitted that for a long time this was underfunded.⁷⁷ William Anderson, the first person to hold the position, told us that whilst he was in post, he found that “safeguarding was only valued in the abstract and was about ticking boxes rather than seriously looking at the dynamics that foster abuse”.⁷⁸ He illustrated how Oxfam’s concern for reputation was more apparent than its commitment to rooting out the problem of SEA:

It took me a while to realise that some of my early conversations were at loggerheads; when I talked about risk it was about protecting the vulnerable whereas most risk conversations in Oxfam were about reputational risk and how to protect the Oxfam brand.⁷⁹

The reality of the problem itself, was not fully recognised by management:

After all Oxfam was OXFAM and the belief was that that sort of thing was unlikely to happen in such a moral, professional organisation. There was an institutional blindness to the fact that Oxfam, rather than being unlikely to have safeguarding issues, was exactly the sort of organisation in which they will fester.⁸⁰

47. Helen Evans, who succeeded Mr Anderson and was Oxfam GB’s ‘Global Head of Safeguarding’ between 2012 and 2015 “repeatedly asked without success for additional safeguarding resource” and felt that senior management failed to take her concerns about safeguarding seriously. She ultimately resigned, finding her position “untenable”.⁸¹ In her oral evidence, however, she highlighted that “what was really positive was that Oxfam did have a safeguarding function. A lot of agencies do not have one”.⁸² This leaves open a very troubling question about the kind of approach being taken by those organisations that have had even less focus on safeguarding than Oxfam.

48. We received some indication of the approach being taken by NGOs across the sector when taking evidence from the Core Humanitarian Standard (CHS) Alliance. The CHS Alliance is a membership organisation with members operating in more than 160 countries worldwide in both the humanitarian and development sector. Part of its offer to members

75 Department for International Development ([SEA0012](#))

76 Ibid

77 [Q8](#)

78 Mr William Anderson ([SEA0037](#))

79 Ibid

80 Ibid

81 Helen Evans ([SEA0021](#))

82 [Q150](#)

is that it provides training, including on effective complaint response mechanisms. When asked how many members had taken part in this training on complaint response, they replied:

This is something where we need to do some work, because we had no requests in 2017 for any workshops, yet the information we have from the assessments that have been carried out says that this is the area that, collectively, has the lowest score.⁸³

Whilst low take-up could have been due, in part, to lack of awareness, the fact that there had been no requests at all was striking.

49. The ongoing failures that are brought to light in both official reports and in the media, provide evidence in themselves of the extent to which NGOs have responded effectively to SEA. Asked about the sector-wide response to Save the Children's 2008 report, Kevin Watkins said:

We would not be facing the problems that we are currently facing if we had seen a response on the scale that we needed to.⁸⁴

DFID's historical response

50. We believe that DFID could have done a lot more in response to reports and allegations of SEA. With regards to the 2002 West Africa report, we have received evidence suggesting that the UK's response at the time was relatively muted compared to some other national donor governments and rested on an uncritical acceptance of the UN's activities. In contrast, a joint statement by Australia, Canada and New Zealand to the UN General Assembly was critical of the UN's follow-up to the 2002 report and, in particular, of the lack of any specific accountability achieved.⁸⁵ We were told that when this was raised with DFID, the UK's position was described by a senior official as "... better now to look forwards than to look backwards, and to try to support the measures that are being taken to improve matters ... than to continue to harangue the errors of the past".⁸⁶

51. The evidence we heard from the Rt Hon Clare Short, former Secretary of State for DFID, and the consequent joint memorandum from DFID and the MOD, does not offer much to contradict this impression of a muted response. Despite being acknowledged in one of Clare Short's written answers from October 2002, the West Africa report does not seem to have been escalated up to Secretary of State level within DFID. Ms Short displayed no knowledge of the report when she appeared before the Committee in June⁸⁷ and told us that SEA was "not an issue in any way, shape or form in my time in office".⁸⁸ The MOD can locate no records of any steps taken. The joint DFID/MOD memorandum implies this was due to the lack of detail provided in the report about the allegation against British peacekeepers.⁸⁹ However, it would be extremely unusual, possibly reckless, practice to place this kind of detail in a document drafted for publication. The report's

83 [Q224](#)

84 [Q496](#)

85 Ms Asmita Naik ([SEA0042](#)); and see Annex 2, p94

86 Ms Asmita Naik ([SEA0059](#)); and see Annex 2, p93

87 [Q387](#)

88 [Q385](#)

89 Department for International Development & Ministry of Defence ([SEA0056](#)); and see Annex 2, pages 89 and 90, paragraphs 3, 8 and 9

author described the arrangements for storing the material on which it was based securely (e.g. testimony and witness identities separately) to preserve confidentiality and protect victims and survivors. She said: “The UN Office of Internal Oversight Services (UN OIOS) did not investigate as it never asked me for details of the specific allegation referring to British Peacekeepers in the West Africa report. This information was gathered by me from a credible source in UNICEF. The UK government did not ask me for details at the time, neither did anyone else. This is the first time I am being asked about it”.⁹⁰

52. It seems that this lacklustre approach to SEA has lingered within the Department for a number of years. According to Hope and Homes for Children, Save the Children’s 2008 report did not elicit a response from the UK Government.⁹¹ As co-chair of IASC’s PSEA Task Force in 2014, Helen Evans requested information from donors on their approach to safeguarding. DFID responded that, although it did have dedicated resource on counter-fraud, it did not have one on safeguarding.⁹²

Response since February 2018

53. Since the Oxfam scandal broke in The Times in February 2018, we have seen a burst of activity around SEA, both from NGOs and, prominently, from DFID. The general response among NGOs has been to review safeguarding strategies and procedures, adopting new ideas where relevant. The Committee has received written evidence from several large NGOs which operate globally, such as ActionAid, the International Rescue Committee, British Red Cross, Plan International, and Oxfam, among others, outlining some of the ways in which these organisations have responded to safeguarding issues. These responses are varied, and range from improving safeguarding training⁹³ and strengthening recruitment practices⁹⁴ to increasing the resources dedicated to safeguarding,⁹⁵ contracting an external hotline service for reporting abuse⁹⁶ and improving screening procedures for staff.⁹⁷ There has also been a notable increase in safeguarding-related serious incident reports to the Charity Commission, who told us that they have now received about 1,100 reports of serious incidents with regards to safeguarding since February: approximately the same number of serious incident reports that the Commission received throughout the whole of 2016–17.⁹⁸

54. DFID reacted rapidly to the Oxfam scandal after the story broke in February, establishing a new Safeguarding Unit within the Department only days after the story first appeared in The Times.⁹⁹ DFID told us that the role of this Safeguarding Unit is “not to replace safeguarding and the responsibility of safeguarding across DFID; it is to actually set and to raise standards on safeguarding right across the international sector, including DFID”.¹⁰⁰ In addition to creating the new Unit, the Department has: gathered assurances from partners on their safeguarding policies; established a donor working group with the

90 Ms Asmita Naik ([SEA0059](#))

91 Hope and Homes for Children ([SEA0032](#))

92 [Q66](#) [Helen Evans]

93 See for example, British Red Cross ([SEA0020](#)), World Vision UK ([SEA0019](#)), ActionAid UK ([SEA0023](#))

94 See for example, World Vision UK ([SEA0019](#))

95 World Vision UK ([SEA0019](#))

96 British Red Cross ([SEA0020](#))

97 CARE International UK ([SEA0017](#))

98 [Q413](#)

99 Department for International Development, ‘[Statement from International Development Secretary on Oxfam and UK action to tackle sexual exploitation in the aid sector](#)’, 12 February 2018

100 [Q143](#)

aim of bringing about collective action on SEA; announced new due diligence standards on which funding will be conditional; and written to the Secretary General together with other donors, demanding collective action.¹⁰¹ Notably, the Department also co-hosted a Safeguarding Summit with the Charity Commission in March, resulting in a Joint Statement from all participants, and the establishment of four working groups that have been commissioned to take forward the sector’s response on key areas.¹⁰² There will be a follow-up International Safeguarding Conference on 18 October 2018. The Secretary of State told us that at this Conference, she expects participants to commit to practical measures to tackling SEA in the immediate term, as well as agreeing ways to progress on more long-term solutions:

There will be a work plan going forward, but I think some of the basic things that will strengthen the whole sector, wherever we work—with, in particular, the major contributors towards humanitarian funding—should be in place by October.¹⁰³

55. DFID has presented itself as being willing to lead the sector globally and committed to driving change, with Permanent Secretary Matthew Rycroft CBE telling the Committee: “Nothing is in the “too difficult” box anymore, even if it ever was”.¹⁰⁴

56. DFID’s recent activity has been broadly welcomed by several of the large aid organisations that submitted evidence to the Committee.¹⁰⁵ But we also received warnings that for there to be real progress, DFID’s focus and leadership on SEA must be sustained in the long term.¹⁰⁶ Prioritising “the pursuit of headline grabbing ‘quick wins’” will not bring about transformational change.¹⁰⁷ We also heard concerns from Christian Aid about how well DFID’s new approach to safeguarding is filtering down through the Department, and that “there are mixed messages about the priority given to PSEA [protection from sexual exploitation and abuse] from different parts of DFID”. They told us that DFID’s in-country offices should now be taking a lead on PSEA at the national level.¹⁰⁸

57. Several organisations highlighted the importance of a cross-government approach to safeguarding, with all ODA spending departments ensuring that standards are met in the programmes that they fund.¹⁰⁹ ActionAid UK said that DFID’s new Safeguarding Unit should be leading on this, and that it “should have responsibility for all safeguarding issues related to international development and aid across relevant government departments”.¹¹⁰ We see that DFID has been engaging other ODA-spending Departments on its recent safeguarding work, both bilaterally and through the cross-Government ODA groups, but we also note that DFID’s new safeguarding standards are optional and the recently established cross-Government Safeguarding Group is being chaired by the Cabinet Office.¹¹¹

101 Department for International Development ([SEA0012](#))

102 Ibid

103 [Q468](#)

104 [Q118](#)

105 See for example, ActionAid UK ([SEA0023](#)), Plan International UK ([SEA0024](#)), International Rescue Committee UK ([SEA0030](#))

106 Plan International UK ([SEA0024](#)), Changing Aid ([SEA0025](#))

107 Bond ([SEA0015](#))

108 Christian Aid ([SEA0031](#))

109 See for example, Plan International UK ([SEA0024](#)), Christian Aid ([SEA0031](#))

110 ActionAid UK ([SEA0023](#))

111 Department for International Development ([SEA0012](#)); and see paragraph 15 of this Report

58. The international aid sector's response to tackling SEA since 2002 has been reactive, patchy and sluggish. The UN has failed to display sustained leadership. DFID's historical response to reports of SEA has been disappointing. NGOs have created new policies and procedures but have not successfully implemented them, and where worthwhile initiatives have been developed, these have been continually underfunded. Whilst there are clearly actors within the aid community who are dedicated to tackling SEA, the overall impression is one of complacency, verging on complicity.

59. The sector's considerable movement on PSEA in the past few months is certainly welcome, but it is also long overdue. The Oxfam story did not reveal to aid organisations that SEA was a problem, but it did highlight the impact of a media exposé. The sector has been aware of the problem of SEA for years, but as our evidence, and even the UN Secretary-General, have indicated, action only seems to come when there is a crisis. A reactive, cyclical approach, driven by concern for reputational management, will not bring about transformational change.

60. The work that DFID has done since February 2018 is encouraging, but we are yet to be reassured that the momentum will be sustained, and that progress will not begin to stagnate as it has done following previous reports and scandals. We commend the leadership that DFID has been showing on this issue, but the real test now is what happens next.

61. *Following the International Safeguarding Conference in October 2018, DFID must display a high-level of sustained leadership and engagement on sexual exploitation and abuse. This means both driving forward change on the international stage, and ensuring that in-country offices are similarly displaying leadership at the national level. The Government should recognise the pivotal role that the DFID's Safeguarding Unit can play in ensuring coherence across ODA-spending departments, and should instruct the Unit to take responsibility for coordination. To display long-term commitment, and ensure sustained progress, DFID should report annually on its safeguarding activities. This report should have a particular focus on the Safeguarding Unit, tracking achievements against clear objectives.*

62. The Committee will play its part in ensuring that momentum on SEA is maintained. We will start with an examination of the Government's response to this report and consideration of the Charity Commission's findings; and following that, we will scrutinise the annual reports on safeguarding that we hope the Department will agree to publish. We will also consider safeguarding risks as part of future inquiries, so that we can monitor how well DFID is ensuring that safeguarding is integrated across its programmes.

3 A victim-centred approach?

63. Corinna Csáky told us that a victim and survivor centred approach to SEA is “absolutely critical”:

Without this, you are designing a system in a vacuum that, essentially, nobody will use.¹¹²

64. With this in mind, we have been struck by the apparent lack of a victim-centred approach to SEA within the sector. When we met the UN Secretary-General, he told us that up until now, a victim-centred approach to SEA within the UN system has been totally absent.¹¹³ Indeed, a review of the UN cross-agency response to the 2014 allegations against French peacekeepers in the Central African Republic concluded, amongst other criticisms, that the welfare of victims “appeared to be an afterthought, if considered at all.”¹¹⁴ Helen Evans told us that, in 2014, the UN representatives on the IASC PSEA Task Force argued for a merger with the IASC Accountability to Affected Populations (AAP) Task Force, on the basis that they could use the same community-based complaint mechanisms. Ms Evans objected to this merger, 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 are entirely different”.¹¹⁵ The merger went ahead.¹¹⁶ We were told by the AIDS-Free World’s Code Blue Campaign (hereafter ‘Code Blue’) that UN investigations into SEA allegations have displayed an “overwhelming bias against victims”.¹¹⁷ From various meetings at the UN in New York, we learned that the way in which victims and survivors are kept informed about the progress of investigations requires improvement. The heavy burden of proof required to substantiate an allegation means that the accuser is often left more in the dark about an investigation than the accused. Currently the UN OIOS has no process for feeding back to victims about the progress of investigations and it does not provide protective services.¹¹⁸

65. It is not only the UN that has been criticised for failing to put victims and survivors at the centre of their response to SEA. DFID concluded, from the assurances that it gathered from aid charities in March 2018, that the charities needed to show more evidence of “putting beneficiaries first” and “demonstrating that survivors’ well-being, dignity and support is a priority”.¹¹⁹

66. We have noted recent efforts from the UN, NGOs and DFID, to ensure that going forward, responses to SEA will have victims and survivors at the centre. The UN Secretary-General named “putting the rights and dignity of victims first” as one of the four key pillars of his “new approach” to SEA in 2017. Accordingly, he appointed a Victims’ Rights Advocate in August 2017 “to ensure that reliable, gender-sensitive pathways exist for

112 [Q485](#)

113 See Annex 1

114 Marie Deschamps, Hassan B. Jallow, Yasmin Sooka, [Taking Action on Sexual Exploitation and Abuse by Peacekeepers: Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic](#), (December 2015)

115 [Q177](#)

116 Inter-Agency Standing Committee, ‘[IASC Task Team on Accountability to Affected Populations and Protection from Sexual Exploitation and Abuse \(AAP/PSEA\)](#)’, accessed 24 July 2018

117 AIDS-Free World’s Code Blue Campaign ([SEA0035](#))

118 See Annex 1

119 Department for International Development, [High Level Summary: Safeguarding Assurance Returns from UK Charities](#), accessed 24 July 2018

every victim or witness to file complaints and that assistance is rapidly and sensitively delivered".¹²⁰ The language of a victim-centred approach was present in some of the written evidence we received from NGOs¹²¹ and we heard from Steve Reeves that the four working groups set up by the Safeguarding Summit are currently seeking to ensure that victims and survivors are represented at the International Safeguarding Conference in October.¹²² The Secretary of State told us that the opening session of the Conference would involve victims and survivors of SEA.¹²³

67. We have, however, also heard evidence to suggest that whilst the importance of a victim-centred approach is widely acknowledged, this is not yet being fully brought to fruition. In our meetings at the UN, we asked why IASC's PSEA and AAP Task Forces remained merged, denying victims and survivors of SEA a tailored response. We were told, as the argument ran in 2014, that the merger enabled the two Task Forces to share the same community-based complaint mechanisms. The fact that this potentially marginalises the victims and survivors of SEA was not acknowledged. We were also left questioning whether the structural separation of victims' rights from the wider coordination of PSEA work illustrates a truly victim-centred approach. The creation of the high-level position of Victims' Rights Advocate demonstrates a level of commitment to the rights of victims, but the fact that the position exists separately from that of the UN Special Coordinator on SEA, could also imply that the victim-centred approach is not being fully integrated into the UN's SEA response.

68. We have also seen evidence that brings into question the comprehensiveness of DFID's victim-centred approach. It has been stressed to us that there is a serious danger and risk of retribution for victims who report SEA in some communities. The International Rescue Committee UK wrote:

in Yemen, a survivor of SEA might be accused of adultery or engaging in the crime of prostitution and be arrested as a consequence. In less extreme cases, survivors of SEA might still prefer not reporting a case to the police or other local authorities for fear of being blamed for the violence.¹²⁴

The DFID Secretary of State wrote to multilateral agencies in March 2018 demanding key assurances, of which one was:

That you have referred any and all concerns your organisation may have on specific cases and individuals to the relevant authorities, including the relevant national authorities in countries where incidents occur.¹²⁵

Such a blanket requirement runs contrary to the warnings of NGOs about the potential for subjecting victims and survivors to further harm. DFID recognised in their oral evidence

120 United Nations General Assembly, *Special Measures for Protection from Sexual Exploitation and Abuse: a new approach. Report of the Secretary General*, (February 2017)

121 See for example, World Vision UK ([SEA0019](#)), British Red Cross ([SEA0020](#)), Christian Aid ([SEA0031](#))

122 [Q516](#)

123 [Q441](#)

124 International Rescue Committee UK ([SEA0030](#))

125 Department for International Development, Letter to Multilateral Agencies from International Development Secretary, March 2018

that a much more nuanced approach was appropriate when it comes to reporting SEA allegations to national authorities.¹²⁶ Peter Taylor, the Head of DFID's new Safeguarding Unit said:

you will hear one side of the argument saying, "Everything must be reported otherwise you risk other people being victims in the future" against, "You need to respect the views and the wishes of individuals who have been victims".¹²⁷

He also said that DFID hoped to be able to provide clearer guidance on this issue by October, and that one of the four working groups established by the Safeguarding Summit was currently working on this.¹²⁸ We are still not clear why a requirement to report "any and all" cases appeared in DFID's March letter, and not the more considered approach presented by DFID in the evidence session.

69. The inclusion of victim and survivor voices will remain important beyond the October conference. Oxfam told us:

It is critical to ensure that the voices of survivors and beneficiary communities are engaged on an ongoing basis in developing safeguarding processes.¹²⁹

Helen Evans has recommended that DFID should fund consultation with survivors of SEA to define safeguarding best practice.¹³⁰

70. A failure to listen to and consider the needs of victims and survivors of SEA, will engender a response that is not only ineffective, but potentially harmful. Victims and survivors should demonstrably be front and centre of all efforts to tackle SEA and this means the inclusion of victim and survivor voices in policy-making processes on an ongoing basis. The UN Secretary-General's commitment to a victim-centred approach, and the Secretary of State's emphasis on including victim and survivor voices in the October Safeguarding Conference are both important steps. In order to be meaningful, however, the victim-centred approach needs to be fully integrated across all aspects of the sector's SEA response.

126 [Q448](#)

127 [Q450](#)

128 [Ibid](#)

129 [Oxfam GB \(SEA0028\)](#)

130 [Helen Evans \(SEA0021\)](#)

4 Improving reporting

Tackling under-reporting

71. The 2008 Save the Children report, ‘No One to Turn To’, revealed “chronic under-reporting” of abuse. In the words of one teenage girl in Côte d’Ivoire

We have never heard of anyone reporting the cases of abuse.¹³¹

ODI told us that “such under-reporting has made data collection on the scale and type of SEA difficult, analysis of the problem inaccurate and remedial measures ill-targeted”.¹³² The author of the 2008 report, Corinna Csáky, said that “the issue of reporting is vital to tackling this problem as a whole”.¹³³

72. However, the vulnerability and disempowerment of the victims and survivors of abuse in crisis settings create multiple interlocking barriers to reporting. These include:

- Dependency on the abuser
“He’s using the girl, but without him she won’t be able to eat.” (Teenage girl, Cote d’Ivoire)
- Fear of retaliation
“Some children are scared they might be killed by the abuser.” (Young boy, Haiti)
- Fear of being stigmatised
“Your name will be ruined” (Young girl, Cote d’Ivoire)
- Fear of other social consequences, such as being forced to marry the abuser
“The father would try to persuade the man to take the girl as a bride and to pay cattle for her.” (Young girl, South Sudan)¹³⁴

Sarah Blakemore, Director of Keeping Children Safe, said that barriers to reporting were “fundamentally... about the enormous imbalance of power”.¹³⁵

73. This power imbalance does not just exist between the perpetrator and the victim of abuse. It also exists in a broader sense between the communities receiving aid and those providing it. This can create wider social pressure on victims and survivors and their families not to report. Corinna Csáky gave the example of a case in South Sudan when, following the death of a victim:

131 Save the Children, *No One to Turn To: the under-reporting of child sexual exploitation and abuse by aid workers and peacekeepers* (2008)

132 Overseas Development Institute ([SEA0027](#))

133 [Q491](#)

134 [The experiences of victims of sexual exploitation and abuse: Presentation by Corinna Csáky, author of 2008 report presents victim and survivor testimonies](#)

135 [Q369](#)

the local government went to her parents and went to the community and said, “Do not take any action because we are worried the humanitarian assistance will go”. Their very strong advice was “Do not speak out. Do not take this forward through any official capacity”.¹³⁶

74. Despite these barriers, we heard that there are many ways in which reporting mechanisms can be improved. In our meetings at the UN, community-based reporting mechanisms were frequently championed. The importance of providing avenues for reporting that do not require victims and survivors to contact the aid agencies are clear:

The people who are raping us and the people in the office are the same people. (Young girl, Haiti)¹³⁷

The IRC UK suggested:

An independent body, preferably drawn from local women’s rights organisations or other civil society actors with experience of dealing with violence against women and girls, would be best placed to receive confidential reports from programme beneficiaries and to support them through the necessary investigations, prioritising their safety throughout the process.¹³⁸

According to Corinna Csáky, child-friendly spaces can also play a role in providing children with an environment in which they are able to talk about abuse.¹³⁹

75. Helen Evans underscored the importance of providing opportunities for victims and survivors to disclose the abuse verbally:

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.¹⁴⁰

76. She also stressed the need to be proactive:

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.¹⁴¹

The case for proactively seeking reports, as opposed to waiting to receive them, is clear. The research conducted by Corinna Csáky for the 2008 report shows the level of abuse that can be uncovered when organisations are looking for it. As Steve Reeves said: “if you actively provide people with the opportunity to disclose, they are more likely to do that”.¹⁴²

136 [Q481](#)

137 [The experiences of victims of sexual exploitation and abuse: Presentation by Corinna Csáky, author of 2008 report presents victim and survivor testimonies](#)

138 International Rescue Committee UK ([SEA0030](#))

139 [Q484](#)

140 [Q169](#)

141 [Q156](#)

142 [Q512](#)

77. Corinna Csáky emphasised the value of feeding back to victims and survivors about what action has been taken, as a lack of confidence in the value of reporting can also dissuade victims from bringing an allegation:

If a case is reported, the fact that nothing happens can put people off coming forward (Father, Cote d'Ivoire)¹⁴³

78. IRC UK agreed that “reporting mechanisms which do not provide feedback about the outcome of the investigation to those who reported are unlikely to be seen as effective and reliable by the affected population.”¹⁴⁴

79. Corinna Csáky also suggested that a wider programme of education for children about their rights would encourage reporting: “Many of them said, ‘If we knew about our rights we would know how to stand up for them’”.¹⁴⁵ This should come hand in hand with programmes that address sexual and gender-based violence in the wider community. Ms Csáky said:

tackling this problem by the aid sector is absolutely integrated with tackling the problem in those communities as a whole... It is happening by people in the local communities, businessmen, teachers, as well as people associated with the aid sector. I suppose from the perspective of victims and survivors, they described how they are growing up in a context where this is normal.

The conclusion one can draw from that is, in order to do something about it, you have to also tackle the broader context and invest in addressing the drivers of this abuse. As we have seen, these humanitarian workers are not operating in a vacuum. Many of them come from these local communities. The fact that they are being supported by aid money from overseas means we bear some responsibility.¹⁴⁶

80. Corinna Csáky stressed that there are practitioners within the aid sector who have made “leaps and bounds” in developing solutions for overcoming barriers to reporting.¹⁴⁷ We heard that some guidance on establishing complaint response mechanisms is already included in the Core Humanitarian Standard¹⁴⁸ and the IASC PSEA Task Force offers resources that contain “guidance on creating trusted mechanisms that help combat the barrier of the power imbalances”.¹⁴⁹ It seems that best practice could be consolidated, however, with World Vision inviting “internationally coordinated action that will encourage and support greater beneficiary reporting”.¹⁵⁰

81. Fundamentally, though, effective reporting mechanisms require resources. Corinna Csáky told us that the “two decades of recommendations” that have been amassed by the aid sector for how to improve reporting have fallen down in their implementation due to

143 [The experiences of victims of sexual exploitation and abuse: Presentation by Corinna Csáky, author of 2008 report presents victim and survivor testimonies](#)

144 International Rescue Committee UK ([SEA0030](#))

145 [Q480](#)

146 [Q476](#)

147 [Q486](#)

148 Christian Aid ([SEA0031](#))

149 International Rescue Committee UK ([SEA0030](#))

150 World Vision UK ([SEA0019](#))

a lack of funding and political commitment: “There is definitely hope. It is just a question of prioritisation”.¹⁵¹ When resources are invested, the impact quickly becomes apparent. Helen Evans said:

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 forward; it is not that there are more incidents; it is just that you are getting on top of that under-reporting.¹⁵²

Kevin Watkins corroborated this, telling the Committee that Save the Children’s improvements to reporting mechanisms were reflected in the increased numbers of reports.¹⁵³

82. Alongside increased investment, we heard that there must be recognition from donors that, in the words of a senior representative of UNDP, “the numbers of reports will go up before they go down”.¹⁵⁴ Several aid organisations stressed to us that an increase in the numbers of reports received from beneficiaries should be understood by donors as an indicator of improved systems, not of more incidents¹⁵⁵ and in fact, “large agencies that never identify a single case of abuse should be questioned about the efficacy of their systems”.¹⁵⁶

83. Additionally, we were told that support must be provided for those who do report. The World Bank said: “make sure all arrangements to support potential survivors are in place before a survivor is identified”.¹⁵⁷ In a joint submission, Rape Crisis and Equality Now wrote that:

Given the low incidence of reporting it is essential that anyone who does speak out about sexual abuse or exploitation should be afforded independent advocacy and support from a specialist in sexual violence and its impacts¹⁵⁸

The importance of this is underlined by the fact that in 2008, Corinna Csáky found that there was a striking lack of support provided to those who did come forward: “Very few people in Haiti, in Côte d’Ivoire and Southern Sudan had ever heard of a victim receiving medical, legal, psychosocial or financial support. In fact, not once was this ever voluntarily mentioned to be a necessary requirement of the response”.¹⁵⁹

84. Should the reporting mechanisms fail for whatever reason, we heard that whistleblowing procedures can “provide an important safety net” for survivors, or, perhaps more likely, witnesses of abuse.¹⁶⁰ It seems that this is an area with room for improvement. DFID expressed their concern in the High Level Summary of assurance returns that 55

151 [Q486](#)

152 [Q176](#)

153 [Q494](#)

154 See Annex 1

155 CARE International UK ([SEA0017](#)), British Red Cross ([SEA0020](#)), Plan International UK ([SEA0024](#))

156 CARE International UK ([SEA0017](#))

157 See Annex 1

158 Rape Crisis England and Wales and Equality Now ([SEA0058](#))

159 [Q473](#)

160 CARE International UK ([SEA0017](#))

organisations had not referred to whistleblowing policies.¹⁶¹ We note that whistleblowing systems, to be effective, need to be as accessible as possible. Crown Agents have explained why this is not straightforward, and accessibility requires thoughtful consideration:

Crown Agents' hotline is free-to-use from virtually every location in the world, calls from some countries however require access to an in-country operator to reverse calls and whilst our service offers the opportunity to articulate concerns in a huge range of languages it does not cover all regional or indigenous dialects. The platforms through which concerns can be raised may not necessarily be available to the communities we serve. Access to internet and mobile phone services remain limited, especially amongst our project beneficiaries. Crown Agents also recognises that the act of whistleblowing takes significant courage, particularly if poor or disempowered individuals or more junior employees wish to flag a concern against someone who could represent access to vital resources or be in a position of influence within a project or organisation.¹⁶²

85. Evidence we received from UN whistleblowers illuminated why whistleblowing systems should not exist without robust protections for those who use them.¹⁶³ For example, Caroline Hunt-Matthes, an independent investigator and former UN staff member told us how, after reporting concerns that staff at UNHCR had obstructed her investigation into an alleged rape by another UNHCR staff member, she was dismissed from her post in 2004. Her request for protection against retaliation was denied by the UN Ethics Office.¹⁶⁴ The case was only settled in June 2018.¹⁶⁵

86. According to DFID, some of the organisations who submitted assurances had “a no retaliation/no reprisal clause” in their whistleblowing policies, but this does not seem to be the case across the board.¹⁶⁶ We also heard, once again, that policies are only effective to the extent that they are properly implemented. It is therefore encouraging to see that part of the follow-up to the Safeguarding Summit will involve “a systematic audit of whistleblowing practices across the sector to ensure individuals feel able to report offences”.¹⁶⁷

87. Improving reporting of SEA is vital to understanding the problem, responding to it, and ultimately, to preventing it. Aid organisations and donors must consider this an absolute priority. It is galling to hear that the main obstacle to progress in this area has been a lack of funding. This cannot continue.

88. Donors, and in particular DFID, must provide funds to support the implementation of reporting mechanisms as well as a broader programme of initiatives to increase understanding of rights and tackle sexual and gender-based violence more widely. There must also be provision of support services for those who do come forward and report

161 Department for International Development, [High Level Summary: Safeguarding Assurance Returns from UK Charities](#), accessed 24 July 2018

162 Crown Agents ([SEA0053](#))

163 Dr Miranda Brown ([SEA0033](#)), Ms Caroline Hunt-Matthes ([SEA0034](#))

164 Ms Caroline Hunt-Matthes ([SEA0034](#))

165 “Whistleblower wins 15-year battle after UN sacked her over rape claim”, The Times, 6 June 2018

166 Department for International Development, [High Level Summary: Safeguarding Assurance Returns from UK Charities](#), accessed 24 July 2018

167 Department for International Development, [‘Actions to tackle exploitation and abuse agreed with UK charities’](#), 5 March 2018

abuse. Alongside this, donors must acknowledge and communicate their understanding of the fact that an increase in the number of reports of SEA will be considered an indicator of improved reporting mechanisms.

89. We welcome the fact that one of the four working groups established after the Safeguarding Summit is focused on reporting. In all efforts to improve reporting of SEA, there needs to be an understanding of the extreme vulnerability of the people who are being asked to report.

90. *The working group must ensure that this is at the heart of any recommendations they make on improving reporting mechanisms. Recommendations should also recognise the value of a proactive approach to gathering reports, involving outreach and the creation of spaces where victims and survivors feel they can talk about abuse.*

91. We welcome the fact that there will be a systematic audit of whistleblowing practices across the sector.

92. *Accessibility of whistleblowing systems and protections for the people who use them should be key aspects of this. The remit of the audit should go beyond an examination of what exists at the policy level, and should test the extent to which systems and protections are working effectively.*

Handling reports once received

93. We have already outlined the potential risk of exposing victims and survivors to further harm if, on receiving a report of SEA, aid organisations always refer these to relevant authorities. The possibility of exposing victims and survivors to harm should not just be a consideration when it comes to referring potential crimes. We heard from the International Rescue Committee that even just the act of data collection carries risks for the victims and survivors, including retaliation, stigmatisation and breaches of confidentiality.¹⁶⁸ NGOs have told us they would welcome further guidance on this, both in relation to referrals of potential crimes,¹⁶⁹ and on common standards for reporting, investigating and following-up cases of SEA more generally.¹⁷⁰ We note that the participants of the Safeguarding Summit agreed on “the vital role of establishing clear guidelines for referring incidents, allegations and offenders to relevant authorities”¹⁷¹ DFID told us that they are working towards being able to provide clearer guidelines by October 2018, based on the findings of the working group on reporting established at the Safeguarding Summit in March.¹⁷²

94. Our evidence has highlighted the importance of ensuring that any investigations are robust, and led by properly skilled investigators. Helen Evans said:

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.¹⁷³

168 International Rescue Committee UK ([SEA0030](#))

169 Oxfam GB ([SEA0028](#))

170 International Rescue Committee UK ([SEA0030](#))

171 Department for International Development, ‘[Actions to tackle exploitation and abuse agreed with UK charities](#)’, 5 March 2018

172 [Q450](#) [Peter Taylor]

173 [Q166](#) [Helen Evans]

Caroline Hunt-Matthes, drawing on her experience at the United Nations, also said that investigators should have proper training in this field.¹⁷⁴ Helen Evans' submission to the Committee recommended that DFID should establish a "gold standard for safeguarding investigations including a professional qualification for safeguarding investigators".¹⁷⁵

95. The lack of clear, best practice guidelines for how to handle reports of SEA once they have been received, both in terms of conducting an investigation, and referring potential crimes to relevant authorities, leaves organisations ill-equipped, and victims and survivors at risk. We welcome DFID's commitment to provide clearer best practice guidelines on referring potential crimes to relevant authorities, based on the findings of the working group focused on improving reporting.

96. DFID's Safeguarding Unit can play a role in communicating these widely. The Safeguarding Unit should also set and communicate best practice standards for robust, victim-centred investigations, led by specialist investigators.

174 Ms Caroline Hunt-Matthes ([SEA0034](#))

175 Helen Evans ([SEA0021](#))

5 Resources for safeguarding

97. Across the sector, resources for safeguarding are in deficit. This is not just a problem when it comes to the implementation of reporting mechanisms, but also affects “skills and capacity”.¹⁷⁶ Helen Evans told us that when she attended meetings of the IASC PSEA Task Force, a common point of agreement was that “everyone is massively under-resourced”.¹⁷⁷ Bond said that their members had described how the pressure to reduce overheads made it difficult to ensure that enough resource was allocated to safeguarding.¹⁷⁸

98. We heard that there is a need for a new approach when it comes to budgeting for safeguarding, whereby it is treated not as an “add on” but a “fundamental aspect of how we treat people as beneficiaries”.¹⁷⁹ A recurring theme across the evidence we received from NGOs, was that safeguarding should be integrated into project costs, and donors should expect to see these costs in budgets.¹⁸⁰ This was corroborated by contractors,¹⁸¹ and received strong support from the Charity Commission. Helen Stephenson, Chief Executive of the Commission said:

We would expect charities to include the costs of ensuring that their people are safe in any bid or any programme that they put forward. In fact, we have worked with the Association of Charitable Foundations to ensure that it recognises and communicates to members that safeguarding is absolutely something that they should fund as part of the costs when they are funding a grant to an organisation. I can only emphasise that we think it is a hugely important part of any grant giving process, and we do not see it as admin expenditure but something that is core to delivering a safe and proper service.¹⁸²

99. DFID told us that if smaller organisations were struggling to meet the new due diligence standards set by the Department with regards to safeguarding, then they should communicate to DFID what they would need to achieve that, and DFID would assess those requests on a “case-by-case” basis:

We have said to organisations, “If you feel you need more resource be upfront about it. Don’t try to hide it in budgets or proposals” and we will have a conversation about it and we see what we think is reasonable.¹⁸³

100. Donors cannot expect aid organisations to integrate safeguarding into their programmes without the resource to do so.

101. DFID should take responsibility for ensuring that safeguarding is a line in every budget for programmes where there are safeguarding risks, and should ensure that grants and contracts awarded to such programmes allow for these costs.

176 British Red Cross ([SEA0020](#))

177 [Q175](#)

178 Bond ([SEA0015](#)); [Q234](#) [Caroline Nursey]

179 Bond ([SEA0015](#))

180 ICSA: The Governance Institute ([SEA0013](#)), Bond ([SEA0015](#)), CARE International UK ([SEA0017](#)), Oxfam GB ([SEA0028](#))

181 [Q258](#) [Sarah Maguire]

182 [Q437](#)

183 [Q466](#) [Peter Taylor]

6 Employment practices

Registering aid workers

102. The globalised and often chaotic nature of aid work presents challenges to robust employment screening. Emergencies often lead to very short recruitment time-frames, where, according to CARE International UK, “the push to get lifesaving assistance... into the field quickly often comes at the expense of good protection analysis and steps that would reduce the risks of unintended harm - including SEA - are skipped or deferred”.¹⁸⁴ Organisations are also required to work across multiple jurisdictions “where vetting frameworks differ in scale and effectiveness”.¹⁸⁵

103. At the start of this inquiry, we put forward one possible solution to this problem, in the form of a draft Bill, in which we proposed that humanitarian and development aid work should become a regulated profession, which would mean that staff are be subject to a DBS background check in order to work in the sector.¹⁸⁶ We have received a number of submissions that express support for such a proposal, but submissions have also highlighted the proposal’s limitations, primarily that it would only apply to British staff.¹⁸⁷ In a globalised profession, this is not a holistic solution. We certainly took this feedback on board and the draft Bill provides Ministers with powers to amend or repeal any UK arrangements once satisfied that a viable multi-jurisdictional scheme is in place. In the interim, we do believe that the UK should blaze a trail and the draft Bill was designed to point the way.

104. Save the Children have proposed that a globalised system of criminal records background checks, facilitated by INTERPOL would be helpful and, importantly, feasible.¹⁸⁸ Alongside this, they argued for a “unified database and indexing system tied to individualised ‘humanitarian passports’. This system would only allow pre-approved individuals to work in humanitarian and development settings”.¹⁸⁹ We know that a group of INGOs is currently looking into how both of these proposals could be actioned¹⁹⁰ and that DFID is also providing support for these proposals to be further explored in the working groups set up after the Safeguarding Summit.¹⁹¹

105. We are cognisant of the many reasons why both these systems would be difficult to establish. As always, there is also the issue of cost. At the moment, the onus is on organisations themselves to fund safeguarding checks, but this could put smaller organisations at a disadvantage. Plan International UK warned that it would be important for background checks to be “financially, and practically, accessible to smaller as well as larger organisations”.¹⁹²

106. In addition to the resource question, we have also heard that as aid workers from different countries may not all be able to provide required documentation, the existence

184 CARE International UK ([SEA0017](#))

185 International Rescue Committee UK ([SEA0030](#))

186 [The draft International Development \(Safeguarding Vulnerable Groups\) Bill](#)

187 See for example, Save the Children ([SEA0009](#)); Plan International UK ([SEA0024](#)); Oxfam GB ([SEA0028](#))

188 Save the Children ([SEA0009](#)), [Qq105](#), [107](#)

189 Save the Children ([SEA0009](#))

190 Oxfam GB ([SEA0028](#))

191 Department for International Development ([SEA0012](#))

192 Plan International UK ([SEA0024](#))

of global checks or a global register could lead to an “uneven kind of global marketplace” where “some aid workers are very highly regulated and checked and others are not”.¹⁹³ We were also told of the need for any global register to be independent to ensure fairness and equivalent standards across the board.¹⁹⁴

107. There are also risks of creating false assurances. Purposeful perpetrators can be opportunists and would not necessarily be filtered out by a passporting system or background checks.¹⁹⁵ This arguably only works once we have a more “mature global safeguarding system” where more allegations of SEA are being brought forward, investigated and substantiated.¹⁹⁶ Another gap is that the majority of aid workers on the ground are locally engaged staff whom the scheme may not touch. We believe that our first priority is to ‘do no harm’ and to minimise risks of adding to the misery and vulnerability of the beneficiary population by importing potential abusers in humanitarian guise.

108. Kevin Watkins, CEO of Save the Children, has disagreed with some of these objections. In response to the point that the sector currently lacks the global framework for a global register, he said: “My short answer to that problem is to create one”.¹⁹⁷

109. A global register of aid workers would act as one barrier to sexual predators seeking to enter the international aid profession. Logistical, practical and financial difficulties, whilst they present challenges, should not deter efforts to make this a reality. We are encouraged by the DFID Permanent Secretary’s pronouncement that “nothing is in the ‘too difficult’ box” and we are confident that solutions can be found. We accept that such a register is not a perfect solution, and, undoubtedly, people will slip through the cracks and it may not cover locally-engaged aid workers. We see this as a reason to implement this solution in conjunction with other measures, such as investment into effective, victim-centred reporting mechanisms.

110. *The international aid sector, led by DFID, should create an international register of aid workers, collectively resourced and independently managed. DFID should secure commitment to this at the International Safeguarding Conference in October, with an agreed action plan for taking it forward. This plan should include consideration for how the register will be funded and managed, the level of checks required, and which types of aid workers it will be applied to.*

Communicating misconduct

111. The media coverage around the Oxfam Haiti scandal last February revealed that Roland van Hauwermeiren, Oxfam GB’s Country Director in Haiti, was able to move to another senior position within the sector after having admitted to Oxfam’s investigation team in 2011 to i) the use of prostitutes in Oxfam GB premises and ii) negligence and failure to safeguard employees - in particular, female employees.¹⁹⁸ Action Against Hunger, who then employed Mr van Hauwermeiren from 2012 to 2014, said that they “received no information regarding any inappropriate or unethical behaviour by Roland van Hauwermeiren while he was with Oxfam in Haiti, or any warning on the risks of

193 [Q162](#) [Asmita Naik]

194 [Ibid](#)

195 [Qq164](#), [Q195](#)

196 [Q164](#) [Helen Evans]

197 [Q107](#)

198 Oxfam, [‘Haiti Investigation Report’](#), accessed 25 July 2018

employing him”.¹⁹⁹ The fact that a senior staff member who had admitted to sexual misconduct, had been the subject of other allegations and had failed to uphold safeguarding responsibilities was able to remain in the sector undetected underscores the urgent need for rapid improvements in the way that the international aid sector communicates misconduct.

112. Organisations are now grappling with how to share information about staff who pose a potential risk to beneficiaries. Legal issues around data protection create a challenge for organisations that do want to warn other employers about potentially dangerous individuals who have been accused of SEA.²⁰⁰ This challenge is exacerbated by the known practice of individuals who are under investigation resigning and moving to another organisation before the investigation is complete.²⁰¹ NGOs have called for guidance and clarity on what can and cannot be shared within the legal framework.²⁰²

113. At the UN, we heard about the introduction of a new SEA screening database to prevent staff who are dismissed on account of SEA allegations from being hired by another UN agency. We were told that the database is currently in development, but will soon be opened up to NGOs. Those who have been disciplined will be flagged in the database.²⁰³ DFID have cautioned that the problem of under-reporting and the difficulties involved in substantiating claims mean that such a database will “record only a fraction of cases”.²⁰⁴

114. One proposed method for navigating restrictions on data sharing, put forward by the British Red Cross, is to use a privacy waiver, “whereby candidates agree that their previous employers disclose certain information to the prospective employer”.²⁰⁵ At a recent Inter-Agency Standing Committee Principals meeting in May, attendees committed to taking forward such proposals within their organisations.²⁰⁶

115. We have received evidence, however, indicating that in addition to exploring new mechanisms for enabling data sharing, there is also a need to strengthen basic HR good practice within the aid sector. We heard anecdotal evidence in our meetings in New York, that even within legal boundaries, organisations are not always disclosing information that is relevant and important for other organisations to be aware of. Prospective employers, in turn, do not always seek references from the referees provided by a candidate or follow-up on references that may imply a cause for concern.²⁰⁷ We note that whilst Oxfam did not disclose any details about Mr van Hauwermeiren’s misconduct to Action Against Hunger, they did say that, “We cannot complete the form that you asked us to complete... For legal reasons, we cannot say more”.²⁰⁸ Oxfam have acknowledged that they should have been more proactive in flagging up a cause for concern.²⁰⁹ This case suggests that prospective employers could also be more proactive in following up incomplete references.

199 Action Against Hunger, ‘[Statement following the Oxfam investigation in The Times](#)’, 9 February 2018

200 International Rescue Committee UK ([SEA0030](#))

201 Ms Caroline Hunt-Matthes ([SEA0034](#))

202 CARE International UK ([SEA0017](#)); Christian Aid ([SEA0031](#))

203 See Annex 1

204 Department for International Development ([SEA0012](#))

205 British Red Cross ([SEA0020](#))

206 Inter-Agency Standing Committee, [Principals Meeting Summary Record and Action Points](#), 31 May 2018

207 See Annex 1

208 [Q76](#)

209 [Q20](#)

116. Clearly, the known practice of individuals resigning mid-investigation, presents a challenge to employers. Caroline Nurse, Chair of the Board of Bond, explained:

If a staff member is accused of inappropriate behaviour, whether it is towards a colleague or a beneficiary, processes need to be done to find out whether it is true. If the staff member leaves during that period, they are not bonded labourers, we cannot stop them physically leaving and we do not necessarily have the evidence to say this person should not be working elsewhere, because the process has not been completed. On the surface, it looks totally unacceptable that people are playing the system like that, but, if you are going to work within the law even in this country, you have to allow processes to be completed properly. How we square that is a real challenge.²¹⁰

117. But we have also been told that this is not insurmountable. Sarah Maguire, Director of Technical Services, Governance, Development Alternatives Incorporated (DAI), said:

In the situation where somebody left during the course of a live investigation, I have just checked with my head of human resources, and there is no reason why we could not take up exactly your suggestion, Mr Russell-Moyle, to say, if asked, “This person left while there was an investigation alive”.²¹¹

CARE International UK told us that in accordance with their new referencing guidelines, “References will refer to any pending investigation of allegations”.²¹²

118. References that are provided by individuals and not by an organisation’s HR department can also allow substantiated misconduct, even gross misconduct, to be concealed. This was the case with one of the individuals who was subject to investigation by Oxfam in Haiti in 2011.

One gave as his referee one of the other staff in the Haiti office who was his senior, who then got sent a form by another agency to fill in and filled it in as from Oxfam. It had no official Oxfam stamp, but it was as from Oxfam.²¹³

Oxfam have said that “from now on, references will only be issued by an accredited referee”.²¹⁴

119. We note that all organisations at the Safeguarding Summit in March agreed “the importance of an urgent review of referencing in the sector”.²¹⁵

120. The ease with which individuals known to be predatory and potentially dangerous have been able to move around the aid sector undetected is cause for deep concern and alarm. We welcome efforts to overcome barriers to data sharing and create joint systems that allow for rapid communication between organisations about individuals

210 [Q236](#)

211 [Q252](#)

212 CARE International UK ([SEA0017](#))

213 [Q67](#) [Mark Goldring]

214 Oxfam GB ([SEA0028](#))

215 Department for International Development, ‘[Actions to tackle exploitation and abuse agreed with UK charities](#)’, 5 March 2018

who present a safeguarding risk. However, the primary concern should be an improvement of existing referencing procedures, so that all organisations are, at the very least, displaying basic HR good practice.

121. The International Safeguarding Conference in October provides an excellent opportunity to secure commitment on a series of best practice standards with regards to referencing. These should be based on a clear statement of what information can and cannot be shared between organisations, according to data protection law, and should include the following principles: organisations should always, without exception, seek references for prospective employees and follow-up on any incomplete references; organisations should ensure that all references given to other employers have been signed off by HR or an accredited referee; and if an individual resigns mid-way through an investigation, references should highlight that this was the case.

7 Organisational culture

Creating a zero tolerance culture

122. We heard, again and again, that progress cannot be made with regards to tackling SEA without root and branch transformation of organisational culture.²¹⁶ Christian Aid summarised the point:

ultimately the heart of the solution must be creating and nurturing a culture in which harassment, abuse and exploitation are never acceptable, where reporting such acts is encouraged and facilitated, and where policies are fully and effectively implemented and monitored for effectiveness.²¹⁷

123. Large aid organisations working across multiple different countries and contexts have found that instilling a comprehensive zero tolerance culture throughout the organisation can be challenging.²¹⁸ DFID told us that this is due to:

different legal and/or cultural understandings of what constitutes sexual exploitation and abuse, the ‘age of consent’ and the definition of a child, as well as significant power differentials between men and women, or between the rich and the poor.²¹⁹

Drawing on research on corruption prevention, ODI emphasised that organisations cannot rely only on the existence of policies and codes of conduct, but must ensure that these are embedded: “they must be explained clearly and understood by staff, and penalties for any violation of the policies must be enforced”.²²⁰

124. A further challenge is presented by the use of supplier chains, with local organisations often being contracted to deliver the front-line services provided by INGOs. According to the British Red Cross, this is “where much of the risk lies”.²²¹ Changing Aid said that this is a problem at the UN, where contractors are paid by UN agencies but not covered by their SEA policies.²²² UNFPA told us that the terms and conditions of their Implementing Partner Agreement now contains a section on PSEA, including a commitment by the partner to “assessment, monitoring and assurance activities”.²²³ IRC said that measures of this kind, “would go a long way towards raising awareness within the aid sector that we are serious about the problem of SEA”.²²⁴

125. However, spreading a culture of zero tolerance on SEA to country offices and partner organisations is only part of the issue. We have received evidence that points to a long-standing sector-wide culture in which SEA is an ‘open secret’ and those who speak out are silenced and ostracised.²²⁵ Women working in the aid sector have reported facing

216 See, for example, Q8; Q162; British Red Cross (SEA0020); ActionAid UK (SEA0023); Christian Aid (SEA0031)

217 Christian Aid (SEA0031)

218 British Red Cross (SEA0020)

219 Department for International Development (SEA0012)

220 Overseas Development Institute (SEA0027)

221 British Red Cross (SEA0020)

222 Changing Aid (SEA0025)

223 UNFPA (SEA0029)

224 International Rescue Committee UK (SEA0030)

225 Anonymous (unpublished)

“hostile work environments” after reporting cases of SEA.²²⁶ Caroline Hunt-Matthes, an independent investigator who has worked for 8 UN organisations, described a “culture of brutal retaliation” against whistleblowers at the UN and a “culture of denial when the UN or a humanitarian organisation is confronted with SEA allegations”.²²⁷ This is not just about lack of clarity over what is acceptable, and points to something much deeper and darker, and altogether more difficult to address.

126. We heard that responsibility for setting an ethical, value-based organisational culture falls to the leaders at the top.²²⁸ Trustees have a particular role to play and we were told about the importance of making sure that trustees are properly recruited, inducted and trained.²²⁹ The Charity Commission is stepping-up its efforts to ensure that trustees have sufficient access to support and guidance on safeguarding, albeit with limited resource.²³⁰ We were also told that managers “at every level of the chain” should then be taking responsibility for enforcing a culture of zero tolerance.²³¹ We heard that country directors are particularly influential in this regard, due to the “strong correlation between the tone set by the country director and what everybody else would think was permissible”.²³²

127. Cultural change has no quick-fix and requires consistent reinforcement and ongoing engagement. Changing Aid talked about the need for policies to be “consistently, proactively and regularly communicated, rather than only shared reactively in response to media coverage of violations of the policies”.²³³ We also heard about the importance of assessments of culture to ensure that the policies on paper are reflected in behaviour. Since the Haiti scandal broke in February, Oxfam have established an independent commission to review its culture in relation to safeguarding.²³⁴ In March, Save the Children UK also commissioned a broad independent review of organisational culture,²³⁵ but including specific reference to: staff confidence; complaints handling; reference taking and vetting; whistleblowing systems; when and how to report to the Trustees, the Charity Commission or make a referral to law enforcement; and best practice in handling workplace conflict. We were told that reviews of organisational culture should be regular occurrences.²³⁶

128. We are conscious that ‘culture’ is an amorphous concept and whilst we received evidence on who was responsible for changing culture, and where the failings were, we have not received a large base of evidence on exactly what mechanisms should be adopted in order to change and embed a better organisational culture, what exactly this will look like, and how it can be measured. DFID indicated in their evidence that the current evidence base on this is lacking.²³⁷ We note that one of the working groups that was formed after the Safeguarding Summit in March is dedicated to looking at organisational culture and will be tackling some of these issues.

226 Changing Aid ([SEA0025](#))

227 Ms Caroline Hunt-Matthes ([SEA0034](#))

228 [Q162](#); [Q219](#); [Q438](#)

229 ICSA: The Governance Institute ([SEA0013](#))

230 [Q435](#)

231 [Q160](#)

232 [Q162](#) [Helen Evans]

233 Changing Aid ([SEA0025](#))

234 Oxfam GB ([SEA0028](#))

235 Save the Children UK, *Terms of Reference of Independent Review of Workplace Culture*, March 2018

236 ICSA: The Governance Institute ([SEA0013](#))

237 Department for International Development ([SEA0012](#))

129. We are horrified at reports of “a culture of denial” in UN and humanitarian organisations when confronted with allegations of SEA. Safeguarding policies and procedures will be utterly meaningless without a transformation of organisational culture. The leaders of aid organisations must ensure that what exists on paper is reflected in practice. This should not only be seen as a question of reiterating messages with local offices and implementing partners. Leaders cannot be complacent about the extent to which any part of the organisation is operating according to stated values, including the very top. Trustees and management should ensure they are actively displaying ethical leadership and demonstrating zero tolerance on sexual exploitation and abuse. The Charity Commission and DFID must penalise failures to do so.

130. In support of this, there is room for sector-wide clarity and agreement on how a positive safeguarding culture can be identified, and what the best tools are for ensuring that this is embedded. We welcome the establishment of the working group focused on organisational culture and look forward to seeing how it answers these questions. Reviews of organisational culture, such as those announced by Oxfam and Save the Children, are important for ensuring that policies and codes of conduct translate into behavioural change. Such reviews should be conducted as a matter of course, and not just when failings have been exposed.

131. *DFID should use the opportunity of the International Safeguarding Conference in October to secure a commitment from all aid organisations to regular assessments of culture, based on agreed indicators.*

Creating a culture of transparency

132. The Times’ report on the payment of local young women for sexual purposes by Oxfam staff in Haiti, which brought to public attention the ongoing problem SEA, also shone a light on the sector’s failure to address this with transparency. Since the story hit the press Oxfam have acknowledged that they had not been transparent enough about the nature of the misconduct in Haiti in 2011. Caroline Thompson, the Chair of Trustees for Oxfam GB, told us:

In 2011, it should have been made clear that the allegations were about prostitution. That should have been clear in the report to the Charity Commission, the report to DFID and in the press release. It should essentially just have been more explicit.²³⁸

DFID confirmed that, in 2011, Oxfam did report to them the fact that the investigations were taking place and their outcome, but Oxfam did not make the severity clear or reveal that the allegations related to sexual misconduct.²³⁹ The Rt Hon Andrew Mitchell MP, who was Secretary of State for DFID at the time, told us that he felt Oxfam had abided “by the letter but not by the spirit” of their obligations.²⁴⁰

133. Dame Barbara Stocking, who was CEO of Oxfam at the time of the investigations, said in a letter to the Committee:

238 [Q81](#)

239 Department for International Development ([SEA0012](#))

240 [Q397](#)

My understanding is that we also took the legal advice into account when formulating our communications to donors and relevant external bodies as there was a real concern that any details such as the names of the individuals or the reasons for any of the dismissals might get into the public domain which would again run the risk of exposing Oxfam to criticism or legal challenge.²⁴¹

She added:

I do not accept, as suggested by Rt Hon Andrew Mitchell MP, that we were only acting to the letter and not in the spirit of our obligations. The fact that Oxfam voluntarily made press statements and wrote to donors about the events at the time they happened, despite having no obligation to do so, highlights the charity's commitment to addressing the issues head on.²⁴²

By contrast, Mark Goldring, Oxfam's current CEO, said:

It is completely fair to say that Oxfam did not tell the Department for International Development enough.²⁴³

Indeed, Dame Barbara Stocking's assertion that the details of the allegations were not shared with DFID due to concerns about a possible defamation claim should the information be leaked seems a tenuous defence. It is unclear why Oxfam could not have shared information about the allegations with DFID without disclosing the names of the staff involved. We also note that the legal advice on which this decision was based was advice about what Oxfam was able to say in public, not what Oxfam should or should not disclose to donors.

134. The revelations of the Haiti scandal have had a significant impact on public trust in Oxfam. The organisation is reportedly having to make £16.2 million worth of cuts due to loss of funds since The Times reported the story.²⁴⁴ Mark Goldring said, "I can fully see why the public has a challenge to any confidence in what Oxfam said and did at the time. We now have to work very hard to earn back that trust from the public".²⁴⁵

135. It seems that there is widespread reluctance amongst aid organisations to become more transparent about where there have been failings. Mr Goldring highlighted that while Oxfam has been publishing a list of SEA incidents in its annual report since before 2007, this is not something that is widely practiced.²⁴⁶ Specifically:

Oxfam publishes the number of allegations of sexual exploitation and abuse on our accountability report and accounts, whilst some organisations choose to only publish the number of upheld allegations, or not to make these numbers public at all.²⁴⁷

Christian Aid wrote that within the sector:

241 Dame Barbara Stocking ([SEA0055](#))

242 Ibid.

243 [Q55](#)

244 "[Oxfam to begin £16M cuts with 'office and support functions'](#)", Devex, 18 June 2018

245 [Q62](#)

246 [Q80](#)

247 Oxfam GB ([SEA0028](#))

current trends which favour reporting only positive outcomes to donors rather than a more holistic approach impedes individual and organisations willingness to report, and contributes to a culture that discourages honest reporting.²⁴⁸

136. The Charity Commission told us about the reaction they have had from some charities when the Commission has tried to intervene on safeguarding matters:

Sometimes we experience charities where the management do not know what the right thing to do is. In other charities there is a range from lack of awareness, to partial or complete denial that anything is wrong, particularly if reported to the police, and they take no further action, or show a clear reluctance or resistance to disclose information that could lead to criticism or further questions, or an automatic “defensiveness” against questions or criticism.²⁴⁹

137. Our evidence indicates that a culture of transparency on sexual exploitation and abuse is vital for both building trust²⁵⁰ and for allowing the sharing of best practice across the sector.²⁵¹ For many organisations, however, it seems that the value of transparency is outweighed by the concerns about the potential impact on funding if they publish data on incidents of SEA. ICSA told us that “[t]hose charities leading on transparency and accountability are likely to be the ones that attract more criticism, because of their openness”.²⁵² Oxfam GB and CARE International UK called for a common approach to transparency on SEA to be agreed across the sector so that organisations could move forward together.²⁵³ We note that at the International Safeguarding Summit in March, participants agreed on the need to make annual reports “more transparent, with specific information published on safeguarding including the number of cases”.²⁵⁴

138. At the same time, our evidence suggests that there is much more that donors can be doing to play their part in reducing the disincentives for organisations to be open about incidents of SEA. The British Red Cross called on DFID to:

publicly recognise that organisations which work to actively address sexual harassment, misconduct, exploitation, and abuse within their organisations, may also have increases in reported incidents; this will support increased public understanding of these complex challenges.²⁵⁵

ICSA told us that the Charity Commission can also play a role in ensuring that increased transparency is not seen as something to be penalised:

248 Christian Aid ([SEA0031](#))

249 The Charity Commission for England and Wales ([SEA0040](#))

250 ICSA: The Governance Institute ([SEA0013](#))

251 [Q161](#)

252 ICSA: The Governance Institute ([SEA0013](#))

253 Oxfam GB ([SEA0028](#)); CARE International UK ([SEA0017](#))

254 Department for International Development, ‘[Actions to tackle exploitation and abuse agreed with UK charities](#)’, 5 March 2018

255 British Red Cross ([SEA0020](#))

The regulator is uniquely placed to ensure that such disclosures are received in an appropriate manner and to promote to the wider sector that ‘speaking up’ is an action that deserves respect and requires reflection and change as a consequence.²⁵⁶

The Charity Commission told us in evidence how they are now seeking to be more proactive:

we identified over 1,500 charities that said they worked with vulnerable beneficiaries but who had not reported a serious incident to us. In our view, if you are working with vulnerable beneficiaries there will be an incident of some kind at some point so not to have reported anything to us is simply not feasible.²⁵⁷

139. It appears that donors could also be doing more to demonstrate that they are alive to the risks of SEA, and that they expect to hear about incidents. Dame Barbara Stocking highlighted in her letter:

At that time in 2011 we were not routinely asked by any donors to report on whether we were experiencing conduct issues of a sexual nature and / or related to sexual exploitation or misconduct as this was not thought to be a significant risk within the sector at the time.²⁵⁸

Whilst this does not provide a justification for the fact that information about the nature of the allegations was not shared from DFID, it does illuminate the extent to which donors were concerned about safeguarding risks. DFID, in particular, showed a lack of interest in following up the notification from Oxfam:

The letters made it very clear to donors that we would provide further information if required, and in fact, we were contacted by some of the other donors following receipt of our letter, but not by DFID.²⁵⁹

140. We agree with the Rt Hon Andrew Mitchell MP that Oxfam abided “by the letter but not by the spirit” of their obligations in their reporting of the incidents in Haiti. It is vital that aid organisations are fully transparent about the number of SEA allegations they receive, and how these allegations are dealt with. This is fundamental for developing a better understanding across the sector about when SEA is happening, and the most effective ways of responding to it. DFID and the Charity Commission have a responsibility to follow-up on serious incident reports when notified in order to ensure that these have been handled properly. At the same time, DFID needs to be clear that transparency about SEA will not be penalised, but improper handling of cases will, and this includes a failure to be fully open about what has occurred. The sector needs to move together on becoming more open about SEA, so that the organisations which are transparent are not singled out for criticism.

141. We welcome the fact that the participants of the Safeguarding Summit in March have agreed that information on safeguarding cases should be published in annual reports.

256 ICSA: The Governance Institute ([SEA0013](#))

257 [Q418](#)

258 Dame Barbara Stocking ([SEA0055](#))

259 Ibid.

142. *Aid organisations should report the full number of SEA allegations each year, as well as the number of allegations upheld. At the International Safeguarding Conference in October, DFID should secure commitment from all participating aid organisations that this information will be published annually.*

Power structures

143. Whilst individual leaders can play a role in setting and shaping organisational culture, we also heard that culture is influenced by gender power structures. CARE International UK said:

The best policies and procedures will not prevent abuse unless wider cultural issues of power imbalances, gender inequality and patriarchy are addressed.

According to our evidence, one way to tackle this is to ensure that more women are in leadership roles within the sector, both within headquarters and in-country offices.²⁶⁰ The UN Secretary General told us that he viewed gender parity across the UN system as central to improving the UN's approach to SEA.²⁶¹ The UN has now achieved gender parity in the Senior Management Team and amongst UN Resident Coordinators²⁶² and the Secretary-General aims to have gender parity across the UN workforce by 2028.²⁶³

144. **Gender imbalance in the aid sector, as with many sectors, is an ongoing issue. We are conscious that our own Committee is no exception. Whilst a structural gender imbalance persists within the sector, cultural change will be very difficult to achieve.**

145. *Aid organisations should follow the example of the UN and aim to achieve gender parity on boards, at senior management level, and throughout the workforce. DFID should use the International Safeguarding Conference in October as an opportunity to secure commitment on this, with agreed targets and timeframes.*

260 International Rescue Committee UK ([SEA0030](#))

261 See Annex 1

262 United Nations, [Daily Press Briefing by the Office of the Spokesperson for the Secretary-General](#), 10 May 2018

263 UN Permanent Missions, [Secretary-General launches UN system strategy on gender parity](#), 14 September 2017

8 Safeguarding at the multilateral level

Role of the UN in tackling SEA

146. We have paid particular attention to the activities of the UN with regards to SEA. Since the 2002 West Africa report, which documented allegations of SEA that implicated 9 peacekeeping battalions and 40 aid organisations including UNHCR, the UN has continued to be subject to allegations: the UN Secretary-General's Special Measures reports have shown that there were 165 allegations of SEA in 2016²⁶⁴ and 138 allegations of SEA in 2017.²⁶⁵

147. At the same time, the Secretary-General, António Guterres, is seeking to make strides forward in tackling SEA, having launched a “new approach” in his 2017 report on ‘Special measures for protection from sexual exploitation and abuse’, shortly after he assumed office.²⁶⁶ He aims to make the UN “a global example of best practice and leadership to be followed by all” in how it protects the people it serves from SEA, and has presented a raft of measures in support of this.²⁶⁷ In the 2018 Special Measures report, the Secretary-General gives a renewed commitment to ensuring that PSEA remains a priority.²⁶⁸

Influence of the UK at the UN

148. We heard that the UK is well placed to steer the UN towards progress. The Rt Hon Clare Short, former Secretary of State for DFID said, “[t]he UK is a big player in the UN system. Because it is a good funder, DFID has a lot of influence”.²⁶⁹ The current Secretary of State agreed, pointing out that the UK's influence was strongest when coordinating with other donors: “the biggest lever we have... is other donors and our money”.²⁷⁰ We note that the UK will take the presidency of the UN Security Council in August this year, providing further opportunity to influence progress on PSEA.²⁷¹

149. DFID told us about some of the measures they have already taken to push the UN towards concrete improvements. In his oral evidence to the Committee, Matthew Rycroft CBE, Permanent Secretary of DFID, said that the UK had been helping to ensure that peacekeepers had SEA training:

the UK has doubled its contribution to UN peacekeeping in the last couple of years and we make sure that every single one of the British peacekeepers who go to join UN missions has proper training on how to prevent sexual exploitation and abuse. We also offer training to other contingents from other countries, who perhaps have less of a tradition in this area than we

264 United Nations General Assembly, *Special Measures for Protection from Sexual Exploitation and Abuse: a new approach. Report of the Secretary General*, (February 2017)

265 United Nations General Assembly, *Special Measures for Protection from Sexual Exploitation and Abuse. Report of the Secretary General*, (February 2018)

266 United Nations General Assembly, *Special Measures for Protection from Sexual Exploitation and Abuse: a new approach. Report of the Secretary General*, (February 2017)

267 Ibid

268 United Nations General Assembly, *Special Measures for Protection from Sexual Exploitation and Abuse. Report of the Secretary General*, (February 2018)

269 Q411

270 Q459

271 United Nations Security Council, *Security Council Presidency in 2018*, accessed 5 July 2018

ourselves do, and we are working with the United Nations itself to make sure that one part of that family of organisations is able to spread that best practice to another part.²⁷²

He also said that the UK is in a position to “withhold funding from any parts of the United Nations that do not match our requirements, either in terms of their reform or of their results”.²⁷³

We have made absolutely clear that those parts of the international organisations that wish to continue to receive UK government funding need to make sure that they not only have zero tolerance for sexual exploitation abuse but that they can prove they have that zero tolerance.²⁷⁴

150. In written evidence to the Committee, DFID outlined further actions at the multilateral level, including:

- Establishing a donor working group to work together on PSEA “across the development and humanitarian sectors”;
- hosting a roundtable in New York on 15 March with senior UN interlocutors and other donors;
- Writing to the Secretary-General jointly with other donors calling on him to set out an action plan for a joined-up approach;
- Writing to all multilateral agencies that DFID core funds, asking for assurances on their safeguarding practices.²⁷⁵

Beyond the UN, the Secretary of State has co-hosted a roundtable with representatives from ten international financial institutions, who signed a joint statement reaffirming their commitment to preventing SEA.²⁷⁶

Protection from Sexual Exploitation and Abuse (PSEA)

151. Through written evidence, the Committee has heard about a number of recent UN agency joint initiatives designed to tackle SEA. UNHCR, UNFPA, UN Women, UNICEF and UNDP, have jointly developed mandatory training on Prevention of Sexual Exploitation and Abuse for all personnel.²⁷⁷ UNICEF and UNFPA are co-leading a joint Task Force on SEA Allegations involving Implementing Partners, which focuses on developing a “uniform protocol” across the UN system for how SEA allegations involving implementing partners are reported and addressed.²⁷⁸ When we met with representatives of UN agencies in New York, they were keen to emphasise this collaborative approach.

152. However, despite these examples of joined-up working, we also saw evidence of a lack of coordination, and an emphasis on processes and procedures, without much apparent focus on outcomes. We were told that across the UN system there are now 18 task forces

272 [Q119](#)

273 [Q131](#)

274 [Ibid](#)

275 Department for International Development ([SEA0012](#))

276 HC Deb, 17 May 2018, [col 694WS](#)

277 UNHCR ([SEA0038](#))

278 [Ibid](#)

and steering committees working on PSEA. We were given this figure as evidence of how seriously the UN is taking PSEA, but this struck us as an indicator of a failure to integrate efforts. We also heard that it is a challenge to connect the work of IASC PSEA Task Force, which includes external organisations and NGOs, with the work of the UN working group on sexual exploitation and abuse, chaired by the Office of the Special Coordinator, as well as the difficulty in connecting these both up with the UN's wider work on gender-based violence.

153. Our impression of disconnect was validated by the Secretary of State, who talked about the “inconsistency between agencies” with regards to reporting. She said that “[u]ltimately, this is about... not duplicating things, cutting down on bureaucracy and having something that is effective and efficient”.²⁷⁹

I don't think there is any quick way of getting the UN to get where we want it to be on these issues and others, other than the hard graft of getting it there. Part of the success of that is going to be donor nations who pay the agencies to do their work, to require them to do it in a much more joined up and co-ordinated way.²⁸⁰

DFID told us in written evidence that the UK is supporting a joined up response across the UN, and has sought assurances from the Secretary-General that the UN is working collaboratively and collectively to step up efforts to tackle sexual exploitation and abuse.²⁸¹ The Deputy Secretary-General, Amina Mohammed, welcomed a strong voice from Member States in this regard, when we met with her in New York. She highlighted the leverage that Member States have over UN funds and programmes through their funding and position on executive boards.

154. With only a limited pot of resources for PSEA initiatives, it is imperative that the UN agencies pool their efforts to maximise their impact. We recognise that there are now a number of joint initiatives but the sheer number of task forces and working groups that have sprung up indicates that there is still duplication, or at least a lack of integration, of efforts to tackle SEA. If there is work being done to systematically measure, monitor and evaluate the outcomes of these various measures, and share learning, we have not seen evidence of it. Member States have a key role to play in promoting closer working between the various limbs of the UN system and, importantly, in ensuring that outcomes are being monitored, evaluated and shared. We welcome DFID's push for more collaborative working and we encourage the UK to leverage the donor working group and the position that Member States hold on UN agency executive boards to ensure that this comes to fruition.

Accountability

Lack of coherent and consistent investigation standards

155. We have received evidence that has led us to question the standards of UN investigations into allegations of SEA. The Code Blue Campaign, using leaked documents on 14 UN fact-finding inquiries into complaints brought against peacekeepers serving in

279 [Q463](#)

280 [Q465](#)

281 Department for International Development ([SEA0012](#))

the UN mission in the Central African Republic (MINUSCA), concluded that the UN was operating with “haphazard, ad hoc, and prejudicial investigative procedures”, where the fact-finders had “scant understanding of crimes of sexual violence”.²⁸² Caroline Hunt-Matthes, an independent investigator who has worked for eight UN organisations, said that during her service at the UN, she saw a need for better training for investigators.²⁸³

156. We have also encountered examples of seemingly positive investigative practices. For example, UNHCR told us that they have investigators who are specially trained to handle sexual exploitation and abuse. All allegations of SEA are prioritised and assessed within 24 hours to determine the degree of urgency and whether assistance to the potential victim is required.²⁸⁴ The UN Department of Management told us that there are current efforts to increase the number of women investigators and investigators with experience in SEA more widely in the UN system.²⁸⁵

157. However, it is difficult to assess the extent to which high standards are being upheld in investigations, due to the lack of information available about the process. Code Blue have described UN processes for responding to SEA allegations as “a complex web of opaque, bureaucratic internal procedures and ad hoc processes, operating outside the law and without any oversight”.²⁸⁶ In evidence to the Committee, Paula Donovan, the Co-Director of the Code Blue Campaign, told us that her chief concern was:

what happens between the time that someone comes forward and reports an allegation and the time that the United Nations declares that that allegation has been resolved in one way or another. That is all done behind closed doors.²⁸⁷

158. Our meetings at the UN gave us an indication that there is a lack of coherence across UN agencies when it comes to SEA investigations. The UN Office of Internal Oversight Services (UN OIOS) was established in 1994 to assist the Secretary-General “in fulfilling his oversight responsibilities in respect of the resources and staff of the Organization through the provision of audit, investigation, inspection, and evaluation services”.²⁸⁸ The UN OIOS carries out investigations into SEA allegations relating to UN field missions and the UN Secretariat. We were told that alongside the work of the OIOS, all agencies, funds and programmes sitting outside the UN Secretariat also have their own investigation units. If the OIOS receives an allegation against personnel from one of these agencies, they refer the allegation to that agency to investigate. If a UN organisation which does not have its own investigative function receives an allegation of SEA, they outsource the investigation to the OIOS. A recent New York Times article on UN investigations into sexual abuse portrayed a messy, disjointed system, that is difficult for accusers to navigate. According to the article, the Secretary-General’s spokesman, Stéphane Dujarric:

acknowledged that across the United Nations there is no consistent procedure or standard of proof for investigating sexual harassment and assault cases. The organization’s 27 programs, funds and agencies largely operate

282 AIDS-Free World’s Code Blue Campaign ([SEA0035](#))

283 Ms Caroline Hunt-Matthes ([SEA0034](#))

284 UNHCR ([SEA0038](#))

285 See Annex 1

286 AIDS-Free World’s Code Blue Campaign ([SEA0035](#))

287 [Q367](#) [Paula Donovan]

288 UN Office of Internal Oversight Services, ‘[About OIOS](#)’, accessed 25 July 2018

independently, creating a patchwork of policies across a vast bureaucracy. Some investigators indicated that they relied on the legal definition of rape in the country where the act is committed—even in countries where the United Nations considers the law flawed.²⁸⁹

159. The system also appears to engender a diffusion of responsibility with regards to follow-up, with no single body seeming to be in charge of driving investigations towards resolution. Once OIOS refers a case to another UN organisation, there is no formal process of feedback or follow-up. The same is true for when OIOS makes a criminal referral to a Member State, and, as outlined in Chapter 3, there is no process for communicating updates and outcomes back to the original complainant. In the context of this apparent lack of coordination, we heard from representatives of UN funds and programmes about the need to coordinate as closely as possible with regards to sanctions in order to ensure standardisation across the organisation.

160. We heard from the UN funds and programmes representatives why a decentralised system of investigations is important for ensuring that each organisation is able to respond quickly and appropriately to allegations, rather than referring all allegations to one centralised unit which could become cumbersome and slow. They also highlighted the advantages of being able to have tailored investigative practices for the specific nature of their organisation's work. However, we also heard from a senior UN official that a “common investigative capacity across the whole UN system would be a huge step in the right direction”.²⁹⁰

161. The Special Coordinator on improving the United Nations response to sexual exploitation and abuse, Jane Holl Lute, told us that her role was to work out “where common tools make common sense”. She recognised that there were inconsistencies in the UN's approach to SEA allegations and has consequently developed a standardised reporting form, based on advice from top investigators across the UN system.²⁹¹

162. The UN's approach to investigating SEA allegations lacks consistency and coherence. The system is not laid out clearly enough for us to judge where high standards are being met, and where they are deficient. Investigative functions seem to operate in siloes, and there is little evidence of best practice sharing. There is no single body taking an overall interest in the outcomes of investigations or driving them towards resolution, and the victims appear to be essentially forgotten. We heard that standardisation on sanctions is important, but the structure of the current system seems to completely undermine this. We appreciate that there may be advantages to decentralisation, but this does not preclude coordination and consistency.

163. We welcome the introduction of a standardised reporting form, and believe that this consistency should be evident in all aspects of UN investigations.

164. The UK should urge the UN Special Coordinator on SEA to create, in consultation with both the OIOS and the individual investigative functions of the UN agencies, funds and programmes, best practice standards for investigations, which all agencies responsible for conducting investigations must follow. These standards should reflect the importance of ensuring that investigations reach a timely conclusion as well as the

289 [“U.N. Cases Read Like ‘Manual in How Not to Investigate’ Sexual Assault”, The New York Times, 28 June 2018](#)

290 See Annex 1

291 See Annex 1

necessity of having investigators with specialist expertise in sexual exploitation and abuse. The Victims' Rights Advocate should work with the Special Coordinator on SEA to ensure that these standards reflect a victim-centred approach to investigations. The UK should hold agencies to account for the adoption of these best practice standards, and should encourage other States in the donor working group to do the same.

Immunity

165. Immunity of UN workers, especially civilian staff, has been heavily criticised in the evidence we have received. The Code Blue Campaign explained how immunity applies to different kinds of UN personnel:

The civilian personnel who carry out the UN's work... have immunity, to protect their work from interference or retaliation from a hostile government. For UN personnel, how far immunity extends depends on their category of personnel and the nature of the actions or words that constitute the alleged offense. The highest-ranking UN officials have immunity akin to diplomatic immunity, but the vast majority of personnel have only functional immunity—which means they are only immune from any legal process for words and actions performed as part of their official duties.

Military personnel deployed to work with UN peacekeeping missions do not have immunity from legal process; instead, by prior agreement, military personnel remain under the “exclusive jurisdiction” of their country of nationality—that is, a country which sends troops to the UN retains the right and duty to investigate and prosecute its own personnel.²⁹²

166. UNA-UK explained that whilst peacekeepers can be prosecuted by their home country, they have immunity from prosecution by the host country. If their home country does not exercise extraterritorial jurisdiction, or if certain acts of sexual abuse are not recognised as a crime, then even the home country will not be able to prosecute.²⁹³

167. The UN Secretary-General confirmed on 13 February 2018 that the UN will not seek immunity in cases of sexual abuse, which DFID welcomed as an important signal.²⁹⁴ Natalie Samarasinghe, on behalf of UNA-UK, said in oral evidence that this now needs to be implemented:

The Secretary-General has made that commitment. It is a recent commitment... we still need to see whether that is going to be put into practice, and there are cases now where you could argue that it should be. We need to wait to see whether that happens.²⁹⁵

168. UNA-UK have also set out why, whether or not the Secretary-General follows through on this commitment, there may still be barriers to prosecution:

292 AIDS-Free World's Code Blue Campaign ([SEA0035](#))

293 UNA-UK ([SEA0047](#))

294 Department for International Development ([SEA0012](#))

295 [Q371](#)

States of origin frequently don't exercise extraterritorial jurisdiction over civilians. Meanwhile, host states, which are experiencing a significant enough crisis of governance to necessitate a peacekeeping mission, are frequently unable to prosecute effectively.²⁹⁶

169. The barriers to prosecution appear evident when looking at the data available on the progress of SEA investigations. The UN lists SEA allegations against field mission personnel since 2015 on its website. Currently, most of these cases are listed as 'pending'. But, even where cases of a serious nature are listed as 'substantiated', it appears there are a substantial number where no penal action has been taken.²⁹⁷

170. Paula Donovan of the Code Blue Campaign told the Committee that there is less accountability for civilian than military personnel:

Where the jurisdiction of the troop-contributing countries is concerned, there is a path—whether or not it is followed is a matter of hot debate—but there is no path to justice for civilians who are accused of sexual misconduct of any kind in the United Nations. It is all shrouded in secrecy. While there is naming and shaming of the Governments that are providing troops, when you look at the UN's published data it simply says, "Civilian". You cannot find out where that civilian is from, whether it is a national of the UK, Sri Lanka or the Maldives. You have absolutely no idea where that person is from.²⁹⁸

171. Typically, the issue of sexual exploitation and abuse by peacekeepers has received more focus than civilian personnel but, according to DFID, this is starting to shift.²⁹⁹ Code Blue states that:

In all years since the UN has made data available, civilian personnel of the UN have committed more sexual exploitation and abuse per capita... Over 60% of allegations reported to the UN in 2017 were against civilians.³⁰⁰

In a speech in September 2017, UN Secretary General acknowledged that "the majority of the cases of sexual exploitation and abuse are done by the civilian organizations of the United Nations, and not in peacekeeping operations".³⁰¹ Natalie Samarasinghe described SEA by civilian personnel as "the next big scandal waiting to happen".³⁰²

172. For Code Blue, the challenges in bringing civilian personnel to account are rooted in the fact that "the UN is not a neutral party":

In any case involving one of its own personnel, the UN organization has its own interests to protect, such as mitigating reputational damage, assessing whether the case will have an impact on the organization's programming or funding, and retaining and supporting employees who are key players in

296 UNA-UK ([SEA0047](#))

297 Conduct in UN Field Missions, '[Sexual Exploitation and Abuse: Table of Allegations \(2015 onwards\)](#)', accessed 25 July 2018

298 [Q374](#)

299 Department for International Development ([SEA0012](#))

300 Aids Free World's Code Blue Campaign ([SEA0035](#))

301 United Nations Secretary-General, '[Secretary-General's address to High-Level Meeting on the United Nations Response to Sexual Exploitation and Abuse](#)', 18 September 2017

302 [Q373](#)

diplomatic or management strategies. These interests, among others, form the basis of a deep, intractable conflict of interest. In any other context, this conflict is plain. It is why the use of employer investigations and disciplinary processes is normally a supplement to criminal or civil justice, and employers are bound to respect the law and to defer to law enforcement and neutral court officials. Employers are ideally not the first and should never be the only point of contact for victims of crimes.³⁰³

173. In order to overcome this “built-in bias” Code Blue have called upon Member States to establish both a Temporary Independent Oversight Panel and a Special Court Mechanism to ensure criminal accountability. When we put this to the Secretary of State, she cautioned against “replicating law enforcement” and said that this “would not gain traction”:

You are still left with the same problem that, even if you have an independent organisation, you still have to get the UN and its component parts to recognise it.³⁰⁴

She promoted instead, “hard graft” by Member States to push the UN towards reform.³⁰⁵ Whilst in New York, we were also cautioned in several meetings that any oversight measure driven forward by Member States risks replicating the existing political dynamics within the UN that already hamper progress and reform.

174. Impunity for sexual exploitation and abuse is utterly unacceptable. The lack of accountability entirely undermines the notion of zero tolerance and undercuts efforts to strengthen reporting mechanisms, by reinforcing the notion that there is no value in bringing forward allegations. The UN, and its Member States, cannot underestimate the importance of ensuring that allegations of SEA reach a proper conclusion. We can see that there may be no buy-in amongst Member States for an independent accountability mechanism overseeing the UN investigation processes, and we also recognise that such mechanisms risk replicating the existing political dynamics within the UN. Member States, however, still have an important role to play regarding accountability.

175. It is imperative that all cases referred to Member states are thoroughly investigated and brought to trial where there is a case, and that the outcome of this judicial process is communicated back to the initial complainant. The UK must lead the way and use its influence within the donor working group to ensure that other Member States do the same.

176. We welcome the UN Secretary-General’s commitment to waive immunity in cases of SEA, and his recognition that this is a significant problem with civilian, as well as military, personnel.

177. The UK should ensure that the theoretical waiver of immunity also applies in practice, and should press the Secretary-General to deliver on his commitment in all cases where it applies.

303 AIDS-Free World’s Code Blue Campaign ([SEA0035](#))

304 [Q465](#)

305 *Ibid*

9 Sector regulation and oversight

Domestic regulation

178. The Charity Commission’s written evidence to the Committee highlighted their limited resources, and the impact this has on their work:

On resources, with fewer than 300 permanent staff, dealing with 100,000 contact requests a year, regulating 950,000 trustee roles and 168,000 registered charities, including 17,000 of which who say they work internationally, we are limited in the proactive engagement we can have with individual charities and trustees.³⁰⁶

179. These challenges have only intensified with the recent increase in serious incident reports relating to safeguarding.³⁰⁷ In January the Government agreed to grant the Charity Commission an uplift on their baseline funding of £5million from April 2018. However, this funding was awarded before the recent substantial rise in the number of reported safeguarding incidents. Helen Stephenson, Chief Executive of the Charity Commission told us:

it would be wrong for me not to alert you to the fact that the increase in demands on our services, the increase of public expectation, both on the sector and on charities, means that I will continue to make the case for us to be properly resourced so that we can meet the serious and complex cases that are coming into us.³⁰⁸

180. The Charity Commission’s limited resources have been highlighted several times in other submissions to the Committee. UNITE the Union expressed concern in their written evidence about Government cuts to the Commission and called for an increase in resources for the Commission.³⁰⁹ Caroline Nursey, Chair of the Board of Bond, said in oral evidence said that the Commission’s resources “have been cut back very heavily over the last few years, and it is apparent that it has much less capacity to engage than it had 10 years ago”.³¹⁰ DFID said in their written evidence, “[i]t will also be important in the longer-term that the Commission’s funding is adequate to ensure that it is able to meet its regulatory responsibilities amidst an increase in the reporting of safeguarding cases and public expectations in dealing with safeguarding cases”.³¹¹

181. With regards to where extra funds might come from, Helen Stephenson said:

We will want to have that discussion, both with the Government, with Parliament and indeed with the sector, as to what is the right way to resource us effectively going forward, so that we can be sustainable, have long-term planning and we can both meet the requirements of the public and of charities.³¹²

306 The Charity Commission for England and Wales ([SEA0040](#))

307 Ibid

308 [Q430](#)

309 UNITE the Union ([SEA0001](#))

310 [Q247](#)

311 Department for International Development ([SEA0012](#))

312 [Q432](#)

182. **The Charity Commission, as the charity sector regulator, plays a crucial role in monitoring and upholding standards on safeguarding. It should be resourced accordingly.**

183. *The Government must ensure that the Charity Commission is provided with sufficient resources to enable it to meet the demand created by the increase in safeguarding related incident reports.*

International regulation

184. In evidence to the Committee, the Charity Commission highlighted that the aid sector has regulatory challenges by virtue of its international nature:

The regulatory “gap” we would suggest is not in relation to UK authorities, it is more in relation to the interplay between different country jurisdictions, so a predatory individual’s ability to shop jurisdictions or move around aid agency to agency, perhaps because their conduct was not investigated criminally in a particular country or because someone’s conduct falls short of criminality in that country, and was not handled robustly in disciplinary proceedings, for example the person was “managed out” of one agency.³¹³

185. Considering the jurisdictional limits of the Charity Commission, Helen Evans called in her oral evidence for a dedicated regulator for the aid sector:

In terms of whether [the Charity Commission] 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.³¹⁴

186. She also highlighted the fact that international aid agencies are much larger organisations with a much bigger scope than other UK charities:

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.³¹⁵

187. However, when we put this suggestion of a dedicated regulator for aid to the Commission, they suggested that there are other models for regulating across jurisdictions that do not involve establishing another regulator.³¹⁶ They gave the example of the Financial Action Task Force which tackles money laundering on a global level:

Formal standard setting and coordination has proved effective in tackling money laundering and terrorist financing through the Financial Action Taskforce (FATF). As an inter-governmental body, FATF sets agreed

313 The Charity Commission for England and Wales ([SEA0040](#))

314 [Q190](#)

315 [Q191](#)

316 [Q434](#)

standards called “recommendations” and issues guidance and best practice to assist jurisdictions in their implementation of its standards. The body coordinates the conduct of peer reviews of its members on an ongoing basis and identifies non-cooperative countries or territories.³¹⁷

188. Caroline Nurse, Chair of the Board of Bond, resisted the suggestion of further external regulation on the basis that there is a danger it becomes a “tick-box” exercise. Instead she emphasised the importance of cultural change from within.³¹⁸

189. We have been told about an alternative model for external oversight in the aid sector, in the form of an aid ombudsman. As described by Asmita Naik, an ombudsman need not be “a major bureaucratic body that takes over everything that organisations should be doing”, but rather acts as a “right of appeal for victims and their advocates if they feel the internal processes do not provide them with redress”.³¹⁹ She said that her experience of trying to provoke action from senior management on PSEA had led her to conclude that an ombudsman is necessary:

At the top of the organisation, there may be resistance. This is exactly what Helen [Evans] 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.³²⁰

190. The proposal for an independent aid ombudsman has wider support within our evidence base.³²¹ The Overseas Development Institute has championed the idea, arguing that self-regulation is weak in comparison, being “voluntary and non-binding”.³²² UNA-UK sees value in the way that an independent ombudsman could review actions of the UN in response to SEA.³²³ Helen Evans also supports the idea, asserting that “what we have learnt from 2002 is that self-regulation does not work”.³²⁴ She added that an ombudsman:

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.³²⁵

191. The idea, however, has also been met with scepticism. Caroline Nurse suggested that reaching beneficiaries would be challenging:

It is difficult to see how it could be made to work. If you are looking at beneficiaries in a particular country, it is difficult to see how they would find the way to make it work. Attempts are being made to put things in place on the ground for whistleblowing, communication between organisations and

317 The Charity Commission for England and Wales ([SEA0040](#))

318 [Q215](#)

319 [Q181](#)

320 [Q182](#)

321 See, for example, Helen Evans ([SEA0021](#)), Overseas Development Institute ([SEA0027](#)), UNA-UK ([SEA0047](#))

322 Overseas Development Institute ([SEA0027](#))

323 UNA-UK ([SEA0047](#))

324 [Q183](#)

325 *Ibid*

transparency. Yes, they can be made to work, but whether there could be an ombudsperson anywhere that would work, I do not know. The working groups are looking at it, but it is not clear how it would work at the moment.³²⁶

192. The Secretary of State told us:

One of the issues why the ombudsman idea isn't flying among other donor nations is because they feel it might replicate certain things that are in place. Not necessarily going in and investigating and having a team that can do that, but the global Charity Commission role, if I can call it that.³²⁷

193. The shortcomings that we have observed within the aid sector during the course of this inquiry demonstrate to us that self-regulation has failed. Currently, when organisations fail to hold abusers to account, the victims and survivors have no other recourse to justice. An ombudsman is not a regulator. It would not be a 'global Charity Commission'. It would provide a right of appeal, an avenue through which those who have suffered can seek justice by other means. Whilst other measures that we support, such as the global register for aid workers, are focused on the perpetrator, this is one measure which exists for the victim. We accept that reaching victims and survivors will be a challenge, and that this will cost money, but we adopt the view of DFID's Permanent Secretary: just because something is difficult, it does not mean it should go in the "too difficult box".

194. The aid sector must recognise the vital importance of establishing an independent aid ombudsman and take tangible steps towards making this a reality. DFID should play its part by ensuring that there is a sector-wide commitment on this at the International Safeguarding Conference in October and by facilitating the development of an action plan with agreed next steps for taking this forward.

326 [Q246](#)

327 [Q465](#)

Part II: Sexual harassment and abuse of aid workers

195. When we launched our inquiry, the primary focus was the sexual exploitation and abuse of the intended beneficiaries of aid. However, there has been high, and lower, profile reporting in the media of cases of sexual harassment and abuse within aid sector organisations and between aid workers from different organisations.³²⁸

196. Sexual discrimination, harassment and abuse in *any* setting or sector is abominable and needs to be tackled and stamped out. To this end, we note and draw attention to the work of the Women and Equalities Committee which has recently conducted a wide-ranging inquiry into sexual harassment in the workplace, including the international aid sector, and published a report with recommendations applicable to all workplaces in all sectors.³²⁹

197. In terms of this inquiry, we were concerned at the reports of such conduct, in and of themselves, and also whether there were links between the priority and attention given to the sexual exploitation and abuse of aid beneficiaries and the incidence of sexual misconduct - and the way complaints were subsequently handled - within aid organisations, with lessons to be learned. For example, by 2005, the Head of UNHCR's view of the 2002 study in West Africa was: "We have to find concrete evidence. It's very scarce. So the idea of widespread sexual exploitation by humanitarian workers, I think it's simply not a reality."³³⁰ We note that, later the same year, the Head of UNHCR resigned following allegations against him of sexual harassment.³³¹

328 See, for example, "[Lesley Agams: Oxfam official pushed me on to hotel bed and grabbed at my belt](#)", The Times, 28 October 2017, "[Top United Nations official 'forced himself onto me,' employee says](#)", CNN, 30 March 2018;

329 See Women & Equalities Committee on [sexual harassment in the workplace](#)

330 Ms Asmita Naik ([SEA0042](#)); "[UN knew of sex-for-food scandal at top charities](#)", The Times, 29 May 2018, and Asmita Naik submissions

331 "[Lubbers quits over UN sex claims](#)", BBC News, 20 February 2005

10 The nature and scale of the problem

The nature of the harassment and abuse

198. One of the first pieces of research into sexual harassment and abuse of aid workers comes from the Humanitarian Women’s Network, who in 2015 conducted a survey of over 1,000 female aid workers from over 70 organizations worldwide. They documented experiences of discrimination, harassment and sexual violence.³³² Report the Abuse, a campaign NGO, also began collecting the experiences of humanitarian aid workers of sexual violence in 2015. In 2017 they published a report presenting the data that had been compiled over two years, based on the responses of around 1000 aid workers (more than 1000 responded to the survey, but not all were able to complete their reports).³³³ The different kinds of sexual harassment and abuse that they documented includes: unwanted sexual comments, unwanted sexual touching, aggressive sexual behaviour, attempted sexual assault, sexual assault, rape and ‘other’. The report states that “although the majority were noted as being on the sexual harassment scale, not an insignificant 13% were reported as being rape”.³³⁴

The victims and survivors

199. As with sexual exploitation and abuse of beneficiaries, amongst aid workers the victims and survivors of sexual harassment and abuse are predominantly female. Based on their research into sexual abuse against humanitarian aid workers, Professor Mazurana and Phoebe Donnelly of Tufts University told the Committee:

The vast majority of humanitarian aid victims/survivors of sexual harassment and assault are women. Women aid workers of different nationalities and across a range of educational, experience, and authority levels within missions reported sexual harassment and assault.³³⁵

Report the Abuse notes that 89% of the respondents who reported sexual violence are female.³³⁶

200. According to Professor Mazurana and Phoebe Donnelly, lesbian, gay, bisexual and transgender (LGBT) aid workers have reported experiencing “sexual identity harassment, blackmail, threats, and assaults”.³³⁷ Report the Abuse note that 20% of their respondents identified as LGBTI.³³⁸

332 Humanitarian Women’s Network (SEA0057)

333 Report the Abuse, *Humanitarian Experiences with Sexual Violence: Compilation of Two Years of Report the Abuse Data Collection*, (August 2017)

334 Ibid

335 Professor Dyan Mazurana and Phoebe Donnelly (SEA0008)

336 Report the Abuse, *Humanitarian Experiences with Sexual Violence: Compilation of Two Years of Report the Abuse Data Collection*, (August 2017)

337 Professor Dyan Mazurana and Phoebe Donnelly (SEA0008)

338 Report the Abuse, *Humanitarian Experiences with Sexual Violence: Compilation of Two Years of Report the Abuse Data Collection*, (August 2017)

The perpetrators

201. Again, as with sexual exploitation and abuse of beneficiaries, the perpetrators of sexual harassment and abuse against aid workers are predominantly men.³³⁹ Across the reports of harassment and abuse collected by Report the Abuse, 92% of perpetrators were men.³⁴⁰

202. Not all of the perpetrators, however, are aid workers. Professor Mazurana and Phoebe Donnelly told us that the majority of perpetrators are:

working in the aid industry, often those in supervisory or higher-level positions compared with their victims, or men employed by aid agencies as security providers.³⁴¹

But, they can also be “from armed forces and groups and civilians within the area where the aid workers are operating.”³⁴²

The scale of harassment and abuse

203. The scale of harassment and abuse is extremely difficult to judge, due to the limited data available. However, amongst those who have responded to the surveys of the Humanitarian Women’s Network and Report the Abuse, the problem is significant. Report the Abuse say that of their respondents:

87% noted that they knew a colleague who had experienced sexual violence in the course of their humanitarian work. 41% reported having witnessed a sexual violence incident against a colleague, and 72% of those reporting were survivors of sexual violence.³⁴³

According to the Humanitarian Women’s Network, their survey revealed that:

nearly 50 per cent of women respondents report having being touched in an unwanted way by a male colleague in the workplace and even more are subject to persistent sexual advances from their colleagues.³⁴⁴

204. Danielle Spencer, an aid worker and author of “Cowboys and Conquering Kings”, a report based on the testimonies of 29 aid workers about abuse in the aid sector, has said that such survey results are subject to selection bias, but still provide valuable insight. Commenting on earlier survey results from Report the Abuse, she wrote:

339 Professor Dyan Mazurana and Phoebe Donnelly ([SEA0008](#))

340 Report the Abuse, *Humanitarian Experiences with Sexual Violence: Compilation of Two Years of Report the Abuse Data Collection*, (August 2017)

341 Professor Dyan Mazurana and Phoebe Donnelly ([SEA0008](#))

342 Ibid

343 Report the Abuse, *Humanitarian Experiences with Sexual Violence: Compilation of Two Years of Report the Abuse Data Collection*, (August 2017)

344 Inter-Agency Standing Committee, *Discrimination, Harassment and Abuse of Women Aid Workers: Survey Results and Way Forward. Background paper from the Humanitarian Women’s Network*, (December 2016)

As this is a self-reporting survey, there is an inherent bias associated with the results, but this is the first data to be released of its kind and is indicative of the scale of the problem of SEA perpetrated against humanitarian workers.³⁴⁵

205. We note that the demographic of those responding to the surveys is significantly skewed towards expatriate staff: 96% of individuals responding to Report the Abuse were expatriates³⁴⁶ and 83% of those who responded to the Humanitarian Women's Network survey were international humanitarian workers.³⁴⁷ This leaves the experiences of national, i.e. locally-engaged aid staff largely unknown and, as Christian Aid points out, raises questions about the lack of reporting.³⁴⁸

345 Danielle Spencer, *Cowboys and Conquering Kings: sexual harassment, abuse and exploitation in the aid sector*, (February 2018), p 22

346 Report the Abuse, *Humanitarian Experiences with Sexual Violence: Compilation of Two Years of Report the Abuse Data Collection*, (August 2017)

347 Humanitarian Women's Network, '[Survey data](#)', accessed 25 July 2018

348 Christian Aid ([SEA0031](#))

11 Reporting sexual harassment and abuse

206. Based on their academic research into sexual harassment and assault against humanitarian aid workers, Professor Mazurana and Phoebe Donnelly concluded that this harassment and assault “remains grossly under-reported”.³⁴⁹ This is clearly one of the most consistent features of this issue; that the victims and survivors - no matter what their situation age or status - find it difficult to report abuse, on one or more of many potential grounds.

207. In the evidence we received, we noted a number of reasons why there might be barriers to reporting. Changing Aid, drawing on results of an anonymous survey conducted between February and March 2018, told us that amongst their 81 respondents, there was a lack of confidence in existing mechanisms for responding to allegations of workplace sexual harassment. Some respondents were distrustful of their organisations’ own HR teams, others of third-party anonymous hotlines. The reasons behind a lack of confidence in existing procedures included a fear of repercussions or retaliation, as well as the belief that nothing would be done: “It was felt that many senior male staff can continue working or go on to other jobs with impunity, while women are penalised”.³⁵⁰ Christian Aid wrote that the barriers may be greater in relation to national staff than expatriates:

We are aware that national staff are much less likely to speak up and staff can be wary of official reporting mechanisms. They are more likely to confide in colleagues they trust, of the same level, so locally based focal points may prove more effective.³⁵¹

208. According to Professor Mazurana and Phoebe Donnelly, the experiences of those who did report harassment and assault were disappointing, and even damaging to their careers:

Women and LGBT aid professionals who did report were widely dissatisfied with their agencies’ responses and experienced more harmful professional and personal consequences than those of their alleged perpetrators, who at times remained in their positions and continued perpetrating.³⁵²

209. They also highlight the lack of support provided within organisations for those who report sexual harassment and assault:

Within humanitarian agencies, there is a widespread lack of adequate physical and, especially, psychological and emotional health care available for victims/survivors of sexual assault. In addition, work-related injuries are rarely compensated for, particularly for those with post-traumatic stress disorder (PTSD) or other psychological and emotional care needs.³⁵³

349 Professor Dyan Mazurana and Phoebe Donnelly ([SEA0008](#))

350 Changing Aid ([SEA0025](#))

351 Christian Aid ([SEA0031](#))

352 Professor Dyan Mazurana and Phoebe Donnelly ([SEA0008](#))

353 Ibid

210. Noting reports of retaliation against aid workers who have reported sexual harassment and abuse, Changing Aid commented:

if a woman of privilege, working on gender-related issues is unable to report abuse occurring—then what chance does an adolescent girl in a humanitarian affected community have?³⁵⁴

211. The Humanitarian Women’s Network has called on IASC to establish immediately an objective reporting mechanism for aid workers who suffer discrimination, harassment and abuse, but this has not yet been adopted at scale, despite the “urgency and necessity” of doing so.³⁵⁵ The Network told us that “so much more needs to be done to improve hiring, accountability, and recourse”.³⁵⁶

212. Some of these criticisms seem to have been borne out by Save the Children, and the organisation’s handling of female staff members’ complaints of sexual harassment by senior, male staff. Justin Forsyth, former Chief Executive, and Brendan Cox, former Policy Director, Save the Children UK, both resigned from these roles due to separate episodes of alleged sexual harassment. One of the complainants against Mr Forsyth had, before his resignation, raised a second complaint with the organisation, about how her initial complaint had been dealt with.³⁵⁷ Mr Forsyth went on to become the Deputy Director of UNICEF.

213. The handling of these matters by Save the Children, under the chairmanship of Sir Alan Parker, is now the subject of a statutory inquiry by the Charity Commission. We await the Commission’s report with interest. In the same vein as the Commission’s Oxfam GB inquiry, we will be interested to see if there are any discrepancies in the evidence offered to us on these matters and the evidence and findings of the Commission.

214. In the case of Save the Children, there is little doubt that mistakes were made. Sir Alan Parker told us:

When I look back, there are many things we would have done differently. We would have done it in a way that would have settled it each time more appropriately. Very clearly, there were quite specific HR failings in this, which I must take on board. I was chairman at the time. We did not give the individuals the right information, we did not give them the right handbooks, we did not take them to the right places on the website to look at the processes and we did not really give them the right advice on the options.³⁵⁸

215. The current Chief Executive, Kevin Watkins, was even more candid:

“I profoundly regret that we have arrived at this juncture. Mistakes were made in this process. It is why the Charity Commission inquiry is so important. We need to learn from that inquiry and ensure these things never happen again. I absolutely regret and genuinely deeply apologise to the women who were affected by these events. Again, we owe it to all those

354 Changing Aid ([SEA0025](#))

355 Humanitarian Women’s Network ([SEA0057](#))

356 Humanitarian Women’s Network ([SEA0057](#))

357 [Q309](#)

358 [Q314](#)

women who were affected to ensure that we become the organisation that will never let this happen again. I accept those points. There is no question that mistakes were made”³⁵⁹

216. We are deeply troubled by the fact that aid workers have reported a lack of trust in their employers to handle allegations of sexual harassment and abuse. We are even more concerned by reports of negative consequences for the complainant. Any organisation needs to create an environment in which those who suffer harassment and abuse are safe to report without fear of retaliation and with the confidence that their allegations will be taken seriously. Failure to do so not only leaves staff without recourse to recompense and justice, it also puts them at risk by allowing perpetrators to remain in post. In the case of aid sector organisations, the failure to be able to create trusted, safe, reliable reporting mechanisms within the workplace has dire implications for the way these organisations might encourage, facilitate and handle cases reported by aid beneficiaries who have been the victims of sexual exploitation and abuse.

12 Organisational culture

217. The evidence we received suggests that there can exist within aid organisations a culture which provides fertile grounds for sexual harassment and abuse against aid workers. Research by Professor Mazurana and Phoebe Donnelly points to sexual harassment and abuse in contexts where:

a sexist, homophobic work atmosphere exists (including in housing compounds) and senior management does not stop it; a macho form of masculinity dominates the humanitarian relief space; recreational use of drugs and alcohol occurs; high levels of conflict- and non-conflict-related violence against local civilian women exist; armed conflict is on-going; and rule of law is weak or non-existent.³⁶⁰

218. Kevin Watkins told us that the challenging context in which aid workers are operating has sometimes been used as an excuse for unacceptable behaviour:

I have seen it argued that, if you work in a difficult and dangerous place, you should somehow be subjected to a different set of rules and that the standards should be lower. There is only one rule that should apply to our mission and to our organisation, and that is that you treat other people as you would expect to be treated yourself.³⁶¹

More widely, Professor Mazurana and Ms Donnelly identify the environmental factors that contribute to sexual harassment and abuse as:

(1) the male domination of power, space, and decision-making in aid agencies; (2) a “macho” environment, where males with power (through positions of authority or weapons, in the case of security officers) foster a work and living atmosphere where sexual discrimination and harassment, discussions and jokes about sex, homophobia, and a “boys will be boys” attitude flourishes and where sexual assault is seen as permissible by perpetrators and their supporters.³⁶²

219. Code Blue described a similar environment within the UN, where they claim that “discriminatory attitudes towards and practices in relation to women and ‘boys club’ patriarchal structures run rampant”.³⁶³ Christian Aid told us that:

[w]e have to acknowledge the extent of patriarchal cultures within our organisations and in our sector, which enable harassment between staff to go unchallenged, or that have ignored and/or made light of harassment on the grounds of organisational or wider culture.³⁶⁴

220. We heard that the widespread use of short-term contracts within the aid sector can exacerbate this gendered power dynamic and make staff vulnerable. Caroline Thompson, the Chair of Trustees of Oxfam GB said:

360 Professor Dyan Mazurana and Phoebe Donnelly ([SEA0008](#))

361 [Q99](#)

362 Professor Dyan Mazurana and Phoebe Donnelly ([SEA0008](#))

363 AIDS-Free World’s Code Blue Campaign ([SEA0035](#))

364 Christian Aid ([SEA0031](#))

You are absolutely right to point out the risks of people who are on short-term contracts and the vulnerability they feel, which exacerbates this power relationship that already exists. Often, younger women feel obliged and under pressure to do things for older men because the power relationships are wrong.³⁶⁵

UNITE the Union criticised the “culture of overuse of short and fixed term” contracts.³⁶⁶ They wrote in evidence that:

Such contracts are known to contribute to different kinds of workplace abuse—including bullying, excessive workloads and sexual harassment and abuse. At the simplest level such insecure contracts prevent people from coming forward to report abuse as they fear that they will not have their contract renewed.³⁶⁷

221. We also heard that the power imbalances which contribute to workplace sexual harassment and abuse can be corrected through improved gender parity within organisations. The Humanitarian Women’s Network have called on IASC to reform workplace culture “by re-committing to gender parity in hiring practices and ensuring staff training in gender sensitivity before and during field deployments”.³⁶⁸ CARE International UK wrote in their evidence that “[w]e need to do more to increase women’s leadership in INGOs at the highest levels and in teams still dominated by men”.³⁶⁹

222. The UN Secretary-General told us that he saw gender parity as an important part of the solution to workplace sexual harassment and abuse in the same way that he saw it as essential to tackling the sexual exploitation and abuse of beneficiaries.³⁷⁰ Christian Aid similarly told us that organisational culture linked these two problems:

Until our organisational cultures of staff-to-staff relationships are fully and openly addressed, we fear we will not see change in staff-to-beneficiary relationships.³⁷¹

223. Professor Mazurana and Phoebe Donnelly emphasised the importance of ensuring that all staff in leadership positions can demonstrate that they value equality and minority rights. They called for the UN and aid organisations, as well as governments, foundations and other donors to:

Actively recruit, hire and promote to positions of power and decision-making women and men whose past work performance demonstrate a clear commitment to the rights of women, LGBT persons, and other minorities.³⁷²

224. With this in mind, we reflect upon how Justin Forsyth, who was known to have displayed sexually inappropriate behaviour towards members of staff, was able to move from his senior leadership position within Save the Children into a senior leadership

365 [Q92](#)

366 UNITE the Union ([SEA0001](#))

367 Ibid

368 Inter-Agency Standing Committee, [Discrimination, Harassment and Abuse of Women Aid Workers: Survey Results and Way Forward. Background paper from the Humanitarian Women’s Network](#), (December 2016)

369 CARE International UK ([SEA0017](#))

370 See Annex 1

371 Christian Aid ([SEA0031](#))

372 Professor Dyan Mazurana and Phoebe Donnelly ([SEA0008](#))

position at UNICEF, without the matter of sexual harassment being raised. We heard that Save the Children had a “conversation” with a head-hunter who contacted them about Mr Forsyth in relation to his possible employment at UNICEF,³⁷³ and that in this conversation, it is unlikely that there was any mention of sexual harassment “because they had not been formal complaints”.³⁷⁴

225. We need to see a transformation of the cultures within aid organisations that currently provide an environment in which sexual harassment and abuse of staff can thrive. This is imperative for the safety and wellbeing of aid staff who are subject to both the risks and reality of harassment and abuse in the workplace. It is also essential if we are to see any change in the way that organisations approach and respond to the sexual exploitation and abuse of beneficiaries.

226. The working group looking at organisational culture must take into account the experiences of aid workers who have suffered harassment and abuse in the workplace in order to fully understand the pervasiveness of these cultures. The agreed indicators for a positive organisational culture should include the way that organisations handle the sexual harassment and abuse of staff, and this should be subject to review in the same regular assessments of organisational culture which we have advocated.

227. We concluded in Part I that the leadership of an organisation has a key role to play in setting an ethical culture from the top down. If individuals who are known to have displayed sexually inappropriate behaviour towards staff are able to obtain senior leadership positions in aid organisations, then cultural change will be impossible.

228. As we recommended in Part I, DFID should use the International Safeguarding Conference in October as an opportunity to secure commitment from aid organisations on achieving gender parity, with agreed targets and timeframes. Alongside this, organisations must commit to recruiting and promoting into leadership positions only those who can display a clear commitment to the rights of women and minorities.

373 [Q303](#)

374 [Q306](#)

13 Conclusion

229. We have heard how the delivery of aid, whilst providing lifesaving resources to people and communities in crisis, can also be subverted by sexual predators into a channel through which they can magnify their power and use possession of those resources to exploit and abuse some of the most vulnerable people in the world. We must not turn away from the horror of it. We have a duty to confront it.

230. Having understood the length of time that the sector has been aware of these issues, we reflect with confusion on the apparent shock of those we spoke to in the immediate aftermath of the Times report. This has been a known problem in the international aid sector for years. We have heard examples of how individuals within the sector have sought attention on this problem from those on higher rungs, but have gained little traction. We have been told of instances when those who have reported cases of sexual exploitation and abuse have been belittled, ostracised and silenced. DFID told us that they have always responded properly to reports of sexual exploitation and abuse, but the evidence that we have seen indicates that the department has, historically, failed to display leadership and engagement. There is so much more that could have been done.

231. The problem was brought to the forefront of public attention this year by the media, to whom we owe a debt. But we should not have needed a media scandal to trigger the level of response that we have witnessed since February. The periodic revelations of sexual exploitation and abuse within the aid sector since 2002 have meant that policies, codes of conduct and response measures have been developed, but the aid sector has then deceived itself into thinking that it has dealt with the problem and the focus has faded. The intermittent attention means that little has been properly implemented. Meaningful implementation requires sustained engagement, and it requires money. This is what we must now see going forward.

232. A full response to sexual exploitation and abuse hinges on: empowerment, reporting, accountability and screening.

- Empowerment: we believe that the beneficiaries of humanitarian aid should be provided -- alongside water, food, shelter, sanitation and security -- with knowledge and confidence in their rights. Crucially then, there needs to be, from the start, on-the-ground, well-designed, victim-centred, arrangements for where to go, and who to talk to, if those rights are threatened or violated. And those contacts need to be trained and confident in the effective next stages.
- Reporting: reports of sexual exploitation and abuse should be sought proactively, and responded to robustly. This will require resources and it is incumbent on DFID and other donors to provide these. Victims and survivors should receive feedback on the progress of these reports, and the ultimate outcomes.
- Accountability: reports of sexual exploitation and abuse must be followed by investigation and confirmation must be met with accountability for the perpetrator (only then will the loop be closed and deterrence introduced). This will not happen unless aid organisations embody and exhibit a zero tolerance culture on sexual exploitation and abuse, creating an environment in which staff feel safe and encouraged to speak up about incidents, and in which they have

confidence that these reports will be met with a response. Aid organisations are accountable to their donors and the public for how reports of incidents are handled, and this requires a culture of transparency that trumps the desire to manage reputations. Donors and the Charity Commission in turn have a responsibility to press for this transparency, and create an environment in which organisations are not penalised for openness. Even with these improvements, we cannot rely on the sector's self-regulation. Accountability to beneficiaries would be enhanced by the establishment of an independent aid ombudsman, to provide an avenue through which victims and survivors can appeal for justice and recompense, if they are unable to find this through the established channels.

- Screening: improved reporting and accountability will result in a greater number of known perpetrators. It is imperative that they are not able to move into new positions where they can abuse again. We need to see a rapid improvement of the methods for screening staff to prevent this from happening. In the short term, this means strengthening referencing practices to improve the way that organisations communicate with each other about potentially dangerous individuals. In the longer term, this means a global register of aid workers who we can trust to operate according to the standards that we expect.

233. These measures are interlinked and essential to each other. There can be no missing link in the chain. The forthcoming International Safeguarding Conference presents an opportunity for DFID to secure commitments from across the aid sector to move these measures forward, but the response does not end there. This is not an issue that can be tackled by ticking boxes. The Conference is the start of a process, and only through sustained engagement, leadership and funding will we see transformational change.

Conclusions and recommendations

The nature and scale of the problem

1. In recent months, the MeToo movement has helped bring to light the extent to which sexual abuse pervades workplaces and society at large. The international aid sector is not exempt, and we should not expect it to be. But the distressingly familiar pattern of senior male executives sexually harassing junior female employees - while present in aid organisations - is not the whole story in that sector. Sexual exploitation and abuse is ultimately an abuse of power and the aid sector is one of extreme power imbalance: those receiving aid in humanitarian crisis situations are some of the most vulnerable and disempowered people in the world. The sector as a whole needs to confront the fact that, although the exact scale remains unknown, sexual exploitation and abuse is happening and it is happening across organisations, countries and institutions. It is endemic, and it has been for a long time. Outrage is appropriate, but surprise is not. The sector needs a complete change of mindset, whereby those who fund and deliver aid are actively working together to seek out and root out the problem. (Paragraph 37)

The historical response to SEA

2. The international aid sector's response to tackling SEA since 2002 has been reactive, patchy and sluggish. The UN has failed to display sustained leadership. DFID's historical response to reports of SEA has been disappointing. NGOs have created new policies and procedures but have not successfully implemented them, and where worthwhile initiatives have been developed, these have been continually underfunded. Whilst there are clearly actors within the aid community who are dedicated to tackling SEA, the overall impression is one of complacency, verging on complicity. (Paragraph 58)
3. The sector's considerable movement on PSEA in the past few months is certainly welcome, but it is also long overdue. The Oxfam story did not reveal to aid organisations that SEA was a problem, but it did highlight the impact of a media exposé. The sector has been aware of the problem of SEA for years, but as our evidence, and even the UN Secretary-General, have indicated, action only seems to come when there is a crisis. A reactive, cyclical approach, driven by concern for reputational management, will not bring about transformational change. (Paragraph 59)
4. The work that DFID has done since February 2018 is encouraging, but we are yet to be reassured that the momentum will be sustained, and that progress will not begin to stagnate as it has done following previous reports and scandals. We commend the leadership that DFID has been showing on this issue, but the real test now is what happens next. (Paragraph 60)
5. *Following the International Safeguarding Conference in October 2018, DFID must display a high-level of sustained leadership and engagement on sexual exploitation and abuse. This means both driving forward change on the international stage, and ensuring that in-country offices are similarly displaying leadership at the national*

level. The Government should recognise the pivotal role that the DFID's Safeguarding Unit can play in ensuring coherence across ODA-spending departments, and should instruct the Unit to take responsibility for coordination. To display long-term commitment, and ensure sustained progress, DFID should report annually on its safeguarding activities. This report should have a particular focus on the Safeguarding Unit, tracking achievements against clear objectives. (Paragraph 61)

6. The Committee will play its part in ensuring that momentum on SEA is maintained. We will start with an examination of the Government's response to this report, and following that, we will scrutinise the annual reports on safeguarding that we hope the Department will agree to publish. We will also consider safeguarding risks as part of future inquiries, so that we can monitor how well DFID is ensuring that safeguarding is integrated across its programmes. (Paragraph 62)

A victim-centred approach?

7. A failure to listen to and consider the needs of victims and survivors of SEA, will engender a response that is not only ineffective, but potentially harmful. Victims and survivors should demonstrably be front and centre of all efforts to tackle SEA and this means the inclusion of victim and survivor voices in policy-making processes on an ongoing basis. The UN Secretary-General's commitment to a victim-centred approach, and the Secretary of State's emphasis on including victim and survivor voices in the October Safeguarding Conference are both important steps. In order to be meaningful, however, the victim-centred approach needs to be fully integrated across all aspects of the sector's SEA response. (Paragraph 70)

Improving reporting

8. Improving reporting of SEA is vital to understanding the problem, responding to it, and ultimately, to preventing it. Aid organisations and donors must consider this an absolute priority. It is galling to hear that the main obstacle to progress in this area has been a lack of funding. This cannot continue. (Paragraph 87)
9. *Donors, and in particular DFID, must provide funds to support the implementation of reporting mechanisms as well as a broader programme of initiatives to increase understanding of rights and tackle sexual and gender-based violence more widely. There must also be provision of support services for those who do come forward and report abuse. Alongside this, donors must acknowledge and communicate their understanding of the fact that an increase in the number of reports of SEA will be considered an indicator of improved reporting mechanisms. (Paragraph 88)*
10. We welcome the fact that one of the four working groups established after the Safeguarding Summit is focused on reporting. In all efforts to improve reporting of SEA, there needs to be an understanding of the extreme vulnerability of the people who are being asked to report. (Paragraph 89)
11. *The working group must ensure that [victims' extreme vulnerability] is at the heart of any recommendations they make on improving reporting mechanisms.*

Recommendations should also recognise the value of a proactive approach to gathering reports, involving outreach and the creation of spaces where victims and survivors feel they can talk about abuse. (Paragraph 90)

12. We welcome the fact that there will be a systematic audit of whistleblowing practices across the sector. (Paragraph 91)
13. *Accessibility of whistleblowing systems and protections for the people who use them should be key aspects of this. The remit of the audit should go beyond an examination of what exists at the policy level, and should test the extent to which systems and protections are working effectively. (Paragraph 92)*
14. The lack of clear, best practice guidelines for how to handle reports of SEA once they have been received, both in terms of conducting an investigation, and referring potential crimes to relevant authorities, leaves organisations ill-equipped, and victims and survivors at risk. We welcome DFID's commitment to provide clearer best practice guidelines on referring potential crimes to relevant authorities, based on the findings of the working group focused on improving reporting. (Paragraph 95)
15. *DFID's Safeguarding Unit can play a role in communicating [revised guidelines on referring allegations of potential crimes to relevant national authorities] widely. The Safeguarding Unit should also set and communicate best practice standards for robust, victim-centred investigations, led by specialist investigators. (Paragraph 96)*

Resources for safeguarding

16. Donors cannot expect aid organisations to integrate safeguarding into their programmes without the resource to do so. (Paragraph 100)
17. *DFID should take responsibility for ensuring that safeguarding is a line in every budget for programmes where there are safeguarding risks, and should ensure that grants and contracts awarded to such programmes allow for these costs. (Paragraph 101)*

Employment practices

18. A global register of aid workers would act as one barrier to sexual predators seeking to enter the international aid profession. Logistical, practical and financial difficulties, whilst they present challenges, should not deter efforts to make this a reality. We are encouraged by the DFID Permanent Secretary's pronouncement that "nothing is in the 'too difficult' box" and we are confident that solutions can be found. We accept that such a register is not a perfect solution, and, undoubtedly, people will slip through the cracks and it may not cover locally-engaged aid workers. We see this as a reason to implement this solution in conjunction with other measures, such as investment into effective, victim-centred reporting mechanisms. (Paragraph 109)
19. *The international aid sector, led by DFID, should create an international register of aid workers, collectively resourced and independently managed. DFID should secure commitment to this at the International Safeguarding Conference in October, with an*

agreed action plan for taking it forward. This plan should include consideration for how the register will be funded and managed, the level of checks required, and which types of aid workers it will be applied to. (Paragraph 110)

20. The ease with which individuals known to be predatory and potentially dangerous have been able to move around the aid sector undetected is cause for deep concern and alarm. We welcome efforts to overcome barriers to data sharing and create joint systems that allow for rapid communication between organisations about individuals who present a safeguarding risk. However, the primary concern should be an improvement of existing referencing procedures, so that all organisations are, at the very least, displaying basic HR good practice. (Paragraph 120)
21. *The International Safeguarding Conference in October provides an excellent opportunity to secure commitment on a series of best practice standards with regards to referencing. These should be based on a clear statement of what information can and cannot be shared between organisations, according to data protection law, and should include the following principles: organisations should always, without exception, seek references for prospective employees and follow-up on any incomplete references; organisations should ensure that all references given to other employers have been signed off by HR or an accredited referee; and if an individual resigns mid-way through an investigation, references should highlight that this was the case. (Paragraph 121)*

Organisational culture

22. We are horrified at reports of “a culture of denial” in UN and humanitarian organisations when confronted with allegations of SEA. Safeguarding policies and procedures will be utterly meaningless without a transformation of organisational culture. The leaders of aid organisations must ensure that what exists on paper is reflected in practice. This should not only be seen as a question of reiterating messages with local offices and implementing partners. Leaders cannot be complacent about the extent to which any part of the organisation is operating according to stated values, including the very top. Trustees and management should ensure they are actively displaying ethical leadership and demonstrating zero tolerance on sexual exploitation and abuse. The Charity Commission and DFID must penalise failures to do so. (Paragraph 129)
23. In support of this, there is room for sector-wide clarity and agreement on how a positive safeguarding culture can be identified, and what the best tools are for ensuring that this is embedded. We welcome the establishment of the working group focused on organisational culture and look forward to seeing how it answers these questions. Reviews of organisational culture, such as those announced by Oxfam and Save the Children, are important for ensuring that policies and codes of conduct translate into behavioural change. Such reviews should be conducted as a matter of course, and not just when failings have been exposed. (Paragraph 130)
24. *DFID should use the opportunity of the International Safeguarding Conference in October to secure a commitment from all aid organisations to regular assessments of culture, based on agreed indicators. (Paragraph 131)*

25. We agree with the Rt Hon Andrew Mitchell MP that Oxfam abided “by the letter but not by the spirit” of their obligations in their reporting of the incidents in Haiti. It is vital that aid organisations are fully transparent about the number of SEA allegations they receive, and how these allegations are dealt with. This is fundamental for developing a better understanding across the sector about when SEA is happening, and the most effective ways of responding to it. DFID and the Charity Commission have a responsibility to follow-up on serious incident reports when notified in order to ensure that these have been handled properly. At the same time, DFID needs to be clear that transparency about SEA will not be penalised, but improper handling of cases will, and this includes a failure to be fully open about what has occurred. The sector needs to move together on becoming more open about SEA, so that the organisations which are transparent are not singled out for criticism. (Paragraph 140)
26. We welcome the fact that the participants of the Safeguarding Summit in March have agreed that information on safeguarding cases should be published in annual reports. (Paragraph 141)
27. *Aid organisations should report the full number of SEA allegations each year, as well as the number of allegations upheld. At the International Safeguarding Summit in October, DFID should secure commitment from all participating aid organisations that this information will be published annually.* (Paragraph 142)
28. Gender imbalance in the aid sector, as with many sectors, is an ongoing issue. We are conscious that our own Committee is no exception. Whilst a structural gender imbalance persists within the sector, cultural change will be very difficult to achieve. (Paragraph 144)
29. *Aid organisations should follow the example of the UN and aim to achieve gender parity on boards, at senior management level, and throughout the workforce. DFID should use the International Safeguarding Conference in October as an opportunity to secure commitment on this, with agreed targets and timeframes.* (Paragraph 145)

Safeguarding at the multilateral level

30. With only a limited pot of resources for PSEA initiatives, it is imperative that the UN agencies pool their efforts to maximise their impact. We recognise that there are now a number of joint initiatives but the sheer number of task forces and working groups that have sprung up indicates that there is still duplication, or at least a lack of integration, of efforts to tackle SEA. If there is work being done to systematically measure, monitor and evaluate the outcomes of these various measures, and share learning, we have not seen evidence of it. Member States have a key role to play in promoting closer working between the various limbs of the UN system and, importantly, in ensuring that outcomes are being monitored, evaluated and shared. We welcome DFID’s push for more collaborative working and we encourage the UK to leverage the donor working group and the position that Member States hold on UN agency executive boards to ensure that this comes to fruition. (Paragraph 154)
31. The UN’s approach to investigating SEA allegations lacks consistency and coherence. The system is not laid out clearly enough for us to judge where high standards are

being met, and where they are deficient. Investigative functions seem to operate in siloes, and there is little evidence of best practice sharing. There is no single body taking an overall interest in the outcomes of investigations or driving them towards resolution, and the victims appear to be essentially forgotten. We heard that standardisation on sanctions is important, but the structure of the current system seems to completely undermine this. We appreciate that there may be advantages to decentralisation, but this does not preclude coordination and consistency. (Paragraph 162)

32. We welcome the introduction of a standardised reporting form, and believe that this consistency should be evident in all aspects of UN investigations. (Paragraph 163)
33. *The UK should urge the UN Special Coordinator on SEA to create, in consultation with both the OIOS and the individual investigative functions of the UN agencies, funds and programmes, best practice standards for investigations, which all agencies responsible for conducting investigations must follow. These standards should reflect the importance of ensuring that investigations reach a timely conclusion as well as the necessity of having investigators with specialist expertise in sexual exploitation and abuse. The Victims' Rights Advocate should work with the Special Coordinator on SEA to ensure that these standards reflect a victim-centred approach to investigations. The UK should hold agencies to account for the adoption of these best practice standards, and should encourage other States in the donor working group to do the same.* (Paragraph 164)
34. Impunity for sexual exploitation and abuse is utterly unacceptable. The lack of accountability entirely undermines the notion of zero tolerance and undercuts efforts to strengthen reporting mechanisms, by reinforcing the notion that there is no value in bringing forward allegations. The UN, and its Member States, cannot underestimate the importance of ensuring that allegations of SEA reach a proper conclusion. We can see that there is no buy-in amongst Member States for an independent accountability mechanism overseeing the UN investigation processes, and we also recognise that such mechanisms risk replicating the existing political dynamics within the UN. Member States, however, still have an important role to play regarding accountability. (Paragraph 174)
35. *It is imperative that all [SEA] cases referred to Member states are thoroughly investigated and brought to trial where there is a case, and that the outcome of this judicial process is communicated back to the initial complainant. The UK must lead the way and use its influence within the donor working group to ensure that other Member States do the same.* (Paragraph 175)
36. We welcome the UN Secretary-General's commitment to waive immunity in cases of SEA, and his recognition that this is a significant problem with civilian, as well as military, personnel. (Paragraph 176)
37. *The UK should ensure that the theoretical waiver of [UN] immunity also applies in practice, and should press the Secretary-General to deliver on his commitment in all cases where it applies.* (Paragraph 177)

Sector regulation and oversight

38. The Charity Commission, as the charity sector regulator, plays a crucial role in monitoring and upholding standards on safeguarding. It should be resourced accordingly. (Paragraph 182)
39. *The Government must ensure that the Charity Commission is provided with sufficient resources to enable it to meet the demand created by the increase in safeguarding related incident reports.* (Paragraph 183)
40. The shortcomings that we have observed within the aid sector during the course of this inquiry demonstrate to us that self-regulation has failed. Currently, when organisations fail to hold abusers to account, the victims and survivors have no other recourse to justice. An ombudsman is not a regulator. It would not be a ‘global Charity Commission’. It would provide a right of appeal, an avenue through which those who have suffered can seek justice by other means. Whilst other measures that we support, such as the global register for aid workers, are focused on the perpetrator, this is one measure which exists for the victim. We accept that reaching victims and survivors will be a challenge, and that this will cost money, but we adopt the view of DFID’s Permanent Secretary: just because something is difficult, it does not mean it should go in the “too difficult box”. (Paragraph 193)
41. *The aid sector must recognise the vital importance of establishing an independent aid ombudsman and take tangible steps towards making this a reality. DFID should play its part by ensuring that there is a sector-wide commitment on this at the International Safeguarding Conference in October and by facilitating the development of an action plan with agreed next steps for taking this forward.* (Paragraph 194)

Reporting sexual harassment and abuse

42. We are deeply troubled by the fact that aid workers have reported a lack of trust in their employers to handle allegations of sexual harassment and abuse. We are even more concerned by reports of negative consequences for the complainant. Any organisation needs to create an environment in which those who suffer harassment and abuse are safe to report without fear of retaliation and with the confidence that their allegations will be taken seriously. Failure to do so not only leaves staff without recourse to recompense and justice, it also puts them at risk by allowing perpetrators to remain in post. In the case of aid sector organisations, the failure to be able to create trusted, safe, reliable reporting mechanisms within the workplace has dire implications for the way these organisations might encourage, facilitate and handle cases reported by aid beneficiaries who have been the victims of sexual exploitation and abuse. (Paragraph 216)

Organisational culture

43. We need to see a transformation of the cultures within aid organisations that currently provide an environment in which sexual harassment and abuse of staff can thrive. This is imperative for the safety and wellbeing of aid staff who are subject

to both the risks and reality of harassment and abuse in the workplace. It is also essential if we are to see any change in the way that organisations approach and respond to the sexual exploitation and abuse of beneficiaries. (Paragraph 225)

44. *The working group looking at organisational culture must take into account the experiences of aid workers who have suffered harassment and abuse in the workplace in order to fully understand the pervasiveness of these cultures. The agreed indicators for a positive organisational culture should include the way that organisations handle the sexual harassment and abuse of staff, and this should be subject to review in the same regular assessments of organisational culture which we have advocated.* (Paragraph 226)
45. We concluded in Part I that the leadership of an organisation has a key role to play in setting an ethical culture from the top down. If individuals who are known to have displayed sexually inappropriate behaviour towards staff are able to obtain senior leadership positions in aid organisations, then cultural change will be impossible. (Paragraph 227)
46. *As we recommended in Part I, DFID should use the International Safeguarding Conference in October as an opportunity to secure commitment from aid organisations on achieving gender parity, with agreed targets and timeframes. Alongside this, organisations must commit to recruiting and promoting into leadership positions only those who can display a clear commitment to the rights of women and minorities.* (Paragraph 228)

Annex 1: List of meetings in New York and Washington, June 2018

United Nations, New York

UN Secretary-General, António Guterres

Deputy UN Secretary-General, Amina Mohammed

UN funds & programmes: Director of UNICEF, Deputy Executive Director of UNDP, Deputy Executive Director of UNFPA and Deputy Executive Director of UN Women

Special Coordinator on Sexual Exploitation and Abuse and Assistant Secretary-General & Victims' Rights Advocate

Director of the UN High Commissioner for Refugees and Director of the International Organisation for Migration

Assistant Secretary-General, Department of Field Support and UN Deputy Military Adviser (Major General Hugh Van Roosen), Department of Peacekeeping Operations

UN Office of Internal Oversight Services (OIOS): Director of Evaluations and Officer-in-Charge of Investigations

Departmental Management: Assistant Secretary-General, Human Resources and Assistant Secretary-General, Central Support Services

Representatives of UN Member States

International Rescue Committee: General Counsel, Senior Vice President for International Programs and Chief Ethics & Compliance Officer

Washington DC

US Department for International Development (USAID)

Members of the Congressional UK Caucus

World Bank:

UK Executive Director, World Bank Group

Vice President, External and Corporate Relations

Chief Environmental and Social Standards Officer

Director for the Social, Urban, Rural and Resilience (SURR) Global Practice

World Bank Group Senior Director, Gender

Manager, Environmental and Social Standards

Regional Safeguards Adviser

Manager, Business Integrity Review, Ethics and Business Conduct (EBC) Vice Presidency

Senior Vice-President and General Counsel

International Monetary Fund:

Ethics Advisor

Ombudsperson

Annex 2: Exchanges of correspondence arising from oral evidence given

1. Department for International Development and Ministry of Defence (joint memorandum), 26 June 2018

You requested a joint submission from the Department for International Development and Ministry of Defence on the steps taken in response to receipt of the 2002 report on Sexual violence and exploitation: the experience of refugee children in Guinea, Liberia and Sierra Leone, including the references to allegations against British peacekeeping personnel in Sierra Leone.³⁷⁵

Please find this attached at Annex A with an associated supporting document at Annex B. This incorporates input from the tri-departmental (DFID, MoD and FCO) UN Peacekeeping Joint Unit which leads on the UK Government's peacekeeping policy.

In your letter to DFID you requested our view on Oxfam's reporting of the Haiti investigations and proceedings in 2011. As set out in DFID's written evidence to the Committee, letters were received from Oxfam on 5 August, 18 August and 5 September 2011, informing DFID that it had launched, conducted and concluded an investigation in 2011 and that they had informed the Charity Commission. At no point did they report to DFID that allegations referred to sexual misconduct. Oxfam gave DFID clear reassurances that none of these instances of misconduct involved beneficiaries or the misuse of any funds intended for post-earthquake reconstruction efforts in Haiti. As you are aware, the ongoing Charity Commission Inquiry is examining Oxfam's handling and disclosure to the Commission, statutory funders, donors, agencies and stakeholders, in relation to these serious safeguarding incidents.

You also asked for an update from DFID on any further developments on safeguarding, particularly on our plans for the conference to be held later this year.

The UK will host an international conference on tackling sexual exploitation, abuse and harassment in the aid sector on 18 October in London. This will be a key milestone for demonstrating sector-wide progress on driving up safeguarding standards. There have been no major developments on preparations for the conference since the Written Ministerial Statement of 17 May. DFID recently published an Addendum to the High-Level Summary on Safeguarding Assurance returns. Internationally, the G7 Development Ministers and OECD DAC Tidewater meetings agreed joint statements on tackling sexual exploitation and abuse. Links are provided to these at Annex C.

Thank you again for the Committee's attention to this crucial issue. The UK Government is committed to drive up safeguarding standards across the aid sector to keep people safe from sexual exploitation, abuse and harassment.

375 See [oral evidence given on 5 June 2018](#)

Rt Hon Penny Mordaunt MP, Secretary of State, Department for International Development, and Rt Hon Gavin Williamson CBE MP, Secretary of State, Ministry of Defence

Annex A: Note on steps taken in response to 2002 safeguarding report

1. Further to a request from the International Development Committee dated 11 June 2018, this note outlines steps taken by the Department for International Development (DFID) and Ministry of Defence (MoD) following receipt of the report on Sexual violence and exploitation: the experience of refugee children in Guinea, Liberia and Sierra Leone in 2002.

Advice to Ministers

2. Advice was provided to DFID Ministers (addressed to the then-Parliamentary Under-Secretary of State) on 27 February 2002 – this is included at Annex B. This noted that the co-authors of the report, from the office of the United Nations High Commissioner for Refugees (UNHCR) and Save the Children UK, had already begun to take steps to improve the safety and security of refugees and that DFID would follow up on this with UNHCR (see below).

3. The MoD has not located any records of advice provided to Ministers at that time.

UNHCR follow up

4. Immediate actions taken by UNHCR in response to the report, which DFID monitored through our ongoing partnership with the agency, included the following:

- (a) Upon receipt of a confidential report in November 2001, UNHCR began implementing a series of specific preventive and remedial actions aimed at better protecting refugee women and more effectively addressing the problem of sexual exploitation and abuse of refugee children in West Africa. This included UNHCR appointing a focal point for sexual and gender based violence in West Africa.
- (b) Simultaneously, UNHCR requested the Office of Internal Oversight Services in New York to conduct an investigation into the allegations.
- (c) A number of concrete measures were taken by UNHCR in Liberia, Guinea and Sierra Leone – including strengthened protection for victims and reporting mechanisms; improved delivery of assistance and services; raising awareness in refugee communities and refugee education; enhanced coordination with other UN agencies and NGOs; and increasing awareness and accountability among personnel in Sierra Leone, Liberia and Guinea.
- (d) UNHCR sent letters to the NGOs mentioned in the consultant’s report and the Office of Internal Oversight (OIOS) report, informing them of the allegations implicating their staff. UNHCR followed up to find out what action had been taken.

International response

5. The international response to the report led to the establishment in 2002 of the Interagency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse, and the beginning of the development of the Core Humanitarian Standard from 2006.

6. Other key developments soon after publication of the report included the adoption in 2003 of UN General Assembly Resolution 57/306 on “Investigation into sexual exploitation of refugees by aid workers in West Africa” and the UN Secretary-General’s Bulletin on “Special measures for protection from sexual exploitation and abuse”.

UK response to peacekeeping allegations

7. The report makes a single allegation against UK personnel; that British peacekeepers taking part in the United Nations Mission in Sierra Leone (UNAMSIL) were alleged to have been involved in sexually exploitative relationships with refugee/displaced children in Freetown. The allegation is caveated, stating “These allegations were not investigated by the assessment team and require further substantiation”.

8. No inquiry was initiated by the Royal Military Police as a result of the publication of the report nor have there been any investigations into alleged allegations of abuse by Army personnel whilst deployed on UN Missions in Africa. No evidence as to the source of the claim, the complainant, location, date, the accused or the offence was provided in the report.

British peacekeeping standards of conduct and training

9. Service personnel are held to the highest standards of conduct, and this is instilled through training in values and standards in initial training, career training, and reiterated for specific operations. The Army has internally published guidance covering women, peace and security and gender mainstreaming, and children and armed conflict.

10. Annual training in the Values and Standards required of a soldier in the British Army includes instruction on the law of armed conflict, and training to understand the requirement for self-discipline and respect for others, including the moral courage to do what is right and to maintain “the highest standards of decency and behaviour at all times and in all circumstances, which will earn respect and foster trust.”

11. Army pre-deployment training to all personnel deploying on UN missions includes a dedicated session on women, peace and security which addresses the prevention of sexual violence as a weapon of war, how to deal with incidences of sexual gender-based violence and how to support the protection of civilians, including women and girls, as well as men and boys.

12. Additional training on sexual exploitation and abuse (SEA) is included, and explains what SEA is, the standards and behaviours expected of soldiers, and what action that could be taken if soldiers suspect that SEA is taking place.

13. On arrival in the theatre of operations, soldiers undergo a Reception Staging and Onward Integration process that reinforces the training they have been taught during their mission specific training in the UK.

Annex B: Copy of 2002 advice provided to DFID Ministers

[Official's name removed]

DATE: 27 February 2002

PS/PUSS

WEST AFRICA CHILD SEX ABUSE ALLEGATIONS

1. As requested, please find attached at Flag A a copy of the UNHCR/Save The Children (SCF UK) report: Sexual Violence and Exploitation – The experience of refugee children in Guinea, Liberia and Sierra Leone, along with a summary press release from UNHCR and SCF UK at Flag B.

2. The report is not a formal investigation as such, more a collection of testimonies, which have been collated in the form of a Guidance Note for Implementing and Operational Partners. Both UNHCR and SCF UK are following up with more formal investigations because of the seriousness of the allegations uncovered. UNHCR and Save the Children UK have chosen to make the report public because of 'the disturbing nature of the allegations, the apparent scope of the problem, and the need for immediate and co-ordinated remedial measures by a wide range of agencies and organisations'.

3. Allegations are of exchange of under-age sex for access to shelter, food and other services, with the major culprits alleged to have been local staff of up to 40 different NGOs, UNHCR, Save the Children, as well as UN peacekeepers themselves. The problem with the humanitarian workers appears to be especially pronounced in refugee camps in Guinea and Liberia.

4. UNHCR and SCF have already begun to take steps to improve the safety and security of the refugees, stamp out these practices and improve monitoring so that it does not reoccur. For now, I would suggest the line for the PUSS to take in his interview this afternoon is:

- the report contains very concerning allegations.
- UNHCR and SCF UK are investigating these allegations further
- we welcome their openness in bringing these issues to public attention
- DFID is following up with UNHCR to find out what concrete steps are being taken to stamp out these practices and ensure that they will not reoccur.

[Official's name removed]

West and North Africa Department

Annex C: Links to other recent publications

Addendum to the High Level Summary on Safeguarding Assurance returns www.gov.uk/government/publications/update-on-safeguarding-in-the-aid-sector

G7 Development Ministers statement

<https://g7.gc.ca/en/g7-presidency/themes/investing-growth-works-everyone/g7-ministerial-meeting/g7-development-ministers-meeting-chairs-summary/whistler-declaration-protection-sexual-exploitation-abuse-international-assistance/>

OECD DAC Tidewater meeting statement

www.oecd.org/dac/Tidewater-Joint-Statement-on-Combating-Sexual-Exploitation-and-Abuse.pdf

2. Naik, Asmita, co-author of 2002 West Africa study, further submission, 15 July 2018

Further to the IDC's request for my response to information provided by DFID (Mr Peter Taylor, Head of Safeguarding Unit) on the 2002 UNHCR/Save the Children UK West Africa 'sex for aid' report at the oral evidence session on 3 July 2018, I provide this supplemental note to be read in conjunction with my Submissions dated 18 February 2018 (SEA0005) and 11 April 2018 (SEA0042).

1. DFID's testimony³⁷⁶ suggested the following:

- (a) No basis for allegations against British peacekeepers because the UN investigated and found nothing.

My response - The UN-OIOS did not investigate as it never asked me for details of the specific allegation referring to British Peacekeepers in the West Africa report. This information was gathered by me from a credible source in UNICEF. The UK government did not ask me for details at the time, neither did anyone else. This is the first time I am being asked about it.

- (b) Only a minority of allegations arising from the West Africa report were proven according to the UN investigation.

My response - UN-OIOS chose to investigate a sample of the 67 allegations only and said they could not be substantiated. It went on to uncover 43 new allegations itself and confirmed the existence of the problem of sexual exploitation/abuse in the aid sector in West Africa. The UN-OIOS investigation was criticised at the time by governments, Save the Children UK, human rights organisations and the media - see Submission dated 11 April 2018 (SEA0042).

- (c) Agencies said they could find no basis for the allegations.

³⁷⁶ See oral evidence given on and [3 July 2018 \(current Secretary of State\)](#); see also oral evidence given on [5 June 2018 \(former Secretaries of State for International Development\)](#)

My response - The 40 agencies were not given the full information needed to investigate properly. The information on specific allegations was contained in several confidential lists organised by country, camp and organisation and amounting to 60+ pages. The sources were kept in separate lists for protection and cross-referenced to the allegations using a coding system. Additional information was in field notes kept by team members. UN-OIOS/UNHCR would have needed my help to assemble the information on specific allegations from disparate documents. I was never asked to assist in this process. I was only involved in providing information to one organisation, Save the Children UK itself. In a note dated 8 December 2001, SC-UK was provided with information on 4 allegations; following which it conducted an investigation and sacked 3 workers.

2. DFID was made aware of the controversies of the UN response in 2002/2003

from various sources including MPs such as Debra Shipley and Caroline Spelman (See Submission 11 April 2018 - SEA0042) and also through emails and conversations with me – see Annex. I have briefed the current DFID administration on the issues surrounding the West Africa report various times since February this year.

3. The West Africa report led to policy change

The Inter-agency standing committee on sexual exploitation and abuse was set up in March 2002 in response; a UN General Assembly resolution was passed; a global policy on sexual exploitation and abuse (UN SG 2003 Bulletin) was issued. But victims/survivors/witnesses were let down by the failure to carry out a prompt and fair investigation in relation to specific allegations, and they were undermined by statements from some senior figures attempting to deny the allegations and dismiss the report.

Annex: DFID 2002/2003 Emails on West Africa report

1. Email response from DFID saying they were not making a statement at the UN General Assembly questioning the UN's investigation into the West Africa report (unlike some other governments such as Australia, Canada and New Zealand who were making such a statement).

Date: Thu, 27 Mar 2003 18:11:43 +0000

From: ...@DFID.GOV.UK> To: Asmita Naik

Subject: Re: West Africa exploitation by aid workers issue

Thanks. We agree with the Aus/Can/NZ perspective. But the answer to your question is that the UK did not make an intervention at this meeting. The UK formed the view that it may be better now to look forwards than to look backwards, and to try to support the measures that are being taken to improve matters, and encourage HCR to accelerate progress to full implementation of the OIOS recommendations, than to continue to harangue the errors of the past.

2. Email asking DFID whether the UK was making a statement to the UN General Assembly and sharing the statement of the Australian/New Zealand/Canadian governments questioning the UN OIOS investigation into the West Africa report

From: Asmita Naik 25/03/03 16:36:12 To: ...@DFID.GOV.UK

Thank you for your reply. I look forward to hearing DFID's conclusions and would be happy to assist your HR department should they require support on the matter given my previous involvement in policy development on these issues.

Further to my earlier email regarding the upcoming debate at the GA, I would also appreciate it if you could confirm whether the UK made a statement about the OIOS report at that meeting. If so, I would like to obtain a copy. I'm pasting below fyi the text of a joint statement made by the governments of Australia, New Zealand and Canada where they register a number of concerns regarding the manner and conclusions of the OIOS investigation.

Statement by Australia, New Zealand and Canada on OIOS report to UN GA in early March 2003

I have the honour to speak on behalf of the delegations of Australia, New Zealand and Canada. I would like to thank Mr. Nair for introducing the report of the OIOS on its investigation into the sexual exploitation of refugees in three countries in West Africa. It is not surprising that the international community was alarmed by the survey by Save the Children (UK) - UNHCR slightly over a year ago which asserted widespread sexual exploitation of refugees by humanitarian workers, including UN employees. The very thought that the poorest and most vulnerable should be abused or exploited by those charged with protecting and helping them is an affront to fundamental human rights. The original consultant's report, intended to be a qualitative assessment, not an exhaustive investigation, has drawn international attention to the issue of sexual violence and exploitation of refugees and internally displaced populations, and itself highlighted the need for an investigation to pursue specific allegations.

Obviously, we hope that the investigation conducted by the OIOS is correct in its conclusion that sexual exploitation by UN-related personnel is not widespread. We believe that the conduct of the vast majority of the tens of thousands of women and men engaged in various forms of humanitarian work brings credit to their humanitarian vocation. What is crucial is that both reports confirm that sexual exploitation does occur and highlight the particular vulnerability of refugee women and children. Our delegations strongly condemn any form of sexual violence or exploitation. For us the imperative is to know how to prevent such unacceptable behaviour, reduce vulnerability to exploitation, and hold misconduct to account. A valuable feature of the OIOS report is that it goes beyond the investigation of specific cases to shed light on the factors that increase vulnerability to exploitation, as well as to make recommendations on how to reduce that vulnerability and to tighten accountability when misconduct happens.

Before delving into actions for the future, it would be useful to clarify some aspects of how OIOS went about its work. We are not absolutely clear on

how many of the cases identified by the consultant were in fact investigated, and why some were not. Were all the additional cases that the OIOS came across investigated? The OIOS report, it has been suggested, was limited in its approach. UNICEF, for example, is cited in the report as having been concerned that the focus of the investigation was female refugees under the age of 18, excluding other vulnerable persons, such as the internally displaced and women over 18. The Office for the Coordination of Humanitarian Affairs (OCHA) refers also to the situation of host communities. We also note that the investigation required a very high standard of evidence, which of course one would need in a court, but which might be beyond the level required to establish credibility. We would very much appreciate hearing from OIOS how it responds to these comments. Was the investigative lens too narrow? Is there any way to know if the findings would have been different if they were less narrow? It is also hard to know from the report exactly how the investigation team was staffed. Was the necessary gender and children's rights expertise participating? What arrangements were made for the confidentiality and protection of potential complainants?

The OIOS has made thoughtful and important recommendations, covering a wide range of issues. It identifies an overall protection gap in the refugee camps in West Africa, which make them more insecure than they should be. This is a concern which can apply to humanitarian operations more globally, and should be addressed worldwide. The OIOS also emphasizes the need for effective and timely reporting systems from the field level to UNHCR Headquarters, clear mechanisms, procedures and guidelines for investigations to enable effective and timely response, closer communication with refugee populations on their rights, and a review of service provision to enhance the involvement of women, to reduce opportunities for exploitation, and to strengthen accountability to client populations. We would appreciate detailed information on the status of the implementation of these recommendations, not only from OIOS, but also from the entities to which they were directed. We welcome the efforts of the Inter-Agency Standing Committee, led by OCHA and UNICEF, and its Task Force on protection from Sexual Exploitation and Abuse. The Plan of Action is a credible response and we support its follow-up and implementation. They correctly pointed out complexities surrounding the question of who is a "humanitarian worker". There are many different types of staff who may carry out specific tasks in a camp environment, governed by different laws, immunities, privileges, and rules, especially when peacekeeping operations are part of the mix. A disciplined approach requires a clear classification of the types of personnel, and the procedures for dealing with misconduct in each. The absence of a shared code of conduct among humanitarian agencies, varied oversight mechanisms, and insufficient attention and resources allocated for protection are also key gaps which have been identified, and which our delegations strongly believe must be urgently addressed.

We are pleased that the IASC Plan of Action includes benchmarks to address some of these issues as well as provision for program planning and design explicitly aimed to reduce vulnerability through a variety of means,

including the access of women to resources and a greater role for them in camp governance. The IASC Plan of Action is quite specific, with identified time-lines for action, and we would welcome detailed information on the status of implementation. We also understand the Secretary-General is preparing a Bulletin which will provide broad guidance to the entire UN family. We urge him to do this with the utmost of speed.

Peacekeeping operations constantly interact with local populations, and the UN has established a code of conduct aimed precisely at governing such engagement. The issues being dealt with today are not new to DPKO: the question of discipline and the response to misconduct has been a feature of peacekeeping since its inception, and policies and systems continue to be developed. OIOS makes specific recommendations for DPKO to improve procedures for reporting sex-related offences and for their investigation. We would be interested in detailed information from DPKO on the outcome of the review of previously existing policies and procedures. How does DPKO view the comment in paragraph 49 of the OIOS report suggesting that the low number of reports of exploitation is more due to poor reporting than a lack of cases? Are there adequate channels for complaints about people in peacekeeping missions to be aired? Are there * or can there be * channels for reporting complaints separate from the relevant national contingent?

Clear disciplinary and accountability guidelines for peacekeepers are essential. As we know, one of the cases investigated by OIOS involved a member of a contingent, who was repatriated. Accountability should not stop with repatriation. Troop contributing countries need to discharge their own responsibilities by taking necessary disciplinary action. For its part, the UN shares a responsibility with troop contributing countries to ensure that appropriate actions are taken. How does DPKO follow up the cases of misconduct where the contingent member goes home? For DPKO as an organization, the complexity of the factors contributing to sexual abuse and exploitation underscore the importance of strengthening its capacity to integrate systematically the gender dimension into peacekeeping operations.

In addition to whatever is done to prevent exploitation and abuse, and to act decisively when it does occur, it is important for the UN to use its public information mechanisms to be frank and transparent when cases arise. We should be sensitive to the high standard to which the UN is held and to the deep public interest in what we do. Being open about problems and measures being taken to resolve them would reduce the misimpression of inaction, or worse. In the minds of our citizens, the United Nations is most associated with peacekeeping and humanitarian action. This positive association must not be jeopardized as it underpins the ongoing consent of our publics that we should work together for the high-minded goals set out in the Charter. However often or rare the incidence of sexual exploitation, it remains unacceptable and considerable work remains to be done to ensure that vulnerable populations are not put at further risk by those whose job it is to provide physical protection and material assistance. We appreciate the

insights provided by the OIOS on the scale of the issue but more importantly, on how to respond to it for the future. We look forward to being briefed by the OIOS on the implementation of its recommendations when it reports to the General Assembly at its next session. We also expect the OIOS to draw to the attention of the Assembly information on other cases that come to its attention.

3. Email from DFID saying that the Human Resources department was leading DFID's response on this issue. This was in response to a question about whether DFID was looking into developing codes of conduct for partners and DFID staff.

Date: Tue, 25 Mar 2003 10:21:30 +0000

From: ...@DFID.GOV.UK>, To: Asmita Naik

Subject: Re: West Africa exploitation by aid workers issue

We are looking into the two areas you mention vis-a-vis requiring codes of conduct of partners and the issue of codes of conduct for DFID. Our HR policy department is taking the lead on this issue rather than CHAD, as it is considered to be a central personnel-type issue for DFID rather than a programmatic issue. Our HR policy department are investigating the implications, so we should be able to let you know what their conclusions are presently.

4. Emails to DFID asking whether the UK had intervened at the UN General Assembly on the UN OIOS investigation.

Date: Thu, 13 Mar 2003 15:18:04 -0000

From: Asmita Naik, To: ...@DFID.GOV.UK

Subject: OIOS report at GA

I refer to my earlier emails raising my concerns regarding the OIOS report on sexual exploitation of refugee children in West Africa. As you know the GA discussion of the OIOS report took place last week. I would be obliged if you could send me a copy of the UK government's intervention at that session.

From: Asmita Naik, To: ...@DFID.GOV.UK

Further to our conversation yesterday, please find attached CNN transcript, couple of press articles (I have plenty more if you're interested) and an open letter sent to Ruud Lubbers from the Womens Commission. Also if you want to talk to more people to get background I suggest: ... at the US mission, also the Canadian mission as well as some of the Scandinavian donors esp. Norwegians, Danes, Human Rights Watch (... in NY), Quakers (...), ... (Humanitarian Accountability Project in Geneva). I look forward to seeing you next week.

3. Parker, Sir Alan (former chairman of Save the Children UK), letter dated 24 May

I am writing to you to confirm the evidence I gave to the International Development Committee on Tuesday [22 May 2018]³⁷⁷ and to provide further supporting evidence, in the light of some recent media comments.

In particular, I wanted to provide further underlying facts relating to my evidence to the Committee that the complaint made about Justin Forsyth in August 2015 was a complaint about the handling of the previous complaint against him, not a complaint about new misbehaviour. This statement by me reflects the clear and specific legal advice received at the time from specialist employment lawyers, Lewis Silkin, who advised Save the Children UK throughout this issue. The legal advice was that the original complaints made against Justin Forsyth in January 2012 and March 2015 had been resolved by agreement between the complainants, Justin Forsyth, and Save the Children UK. Save UK was advised by the lawyers that as a matter of law there would need to be good reason to reopen a disciplinary or conduct matter which had been concluded, e.g. if new allegations came to light. The facts of the allegations against Justin Forsyth were not in dispute in any of the earlier cases, as he had acknowledged and apologised for what had happened. There had been no new allegations against him. It was because of this background that the legal advice was that the appropriate way to respond to the complaint made in August 2015 was to establish the review, which was set up immediately, into the way in which the earlier complaints against Justin Forsyth were handled. This was alongside a separate review into the culture of the organisation. This was the basis on which I gave my evidence of the facts to the Committee.

The Committee may also wish to know that at a later date, in September 2015, the original complainant wrote to Save UK saying that she would like Save UK to treat her complaint of 14 August as a formal grievance. External legal advice was again taken from Lewis Silkin in relation to this development. Save UK was advised by a second partner in Lewis Silkin that the course of action on which it had embarked, namely carrying out the review, was appropriate. Save UK was advised that the case law relating to reopening disciplinary proceedings showed that it would require exceptional circumstances to reopen a closed disciplinary matter. We were advised that at the conclusion of the review the trustees would have the necessary information with which to decide whether exceptional circumstances existed to reopen an investigation into the original conduct of Justin Forsyth. In the meantime, the matter was taken forward in accordance with the grievance procedure until the grievance was withdrawn. For completeness, further advice was given in October 2015 by Freshfields, after I had stepped down as Chair of Save UK. I understand that Freshfields was asked to advise whether Save UK should reopen an investigation in relation to the original complaints made against Justin Forsyth. They agreed with the advice given by Lewis Silkin. When the review into past complaints was delivered in October 2015, the Trustees agreed not to re-open the investigations. This was a unanimous decision and was in accordance with the recommendation of the Sub-Committee that had been convened to consider these matters. The Trustees received advice from the Sub-Committee that it was not appropriate to do so in accordance with the legal advice given by Lewis Silkin.

377 See [oral evidence given on 22 May 2028](#)

2 I appreciate that the contents of all this legal advice were unlikely to be known to the complainants or their supporters, but it is clear that at all times Save UK acted specifically in accordance with the legal advice it received.

Finally, I would also like to confirm that I did not provide a reference to Unicef regarding Justin Forsyth, nor was I Chair when a conversation did take place between Save the Children and Unicef's head-hunters. I shall be grateful if the Committee will regard this letter as further evidence to its inquiry, and I am happy for the contents of this letter to be made public.

4. Stocking, Dame Barbara (former chairman of Oxfam GB), submission, 22 June 2018

I am very grateful to have the opportunity to respond on a number of points concerning Oxfam's handling of certain events in Haiti in 2011.

When I and other senior staff and trustees first heard from the whistle-blower in Haiti in 2011, we were deeply concerned and immediately sent an investigation team to find out what was going on. As our investigation took place and the unacceptable behaviour of Oxfam staff was exposed, we were horrified; their behaviour was in total opposition to Oxfam's values and culture - something I will pick up later, in response to the last question.

In answer to your specific questions:

In Oxfam's letter to DFID informing them of the allegations and subsequent investigation, why was it not made explicit that the allegations referred to sexual misconduct?

Do you agree with Rt Hon Andrew Mitchell MP that Oxfam abided by the letter but not the spirit of the rules with regards to how Oxfam reported the Haiti case to DFID in 2011?

In August 2011, as our internal investigation into the events in Haiti was taking place, we took legal advice from the law firm Lewis Silkin about what we were able to say in public. A copy of that advice is attached. We felt that it was important to make a public statement about what had happened in Haiti as part of our on-going commitment to be open and transparent. However, we were also mindful of the legal boundaries as to how much we could reveal. The advice we received made it clear that we should not mention any names of the individuals involved and, importantly, should also not give details of the types of misconduct being investigated since this would open us to charges of defamation of character by one or more members of staff. For that reason, in the three press statements we released we did not mention the specific types of misconduct that we had found to be taking place.

In terms of what was shared with donors, I did not, myself, make the decision about what should be shared with donors as I was out of the country at the time and delegated, as I normally would, to the appropriate person. But, of course, as CEO I was still the person with ultimate accountability for the decisions taken. My understanding is that we also took the legal advice into account when formulating our communications to donors and

relevant external bodies as there was a real concern that any details such as the names of the individuals or the reasons for any of the dismissals might get into the public domain which would again run the risk of exposing Oxfam to criticism or legal challenge.

It should be noted that we did say in the letter to DFID (and other donors) that the breaches of the Code of Conduct were “serious in nature” but “not concerning fraud”. At that time, fraud was a major concern to all donors given the large sums of public money being raised for use in Haiti. The letters made it very clear to donors that we would provide further information if required, and in fact, we were contacted by some of the other donors following receipt of our letter, but not by DFID. At that time in 2011 we were not routinely asked by any donors to report on whether we were experiencing conduct issues of a sexual nature and / or related to sexual exploitation or misconduct as this was not thought to be a significant risk within the sector at the time.

In answer to your question, I do not accept, as suggested by Rt Hon Andrew Mitchell MP, that we were only acting to the letter and not in the spirit of our obligations. The fact that Oxfam voluntarily made press statements and wrote to donors about the events at the time they happened, despite having no obligation to do so, highlights the charity’s commitment to addressing the issues head on. I am confident in my opinion that these are not the action of an organisation seeking only to comply with the letter of the obligations.

Why, when Oxfam reported the matter to the Charity Commission, did it neglect to mention that crimes had been committed or that minors may have been involved? Do you feel that you were transparent enough?

The legal advice given to Oxfam in 2011 is that there was no specific offence of prostitution, although it was generally discouraged and the law did contain a wider offence against public decency. The use of prostitutes is still only illegal in a handful of countries in the world and on that basis there was no evidence from the investigation that crimes had been committed by any of the Oxfam staff.

There were some initial allegations that there may have been exploitation of minors in Haiti by Oxfam staff. However, following a detailed investigation several statements were made by individuals which confirmed that the women involved were not minors and some of the information received about the possible use of minors was found to be without foundation. After detailed investigation, the team in Haiti concluded that in relation to the involvement of minors ‘none of the evidence was substantiated’.

It could be argued that we should have engaged with the women more thoroughly to find out whether there were minors. In retrospect, and with hindsight, we could have pursued that further - but I think all of us concerned felt, at the time, that we had enough information and evidence to ensure that the staff involved were removed from Oxfam and from Haiti. Our priority at the time was not to further jeopardise the important work we were doing in Haiti.

In the report made to the Charity Commission in 2011, we were more explicit regarding the nature of the misconduct, stating that the gross misconduct related to “inappropriate sexual behaviour, bullying, harassment and intimidation”. As a charity, this report was being made to the Charity Commission as our regulator. The report was made as a serious incident report, for which there was no prescribed format. The Charity Commission

responded to our report on 29 August 2011 stating that “as Oxfam has taken appropriate action following the incident we have no regulatory concerns”. The report did not refer to crimes being committed as the investigation had not found that the staff had been engaged in criminal activity and the primary concern was that members of staff had breached our Code of Conduct. The phrase ‘inappropriate sexual behaviour’ arguably suggests more serious activity than a phrase such as ‘staff were alleged to be using prostitutes in breach of our internal Code of Conduct’ and the words used to describe the misconduct in the report to the Charity Commission were thought to convey the severity of some of the breaches of the Code of Conduct.

There was no intention to withhold information from the report to the Charity Commission and the Charity Commission were specifically invited to raise any questions with Oxfam at that time. In my view Oxfam were transparent about what had happened as shown by the concurrent voluntary statements to the press.

Why were three staff in the investigation, including the Country Director, Roland van Hauwermeiren, allowed to resign? Do you still think this outcome was appropriate?

Regarding Roland van Hauwermeiren:

In 2011, neither myself, the trustees, nor the senior management team were aware that Roland had been dismissed from another humanitarian agency in 2003, nor had any of us heard any rumours about staff behaviour from the time when he was the Country Director in Chad. These concerns have only come to light very recently.

At his first interview with the investigation team Roland offered his resignation on the basis of his management accountability for the country team and at the same time confessed to having paid for sex on two occasions. For the avoidance of doubt, he was not involved in the allegations that were being investigated relating to activities in the Oxfam shared house. The investigating team and the Regional Programme manager, who had just flown in to take overall charge in Haiti, knew that there had been intimidation by one or more of those who were being investigated. They believed that it would only be possible to carry out a thorough investigation if the Country Director was present and cooperating. Furthermore, we were also very concerned to maintain the aid programme that we were providing in Haiti. At this early stage we did not know the full extent of the concerns about behaviour of staff but there was a suspicion that we might have to investigate and potentially lose a significant number of staff, at a time when there was still a considerable need for aid and support in Haiti. The investigating team and Regional Programme Manager in Haiti recommended that in the circumstances we should accept his resignation but have him remain in post only for a short period and after some deliberation the decision was made to allow Roland to resign in order to secure his continued co-operation with the investigation of the other staff members and to ensure continuity of the aid programme and avoid causing further harm to the people of Haiti.

With regard to the other two employees, I can confirm:

One of these individuals (a non-European Union national) was employed by Oxfam in Russia under a Russian Law contract of employment, who was seconded to Haiti. He resigned but we still completed the disciplinary and appeal process with him and informed

him that, had his employment not been governed by the Russian legal framework, Oxfam would have dismissed him. As it was, we were unable to use the word 'Dismissal' in his Russian Labour Book, or retain formal letters relating to the incident on his personal file. (We had taken legal advice in Russia to make sure we complied with the law).

The second employee was on annual leave at the time, and submitted his resignation whilst on leave before we could conduct any interviews with him. He was due to return from leave on 29 August 2011 with his fixed term contract due to finish on 7 September 2011. He was reminded that he needed to give four weeks' notice and informed that we needed to discuss the allegations that had been made against him and give him the opportunity to respond. He was warned that if he did not respond we would record on file that he had resigned during an investigation and was unwilling to discuss the allegations with Oxfam. We did not hear back from him. To date, as far as I have been able to ascertain, we were not asked for any reference for him afterwards (though it is not possible to prove this definitively).

What steps did you take to ensure that the staff who had been dismissed by Oxfam were not reemployed in a different capacity? Are you satisfied that these efforts were sufficient?

In Haiti, our HR team were not able to provide negative references for any staff. Local law prevented them from doing this. We were extremely anxious to ensure that these individuals were not reemployed either by Oxfam or other aid agencies so we arranged for any reference request for these staff to be forwarded from Haiti to our Head of Employee Relations who was able to provide a reference that complied with UK law by issuing a record of employment only, but adding that we would not re-employ them. On more than one occasion we were contacted by other agencies and able to say that the staff had been disciplined under our Code of Conduct.

Unfortunately it now appears that one of the staff investigated in Haiti and dismissed was able to be reemployed as a result of a 'peer reference' being provided under the Oxfam name from another person dismissed. (This can happen when another agency has a form and do not send it through to an Oxfam account but to a personal email address). The reference given was not a formal Oxfam reference and, although it is extremely regrettable, it is not something that was within Oxfam's control. As an additional precaution our HR Director had also informally alerted a number of other UK agencies that they should contact Oxfam before employing international staff who had worked in Haiti at that time.

Within Oxfam GB itself, the records were 'flagged' on the e-recruitment system noting that anyone reviewing the file should consult their senior managers in HR. In some cases, Oxfam was asked for a reference and replied that they would not re-employ the individuals. In one case, when further details were requested, Oxfam wrote back to say that for legal reasons further details could not be provided.

Why was the decision taken not to report the alleged use of prostitutes, a criminal activity, to the Haitian authorities? On what advice was this decision based?

As noted earlier, legal advice was taken within Haiti on whether prostitution was or was not illegal in Haiti. Prostitution was not itself a specific criminal offence in Haiti. There is no

evidence, as far as I am aware, that the use of prostitutes was a criminal offence in Haiti in 2011. However, I should add that even if the use of prostitutes had been a criminal offence it is unclear that there would have been a legal requirement for Oxfam to report this to the local authorities. Oxfam would have had a duty of care to its employees and reporting its own staff to the local authorities is something on which Oxfam would have had to take specific legal advice, had it considered that crimes had taken place. I understand that the British Government has itself come to the conclusion that the reporting of sexual offences should not be mandatory, and that would seem to be the position in most countries, as it would have been in 2011.

In addition, we understand from further reporting in The Times on 17 March 2018, that one of the employees who was subject to investigation remained employed by Oxfam in Haiti for more than a year after he had first been identified as displaying predatory behaviour towards women.

Why, in 2010, the alleged use of prostitutes by members of Oxfam staff working in Haiti was not considered to be a serious matter by managers?

The member of staff in The Times' report of 17 March 2018, was indeed given a final warning in June 2010 at a formal meeting, following complaints of sexual harassment by female expatriates and other breaches of the Code of Conduct. It was noted then that any further misconduct of any type would result in dismissal. Further allegations were made against this individual in December 2010 that he was bringing prostitutes into Oxfam's accommodation. It appears that although the Country Director, Roland van Hauwermeiren, was informed, he consulted the Haiti HR Manager (himself subsequently dismissed in August 2011) and Roland van Hauwermeiren stated that he was satisfied there was no case and no further action was taken.

In August 2011, having read the full investigation material, it was quite clear to me that the person concerned should have been dismissed much earlier.

I was not aware of the correspondence from people in the Humanitarian Management Team in Oxford which subsequently came to light and appears to condone such appalling behaviour. The behaviour, and its condoning, is totally against Oxfam's values. Subsequently in 2018, I was informed that the personnel manager had, at the time, taken the individual to task about his views.

The senior managers and trustees of Oxfam in 2011 took the staff breaches of the Code of Conduct extremely seriously and we immediately took steps to both improve understanding in the humanitarian team and also to make clear, right across our humanitarian activity, the unacceptability of what had happened. This was, of course, included in the more comprehensive Action Plan. Following the Haiti events both the humanitarian department and humanitarian work were the highest priority for clarifying our position and reaffirming our culture.

Whether, during your time as CEO, you felt that the working culture and behaviours within Oxfam reflected the organisation's stated principles and values? If not, what effort did you make to rectify this?

Oxfam always was, and still is, an organisation of deep values and culture. As Chief Executive, I saw it as a major part of my role, alongside the Council (Trustees) and senior managers to maintain and develop this culture, as well as taking action when people did not adhere to it and also making clear to staff what would happen if they did break our Code of Conduct. We focussed particularly strongly on gender issues in both humanitarian and development work with an internal commitment to “putting poor women’s rights at the heart of all we do”. We had a strong ethos of transparency and also worked on accountability to beneficiaries to try to reduce the unequal power relationship between aid recipients and aid deliverers.

To be clear, these messages were passed through the management line as well as at meetings of Regional Directors and in the biennial meetings with Country Directors. In addition, I myself wrote a letter once a month which went to every member of staff across the world, including drivers and receptionists, etc. In these I was able to make sure staff knew what we expected of them, for example, picking up issues about sexual exploitation in the sector in a number of these letters.

Of course, as is clear from the events in Haiti in 2011, no organisation is perfect. The key for me following the 2011 investigation was to take action and make it clear again to all staff of the implications of breaching our Code. We made a concerted effort to educate staff and change the culture across the organisation following the events in Haiti. Yes, there had been individual cases previously, properly investigated and action taken and we had been reporting the number of cases in our public Annual Accountability report regularly from 2006/7. These were small in number and in fact we were emphasising the need for everyone to report their concerns, including through separate “whistle-blowing” phone numbers, precisely because we were concerned that we might not be hearing about all poor behaviour.

Overall the only area where I think the culture was not as strong was in some of the humanitarian work in the most extreme emergency environments. That became much more obvious as a result of the Haiti investigation in 2011, and of course we took on board the serious need to shift that culture. Apart from the often chaotic circumstances in which staff are working, the difference with humanitarian work is that you are often employing workers from around the world on short term contracts who therefore have less allegiance to the organisation and its values, but that is no excuse for the unacceptable behaviour in Haiti.

I have no comment on Oxfam’s current safeguarding, except to say that an enormous amount has been done since I left and I know Oxfam has been reviewed and shown to have some of the best policies and procedures in the sector (for example, the Tuff’s report identifies Oxfam as an example of good practice within the sector). If we are going to improve further I think the whole sector must move together, since in humanitarian work we are transferring staff repeatedly, and, they are all working together in emergency environments. That means setting common standards, I believe, as well as the ability

to report personnel concerns across countries. I know the Committee is grappling with how this might be done given the complex legal and compliance constraints on sharing information.

Finally, I do believe that we must encourage a culture and way of operating that prioritises and encourages agencies and the individuals within them to report when behaviours are poor, in order that these behaviours can be acknowledged and properly addressed. I fear that the way Oxfam's actions are being reassessed with the benefit of hindsight, rather than with the contemporary lens of the time and without the understanding of the detailed facts, will lead people to be less transparent. Dealing with sexual exploitation, or for that matter other issues such as fraud, requires constant vigilance and support when the problems are being tackled.

Despite what has been reported in the media, I can assure you that Oxfam firmly believed that in making press statements in 2011 and writing to its donors about the events in Haiti that it was making a clear statement to its staff and other external agencies that the poor behaviour of its staff was not acceptable. There was, categorically, no attempt to cover up or down play what had happened and the suggestion that Oxfam was complying only with the letter rather than the spirit of the rules is completely contrary to Oxfam's and my own core values.

Attachment: extracts from legal advice received by Oxfam GB from Lewis Silkin, 17 August 2011³⁷⁸

...

Whilst you clearly have a wish to be seen to have dealt with this seriously both internally and externally, we do have some concerns about some of the information that you are considering sharing externally. I think your option of taking a more 'vague' approach is likely to be a safer way of handling this, however I have set out some more details below.

External communications

- **Can you give names?** Our view is that this would not be prudent. I think that there is a risk in relation to potential privacy/human rights claims that could arise if we name employees in the press in this way. In addition, if an employee was to pursue an employment claim and we have published their name in connection with these allegations, there is a good chance that their claim would be worth more financially as their opportunities for mitigating their losses are likely to be significantly reduced. We also, of course, risk a 'press war' where the employee might make potentially damaging (whether true or untrue) statements about Oxfam. Given that employment will have ended, I do not think an employee would be able to claim that giving their names gives rise to an employment claim in itself (e.g. a breach of trust and confidence), but it's possible it could lead to the other types of claims I mentioned above (privacy/human rights).

- **Can you give details of the allegations made?** Ideally, this would again be limited - perhaps simply refer to the fact that there have been various allegations of "wrongdoing" or some equally generic word. If you decide that you want to publicise the precise allegations, you should be aware that all of those who have been dismissed/left are likely to be tarred

³⁷⁸ OXFAM is waiving privilege in this legal advice only for the purposes of the International Development Committee Inquiry into sexual exploitation and abuse in the aid sector 2018 only.

with the same brush in terms of the nature of allegations - this could potentially lead to a defamation claim against us. This is potentially the case even if we do not name names, since these may well leak out/emerge separately and they would then be linked to all the allegations even if, in fact, they had only actually been accused of one type of misconduct.

- **Can you give details of sanction?** I think this is fine, obviously depending on your decisions in respect of the above two categories. Our recommendation would be that approach this in a vague way, stating simply that “certain allegations of wrongdoing have been made, Oxfam has carefully and conscientiously investigated and, as a result of those investigations, X number of people have been dismissed or left the organisation”.

- **Is there a difference between internal and external communications?** Yes, I think it is legitimate to take a less vague approach internally, but I think it should be strongly emphasised that you need to consider the protection of Oxfam’s personnel and reputation first and foremost and therefore it should be a strictly confidential communication. I think you are right to be concerned that individuals not associated with these allegations could be wrongly associated with it by former colleagues if we do not give an internal communication on this point. Ideally, this should be limited to those staff close to the issues (e.g. I would not broadcast this as an ‘all staff’ email).

- **Can you communicate prior to the appeal hearing?** I don’t see a problem with this from a legal perspective, since technically the employees will have been dismissed and therefore our statement would be factually accurate. The question will be whether we make clear in the statement that the dismissals remain open to appeal - I suspect that this would weaken our statement and therefore this is unlikely to be a popular move. However, if we make a statement prior to the appeal and then the appeal changes the outcome (e.g. an employee is reinstated), I think it would be important to update any statement to make clear that the numbers of employees dismissed have changed. In an ideal world, we would at least wait until the deadline for appealing has passed so that we can be confident about the accuracy of any statement, but I appreciate this might be difficult.

On a wider note, I think that there are potentially privacy and defamation risks here, depending on the level of information that you give out and the fact that information may be put together in a way which results in a misleading impression. I would therefore encourage you to seek advice separately on these issues, either from your in-house legal team or your defamation advisors.

...

5. Watkins, Kevin (Chief Executive of Save the Children UK)

Request for information and the Charity Commission Statutory Inquiry (Confidential)

Thank you for your letter dated 21st June 2018. We are grateful for your understanding of our position regarding the interaction between the Select Committee’s important work and the Charity Commission’s Statutory Inquiry regarding Save the Children UK’s response to serious allegations of misconduct and harassment against senior staff members in 2012 and 2015.

As a former trustee who sat on Save the Children UK's Board between 2009–2016, I felt that it was right for me to step aside from the liaison with the Charity Commission on the Statutory Inquiry and have delegated authority for this to a separate senior team of staff. Through this team, we are engaging fully with the Commission to support the work of the Statutory Inquiry and to ensure the Commission are aware of other developments which may affect their regulatory investigations. In that context we notified the Charity Commission of the requests made in your earlier letter.

As you are aware, Charity Commission has strongly advised us against sharing information directly pertinent to the remit of their inquiry at this time. They have warned that this would pose a serious risk of prejudicing the outcomes of the statutory investigation.

While we want to do everything we can to support the Committee's inquiry, it is absolutely critical that we respect the Charity Commission's advice. For that reason, and that reason alone, we do not feel able to provide several pieces of the information you requested until the Statutory Inquiry is complete.

Having discussed the specific information requested with the Commission, we are concerned that following items directly overlap with the remit of the Statutory Inquiry into Save the Children's handling of historic cases:

- Correspondence with Justin Forsyth
- Correspondence with complainants
- The investigative steps taken in the case of Justin Forsyth
- The reports into the handling of allegations and Save the Children's workplace culture.

As a result, I regret that we do not feel able to provide this information at this time – however we would of course be happy to provide it (with appropriate anonymisation, as you noted in the original request), once the Charity Commission inquiry has been completed.

We have included below and in documents attached, information regarding the two other areas on which you requested details:

Regarding the request for a copy of 'the HR policy under which the complaints process against Justin Forsyth in 2012 was conducted' – we have attached copies of several policies which in place in 2012 and 2015 when concerns were raised by staff members about Justin Forsyth [*not reproduced*]. According to the independent report commissioned into the handling of the Justin Forsyth cases (which, as above, we regret that we do not feel able to share at present), the relevant HR policies in these cases were our grievance, harassment, whistleblowing and disciplinary policies, which are all attached.

Regarding point 5. of your request - Save the Children does not use Non-Disclosure Agreements to resolve employment matters. In some cases, and in common with organisations across all sectors, the charity does use Settlement Agreements to settle disputes between employees and the organisation. Settlement Agreements are legally binding contracts that waive an individual's rights to make a claim covered by the agreement to an employment tribunal or court. These agreements are a widely-recognised

way of resolving disputes, and usually include some form of payment to the employee, often with an agreed reference; they must be in writing and relate to a particular complaint or proceedings. To protect the employee and the organisation, a Settlement Agreement would normally contain clauses requiring both parties to maintain confidentiality.

Based on our records, we have used 18 of these agreements since 2014 to resolve employment disputes – these cases relate to issues of redundancy, capability and performance, long-term incapacity and legal compliance issues. No Settlement Agreements were used to resolve complaints of harassment or bullying and neither Mr Forsyth nor Mr Cox were subject to Settlement Agreements.

We recognise that this leaves significant gaps in response to the Committee's requests. I want to reiterate that we are happy to provide further information once the Statutory Inquiry is complete, and to apologise completely for the fact that we currently feel unable to do this.

Save the Children takes its obligations to Parliament extremely seriously. We have welcomed the scrutiny of Committee members and other parliamentarians into both the issues of sexual exploitation in the aid sector and historic cases of staff misconduct. Your inquiry will play a critical role in holding our organisations to account and helping us frame the reforms needed to strengthen our safeguarding systems, ensure that our staff are respected and protected, and rebuild trust with the UK public. I look forward to sharing with the Committee the measures we have introduced in Save the Children to discharge our responsibilities.

Oral evidence session

Separately from the above, I am very grateful for the Committee's understanding that I was not able to attend the evidence session in May ... and I would welcome the opportunity to return to provide answers on the steps taken by Save the Children since 2015 and that we plan to take in the future to address these issues. I would also be delighted to discuss progress on some of the initiatives we discussed in February.³⁷⁹

We appreciate the Committee's understanding that the Statutory Inquiry means there are some constraints on what I may feel able to answer at the session, related to the remit of the Commission's investigations. However, I would be happy to appear before the Committee to answer further questions following the conclusion of the Statutory Inquiry.

Thank you again for your leadership on this critical inquiry – and for the scrutiny your Committee is providing. I will do everything in my power to support and respond to this and would be happy to provide more information on any of the above.

379 See [oral evidence given on 11 July 2018](#).

Annex 3: Draft International Development (Safeguarding Vulnerable Groups) Bill

Draft Bill drawn up and proposed for consultation by the Committee, arising from evidence heard, and as amended after consultation. Introduced, with leave of the House, on 4 July 2018, by the Chair of the Committee,³⁸⁰ under the Ten Minute Rule (Standing Order No. 23).³⁸¹

Explanatory Notes

1. Clause 1 of the draft Bill is based on the formulation in the International Development (Gender Equality) Act 2014 which introduced a duty on Secretary of State (for International Development) to have regard to the desirability of providing aid (both humanitarian and development) “in a way which is likely to contribute to reducing inequality between persons of different gender”. Clause 1 of *this* Bill requires the Secretary of State to provide aid in a way that “is likely to contribute to the safeguarding of children and vulnerable adults from sexual exploitation and abuse”.
2. Clause 2, paragraphs (1) and (2), require and facilitate the amendment of existing legislation to provide for disclosure and barring amongst aid sector personnel which is equivalent to the level required for other regulated activities under the Safeguarding Vulnerable Groups Act 2006. Clause 2, paragraph (3), also provides for circumstances where the international community establishes a multilateral, cross-jurisdictional, scheme (a preferred, but currently remote, solution). The provision in paragraph (3) grants a minister, who has indicated to Parliament their satisfaction with the proposed multilateral scheme, powers to amend or repeal regulations under this Act to facilitate the UK’s engagement in the new arrangements.
3. Clause 3 requires the Secretary of State to produce an annual report on the operation of safeguarding within the official development aid sector, including breaches, complaints and incidents.
4. Clause 4 deals with coming-into-force, extent and citation.
5. The Bill does not create the need for significant public expenditure. The current DBS scheme is funded by fees per application, paid by the prospective employer.

380 The Bill was sponsored by Stephen Twigg MP (Lab/Co-Op) (Chair of the IDC), Mrs Pauline Latham OBE MP (Con) (member of the IDC), Mrs Maria Miller MP (Con) (Chair of Women and Equalities Committee), Sarah Champion MP (Lab) (member of the Women and Equalities Committee), Chris Law MP (SNP) (member of the IDC), Jim Shannon MP (DUP spokesperson on human rights), Caroline Lucas MP (Green Party), Layla Moran MP (Liberal Democrat), Mr Virendra Sharma (Lab) (member of the IDC), Mrs Helen Grant MP (Con) (Trustee of the Human Trafficking Foundation), Paul Scully MP (Con) and Lloyd Russell-Moyle MP (Lab/Co-Op) (members of the IDC).

381 See House of Commons debate (Hansard), column [356ff, 4 July 2018](#). Private Members’ Bills, introduced via the Ten Minute Rule, often make no further progress.

International Development (Safeguarding Vulnerable Groups) Bill

Long title

A bill to make provision in connection with the protection of children and vulnerable adults in receipt of official development assistance and disaster relief.

Clauses

1. Duty to have regard to the safeguarding of children and vulnerable adults in receipt of disaster relief and overseas development assistance

- (1) The International Development Act 2002 is amended as follows.
- (2) In section 1 (development assistance), after subsection (1A) insert—

“(1B) Before providing development assistance under subsection (1), the Secretary of State shall have regard to the desirability of providing development assistance in a way which is likely to contribute to the safeguarding of children and vulnerable adults from sexual exploitation and abuse by persons with responsibilities, duties and powers to deliver, apportion, or otherwise allocate to recipients, goods and services arising from official development assistance.”
- (3) In section 3 (humanitarian assistance), after subsection (2)) insert—

“(3) Before providing assistance under subsection (1), the Secretary of State shall have regard to the desirability of providing assistance under that subsection in a way that contributes to the safeguarding of children and vulnerable adults affected by the disaster or emergency from sexual exploitation and abuse by persons with responsibilities, duties and powers to deliver, apportion or otherwise allocate to recipients, goods and services arising from official development assistance.”
- (4) The requirement imposed by an amendment made by this section may be satisfied by things done (wholly or in part) before the commencement of the amendment (including things done before the passing of this Act).

2. Delivery of development aid and disaster relief to be a regulated activity

- (1) The delivery, apportionment or other allocation of goods and services arising from official development assistance shall be a regulated activity for the purposes of the Safeguarding Vulnerable Groups Act 2006.
- (2) The Secretary of State may by regulation amend the Safeguarding Vulnerable Groups Act 2006, or orders and regulations made under that Act, for the purposes of meeting the objective under subsection (1).
- (3) Where Secretary of State has made a statement to both Houses of Parliament to the effect that:

- (4) effective arrangements have been established to provide for a multi-jurisdictional disclosure and barring scheme applying to the delivery of official development assistance and humanitarian relief, and
- (5) the arrangements in paragraph (a) have attracted an appropriate level of support and engagement amongst other donor countries, international institutions and delivery partners

the Secretary of State may by regulation amend, repeal or bring forward, regulations under this Act to enable the United Kingdom to join such arrangements.

- (6) A statutory instrument containing (whether alone or with other provision) regulations under subsection (2) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (7) A statutory instrument containing only regulations under subsection (3), is subject to annulment in pursuance of a resolution of either House of Parliament.

3. Duty of the Secretary of State to report to Parliament

The Secretary of State shall lay a report before each House of Parliament each year on:

- (1) the discharge of the duties required in section 1,
- (2) the breach by any organisation employing one or more persons with the responsibilities, duties or powers mentioned in section 1(2) or (3) of obligations imposed by virtue of section 2, or any regulations made under that section,
- (3) the operation of multilateral arrangements entered into under section 2(3), and
- (4) any other matter that the Secretary of State is satisfied is relevant to the purposes of this Act.

4. Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day after the day on which it receives Royal assent.
- (3) This Act may be cited as the International Development (Safeguarding Vulnerable Groups) Act.

Formal minutes

Monday 23 July 2018

Members present:

Stephen Twigg, in the Chair

Richard Burden Mrs Pauline Latham
Lloyd Russell-Moyle Paul Scully
Mr Virendra Sharma

Draft Report (*Sexual exploitation and abuse in the aid sector*), proposed by the Chair, brought up and read.

The Committee deliberated.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 233 read and agreed to.

Summary and annexes read and agreed to.

Resolved, That the Report be the Eighth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till Tuesday 4 September at 4.30 pm.]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Tuesday 20 February 2018

Question number

Mark Goldring, Chief Executive Officer, Oxfam GB; **Caroline Thomson**, Chair of Trustees, Oxfam GB; **Winnie Byanyima**, Executive Director, Oxfam International [Q1–98](#)

Kevin Watkins, Chief Executive Officer, Save the Children UK; **Steve Reeves**, Director of Child Safeguarding, Save the Children UK [Q99–117](#)

Matthew Rycroft CBE, Permanent Secretary, Department for International Development; **Gerard Howe**, Head of Inclusive Societies, Department for International Development; **Beverley Warmington**, Director of CHASE, Department for International Development [Q118–148](#)

Wednesday 18 April 2018

Asmita Naik, Independent Consultant; **Helen Evans**, Former Global Head of Safeguarding, Oxford GB [Q149–201](#)

Tuesday 8 May 2018

Caroline Nursey, Chair of the Board, Bond; **Judith Greenwood**, Executive Director, CHS Alliance [Q202–248](#)

Sarah Maguire, Director of Technical Services, Governance, Development Alternatives Incorporated (DAI); **Sinead Magill**, Regional Director for Europe, Middle East and Africa, Palladium Group [Q249–283](#)

Tuesday 22 May 2018

Sir Alan Parker, former Chairman of Save the Children International [Q283–360](#)

Tuesday 5 June 2018

Sarah Blakemore, Director, Keeping Children Safe; **Paula Donovan**, Co-Director, AIDS-Free World and its Code Blue Campaign; **Natalie Samarasinghe**, Executive Director, UNA-UK [Q361–384](#)

Rt Hon Clare Short, former Secretary of State for International Development; **Rt Hon Mr Andrew Mitchell MP**, former Secretary of State for International Development [Q385–412](#)

Tuesday 3 July 2018

Helen Stephenson, Chief Executive, Charity Commission, **David Holdsworth**, Deputy Chief Executive Officer and Registrar, Charity Commission, and **Michelle Russell**, Director of Investigations, Monitoring and Enforcement, Charity Commission [Q413–439](#)

Rt Hon Penny Mordaunt MP, Secretary of State for International Development, and **Peter Taylor**, Head of the Safeguarding Unit, Department for International Development

[Q440–472](#)

Wednesday 11 July 2018

Corinna Csáky, International Child Development Consultant

[Q473–493](#)

Kevin Watkins, Chief Executive Officer, Save the Children UK; **Steve Reeves**, Director of Child Safeguarding, Save the Children UK

[Q494–516](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website. The Committee also received written evidence that it has not published, by agreement.

SEA numbers are generated by the evidence processing system and so may not be complete.

- 1 ActionAid UK ([SEA0023](#))
- 2 AIDS-Free World's Code Blue Campaign ([SEA0035](#))
- 3 Bond ([SEA0015](#))
- 4 Bond Annex A ([SEA0051](#))
- 5 CARE International UK ([SEA0017](#))
- 6 Changing Aid ([SEA0025](#))
- 7 Christian Aid ([SEA0031](#))
- 8 Crown Agents ([SEA0053](#))
- 9 DAI Europe ([SEA0048](#))
- 10 DAI Europe Annex A ([SEA0052](#))
- 11 Dame Barbara Stocking ([SEA0055](#))
- 12 Department for International Development ([SEA0012](#))
- 13 Department for International Development & Ministry of Defence ([SEA0056](#))
- 14 Doughty Street Chambers, Institute for Justice & Democracy in Haiti and the Disaster Law Project ([SEA0041](#))
- 15 Dr Carla Ferstman ([SEA0018](#))
- 16 Dr Jonathan Parry ([SEA0026](#))
- 17 Dr Lori Handrahan ([SEA0010](#))
- 18 Dr Michael Edwards ([SEA0006](#))
- 19 Dr Miranda Brown ([SEA0033](#))
- 20 ECPAT UK (Every Child Protected Against Trafficking) ([SEA0014](#))
- 21 Health Poverty Action ([SEA0046](#))
- 22 Hear Their Cries ([SEA0022](#))
- 23 Helen Evans ([SEA0021](#))
- 24 Hope and Homes for Children ([SEA0032](#))
- 25 Humanitarian Leadership Academy ([SEA0044](#))
- 26 Humanitarian Women's Network ([SEA0057](#))
- 27 ICSA: The Governance Institute ([SEA0013](#))
- 28 Mr Eamonn Young ([SEA0060](#))
- 29 Mr William Anderson ([SEA0037](#))
- 30 Ms Asmita Naik ([SEA0042](#))
- 31 Ms Asmita Naik ([SEA0059](#))
- 32 Ms Caroline Aldiss ([SEA0036](#))

- 33 Ms Caroline Hunt-Matthes ([SEA0034](#))
- 34 Ms. Asmita Naik ([SEA0005](#))
- 35 Overseas Development Institute ([SEA0027](#))
- 36 Oxfam Annex A ([SEA0004](#))
- 37 Oxfam GB ([SEA0003](#))
- 38 Oxfam GB ([SEA0028](#))
- 39 Palladium ([SEA0050](#))
- 40 PhD, Professor Dyan Mazurana ([SEA0008](#))
- 41 Plan International UK ([SEA0024](#))
- 42 Price Waterhouse Coopers ([SEA0049](#))
- 43 Rape Crisis England and Wales and Equality Now ([SEA0058](#))
- 44 Save the Children ([SEA0002](#))
- 45 Save the Children ([SEA0009](#))
- 46 Save the Children Annex A ([SEA0054](#))
- 47 Social Development Direct ([SEA0043](#))
- 48 The British Red Cross ([SEA0020](#))
- 49 The Charity Commission for England and Wales ([SEA0040](#))
- 50 The International Rescue Committee UK ([SEA0030](#))
- 51 UNA-UK ([SEA0047](#))
- 52 UNFPA ([SEA0029](#))
- 53 UNHCR ([SEA0038](#))
- 54 UNHCR Annex A ([SEA0061](#))
- 55 UNITE the Union ([SEA0001](#))
- 56 VSO ([SEA0039](#))
- 57 World Vision UK ([SEA0019](#))
- 58 www.HearTheirCries.org ([SEA0007](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2017–19

First Report	DFID's work on education: Leaving no one behind?	HC 367
Second Report	Bangladesh and Burma: the Rohingya crisis	HC 504
Third Report	Bangladesh and Burma: the Rohingya crisis - monsoon preparedness in Cox's Bazar	HC 904
Fourth Report	Bangladesh, Burma and the Rohingya crisis	HC 1054
Fifth Reprt	Definition and administration of ODA	HC 547
Sixth Report	DFID's Economic Development Strategy	HC 941
Seventh Report	UK's arms exports during 2016	HC 666
First Special Report	DFID's use of private sector contractors: Government Response	HC 322
Second Special Report	UK aid: allocation of resources: Government Response	HC 323
Third Special Report	DFID's work on education: Leaving no on behind?: Government response	HC 914
Fourth Special Report	Bangladesh and Burma: the Rohingya crisis: Government response	HC 919
Fifth Special Report	Bangladesh and Burma: the Rohingya crisis - monsoon preparedness in Cox's Bazar: Government response to the Committee's Third Report	HC 1055