

# A REPUTATION LOST, A DANGER LOOMING

The scandal that hit Oxfam over sexual exploitation in Haiti raised important issues but should not be used by the enemies of overseas aid, says Margaret Lally

The exploitation of vulnerable people is always wrong. Understandably there was a huge outcry after newspaper revelations that Oxfam GB (Oxfam) staff working in Haiti after the 2010 earthquake had paid for sex.

Prostitution is illegal in Haiti where the legal age for consent is 18. Although none of the initial allegations of use of under-age prostitutes were substantiated it cannot be ruled out that some of the women were under age. Four staff were dismissed; three resigned. Is this a case of a few 'bad apples' and some process failures or is sexual exploitation happening on a much wider scale in the sector?

Let's focus on Oxfam for a start. In 2011-12 it had more than 5,000 employees, more than half of whom worked overseas. Approximately 500 staff were in Haiti. Even using internal surge capacity, Oxfam wouldn't have had enough permanent staff to respond to such a major disaster and recruiting quickly and at scale after a major disaster is a big challenge - particularly when there is quick and generous public response, and the media is beaming in pictures of people not being helped.

Oxfam brought in additional people primarily on short term contracts. Some of these would be specialists in logistics, engineering, sanitation and might work for other agencies, including the private sector, as well. They were interviewed and the chief executive of Oxfam has stated that those who had 'direct contact' with 'beneficiaries' were checked by the Disclosure and Barring Service (DBS).

## CRIMINAL OFFENCE

But as best DBS will tell you that individuals have not previously been identified as committing a criminal offence in the UK. Using prostitutes in the UK is not a criminal offence.

DBS checking would also only apply to British personnel. At least one individual in this scandal was not British.

The definitions of beneficiary and eligibility for DBS checks are narrow.

Further, temporary staff will not be as embedded in the organisation as its permanent staff and may not have absorbed its values. Providing supervision and support to response staff is challenging, particularly in the early days of a disaster. Oxfam has rightly been asked if it did enough to prevent abuse happening, investigated and dealt with the perpetrators rigorously and were sufficiently open about what happened.

Oxfam has accepted that its recruitment and disciplinary processes were not rigorous enough. The allegations were investigated by an independent staff

team but Oxfam was wrong to allow some individuals to resign rather than be dismissed.

The issue of providing references, which meant the perpetrators could be recycled to other organisations, is a bit murky. Oxfam has argued that for "legal reasons" it could not go into detail about an individual's conduct as they had resigned rather than been fired for misconduct. It tried to get around that by providing a reference which simply confirmed that an individual had worked with Oxfam between certain dates, which it believed was a minimum obligation.

Most UK employers would recognise this reference as worthless but that might not apply to overseas employers. One person did get employed by another country Oxfam - despite Oxfam UK circulating a list internally.

A key charge against Oxfam has been a lack of transparency to protect funding. It did not report the issues to the police or key stakeholders in Haiti (possibly to protect the victims). Nor were the matters reported to the UK police. Oxfam did inform the Charity Commission and the Department for International Development (DfID) that individuals had been dismissed for sexual misconduct, but also said that this misconduct had not involved beneficiaries (an inappropriately narrow definition of the word). A press statement was issued saying that people had been dismissed for serious breaches of conduct. A summary of complaints of this nature are also noted in Oxfam's annual reports. The current chief executive accepts that the organisation was not transparent enough but arguably Oxfam did as much as most publicly funded organisations.

Both the Charity Commission and DfID should have probed deeper. In the end what matters, however, is whether or not people felt that they knew what had happened - and on that criteria Oxfam failed.

Did Oxfam do enough to identify and prevent abuse in the future? Changes were put in place including establishing a central safeguarding team and setting up a whistleblowing line. But the ex-head of safeguarding manager has gone on record to say her concerns were not taken seriously enough by Oxfam's leadership. Oxfam has now accepted that her team was over stretched, that there was a fear of reporting and that there was a failure to tackle on a systematic basis the cultural issues.

Oxfam got quite a bit wrong - not least focusing on individual incidents rather than tackling systematic failures. But in this it is not alone. Over the last few weeks it has become clear that sexual abuse and harassment was not just an issue for Oxfam but for the sector as a whole, and also DfID.

Perhaps we should not be surprised. In 2002 Save the Children (StC) published a report with UNHCR highlighting the role of powerful men as gatekeepers to food and security in disaster areas, and the consequent scale of sexual exploitation by aid workers and peace troops. When giving evidence to the DfID select committee, Kevin Watkins of StC noted that predatory males (and it is most often males) will seek out vulnerable individuals - and where better to do so than within a charity? Abuse and exploitation is not confined to international work but the risks there are greater. There has been a collective failure to address these issues that goes well beyond Oxfam. Charities and DfID have now started to join up the dots and recognise that abuse will happen and there needs to be a systematic global response.

There are some practical steps. It is wrong that people who are working with some of the most vulnerable people on the planet do not have the same professional certification and regulation as educational, health, and social care professionals, and that perpetrators of abuse can move between organisations at will.

This needs an international response. One proposal is for an international certification system of humanitarian aid workers which would effectively result in them having (or not) an international 'passport' to practice. This would mean aid agencies could draw on people already vetted.

Charities have to be more transparent and less protective of reputation. The sector has to rebuild trust with the British public which is incredibly supportive of overseas aid but wants to know it is being delivered effectively. Arguably charities have had to focus too much on providing data for organisational donors and need to think about talking to their end donors (you and me) about what they do and the enormous difference it makes.

There has to be a better understanding of power relationships and an acknowledgement that power can be abused. As we have seen elsewhere women are often (albeit not always) in a less equal position to men and this creates conditions for exploitation.

Development agencies which send teams to difficult environments when people are particularly vulnerable have to recognise this. Delegations are more likely to be led by, and staffed by men, simply because it is often harder for women to leave families at short notice. (In 2016-17 half of Oxfam's employees were women; but this dropped to 38.6% for its international work; and it had fewer women in management positions overseas particularly at the top levels).

More needs to be done to ensure women occupy positions of power. But also charities have to work even harder at embedding values which enforces the dignity of every human being whatever circumstances they are living in - everyone has to own these values and feel able to call out those whose behaviour contravenes them.

There has to be a proactive checking that organisational codes of behaviour are fully understood and embedded into the culture of the organisation. Stronger investment by all agencies (and their donors) in safeguarding teams is also required.

To be fair, Oxfam did understand this at least at the theoretical level. It has done good work on developing strategies for empowering women (which

I have in the past used as a model). In 2010-11, at the Commission on the Status of Women, Oxfam advocated for an international monitoring and accountability mechanism based on their framework of gender based violence /violence against women and independent reviews have highlighted that the culture and gender sensitivity of some their work such as cash for work programmes. But there is a difference between having good policies and strategies and having values which are constantly reinforced and shine through in how everyone works.

## HELICOPTERING IN

We also have to ask why are westerners are always helicoptering into disaster zones – why not train up more responders in the areas/regions known to be at risk when this has been known to be a gap for some years now?

DfID funds organisations such as the Red Cross to train individuals from across the globe who can led disaster response. But there are still too few coming from African and Asian countries. Having said that in a major disaster – 220,000 were killed in Haiti – others will also be needed. Ideally many should come from the surrounding region. It will still be necessary to bring Europeans but they should be part of a wider team. This of course will not stop exploitation – it is not the prerogative of Europeans.

Finally we need to challenge those who use this issue as a mechanism for to divide and beat up the charity sector. It is interesting the amount of media bile that has accompanied Oxfam but not say StC, ICRC or DfID. True Oxfam managed to handle the publicity badly but the ongoing bashing of the charity may also be associated with Oxfam's outspoken comments on the impact of capitalism on the poor.

The government must not be allowed to use scandal as an excuse to cut funding to development agencies or to shackle the terms of that aid. The Liberal Democrats (through Tom Brake's private members bill) got the government to commit to giving 0.7% in aid. At the recent BOND (the umbrella group for international organisations) conference the overseas development secretary Penny Mordaunt, in an under-reported speech, said some potentially worrying things about how the aid budget might be used in the future.

In particular she referred to greater cooperation between DfID and the armed forces, and increasing partnerships with the private sector. In her view aid had to be working harder for UK prosperity and security. Nothing wrong with that - unless it distorts making the needs of beneficiaries the first priority.

It's been a bad time for Oxfam and the humanitarian sector. Important issues have been raised which need to be addressed but let's not lose sight of the good that is achieved by the majority of charity workers who give selflessly to those in need.

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Margaret Lally is a member of Islington Liberal Democrats and has worked for an international aid agency. The views she expresses here are her own