



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

PUBLIC PETITIONS COMMITTEE

Tuesday 11 June 2013

Session 4

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PUBLIC PETITIONS COMMITTEE

12th Meeting 2013, Session 4

CONVENER

*David Stewart (Highlands and Islands) (Lab)

DEPUTY CONVENER

*Chic Brodie (South Scotland) (SNP)

COMMITTEE MEMBERS

Jackson Carlaw (West Scotland) (Con)
Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP)
*Angus MacDonald (Falkirk East) (SNP)
*Anne McTaggart (Glasgow) (Lab)
*John Wilson (Central Scotland) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Anela Anwar (roshni)
Daljeet Dagon (Barnardo's Scotland)
Harry Donaldson (GMB Scotland)
Ken Dunbar (Aberlour Child Care Trust)
Jim Eadie (Edinburgh Southern) (SNP) (Committee Substitute)
Neil Findlay (Lothian) (Lab)
Harry Frew (Union of Construction, Allied Trades and Technicians)
Julian Heng (NHS Greater Glasgow and Clyde)
Martin Henry (Stop It Now! Scotland)
Ewan Lumsden (Throat Cancer Foundation)
Rosina McCrae (Say Women)
Jamie Rae (Throat Cancer Foundation)
Pat Rafferty (Unite)
Liz Ray (Who Cares? Scotland)
Linda Thompson (Women's Support Project)

CLERK TO THE COMMITTEE

Anne Peat

LOCATION

Committee Room 2

Scottish Parliament
Public Petitions Committee

Tuesday 11 June 2013

[The Convener *opened the meeting at 09:45*]

Decision on Taking Business in Private

The Convener (David Stewart): Good morning, ladies and gentlemen, and welcome to this meeting of the Public Petitions Committee. As always, I ask everyone to switch off their mobile phones, as they interfere with our sound system. We have received apologies from Adam Ingram, and Jim Eadie is attending as his substitute. We have also received apologies from Jackson Carlaw, who is unwell, unfortunately. I hope that he has a swift return. I also pass on my apologies because, unfortunately, at 10.30, I have to attend another meeting to do with my member's bill. Chic Brodie, once he has arrived, will chair the meeting at that point. I apologise to the committee and the witnesses that I will not be here for the second tranche of evidence, but I will come back to the committee as quickly as I can.

Agenda item 1 is a decision on taking business in private. Does the committee agree that item 4 should be taken in private?

Members *indicated agreement.*

Tackling Child Sexual Exploitation in Scotland

09:46

The Convener: Item 2 is evidence from two panels of witnesses as part of our inquiry into tackling child sexual exploitation in Scotland. I put on record my thanks to the extremely experienced witnesses whom we will have before us in the next two panels. I know that they are all busy people, but it really helps our inquiry to have senior people and people with excellent first-hand experience. I thank them all for giving up their time to appear before the committee.

I welcome our first panel. First, we have Daljeet Dagon, children's services manager with Barnardo's Scotland, whom we have met a number of times and who showed us round a project in Glasgow. Thank you again for your help. We also have Julian Heng, service manager for NHS open road; Liz Ray, national learning and development lead for Who Cares? Scotland; and Martin Henry, national manager with Stop It Now! Scotland.

The format will be a series of questions and points from the committee. I will start with some questions and I will then invite my colleagues to raise various questions and points. Even if a question is directed at one panel member, other panel members should feel free to raise any points or provide any additional information. Really, we are here to learn from your experience and to ensure that our inquiry is as professional as possible when we write up the report, which will probably be at the tail end of the year.

I will start with a question for Daljeet Dagon. Will you give the committee some practical examples of how your project has worked with and collected evidence from police officers, young people and other agencies to identify and disrupt perpetrators of child sexual exploitation?

Daljeet Dagon (Barnardo's Scotland): As the committee is aware, I manage a street-based service, so we primarily come into contact with young people on the street. As well as observing a lot of activity on the streets, we get information from young people. We observe perpetrators or potential perpetrators who are based in hotspots where young people are around. We share that information with the police on a daily or nightly basis.

We have also recently provided the police with a victim association map that our service put together. We identified young people who were all connected to one another as well as some of the adult perpetrators whom the young people had

identified. The police were able to undertake checks on the victims and perpetrators.

We identify some young people as conduits. For instance, they are perhaps still involved in sexual exploitation or have previously been involved in it, and are then requested by adults to introduce other young people to them. We regularly share that kind of information with the police.

We have also spoken to the police about the possibility of issuing harbouring notices and we have provided information on abduction. We look at all the different disruption techniques that they can use to identify where young people hang out and where potential perpetrators might also be hanging about; we also look at the other techniques they can use to gather intelligence on people before they act on that information. We attempt to fit the different pieces of the jigsaw together and to ensure that all the agencies are communicating the information. We all have that information individually from young people, but we have it collectively, too.

We have been influential in Renfrewshire, where we managed to persuade the police and social workers to pull together what we call a victim, offender and location working group. It is an operational group that meets every four weeks and identifies victims and perpetrators of sexual exploitation, so that we can have a plan of intervention to deal with both. That is happening in parallel.

The Convener: Thank you. I have looked at major inquiries that have happened throughout the United Kingdom, for example following the tragic death of a young person. My own experience from working on the front line of social work was that such inquiries made the same sorts of recommendation; for example, better co-ordination among agencies. That seemed to happen time and again. Clearly, I am out of date in my knowledge of day-to-day practice. However, is it still your experience that there is an issue of co-ordination among the agencies that deal with CSE in Scotland?

Daljeet Dagon: There is an issue of co-ordination, and also of communication and information sharing. One of the most significant issues in relation to CSE in Scotland is that the vast majority of children on the child protection register tend to be under the age of 12. Children over the age of 12 are on the register only if they are part of a larger sibling group. Therefore CSE does not tend to be captured through child protection registration.

You rightly pointed out that we had a young person in Glasgow who died. We all knew that she was involved in sexual exploitation, was accommodated and was involved in drugs and

alcohol. When she came out of a secure setting, she died within seven days. That is when Glasgow pulled together: we had an inquiry that established the vulnerable young person procedures that are still operating in the city 12 years on.

We need to identify the risky behaviours that young people engage in. Rather than penalise them for that, we need to recognise that some young people will become involved in some of those behaviours; for instance, there can be lengthy patterns of going missing or of involvement in sexual exploitation. It is about having a similar plan to the child protection plan. There is a case conference-style management plan and a core plan; agencies co-ordinate a care plan and a risk management plan for the young person.

That is the system that we have in Glasgow. Although it works as well as it can, it still has its faults. For instance, many police do not regularly attend meetings, even though they are a key component of our risk management plan. There are still lessons that can be learned. As I said, Glasgow is the only local authority in Scotland that has that plan, in which we are able to capture the 12-pluses.

The Convener: You have just predicted the next question. The good practice that the committee and I saw first hand in Glasgow is clearly identifiable. Why should those techniques not be put in place for the whole of Scotland? Who would be responsible for saying, "This best practice should be developed throughout Scotland?"

Daljeet Dagon: From a Barnardo's perspective, we were hopeful that that could have been picked up as part of the refresh of the national child protection guidance. We also hoped that we could have some kind of good-practice guidance for practitioners across Scotland. We were able to identify some of the key indicators and risk factors and what strategies could be put in place to try to minimise young people's involvement in sexual exploitation.

Martin Henry (Stop It Now! Scotland): I would like to expand Daljeet Dagon's point that we need a consistent effort across Scotland to be more proactive in how we deal with child sexual exploitation. There is a small issue that I mention with a different hat on, as the previous chair of the Scottish coalition for young runaways. I was heavily involved in the conduct of the pilot of return-home interviews for young runaways in the Grampian area and the follow-up of that within Grampian Police. The outcome of that evaluation was clear: that conducting an interview with a young person who has returned after a period of having run away is a very good thing to do, not just to ensure the welfare of that young person

but—critically, from the police’s point of view—to obtain, if possible, some kind of intelligence about the young person’s experience during the period that they ran away. That might include experience of child sexual exploitation and other types of behaviour.

The recommendation from that evaluation was that return-home interviews of young people who have run away should be rolled out across Scotland. That did not happen for a multitude of reasons, one of which I understand was probably financial.

In answer to your last question, I think that a good way to start to get a more consistent approach, in a small way, would be to revisit that issue and ensure that, if we are taking an intelligence-led approach to preventing child sexual exploitation, we engage more meaningfully with young people who have run away and have a pattern of running away.

The Convener: Thank you very much. That was very helpful.

Daljeet Dagon: I was chatting to panel members earlier. People will be aware that in Glasgow we have had operation Cotswold. There was significant learning from operation Cotswold, particularly for the police, and I am pleased to share with you that, as well as having a perpetrator strategy, the police have developed a victim strategy for when they conduct future operations. They recognise that they have to be prepared for young people disclosing information and we have to take action when they give us information. As well as information that comes from return interviews, the police in the west of Scotland are developing better measures with which to be proactive and respond better to children who identify sexual exploitation as an issue.

The Convener: The police will give evidence to the committee two weeks today. I would have thought that the best practice that we are perhaps seeing in Strathclyde would be echoed throughout the whole of Scotland, given that we now have a single police force. That is a question for them, but I think that it is useful to flag it up.

Another question that is probably best answered by the police and the prosecution services is why the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 has led to, I think, one conviction, but I would be grateful for panellists’ views on that. When the bill was passed, the idea was that it would break new ground, but one conviction does not seem to have broken new ground. Who wants to answer that?

Daljeet Dagon: I do not mind having a bash. This is quite clear cut, and it is not just specific to the police. There is a general lack of

understanding and awareness of what CSE is, so we have to get better at being able to identify the issue and respond to it, and at being able to support young people, and identify techniques with which we can disrupt and prosecute perpetrators.

For too long, the focus has been on prosecution. Basically, we place the victim at the centre of that—all the information has to come from the victim. We all know that victims generally do not see themselves as victims; they see themselves as being in a consensual relationship with the adult perpetrator. From the perspective of scrutinising the legislation, I have two issues. First, there is the lack of recognition and awareness that CSE exists and about how we identify it. Secondly, police officers on the ground have told me that they were not aware of the powers that they have under the 2005 act. Police officers have to be made more aware of the techniques that they can use to disrupt and prosecute.

The Convener: It is quite worrying that police officers said that they were not aware of the powers. It is a question for two weeks’ time, but it is useful to make a note of it at this stage.

John Wilson (Central Scotland) (SNP): Good morning, Daljeet. I will follow on from the convener’s question about the number of prosecutions under the current legislation. I might have picked you up wrongly, but I think that you indicated that the police were prepared to proceed with prosecution rather than other measures to deter offences. Given that only person has been prosecuted under the 2005 act, are the police doing enough to prosecute and send out a signal, or have they been lax? You said that some police officers are not aware of their powers under the 2005 act. The number of prosecutions does not give confidence that the police or the Procurator Fiscal Service have taken the issue seriously enough to deal with the perpetrators.

10:00

Daljeet Dagon: If we are looking to rely heavily on victims’ testimonies, I should point out—and I cannot stress this enough—that most victims do not identify themselves as victims. The best experiences that I have had of young people being able to look back are when they have been 16-plus, but the risk of sexual harm orders under the 2005 act are only for young people up to the age of 15 and a half. Once they hit 16, that order cannot be used to prosecute a perpetrator. We have to check whether the legislation is robust enough and, having spoken to the police, I know that they have found that agencies—by which I mean primarily statutory agencies—very rarely have a co-ordinated approach to 16 and 17-year-olds who are not on any kind of supervision order

and are technically seen as adults and therefore as voluntarily engaging in this activity.

Martin Henry: As I said in my written submission, we need to strengthen the harbouring provisions in—if my memory serves me right—section 83 of the Children (Scotland) Act 1995. That is not so much about taking an enforcement-led approach; after all—and you would expect me to say this—prevention is better than cure. For me, the issue is not just about statistics of prosecutions or investigations but about enforcing the harbouring provisions to send out a very clear signal and message to adults that, if they want to behave in a particular way to a particular young person or groups of young people, that behaviour will be taken very seriously and followed up by the authorities.

Chic Brodie (South Scotland) (SNP): I apologise for being a few minutes late.

I want to come back to Daljeet Dagon's comment that, despite the plan that has been introduced in Glasgow, the police do not attend meetings. What part do the police play among the other component parts of or organisations required by the plan? Indeed, how is what happens under the plan measured, monitored and recorded?

Daljeet Dagon: In Glasgow, the vulnerable young persons procedures follow the format for child protection procedures. To begin with, there is a multi-agency case discussion to determine whether a young person's case plan should be formalised under these procedures. That is very much about providing evidence, and the next step is a case conference. A core group of people is established to co-ordinate the young person's care plan—

Chic Brodie: I understand that, but I am talking about the creation of the overall plan. I know that there are differences that will have to be reviewed, but how much of a role did the police play in the plan's creation?

Daljeet Dagon: Very little. Indeed, I suppose that they have missed an opportunity in that respect. Traditionally, the police have come along very much with the purpose of providing information on the child's criminality instead of thinking about the adult perpetrators with whom the child is involved and better ways of disrupting that activity. That trick has been missed; the police could play that clear role in those meetings instead of focusing on what the child is up to and how to minimise that activity. After all, there are other professionals present who can support that plan. The police should focus more on disrupting activity on the basis of information from the child on where they are hanging about or who they are hanging about with and the other information and observations that they have shared with staff and

on thinking about whether they can use other techniques such as the harbouring notices that Martin Henry referred to. In Glasgow, the police are consulting legal services on how far they can go with harbouring notices with regard to abduction, because there has been a lot of information about young people being held against their will in flats.

There has been a lot of media attention recently around party flats in particular, which I am sure the whole committee would recognise. If the police could have a focused approach on how to disrupt activity rather than on the criminal behaviours of the child, that would certainly be helpful.

Chic Brodie: I understand that, but again—forgive me if I am wrong—that is a reactive approach. You are asking for a national strategy, which is commendable, but we have a new regime with Police Scotland. I am struggling to find out where it could participate in creating that overarching national strategy.

Daljeet Dagon: Certainly every child protection committee should have police representation. That is where local strategies are developed for every community planning partnership area as well as child protection committee areas. However, in response to your question about the police taking a proactive approach, they are probably not there yet. That is primarily because child sexual exploitation has not been seen as a child protection issue and therefore we have not had the response from the police that we would have expected as regards the police being proactive.

The Convener: Thank you for that. My next question is for Julian Heng and Martin Henry, but other panellists should feel free to come in.

As you will be aware, the situation for males facing CSE has generally received less attention than the situation for girls. Can you help the committee to understand what you have found to be the main difficulties in tackling the problem for boys and young men?

Julian Heng (NHS Greater Glasgow and Clyde): For a considerable time, the issue of men who are experiencing a whole range of abuse issues has often been somewhat invisible. There could certainly be multiple reasons for that. Often, at NHS open road, where we predominantly work with adults, the men will disclose that they experienced childhood sexual abuse and were groomed and exploited into prostitution before the age of 18. They will often disclose that they did not feel comfortable making those disclosures until much later on, in their 20s.

In our experience of working with men, we often find that we have a core cluster of clients who are in their late 20s through into their 30s, because that is when they have felt comfortable enough to

be able to approach services, disclose their experiences and ask for support.

We sometimes work with under-18s, but certainly the vast majority of our clients, although they are more than 18 years old, will disclose to us that their experience started long before they were 18. One of the key issues for the boys and men involved is the delay before they are able to overcome the stigma, approach a service and disclose their experience.

Also, because much of the abuse is perpetrated by men, for a lot of the men who access our service, there is an additional stigma as well as the stigma of experiencing sexual exploitation; there is also a stigma attached to the perception, be it real or false, that they themselves are gay or bisexual—there is a homophobic stigma that is a barrier to people attending our service.

Multiple factors reduce a person's confidence about being able to approach a service. That is why so much of our work has been focused on working with other service providers to help them to create a context and an environment in which somebody approaching their service will feel comfortable and confident enough to disclose that information. Service providers need to give some kind of signal that, as workers, we are aware of the stigma, but we are not going to be startled by the disclosures and it is safe—it is okay—to tell us what those experiences are. There is quite a lot going on there.

Martin Henry: I do not have much to add to that, except perhaps to say that, as you would expect, I see child sexual exploitation very much as only one manifestation of child sexual abuse. It is part of a much wider picture and we have to continually hold on to that. Child sexual exploitation is not a distinct set of behaviours. It falls under the umbrella of what we have always understood to be a range of behaviours known as child sexual abuse.

Having said that, we know from the research, from our clinical experience and from the services of agencies that boys and girls respond to that treatment and to such experiences in very different ways. Boys also face—as we have already heard—a number of barriers in relation to how they disclose or discuss or articulate those experiences. It is no surprise, then, that when you look at the report figures, girls tend to feature more prominently than boys in reporting child sexual abuse.

We have already heard about the barriers that boys face that relate to stigma, how they will be perceived, their efficacy as a man, and not understanding what is happening to them as being abusive. When something is seen as part of a grooming relationship that has benefits for young

people, it is quite difficult for them—particularly boys—to see it as harmful to them in any way. We have to understand the complexity of that for victims.

An outstanding issue for me is the attitude of the professionals. Unless professionals are prepared to see the likelihood that boys will be vulnerable as a distinct and real possibility, many boys and young men will remain invisible.

Daljeet Dagon: To pick up on one of Julian Heng's points about the stigma of homophobia, many agencies will see boys' experimentation in child sexual exploitation as part of exploring their sexuality when it is anything but. Agencies must be helped to try to respond to boys, because they often see the sexual activity rather than the abusive activity as the main theme.

Martin Henry: I will finish my train of thought. One issue for me is how to prevent young men from becoming potential victims, for want of a better word, of child sexual exploitation, particularly, but also more widely, child sexual abuse. It seems to me that, if we are going to be successful with any prevention strategy, we need to see young men as a particular target group and to start to frame our messages around how they understand the issue rather than just do that in a general way, which is often predicated on a model that is more effective for girls and women than for men. If we are to prevent that more successfully, we need to start to think more smartly about how young men understand the messages and tailor them accordingly.

The Convener: Thank you very much. I am conscious of the time, so I turn to my colleagues. The next question is for Liz Ray.

Jim Eadie (Edinburgh Southern) (SNP): My question relates to young people who are looked after in residential settings. In its evidence, *Who Cares?* Scotland highlighted that a number of young people rebel against the restrictions that are placed on them in residential units; they might run away and spend time with unsafe people who will go on to abuse them or exploit them. How should we design residential settings so that they are welcoming and appealing to those young people, given that there must always be boundaries and restrictions?

Liz Ray (Who Cares? Scotland): I have to be honest and say that that is a really difficult question. Most of the residential settings that I have found myself in have been welcoming to and supportive of young people. Young people's prior experiences impact on whether they can take support from units' staff. Relationships are offered.

One of the points that was made in my first submission was by a young person who said that he really struggled to accept love and support in

care from the staff in the unit, as other young people did, and that it was easier to be elsewhere, because caring about people is really scary. In his mind, when he engaged with other people and gave a wee bit of himself, that made him potentially vulnerable.

We need to develop relationships in residential settings rather than young people developing what they believe are caring relationships outwith them. The issue is how we transfer those. Every young person to whom I spoke—I spoke to a number of them—in preparation for the submission spoke about needing to fit in and feeling that they did not fit into the residential setting because it was not their home, the people were not their people, and the residential setting was often not even in the area from which they came. They looked to find like-minded people in the community. Although they were probably less safe with them, and they knew that they were less safe with them, they fitted in. They were not judged, and they were not expected to comply with rules and regulations that they did not understand or agree with.

The issue is very complex. It is not about the settings themselves; it is about people, relationships, and staff training, awareness and understanding.

I am sorry. That was a long answer, but I hope that it is helpful.

Jim Eadie: Do any other panel members have anything to add?

Daljeet Dagon: It must be recognised that when young people are accommodated for the first time they may be extremely distressed about leaving their families. No matter what the setting is—foster care or a residential children's unit—the placement becomes part of the problem for the young person. It is hard for them to develop a trusting relationship with people whom they blame for their being in that position in the first place.

10:15

Martin Henry: I agree. We must remember that the young people who are accommodated in the care system do not come in without baggage—they come with a history of experiences that sometimes, as we have heard, do not equip them to be receptive to care and support, particularly when that is planned and structured and includes discipline and boundaries.

Such young people often prefer to be with people who have no boundaries or expectations, and who show what they think of as total acceptance of them as a person. We know that it is not total acceptance and that it comes at a price, but a young person will read the messages in that way.

The complexity is about not only how residential services deliver what they offer, but how they tailor the services so that they meet what we understand to be the complex needs of young people coming into the care system. We do not always get that completely right.

John Wilson: My question follows on from Jim Eadie's question on Australia and people who find themselves in residential care. There has been criticism of staff's failure to monitor properly the children in their care. We have heard evidence that young people can disappear for anything up to two to four hours without that being reported to the authorities. Are you aware of any measures that staff take to monitor who the young people may be meeting and what cars regularly pick them up? What longer-term measures are in place?

Absconding has been mentioned. That is a general term that we do not usually apply to young people who go away for two to four hours and then come back. How do staff ensure that young people are protected fully when they are supposed to be in the residential care units? How do they ensure that any unusual or suspicious activities are properly recorded, reported and dealt with?

Liz Ray: Young people in residential care units often have free time—they go out with their friends at night and weekends, they visit their families and they may be allowed to be in the community, depending on what order they are on. Provided that no issue has been raised in the past, young people are free to come and go at will. That is reasonable for the majority of young people.

It is interesting that the bulk of the advocacy that we provide for young people who have been sexually exploited has come as a result of staff putting in place boundaries and systems to protect them. A lot of steps have been taken in that regard, including the removal of mobile phones, grounding them and taking control of their pocket money so that they cannot buy alcohol or get buses or taxis to wherever the people who exploit them happen to be. However, it is difficult because, in many cases, young people cover up and protect the people who exploit them.

Staff face an uphill battle. They tend to be proactive when they can be, but that is made difficult by the fact that young people are entitled to be in the community and to have friends. Until there is proof that the young people are doing something or that something untoward is being done to them, there is no reason to restrict their time.

John Wilson: Residential units—this is not a general assertion—can be targeted by predators. How do you protect the young people in the units, in particular when the unit is not in their home town or region? They may be in a care unit outwith

the areas where they usually hang about. How do we ensure that appropriate action is being taken to deal with predators who target young people in areas where they know they are vulnerable?

Liz Ray: A couple of issues that we have dealt with involve people turning up in cars to pick young people up late at night. They communicate with young people through Facebook or online. It is a nightmare to even contemplate how you would manage that. Very often they do not meet close to the unit; the young person just disappears and the staff do not know where they have gone. Such people are clever enough not to turn up at the door. There are examples of staff phoning the police because they know that such a person is in the area. These people cover their tracks really well when it comes to residential settings. They would be easy to identify if they were too prominent in the vicinity of the unit.

The Convener: Do you believe that residential staff underuse the powers that they have or is your argument that we need to have new powers?

Liz Ray: I do not think that staff underuse the powers that they have. Their powers are very limited; young people have rights and if staff are too punitive, the young people contact organisations such as ours to challenge their being kept in the unit. Keeping them in is fine for a night or so, but we have worked with young people who have been kept in for three weeks solid. If they are not under a place-of-safety warrant they are not secured, so we have to advocate that they be allowed some time in the community.

The powers might need to be different, but staff need to understand the issues that they are dealing with. A lot of staff take the view that young people are making choices and decisions to behave in a certain way. I think that they are often seen not as children who are being exploited, but as children who are behaving riskily. Quite often they are viewed just as absconders and as young people who make risky decisions and hang about with dodgy people. The issue becomes about the young person rather than about the perpetrators who are involved with them.

Angus MacDonald (Falkirk East) (SNP): In the evidence that we have received, there has been quite a bit of discussion of definitions of child sexual exploitation. Do the definitions currently help or hinder efforts to protect young people? Is it helpful to distinguish CSE from childhood sexual abuse in general?

Martin Henry: I might as well warn everybody up. The answer to the last part of your question is no: I do not think that CSE is distinct from childhood sexual abuse. There are a number of different manifestations of such behaviour, and we know that not only adults behave in a particularly

abusive way towards young people or children; some children and young people also behave in that way. The picture is complex.

From a preventative point of view, it would be dangerous to separate child sexual exploitation too much from the wider childhood sexual abuse agenda. That said, it is absolutely right strategically that we start to pay attention to the particular form that child sexual exploitation takes and the complexities around it, which we have heard about today, which are not just about how young people behave but about how adults behave.

From my point of view, when it comes to prevention, our challenge in Scotland is to start to change the thinking and behaviour of adults as well as to start to influence the behaviour of young people. That challenge applies right across the sexual abuse agenda—not just to child sexual exploitation. It is a very serious challenge. We have to resist the temptation to put the burden of responsibility for their own protection on to children and young people. That responsibility lies with adults, which is why it is important to change the behaviour and thinking of the adult population.

Daljeet Dagon: Barnardo's lodged the petition, and the fact that we have had lots of information in relation to the Jimmy Savile inquiry in particular has sharpened the focus on child sexual abuse and child sexual exploitation. Barnardo's focus has never been about one or the other, but is about recognising that child sexual exploitation is different, in the sense that it tends to be non-familial people who are involved in the abuse and exploitation of the child. Barnardo's feels that child sexual exploitation has been under the radar for too long.

The first definition of CSE that I came across, in 1992, was very basic, but the experience of the past 20 years and inquiries that have been done down south have highlighted the complexity of the issue—all the different ways in which young people become involved and all the different techniques that perpetrators use to avoid prosecution.

We have to focus on perpetrators. In training sessions in the past I have talked about the triangle approach that Barnardo's developed, whereby the focus is on the victim but there is also recognition that there is a child sex offender and a facilitator. We have to flip the triangle over and focus on disrupting and prosecuting perpetrators, and we should identify locations and police them better, so that we protect young people and prevent them from becoming involved in child sexual exploitation. We can do that only by having a national strategy, which covers all the different elements that are involved in identifying the issues and providing support where it is required.

John Wilson: You talked about identifying places where the police suspect sexual predators are active. A number of years ago I used to drive through Glasgow on a Saturday afternoon and I was really surprised by the number of young males in cars hanging about outside what the young people call unders clubs, talking to young females. I was concerned about the situation. We have not heard about instances in Scotland that are similar to what happened in Rochdale, Oxford and other areas down south. We need to investigate further.

We must ensure that we tackle every area where child sexual exploitation might take place. That includes families. We know that over decades there has been a lot of hidden sexual exploitation in the close family unit. We regularly hear of cases in which a family member has been brought to justice for such actions. How do we ensure that we capture all the areas where abuse and sexual exploitation are taking place and do not lose sight of, and traction on, one area because we are focusing on another?

Daljeet Dagon: That is why we need a national strategy, which identifies the full spectrum of support that is required and charges someone with monitoring each activity. There needs to be an action plan for each activity, whether we are talking about raising awareness among parents, residential workers and young people, disrupting activity or providing appropriate support to young people. I am thinking about prevention as well as intervention.

We must also have an action plan for recovery once a young person has disclosed abuse. What happens next? Nine times out of 10, the young person remains in the same accommodation, with the same networks of support. We have to break some of those networks.

We need a national strategy that is co-ordinated at every level. There would be priorities within that, but if someone was overseeing the activities that were going on under each banner, that would be a start.

10:30

Chic Brodie: You were talking about a national strategy. How much contact have you had internationally? This is not just a Scottish problem.

Daljeet Dagon: Do you mean contact internationally with agencies or with young people?

Chic Brodie: I mean contact with people who are trying to address the problem.

Daljeet Dagon: Barnardo's has been involved in the European Daphne research funding programme. Over the past 10 years, we have

been able to link up with services in the Netherlands and Estonia. That was very much about looking at research and practice, and developing and sharing our practice to ensure that any support that we were offering young people was the best that it could be.

Anne McTaggart (Glasgow) (Lab): What are the most important ways in which the statutory sector and the criminal justice system in Scotland can work collaboratively with the voluntary sector to combat CSE? Can you give any concrete examples?

Martin Henry: On law enforcement, now that we have a single police force for Scotland, there may be aspects of what the police have traditionally done that the voluntary sector may be able to do more cheaply and, potentially, more effectively, which would free up police time to focus on other areas. One example is the return-home interview that I was talking about earlier. That intelligence-gathering exercise—if you want to call it that—could effectively be undertaken by voluntary sector agencies. That is part of the pilots and is a practical example of what would traditionally have been seen as a police activity, but which could be done effectively by the voluntary sector. There are probably plenty more such examples, particularly from a prevention point of view.

From a criminal justice perspective, I resist the idea that we need to put all our eggs in the enforcement basket. I feel strongly that there is an important prevention agenda about improving people's understanding and their capacity to behave or respond differently. I appreciate that we need to put some effort into finding perpetrators and dealing with things after they have surfaced, but no strategy is worth our while unless we balance it with a good approach to prevention.

Daljeet Dagon: First of all, there has to be a cultural shift. Let me give you an example. I mentioned that Barnardo's shared information with Police Scotland—in fact, it was Strathclyde Police, because it was prior to April—about 30 victims and 10 perpetrators. The police went away and pulled together a core group of people to talk about a victim strategy and start to progress interviews. I was invited to a meeting yesterday—it was the fourth meeting that had taken place. What I got was, "I'm really sorry we never invited you, Daljeet. We forgot", even though it was Barnardo's that had given them the information in the first place. Already sitting there was social work, health and education. There has to be a cultural shift towards valuing the work of the voluntary sector and the key role that we play, both in terms of having the information to begin with and in terms of the relationships that we have with families and children.

Secondly, I have a social work background, and in my three years of training I only ever had one day when I worked with professionals who were training to be youth workers. Whether they are going through social work training, health training or police training, professionals need to come together while they are still students and look at how they can start to work together before they are even in their respective fields. That is something that we can look at, too.

Martin Henry: I would echo Daljeet Dagon's points and reaffirm that the potential benefit of a national strategy is that it would afford an opportunity to co-ordinate the various stakeholders in the strategy. It would also afford us the opportunity to accurately frame the experience of child sexual exploitation and have that common understanding between all the stakeholders who are acting in the strategy. I am thinking about how that would have a knock-on effect on prevention, identification and support.

With regard to statutory agencies, they could be doing more routine inquiry. However, to do that routine inquiry and to create that culture, we would need that common understanding and accurate framing, because that would dictate the culture that we were trying to create and the particular inquiry that we were trying to make routine. A lot of those benefits could stem from a national strategy, in which we would have the opportunity for co-ordination and co-operation.

Liz Ray: I totally agree with my colleagues' comments, but I would make the point that we really need to raise awareness among the public about what child sexual exploitation is. Many staff do not know what it is; they see it as behaviour of children. If people who have been trained do not understand it, how can we expect the public to understand it? For looked-after children, there is a massive stigma about being looked after. That stigma is magnified if you are a looked-after young person who is also being sexually exploited in the community. The public could safeguard young people if they were aware of the issues, but they are quite often oblivious.

The Convener: Thank you all very much for your evidence. I am sorry that we are having to stop—we could have continued for another hour or two. Your experience is invaluable in helping us to judge what we will recommend for the future. I thank you again for coming along and answering the questions so helpfully. You are welcome to stay, although I know that you are all busy people and I am sure that you have other things to do. However, if you wish to stay, please feel free to sit in the gallery.

10:36

Meeting suspended.

10:39

On resuming—

The Deputy Convener (Chic Brodie): We come to the second panel of witnesses under agenda item 2. I apologise for Mr Stewart, who has left us briefly. I welcome Ken Dunbar of the Aberlour Child Care Trust; Rosina McCrae from Say Women; Linda Thompson from the Women's Support Project; and Anela Anwar, head of projects at roshni.

We will follow the same procedure as we did with the first panel: we will ask a few questions, which might be addressed to individual panel members, but when that person has finished answering, I will ask whether anyone else wishes to add something. We will finish with a couple of general questions for all panel members.

With the privilege of convener, I open the session by asking the first question; it is addressed to Mr Dunbar, who gave us a very interesting submission, which I have read. Each year in Scotland, numerous children and young people run away, in the course of which they meet dangerous people and situations, which they might also encounter when they return home. Aberlour has been at the forefront of campaigning for young people's refuges and has its own refuge. However, it is small and local authorities have failed to take up the options that they have to establish refuges for children who are under 16. Why is that? What attitudes still militate against setting up refuges, and how might pressure be exerted more successfully to establish more safe places?

Ken Dunbar (Aberlour Child Care Trust): That is an interesting question. One of our greatest challenges is to get the optimum use of our refuge, when we know fine well that a large number of children and young people run away from home. Over the years, we have tried to work with the local authorities and all agencies, including the police, to get right not just the refuge, but the whole system of engagement with young people, including things such as return home welfare interviews, and the whole process of trying to look after a child. There has not been enough appreciation of the importance of a refuge and an intense period of support for children who have been pushed into a runaway situation.

We propose placing a duty on local authorities in the Children and Young People (Scotland) Bill to provide refuge, which we believe would make a huge difference to the way in which refuge works. Currently, there is a power to provide it, but that power has not been taken up. In essence, we believe that there should be a duty, which might

well change the way in which local authorities and the other agencies that are involved support refuge. So far, it has been a struggle, but from the cases that we deal with—many of which are horrific—we can see the need and the value of the service.

The Deputy Convener: I have a small supplementary question, before I bring in John Wilson. Such situations are not just statistics, but what analysis is done of the reasons why children run away? Is there a series of reasons or is there a focus on one or two? Do you do that sort of counselling feedback?

Ken Dunbar: Yes, we do. Recently, to get a more detailed understanding of why the refuge is not being used as much as we would like—as I said, it has been a struggle—we have been looking at the cases that are coming in and at cases in which contact is made but the referral is not followed through. The aim is to start to understand the reasons why people do not use the refuge as a place of safety.

The range of issues clearly includes sexual abuse and, on the basis of earlier points—

10:45

The Deputy Convener: Can you demonstrate what you mean by “clearly”?

Ken Dunbar: Yes, indeed. In a number of areas, we have had no doubt that sexual abuse has taken place in the familial environment in the home. We have had to try to support the children and young people affected and get them into refuge. One of Aberlour’s range of services is the ability to look at the specialist fostering side and, indeed, residential care. We can try to make connections in that regard and see whether we can provide a far more appropriate response to the young person.

There are situations that are just about family breakdown and relationships. The refuge is sometimes inappropriate for dealing with that, but other interventions would be entirely appropriate. We must try to get much better connections in the system so that, for example, we can support the parents in the home in making sense of a young teenager who is probably struggling in a range of environments, including at school and at home, and being better equipped to deal with that. We must therefore offer a range of responses, which is about getting better co-ordination in the system.

John Wilson: You said in your written evidence that you have only a three-bed unit to deal with runaways. Can you give us a figure—I understand that it will be an estimate—of how many young people run away each year? Is one three-bed unit

sufficient to deal with the issues that young runaways have?

Ken Dunbar: That is an interesting question. We believe that one out of nine children runs away from home each year—that is the statistic that is used regularly—but we are still lucky if we achieve a 30 per cent occupancy rate in a refuge. You might say that there is a mismatch between provision and need, but it is about the system connecting and whether the referral processes are right and there is support in the right area at the right time to enable young people to get to a place of safety. Undoubtedly, that has been a key challenge for us. We have had a number of years of difficulty in understanding whether we can continue to run a refuge when it is not used as effectively as it could be by the various agencies that can refer.

For example, last month we had 17 contacts, only one of whom ended up moving to the runaway service’s refuge. However, all the young people had a connection point with the service at the time that they had run away. There is an issue about trust as well, because the young people have to understand that they are going to a place of safety. If they have left a place where they were not very safe, they need to have some comfort that the system and the voluntary sector are providing support and safety.

Rosina McCrae (Say Women): May I come in at this point, convener?

The Deputy Convener: Yes, of course.

Rosina McCrae: As Ken Dunbar said, whether there is sufficient accommodation is a good question. Say Women provides accommodation to young homeless women. Two factors are involved for runaways, one of which is that, when they are old enough, they run away from family abuse and become homeless, which means that they face further problems; the other factor is that to deal with the abuse within the family, the young women develop coping strategies such as alcohol and drug use, which become a problem in the family and they are then thrown out.

The difficulty with homelessness statistics across Scotland, particularly for assessment, is that there is no integrated assessment tool. As long as we do not assess properly, we will never get proper outcomes. The experience of Say Women is the opposite of the experience that Ken Dunbar described, but the work that we do is no less valid than that which is done by the running: other choices refuge. We usually get between 35 and 50 referrals each year, but we can house only between 10 and 14. Say Women is an accommodation project that provides refuge for young homeless people who are survivors of childhood sexual abuse but who also experience

the range of sexual exploitation that we heard about earlier.

The main issue for all the projects is costs. We are in a political climate in which cost is a factor. By its nature, residential accommodation and refuge is expensive to run. However, if we want to protect children and young people properly, we must resource that properly. We have moved to a system of community support. That is not to say that that is not right, but I think that we need both types of support. The accommodation element is costly, and local authorities face constraints on their use of it.

We are looking at the new housing support legislation, which requires the provision of housing support to homeless people. We hope that we will get a better assessment of the needs of homeless young people—both young women and young men—who are likely to be survivors. The only research that links survivors of childhood sexual abuse and homelessness is way back in the Campaign for the Homeless and Rootless report, which took evidence from young girls at three key sites—London, Glasgow and Manchester. Four in 10 of those young girls were survivors of childhood sexual abuse, and Say Women came out of that.

Our experience is that we cannot meet the demand. Glasgow is a big city and it has the biggest homeless population and youth homeless population after London. Contracting out has not helped because, again, it is a cost-driven exercise in which we look at low-cost services. It really is time that we started to put resources into the protection of children and young people, not just for the time for which they need support, but for long-term prevention. If we do not get in when people are young, they can have a lifetime of dependence on public services, which is not cost effective.

That is my input. In a sense, you might ask the question, “Why hasn’t Say Women been rolled out across Scotland?” That lies in your hands as politicians.

The Deputy Convener: That was an important contribution. Thank you.

Mr Dunbar, I was stunned by the figure that you mentioned when you said that one child in nine runs away each year. I assume that that covers those up to the age of 16. Is that right?

Ken Dunbar: Yes.

The Deputy Convener: Can young people—or, in fact, do young people—refer themselves to the refuge?

Ken Dunbar: They can. There are some self-referrals. They are often people who have been connected and know the system better. You should bear it in mind that our refuge is one of the

most secret places in Scotland and it will remain that way, but the answer is yes. There are self-referral mechanisms.

The point that was raised about cost is important. I agree that it may well be a barrier, although the impression that I have from the fairly intense set of discussions that we have had with authorities about the viability and the future of the refuge that we operate is that cost has not come back as an issue. At the time when intense support is needed, the cost to the authority is not great. As has been mentioned, the refuge is costly to run. It is costly to staff buildings when we have to have people available at the right time, 24 hours a day. However, we have the impression that cost is not a major factor. The problem is that the system is not connecting quickly enough for us, although it is helpful to hear about the different approaches.

However, that is not to say that, in the real world, cost is not considered as a factor in non-referral, as that might well be the reality of the situation.

The Deputy Convener: I have a question for Anela Anwar about protecting minority ethnic victims. What are the key ingredients or factors in working sensitively to protect minority ethnic victims of CSE, including work with trafficked young people and refugees? How might we address any perpetrators from particular minority ethnic backgrounds?

Anela Anwar (roshni): It is a complex question. I will do my best not to take two hours to answer it. Essentially, there needs to be a multifaceted approach. First and foremost, there needs to be recognition among service providers and statutory services that minority ethnic young people are victims of exploitation. At present, the focus is very much on other groups. That is not to negate their experiences or say that it does not happen within those groups, but the focus is taken away from minority ethnic young people. Often, they will not be looked after or accommodated. They will be in safe and secure homes, and different models of exploitation will be used to exploit them. First, there needs to be that recognition that minority ethnic young people are vulnerable and are victims of exploitation.

Moving forward, there need to be two approaches, one of which is around prevention. We have heard a lot about that this morning, and I strongly agree with what has been said. We have community outreach provision that works with children and young people, their parents and the wider community to raise awareness of child sexual exploitation, make them aware of the risks that are present and empower children and young people to be able to recognise the risks and perhaps reduce that vulnerability.

The Deputy Convener: Yes, I understand that. My question related to the ethnic minority situation. How do you see that? For example, how do we look at perpetration without either being culturally insensitive or, in case we might create racial tensions, taking no action against abusers?

Anela Anwar: That goes back to what I said at the start. There needs to be a recognition that exploitation happens across boundaries. Victims come from all communities and ethnicities and the individuals who exploit them come from various ethnic backgrounds themselves. I know that there has been a lot of focus and media attention on minority ethnic groups and specific models of grooming. However, we do not have the research or the data sets to say whether there is a specific trend. We need to take away the focus from a certain group, community or ethnicity in order to engage minority ethnic communities in community outreach and awareness-raising discussions, both in prevention and in recovery afterwards, to try to build stepping stones to what we are all seeking to do—namely, have an efficient national strategy and prevent exploitation within communities.

The Deputy Convener: I understand that. I am sorry to continue to probe, but is there a national strategy that one size fits all, or are there deviations that we have to recognise as part of that, because of the perpetration that might happen?

Anela Anwar: I think that the national strategy has to take account, both during investigation and in recovery work afterwards, of culture-specific issues that can create more vulnerable situations for young people in ethnic minorities to be exploited. We need to tackle the fact—and the national strategy has to explicitly state—that those who exploit young people, and their victims, come from all ethnicities and communities. We cannot focus on one ethnic minority, because that is unhelpful and causes community tension. If we just look at one area, we will leave that area vulnerable. Are we saying that we will not look for different models of sexual exploitation, we will not look for perpetrators who do not come from minority ethnic communities and we will not look for victims who are from minority ethnic communities? We have to ensure that we look across the board in formulating a national strategy and our approach to how we prevent child sexual exploitation and support survivors afterwards.

What you are trying to get at, deputy convener, is that we have to admit that yes, across the Asian and African minority ethnic communities there are individuals who exploit young people, as there are in the mainstream white Scottish community. Minority communities also need to accept that fact. However, we should not stigmatise or stereotype one specific community as being the only type that

will perpetrate child sexual exploitation, because that is not helpful.

We need to do a lot of confidence building, awareness raising and training of front-line staff in the statutory and third sectors so that they have the confidence to address issues that might involve a minority ethnic perpetrator or victim, rather than leave that situation alone or step back, which often happens when people fear that they will get things wrong or be branded as racist. We need to do a lot more training and culturally sensitive awareness raising in that area. That is what roshni does: we provide training with service providers and community outreach and education for young people and parents.

The Deputy Convener: There is no question of stigmatisation. Can you blame us if we ask about and probe every corner of this particularly difficult issue?

Linda Thompson (Women's Support Project): I have something to add that I think is useful. Ann Coffey, chair of the all-party parliamentary group for runaway and missing children and adults that reports at Westminster, recently asked a crux-of-the-matter question. As she said, we have to look at the perpetrators. Clearly, we know that the vast majority of perpetrators are men. The national strategy cannot ignore a gendered approach. As Ann Coffey asked, and as Jim Gamble—of whose work with the Child Exploitation and Online Protection Centre many of us will have heard—asked in the media last week, what is turning our boys and young men into perpetrators? We have to look at how notions of power, entitlement, right and privilege are being given to our boys and men in a way that creates a system in which we have impacted on our boys and young men. We have to step back and not necessarily focus so much on race, religion and culture. We need to look at the culture in Scotland that feeds the idea and perpetuates the myth; we have to link that across to violence against women and ensure that the notion of gender also runs through the strategy to tackle child sexual exploitation.

11:00

John Wilson: My question follows the convener's line of questioning. How do we protect young people in the Asian community when they identify and report child sexual exploitation? From the national debate, we know about the gangs that have been reported and prosecuted in various towns and cities throughout England. The committee is trying to ensure that all young people in Scotland have the same opportunity to identify and report child sexual exploitation in their community, no matter who is involved and no matter the race or gender of the individuals

carrying out those acts. We need a way of addressing child sexual exploitation no matter what community it is taking place in. Are we getting the message right? Are we addressing the issues in ethnic minority communities? We know that trafficking is also an issue in some ethnic minority communities.

Anela Anwar: Child sexual exploitation takes place across the board of minority ethnic communities, not just in Asian communities, so the response should be across the board. We need to create culturally sensitive safe spaces in which minority ethnic young people feel able to come forward and disclose. A huge range of research, including research that we have conducted, has shown that minority ethnic communities do not feel safe with or confident about and do not trust mainstream service providers. For that reason, they are often not picked up but remain hidden or invisible to those services. They will not come forward and report.

There needs to be an investment in minority ethnic specialist services such as roshni, which will be there to support and handle disclosures from minority ethnic communities. We emphasise that strongly in our written submission. There must be joint partnership working with the mainstream services and specialist groups to tie that together and create safe spaces in which young people feel able to come forward and disclose.

Mainstream service providers must accept that they have not done a very good job of reaching out to minority ethnic communities—they have not engaged with them or built trust—and that they will not be able to address the issues by themselves. We need that recognition and more implementation of culturally sensitive approaches, working in partnership with specialist agencies.

Rosina McCrae: As a specialist service for young homeless women, our ability to offer a safe refuge to young people from ethnic minorities has been poor. We are not good at it despite producing leaflets and everything else, so the establishment is roshni. The research has shown that the support must come from the minority ethnic community itself. That is the benefit of projects such as roshni, certainly in Glasgow, which has Scotland's biggest minority ethnic population. The work that roshni is doing is excellent, and that is the only way in which it can be done. The mainstream services have failed certain groups along with disabled people—we are not good at supporting them, either. We need specialist services that are run by people in the minority ethnic communities, who are sensitive to those communities. Like roshni, they must challenge the men in those communities who are abusing the young boys and girls.

Ken Dunbar: I want to touch on some aspects of cultural sensitivity. We run a guardianship service, and a large percentage of the young people who come into contact with that service have been trafficked. We help them to navigate the legal framework and establish a life in an area, but a number of technical and legal things could be done to improve the situation. There could be a better appreciation of the cultural sensitivity that is required among all the people who are involved, which means that we need a good mix of people who are engaged or employed by us to work with young people and understand their circumstances. That goes right through to the technical issue of interpreting. We will not understand everything that is said, and sometimes things can be interpreted differently. We need to get the interpretation absolutely right.

The point about cultural awareness and young men growing up goes back not just to the culture, but to the education system here. If we are to get young men and women to appreciate the dangers of sexual exploitation and sexual abuse, we need a relationships-based education system. I am not convinced that the current education system supports that approach, which needs to start much earlier in the timeline if we are really going to address prevention.

The other issue to address is the age at which young people leave care. It seems inconceivable that the average age for young people leaving home is somewhere between 25 and 28, as most of our young people leave care and go into an adult care environment at the age of 16. They might legally be adults at 16 but they are emotionally a long way behind. We need to accept that and take a different and far more flexible approach in how we cope with young people of that age. That may improve the system and give them better life chances.

Anela Anwar: I want to go back to what I said about community outreach and engagement. It is essential that we have specialist organisations and safe spaces in which minority ethnic young people can disclose. However, we also need a community outreach campaign to address the cultural barriers. It is not just about the language barrier; there are issues of honour, shame and other cultural issues that prevent young people from coming forward. Also, families and communities close down and do not support the young people. We must ensure that we are reaching the young people and taking out that step of the family or wider community, so that they know where they can go directly and can have trust and confidence in the services. Without the community outreach alongside the specialist support, the approach will not work.

The Deputy Convener: As I said, we could spend hours, if not days, discussing this subject but I am conscious of the time and want to move on. Jim Eadie has a question for Ken Dunbar and Rosina McCrae.

Jim Eadie: It is the same question that I asked Liz Ray of Who Cares? Scotland on the previous panel, and it relates to young people who are looked after in residential settings. Many of those young people rebel against the restrictions that are in place and may run away to unsafe people who, at first, appear to treat them as equals and allow them a degree of freedom but who go on to abuse them. How should we design residential settings and safe places to run to that are more appealing and welcoming to those young people?

Ken Dunbar: I advocate the approach that the Aberlour Child Care Trust has taken to residential care, augmenting it with throughcare and aftercare. We work on giving young people confidence that they have a home for life. Clearly, it is not a home for life, but we maintain a connection with the young people, which creates an attachment with those whom we work with for a long time. We are fortunate that people have stayed with the organisation in that setting for a long time, and there has been a real connection with some of the young people who have come through the care system.

A point was made earlier about the congruence between the community's awareness of what residential care is about and how they interact and how the education system interacts with it. We have tried to provide a very good educational support system. Taking a social pedagogy approach that is based on the strengths of the young person and finding the opportunities that they have to grow is key. I am delighted to say that some young people who leave the service go on to achieve fantastic results.

Young people who leave care at the age of 16 are in a difficult emotional state and are going into a world where they are vulnerable. They are natural targets for some of the most despicable characters whom we have to deal with—that is, unfortunately, the reality of the situation. Therefore, to create a better system for young people in residential care, it is critical that we get the age of leaving care right and provide support through throughcare and aftercare. We also need to set the right boundaries. Parental rights associated with the residential care system would make a huge difference to young people, enabling those boundaries to be set with a degree of confidence.

Jim Eadie: My question is for Rosina McCrae, as well.

Rosina McCrae: I agree with much of what Ken Dunbar said. A commitment to seeing the young person and a recognition of the sexual abuse element are needed. We would not separate off child sexual exploitation from child sexual abuse, because they are not mutually exclusive. Men who abuse in families are just as likely to abuse and target other young boys and girls outside. The experience of our young women is that they have been in more than one abusive situation, ranging from prostitution to other things. We need to be aware that the more technology develops, the more we will discover new things—I watch too much science fiction to say what they could be. Therefore, we should stop trying to look at the distinction. We have a good definition of childhood sexual abuse, and child sexual exploitation includes the sexual abuse of young women.

When people come to us they are very damaged because of where they are, so beginning the journey is about creating a safe environment. Therefore, we create a female-only space. I refer to what Linda Thompson said. What is really lacking in the Scottish Government's paper is that abusers and perpetrators are referred to all the time as if they are some nebulous force. It is mainly men who sexually abuse girls and boys. A small percentage of women do so, but they are nothing like the structural and endemic force that exists. Therefore, we have a women-only environment—we have an exclusion under the Sex Discrimination Act 1975. Any man who comes into the project, such as a social worker or a healthcare visitor, will meet in our office. We do not take the view that the project is anti-men. We will say, "There are good men in your life who will support you through this, but in this environment in this project, you are safe from men." That is where we start off.

Unusually, we also maintain tenancy rights. That is about saying that we will invest for the longer term in young people whose experience is one of having been in care and in and out of multiple placements. We give 18-month tenancies with Shettleston Housing Association. That gives the young person the feeling that we are beginning to invest in them.

As Ken Dunbar said, it is important that the staff take a semi-parental role. That has to be done, because a relationship with an adult that is not abusive will be lacking. That takes care. It is almost like being a parent, checking in with the person and asking them how they are. Our staff are skilled and highly trained in dealing with sexual abuse. That is an issue for residential settings: I do not think that those staff get nearly enough training to recognise the extent of sexual exploitation and the number of predatory males in the community. The staff are therefore very alert to any new males in the company of young people.

Liz Ray of Who Cares? Scotland talked earlier about cars drawing up; we, too, get cars drawing up. We will try to get the car's number plate, and we work very closely with the community police in Shettleston, who will react for us, because we have built up a relationship with them. They will start to police the community. Stringent measures have to be taken to ensure the safety of those young people.

It has been said a lot by the panel that young people sometimes do not recognise that something is sexual exploitation. I have views on that. I can see where that idea comes from, but in the debate we need to begin to define who the abuser is, and they are male. The men in question can seem to be nice and attractive, and young people will like them, so they get confused. The job of our staff is to talk about boundaries and to begin to discuss the fact that the abuse is not personal to the young person and is not their fault; rather, it is part of a much wider political agenda that needs to be addressed.

Like Ken Dunbar, I think that there should be very strict boundaries for young people, particularly those with care backgrounds. They will have displayed challenging behaviour. We have a set of rules and regulations that are based on staff rights and tenants' rights. We use them a lot in discussions, asking, "Why did you do that? Why are you behaving like that?" It is about getting behind things.

We also look at the presenting behaviour, which could involve alcohol and drug use, self-harm and self-injury, which is endemic, or suicidal behaviour, but we do not see it as a problem. Self-harm is a major issue in residential settings, and the approach to it can be lacking.

The Deputy Convener: I do not wish to be rude, but we have a limited amount of time, so I ask people to be brief with their questions and answers, albeit that the answers are very interesting.

11:15

Rosina McCrae: I will be brief, but Jim Eadie raises an important issue about residential settings, given that we know about the vulnerability of young people in care, and we are clearly getting it wrong. It is also about the size of the units—they have to be small.

Jim Eadie: You make the point that we are not getting it right. You have a particular perspective, given that you run a women-only space. Do you have the sense that you have more success than other residential settings in engaging with, in your case, young women who run away from a residential setting to an unsafe place? Are you

more successful in engaging with them and bringing them back into a safe environment?

The Deputy Convener: I reiterate my plea for brevity—it is important, as we have several things to get through.

Rosina McCrae: There is probably a lack of research in that area. All that I know is that even in residential care young women are more likely to experience sexual exploitation and abuse within the unit. Women-only projects are useful alongside mainstream provision. We need both.

Ken Dunbar: I missed out quite an important point. I was struck by Daljeet Dagon's point about some organisations knowing exactly what is happening in a locality but not being invited to the table when information is shared. It is crucial that third sector organisations are seen as trusted advisers in the information-sharing process. Most of the information or soft intelligence that is needed for the right intervention to take place is understood on the front line. A lack of respect is perhaps sometimes shown in relation to the type of information that the third sector could feed in to enable the statutory sector to respond in the right way.

That point about information sharing is also pertinent to an individual's on-going journey and transition. We want to know that our interventions work and continue to work in the longer term, so it is important to get some feedback without breaching data protection. Feedback about the long-term success of the work that we do is essential to let us know whether we are doing the right things either in residential settings or in the accommodation that we put in place afterwards.

Jim Eadie: What are the mechanisms for doing that?

Ken Dunbar: There are case review sessions. I listened to the point that was made about the essential collection of evidence—it was probably not a case review—in a community setting. The first point of contact should have been the third sector groups that were involved to ensure that the information was collected. Such an approach would make it possible to triangulate what the statutory sector knows along with what the third sector and voluntary groups know about the local area. That process needs to work far more effectively. I do not think that a system is in place to enable that to happen. I know that there are community planning partnerships and so on, but the work is done at neighbourhood level and the process needs to work differently.

John Wilson: My question is for Rosina McCrae and Linda Thompson. Both your organisations stress the central importance of understanding and working actively with gender-based analysis. Can you give the committee a few

brief examples—given the time constraints—of the work that needs to be done to prevent and address CSE, where it will be particularly important to change attitudes to young women? Do the recent reports of perceived prejudices that left young women unprotected in some of the cases that have taken place in England highlight the need for that work to be done?

Linda Thompson: I will try to be brief, because I know that we are running over time.

A core issue is that we must understand how we view young women's sexuality. Young women are often blamed. They are often described in the media as "teen temptresses" or "little Lollitas"—that was certainly used as justification in the Jimmy Savile case. We must take a step back, look at how we view young women and ask what perpetuates that view in our culture.

Scottish Women's Aid is continuing to do interesting work on the Hollaback! campaign. It has highlighted the very high levels of sexual harassment and sexual objectification that young women experience every day—the indicators are there about how young women are treated. We have to look at the cultural influences that create that situation; we have to take a step back and look at the media's influence. It might be interesting to have a look at the information that was presented to the Leveson inquiry about the role of the media in presenting women in a degrading and objectified fashion. We have to look at our mainstream media, not just specialist media. We have to look at our television shows and the role of women and representation of ageing women in those shows.

We also have to take a broader look at how we engage with young men and young women around gender, from an early age up. Let us face it, in our culture, we socialise our young men and our young women in very different ways. If we want to be courageous in Scotland and really tackle sexual exploitation of children and young people, we need a strategy that steps right back and looks at all the influences that put forward ideas about what young women are and what young men are. That is how we socialise our children. A courageous step needs to be taken. We can bring in sexual health experts: the third phase of the sexual health strategy identified cultural change as an issue. We need to take a look at the real influences.

Turning to prevention, the United Nations definition of child protection is about building a protective environment for our children. I question whether we have built an entirely protective environment in Scotland, and whether public bodies meet the requirements of article 17 of the convention on the rights of the child in respect of preventing the media from putting out messages

that are injurious to our children and young people. There are bigger questions to be asked, and we have to start challenging gendered, narrow ideas and linking them with violence against women.

We work directly with schools and professionals, and it is interesting to engage young people in the debates and discussions. We have to go right back to a developmental strategy that is age-and-stage appropriate and engages with children and young people from nursery up, and we must build on that over a generation. It is not an issue only for children and young people; it is a broad-based issue.

Rosina McCrae: In the interests of brevity, I simply say that I agree with every single word of that. [*Laughter.*]

The Deputy Convener: Thank you—that was kind of you.

We shall now have general questions for group discussion.

Angus MacDonald: I agree with the earlier comment that we could do with a few more hours to cover the issue with the two panels of witnesses.

My question is similar to the one that I asked the previous panel. There has been quite a bit of discussion about the evidence that we have received to date about definitions of child sexual exploitation. Do those definitions help or hinder efforts to protect young people, and is it helpful to distinguish CSE from childhood sexual abuse?

Linda Thompson: There is debate around whether child sexual exploitation is just a particular manifestation of child sexual abuse. In working with parents, young people and professionals, I find useful the definition of child sexual exploitation that takes in the notion of gifts in kind and the exchange of goods such as mobile phones, as well as housing, shelter, safety and other resources. That is useful in helping people to understand the specific dynamics that can exist around child sexual exploitation. As Scotland moves forward, we must look carefully at how we frame notions of choice in our definitions.

As Ken Dunbar and members of the previous panel said, we must consider how we can break the continuity of sexual exploitation from child to teen to adult. It is really important to understand the links between child sexual exploitation and the sexual exploitation of adults. We need to create a continuum and greater links between our definitions and our understanding of the issue.

Anela Anwar: I reiterate something that was said earlier. It is great to have a definition, but if people are not aware of it, what is the point? We need awareness among front-line staff and in the

community. Child sexual exploitation is definitely part of childhood sexual abuse, but we need to be clear that sexual exploitation has its own dynamics and circumstances, as Linda Thompson said. Staff need to be aware of that and to have that sea change of opinion, away from the view that young people, or young girls, are making their own choices. It is about power and control, and we need to raise awareness about that across the board.

Rosina McCrae: I do not think that the distinction is helpful at all. Childhood sexual abuse has evolved. I am old enough, unfortunately, to remember when it was much more one dimensional, but technology has changed things. It was bad enough when mobile phones were being used to transmit images of women being raped and sexually abused. Now such material is available wholesale on the net, and children have access to it.

The definition of childhood sexual abuse identifies the sexual abuse of children—that is, any sexual contact, which is what child sexual exploitation is about. It is not as though it is not being done for a purpose; the purpose is for some man to abuse young girls and boys.

The Deputy Convener: Do you see no distinction between childhood sexual abuse and child sexual exploitation?

Rosina McCrae: No, I see no distinction at all. Linda Thompson is right to make the point that, given the way that young women are brought up and given the way that young boys are socialised, there is confusion at what we might call the minor end. However, that is not minor in relation to how girls see themselves in society and how boys see themselves and girls in society. What we are dealing with is masculinity. In making such a distinction, we are certainly not doing girls and women any favours, but we are not doing boys and men any favours either.

Ken Dunbar: I agree with everything that has been said. Child sexual exploitation and childhood sexual abuse should be treated as part of a continuum. As I said earlier, we need to ensure that we get out the right education and prevention messages about healthy relationships. If education does not start at that earlier age, we will continue to struggle to help young people, and teenagers in particular, to make sense of their lives and relationships, some of which will be potentially abusive. I do not see any clear distinction between the two.

Our services have come across examples of some young people who have suffered sexual exploitation, the scale and horrific nature of which are significant. They need a certain type of support in those critical moments. If a young person or

child has suffered sexual abuse at any stage in their journey, we need to look at the scale of what has taken place, particularly when we are dealing with trafficked young people who have faced sexual exploitation either en route or at their destination. We need to think about that carefully to ensure that we have the right system in place. We need to start to get over the age issues, given that we are there to care for the young person, who is vulnerable and has come through a difficult situation.

The Deputy Convener: Thank you. I am conscious of the time, so we will move on to our last question.

Anne McTaggart: Looking forward, can you give concrete examples of how statutory criminal justice services can best work with the voluntary sector?

Ken Dunbar: I go back to my earlier point about information sharing providing a better analysis. We have talked about the downside of the internet and social media, but the positive side is that those give us data, which we need to interpret and use to ensure that we take the right route in our interventions. The statutory bodies, the third sector and all those involved who need to be able to understand what is happening in the area must be able to share information. Neighbourhood-based sharing of information will help the right interventions to be made at the right time for every young person who could be affected. That is a key message that I want to get across. I feel that we are failing to grasp how much information we have that we can use to make interventions at the right time.

Rosina McCrae: For us, the examples are patchy—that is the most depressing thing—as partnership working depends on individuals. We are dealing with big forces. In the statutory sector, I think that health faces a particular problem. We find health professionals obstructive and very negative and dismissive of the voluntary sector. It is difficult for us to become involved in care reviews of the young people we are involved with because health people do not see us as professional. They ask what qualifications our staff have and so on. With a bit of force, we can try to get involved but we are not as successful there as in other areas. Social work and the police are much more involved in partnership working than health is. That is a big issue.

As we said in our submission, we are worried that the creation of the new Scottish police force might result in our losing some very good work that Strathclyde Police did, which I do not think happens Scotland-wide. Strathclyde Police provided a third-party reporting mechanism for all the front-line women's organisations in Glasgow and throughout the force area. If a case did not

have enough evidence to go to trial, we could still report the man to the police, who would log the details on computer. The police could then build up evidence based on a number of incidents. Similarly, they would also log incidents of childhood sexual exploitation, which is defined differently, so that they could build up a picture of an abuser. We do not know whether that work will be transferred to the Scotland-wide police force, but that is definitely worth looking at. As Ken Dunbar said, we need community policing.

11:30

Working with the criminal justice system can be difficult, as you know. I am a big believer in sentencing, and I think that the sentences that are given out to male abusers are, quite frankly, ridiculous. They are an insult to children and young people in our society. I have sympathy with Linda Thompson's point that we are not good at protecting children in our society. We like to think that we are and we boast about it, but we are not. In the case that was heard last week, the man who sexually abused a wee four-year-old in a toilet in Asda in Clydebank got two-and-a-half years. That is ludicrous and absolutely shocking—

The Deputy Convener: I think that you are moving us on to another issue.

Rosina McCrae: No, I am not. Anne McTaggart asked me about the criminal justice system. I think that we should look at minimum sentencing to ensure that we send out a clear message to abusers.

I also think that the criminal justice system should follow the American system in allowing expert witnesses from the voluntary sector—people who are involved in the care of the young person concerned—to give evidence on the effects that the abuse has had. That would help with sentencing and would help juries to understand. It is difficult for juries, who may not know anything about the range of effects that abuse can have, given that we lack public awareness campaigns. I think that that would help.

The Deputy Convener: We will finish with Linda Thompson and Anela Anwar.

Linda Thompson: I come from a slightly different angle because a lot of my work is about prevention, education and awareness raising, but let me share an example in which the multi-agency approach has worked particularly well. In central Scotland and in Perth and Kinross, we have linked in with police, education, criminal justice social work and the voluntary sector—all the partners have come together—to run quite large-scale awareness-raising and public-education events. Over the course of four days, 2,100 parents and carers came along to an event to hear information

about internet safety, sexualisation, gender, sexual roles, violence against women and sexual exploitation. That is an example not of how to deal with criminal justice and the police but of how multiple agencies can come together to engage effectively with local communities and parents.

Anela Anwar: To give another concrete example, we deliver a project called SAFE that works with young people from six to 16. The project delivers messages for other organisations, so we have engaged with a range of agencies, including the police and health, which cannot access those communities on the issues that I described. We take their messages, make them culturally sensitive and put them out to ensure that those communities are not missed out.

In addition to partnership working, another point that is essential in information sharing—of course, this should go across the board—is ethnic monitoring and recording, both of victims and of perpetrators. That does not happen to an adequate level at the moment, which leads to a lack of knowledge. It is easy to draw conclusions about Asian groomers or victims, as the media have done, but it is difficult to do anything without the data to back up or refute any claims. I think that ethnic monitoring is a must.

The Deputy Convener: We must stop there, as we are way over time. This has been a very interesting session. Thank you very much not just for your verbal commentary but for your written submissions, which will give us a foundation in going forward with our analysis. As I said earlier, I wish that we had two days on the issue, never mind 20 or 40 minutes. Thank you very much.

I will suspend the meeting for a minute to allow the witnesses to leave and the new panel to appear.

11:33

Meeting suspended.

11:35

On resuming—

New Petitions

Gender-neutral Human Papillomavirus Vaccination (PE1477)

The Convener: Agenda item 3 is consideration of two new petitions and, as previously agreed, the committee has invited the petitioners to speak to their petitions.

The first is PE1477 by Jamie Rae on behalf of the Throat Cancer Foundation on gender-neutral human papillomavirus vaccination. Members will have the clerk's note, the Scottish Parliament information centre briefing and the petition itself.

I welcome from the Throat Cancer Foundation Jamie Rae, chief executive, and Ewan Lumsden, information support manager. I invite Mr Rae to make a five-minute statement to set the context for the issues in the petition. After that, I will throw the discussion open to questions.

Jamie Rae (Throat Cancer Foundation): Good morning, ladies and gentlemen, and thank you for the opportunity to come along and give evidence.

I will begin by making it clear why I am so interested in this issue. In July 2010, I was diagnosed with oropharyngeal cancer caused by the human papillomavirus. Thankfully, I went on to make a good recovery, but my experience of the treatment regime and the virus's effects was, to be honest, pretty awful. It also raised several quality-of-life issues for anyone suffering from human papillomavirus infection who goes on to contract cancer.

As background, I point out that we are dealing with a global epidemic of HPV, which is responsible for 5 per cent of all cancers worldwide—and that figure is growing. You might be aware that according to the latest statistics one in two people—or half the people in the room—will be affected by cancer by 2020. As a result, we need to be very aware of that issue because of the burden not just on individuals but on society, the economy and everything else of having to pay for it.

HPV is caused by skin contact. It never enters the bloodstream. It is very easy to catch; in fact, 80 per cent or more of the middle-aged population—in other words, most of the people in this room—will have been infected by it or exposed to it. I do not want to panic everyone; thankfully, most people will clear the virus. However, a growing number of people are not clearing it and they are at considerable risk from certain strains.

Although there is no cure, there is a vaccine, which is why I am here. At the moment, the vaccine is given only to girls to protect against cervical cancer, which is one of the five strains of cancer caused by the virus. The other strains are anal cancer, penile cancer, vulval cancer and oropharyngeal cancer, all of which are very nasty. They are treatable, but the side effects of treatment and the on-going quality-of-life issues—if you survive—are awful.

My question is: why are we protecting only a certain sector of society? The argument for the current policy is that if we vaccinate enough girls we will protect boys. That might have been almost acceptable in the 1950s, but we are in the 21st century and the population is now highly mobile. The UK has good vaccination rates but in general the rest of the world does not, and those who travel will be exposed if they have sexual contact with someone overseas. Indeed, they can be exposed to the virus here, if they have sexual contact with someone living in this country who has not been vaccinated. Moreover, certain sectors of society, such as men who have sex with men, have no protection at all.

This is a very serious issue. For a start, it is an equality issue, not just for men who have sex with men but for all men, and my contention is that, as men are equal to women, there is no reason why they should not be protected.

The Convener: Thank you very much. I note that in your petition you say:

"The current Human Papillomavirus vaccination programme is discriminatory"

and indeed you touched on that issue at the end of your presentation. Would you like to say a bit more about that?

Jamie Rae: I do not want to turn this into an issue about sexuality or men having sex with men, but that is probably the most obvious area that should be considered.

So-called herd immunity, in which girls are vaccinated, will give some protection to men—not all, but some—but people from certain sectors of society such as men who have sex with men have no protection at all. That is discriminatory. Indeed, that was one of the key areas examined by the Australian Government, which introduced gender-neutral vaccination this year. The Australians, who are world leaders and pioneers in this issue, have made the right decision.

Many of the decisions not to vaccinate everyone are based on cost. Although I can understand that laudable view, the fact is that the modelling on cost effectiveness is dated and does not, for example, include the latest types of cancers. That whole area needs to be addressed.

An interesting aside is that the guy who discovered the vaccine is a Glaswegian, which means that it is another great first for Scotland. He might live in Australia, but he is very much Scottish. I think that Scotland has a fantastic reputation for innovation in science and we should be taking another lead by doing the right thing here.

The Convener: Finally, I know that costs are quite difficult to ascertain because of commercial confidentiality. However, if I have picked up your petition right, the figure for Scotland might be around £1.2 million.

Jamie Rae: It is very difficult to ascertain costs. Figures from the Nordic countries have given us a baseline of €18 per vaccine dose. If Scotland were to decide unilaterally to implement this vaccination programme, which it can do, it would be in a very good position to negotiate a good deal with the pharmaceutical industry. After all, it is very much in the industry's interests for countries to adopt gender-neutral vaccination.

The Convener: Thank you very much. I seek questions from my colleagues.

Angus MacDonald: I should declare that Jamie Rae is known to me as a friend and former colleague and that I met him in February to discuss the issue.

The research that we have received has flagged up 120 identified subtypes of HPV. For the sake of clarification, can you tell us whether the immunisation programme would cover all 120 or just the high-risk subtypes such as HPV-16 and HPV-18?

Jamie Rae: The best available coverage is for HPV-16, HPV-18, HPV-6 and HPV-11. Your question is a good one, because this is a complicated matter and a growing area of interest for many scientists. Scotland is again doing a lot of good work on it, but there is still so much that we do not know about HPV.

Ten or 15 years ago, there was little or no link with throat cancer but we now know that HPV is responsible for virtually all cases of oropharyngeal cancer, particularly in younger men who neither smoke nor drink, which were the typical risk factors in the past. Although there is no one-size-fits-all solution, there is a good quadrivalent vaccine that protects against the most dangerous strains of the virus, and it is now being used in Scotland.

Angus MacDonald: You mentioned the costs in Norway, and I note from the petition that you have used figures from the Norwegian health authorities to cost the three-dose vaccination at £45. It is always good to err on the side of caution but, given that in my experience most goods in Norway

cost nearly twice as much as they do here, it might be that the cost to extend the programme to 27,000 12-year-olds in Scotland might well be lower than the figure you have suggested. Indeed, if a deal can be done with the manufacturers, the figure might be even lower.

I have found the Scandinavian and Nordic countries to be pretty much ahead of us on health issues. Do you know whether any of the Scandinavian countries plan to introduce HPV immunisation programmes for boys?

Jamie Rae: Denmark is looking at it seriously and we believe that it is very close to making its decision. That is the only comment that I can make, because I do not know about the other countries.

Angus MacDonald: But it has been extended in Australia.

Jamie Rae: Yes. The United States has recommended vaccination for all boys, as has Canada. It has been adopted in two provinces in Canada, where boys are routinely vaccinated.

11:45

John Wilson: Good morning, Jamie. In the last paragraph of the background information for your petition, you refer to Australia introducing vaccination for young men; in the paragraph before that, you suggest that 12-year-old boys in Scotland should be vaccinated. What is the age range for which Australia has introduced vaccination? I assume that it would be year-on-year vaccinations for 12-year-old boys, so there would be a recurring cost—but a decreasing one, we hope, as the vaccine is used more readily.

Ewan Lumsden (Throat Cancer Foundation): The reason that we have asked for 12-year-old boys to be vaccinated is that the vaccine works best prior to any sexual activity. That is why the vaccine is now given to young ladies about 12 years old. Getting boys vaccinated at a younger age as well would be a practical measure to ensure that people get the most effective use of the vaccine. It would be given to young people aged 12 and under.

Jamie Rae: There is evidence that the vaccine has a prophylactic effect so, even if somebody has been exposed to some strains of the virus, that does not mean to say that it is too late to be vaccinated. However, best practice is definitely to vaccinate before any sexual activity because the virus is so contagious that it is better to act as early as possible.

Jim Eadie: Clearly, vaccination would be a decision for the Scottish ministers to take, informed by scientific evidence and advice from officials. The Joint Committee on Vaccination and

Immunisation is not currently minded to recommend that the HPV vaccine be made available on a gender-neutral basis. I was struck by the point to which you referred, which is that the JCVI feels that there would be sufficient protection for heterosexual males because of their exposure to girls who have been vaccinated. I am sure that the point about discrimination is not lost on the committee.

What independent source of advice and evidence are you aware of that would help to influence any decision by the Scottish Government given that the Joint Committee on Vaccination and Immunisation is not currently in favour?

Jamie Rae: That is a good question, Mr Eadie. More than 150 of the people who have signed the petition are medical experts. Some of them are world leaders in their field. For example, our own Professor Heather Cubie, who until recently led the HPV research laboratory in Edinburgh, is in favour of gender-neutral vaccination, and she is considered to be a world-leading expert in the field. It is interesting that we have people such as Professor Cubie who disagree with the JCVI.

We also have Professor Margaret Stanley, the head of virology at the University of Cambridge. She is credited as one of the world-leading experts on HPV. She is very much in favour of what we suggest.

I could go on. The 150 are considerably experienced health professionals. Some of them are international and many of them are lauded and have won accolades the world over for their research work.

The body of experience outwith the JCVI is considerable. I hope that the Scottish ministers would, if they are minded to do so, look beyond the narrow advice that comes from that statutory body.

Jim Eadie: Are you aware of any side effects or risks associated with the vaccine?

Jamie Rae: No. There has been some press speculation about that and there are individual cases with all vaccination programmes, but we have been using the vaccine in Scotland since, I think, 2007. It is a very safe drug. Its profile shows no significant problems. The most common issue is some redness and soreness around the area where the vaccine is administered in the arm. That is pretty much as far as it goes.

Ewan Lumsden: There has been a lot of adverse press, particularly in America, about the Gardasil vaccine, but a lot of it is unsubstantiated and based on loose interpretations of adverse reactions. When it comes to vaccination, adverse reactions include every single thing that happens; they are not necessarily related to the vaccine. For

example, if someone has been given the Gardasil vaccine and they then die in a road traffic accident, that is listed as an adverse reaction.

There has been some very loose reporting about the Gardasil vaccine, particularly in America. However, every expert to whom we have spoken and all the evidence that we have seen in researching the efficacy of the vaccine has shown that it is a very safe vaccine. It has the minimal side effect of redness and some people faint—but that is more to do with the needles than the vaccine itself.

The Convener: Do other members have any other questions or points to put to our witnesses?

Members: No.

The Convener: The petition is interesting and well researched. I thank both our witnesses for that. I think that we need to keep the petition open and seek further advice from key organisations including the Scottish Government, Health Protection Scotland and Cancer Research UK. Do members agree with that course of action? Are there any other organisations that members would like to be added to that list?

Angus MacDonald: I agree that the petition should be continued. We could also ask Stonewall and the gay men's health group for their views.

Anne McTaggart: Who have we agreed to ask?

The Convener: So far, we have agreed to contact the Scottish Government, Health Protection Scotland and Cancer Research UK. Sorry—I missed Angus MacDonald's point. Could you please repeat it?

Angus MacDonald: We could contact Stonewall and the gay men's health group as well.

The Convener: Thank you.

Jim Eadie: I have a further suggestion. We could contact the Scottish cancer coalition, which represents the range of cancer charities in Scotland.

The Convener: Jamie Rae mentioned some of the medics who have signed the petition. It might be useful to approach some of them as well, as they have a lot of expertise in the subject. Is that agreed?

Members indicated agreement.

The Convener: I thank our witnesses for coming along. We are very interested in the petition and will continue it. You have raised an interesting point. We will get as much evidence as we can and will keep you up to date with developments.

I suspend the meeting to allow the witnesses to leave and our next witnesses to join us.

11:52

Meeting suspended.

11:53

*On resuming—***Blacklisting (PE1481)**

The Convener: PE1481, by Pat Rafferty, Harry Donaldson and Harry Frew, on behalf of Unite, GMB Scotland and the Union of Construction, Allied Trades and Technicians, is on putting an end to blacklisting in Scotland. Members have a note by the clerk, a SPICe briefing and the petition.

I welcome our three witnesses, who are well-known faces. Thank you very much for coming along today. I invite Pat Rafferty to make a short statement of around 5 minutes. After that, I will kick off with a couple of questions, and I am sure that my colleagues will have questions as well. Neil Findlay, who takes a great interest in the issue, is here and also wishes to contribute to the debate.

Pat Rafferty (Unite): Good morning. We warmly welcome this opportunity to give evidence to the Public Petitions Committee. The motion on blacklisting that was debated in the Scottish Parliament on Thursday 2 May was entitled “Blacklisting, a Scottish and UK Human Rights Abuse”. In no way was the motion’s title overdramatic or exaggerated. This insidious discrimination in our employment system, particularly in the construction sector, is a scandal that has affected and continues to affect workers and their families throughout Scotland and the UK. It is a national disgrace that has ruined lives and indelibly stained our construction industry, its biggest employers and successive Governments.

Most of you will be familiar with the published findings of the Westminster Scottish Affairs Committee—the SAC—and its interim report on blacklisting throughout the UK. You will also be familiar with the revelations of the investigation by the Information Commissioner’s Office—the ICO—into the Consulting Association—TCA.

The work of the ICO and the SAC certainly laid bare the depths to which major construction companies sank in actively excluding and discriminating against workers predominantly for their trade union and political activities. We know for certain that TCA held on file details of 3,213 construction workers, many of them trade unionists, and traded them for profit and subversive purposes. We strongly suspect that we are only beginning to scratch the surface of the scandal.

It is vital to make it clear to everyone in the room as we move ahead with the committee’s proceedings and the work of the ICO and the SAC that it is frequently cited that blacklisting is not only a problem of the past. Blacklisting did not disappear with the ICO investigation in 2009. Far from it. We are in no doubt that the practice continues on major infrastructure projects throughout the UK and that the influence of its known practitioners runs deep in the Scottish economy.

Our evidence today will focus extensively on our strong view that blacklisting is taking place on major infrastructure developments such as the London crossrail project, which is the biggest construction project in Europe. The sacking of 28 workers on the crossrail project in September 2012 through the termination of contracts to Electrical Installation Services—EIS—by BAM Nuttall, Ferrovial Agroman and Kier Construction Ltd—the BFK consortium—for raising basic health and safety concerns relating to tunnelling work suggests to us that the blacklisting of trade unionists continues.

However, blacklisting is not confined to the south-east and it is not incumbent solely on Westminster to tackle it, nor should we have to wait for Westminster to begin to resolve the problem. The insufficient legislative framework at a UK level and the evident lack of political appetite to recognise blacklisting as a contemporary issue and reform the law to combat the practice need to be bypassed by other levels of governance.

In Scotland, we have the ways and means to start tackling blacklisting seriously and we need to do that. The companies that are involved in the BFK consortium and their subsidiary companies profit significantly from Scottish public procurement. They do so alongside many of their contemporaries that are also named in the ICO investigation and the SAC report. Those companies hold public contracts that are worth billions of pounds and they are responsible for the delivery of essential services in our public sector and local and national infrastructure development.

We are firm in our view that a distinct Scottish political intervention is required, as the influence of the known blacklisting firms runs deep into the heart of the Scottish economy. No one can credibly argue that blacklisting has never taken place in Scotland or prove that it does not continue to this day.

Over the past few months, a sustained programme of parliamentary activity has helped to raise the profile of the anti-blacklisting campaign, thanks in no small part to the hard work of MSPs such as Neil Findlay, who is present. This meeting provides us with another opportunity to reinforce our campaigning view of what the Scottish

Parliament can do to tackle blacklisting. That involves introducing anti-blacklisting measures in the proposed procurement reform bill, including prohibiting known blacklisting companies from tendering for future public contracts, and launching an independent public inquiry convened by the Scottish Government into the extent of blacklisting in Scotland, the companies involved and the human damage done.

Existing UK blacklisting laws are insufficient and cannot be relied upon to represent the interests of the workers, let alone deliver justice. The Scottish Parliament, with its current powers, can help to begin to close that gap in the justice system through procurement reform measures.

The calls of the joint trade unions for a UK-wide Leveson-style inquiry into the blacklisting scandal have, so far, been resisted by the Westminster coalition Government. It is unacceptable that, to date, not one company named in the ICO investigation has apologised for its discriminatory action and not one worker has been compensated for being blacklisted.

It cannot be business as usual for the blacklisting companies. We are looking for the Scottish political community to help us to achieve change and justice and to protect the next generation of workers in Scotland and beyond from the insidious practice of blacklisting. That extends to local authorities, which can play a proactive role in questioning the likes of the BFK consortium's influence in their areas and supporting our wider campaign for justice and reform.

We hope that the evidence that we present today will inform our representatives on the Public Petitions Committee and provoke them to grasp the historical and contemporary effect of blacklisting and put in place a renewed Scottish parliamentary impetus to demonstrate that Scotland can lead the way in the fight against blacklisting.

12:00

The Convener: Thanks very much for your statement. We should congratulate the trade union movement on the work that it has done on this high-profile issue. In your comments, there seemed to be a touch of going back to 1950s America and McCarthyism, because the practices that you describe are very much what happened in that era. Your suggestions on procurement and an inquiry are useful.

Before I bring in Neil Findlay, I have a question on one point. The papers refer to the fact that at least one individual has been prosecuted for breaches of data protection legislation. As you know, we have a strong data protection regime in

Scotland, but does it need to be strengthened? Are there still breaches of data protection that lead to blacklisting?

Pat Rafferty: I believe that there are gaps in data protection. I do not know whether you had the chance to catch "Panorama" last night on BBC 1, which covered blacklisting in the UK. The ICO raised concerns about the lack of power and bite in attempts to address the issues. The regime should certainly be strengthened. As I said, that point even comes from the ICO.

The Convener: I bring in Neil Findlay to make a brief comment.

Neil Findlay (Lothian) (Lab): Last night's "Panorama" condensed the issue well into a short space of time—it was a half-hour programme. It raised the concern that, as Pat Rafferty said, blacklisting continues.

We should commend the petitioners for lodging the petition. More importantly, we should commend the members of various trade unions who have suspected for decades that the practice has been going on. Many of them have suffered badly, with their families suffering as a result. We have to thank those people for their determination. I hope that they will see justice.

The "Panorama" programme raised the issue in relation to the crossrail project and raised concerns that the practice continues. My fear is that it continues in Scotland, too. Only an inquiry would unearth that. We should consider some of the major contracts that are being let in Scotland at present. One of the contractors groups that are bidding for the Edinburgh sick kids hospital contract—we are down to the last three groups—is stuffed full of contractors who have been up to their necks in blacklisting, and the situation is similar for the Aberdeen bypass. The consortium that is involved in the construction of the new Forth bridge is full of companies that have been involved in blacklisting. The question is whether those companies have changed their practices. Let us hope that they have. However, until the companies admit what they did wrong, apologise to those whom they wronged, agree to pay compensation and agree to get their house in order, we cannot be confident that the practices are in the past.

Pat Rafferty suggested that the current process is only scratching the surface of the issue. We can see that if we start to think about some of the other industries in which blacklisting is alleged to have been practised over the years, such as journalism, academia, the offshore industry, contract catering and others. I support the petitioners' call for an inquiry. If Westminster is not going to do it, let the Scottish Parliament lead and let us do it.

We also need major reform of the procurement process. I am not naive enough to think that the practice will be gone for ever—we cannot weed it out entirely—but we should put in place systems that get the message over to companies that look to benefit from major public sector contracts that, if they indulge in blacklisting, they will be dealt with properly.

Chic Brodie: Good afternoon, gentlemen. Good afternoon, Neil. I have some experience of dealing with trade unions, employee-participation companies and some companies in which management was perhaps a bit draconian and had to be changed. Let me start with the issue of those who were blacklisted. My experience of dealing with the Amalgamated Union of Engineering Workers—with Willie McKelvey, Ernie Ross and all those guys years ago in Dundee—is that there was openness and transparency. The managers whom I dealt with worked pretty hard at that. However, there were those within the trade union, although not many, whose activities were ultimately designed to hurt the 6,500 employees. Do you believe that all the people who have been blacklisted are bona fide, good employees, or do you believe that they just might have had a different agenda?

Pat Rafferty: I believe that they are bona fide people who have been discriminated against because of the blacklisting process. I do not believe that they have been out there to purposefully undermine an employer in any way, shape or form. It is not in anybody's interest to do that. It is certainly not in the interests of the trade unions or the people who work on contracts. We are interested in having good industrial relationships with employers, which helps to secure employment going forward. We have never had an agenda to try to undermine that in any way, so I do not accept that point.

Chic Brodie: Okay. Our briefing notes on the petition indicate what the trade unions have called for, which would have serious implications because the call is not only for full disclosure of the information obtained by the Consulting Association, but for an investigation into links between not just the employers but the police and the security services. Why do you have an issue with the police and the security services? What do you think they are doing in terms of corroborating the blacklisting?

Pat Rafferty: There are questions that go beyond the Consulting Association to the police force itself. We can go back to issues around that with the miners, for example, during the miners' dispute.

Chic Brodie: We are talking about now in Scotland.

Pat Rafferty: In Scotland?

Chic Brodie: Yes.

Pat Rafferty: What we want to try to find out from the police service is what information the police service or department holds about people being blacklisted, which is a contributory factor from the police service's side.

Chic Brodie: But the trade unions refer to links between employers and the police and security services. You are not just asking for open information. Our information is that you are asking for an investigation into the links between construction employers and the police and the security services. Why are you asking for that?

Pat Rafferty: It is a matter of trying to get the information from the police service to see whether there are established links between the employers and the police service.

Chic Brodie: I abhor blacklisting just as much as I abhor bad management, and there is a lot of that around. However, you are asking the Scottish Government to do something while the Scottish Affairs Committee is undertaking an inquiry into the matter. The minister set out the legislative framework and said that blacklisting was not illegal, although we can argue that maybe it should have been. However, the minister has said that we now have a better position in Scotland under the Public Contracts (Scotland) Regulations 2012. We will also have the procurement reform bill, and I am sure that we will all want to ensure that it secures openness and transparency in how contracts are disposed of and the conditions therein. What do you expect from a Scottish Government public inquiry that has not been done or covered and that will not be covered going forward?

Harry Donaldson (GMB Scotland): Pat Rafferty alluded to the fact that 3,213 people were on the blacklist—that is what the Information Commissioner's Office found. Only 10 per cent of those people know that they were blacklisted; the rest still do not know. In Scotland, 582 workers were blacklisted, so Scotland has been disproportionately affected compared with the rest of the UK. That is why we firmly believe that the Scottish Parliament should take a lead on the issue and there should be a public inquiry.

I go back to what Neil Findlay said. Apologies should be made, because there is no indication that the employers in question have given any consideration to the hurt and the injury that they have caused to families and everyone else who is involved. We should bear it in mind that most of the people who were blacklisted were between the ages of 30 and 50. They have been out of the industry and unable to pursue gainful employment and provide for their families. That is significant.

We firmly believe that there is scope for a public inquiry. The same companies are involved in public procurement and are looking for public contracts. Billions of pounds-worth of Scottish Water contracts are open to them.

You asked whether some trade unionists might have had ulterior motives. I would flip that question and point out that 60 per cent of the human resources managers who were employed at the time are still employed in the same companies. I would flip the question and direct it towards the companies. It might be that that is why a public inquiry should take place.

Chic Brodie: I do not agree with blacklisting, and I accept that, in some cases, we have bad management, but in that spirit, you cannot tell me that all the people concerned are okay. The fact that you brought the police and the security services into the issue makes me wonder what else is going on, and that is why I asked the question, against the background of what I have said about bad management and blacklisting.

Harry Donaldson: Interestingly, the issue to do with the police and the security services has come about because we understand between 200 and 300 female green activists are on the lists and have been targeted. Where would that type of information come from, given that it is certainly not the case that all those women work in the construction industry?

Chic Brodie: So you believe that it is unlikely that the people in question would engage in any action that would hurt or harm the vast majority of people with whom they might work.

Harry Donaldson: That is the belief, but I must make the point that there is no proof, hence our request for a public inquiry.

Jim Eadie: Good afternoon, gentlemen. I would like to explore with you the second half of the petition, which is about investigating

“how to introduce ethical procurement policies and how to ensure that companies who continue to practice blacklisting are banned from tendering for future public contracts.”

That opens up the issue of how we ensure that we reform the procurement process. That could perhaps be done through the proposed procurement reform bill or through the consultation that I understand the Scottish Government is undertaking with the Scottish Trades Union Congress, Unite, Unison and the GMB to strengthen the guidance for public bodies.

Will you give me a sense of what issues should be covered as part of the reform of the procurement process? What additional questions should we think of asking suppliers during the selection stage of a procurement exercise? How can we ensure that we have revised terms and

conditions in contracts that allow us to address the issue? Might they include termination clauses for those companies that breach legislation or guidance?

Harry Frew (Union of Construction, Allied Trades and Technicians): The forthcoming procurement bill presents a good opportunity to make changes and to make things a bit stricter and tighter. It has been suggested that one of the questions could be, “Have you been prosecuted in the past for blacklisting?” However, I do not think that that would address the issue in any way, because no one has been prosecuted for anything that happened prior to 2009, not even the Consulting Association. Ian Kerr was prosecuted under the Data Protection Act 1998 and was fined by the courts, and the fine was paid by one of the contractors, not to Ian Kerr but to his wife and daughter. I do not know why, but that was the method of payment and how it came about.

The questions about procurement must be tighter and stricter. We are dealing with a group of companies that have already been to court and been prosecuted under statutes relating to construction cartels and price rigging for contracts. Quite a number of the companies were involved in that. That is one issue that should be addressed through a tightening of procurement processes.

12:15

Jim Eadie: Do you have suggestions about the questions that we should ask?

Harry Frew: We met Paul McNulty and made it clear to him that the questions must be framed so as to make it difficult for companies that have used such practices in the past to continue using them. We as trade unions are meeting, and I have no doubt that we will go back to Paul McNulty with suggestions to make the rules tighter and more stringent. Careful consideration must be given to how the questions are framed.

Jim Eadie: Is there an opportunity to do something better?

Harry Frew: There is an opportunity to address some of the issues, but whether companies continue their practices is another matter. Historically, there was the Economic League way back in the 1950s and 1960s, but people used to say, “That’s the Economic League finished. That doesn’t happen now.” However, the Consulting Association was set up and the practices continued. I have no doubt that Pat Rafferty is right to say that there are hints that blacklisting is still going on in projects such as crossrail.

How do we address that in Scottish procurement, and how do we deal with contractors who have been involved in that? As a trade union,

we in UCATT have been to the European courts to lodge a claim for one member on the basis of discrimination in employment. Maybe the type of question that should be asked is, "Have you ever discriminated against workers?" The answer would probably be, "No." How is discrimination then proved?

The Scottish Affairs Committee heard about comments that were on files about certain people, and it is a disgrace that people have been denied the right to work because of those comments. Right up until the Consulting Association was raided to access the files, the blacklist was still being used. If that raid had not taken place, the blacklist would still be getting used today and we would not know anything about it or be able to prove anything about it. We have now got the evidence, and some of the companies involved have admitted in front of the Scottish Affairs Committee that they used the blacklist. That admission of guilt gives us the opportunity to deal with some of the issues, and procurement might be an answer.

Jim Eadie: Do Mr Rafferty and Mr Donaldson have anything to add?

Harry Donaldson: The tender documents could ask potential contractors, "Have you treated anyone less favourably because of their trade union activities or membership?" If any information that companies provided on such a tender document were proven elsewhere to be false, they could be excluded. There is proof, evidence and documentation, and the GMB was lodging 70 defamation cases in the High Court in London as of last week in pursuance of those matters.

In answering a simple question like that, a company could—obviously—tell lies, but it would need to think seriously before it did, because if the evidence became available—

Jim Eadie: I think that we are getting somewhere.

Pat Rafferty: The termination clause is important and it should be part and parcel of the issue. There is further evidence that we have not submitted, which I will submit now. We believe that one of our executive council members, a man called David Brockett, is getting blacklisted from the Southern general project with Mercury. We will pursue that and we will keep the committee informed. That is current—it is happening right now. The get-out clause—the termination clause—is a key point.

John Wilson: I put on record my membership of Unite the union and my participation in the chamber debate that Neil Findlay initiated on blacklisting.

My historical trade union membership has brought me into contact with people who have alleged that they were blacklisted. I will throw this open to the panel: although we have heard a lot about employers, the allegation was made to me in the 1970s and the early 1980s that some trade unions were actively involved in blacklisting individuals whose activities—political or trade union activities—were seen to be detrimental to some of the leadership of the unions. The union that I am thinking of no longer exists, as it has been amalgamated many times and it is now in one of the larger unions.

Will you comment on your trade union members' activities in relation to blacklisting? If we are going to open up the issue, we need to be honest with ourselves and we need to be honest about the activities of some union activists or members in relation to blacklisting fellow workers.

Pat Rafferty: As you rightly say, unions have merged over the years, and my union, Unite, is a combination of other sister trade unions that have become part of it over the years. Unite was created only in 2007—we are very young. However, we have investigated and will continue to investigate any involvement of trade union officials in blacklisting. If we find evidence of anything like that, we will deal with it appropriately, as the committee would expect. We do not believe in such a practice and we would not tolerate it—in any way, shape or form—taking place in Unite.

Harry Donaldson: It is interesting that trade unions are willing to engage in the process—in a public inquiry or whatever else—and to take the appropriate steps should it be proven that there has been any such action by any trade union officials. That is the difference—there is a willingness and an openness to do that on our part, which we are not meeting from the opposite direction. Those are some of our difficulties.

John Wilson: That leads to my next question, which is about such things being proven in relation to not just trade unions but employers. Harry Frew mentioned the Economic League's role. We know the Consulting Association's role in relation to the information that the ICO was able to pull together. When Ian Davidson MP held a session at the Scottish Parliament with interested MSPs, he clearly highlighted that the ICO found only limited records. The 3,213 cases that we have in front of us are only the cases that we could get records of at the Consulting Association.

It was alleged that a number of other areas where records could have been kept were not available or that records had disappeared in some way, almost Enron-like, so that information was no longer available. One of our difficulties is knowing whether we are talking about only 3,213 cases or about a much wider practice of blacklisting not just

in the construction industry, but in other industries, such as engineering or HR. In the lead-up to the debate in the Parliament, one person intimated to me that they felt that they had been blacklisted, as they were advised not to apply for a job in personnel because they would not get one.

Harry Donaldson: The reality is that we do not know. As you correctly stated, when the ICO raided the Consulting Association's offices, it took certain information, but far more was left behind. Had that additional information been procured, it might well have led to an expansion of where we are.

Neil Findlay indicated that the problem could go beyond construction, but we do not know and we do not have the detail. We know that we have proof of the number of cases that John Wilson mentioned. Whether the problem extends further might well come out, and a reason to have a public inquiry would be to open up the discussion and engage and involve a wider group of people. Through that, we might find that, as Pat Rafferty said, there has been a wider abuse of human rights. I hope that that is not the case, but the reality is that we do not know. Are we scraping the tip of the iceberg? We do not know.

John Wilson: I understand that the four areas in relation to which people have experienced human rights abuses are political activities, trade union activities, health and safety issues and environmental activities. Do you agree that those are the four main areas that led to people being blacklisted by the Consulting Association or employers?

Harry Donaldson: The "Panorama" programme last night made it clear that Ian Kerr spent most of his days going through left-wing magazines, reports in the press and various things to collate any small pieces of information that he could on individuals. That was then passed to employers.

The fact is that health and safety representatives, who were carrying out their legal function of representing their members in the workplace in the construction industry, where deaths and fatalities have been terrible, were blacklisted for protecting their members and trying to get safe working conditions. That is completely unacceptable.

Harry Frew: I understand that three lists—construction; oil, gas and petrochemical; and environmental—were available at the Consulting Association. The environmental list related to things such as the building of the M77—the names of people who climbed up trees were on that list. There were those three lists, but possibly other information was destroyed or taken away before we managed to get a hold of the construction files.

The 3,000-odd people that we are talking about were in the construction files. Others would be in the other files that were there and others would have been in files that were hidden or destroyed.

Anne McTaggart: I declare an interest in that I am a member of Unite the union and of Community and I spoke in the blacklisting debate. I hold particularly strong views on the fact that comrades have been disadvantaged throughout their careers as much as they have been.

We spoke about the procurement bill and how we could affect that. However, I think—although I am not the one who would make such a decision—that the issue calls for a public inquiry, to ensure that all the questions that are being asked around the table are answered. That would enable us to move forward and influence the procurement bill positively, with clear evidence.

Harry Frew: Certainly. One of the questions should be, "Are you prepared to work in partnership with the trade unions through your procurement?" That might address issues for the future. However, the lip service that goes along with that does not form a reality that actually happens.

12:30

Harry Donaldson: One of the interesting issues is that, if the employers—those 44 major construction companies—held their hands up, admitted wrongdoing, compensated the individuals and apologised to them, that would be a public statement that would go a long way towards addressing the problem and ensuring that there were no further occurrences of blacklisting in the economy ever again. That would be a step in the right direction.

Chic Brodie: I do not think that that will ever happen, no matter what we decide. As Harry Frew said, people would pay only lip service unless we legislated properly.

Have you seen any of the 3,213 files?

Harry Frew: No, we have not.

Harry Donaldson: The GMB has had access to other files, as other unions probably have, but I have not seen them. When I listened to Dave Smith at our congress in Plymouth last week, it was clear that his file contained his national insurance number, his date of birth, photographs, details of his car, his safety credentials, information on his wife and his brother and details of when he complained about asbestos, toilets and so on. That was the sort of detail that it contained. We can tell you what employer put whose name on the list.

Chic Brodie: You have not seen the files.

Harry Donaldson: They are there and they are available.

Chic Brodie: But you have not seen them.

Harry Donaldson: I have not seen them.

Pat Rafferty: We have not seen the files personally, but that is not to say that the unions have not seen them. I have not seen the files, but Unite has seen them.

Chic Brodie: I am asking because it is important to have—although I hate to use the phrase again—clinical evidence.

Harry Donaldson: Seventy cases were lodged in the High Court last week. Clearly, the evidence will come out.

The Convener: The information that is in the files is the type of information that the police, security services or private investigators use. I am not suggesting that those groups accumulated the information, which is extremely intrusive.

I do not want to get you to develop your petition by taking it to another level, but you will know that there was a statement this week in the House of Commons about the allegation that information was passed between Government Communications Headquarters and the American security services. Is there any evidence that mobile phones have been monitored as part of blacklisting?

Harry Donaldson: We do not know. I am certainly not linking our issue to the PRISM programme. The issue about links with security services involved environmental activists and particularly why all those women found that they were on a blacklist.

There are concerns about whether there has been collusion with security services; many people think that there might well have been. However, until there is a public inquiry, we can only speculate, as we do not have access to the detail.

Neil Findlay: I have not seen the large file, but the Scottish Affairs Committee's report contains extensive extracts from people's files. The people are not named, but the extracts are a fascinating read. For example, one person's file says something like, "He might not be a Communist, but his father was." That is like saying, "He might not have robbed a house, but his dad did." Another file says something like, "He is suspected of being the twin of someone else." I never knew that being a twin was an offence. Another one says that someone is suspected of being a member of the Green Party. One even says that someone attended a meeting in Dundee Labour club. I appreciate that some people around this table might think that attending Dundee Labour club is a crime, but I do not.

John Wilson: It is a crime scene.

The Convener: I think that we should move on.

Neil Findlay: Some of the extracts are bizarre, to say the least, and I encourage people to read them.

The contract procurement issues are important, as Harry Frew said. If, for example, a line in the contract said, "Have you treated employees unfairly for X, Y or Z reason?" and the contractor said that it had not, but it was listed on the Consulting Association database, it would be lying and be in breach of contract. That would give it a motivation to say that it had treated employees unfairly and to apologise for that, pay compensation and get its house in order. Going down that route would capture quite a number of the major companies that are taking huge amounts of money from the system.

The Convener: We have found the session interesting and informative, but I am conscious of the time. We must move on and decide what we will do with the petition.

The petition is important, and I encourage members to agree that we write to ask the Scottish Government whether it supports the petition. The petition suggests a public inquiry. I think that it would be sensible to write to the Scottish Building Federation, too.

John Wilson: I have a number of suggestions. We should also write to the Confederation of British Industry Scotland, the Scottish Trades Union Congress, the ICO, the Convention of Scottish Local Authorities—because some local authorities have entered into joint contracts with some of the companies involved, including some that were named in the crossrail case—and Construction Scotland.

Harry Frew: You suggested that you should get in touch with the Scottish Building Federation, convener. I think that you will find that most contractors are in the UK Contractors Group. That is the organisation that you need to contact.

The Convener: Thank you.

Neil Findlay: The minister who replied in the members' business debate and the Cabinet Secretary for Infrastructure, Investment and Cities have said that the Scottish Government wants to talk to interested members about the procurement process. A few weeks ago, I wrote to the Government about that, but I have not heard anything in response. When the committee writes to the Government, can we ask when that engagement will happen?

The Convener: We will do that.

As I said, the session has been excellent. The information that you have given us has been

extremely useful. Obviously, the committee is enthusiastic to pursue your petition. We will keep you up to date with developments. I thank you once again for coming along to our meeting.

12:37

Meeting continued in private until 12:52.

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