

COMMITTEE FOR HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

OFFICIAL REPORT (Hansard)

Evidence Session on Safeguarding Board for Northern Ireland with the Voice of Young People in Care

22 April 2010

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Jim Wells (Chairperson) Dr Kieran Deeny Mr Alex Easton Mr Sam Gardiner Mr John McCallister Mr Conall McDevitt Mrs Claire McGill

Witnesses:

Ms Karen McAlister) Ms Vivian McConvey) Voice of Young People in Care

The Chairperson (Mr Wells):

I welcome Karen McAlister and Vivian McConvey, whom some of us met earlier today when we had the privilege of meeting some young people and hearing their views at first hand. I refer members to the paper from the Voice of Young People in Care (VOYPIC) and the additional information that is tabled.

Ladies, as you can see, we have a huge amount of business to get through. Therefore, I ask you to keep your presentation to 10 minutes, which will give members more chance to try to tease

out new information. If you miss anything, please use the opportunity to expand through your answers to members. Thank you.

Ms Vivian McConvey (Voice of Young People in Care):

Thank you, Chairman. I thank the Committee for inviting the Voice of Young People in Care to give a presentation. We have forwarded our submission paper. In the allotted 10 minutes, we will break down some of the paper's main themes to bring them to your attention.

We have reviewed in detail the proposal for the safeguarding board for Northern Ireland (SBNI). The perspective that we will take today is primarily based on our involvement with children and young people. As a user-led organisation, that is our perspective. We thank you for the private lunch earlier, at which we discussed how we can begin a process that will allow children to talk.

During the meeting, we will discuss a series of work that has been ongoing in VOYPIC since about 2004 on child protection. The children concerned either live at home and are subject to child protection procedures or are looked after and live in various care placements.

On 31 March 2009, there were 2,488 children on the child protection register, which represents an increase of about 20%. Approximately 2,463 children were in care, which represents an increase of 1%. Of the number in care, 481 are subject to child protection registration. At present, the Health and Social Care Board is carrying out ongoing work on those dual processes, and that work is heading to the Department as we speak.

The children and young people with whom we work did not enter care or come to the attention of social workers for any trivial reasons. As members will know, most of them have experienced neglect and abuse. Some of their pre-care and in-care experiences have significant repercussions on their emotional health and well-being. We must understand that children who are in the middle of child protection procedures have ongoing childlike and teenager-like issues in the midst of an extremely adult process. Therefore, we must consider how we balance the two and involve children. Children have said that child protection and care are complicated and that their lives become managed through legislation and policy. Although legislation and policy set guidance, VOYPIC contends that practice is most important. I will hand over now to Karen, who will provide a quick run-through of our work and what we have learned.

Ms Karen McAlister (Voice of Young People in Care):

Child protection may be a child's introduction to the social work system, and it is a process that all children in care have experienced. We aim to share key messages from a range of projects that are part of a work stream that has been ongoing in VOYPIC since 2004. It is called Listening to Children and involves children and young people who are in child protection. We are now at stage three of that work stream. We commenced that work with the Western Health and Social Services Board and the Eastern Health and Social Services Board, and we currently work with the Northern Health and Social Care Trust.

What have young people had to say about child protection? Between 2004 and 2007, young people's knowledge of the child protection system, what children protection is and what it means to be involved in the process appeared to be limited. They did not understand the process or the meaning of the term, and they were unaware that their names were on the child protection register. They had limited understanding of the social worker's role and did not seem to separate child protection arrangements from the procedures for looked-after children.

Young people who had an understanding of child protection thought that the harm that was referred to was antisocial behaviour involving young people or abuse by older men via the Internet, rather than protection from harm at home. Their descriptions of how they felt about professional involvement covered a wide range of emotions, such as worry, relief and happiness. Their responses also highlighted how difficult it was for them and their siblings to find someone constant and stable in whom they could trust and confide. Although all children knew about ChildLine, none of them used the service because they did not know how to describe what was happening at home.

Young people's recommendations were that social workers should look for recent bruises on children and for changes in their behaviour. Social workers should also be aware that children can be kept quiet and, therefore, that they need someone constant and stable in whom to confide. Both young people and the report recommended an independent advocacy service for children who are involved in the child process. The recommendation was that that service should be introduced at the point of investigation and support young people through to the point of deregistration.

In Listening to Children II, which began in 2007 and was completed in 2008, VOYPIC explored 11 young people's understanding and experience of child protection and how they felt that their experiences could be improved. The project provided a context in which young people were able to comment on current practice, while initiating change by planning an effective model of participation. A key development from that project was the creation of two leaflets that explain the child protection process for under 12s and over 12s. The Health and Social Care Board has agreed to print 20,000 leaflets and to integrate the information into child protection practice regionally. That work was undertaken by VOYPIC and the Eastern Health and Social Care Board.

The recommendations arising from the suggestions of young people are broad and deal with all aspects of the existing child protection process. They also highlight opportunities for improvements that will make a difference to how individual children are involved in their protection.

Young people recommended that social workers should have adequate time and resources to build trusting relationships with children and young people, because that would not only facilitate the sharing of information by children with their social workers but increase the prospect of their attendance and participation at case conferences.

They further recommended that consideration be given to the development of a feedback questionnaire, which social workers could utilise during their initial meeting with the young person. That would facilitate the obtaining of young people's views, the accurate recording of their wishes and ensure their involvement in the process.

They felt that the report on a child protection case conference should be shared with the young person a couple of days prior to the meeting, and consideration should be given to producing a young person's version of the report. Young people's input should be central to the development of the child protection plan, and once a plan is compiled, a young person's version should be presented and explained to him or her.

Young people felt that a child protection case conference was not always the easiest forum in which to be involved. The core group, on the other hand, is a much more appropriate forum for young people, and it should be utilised to its full potential. The focus of the core group should,

therefore, change, and it should be viewed as a prime opportunity to facilitate young people's involvement. Young people had no experience of the core group, and they felt that it would be a useful mechanism through which they could become involved in their protection.

That brings us to the final stage, Listening to Children III, which builds on our experience of young people's involvement through the core group. The Northern Trust and VOYPIC have agreed to develop in partnership a specific child- and young-person-friendly model of participation for children who are subject to child protection proceedings. That will afford children and young people a greater voice in the child protection process through core group meetings. That model will be piloted and evaluated, and it is due to be completed in April 2011.

In December 2008, the Regulation and Quality Improvement Authority (RQIA) contracted VOYPIC to design and facilitate a consultation with a sample of parents from across Northern Ireland. The aim of the consultation was to examine parents' views on child protection. A total of 51 parents participated in the regional consultation, 26 of whom had direct experience of child protection, and 25 of whom were engaged in family support services. We are aware that RQIA has already given evidence to the Committee on that work.

Ms McConvey:

In trying to encourage children and young people's participation, it is important to be clear about the desired level of engagement expected, or being encouraged of, children and young people in the huge decision-making process that is involved in child protection. The lessons from our work suggest that children and young people can be involved in child protection on two levels. The first is at a personal or individual level, and the second is at an organisational and policy development level.

With regard to the second level, VOYPIC welcomes the opportunity to work alongside the proposed SBNI to enable it to design and establish a specific model for children and young people's involvement. Section 22 of the detailed policy proposal deals with a young person's safeguarding forum. Members will ask me questions today, but we have found that, if the proposed SBNI wants to develop a model of practice at an operational and organisational level, it must ask itself five critical questions.

First, before commencing any work or taking action the SBNI must ask itself why it is doing

so. Often, people rush into action and set up practical elements of an enterprise without understanding why they are doing so. The time spent at the point before action is taken will pay significant dividends later. The proposed SBNI must understand why it is taking any particular action. Can the proposed SBNI clearly identify what it wishes to achieve through increasing the participation and involvement of children and young people? The answer to that question will design the broad framework of the model.

The second question that the safeguarding board must ask is on what others have learned from the experience of creating regional policy-driven forums, of which there are a number. There is no single solution or method, and no model can simply be taken off a shelf. However, people and agencies have created and sustained vibrant models that work. The SBNI, in setting out what it wants to achieve, will clearly identify those who can assist. Through such discussion, the board will find out from other people about the barriers to success and the required support. To do that, the SBNI will have to prepare itself to address proactively the potential barriers. Otherwise, an opportunity will be missed.

The third question, which is extremely important, is whether the board is being honest with young people. It must prepare itself for a full and honest discussion with them. It must be upfront about what young people can expect from the project. It must be clear about what can and cannot be changed, who sets the agenda for the work and how much of a say children and young people will have in the SBNI.

The fourth question, to which we are all used to attending, is whether the board is prepared for the resource implications. Participation is not a one-off event; it is a process of learning, action and evaluation that is time and resource intensive. Consideration must be given to how to harness the powers of all of the agencies that work directly with children and young people. They must be utilised to assist the SBNI in getting the forum off the ground.

Finally, consideration must be given to whether we are prepared to institutionalise the change. We have to ask ourselves why we want to set up a forum for children and young people. Are we prepared to knit it into the fabric of the SBNI? Can we set up systems to review, create and develop all policies, plans and procedures that will be in line with the new participative practice? We leave those questions with the Committee.

The Chairperson:

Thank you. As I flagged this up at the earlier meeting, the safeguarding board in GB has been up and running since 2004, and, therefore, we have the advantages of analysing the success, or otherwise, of the situation in England and Wales. How successfully has that board engaged with young people, listened to their voice, formulated policy and taken forward measures to assist them? Has any evidence come across the Irish Sea to tell you whether that board has been successful?

Ms McConvey:

No. I have not gone into that.

The Chairperson:

As a Committee, we will have to do that. The six years — it will be seven years by the time the Bill becomes law — give us an opportunity to pick the best aspects of what has happened over there and to learn from the mistakes. Despite the major sea changes that have occurred in England, there are still calamitous headlines every now and then, such as the ones about the Baby P and the Victoria Climbié cases. We do not know whether those are isolated incidents that the press have blown out of proportion or whether many such incidents are happening and the situation has not really improved. Is there no contact between you and those who do similar work in GB to find out what is happening?

Ms McConvey:

At this point, there is not. VOYPIC has not had any contact with the user forum of the safeguarding board.

The Chairperson:

Does such a forum exist?

Ms McConvey:

Yes.

The Chairperson:

In that sense, is Northern Ireland an island, as it were?

Ms McConvey:

We have some extremely good examples in Northern Ireland of young people being involved in policy forums, particularly in the planning of children's services. The safeguarding board is about involving young people at an organisational policy level, which is quite different from their being involved at an individual level. When we hear a child's voice as part of our casework, it is quite different from hearing a child's voice during the development of something more strategic.

The Chairperson:

Those of us who attended the lunchtime session were impressed by what we heard. Am I right in thinking that the child's voice is being heard a great deal more now than it was 10 years ago?

Ms K McAlister:

You are absolutely right. Through our work on Listening to Children, which we started in 2004, the health and social care trusts now engage with us in building models that ensure that children's voices are at the heart of their protection. Over the past couple of years, we have seen significant change

Mr Easton:

Thank you for your presentation. From what you know about the SBNI at present, will it be good for Northern Ireland?

From your experience to date, has the joined-up approach between the statutory agencies, VOYPIC, the PSNI and social workers been good enough? How could it be improved under the SBNI?

Ms K McAlister:

VOYPIC provides an individual advocacy service for children who have experience of care, and some of those children are subject to child protection proceedings. VOYPIC works in partnership with the health and social care trusts to ensure that the voice of the child is central to any decision-making on his or her care or future. We consider that we have significant partnerships with the health and social care trusts.

Ms McConvey:

One important element of joined-up working is how to convey the messages from what happens

in an individual case up to what must be influenced strategically. VOYPIC has managed to do that through the regional advocacy service by meeting regularly with the senior managers in the five trusts who are not involved at a practice level. We have two reporting mechanisms through the Western Trust and the DHSSPS. We collate and provide all the information to them quarterly, which informs them of the number of cases and the types of issues that are coming up. Sometimes, it is necessary to watch out for trends of what is happening, because that tells you something about the practice.

We have a designated officer in the trust, who recognises that VOYPIC, as in independent organisation, is completely separate. However, VOYPIC also watches individual cases to see what is coming through and what the major issues are. If an issue arises in a particular area, VOYPCI will have a meeting with the relevant designated officer. Those five designated officers meet with us on a regional basis and also with those working in secure care and the justice system. Thus we are able to report back on what we hear through our services. That type of joined-up thinking means that what happens to one child can be used to make a difference strategically.

Mr Easton asked whether the situation could be improved under the SBNI, and the answer is yes. The overall regional board will take elements from the five trusts, and we will, therefore, be able to plan strategically and regionally.

Mr McDevitt:

I want to pick up on the theme of independent advocacy that has emerged in recent years. How adequate is that service today, and what threshold would it need to achieve to be able to knit properly into a successful regional safeguarding infrastructure?

Ms McConvey:

With regard to looked-after children, the children and young people's funding package commissioned a regional service for five and a half years, with a review for a five-year extension. That was the first regional service ever to be commissioned for looked-after children, and it has built up steadily and successfully. We work not only with social services but with other organisations, because we deal with a continuum: with children who are in the justice system, children who are on the edge of care and children in the child protection system. The regional service has made a significant difference.

An important initiative is under way to consider advocacy regionally. It is also studying the Bamford review's work on mental capacity. Dr Maura Briscoe is leading a piece of work that will try to force those who provide services for people aged 16 and over to undertake a mapping of all services. Advocacy services already exist and are being provided to a range of people, not only to children but to adults.

We must harness and understand the models of advocacy and understand what the individual clients need. There is no one model of advocacy. VOYPIC provides professional advocacy. We employ 10 qualified people — two for each trust — who work directly with children. Given the amount of support that children need, their professional help is required. Our service must build and develop. Although it works quite well, other areas of advocacy are emerging in mental health services. I meet regularly with Master Wells, who is concerned about advocacy for children in the courts system. As VOYPIC works directly with children in care, it provides that service in the courts system for anyone who has been in care. However, there are a number of other areas to be considered in what is a developing area.

Sean Holland and Dr Briscoe facilitated and supported a meeting in January 2010, which was the first regional meeting of all the services from across all of the sectors. It examined the current state of advocacy services and what we should be mapping out. I cannot give Mr McDevitt the answer now, but work is ongoing, and he may have the answer within a year.

Mr McDevitt:

Should the right to advocacy be enshrined in legislation?

Ms McConvey:

Absolutely. I am aware that provision has been made for that in the new adoption legislation that is coming through.

Mr McDevitt:

How senior should the advocacy role be made in the system? You talked about having two officers per trust and about the specific work that you do in other sectors, including with the courts. However, at a strategic level, to return your earlier point about advocating experience but also changing policy, how senior should the advocate be in the system? What sort of person

should that be?

Ms McConvey:

You are looking at two of VOYPIC's senior advocates. Our role is policy advocacy. We take what has been said by one or two children, move it up to a strategic level and try to work round the issues. Our agency has people who work with children on the ground. Policy advocacy must be taken to the highest level in organisations. Chief executives, for example, could be independent advocates for the voice of children who require support from whichever sector.

Mr McDevitt:

So, you want a seat at the table.

Ms McConvey:

Yes; of course.

The Chairperson:

That was a very useful comment, Conall, which I will certainly take on board.

Dr Deeny:

Thank you, Vivian and Karen, for your earlier presentation. Karen, as we said earlier, the practice of listening to children must be adopted right across society. I mentioned parents who talk on behalf of their children and health professionals who talk to parents about their children. We need to involve children, and it was good to hear you say that. Will you tell us more about the pilot in the Northern Trust? How does it involve children? Who is involved on the other side: is it management, social workers, and so on?

Ms K McAlister:

The project has two levels. The project management is led by the assistant director of the Northern Trust, and we have a project team that will consider how to make a difference on the ground. That team is made up of VOYPIC advocacy staff, senior social work staff and social work practitioners. We want to examine the child protection process. In the pilot, we will work with nine children, their families and the social work teams that support them. The aim is to put in place a model that will involve children in planning the services that support their protection.

We will utilise the core group that already exists in the child protection process to examine whether that will make a difference to involving children in that process. Children have said that the child protection case conference is not always the most appropriate forum for their involvement. They felt that they wanted to be involved in planning the services that concerned them, and they identified the core group. Therefore, we are working with the trusts to produce that model and find out whether it works.

Dr Deeny:

When did the pilot start, and when will it report?

Ms K McAlister:

The pilot started in November 2009, and it will be completed and evaluated by 2011.

Dr Deeny:

My last question is for Vivian. I do not want to leave you out, and I agreed with something that you mentioned at the lunchtime meeting. What can society and we as a Health Committee do to redress the media's negative portrayal of children in care? That negative image may deter younger people from coming forward to be foster carers. You mentioned that the number of foster carers has gone down and that there are a number of people in care who would be more suited to, and do better in, foster homes. How can we get the media to portray an image of children in care that will encourage more young parents to foster those potentially good and gifted kids?

Ms McConvey:

The year before last, our conference was all about the media. The children and young people chose that theme, because they were extremely hurt and upset about how people interpret the word "care" and how they regard children in care. At times, the children are ashamed to say that they are in care, to tell people their address, at having to explain why their foster parent has a different name or by having to call that person an auntie or whatever.

That shame comes from what they believe to be society's perception of children in care. I will use some of the children's words: they say that when they "rock up" to an interview, the person who sits in front of them will think differently of them if they see that their address is different or if it emerges that they live in care. That may partly be because of the messages that were transmitted on the BBC or UTV the night before.

I have also spoken to foster parents who have said: "Vivian, why do you wash your dirty linen in public? I would not lean over the fence and tell my neighbour that my child is failing, that my child has failed exams and is not doing well or that I am worried about the future." That raises major questions in the minds of children and foster parents. They say to us: "You have the information that you need to know, but keep that to yourself. You need to work really hard for us." The message that kids want to come out is: "We are good kids, just like any others. We are resilient and creative, and we have fun.

A good example, which I envy, of how society's attitudes have changed is in its treatment of people with learning disabilities. Fifteen to 17 years ago, few images of people with learning disabilities who had jobs or were being supported appeared in the public arena. However, that has changed in tandem with society's views. Fifteen to 20 years ago, children or adults with learning disabilities might have been placed in institutions. The images that we see now show that there has been a turnaround in opinion and a change in society's response to people with learning difficulties. However, that change has taken time.

If those in government regard the children with whom VOYPIC works as their responsibility and want to work extremely hard for them, they must be concerned about the messages that are sent out across the airwaves. We need to know who is in the living room listening to that message and whether they are getting the right message. It is important that we proactively encourage and celebrate those children and understand why they are in care.

Mr Gardiner:

Thank you for your presentation; it was most enlightening. Have you come across anything that you feel is paramount to child protection but is not included in the Department's rules and regulations?

Ms McConvey:

Sometimes, we have fewer problems with the rules and regulations than we have in practice. Most rules and regulations clearly stipulate what must happen. What is more important is how social workers interface with children and the type of relationship that they have. If we were to ask for anything, it would be for children to have more time with their social workers and for social workers to have more time for face-to-face work and to make connections. At the lunchtime meeting, Committee members saw the two extremes of the care system: two little children aged 11 or 12 said that they had really good relationships with their social workers and that they were content with the time that they had with them. The message is that we must get back to basics in practice by developing those face-to-face relationships with children.

The children's lives are extremely bureaucratic, because they are ruled by legislation. We must, therefore, examine the ways in which the legislation works in practice. We need to break down the major processes, such as the looked-after children (LAC) reviews and going to court, and make them child friendly. We must keep doing what we are doing to protect children. However, we must encourage staff to challenge themselves not to hide behind the legislation and policy but to work face to face with children.

Mr Gardiner:

Are there enough social workers to deal with the number of children at the moment?

Ms McConvey:

Children understand that their social workers are busy. Our advocacy service has yet to receive a complaint about the practice of a social worker. The problem never relates to a child's relationship with a social worker; it is usually about the absence of services. Children continually say that they want to spend much more time with their social workers, who are extremely important to them.

The Chairperson:

I do not know whether you are aware of the correspondence that the Committee dealt with a few minutes ago. We had asked the judiciary whether it was willing to be present on the proposed SBNI. However, it said that it was not. What do you think about that? Would it be useful to have the judiciary represented, or would it occupy a dominant position on the board?

Ms McConvey:

The court system is intimidating for children. The process is difficult, but it is one that the children with whom we work must go through. If the judiciary is not willing to sit on the board or the young person's forum on child protection, there must be some linkage with the court system to enable the judiciary to understand what impact its systems, actions and practice have on

children and why it should consider making some changes to the way in which it works with children.

The Chairperson:

Similarly, could people be quite intimidated by other board members whom they perceive to be highly intelligent or expert in legal matters? That could lead to a level of reluctance to question some board members' decisions. Could such a person adopt a highly dominant role on the board?

Ms McConvey:

I may not question a legal decision, but I would definitely question such an individual's understanding of children's participation. I would consider myself to be equally expert, but in a different way.

The Chairperson:

It is worth bringing up one other issue, because not everybody attended the lunchtime session. An example was given of a young man in a children's home having been promised that he would be fostered. Nine years later, he was still in the children's home. You said that that was unlikely to happen now, but will you explain why?

Ms McConvey:

There have been significant changes to childcare practice in the past 10 years, particularly in the past five to seven years. Funding has come into the system, for example, through the children and young people's funding package. Also, 'Care Matters in Northern Ireland: a Bridge to a Better Future' is one of the most important documents in relation to those changes. By going through each section of that report, we can see that the challenging parts of the system have been highlighted and targeted and that changes have been made. What happened to that young man would not happen now, because we now acknowledge the need for children's voices to be heard. Today, therefore, that child would have an advocate. The problem that he faced may have been the lack of a suitable placement. However, as he kept repeating, no one listened to him.

Sometimes, a child in care may not get the decision that they require. However, they have the right to understand why decisions are made, to go through a process, to come to terms with that decision and to find the best way forward. That situation would not happen now, primarily because an advocacy service would be contacted immediately. Although our advocacy service

works on an individual level, it has connections and protocols that go right up to the chief executives of the trusts. In a case similar to that of the young man, we would ring the chief executive to tell him or her about the ongoing situation and to ask why it had not been dealt with. Practice has changed significantly.

The Chairperson:

There is some debate as to whether the SBNI should be strictly concerned with child protection or whether it should have a general role in children's' well-being. What do you envisage being the focus of the proposed board?

Ms K McAlister:

We see as existing on the continuum of early intervention and family support through to child protection.

Ms McConvey:

Child protection is also on a continuum. That young man also said that had the strong family support structure that exists now been in place when he was a child, he may not have been put into care. I regard child protection is part of the support continuum that is required. When children come onto the register, the aim is to remove them as quickly as possible and to support them in their community. However, if the risk level increases, those children will be brought into care.

If the board's role were to ensure the overall well-being of children, it would be similar to the Hardiker model of four different levels of support, which are broadened to include families. However, I am not sure about adopting that model. In times of constraint or resource difficulty, the board would have to identify what is a duty, what is a requirement and who the most vulnerable people are. The board should concentrate on getting child protection right.

As another youngster told the Committee at today's lunchtime meeting, the most important issues are early identification and putting children in touch with social services earlier. If the board's focus were to be on community-based understanding of child protection, perhaps similar families would come to the attention of social services sooner. If that had happened in the case of that youngster, action may have been taken, and his situation may have been different.

If the focus were to be on understanding what child protection is, why we protect children and what everybody's role is — not only in social services, but in the community and for everyone who interfaces with children all the way up through the system — identification would be improved, and the connections could be made more quickly. Family support could then be wrapped around that and, therefore, I would hope that only those children for whom it was absolutely necessary would have to come into the care system.

The Chairperson:

Worrying storms clouds are gathering over the number of children going through the gateway process. The numbers seem to be building up dramatically. Is VOYPIC experiencing an ever-increasing need for your services in representing those children?

Ms McConvey:

Yes, absolutely. More and more children need us to represent them, because some cases are more complex than others. I am not surprised that the gateway numbers are increasing, because our knowledge and understanding of child protection is also increasing. The UNOCINI framework has made a difference, and it is beginning to get the message across, through regional training, that child protection is everyone's business. Therefore, we are becoming sharper at knowing and understanding the issues, which means that the numbers will increase. The demand for our advocacy services is increasing, but the stress being placed on those services relates more to having the level of resources that those children require. That stress is a result of the funding pressure on children's services.

The Chairperson:

Thank you very much, particularly for the lunchtime session, which was extremely useful. That, combined with this afternoon's meeting, has been of great help to the Committee. The consideration of the proposed safeguarding board and its associated legislation will continue for many months, and I am sure that the Committee will hear from you again.