



Northern Ireland
Assembly

**COMMITTEE
FOR THE OFFICE OF THE
FIRST MINISTER AND DEPUTY
FIRST MINISTER**

**OFFICIAL REPORT
(Hansard)**

Commission for Victims and Survivors

16 February 2011

NORTHERN IRELAND ASSEMBLY

**COMMITTEE
FOR THE OFFICE OF THE FIRST MINISTER AND
DEPUTY FIRST MINISTER**

Commission for Victims and Survivors

16 February 2011

Members present for all or part of the proceedings:

Mr Tom Elliott (Chairperson)
Dr Stephen Farry (Deputy Chairperson)
Ms Martina Anderson
Mr William Humphrey
Mrs Dolores Kelly
Mr Barry McElduff
Mr Jimmy Spratt

Witnesses:

Mr Brendan McAllister)
Mrs Bertha McDougall) Commission for Victims and Survivors

The Chairperson (Mr Elliott):

Good afternoon Bertha and Brendan, you are welcome and thank you for your attendance. I invite you to make a presentation that will last no more than 10 minutes and leave yourselves available for questions.

Mr Brendan McAllister (Commission for Victims and Survivors):

We will be spectacularly efficient with our 10 minutes. We want to brief the Committee on seven areas of interest. First, I will comment on the OFMDFM spending review for 2011-15.

The Chairperson:

Sorry, Brendan, I should have said that this evidence session is being recorded by Hansard.

Mr B McAllister:

Thank you. I also have a word to say about the forum for victims and survivors. Thirdly, I will speak about the trauma advisory panels (TAPs) and say a word on the past. I will further talk about the comprehensive needs assessment, the issue of governance and sustainability in groups and, last of all, the victims and survivors' service.

First, a few words about the OFMDFM spending review for 2011-15. The commission cautiously accepted the Department's proposed £50 million budget for victims for the next four years. That figure takes account of the level of expenditure over the past three years and of the fact that there has been an annual underspend of £1.7 million. However, the cost of the new victims and survivors' service remains unclear.

Greater efficiency in the sector may increase demand on the victims' budget. The economic downturn may also increase the number of victims seeking financial support. The development of practice in the groups may increase applications for funding from groups developing new services such as advocacy. The exploration of Peace III funding in 2013-14 will have a significant impact on services because many groups use Peace money to run their services, and Peace IV funds have yet to be secured. OFMDFM spending plans allow for a reduction of 45 staff over the next four years. The commission is already concerned about the depletion of the Department's personnel and its capacity to resource the needs of the victims' sector.

We submitted advice to Ministers in November 2010 outlining the model for a forum to run for three years. The commission is finalising a business case in support of its proposed model. As an interim measure, members of the original pilot forum have been meeting monthly as a forum transition group since September 2010. We remain hopeful that a new forum will be convened in September 2011.

At the request of the Ministers, the commission facilitated a working group of representatives

of the four trauma advisory panels during 2010. The group reached a consensus with the commission on a way forward for the TAPs and the commission submitted advice to the Ministers in November 2010 proposing that the panels be replaced with conflict-related services meetings in four health trusts. They would provide a mechanism through which practitioners and service providers could meet and liaise with the service and forum.

The commission published advice in June 2010 on dealing with the past. We subsequently engaged with the Secretary of State, the Irish Foreign Minister and the political parties. We are formulating additional advice that will feature the importance of supporting efforts by civic society to address the past.

Mrs Bertha McDougall (Commission for Victims and Survivors):

We are on schedule with the final part of the comprehensive needs assessment, which is due for submission to Ministers at the end of September 2011.

Data collation and research are addressing seven priority areas of need. Those are physical and mental health and well-being; social support, which is individualised and/or community based social care; individual financial support, addressing the financial needs of individuals and families; truth, justice and acknowledgement in dealing with the legacy of the past; welfare support, ensuring that victims and survivors receive their welfare entitlements; transgenerational issues and young people, namely, that which is being handed on to the young and unborn; and personal and professional development, addressing issues of personal and professional competence.

I now turn to governance and sustainability of groups and service providers. Based on our contact with victims' groups and services, the commission is concerned about the need to strengthen and develop competence in governance, financial management and business acumen. We have been in discussions with the Community Relations Council (CRC), which is exploring Peace III funding to create a programme of training and mentoring for the voluntary and community sector engaged in work on behalf of the victims and survivors.

The commission wrote to the First Minister and deputy First Minister in November 2010

expressing its concern about the time being taken to establish the victims and survivors' service and advising of possible steps to expedite the matter. The commissioners met the junior Ministers yesterday to convey their lack of confidence in the progress being made by the Department. Concerns centre on a delay in the business case being submitted to Ministers, the consequent delay in agreeing a business model for the new service, lack of progress in working groups convened by the Department, uncertainty about the proposals for assessing the needs of prospective clients of the service, a lack of communication with the sector and growing scepticism among victims.

Yesterday, the junior Ministers stated that the commission's concern would be addressed and that the Department would produce the critical pathway towards the creation of the service by September 2011. We were given assurances that work can continue during the pre-election period. The commission remains anxious about the situation.

The Chairperson:

You have done well to stick to your 10 minutes. I want to go back to your last point, Bertha. What did the junior Ministers suggest would be in place by September 2011?

Mrs McDougall:

It has always been the case that the service would be incremental and that it would start with individual assessments. According to the Department, that is still on target. Our concern is that, at present, things are not happening; they are not happening quickly enough. We are concerned that decisions will not be made by September. One particular reason why we wanted the meeting was that we felt that if the business case and business model were not determined in the pre-election period, there could be further delays. There could be delays in setting up interim arrangements and ensuring that individual assessments begin to operate in the autumn.

The Chairperson:

Are you saying that you are waiting for a business case and business model?

Mrs McDougall:

Yes; that is the stage that we are at. Yesterday, we were given indications that it is anticipated

that they should be with the Ministers within the next few weeks.

The Chairperson:

I assume that you are saying that even that progress is too slow.

Mrs McDougall:

It depends on how soon approval can be given. Yesterday, we were assured that work could be progressed during the pre-election period. However, our concern is that there will be a knock-on effect if there are delays of any kind in decisions being made.

Mr B McAllister:

To put it another way, the infrastructure that was intended for the victims sector in the Department's 2009 strategy is only half built. We have a commission; we do not yet have a service; we hope to have a full forum this year; and we hope to reform the trauma advisory panels (TAPs) this year. It is unsatisfactory that it is taking so long to get the infrastructure established because it is fundamental to developing the sector.

The Chairperson:

With regard to the spending review, have you made any response to the Budget proposals?

Mr B McAllister:

As I outlined earlier, our response was an indication that we accepted the calculations that the Department has made, whereby it projects a budget of £50 million for the sector over the next four years. We think that that is a reasonable calculation. However, we are concerned about imponderables, such as the creation of the service and developing greater coherence in the sector, because they are likely to lead to greater demands for funding than, perhaps, have been drawn down over the past three years.

The Chairperson:

Did any reports come out of the interim victims' forum?

Mr B McAllister:

We have followed the design plan that we published in 2009. That involved the creation of the pilot forum in September 2009, which ran for 10 months. We conducted our own surveys internally with the members during that time, but we also brought in external evaluators who submitted a report for us last October. We took on board two factors: the report of the external evaluators and a residential session that we ran with the members of the pilot forum to take stock of their experience and our own thinking, as a commission. Out of all of that, we submitted new advice to the Government in November that we had learned from experience and developed a model for a forum from that. As of now, that sits with the Ministers. However, there is a technical matter in our hands, which is to submit a business case to give effect to the model we recommend.

Ms M Anderson:

We all agree that it is absolutely necessary to get the infrastructure established. Having spoken to a number of people who work in groups and organisations, I know that the individual assessment is very important and that it must be handled delicately. Making a financial assessment of someone's case is one thing, but dealing with a psychological assessment is something different, and the practitioners in that field are working hard to get it right.

You had an assessment yesterday about September 2011. Notwithstanding your concerns, but I have knowledge of those practitioners and others who are working hard to make sure that those individual assessments are done sensitively and appropriately. I heard that there is somewhere in the region of 11,000 victims across the board, which is a lot of people who have to be dealt with appropriately.

Even with your concerns, are you satisfied to the point that you are not going to take your foot off the pedal? A pathway was discussed with you yesterday. Do you believe that you can arrive at the point where the assessments can start? One of the good news stories to come out of all of this is the forums. It is important to get that business case complete, particularly in light of the interim forum and the work that it has done. It has challenged and been quite critical of a lot of people, including us as elected representatives, and even the commission. However, it has carried out a robust and valuable role. It was good to get an assessment from you as to the time frame

that you are talking about for completing the business case. From the £50 million, there was the underspend of £1.7 million. In the Chamber the other day, I remember that Sammy Wilson gave us some information about the allocation in the monitoring round.

Mrs McDougall:

Yes.

Ms M Anderson:

There was nearly £1.7 million or £1.5 million. I think that it was £1.7 million.

Mrs McDougall:

An allocation was given out recently to the memorial fund. Earlier on in the year, while the Ministers were deciding on the new schemes for the memorial fund, funding had been drawn back. Since then, the new schemes have been launched. There have been 3,300 applications to the memorial fund. The Department has managed to give them new funding. However, it is not like the funding that would have been allocated to the memorial fund earlier, when some people would have got it and others would not. This relates to the new scheme. The applications are in, they are being processed and the funding is being delivered.

The Chairperson:

Is that figure for individual applications?

Mrs McDougall:

Yes, the individual applications. The memorial fund has had 3,300 applications under the new schemes. Do you want me to pick up on the victims' service?

Ms M Anderson:

Yes, please.

Mrs McDougall:

We have been told that we will get the business case next week. The business case is going to the steering group next week as well. You mentioned the individual assessments and the sensitivities

surrounding it. In setting the whole process up, the commission is concerned that things should be in place exactly as they should be, and that there should be clarity. However, if any procurement, tendering or advertising has to be undertaken, the length of time needed for that must also be taken into account. The most important thing is the recruitment and training of the people who will carry out the assessments, and we must ensure that that will all be done to an agreed standard. A lot of work has to be undertaken in that period, and we have concerns as to whether it can be delivered in the timescale.

The Ministers have given us an assurance, and our group will come up with a critical path analysis and we will meet them regularly every couple of weeks. We will monitor the situation carefully and come back to them if there is any slippage that might have an impact on the delivery of the service.

Ms M Anderson:

What about the business case for the forum? Is that next week as well?

Mr B McAllister:

I wrongly assumed that the funding for the forum would be contained in the commission's own grant each year. I did not fully appreciate the kind of business case process that we would have to follow. When I became aware of that late last year, we worked out a new time frame, and we are now a month behind schedule. We had intended to have the business case in at the end of January. It will now be with the Department at the end of February. With regard to the many technical requirements that officials have to satisfy when setting up the service, the difficulty that we have in interfacing with victims is that ordinary members of the public do not really understand the labyrinthine ways of systems. That creates great frustration and even disillusionment out there, because everything is taking so long to get going.

Ms M Anderson:

I can appreciate that you did not have an awareness of that, and I have a comparison, but it may be completely different. We are dealing with people in the city of Derry who should have known to put in a business case for the City of Culture. Those people should have known the system better, and, therefore, people in Derry become frustrated that the Executive are not delivering on

the business case. So, although you did not realise that, now that you have realised and have tried to address it, at least it will not result in any financial penalties. However, with Derry's City of Culture case, there will be a financial penalty because we have not actually put it forward. You talked about £50 million and £1.7 million; at least you can see that the financial commitment is there. However, I appreciate that we have to get right the sensitivity around the individuals and victims.

Mrs McDougall:

I want to emphasise that, in the sector, there is a great deal of uncertainty and apprehension, particularly where a lot of support is provided through the memorial fund. They have been told over the past few years that the funding arrangements for both individuals and groups will be subsumed within the new service. People out there are very uncertain about what is happening. There is a great deal of scepticism, and it is very difficult to explain a lot of the reasons for the delays. That aspect of the service was first talked about in 2008, and it is now 2011. That is totally unsatisfactory.

Ms M Anderson:

Some of the groups are reporting a different story to me. They are telling me that, as opposed to having to apply year on year, they now get it for two years. That gives them a degree of security and stability at least for the next two years until this is resolved.

Mrs McDougall:

That funding arrangement for groups is in place through the Community Relations Council until March 2012, and we believe that a significant amount of work can strengthen how the groups are operating. I have been out with groups recently, and they are continually saying to me that it would be very useful to have a little bit extra. However, we do not believe that it is just about training. We believe that mentoring is very significant. We all have been on training courses and thought that we would come back and apply the ideas. However, it is not always as straightforward as that. We see that as part of the issue. If that continues in a transitional way, arrangements need to be made to fund groups for the following years.

Mrs D Kelly:

Thank you for your brief but very pertinent and to-the-point presentation. I have a number of concerns. I recently tabled a question about the service, and the answer that I received differs from the answer that you got and from the commitment yesterday from Ministers. I have been told that it will be 2012 before the service is up and running. That is a different time frame but may well reflect the systems that have to be put in place, the training and mentoring, and so on. However, that certainly was not made clear in the response that I received.

There is an issue of political will around this. It strikes me that that is the undercurrent. I have heard all members here say on the record on numerous occasions that the individual needs of victims, whether they are physical needs, psychological assistance or more practical assistance, should be individually tailored rather than all done through groups and organisations. It is really about getting right down to the people who are not always part of those organisations. That is critical.

I am very disappointed to hear that the Victims' Commission lacks confidence in the current process. You have completed a comprehensive needs assessment. It would be interesting to hear a wee bit more about the findings. I know that that is a wee bit off kilter, but I would have thought that those findings would direct some of your work in the service.

Mr McElduff:

Chairman, my questions are similar. Where does that exercise sit? It is completed? If not, when will it be?

Mrs McDougall:

The comprehensive needs assessment will be completed by September of this year. We put forward the first phase to the Department last October, and we have been working on further aspects since October and will continue to the end of this financial year. We have had public consultations in which we have met people about the comprehensive needs assessment. There have been eight meetings in that regard. We have also held advisory consultation groups, which are focus groups that might have specialists from health or elsewhere. Those are ongoing. We have undertaken Omnibus research, and we are finalising and collating a lot of the information.

That has given us some very interesting data. That was part of the Omnibus survey that is undertaken regularly in Northern Ireland. It will provide statistical information for the comprehensive needs assessment.

In addition, we are undertaking analysis of Community Relations Council and Peace funding to establish where it has been allocated and what work is being undertaken in that regard. We are working in partnership with WAVE Trauma Centre on a project about the physically injured and physical health. We are undertaking a services survey with NISRA, which is at the design stage. A lot of groups have received funding that may be for counselling or befriending, but neither we nor the Department are aware of what available capacity there may be. The purpose of that is to ask people what spare capacity they have for individuals coming into the new service who may be directed there. They might be directed to other health professionals, so we are undertaking that.

The Chairperson:

Is that the capacity there is in the groups that have the funding or the capacity there is in the statutory bodies to deliver it?

Mrs McDougall:

At the moment, we are working with the groups. Whenever they apply for funding, they will normally say that they can provide funding for, say, 100 people in that particular area of work. It may well be that, in reality, they do not have 100 people, so they will only draw down funding for 60 or 70 people. We want to know whether they have currently applied for funding either through the Community Relations Council or Peace and whether there is capacity to deliver additional services.

We are undertaking some compensation research and doing a scoping exercise on the psychological therapies. A paper was produced last year by the Health Department. Obviously, that has an implication for services because although counselling may be a main area that has been delivered through the voluntary and community sector, there will be specific psychological therapies. We need to look at the capacity and how that would be delivered where it is needed in the new service. That is the sort of work that we have been doing in the past six months in the area of the comprehensive needs assessment.

Mrs D Kelly:

Thank you very much for that, Bertha. I had a vision of a service for victims' needs. As many of you know, I trained as an occupational therapist. We would have done individual assessments and treatment plans; it was bread and butter for us professionally. Obviously, there will be overlap and duplication in common needs among victims' groups, and some of their needs were over and above the usual physical or trauma. I appreciate that, but I had a vision of the service being about providing better access to treatment. I know that that is dealt with through some of the trauma advisory panels and that some of the money filters down through the health trusts. I would also have thought that some money goes into housing and adaptations.

It seems to me that the fund is spread all over the show, to all sorts of organisations and that there is the potential for duplication of funding in some areas and underusage in others. Despite that, we have ever-growing hospital waiting lists for those who perhaps need hip or knee replacements, because of injuries received as the result of explosions, etc. I had a basic understanding of what the service was going to deliver, but it does not match up with what you have said.

Mrs McDougall:

Perhaps I could talk a little about the memorial fund, as its schemes were amended over the past year. In the next year, we plan to undertake work about carers, the injured and compensation. Some of the services that are delivered, and particularly those that deal with seriously injured people, have changed over the past six months and we are providing information to the service about that.

We feel that we need to examine where financial support needs to be provided through the service, and I think that I have mentioned that to the Committee before. The priority for the commission are the seriously injured, the bereaved and carers, but other services will also be delivered.

The Chairperson:

Bertha, how do you make sure that those services are directed at those particular people? The

issue that the Committee has tried to address all along is that some of those people may not be members of groups. If you target groups, you miss the individuals and it is almost impossible to cover all the individuals. There are not many who would disagree with your areas of priority, but how do you propose to get to that stage?

Mrs D Kelly:

It seems that a mountain of paperwork, evidence and research is stacking up on the commission's shelves. That all looks lovely and glossy and conforms to best-practice research standards, but what are the victims getting?

Mrs McDougall:

Your question is very valid. The purpose of much of the information that we are looking at is to enable us to draw statistics and to get the numbers of victims. For example, there were no statistics on the numbers of seriously injured victims and we now know through the memorial fund — which is a part of the sector that deals with the seriously injured — that 92 seriously injured people applied to it with physical and mental health issues. We are not doing the research just to do research, but to get the data and information.

There must be publicity about the service. We have been asked repeatedly by the Committee about individual and hidden victims. As a result of the Omnibus survey, we are beginning to get interesting statistics about who will and will not use the service, and that information has been fed in. There are a significant number of people who said that they do not need anything, and that is the first time that we have had any information like that.

We anticipate the need for a great deal of communication and publicity about the service, and the points that were made earlier about numbers and how those numbers are managed being seen as transitional. There are many individuals that do not wish to go to groups or services, and that would be one option. However, we also need to provide other options so that they can access the services they need.

The Chairperson:

It appears that information is extremely limited, even after all the years of the victims and

survivors process.

Mrs McDougall:

That is correct.

The Chairperson:

You said that you could not even establish how many of those victims who were seriously injured had accessed the memorial fund until recently, let alone the total number of victims who suffered serious injuries.

Mrs McDougall:

There was no collation of data, nor was the data gathered in a way that could be stood over. All that they had was a guesstimate. There was never any way in which people collated that data, or did so in the same way. Initially, there was a great sensitivity about asking for that data. Many people also had great apprehension about giving information, but there was no information on that. The best figures that we had were those in 'The Cost of the Troubles Study', which indicated that up to 40,000 may be injured.

Mr B McAllister:

I will pick up on some of the points, especially those raised by Mrs Kelly. I remind the Committee that the purpose of the comprehensive needs assessment is to finally produce a better evidence base for this work. As Bertha has said, at times, we have been dismayed to discover the lack of data out there. That is very surprising after all the years of work, but that is the situation. For instance, there is no clear understanding of just how many victims we have in Northern Ireland. We will come back to that publicly soon in light of research that has been done for us, which we are studying.

When the service works well, it should do four things. It should be a place that individual citizens, who consider themselves to be suffering from the conflict in some way, can go straight to and seek help. Secondly, it should establish a relationship with the service providers. Senior officials in the statutory sector have openly admitted to us that the statutory services are unable to address the needs of victims of the Troubles by themselves and that the role of the voluntary and

community sector is essential. The voluntary and community sector, of course, is where the groups have evolved. We need a new kind of relationship between a statutory agency, the victims' service, in a purchaser-provider arrangement with voluntary and community sector groups.

Over the next few years, we also need those groups to encourage the development of practice and greater levels of competence, which is an area that we will not change overnight. We will address that better the more we gather data and engage with that sector. That is why we place store on replacing the trauma advisory panels with a mechanism that brings together practitioners — from social services, for instance — and community and voluntary groups.

The other thing that the new service must do from the outset is to begin collecting good evidence and data for the future, so that we begin to address the ignorance that is out there about the pure facts of the matter.

Mr Spratt:

Thanks for the presentation, Brendan and Bertha. I will turn to an area that I have asked questions about consistently. A number of criminal investigations are ongoing, so, obviously, we do not want to discuss anything in relation to those. In relation to the governance and sustainability of groups, in particular the Community Relations Council, you mentioned financial management and training. Will you give us more insight into what is happening now? Was it that there was no financial management training before, and you saw a need for it? It is brilliant that we are starting to hear those sorts of words, because it means that there is some check to ensure that the fairly vast sums of money now get to victims and to funding organisations. Is that an ongoing process that you will be involved in? What way will it be done in the future?

You are still talking about stats, Omnibus surveys and all that sort of thing. That sends alarm bells ringing in my head, because it probably means consultants carrying those out for you at vast cost. I have to say that that is not money well spent. It does not get to the core of where it needs to.

Will you elaborate on compensation research? Compensation is a matter for the courts, which

is a very difficult area in which to meddle, as the Justice Committee and others are now finding. Will you tell us why you are meddling in that sort of area and what benefit there is to having research into what A, B or C got paid in compensation during the Troubles?

We know that many of the early victims of the Troubles got precious little. Some of them struggle now with help from benevolent funds, for instance with regard to the Police Service. For example, widows of police officers who were killed at the start of the Troubles have struggled to make ends meet, quite frankly, because pensions did not cover the sort of things that they now deal with. Basically, in those days, compensation was minimal. Those widows got no nest eggs or anything else. Some of them have now had to provide for themselves for 30 or 40 years. They are now in old age and in great need.

I wonder how that sort of research helps. It worries me. It will not cost much money; I do not suggest that it will. Perhaps you could ease our minds on that. The Chairperson touched upon whether we will reach people who are not involved in groups, and so on. Perhaps you could bring us up to speed. I know that you are reaching out and bringing individuals in. It is heartening to hear that, with the new influx of money that is going into the memorial fund, people who are in fairly serious need — I think that you mentioned 92 people who are, obviously, in need — are getting payouts. That is money well spent because it gets to people who need it regularly. I thought that your organisation would take over that and deal with it at some stage. Those issues are, probably, fairly wide. I apologise if so.

Mrs McDougall:

You want to know why we were doing that on compensation, and you mentioned people who are seriously injured. In fact, the commission had put forward the scheme for the seriously injured as a consequence of working with such people. We are looking at and gathering data on the compensation aspect. You also mentioned that many people are now older and have increasing needs as they age. All of the information in that area will inform us and, subsequently, inform funding for individuals. At this stage, I cannot say what that will be. We have to await outcomes. That will all feed into the one area of looking at individuals and their needs, and identifying the way in which that support can be given to them.

Mr B McAllister:

I should add that we have a statutory duty to keep under review the adequacy of law and practice.

Mr Spratt:

That is what I want to hear.

Mr B McAllister:

We also have a statutory power to make representations on behalf of victims. Therefore, our concern with compensation is, in part, informed by people bringing problems to us. We have to establish an evidence base for that in order to construct any future argument with regard to the sufficiency of the law or, indeed, provision for people in later life.

Mr Spratt:

How have you advertised that research, so that people know that that research facility is available? How do you contact individuals to whom you may want to speak?

Mrs McDougall:

We have been working with the group that works with people who have been seriously injured, and carers. Therefore, it is a limited piece of research. We talk about a piece of research; it is trying to get a view. We will ensure that it includes people who have been bereaved or injured, and carers. As I said, it will include people to whom we believe support needs to be given. Therefore, we are trying to identify them through that piece of work.

You talked a little about governance. When we are out in the sector, many people tell us that there are aspects in which they could do with more training. It is not as though training has not been provided. However, in that particular area, we feel that if groups are going to be involved in anything, they need more training. The victims and survivors sector has not had the same governance training as, say, voluntary and community groups had through DSD. I can give you an example of training that is currently provided for befriending through the CRC scheme. The Community Relations Council funds training for anyone who takes up befriending. The only costs that any group gets for befriending are travel costs, because they are volunteers. So the CRC has a training scheme that includes supervision, for which CRC also pays. It has to ensure

that there are appropriate policies within that and to outline what the role of a befriender is, what it is not and how they should undertake anything. It also has to ensure the way in which it passes information on, where it goes to and how it provides the support.

There is a very tight scheme around that. Befriending is an area where you can only put out good practice guidelines, but those are good practice guidelines. That is the sort of thing that we are saying. We need to ensure that, where someone is in a group delivering services to victims and survivors, it is to an appropriate standard and as it should be. Many groups are in that situation, and others say to us that they just want a social support, because they are a small group, they may be quite elderly and they just get together to provide support. It is trying to address all of that. We feel that this particular project is not just about providing training. There needs to be mentoring. The groups need to have someone working alongside them to ensure that it is not just about having policies in place, but about ensuring that those policies are taken through into practice.

Mr Spratt:

And financial management?

Mrs McDougall:

That would be included under that.

Mr Spratt:

Is that for the larger groups? I particularly mentioned groups that would be getting very substantial amounts of money. Is there a new financial management training programme dealing with auditing and all that sort of thing?

Mrs McDougall:

At the moment, most of the groups receiving extremely large amounts of funding get that from the SEUPB. It has arrangements for how that is audited and checked. We have recently looked at its procedures for undertaking that.

Mr Spratt:

What about groups getting funding through CRC?

Mrs McDougall:

There are audit arrangements for that funding as well. We are looking at that with a view of the overall picture of where all the groups are. It is not just about groups that are funded through either CRC or SEUPB. We anticipate that the programme will cover all aspects for them.

Mr B McAllister:

We share the kind of concern you are expressing, Mr Spratt. As you rightly said at the outset of your remarks, you have to respect the sensitivity of the situation, and we cannot talk in too explicit terms about some of the situations that we know about. We also know that groups are coming to us expressing concern about the expectations on them. People are conscious of drawing down significant amounts of public money.

There has been a lot of benevolence over the years with regard to the victims sector, and, indeed, many aspects of voluntary and community sector activity, and people were able to set up a project and acquire funding for a good cause. However, with large amounts of money comes the increasing need to make sure that there is adequate capacity in a group to manage that money. We know from the groups themselves that they are concerned that they should not just attend an event called a training course but that they should receive ongoing mentoring attention. We are in a time now when the Government in London are talking about the “big society”, and will be putting more and more pressure on the voluntary and community sector and civic society to look after itself.

There is a need for a lot of the groups to develop their competence as small and medium social enterprises. There are lots of new challenges coming at them, and that is what we are getting at in our conversations with the CRC. That will fit in with the establishment of the service, because one of the things it should be concerned about is the development of standards, which should be uniform and apply to big grants and small grants regardless.

Mr Spratt:

There is also an issue about accountability and transparency.

Mr B McAllister:

A point of interest that has come to our attention is the need for citizens to understand that, if they go on the boards of management or directors of an organisation, they need to be fully conversant with their obligations. We realise that a lot of people with a big heart, and maybe even a tragic story to their lives, come to the work, and they have not always been given that equipment. We are not satisfied that it is enough for funders to offer a training course that they could do for two days. We are talking about a change of culture. There is a need to walk alongside those people over the period of their operation to help keep them right.

Dr Farry:

I declare my membership of the Community Relations Council. I will take you in a different direction. So far, the discussion has not focused much on the issue of dealing with the past. I am conscious that you published a paper on that issue last June in an effort to kick-start what was becoming a rather moribund debate post the Eames/Bradley report. Where are things at on that, if anywhere?

Mr B McAllister:

In summary, in June, we said that there are four key dimensions to approaching the past. There is a need for a civic vision that enables everyone to get above sectional or even partisan approaches to the past. Obviously, there is a need to address the wounded of the conflict: the victims and survivors. There is a need to ensure that there are adequate arrangements for justice and truth. There is a need to look at the wider context, by which I mean the legacy of the past as it affects the lives of ordinary citizens and communities in Northern Ireland.

It needs to be said that we have not had a very positive response to the matter from government or parties, and we are coming to the point where we want to return to political leadership and to government and tell them that we put out in our thinking in June, we have made a judgement about the response we got to that and what we now think. Without wanting to go into that too much today, suffice it to say that, as a commission, we have a statutory responsibility

to keep under review the effectiveness of services. A number of services for addressing the past exist already, such the Historical Enquiries Team, the ombudsman's office, the police and, indeed, the whole development of the inquest system in Northern Ireland. We are in discussions on all of those areas as part of our duty to keep them under review and make contributions as they relate to the needs of victims and survivors.

We are also concerned about supporting civic society initiatives. We know that practice is developing in Northern Ireland, regardless of what government do. People are initiating things, conversations are going on, storytelling is developing and people are thinking about memorialisation. The past is still a living dynamic that is affecting the development of practice that affects victims and survivors. We are interested in engaging with those NGOs or civic society organisations and, indeed, civic leadership generally to think outside of the constrictions that politicians are bound by and the difficulties that we know that dealing with the past creates in political life here. We want to be realistic about what people can expect of you as politicians, but, at the same time, there is also a challenge for you to address.

We are also concerned about the recent publication of the draft cohesion, sharing and integration policy and its lack of reference to victims and, indeed, its oblique references to the past. We also think, however, that a political consensus needs to emerge so that, at a policy level in the years to come, resources are made available to civic society and to the public services that exist to address the past. It looks to us that there will not be any kind of big bang whereby suddenly a whole new infrastructure for the past is agreed politically. Rather, it is about making the best of what we have and continuing to challenge government, and indeed you, to ensure that what is established meets the needs of victims and survivors, as much as we as a commission can ensure that.

Mr Humphrey:

I thank you both for the presentation. I am concerned to hear that, as you put it, half of the commission's architecture is in place. That lack of service is very worrying, particularly given the depressing and sad decision that the Assembly took earlier today on the Armed Forces and Veterans Bill. Your work is all the more vital because of that.

I take on board the issue of capacity, which Mr Spratt teased out. That is an ongoing problem, not only in the area of victims but across the community, certainly in the community that I work with. When I hear that it is estimated that 40,000 people in Northern Ireland were injured as a consequence of the Troubles, I realise that a huge amount of work is involved in the review, not just for you but the entire community. You will appreciate, therefore, that, from our perspective, your work with victims' groups is vital.

On the moneys that might be awarded to the larger groups that Mr Spratt was talking about, you mentioned governance training for those who volunteer to become board members. Capacity-building is good, because those talents help not just those groups. Invariably in Northern Ireland, people involved in one group will be involved in others, so there is a ripple effect out to the community, which is very good and very important. Are those who serve on boards indemnified against actions arising from their exposure, or are they advised to be indemnified? In addition, who will be on the proposed forum that you mentioned, and how they will be selected?

Mrs McDougall:

As far as I am aware, members are told about their responsibilities, but that is all. I shall be candid and say that I will have to come back to you on that one.

Mr Humphrey:

It is very important that we know, because, given that people are dealing with huge amounts of money, they are very exposed and litigation might flow, so I would suggest that they be given advice.

Mrs McDougall:

Advice is given in their letter of offer. I would suggest that perhaps the people involved misunderstand the extent of their responsibilities. That would certainly be our reading of some of the situations that we encounter with groups. As Brendan said, people who become directors are very much involved in and willing to undertake work for their community, so perhaps some of that has evolved over time. My understanding is that their roles and responsibilities are made quite clear through the letters of offer.

Mr Humphrey:

In Northern Ireland, we are lucky to have so many people who are prepared to make a commitment on a voluntary basis. However, although we want to harness the energy and talent of those people, they have to be made aware of their role, the responsibilities that come with it and the potential for litigation when things go wrong, against which they must be indemnified.

Mr B McAllister:

Mr Humphrey, we share your concern, and that is why one of our strategic priorities is to ensure that, in the years ahead, people are better informed about their responsibilities.

On your question about the forum, previously, we briefed the Committee about how we had put together the pilot forum —

Mr Humphrey:

I am a new member of the Committee.

Mr B McAllister:

I was just about to acknowledge that. In putting together the pilot forum, we tried to ensure that it was a microcosm, or cross-section, of victims' experiences in this society. We expect the new forum to be put together in the same way. In other words, some people who are invited to join the forum are likely to find it difficult being in the same room as other people who have been invited. We had to face that challenge with the pilot forum, and one of the reasons why we piloted it was to test whether the model would be viable. It is significant that, of the 29 victims and nine associate members who became members of the forum, only one person resigned during its 10 months of operation, and that was because that person's son had had a serious accident and required care. Everybody else stayed in the room and found a way to work together. Given that experience and the feedback that we have had from members, we are confident that our advice to Ministers to create a forum is viable. However, given that that advice is still with Ministers, in line with protocol, it would not be right to go into too much detail about it with the Committee.

Mr Humphrey:

Is it possible to get a list of who those people are?

Mr B McAllister:

We do not have member names for the new forum.

Mr Humphrey:

I mean the 29 people on the pilot forum.

Mr B McAllister:

We will send you that list.

Mr Humphrey:

I apologise for my ignorance, but who will select people for the proposed new forum?

Mr B McAllister:

It is our view — it is perhaps subject to discussion with Ministers — that it is best that the commissioners appoint the members to the forum. The members of the pilot forum concurred with that view when we shared it with them last June.

The Chairperson:

Brendan and Bertha, thank you very much for the presentation and for answering the questions. We will keep up to date with issues as the process continues.