



Northern Ireland
Assembly

Committee for the Office of the First Minister
and deputy First Minister

OFFICIAL REPORT (Hansard)

Commission for Victims and Survivors

9 October 2013

NORTHERN IRELAND ASSEMBLY

Committee for the Office of the First Minister and deputy First Minister

Commission for Victims and Survivors

9 October 2013

Members present for all or part of the proceedings:

Mr Chris Lyttle (Deputy Chairperson)
Mr Alex Attwood
Ms Megan Fearon
Mrs Brenda Hale
Mr Alex Maskey
Ms Bronwyn McGahan
Mr Stephen Moutray
Mr Jimmy Spratt

Witnesses:

Mr John Beggs	Commission for Victims and Survivors
Mr Adrian McNamee	Commission for Victims and Survivors
Ms Kathryn Stone	Commission for Victims and Survivors

The Deputy Chairperson: I welcome Kathryn Stone, Commissioner for Victims and Survivors; John Beggs, secretary to the commission; and Adrian McNamee, head of policy. It is good to have you with us again for an update on this extremely important issue. Please take the opportunity to make an opening statement before we have questions.

Ms Kathryn Stone (Commission for Victims and Survivors): Thank you very much. Good afternoon, everyone. First, I wish to record my thanks to the Committee members who attended the Victims and Survivors Forum on 20 June this year. I thank you for your compassionate listening. Members of the forum and I greatly appreciated that. I also thank the Assembly for its continuing financial commitment to victims and survivors, and I look forward to working closely with you as we, together, implement the commitments set out in the 10-year strategy.

I also want to take a minute to address another matter. No doubt, you will have seen recent press coverage. It is important for this Committee to know that I and all staff at the commission completely and unequivocally condemn violence towards any group or individual by any group or individual. My role as commissioner legally requires me to be completely neutral and to support all victims, as defined by current legislation. It is my job to ensure that the voices of victims are heard, and it is the job of politicians to debate and decide such matters as the Special Advisers Bill, the location of the peace-building and conflict resolution centre and, of course, the definition of a victim.

There has been some confusion about the role of the commissioner. In previous times, with more commissioners, it would have been easy for each commissioner to represent a particular constituency,

although the law then was the same as it is now. Now, there is one commissioner, so I must represent all victims, however difficult or challenging that might be. I appreciate that the matters at the heart of this actually address the heart of the difficulties in our society: the definition of a victim, the language that we use, and so on, all of which is about how we address the difficult and contested past in this place. We need to have these debates and to discuss these matters, and I know that Dr Haass and his team are here to help us with that. Today, however, the Commission for Victims and Survivors welcomes the opportunity to come before this Committee and comment on the work of the Victims and Survivors Service (VSS) and the delivery of funding to groups and individuals, as you requested.

I am aware that, in your offices, you are receiving correspondence from your constituents, and meeting them to hear about their experience of the Victims and Survivors Service. The law states:

"The Commissioner shall keep under review the adequacy and effectiveness of services provided for victims and survivors by bodies or persons."

To fulfil that duty, the commission put in place a series of measures with the Victims and Survivors Service, including: meeting the service and the Department's victims unit every month; the signing of a memorandum of understanding with the service; facilitating a services working group of the forum; and producing reports on the progress of the service. The commission takes that role very seriously and, in performing those duties to date, the commission has experienced a certain level of frustration in relation to obtaining information from the Victims and Survivors Service. The commission acknowledges the challenges that the service has faced in its first full year of operation. The service has recruited a new team, put in place an individual needs review process, and delivered a £9 million funding programme for groups and individuals. From the information that the commission has, we see that 1,593 individual needs reviews have taken place since April this year and that 46 groups have received a letter of offer for funding of over £75,000. The commission is encouraged by this progress and acknowledges the commitment and dedication of all involved.

However, we have identified a number of concerns. A key issue for the commission is that the service has not produced or shared with us sufficient information for us to fulfil our statutory duty in this area. For example, a minimal amount of information has been shared with us to date on funding for groups and individuals. More substantial information has, however, been promised. Some of this was shared with us only last Friday, but most has yet to materialise, some 18 months after the service opened its doors. However, the commission has been invited to the service's offices this Friday, and we hope that further data will be shared with us then. As this information has been shared with the commission only in recent days, we are currently not in an informed position to brief you on the delivery of funding to groups and individuals, as you requested. Once we receive full information, we will be happy to come back and present our analysis to you.

The commission also has a number of concerns about the current assessment process employed by the service, and we took the opportunity to submit detailed advice to the First Minister and deputy First Minister on 13 August this year. This advice was informed by representations made to us by groups, individuals, families and the Victims and Survivors Forum. The advice raises a number of issues with the assessment process, including reports of an unintended outcome of the current process that is dissuading some victims from coming forward to seek help, the issue of dual assessments with groups, and the potential for re-traumatisation. The commission, therefore, recommended that a review of the current assessment process be undertaken by an independent organisation, with a view to improving it for victims and survivors. It is our view, and that of the groups representing many hundreds of victims and survivors, that this process is currently not fit for purpose. In the past, I have raised concerns about the current corporate governance arrangements of the service, and, following a meeting on Monday of this week, I was reassured that a permanent board is to be announced publicly very soon.

In the past year, since my appointment as commissioner, I have undertaken a major engagement programme with victims and survivors. On a consistent basis, victims and survivors have been raising serious issues and complaints with me, and I have brought these to the attention of the service and of the Department. On 9 September this year, I wrote to the chair of the Victims and Survivors Service to formally alert him to a series of concerns that have been conveyed to me and to commission staff by the various groups and individuals that we have met. Those concerns related to assessments and the individual needs review process. As I mentioned earlier, advice has been submitted to the Department and to Ministers on that process, and an independent review has been called for.

Groups and individuals are finding communication with the service very difficult. They feel that their comments are not welcomed. Much of that seems to be a matter of very basic customer care such as

not acknowledging letters or e-mails and not returning calls. Those are simple things that groups and individuals say are not being done. Addressing those simple things quickly and effectively would improve confidence that the service is positively listening to and engaging with victims and survivors.

In the area of data protection, concerns have been voiced about the sharing of information. For example, information on their staff submitted by groups for one purpose is now being used by the service for another purpose. At least one group is taking that issue up with the Information Commissioner's Office.

In relation to the commissioning of services, groups have expressed fears that a move to a commissioned model of care is too much, too soon.

I also have concerns that part of today's evidence from the service is to be given in camera. The commission would like to be party to that discussion to be able to fulfil our statutory duty to keep under review services to victims and survivors. Groups feel they are kept in the dark about developments, and an approach such as holding a closed session serves only to compound that view. The commission is still awaiting a written response to our letter of 9 September and awaiting reassurance that the matters are being addressed and acted upon. That said, the Department met me on Monday this week to discuss the issues. I have offered to facilitate a round-table discussion or a seminar with representatives from groups, the Victims and Survivors Service and the Department to provide the opportunity for concerns to be expressed directly to the service. Again, we are waiting for a response.

In summary, the commission is requesting that the service make the relevant data available to us on a timely basis to enable us to fulfil our statutory duties. We also request that the key concerns that have been raised today are addressed in a timely manner so that better services can be provided to victims and survivors.

Finally, let me say again that I and everyone at the commission completely and unequivocally condemn all forms of violence. We cannot allow political debates such as those that have stirred recently to divert our attention from where it should most properly be, which is only and always at the service of victims and survivors and, as the law states, all victims and survivors in this society. I and my colleagues welcome the opportunity to now discuss further with you the role of the commission in relation to the Victims and Survivors Service.

The Deputy Chairperson: Thank you, commissioner, for your briefing. At the outset, I want to say that the feedback from all the victims and survivors with whom we have worked, with your assistance, especially through the forum meeting in June, about the work that you are doing on behalf of victims and survivors in Northern Ireland is consistently extremely positive, and I am sure that that is encouragement for you to continue with that extremely important work on their behalf. I regret that it is necessary for you to make the statement of clarification about violence. I understood clearly where you stood on that, but you have had the opportunity to do that today.

You set out a number of serious and significant concerns about the services that are being provided to victims and survivors. It is of particular concern to me to hear that there is a call for an independent review of the assessment process, which you said is not fit for purpose. That is of significant concern to this Committee, and I expect that we will want to be involved in addressing those issues. You said that you have been provided with a minimal level of information. Will you give us more detail on exactly how that hinders the work that you seek to carry out and, indeed, what type of information you were referring to?

Mr Adrian McNamee (Commission for Victims and Survivors): The commission planned to carry out a progress report on the service on a six-monthly basis. To date, we have produced two of those reports and submitted them to the Department. The reports were for the periods April to September 2012 and October to December 2012. Since the submission of the second report to the Department, the information flowing to the commission has been minimal. We are awaiting further information so that we can work on more of those reports.

The Deputy Chairperson: The meetings with the VSS and the victims unit of the Office of the First Minister and deputy First Minister (OFMDFM) are scheduled to occur monthly. Has that type of information not been made available at those meetings?

Mr McNamee: We receive a verbal update on month-to-month progress at those meetings.

The Deputy Chairperson: Would you like to go into greater detail on the serious concerns that you have on the assessment process?

Ms Stone: We have received a number of letters, e-mails and written examples. In fact, we received quite a large amount of information very late yesterday evening. I do not have permission to share people's individual experiences with you, nor would I wish to name those individuals. Suffice it to say that I am fairly confident that they echo the experiences of many constituents who have come into surgeries or made representations to MLAs. We can make that information available to you once we have permission from the individuals.

The concern is specifically in relation to the potential re-traumatising effect of asking people to go through their circumstances all over again and to repeat the events that led them to becoming classified as victims. We have to remind ourselves that, in 1998, Sir Kenneth Bloomfield, in his first report as the first Victims' Commissioner, recommended very strongly that very serious consideration be given to the way in which assessments are carried out, in order to prevent people from being re-traumatised by continuously having to provide the same information again and again. A number of members of our Victims and Survivors Forum have also made representation about the process of the assessment and the ways in which people find it very intrusive, traumatic and difficult.

I would like to offer some other comments that we have had about the assessment process. A small number of people have said that they have found it very useful and helpful and that they have received services that they had not received, to date, from other organisations. However, the overwhelming evidence and information we have is that people have been very troubled by the process of the individual needs review, which has led us to the conclusion that a root-and-branch review is required. Very serious attention needs to be paid to who this assessment is for, why it is being done, what the outcome is expected to be, and what the benefit of that is for individual victims.

The Deputy Chairperson: As you said, commissioner, concerns have been raised with MLAs at constituency level. A particular concern that has been raised with me relates to the application process for financial assistance under scheme 6 of the individual needs programme and the deadline that had been set for it. Indeed, that deadline was missed by many applicants. Have concerns been raised with you on that process?

Mr McNamee: Yes. Some people have come forward and expressed concerns about the deadline and, as you said, not being aware of it.

The Deputy Chairperson: Have you raised those concerns directly with the Department?

Mr McNamee: We bring up those issues in the monthly meetings.

The Deputy Chairperson: What has been the extent of the departmental response to those concerns?

Mr John Beggs (Commission for Victims and Survivors): We have been having the monthly meetings for the past few months. As a result of not seeing anything change significantly, or receiving a detailed response to any of the issues, we have, unfortunately, had to write a letter to the Department. Pending a substantive response to that, we cannot really comment further on the position.

The Deputy Chairperson: Have you been given a timescale for a response to that correspondence?

Mr J Beggs: We have been given a holding response that states that it is being dealt with. Obviously, it would have been useful to have a substantive response to the letter of 9 September in advance of today's session so that we could talk more fully about some of the issues. We are hopeful that that will come soon. As the commissioner said, we had a meeting with senior representatives of the Department on Monday to discuss the letter and future arrangements for managing the process.

Mr Moutray: Katherine, you are very welcome. At the outset, I pay tribute to your caring and sensitive approach to the victims issue since your appointment. That has been well recognised by many, but I am afraid that I must come back to your opening remarks, and it is with no sense of joy that I do that. Presidents and Prime Ministers have no difficulty in calling the actions of the IRA, the INLA, the UDA and the UVF in the past terrorism. Why do you have a difficulty in defining it as that?

Ms Stone: Mr Moutray, with respect to you, I have said what I want to say about that particular matter. We are here today to talk about victims and survivors, and that is what I would like to do.

Mr Moutray: OK, I accept that, but if someone is convicted under terrorism legislation of a terrorist offence, they are a terrorist. Either you agree with that or you do not.

Ms Stone: I feel like I am in a no-win situation here. The things that I have said over the past week have been very well reported, and I would just like to get back to talking about victims and survivors.

Mr Moutray: OK. I am afraid there are some victims who have contacted me who feel hurt by the remarks. I do not think that you made them in the context of wanting them to be hurt, but I believe that some people have been hurt.

Ms Stone: I very much regret that.

Mr Moutray: OK.

The Deputy Chairperson: Have you no other questions, Stephen?

Mr Moutray: No. That is OK.

Mrs Hale: Welcome to the Committee, Kathryn. The definition of a victim in the 2006 Order does not specifically include those who committed terrorist acts. Can you give us your reasons as to why you choose to interpret it in this way?

Ms Stone: Could you repeat that question, please?

Mrs Hale: The definition in the 2006 Order does not specifically include those who committed terrorist acts as victims. Can you give your reasons as to why you are interpreting it in this way?

Ms Stone: My interpretation of the definition of a victim is that it includes all victims of conflict-related incidents. Although it might not include people, it does not specifically exclude them either. That has been the interpretation of the 2006 Order since the commission was set up.

Mrs Hale: Do you have any concerns that the interpretation that a perpetrator is also a victim will cause even more distress to the innocent victims of the past troubled years?

Ms Stone: As I said in my opening remarks, I think those matters about definitions and language are for politicians to debate and decide. It is for me, as a public appointee, to implement and uphold the legislation. The interpretation is that we consider all victims in this society.

Mrs Hale: Even though the 2006 Order does not include terrorists as victims?

Ms Stone: No one is excluded in the legislation. Our interpretation is that we must serve all victims and survivors of conflict-related incidents here. That is what the legislation states.

Mrs Hale: That is your interpretation of the 2006 Order.

Ms Stone: Until such time as the definition of "victim" changes, I must interpret the legislation in that way.

Mr Spratt: Thank you, Kathryn and others, for your presentation. I want to say at the outset that, since you came into office, you have probably done more than all of the other four commissioners in all the time that they were in post. I think that your record bears out that remark, and I do not think that anybody could have any arguments about that. I would like to tease out one or two issues with you. First, what I hear from individuals is that they find the Victims Service extremely difficult to work with when trying to get their cases looked at. You mentioned assessments and you said that you had concerns about how those were being done, with people being re-traumatised, etc. That is certainly something that I have heard from individuals.

I must say that I am impressed by the figure of 1,600 individuals who I think you said you have dealt with —

Ms Stone: Sorry; the Victims and Survivors Service carried out those assessments.

Mr Spratt: OK. I will maybe ask you more about that as we go into it. You said that communication is bad in the service and that calls are not being returned and e-mails are not being answered. You mentioned one specific area that concerns me considerably. You said that data protection legislation had been breached and mentioned that one group had taken that issue up. Will you elaborate on that? What are the data protection issues? Obviously, you cannot go into specific cases, but I think that we would all be concerned if there were data protection issues and issues with information about people who are employed by groups, or whatever, being misused or abused.

There are one or two other things that I want to tease out about Kathryn's opening remarks. However, I will stop there. Will you give me some feedback on those data protection issues?

Ms Stone: Of course. Thank you. I am sure that the representatives of the service will be able to respond more appropriately on the particular matter of data protection. However, we received a letter from a group that was very concerned. It had been asked to submit information about its staff for one particular purpose, I think to enable the service to carry out an audit of their skills, qualifications, and so on. As I understand it, the group received a further letter stating that that information would be used to inform a further research proposal. Naturally, the group that wrote to us was very concerned that its staff had submitted information for one purpose but that it was going to be used for another. I hope that that is a misunderstanding on the part of the group or organisation, and I am sure that the representatives of the service will be able to give you chapter and verse on that. However, it was certainly something that was brought to our attention.

Mr Spratt: What are your concerns about the assessments, etc? What complaints have you received from individuals or groups about that?

Ms Stone: The concerns about the assessment process are many and various. That is why we have asked for a root-and-branch review of the way in which they are carried out.

There are particular concerns that the assessment process is retraumatising individuals by asking them to repeat information that had previously been submitted to the Northern Ireland Memorial Fund to access financial assistance and therapeutic and other services. That information has been provided and people feel that they should not have to provide it again. There are also communication issues, with confusion about times, dates and how the assessments are being carried out. There is also confusion and disappointment, to put it mildly, that there is perhaps a lack of consistency between assessors in the way that assessments are carried out. People are having to wait for assessments or for the outcome of assessments, and that is not being communicated effectively to them. There are a number of other matters associated with assessments. That is why we have called for a review of the assessment process.

Mr Spratt: Finally for now, there is still an issue with individuals who are not attached to a particular group having difficulties accessing pain clinics or whatever they might be trying to access. It just seems like it is a mountain for those folk to climb. I know of one specific case in which a person was asked for a police incident number for something that happened over 30 years ago. When the individual went to the Police Service of Northern Ireland, that information was not readily available and it probably was never available. That also re-traumatise people as they have to relive what happened to them 30 years ago. They are now in extreme pain and need physiotherapy, a pain clinic or some help and, quite simply, it appears as if all the obstacles of the day are being put in front of them. In my view, that is to try to make them go away. Is that one of the things that concerns you? Are you getting similar complaints?

Ms Stone: I am very concerned when people report to me that they are made to feel like beggars. In 2013, that simply should not be happening. The victims and survivors I spend my time with, particularly those who do not have support from groups, agencies or organisations, are uniquely vulnerable people. They have suffered terribly, and we should be doing all that we can to remove obstacles and barriers to providing them with appropriate support, financial assistance and pain relief. Practical help should be provided for those people.

In addition — I know that the representatives from the service are going to talk to you later about the mental health needs of victims and survivors — there is a huge number of hidden victims, and some of those people are starting to come forward. When they do come forward, we need to make sure that there are no obstacles in their way and that they are treated compassionately and kindly without having to fill in endless forms and without the real risk of being re-traumatised. We must make sure that they receive help in a timely and effective way that addresses their needs.

We very much want to be able to give you an assurance about that. However, until we have the information consistently and in a timely way, we are not able to do that. Without that information, I am not able to fulfil my statutory responsibility to you to provide you with an assurance that those individuals are being supported properly.

Mr Spratt: Thank you, Kathryn.

The Deputy Chairperson: I have a question about the call for an independent review. Do you have a particular body in mind that would be best suited to carry out that type of review?

Ms Stone: There are a number of organisations and bodies. I have to say that it has been very reassuring that the service has employed the services of somebody to manage its client services. That person is very knowledgeable and skilled, and is able to begin to review some of those things. I am confident that the service has those matters in hand.

We need to make sure that the assessment process is right. It must not create barriers for people, it should not be burdensome or have any potential risk of re-traumatisation and it should enable people to get the things that they need and get them quickly.

Ms McGahan: Kathryn, thank you for your presentation. I want to take this opportunity to commend you and the good work that you are doing. I think that it is also important to emphasise that you should be left alone to do the job that you were appointed to do and be kept out of political arguments.

My question is about your statutory duty to carry out research. What research have you been asked to undertake to inform future service delivery by the Victims and Survivors Service?

Mr McNamee: The commission plans to undertake a number of pieces of research over the next 12 months. We have not been asked to carry out specific research by the Victims and Survivors Service, but it has asked for some help around trans-generational services. We will be looking at carrying out a significant piece of research on the trans-generational impact of the conflict going forward. The first steps were taken two years ago through a piece of work that we commissioned from Queen's University. That informed us during the comprehensive needs assessment. We want to work along with the working group of the forum on building for the future to try to explore that a little bit further, look at the trans-generational needs and look at the appropriate services that are required to address those needs and, hence, help to inform what the service needs to put in place to address those needs. That is one specific piece of research that we are entering into at the minute.

Mr Maskey: I also commend you, Kathryn, for the work that you and the commission have been involved in. It is important to say that every person who has spoken so far has commended you for the work that you are involved in, so that is a very good start.

Your opening remarks were very important in stressing your position. If we are honest with ourselves, we would have to accept that remarks from every one of us around this table will annoy, offend or hurt somebody. I think that we all need to continue to be measured in how we deal with this.

The purpose of today's meeting is to try to establish with the Committee what is happening on behalf of the victims out there on an ongoing basis. People may have different views, but a wide range of victims out there need support and help, and that is what you are tasked with overseeing.

In the paper that the commission gave us, you make a very stark criticism. You state that you are getting insufficient information, which means that you are unable to do your statutory job. I want to place on the record that it went over my head last week as to why we agreed to have the meeting with the service in closed session. Members know that closed sessions are very rare and unusual. I was here and I accepted it, but the reason for us doing so went over my head. I presume that we cannot change that for today, but I would not be interested in having closed sessions for anything, not only

this subject, unless they are absolutely necessary and there is a valid reason. That is something that we will return to.

The Deputy Chairperson: Alex, I am content for us to have a look at that when the time comes in line with the agenda today.

Mr Spratt: Chair, I want to get in on that as well. I was not here last week, but I certainly would not have agreed to a closed session.

The Deputy Chairperson: I will make provisions for us to look at that issue.

Mr Maskey: Thanks for that, Chair. I am just making the point because these are very important matters and it is in everybody's interest that this is as transparent as possible.

It is quite a serious charge that some other part of a service that has to be joined up and work in a complementary fashion appears not to be making sure that everything is going forward on behalf of those who have been charged with the responsibility to give support. We will deal with that.

You put a number of points on the table today that we will take up with the service, but from here on in, we want to make sure that these discussions are transparent, unless it is absolutely necessary for them not to be.

You referred earlier to one way of trying to resolve this, which is through monthly meetings with OFMDFM officials, you and members of the service. Have those just begun or have they been ongoing? I think that that is an important mechanism, but I would like to know whether it works or whether it has been working. Do you see it working? Is there anything that we can do to make sure that we are supporting you in your role, even through supporting that mechanism? We want to get this process working, and some tweaking may be required if that is the case. We need to make sure that there are no obstacles to people coming forward to get the support that they need.

Ms Stone: Absolutely. To answer your last point: we had a meeting with officials from the Department on Monday, and we have been advised that a project board will be put in place that will be facilitated by a senior official from the Department. To ensure that those discussions are treated very formally and that actions are taken forward, they are recorded and the way in which those things are going to be implemented will be considered very seriously by senior officials.

It is a matter of profound regret that we have had to take the step that we have taken in writing to Ministers to raise those concerns. This should not have got to this point. However, we have had verbal assurance from departmental officials and have begun to receive a significant amount of information in recent days to enable us to start to put together some data analysis so that we can provide you with the information that you need to be confident that the service is delivering what it needs to deliver.

Mr Maskey: That is the most critical thing that I get out of today's meetings, because I want to make sure that there is a mechanism by which we can measure whether statutory obligations are being met. It is statutory; it is not just something that we might like to see done. It is sacrosanct, so thank you for that. We look forward to hearing how that process will be designed and measured.

Ms Fearon: I commend you on carrying out your duties in a very sensitive and dignified manner to date.

Have you been able to carry out any analysis of the geographical or community location of funding given to groups by the Victims and Survivors Service?

Mr McNamee: We have recently taken some further information on that. We intend to look at the geographical spread when we get the final dataset when the awards are made. Some awards of under £75,000 are being made to those groups. We intend to take that forward in the near future when we get the full dataset.

Ms Fearon: Are you willing to share that information with us once the work has been carried out?

Ms Stone: Absolutely. It is very important to do that.

Ms Fearon: Pending better cooperation and information from the service, obviously.

Mr Attwood: I want to make one comment about a different matter that you mentioned in your opening remarks. You indicated that, because there were a number of commissioners previously, it may have been easier to reflect the views of a particular constituency. It is my view that efforts were made, particularly by one or two members of the previous commission, to represent all the views of victims and survivors and that they did not go in necessarily to reflect the views of one constituency. I want that on the record.

Ms Stone: Yes, of course.

Mr Attwood: There was a lot of integrity around a lot of what happened before, and there should be no suggestion otherwise.

I am only coming back into Committee life, but I do not recall many people coming before a Committee and stating their views so firmly, if not stridently, on how things have evaporated over time. In fact, although you will not use the word, I think that what you referred to has been withering regarding where things are. I say that because you have found it necessary to formally alert the VSS about your concerns and that, as you said, while you wish it had been different, you had to write to OFMDFM. That is in the context of a service that is still very early in its life and you, as Victims' Commissioner, feel it necessary to, on one hand, formally alert VSS and, on the other hand, put in writing your concerns to Ministers in the Office of the First Minister and deputy First Minister. That is serious, if not withering.

You said that there have been some meetings recently with the VSS on your concerns about the assessment process. Has there still not been a full reply from the VSS, five weeks after you wrote to it on 9 September to formally alert it to all your other concerns? Is the situation that, five weeks after you wrote to a body that is meant to serve the interests of victims and survivors, some, if not most, of the matters that you raised have not been even responded to in writing?

Ms Stone: We received a holding response on 13 September. Our letter was addressed to the chair of the Victims and Survivors Service Limited. We have not had a substantive formal written response to the points that we raised. We had a meeting on Monday of this week with officials from the Department, who offered their reassurance that we would receive a full written response. It is true to say that, five weeks after our letter was issued, we have received a holding response, but not a full one.

Mr Attwood: Has the VSS given you any explanation about why it has not urgently and comprehensively addressed all the issues that you raised in your correspondence of 9 September?

Ms Stone: I have received a holding response from the chair saying that it will provide a full written response.

Mr Attwood: When did you write to OFMDFM to flag up your concerns about various matters?

Ms Stone: Our letter was addressed to the chair of the Victims and Survivors Service, and copies went to junior Ministers and departmental officials.

Mr Attwood: I go back to the point that Jimmy raised around data protection. I had to leave the room; you may have addressed this when I was out. Are you saying that victims and survivors are saying that information that they provided to the VSS may have been used without their knowledge or consent for reasons other than for which they gave that information?

Ms Stone: No, I am not saying that. I am talking about information that was supplied to the Victims and Survivors Service about staff in groups and organizations, not at all about clients and service users. We also wrote to Ministers on 13 August this year to advise them of the assessment process and to ask for a review of that process.

Mr Attwood: Sorry; what date was that?

Ms Stone: It was 13 August.

Mr Attwood: Given that you advised Ministers that you believe that a review of the assessment process is needed and that you describe it as not fit for purpose, have you had a response from OFMDFM in two months about a review of the assessment process that is not fit for purpose?

Ms Stone: No.

Mr Attwood: Has the height of response so far, regarding whether it is fit for purpose, been around your confidence in one member of staff in the VSS, who may have some particular skills in that regard?

Ms Stone: We received no written response to our assessment advice or to our letter specifically to the chair of the service. Since June or July of this year, the service has employed a head of client services. We have met on one occasion to talk about the content of our advice paper, in which we highlighted some of the issues that were raised with us by individuals and groups.

I would like to see the assessment process being completely reviewed. Mr Spratt spoke about some of his constituents. Victims and survivors are very vulnerable people. They need a compassionate, kind service. They need assessments that meet their needs. They are finding this very difficult and burdensome. Barriers are placed in their way. A number of colleagues from the forum have undergone assessments.

I remind you also that I said that some people have found it very useful and helpful, but the overwhelming information that we have is that the assessment process needs to be reviewed. It is very much a matter of regret that we have not had a formal written response to our letter of 9 September, in which we raised some very serious concerns about it.

Mr Attwood: The conclusion is that letters go in August and September and you do not get responses by the middle of October.

The Deputy Chairperson: In addition, as a Member of the Assembly, I asked a junior Minister to help me to understand or account for difficulties and delays with the Victims and Survivors Service. The response is on record for people to assess whether it stacks up with what the commissioner has presented today.

Mr Attwood: It would be useful if the correspondence that you have or the question that you tabled was circulated.

The Deputy Chairperson: OK.

Mr Spratt: Kathryn, on a point that I missed when I was initially asking you some questions, I think you said to us that you got a report from the Victims and Survivors Service last Friday and it was only the minimum of information that was supplied. I would like you to elaborate on why you think it was the minimum.

The other issue was about the Victims and Survivors Service progress report. It indicates that, to date, 10 appeals have been presented to the independent review panel, of which eight have been upheld and there have been recommended changes for two. That means that there was a problem with all 10. Does that not tell a story in itself?

Ms Stone: Absolutely.

Mr Spratt: I think that it tells a story of the shambles that the service is when you have 10 appeals with the independent review panel, with eight decisions completely overturned and recommended changes in two cases. We do not know exactly what those are, because it is only on one line of section 4 of the report. Mind you, the progress report is pretty minimal as well.

Mr McNamee: We were receiving minimal information until last Friday, when we started to get more substantial information. We still require some time to analyse and digest that information so that we can draw conclusions from it.

Mr J Beggs: The data that we are referring to was tabled at a meeting last Friday, which I attended. It was tabled informally in advance of the Committee meeting today. We have been invited to go along

to the VSS offices to receive a detailed presentation on that data and hear from Dr Duffy, who is also with VSS today, about the health implications of that data, which, of course, are very important to us. It is the type of data that we have been looking forward to receiving. As I said, we have seen it informally, but we have not had time to consider it, and we are looking forward to receiving that on Friday.

Mr Spratt: Is it not strange, and I do not think anybody commented on it, that there are 10 appeals to an independent review panel, eight of which have been upheld, with two requiring changes? I think that is a very serious indictment, quite frankly, of the Victims and Survivors Service.

Ms Stone: I think it is more appropriate for the Victims and Survivors Service to respond to that.

Mr Spratt: It may well be, but I just wanted to hear your comment.

Ms Stone: I think your colleagues can draw their own inference.

The Deputy Chairperson: An awful lot of information seems to have changed hands last week.

Ms Stone: By happy coincidence, I would imagine.

Mr Maskey: I just want to clarify what response you received to letters of complaint, essentially, to the service and to OFMDFM. I thought that the response that I got earlier was that OFMDFM was now conducting monthly meetings with you and the service. In fact, it has established a project board and has a senior official to lead that. I would have thought that was a significant enough response. Maybe my question was not clear enough, but I thought it was. I am looking forward to the detail of that, because it is a statutory role to be upheld. What I will want to hear — obviously I do not expect to hear it today — is when the monthly meetings will be taking place, what the outcomes of those are and when the statutory obligations will be met by whoever. If it is the service, obviously I will look forward to hearing the service. I thought that was the response. I do not want it left hanging in the air as if there was no response.

Ms Stone: We would very much like to provide you with progress review reports.

Mr Maskey: I know; you did agree to that, so thank you for that.

The Deputy Chairperson: I was reasonably concerned about this issue before today, and I have to say that I am probably more concerned after what we heard today. This Committee has its own statutory responsibilities regarding scrutinising the work of the Department and the effectiveness of the services that it provides to victims and survivors in Northern Ireland. To try to keep this real, many of us have got to know many of the victims and survivors through meetings that we had and through the victims' forum in June. For me, these are some of the most courageous people we have in our community, and it has been said many times that, at the very least, we should provide them with adequate services to meet their needs. They have borne the brunt of our Troubles here in Northern Ireland, and I think this Committee needs to think long and hard about how we can respond to some of the concerns that have been raised today.

I am particularly concerned about the financial assistance scheme, for which a deadline was set as 30 June. That left approximately 1,700 victims and survivors who were able to apply to the financial assistance scheme. Can you give us an idea of how many victims and survivors that excludes from being able to apply for that service that they may well be entitled to?

Mr McNamee: I cannot without the detailed information on that.

The Deputy Chairperson: OK. The Northern Ireland Memorial Fund assisted approximately 8,000 people. Can we get some figures about that? Maybe the Victims and Survivors Service can respond to that as well.

You made suggestions and calls about an independent review and round-table talks. I think that those are constructive suggestions. We have three extremely important bodies here that are meant to work together to get services for victims and survivors: the commissioner; the Victims and Survivors Service; and the Office of the First Minister and deputy First Minister. The cooperation and communication between those three bodies seems to be in need of serious improvement, despite

monthly meetings being in place. I would like to think that we as a Committee would be anxious to see that cooperation improve. We would be keen to work with you on round-table events or anything like that to try to get to the bottom and address those concerns and inadequacies as quickly as possible for the victims and survivors. Would it be possible to get copies of the correspondence that you exchanged with the other bodies that are important in this regard and to hear more about your suggestions on how to get to the bottom of some of addressing these concerns?

Ms Stone: Absolutely. We need to be very mindful of the people who really matter here: the victims and survivors in our community. They are very vulnerable people who have sacrificed most and suffered most, and we have to keep them at the forefront of our minds. The service, the commission and the Department must act only and always in the interests of the victim. Whatever the difficulties and challenges, we have to overcome them to deliver the very best for the victims and survivors. That is what people expect, and that is what people deserve.

We were reassured by a meeting that we had on Monday with officials from the Department that the project board to oversee this matter will be chaired by a very senior official and that the status of the information and advice that is given by the commission is now being taken very seriously. If we get the sense that that is starting to slip or that does not happen, we will come back and report it to the Committee.

We also need to acknowledge the work that is being done by groups and organisations that have, for many years, been supporting victims and survivors, and to remind ourselves that there are still many hidden victims in communities who suffer every day quietly and in a very lonely way. We have to make sure that we remove all barriers, whatever that involves, to be able to provide support to people in an efficient and effective way.

The Deputy Chairperson: You rightly mentioned the sterling work that the Victims and Survivors Service and the victims' groups do. In your assessment, working closely with this issue, do they have adequate resources to carry out those duties?

Ms Stone: My background in training tells me that, when anybody asks whether you have enough money, the right answer is no. In order for us to be able to respond appropriately to your question, we need to be able to crunch some numbers. We need to be able to see what the service is providing and at what cost. As soon as we get that comprehensive information, we will be able to answer that question more fully.

The Deputy Chairperson: Commissioner, thank you very much for meeting us today. We look forward to receiving that correspondence from you and paying close attention to the progress that is hopefully achieved regarding the concerns that you raised.

Ms Stone: Will you make a decision on the closed session?

The Deputy Chairperson: We will address that.