



Northern Ireland
Assembly

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

OFFICIAL REPORT (Hansard)

Victims and Survivors:
Briefing by Junior Ministers

22 January 2014

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Mike Nesbitt (Chairperson)
Mr Chris Lyttle (Deputy Chairperson)
Mr Alex Attwood
Mr Leslie Cree
Mrs Brenda Hale
Mr Alex Maskey
Ms Bronwyn McGahan
Mr Stephen Moutray
Mr George Robinson
Mr Jimmy Spratt

Witnesses:

Mr Bell	Junior Minister, Office of the First Minister and deputy First Minister
Ms J McCann	Junior Minister, Office of the First Minister and deputy First Minister
Mr Ricky Irwin	Office of the First Minister and deputy First Minister
Dr Denis McMahon	Office of the First Minister and deputy First Minister

The Chairperson: We are joined by the junior Ministers, Jonathan Bell and Jennifer McCann, and officials Ricky Irwin and Denis McMahon. I thank you all. I know that this arose from your previous visit. I made a specific request that you join us again to discuss victims and survivors' issues, which is the sole agenda point, bar a short discussion at the end on future engagement relations between ourselves. If that is your understanding, can I ask whether you have any updates for us, Ministers?

Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister): Yes. Thank you for inviting us back. It is a very important issue — Jennifer has stolen my speaking note. On a serious note, it is an important issue, and I think that everybody in the room is concerned about delivering a better outcome for victims. Many people in this room know the issues intimately. I will not embarrass them by identifying them individually. Many people have served in uniform and in different capacities and know the needs that are here. We are here primarily to give the Committee an update on the Victims and Survivors Service (VSS).

There have been a number of recent appearances in front of the Committee by people involved in and affected by the work of the Victims and Survivors Service. I know that the Victims' Commissioner has appeared twice in recent months — once in support of members of the forum services working group,

which does an excellent job. The chief executive of the Victims and Survivors Service and members of her team have also appeared twice in recent months, as have our officials. Now, it is our turn.

Since the Victims' Commissioner wrote to the interim chair of the VSS board to express concerns about the service, and her subsequent appearance here on 9 October, it was very clear that there was an urgent need to assess the progress that has been made to date within the service, identify the areas that are going to require further attention and then to implement appropriate and operationally feasible improvements. To that end, our officials, together with the Victims' Commissioner and the Victims and Survivors Service, established a programme board to deal with the matters raised by the commission and to agree the appropriate operational responses.

I assure you, Chair, that we take the commissioner's concerns extremely seriously. The programme board has been taking and will continue to take action in relation to all of the matters that were raised. That work is being taken forward as a matter of urgency, and significant progress has already been made. The programme board is chaired by the director of the equality and strategy directorate. The commissioner and the Victims and Survivors Service chief executive sit on the board, along with our special advisers. More recently, the permanent chair of the Victims and Survivors Service board has joined the programme board.

Our most recent addition to the programme board is a member of the forum services working group. As you know, it has been a concern to the victims' forum and, of course, to the Committee, that victims were not a part of the programme board. So, I think this move shows how seriously we have taken the need to address those concerns. We expect his experience and insight as a victim and survivor to be invaluable to the programme board as it goes forward.

At the inaugural programme board meeting, it was agreed that a subgroup would meet. That would comprise representatives from the Department, the Victims and Survivors Service and the Commission for Victims and Survivors. That would produce an action plan, which would identify the key issues that need to be addressed and then give us a time frame for their implementation. Significant action has already been taken to address the concerns raised in the plan, and a large number of those actions are complete. The programme board and subgroup will continue to meet until all actions have been implemented.

At the most recent meeting of the programme board, last Friday, members of the victims' forum service's working group acknowledged that there had been some improvements in the service and that they are feeding through to the sector. They welcomed their direct engagement with the programme board to that point, and they particularly welcomed the inclusion of one of their group onto the board. The forum services working group also told the programme board that it would now like to see the programme board given space to continue working on delivering improvements to the service. Of course, a number of substantial process and policy matters are likely to be informed by the outcome of the ongoing independent expert assessment, so, it would be inappropriate to pre-empt that by making changes in all of the instances now. However, the key issues and improvement activities agreed by the programme board to date are captured under three key areas: first, to improve the client journey; secondly, to improve the client outcome; thirdly, to improve delivery capability.

The improvements that have been made include improved call handling and client contact procedures; the review and improvement of client forms and notifications; the introduction of a new complaints handling process; the development and putting in place of robust management information systems; the putting in place of a permanent board for VSS; and the strengthening of governance arrangements by increasing accountability meetings between the VSS and the Department from quarterly to monthly.

In conclusion, before I pass over to Jennifer, rest assured that meeting the needs of victims and survivors remains a key priority for us. We will continue to work as hard as we can to ensure that victims and survivors get the help that they need, the support they expect and no less than they deserve.

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): I will go through this as quickly as possible so that we can open the meeting to questions. I thank the Committee for giving us the opportunity to come back again to go into more detail after the previous session.

Victims and survivors are some of the most vulnerable people, and, in line with the victim-centred approach set out in the 2009 victims' strategy, they should be treated with kindness, compassion, dignity and respect. Putting the Victims and Survivors Service in place within such a challenging time

frame meant that we were always aware that we would need to look closely at how it was bedding in and at what was working well and, more importantly, at what was not working well. Given the concerns raised by the Victims' Commissioner, some groups and individuals and, indeed, the Committee, it quickly became clear to us that it was imperative that we take action immediately. It was also quite clear that there was a need to restore the balance of responsibilities and accountability between the Department, the commission and the service. In that regard, there has been some positive and meaningful engagement between all relevant parties in recent months that we intend to build on when we are moving forward.

The need for an assessment of the service was highlighted by the commissioner in her letter to the VSS board's interim chair, last September. In her letter, the commissioner indicated that an independent look at the individual needs review process was needed to address many of her concerns. Those concerns were based on feedback from individual victims and groups and the victims' forum.

The Commission for Victims and Survivors has a statutory duty to keep under review the adequacy and effectiveness of the services provided to victims. Therefore the First Minister and deputy First Minister agreed that it would be appropriate to request that, in collaboration with the Department, the commission arrange for an independent specialist to carry out a short, sharp assessment of the Victims and Survivors Service. The commissioner will then provide advice in line with her statutory duties on the outcome of the assessment for ministerial consideration. That advice would be expected to improve the service and inform future policy.

Prior to the Christmas break, the commissioner advised us that she had appointed a multidisciplinary team of independent experts comprising victim specialists WKM Solutions and the public sector and accountability specialists, the Chartered Institute of Public Finance and Accountancy (CIPFA). The scope of the assessment includes looking at the individual needs review process, policy framework and any wider issues around service delivery, such as communication, including interactions with clients and groups.

During the assessment, there has been wide-ranging engagement with a number of key stakeholders, including the Victims and Survivors Service management and staff, departmental staff, the victims' forum and groups in one-to-one group sessions. The independent expert assessors also attended the commission's round-table event for victims' groups on 17 December. The commissioner has indicated that she will be providing advice to Ministers based on the findings of the assessment by mid-February. Following an interim report from the independent assessment team, which the commissioner shared with us at the end of last week, we have decided to defer individual needs reviews for victims and survivors pending the outcome of the full assessment, as it is likely that there will be changes to the process.

One of the issues that have been raised by the victims and survivors' programme board is the need to engage with the statutory sector in relation to the mainstreaming of services for victims. Our officials and special advisers have been meeting Department of Health officials, including the Health and Social Care Board, to look at the provision of acute mental health services and physical aids within the health and social care system. I am pleased to report that there is a high level of cooperation between the Departments on the issue.

Our objective is to establish an effective and sustainable cross-sectoral approach to treating psychological trauma, as well as meeting victims' physical needs. We will continue to work with the commission, the service, the community and voluntary sector and statutory providers to ensure that services meet the needs of victims and survivors. We do not underestimate the work that may be required to get this right or the sensitivities and concerns involved. We have highlighted the progress made to date, but we both acknowledge that we still have more work to do. So, we are really committed to getting this right for victims and survivors. We are now open to questions.

The Chairperson: Thank you both. Obviously, a large number of members would like to ask questions, so I will restrict myself to seeking a couple of clarifications. Minister Bell, you said that you have taken on board the need to have a service user on the programme board and it is a member of the working group on services from the forum.

Mr Bell: Yes.

The Chairperson: Are you making that name public, or is there a reason not to?

Mr Bell: His name is Alex Bunting. I do not believe that there is any reason not to disclose his name. I believe that he will play a valuable role. He was nominated as a representative, so I wish him well.

The Chairperson: By the forum.

Mr Bell: Yes, by the FSWG.

The Chairperson: Right. And Mr Bunting was on the original pilot forum. He has been engaged from the beginning of this process — excellent.

Minister McCann, did you say that the 100% individual assessment is being suspended pending the review?

Ms J McCann: It is being deferred because we took action right away when the concerns were flagged up to us. However, it is important to say that the deferment of the actual assessment does not mean that people cannot access services. People who have already been assessed will continue to receive the services that they have, but there are services that new victims and survivors can also access, such as training and education services and respite care for carers. So, it has not all stopped right away.

The Chairperson: OK. So, the flow continues as the review is undertaken. Let us say that the review causes a decision to be made that somebody now getting services should not be receiving those services; is there any negative, any clawback, anything that such an individual should be concerned about?

Ms J McCann: The answer is that I do not know. I know that a lot of the concern that people had about individual assessments was that they would be too bureaucratic and too focused on the medical side. I think that the services that have been put in place for people up until now have been carefully looked at. People have been happy enough with their individual plan. So, I would not envisage any clawback, but you know —

Mr Bell: I see it more as a process. The situation has been paused, and it is now a question of process. However, what we all want to deliver, and what OFMDFM is clear on, is that we want to see a successful outcome that is validated by the victims themselves. It is hard to work on a hypothetical, but we are determined to ensure that the outcome of the process is something that meets the needs of the victims.

The Chairperson: The question is prompted simply by the fact that we all, as MLAs, would have constituents come to us and say, "This state organisation is trying to claw back money or whatever because it is now saying I wasn't entitled". You do not see that as —

Ms J McCann: No.

Mr Bell: I mean we are—

The Chairperson: Should we look on all of this as positive progress for individual victims and survivors?

Mr Bell: I genuinely think so. I know that it is easy to say that, but, from the pre-devolution days in 2007 to now, there has been a 300% increase in funding, and that is the success of devolution. What we want to see from that 300% increase is victims telling us that their needs have actually been met.

The Chairperson: OK. I am happy with that.

Mr Moutray: You are very welcome. First, I welcome the work that the programme board has done to date around the issues highlighted by the Victims and Survivors Service. As you said, junior Minister Bell, there have been some improvements, and we hope that the rest of the issues will be sorted out shortly. You indicated that the victims' sector gets 300% more resources than it did in 2007. What is the figure? Secondly, what has been done about a possible duplication in some areas where several victims' organisations may provide the same service?

Mr Bell: If you take the figure pre-devolution in 2007 and the figure now, you will see that there has been a 300% increase, which I think should give an indication to victims and survivors that we are serious about what we are doing. The precise figure over the spend review period is £50 million — £12 million per annum to the victims and survivors service.

In terms of duplication, we always have to look carefully at what a victim and survivor wants. Often this is based upon trust and who they trust. The level of trauma that they went through was so significant in many cases that we want to look towards a sensitivity of approach. There is no evidence that I have seen or that has been brought to my attention — and we have gone north, south, east and west and met a number of victims groups on-site, individually and here at Stormont — that people are getting a service that they should not be getting.

I commend the victims groups that I spoke to across the sector. They have to show that they are offering something that is unique to the end user — I hate referring to people as users of a service. The groups have to prove that they are providing a unique service and cross that hurdle before they provide the service, and they have been doing that.

From listening to the victims themselves, we know that there are issues that we have to address; we put our hands up. We are taking them on board, and we have an action plan and everything else. They are saying that there has been a level of additional support. People have spoken to me about renovations to their homes, wheelchairs and improvement in wheelchair access. I think it is to the credit of this whole room that they are in a better place now than they were before devolution.

Ms J McCann: I think that a further £1.1 million was secured for the service in the December monitoring round. Extra need will come to the fore as well.

The Chairperson: You mentioned the action plan of the programme board. I think that officials previously indicated that there would be conditions under which it would be recommended that the programme board made available the action plan to the Committee. Is that work in progress? Is that likely to happen?

Dr Denis McMahon (Office of the First Minister and deputy First Minister): We can put up a submission on that.

Mr Bell: Yes, we can put a submission through in relation to that. They will provide us with that, and we will see what we can get to the Committee.

Dr McMahon: Obviously, it changes quite a lot because we have frequent meetings of the programme board and it is a working document.

The Chairperson: I appreciate your attention on that. Thank you.

Mrs Hale: Thank you, junior Ministers. Can you outline the feedback that you have received so far on actions you took to address issues raised in the client journey that you mentioned, Jonathan, such as unreturned calls and the eligibility assessment? Are you minded at this stage to amend the assessment process?

Ms J McCann: That is one of the key areas of work that will be undertaken in the assessment. As I said, I know that a lot of people felt that the individual assessment was one of the crucial areas that needed to be reviewed. Until we get a recommendation on the assessment, we have already taken action to defer any further assessments. I hope that that will be for only a few weeks because we need to do it anyway, but that would be one of the key areas that would be looked at.

Mr Bell: The feedback that we are getting is that all the concerns that exist have been identified, so there is nothing outstanding to be addressed. We then said that we will work with you in monitoring how we deal with those concerns that are there. I welcome that many victims and survivors have told us that they have already seen positive change. However, they are part of the monitoring, and we are working with them to monitor the change that we are making. Although it is OK for me to say that, they have to tell us that it is working.

We decided to put targets in the action plan that you referred to, Brenda. For example, calls not being returned was an issue. We now have the target that we will return every call within 24 hours of a

working period. I do not want to go down into what are largely operational matters; however, we have addressed other areas, such as the procedures for three quotes. I do not want to pre-empt what will come out, because you ask for independent expertise, and, in many cases, you will get people who are better qualified than us to talk to and to address these things.

I will not go into the detail of amending the assessment until I have the detail of what I have to do. If we are being honest, I will say that change is required. So, taking that as a starting point, I think that there is a high likelihood that there will be change.

Ms McGahan: Thank you for your presentations. Junior Minister McCann, you referred to engagements with the Department of Health on mainstreaming services for victims. Can you give us further information on that?

Ms J McCann: As I said, we have ongoing engagements with officials in the Health Department as well, because victims' needs can be very diverse and complex. At one end of the scale, someone may be looking to do some training or to access respite care, while at the other end of the scale, someone may have physical injuries or deep mental trauma. So, we have to look at the whole picture. Although the Victims and Survivors Service can provide, and has provided, a lot of help, we also need to recognise that some victims need specialised care. I think that that can be done only through Health officials and people in the health and social care sector.

Mr Bell: There is an element of joined-up working, which I know is close to the Chair's heart in mental health services. We in OFMDFM have been working on that for a number of years. As Jennifer said, looking specifically at acute mental health services and at what physical aids are required, we see that there is a link now between the DHSSPS officials, Health and Social Care officials and our own officials. There is no doubt that a cross-sectoral approach to psychological trauma is needed. The ongoing discussions are extremely positive, and I hope to see them make further progress in that area that I can report back to the Committee with in the not too distant future.

The Chairperson: Given that you mentioned mental health, Minister Bell, does the Department take a view that, as well as individuals who could be helped with their mental health and well-being issues, certain communities could be regarded as being in need of support?

Mr Bell: I think that the nature of trauma is that it affects people individually and on a community basis. I know that the professionals who are involved can address trauma in individual and in group sessions. From speaking with victims' groups, I certainly know that there are elements of group counselling and group and community support. I expect those Departments that are involved to work together on the specific detail of that. On the ground, I see communities coming together and people travelling, as a community, to different events and being supported as a group. There is no doubt that small communities — we are not talking here about huge communities — would benefit from counselling and mental health support.

Ms J McCann: Denis said that a meeting is scheduled for the commissioner and the Department of Health at the end of this week or next week to take that forward.

You are probably right about communities. Certain communities — I am just thinking of north Belfast, for instance — have been deeply impacted by the conflict. I think that the evidence of that is the local community and voluntary organisations that are based on the ground and the families of victims or victims themselves coming forward and seeking help from them. A pattern will probably evolve there. Obviously at the minute, however, this is structured and geared to helping individual victims and survivors, but I certainly think that self-help groups do that already.

The Chairperson: The survey 'The Costs of the Troubles Study', which was done, I think, in 1999, shows the linkage between high-impact areas and community issues.

Mr Maskey: I give a general welcome to the report, and I thank you very much for your presentation. Apologies for missing the start of it, but I was at another briefing for tomorrow's Committee meeting. Sitting here now I have a lot more confidence than I may have had three or four months ago. That is testimony to the hard work that has been put in to this over the past number of months. I am very pleased to hear that and thank you for that.

A victims' forum representative has been taken on to the board, which I think is a very important development. That is something that they have been looking for for some time, and it is a big step forward. The review of the individual needs assessments is welcome. We have all expressed our concerns about the way that that was working out. The process and the impact that it was having on a lot of people were negative.

I think that Jennifer alluded to the fact that that will not impact on individuals who may be applying to or engaging with the process now. So, the idea is just to satisfy ourselves that individuals will not be negatively impacted while that review is under way.

Ms J McCann: No. As I said to Brenda, the individual needs assessment is one area that is getting specifically looked at. Basically, we are trying to ensure that services will continue for those who are receiving them and who have been through the old individual needs assessment. Given that it has been deferred, it is for new people coming on. There are services that they can access, but there will be a pause. That having been said, there is already a waiting list. However, we are very hopeful that, once the recommendations from this independent assessment come forward in mid-February, we will be able to have that all put in place and have that new individual needs assessment ready to hit the ground running, so to speak.

So, we are not stopping new victims from accessing services. We are very mindful of that and do not want to be doing that. That is something that we are really going to be focusing on.

Mr Lyttle: Thank you for your update, junior Ministers. The work that is going on is really welcome. Obviously, there is still a long way to go, and we are still getting issues reported to us at constituency level. I have one isolated question to ask. Not to go into any great detail on Haass, but one specific recommendation or proposal that the Haass document made was that an assessment of the financial need of victims and survivors who lost years of their working life to serious injury as a result of the conflict in Northern Ireland should be added to the terms of reference of the ongoing independent review of the Victims and Survivors Service. Will that provision be added to the terms of reference of that review?

Mr Bell: We are in complete agreement with the message that the Haass report clearly articulated. That first requirement was that any comprehensive treatment of the legacy of the past must be to provide for the social and health needs of victims and survivors. Specifically, the report stated that the Victims and Survivors Service:

"should be supported in its continuing efforts to provide assistance to those affected by the conflict."

Additionally, it stated for the Executive:

"We encourage the commissioner, as part of this assessment, to propose specific guidelines and best practices for the provision of services to victims and survivors, whether via VSS, appropriate non-governmental organisations, or any other institution."

The report encouraged the independent expert assessment to consider:

"the provision of easy-to-access, high quality mental health care"

and, secondly, to:

"to give ... consideration to those who lost years of their working life to severe physical or mental injury as a result of the conflict, as has been done in ... other countries."

So, it is very much about looking at the operational issues.

Where the needs of victims and survivors are concerned, we need to look at where the consensus is on who should benefit and who the recipient should be. We understand that work is ongoing on that. To give a direct answer to your question, Deputy Chair, I think that OFMDFM is in complete accord with the Haass message.

Mr Lyttle: To seek clarification, would it be viable for the independent review to consider those issues that you mentioned?

Ms J McCann: The independent review — I keep calling it a review; the independent assessment, to give it the correct terminology — has terms of reference. We will certainly have discussions on some of the points that Haass made and wanted the Victims Service to take on board. Although they will primarily be on operational structures, governance and all that, which are in the terms of reference, that is one of the issues, because that was a key message. You actually quoted it verbatim. That was one of the key messages that came out of the Haass document for the Victims and Survivors Service. We will certainly be reviewing that in our ongoing discussions, Chris, and we will be keeping that very much to the fore.

The Chairperson: Sorry, Chris, did your original question ask whether that part of Haass is in the terms of reference?

Mr Lyttle: It is obviously not in the original terms of reference.

Ms J McCann: No, it is not in it.

Mr Lyttle: My question was whether it will be explicitly added to the terms of reference or whether it will be viable for the assessment to examine the issue.

Ms J McCann: The terms of reference were done before Haass, but we certainly recognise that Haass said what he did about the service, and we will look at that.

Mr Bell: Chris, we will ensure that the review team is aware of it. Obviously, the time frame does not allow it, as the Chair rightly pointed out. The terms of reference are set and working. The review team is an ongoing process, but we can make it aware and also make it aware that OFMDFM is in full accord with that message.

It also came up from what you and the Chair said that there is information feeding through to you as constituency MLAs. I know that Jimmy Spratt has spoken to me about other issues, as have other members of my DUP team. If you make sure that those are fed through to us directly, we will make sure that they are fed in.

The Chairperson: It can be made to fit. There are two or three areas, I would have thought.

Ms J McCann: We are looking at wider policy areas anyway.

Mr G Robinson: I thank the junior Ministers and their team for the presentation. I have a couple of points. How many groups are being supported? What type of activities are they funded for? Maybe you can just give an example.

Mr Bell: First of all, through you, Chair, I congratulate Mr Robinson on grandparenthood again. I think that it is the third time. So, I congratulate Alan and his wife on a safe delivery.

Mr G Robinson: Thank you.

Mr Bell: My understanding is that around 70 groups are in receipt. They provide a whole range of therapies. I have gone on site in the west of the Province to look at some of the therapies that are provided. They range from alternative therapies, such as aromatherapy, to deep tissue massage treatments for people who have experienced significant pain with qualified therapists who can provide the help and assistance that is needed. There are different levels, and each victim is an individual. They are as individual as your fingerprint. They may have suffered, they may be experiencing trauma, but how they react to that suffering and trauma is very individual, and the services that they require need to be tailor-made for them. So, for some, it is about befriending support, and for others it is about a chance to have individual or group counselling and social support, for example.

Ms J McCann: There are also six individual schemes. The first is education and training; the second is chronic pain; the third is care for carers; the fourth is disability support; the fifth is respite breaks;

and the sixth is the financial assistance scheme. So, although there are different groups, those six schemes are also part of it.

Mr Attwood: For the purpose of this meeting, there are three or four housekeeping issues on which I do not expect you to answer now, although it would be helpful if you came back to us on them. First, it would be useful to get a copy of your speaking notes, because you shared more information with the Committee in those notes than was in the documents that were provided to the Committee. Secondly, you referred to having dealings with stakeholders. I would like a note of who they were and how often you dealt with them since the previous time that you were at the Committee. Thirdly, now that there is a new VSS board, how often has it met? Fourthly, the VSS website, which I looked at today, has seven or eight sections. The section dealing with client experience has no details at all. The section about frequently asked questions has no questions, never mind answers. The area about details of services provided by victims' groups that are funded by VSS has no details whatsoever of any services or any group.

The VSS chief executive has been here, and I understand that the person who sat to her right was the organisation's director of communications. However, if you went to the VSS website today, you would find blank page after blank page. So, I ask myself this: if the junior Ministers are hearing the message, are the people in the VSS hearing it, given that they cannot put up details of frequently asked questions, details of clients experiences or any information about any VSS-funded group that may be providing any service to anybody? I will not ask you to answer all those questions, because they are a bit beyond the meeting. However, will you, in writing and in due course, refer back to the Committee on those four housekeeping issues?

I think that the most significant comment was made by junior Minister Bell when he said that "change is required" and added that it was required at high level. If that is the standard against which we are to go forward, I welcome it. Unlike Alex Maskey, I believe that it will be in the interrogation of how things have changed, because, looking at the website, you can see that very little has changed over there. Things may have changed in the Department and for the junior Ministers but not on the VSS website, although it may be unfair to draw conclusions on that basis.

I have three or four particular questions for you. Is it the case that direct-award contracts are being phased out?

Dr McMahon: Yes. We have given a clear instruction that direct-award contracts are to be phased out. We are focusing on doing that in following up the audit report on the service.

Mr Attwood: Does that mean that, at the moment, people continue to be referred to Carecall, which is a direct-award contract?

Dr McMahon: I do not know whether Ricky wants to answer that in any more detail.

Mr Ricky Irwin (Office of the First Minister and deputy First Minister): As Denis said, we have instructed VSS to manage out as quickly and as practicably as possible any existing direct-award contracts without putting individuals at risk. VSS is taking that forward.

Mr Attwood: So, are people being referred to Carecall today?

Mr R Irwin: I could not answer that today. I do not know.

Mr Attwood: It is a pretty important question, I would think.

Mr Bell: We will get an answer to you as quickly as possible.

Mr Attwood: If you go on the website, you would see that Carecall is the only services to clients' organisations that is referred to, and the only phone number that is referred to is Carecall's. Therefore, somebody going on the website would go to Carecall, because that is the only group that is mentioned.

Mr R Irwin: VSS has a risk-management protocol in place that it shared with the Department. That has protocols on individuals who are high risk, including directly contacting your GP or Lifeline. So, those procedures are in place in VSS at the minute, so it would not be just Carecall.

Mr Attwood: According to the website, it would be Carecall. However, it may not be, and I take that point. However, I am interested in direct contracts and the fact that Carecall is the only organisation that is referred to. There is no reference at all in all that to other possible groups, such as the Samaritans, Lifeline etc.

Last year, people were not getting any financial assistance, because the scheme closed, which, on the face of it, is not very fair. However, putting that aside, are those people getting any financial assistance?

Mr Bell: The VSS closed the financial assistance scheme on 30 June 2013 due to the additional demand, which caused the budgetary pressures, that was emanating from the individuals approaching the service. Our Department advised that the scheme remain closed, along with the suspension of some of the other schemes, until the outcome of a bid for additional funding was known.

Following the award of additional funding in October, and having sought advice from the commissioner, we considered the options for the allocation of the funding and the funding of schemes that also address the needs of victims with chronic pain. We also considered disability support and respite breaks and carers' needs, as well as the individual financial assistance scheme. You have to take into consideration the finite resources that are available.

The option that we agreed was to process all applications to the financial assistance scheme that were received before 30 June 2013; however, the scheme would remain closed for the remainder of this year. The programme board is considering the 2014-15 financial assistance scheme, and formal advice has been sought from the Commissioner for Victims and Survivors.

Do you want to speak to the monitoring round?

Ms J McCann: No, except to say that the money that was got by the monitoring round was useful.

Mr Attwood: Does that mean that the money that was released last year through monitoring has been used to support those people who otherwise had not been funded prior to the scheme being closed?

Mr R Irwin: We received 124 applications before the scheme was closed that had not been processed. VSS is in the process of clearing those applications for the financial assistance scheme with the additional money that was awarded through the October monitoring round.

Mr Attwood: That money was released in October, was it not? We are now three months later. I would think that, given all these changed and improved processes in the organisation, they would have got round to making awards, especially as the money was allocated three months ago. You may want to come back to that.

In any case, individuals who may have been denied awards under the funding scheme have yet to know what the criteria were for why they were denied funding. That is my understanding. How are we going to regularise a situation whereby somebody was told no but not told why? That person should be enabled to challenge that decision if they are so minded, given that, in the papers today or in your comments, you indicated that there was no complaints system in place.

Mr Bell: A complaints system is in place. I am not sure which specific person has not received funding or in what circumstances. I take your point that, if people were turned down and believed that they had a genuine application and are looking for a reason, we should seek where we can to provide them with that reason. We have asked the independent assessor, who has distinguished expertise in this role, to look at that specific issue of communication and how we communicate what we have. You raised some good points about the web page, which, obviously, we need to take up immediately and seek to address. I take that on board.

Mr Attwood: I welcome that, but could you come back to us about whether, when it came to the award, people were told the criteria under which they were or were not receiving payment?

My last question is in two bits. I support what the Deputy Chair said. It seems to me that, given the attention that has now rightly been paid to victims' issues, whether through Haass or your own work, there may be an argument for a second phase review by the review panel. That arises from your welcome commitment, on behalf of the First Minister and deputy First Minister, to the part of Haass that deals with victim support and victims' issues. So, it might be worth thinking about a second phase

review, beyond bringing what Haass said to the review team's attention. It may be useful to take it a bit further and implement what Haass said about a second phase review.

However, where the review is concerned, I presume that the Victims' Commissioner must have said something to you last week that led junior Minister McCann to say here today that you were "deferring" — that was the word that Jennifer used. Given the importance of all these issues, are you in a position to share with us whatever it was or the scale of whatever it was that the review group brought to your attention last week? It seems to me that it led you to take the right decision, albeit a significant one, to defer taking action that might otherwise have been taken.

Ms J McCann: All that I can say is that it was an interim report from the assessors. I think that, at this stage, we need to be mindful of it, but we also need to be mindful of some of the concerns that people raised previously. As an MLA, I know that people raised such concerns with me about the individual needs assessment process. I think that we have to look at all that.

Let me just say that the concerns were raised with us, and we acted quite quickly, as I am sure people would expect us to. We are very aware that there may be victims and survivors who have not yet come forward and will have to do so. So, we want to get this sorted out as quickly as possible. I do not want to pre-empt anything here about what we are going to do, but we are hoping that these recommendations will be with us by mid-February, and then we can start another process. So, I mean —

Mr Attwood: Would it be right to draw the conclusion, Jennifer, that the scale of what you heard last week is significant? That was hinted at by your colleague's comment that high-level change will be required. Does what you heard last week suggest that quite fundamental surgery is required?

Mr Bell: A number of issues have been raised that are under discussion by us. They are serious issues that we want to take forward. I will say this to you, Alex: when those decisions are made, we will give clarity on them and bring them to the Committee directly.

Mr Attwood: Will you share the review report with the Committee?

Mr Bell: I do not have the report, but I will share as much information as I can with the Committee. There is no problem giving you my speaking notes. It is on the record, and I will give them to you.

I have just one caveat to add to your second point about victims. Certain victims' groups met with us together, and, for their reasons, some have asked to meet individually with Jennifer and others have asked to meet individually with me. We have both facilitated that. Victims' groups have asked me, as a constituency MLA, and some have come to me from outside my own area to my constituency office to talk. Certainly, I am more than happy to share directly with the Committee information about what groups are happy and what individual victims are happy. Obviously, the groups that have come to me privately or have come even from outside —

Mr Attwood: I would not breach that confidence.

Mr Bell: You are happy enough with that.

Mr Attwood: It is the meetings around the VSS, as opposed to those around Haass, that I am interested in.

Mr Bell: To be clear, the independent assessment report goes to the commissioner. It does not come to us, but we will be working very carefully with the commissioner.

Mr Attwood: We will ask her questions as well.

The Chairperson: On the speaking notes, Alex, the opening remarks are in Hansard. That might be the most convenient route to them.

Mr Attwood: The answers to the questions that they are asked are also useful.

Mr Spratt: I will comment first on Mr Attwood's point on the notes. If you send the notes along here a couple of days beforehand, it would save you coming to the meeting. I am sure that, when Mr Attwood was a Minister, he always handed his notes and everything else over on a regular basis —

Mr Attwood: I was never asked.

Mr Spratt: That is only a comment. Let me take you back to the serious issues. This is about the individual needs assessment and, indeed, mental health issues etc. I have said this before, but it is worth repeating. I sat on a board looking into one group that was appointed by the Justice Minister. The deputy Chief Medical Officer for Northern Ireland sat on it as well. It was a quick, sharp, short review. I think that Alex Maskey was on the Policing Board at the same time, so you know the review that I am talking about: it was in relation to injury-on-duty pensions for police officers. An issue came up that astounded me. We have heard about the issue of individuals being re-traumatised on a regular basis, and the problems around that. One of the very stark realities that came out of that was agreed by all of us on the panel. It was that, in some mental health cases, psychiatrists, counsellors or whoever may have been working with a victim for possibly five, six or seven years. Their concern was that, simply by calling the victim back to go through the process again, all that work, which had been done slowly, could be put back to square one. What happened as a result of that was that a paper exercise, involving medical reports and stuff like that, which could be viewed or fed into the system, but the individual was not called back or questioned.

I passionately believe that that should apply to every group because, if that sort of work is being done, there is no point in it being wasted. I urge that there should be some sort of professional feed-in with respect to serious medical conditions. No matter where the victim comes from, that should be fed into the system so that the individual is not re-traumatised. I think it is imperative that that is done. Otherwise, you are wasting money, having gone through a process to try to help somebody. I ask that some consideration is given to that.

The Department picked up on some of the quick wins in the process. If you look at Hansard report of the meeting when three or four victims and the Commissioner were before the Committee, you will see that they all said that some things had changed. That is good. It is important that that happened, and I think the Department listened to some of the stuff that was being fed to individual MLAs and to the Department. I think that that was recognised.

There is one other area that concerns me, and I have raised before. It is in relation to the Victims' Commissioner. It is about the defining of a victim when that person is under threat. The victim may go along, or be sent, to the Victims' Commission, sometimes, I think, by the Police Service. This is a multi-agency thing and it involves the Police Service. Some of these people may not be involved in Troubles-related stuff. It may well be that he or she is threatened because they are giving evidence or by criminal elements. There are all sorts of reasons. The Victims' Commissioner is doing a good job. There needs to be consideration from a legal and policing aspect. Other Departments that are involved, for instance DSD, which operates the special purchase of evacuated dwellings (SPED) scheme, also need to be clear that there is a clear definition for somebody coming along.

The police are now obliged under human rights legislation to act on, for instance, a threat message, no matter what source that comes from. It may be simply a telephone call or an anonymous message, but the police are obliged to go to the individual and say, "Look, we have received this message." I see real dangers in that in respect of a list of people who come along. Some victims' groups were dealing with some of those people, helping them out or signposting them to various areas, and that was stopped. It is important that there is a review of how that works. The statistics show that the number of people moving under SPED is low. Pots of money are made available to the Housing Executive. I do not know what the figures are currently. I urge that that area is looked at because there is a real danger that everybody comes along and says, "The police were at my door last night and told me they overheard a telephone call or somebody saying something —"

Mr Bell: I have had one of those calls where I was not allowed to return home. I got a phone call to my mobile saying that I was not allowed to return to my home and that I was under threat of imminent attack. In fact, I got three PM1s, which I think is what I think you are referring to, under human rights legislation to say that at various times that I had to drive to the nearest police station and that I was going to be targeted that night.

Mr Spratt: We need to be careful, Minister, that there could be an epidemic.

Mr Bell: I understand.

Mr Spratt: That is what I am concerned about.

Mr Bell: I hear the concerns that you raise. I appreciate how difficult it is for people. I know myself how it feels to get a call from your wife on your mobile phone when you have primary school children and a nursery school child in your house, and you are told that you are not allowed to return home and have to drive to your nearest police station. I drove to the nearest police station and every car that passed me gave a significant level of individual trauma. I have suffered that; I had three of them, one for a parcel bomb. I have never been attacked or hurt in the way that many victims have been.

We hear, too, what you are saying, Mr Spratt, about continuity of care, particularly about work that has been ongoing and files and therapeutic files being passed on. We hear those concerns. Specific individuals under threat is a complex area. The Committee wrote to the Department in relation to that, and we will respond in due course. It requires careful consideration. We are taking legal advice on that matter.

The Victims and Survivors Service, as it sits, does not have a remit or mechanism to provide funding to an individual on the basis that they are under a paramilitary threat. However, the Victims and Survivors Service can provide certain victims and survivors with support and assistance under the individual needs programme. The Department of Justice, via the Police Service of Northern Ireland, and the Department for Social Development, via the Housing Executive, also have their responsibilities to provide support to people under threat. The Housing Executive has the statutory duty to assist people who find themselves homeless, including people who have become homeless as a result of intimidation.

The Department of Justice has advised — it is important for MLAs if this comes through to them — that, in the event of an emergency when someone has an immediate concern about a threat, obviously the first port of call is a phone call to the Police Service of Northern Ireland via 999. In other circumstances, the person should contact their nearest police station, where crime prevention officers can provide advice.

Ms J McCann: In terms of individuals under threat, a sensible and commonsense approach may be to signpost them to other services that are there for them. There are services, particularly within DSD and DOJ. That would be one approach. Your point about information is something to consider because we have a concern that we want to make the process as easy as possible for victims and survivors and not to add to their burden. Having that information filter through in any of the engagements that we have with other Departments is, hopefully, what we are taking forward.

Mr Spratt: Can that, in some way, be built into the current assessment so that there are very clear guidelines for what happens as soon as a person is flagged up as having mental health problems as a result of being a victim? Can we make sure that that is done through a paper medical process as opposed to re-traumatising individuals? That was a big point that was made by all the people who have been in front of the Committee and, indeed, the commissioner. Another issue was that even the VSS was asking for simple things, such as a death certificate, which just set somebody right back to something that happened years ago. I merely make that point. However, it is imperative that the mental health issue is dealt with in this process to make sure that there is no re-traumatising of individuals.

Ms J McCann: Certainly.

Mr Bell: We will make sure that the commissioner is aware of that; and, as you said, the death certificate issue has been addressed.

The Chairperson: You mentioned and acknowledged that we met and wrote to you — I think it was on 23 October — regarding individuals under threat from paramilitaries and whether they could access support through the 2006 Order and be taken on board by the VSS. Just to be clear, Mr Bell, if I heard you right, you said that the Department is seeking legal advice on that issue. We were previously given to understand that the commissioner was seeking legal advice. Are there two legal consultations under way?

Mr Bell: It is the commissioner's advice that we are seeking.

The Chairperson: So there is one process. OK. I have a couple of quick-fire questions, if I may — two or three of them on finance. There was a previous question about whether the running costs of the Victims and Survivors Service exceeded the combined costs of the memorial fund and the CRC victims' service. Do we know whether this is more expensive or less expensive?

Mr Bell: Just give me that question again, please.

The Chairperson: Are the costs of the Northern Ireland Memorial Fund, added to the costs of victims' services in CRC, more or less expensive than the costs of running the Victims and Survivors Service?

Mr Bell: I do not have those specific financial figures, but I will get them for you as soon as I can.

The Chairperson: No problem. Thank you very much.

The forum services group raised two areas: payments for the over-60s, which were available under the memorial fund, and support for siblings of those who had died. Do you take a view on that or are you leaving it to the review by the commissioner?

Mr Bell: It is my understanding that that falls under the review, but the issues of the over-60s and siblings are being specifically considered.

The Chairperson: OK. Last week, there was some concern about what will happen after Atlantic Philanthropies and Peace III. Are you actively looking at the funding implications?

Mr Bell: Yes. We are aware that a number of victims' groups were in receipt of Peace III funding. We will not be in a position to decide how best to support them during the interim until we know what the elements of Peace IV will be. I am given to understand that the continuation or cessation of Atlantic Philanthropies funding is not likely to affect victims' groups.

The Chairperson: OK. That is interesting. Data protection is my final point. I think that there were seven missing files and a concern that the data was being retained for no discernible reason and, indeed, that personal information might have been sent to external organisations. Is that on your radar?

Mr Bell: It is not. We set the policy and the direction, and that is an individual operational matter. If you give it to me, I will certainly seek to try to provide you with an answer through the relevant body, which is the VSS.

The Chairperson: These were issues raised by the forum working group, which came to visit us.

Mr Bell: Let me ask the VSS to reply directly on that. Was it seven missing files?

The Chairperson: That was mentioned. If Alex Bunting is representing the forum on your group, that should cover it.

Mr Bell: If it does not, come back to us and we will try to deal with it.

Dr McMahon: All those issues that were raised by the commissioner are being looked at part of the independent assessment. The commissioner is looking at that very carefully.

The Chairperson: The only other issue was to see whether we could agree on a more regularised formal change to our engagement. Are you willing to look at, for example, quarterly meetings?

Mr Bell: We will take a look at it.

The Chairperson: Is that a political answer?

Mr Bell: I think that today has been very useful in a number of ways. I appreciate, Chair, that you contacted us immediately after December. There were important issues, and we are now back in

January. That shows our willingness to be with you. Jennifer and I will be as positive as we possibly can about coming back in front of you and give you as much information as we possibly can.

The Chairperson: Quarterly reports on the Programme for Government, for example, would be useful.

Mr Attwood: I make it very clear that I think that you should be saying today that you will come to the Committee at least four times a year. I do not think that there should be any uncertainty, doubt or ambiguity about that. Given the scale of business that you are involved in and the scale of the backlog that we are involved in, it seems to me that you should be making that commitment unambiguously today with no ifs and no buts.

Mr Bell: We will certainly come back. I do not want to set an arbitrary date of a certain date on a certain time, but, on all of the important issues at all of the important times, we will be here in front of the Committee.

The Chairperson: I appreciate that commitment. It might be nice if it were either you or the principals who are locking into the Programme for Government, so that there is a logic to it.

Mr Bell: It is an important issue. I accept that.

The Chairperson: Once again, the whole Committee is very grateful that you responded quickly and positively to the request and that you came back today. Thank you all very much indeed.