



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

Withdrawal of Funding for the RUC George
Cross Widows' Association:
Department of Justice

2 July 2014

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)
Mr Raymond McCartney (Deputy Chairperson)
Mr Sydney Anderson
Mr Stewart Dickson
Mr Tom Elliott
Mr William Humphrey
Mr Seán Lynch
Mr Alban Maginness
Ms Rosaleen McCorley
Mr Patsy McGlone
Mr Jim Wells

Witnesses:

Ms Eithne Boyle	Department of Justice
Ms Rosemary Crawford	Department of Justice
Mr Eamon Jones	Department of Justice

The Chairperson: I welcome Rosemary Crawford, the deputy director of the policing policy and strategy division, Eamon Jones from the policing strategy and support branch and Eithne Boyle from the Department of Justice. You are all very welcome to the meeting. Obviously, you have had an opportunity to hear what has gone before. The session will be recorded by Hansard. Rosemary, I will hand over to you.

Ms Rosemary Crawford (Department of Justice): Thank you, Chairman, I very much welcome the opportunity to present to the Committee the Department's position on the funding of the RUC George Cross Widows' Association.

At the outset, I would like to make it clear that the Department and the Justice Minister remain fully committed to the support and fair treatment of victims, police widows in particular. The Minister has affirmed his position on that on a number of occasions, and it is evidenced through, for example, the financial support that is provided by the Department to the Northern Ireland Police Fund, which provides support to police families who are suffering as a result of terrorist attacks. The fund supports eligible police widows by providing financial assistance to those in need and to enhance their quality of life. Over the last four years, widows have received payments and services from the fund to a monetary value of just over £1.6 million. That funding will continue to be provided by the Department via the Police Fund. The new designation of the RUC George Cross Widows' Association will have no impact whatsoever on that funding.

Turning specifically to the association, I understand that members have had sight of the Department's 25 June paper, which sets out the current position on the funding arrangements. It may be helpful if I summarise how we got to this position and what it means in practical terms for the association. Colleagues and I will then be happy to answer any questions that the Committee may have.

The association was established in 1980 by the then Chief Constable, Sir John Hermon, to promote:

"the social wellbeing, friendship, health ... and leisure of police widows, and to strengthen and extend facilities for their children."

In 1999, in line with recommendations 87 and 88 of the Patten report, the association was directly funded by government. Prior to the devolution of policing and justice, the association received funding from the Northern Ireland Office. This relationship with the association was one of the many functions that transferred to the Department of Justice.

Following devolution, and in order to fulfil our governance responsibilities in line with guidance from the Department of Finance and Personnel, the Department of Justice undertook a review of all arm's-length bodies. It identified a number, including the widows' association, which had never been formally classified. All Departments have a responsibility to ensure that the bodies that they help to establish or have an ongoing relationship with are correctly classified and accounted for, and that appropriate oversight and governance arrangements are in place and followed. This is vital, and increasingly so in the current financial climate, to safeguard the public purse and ensure value for money and proper accounting for all spend.

To determine the status of the widows' association, the Department submitted the requisite classification questionnaire to the Department of Finance and Personnel. Such decisions are the responsibility of the Office for National Statistics, in line with Treasury guidance, but for Northern Ireland bodies this may be delegated to DFP. The classification questionnaire requires details of the nature of the organisation and its relationship with government. The key questions include the following. Does government have legislative and regulatory power to determine corporate policy? Does the Department appoint the directors or have the right to be consulted on appointments? Does the sponsor Department control or approve directors' pay? Do the conditions attached to the grant-funding agreement give control to the sponsor Department? In the case of the widows' association, the answer to each of those questions was no.

On 9 April 2013, the Department was notified of the DFP classification assessment committee's recommendation, which determined the association as being in the private sector. As a direct result of that decision, the association was no longer considered a public body and, therefore, not a function of government. In consequence, the Department could no longer provide automatic funding to the association. The appropriate mechanism now available to the Department is via the grant application process. This decision was communicated to the association on 22 April 2013.

Annex A to the written paper that was submitted to the Committee on 25 June sets out the timeline of events since the classification decision was taken. This demonstrates the efforts that the Department has made in order to support the association in adjusting to the new relationship with the Department. Officials convened five meetings with representatives of the association between 22 April 2013 and 9 January 2014. At each of these meetings, officials offered advice and guidance on the grant application process, and offered to support the association to submit an appropriate application. At the meeting on 22 May 2013, officials suggested that the association might wish to seek some consultancy support to help it manage the transition to a private sector body. Officials indicated that, should the association wish to go down that route, the Department would help it to make the necessary contacts. No request for such support was received.

In making a grant application, all bodies need to focus on providing information about what the funding will be used for, the outcomes to be achieved, how those outcomes align with the aims and objectives of the Department from which funding is being sought, and demonstrate value for money for the public purse. After numerous attempts, a grant application was received on 14 November 2013, but it did not provide sufficient information to enable the Department to make an assessment. The Department convened three meetings with the association between December 2013 and early January 2014 to seek to resolve this issue. Officials have made several attempts to obtain a complete and properly costed grant application; however, despite being told that one was nearing completion, this has yet to be received.

The Department remains willing and available to continue to support the association in whatever way it can, but it must be mindful of its responsibilities to safeguard the public purse. The grant application must originate from the association and demonstrate the extent to which an award would further the aims of the Department in a way that represents value for money. I hope that that is helpful, and I am happy to take any questions.

The Chairperson: Thank you very much, Rosemary. In the review undertaken by the Department of the arm's-length bodies, how many were identified as needing to be reclassified, or the question at least asked?

Ms Crawford: First, the review covered all the Department's arm's-length bodies. In that process, three were identified as not having been classified. Those three then went through the same classification process with DFP.

The Chairperson: And all three of them were reclassified as private sector?

Ms Crawford: That is correct.

The Chairperson: What about the emails referred to earlier? Eamon, maybe you want to address this. The association says that both an email version and hard copies were sent, but the Department is maintaining that they were never received.

Mr Eamon Jones (Department of Justice): I share the frustration and perplexity of the association in terms of the applications that were sent through. I am the lead official responsible for engaging with the association on the matter. It is something I took very seriously; I took personal responsibility for it. When I was aware that we were advised by the association that an application had been emailed through, I made sure to check with my team first that nothing had been received by it. I checked with our IT people as well to make sure that we had not missed anything in terms of any emails coming through. Once I was satisfied that nothing had come through from our side and I had double-checked with our IT team, I went back and engaged with the association and advised it that we had not received anything. I had been in contact with it quite regularly to see where we were and whether it had sent applications in.

Ms Cochrane mentioned that hard copies had been mailed as well. Again, I was in touch with Ms Cochrane on that, and I waited for the post to arrive. I alerted our reception front-desk people to any packages or mail that might come in for me, but nothing arrived. Obviously, the Department takes that very seriously. I was concerned in terms of information assurance; any applications might have some personal details, and potentially sensitive information may be lost in the post. Again, I asked our office and location to do a review to double-check that nothing had been received. Again, nothing has been received by us by email or hard copy since the first application, which was sent in November. As I said, because of my personal responsibility for this, if anything had come in, I would have received it.

The Chairperson: And nothing was ever provided at any of the face-to-face meetings? I take it that, if there were a face-to-face meeting, you would take the application; it does not necessarily need to be posted, left at reception or emailed.

Ms Crawford: No. It is fair to say that the Department has huge sympathy for the issues at stake. We are very keen to work with the association to get it to the point where we are able to give it a grant. As Eamon said, we undertook a detailed review of all our records. We can find no evidence that this has ever been received. The association has been unable to share with us any documentary evidence to demonstrate that it had been.

The Chairperson: Have you been aware of the requests to meet the Minister? Have you advised the Minister of how to respond to them?

Ms Crawford: Absolutely. As soon as we heard of the issue being raised, we checked with the Minister's office. The Department is very proud of its good record in terms of access to the Minister and, in particular, replying to freedom of information (FOI) requests. We took it very seriously. We checked all the records. Again, no request for a meeting has been received, and no FOI request has been received. The Minister is very clear that his door is open to anyone. I know that he would be very happy to meet the association if a request were received.

The Chairperson: So, in terms of how we move to the next step, what exactly needs to be done? What can the Department do to facilitate a resolution?

Ms Crawford: We need to receive a properly detailed and costed grant application from the association. Officials remain willing and available to sit down with members of the association to help them to complete a fit-for-purpose application form.

Mr Humphrey: As someone who, at the time, was opposed to the Patten proposals, none of this gives me any confidence that they were right. When you look at the scenario from April last year to January this year in terms of communication, the whole debacle — that is what it is — is embarrassing for the Department. This is not the Boy Scouts or the Boys' Brigade; this is the RUC George Cross Widows' Association we are talking about, which, as Mr McGlone has said, was specifically mentioned in the Patten proposals which were agreed by the political parties at that time. Their protection is there, and clearly the Department needs to look at this very seriously.

Can I ask you a question, Rosemary? I have listened carefully to what you said. What happened to the £19,000 in the drawdown? Where is it? They were £19,000 short in the drawdown; they did not get that. Why was that?

Ms Crawford: I think maybe it is helpful to make clear that, before this classification exercise was embarked upon, we engaged with the association to let them know that we were about to embark upon this process. Officials kept them informed throughout. That process started in 2012. As soon as a decision was taken that the organisation was classified as being in the private sector, at that time, the only mechanism available to the Department was to provide funding through a grant application. Patten's recommendation was that the organisation should be funded by government. That is still the case. All that has changed as a result of the classification is that the mechanism for securing that funding and drawing that money down has changed. The only mechanism available to us to provide money to the association is through that process.

Mr Humphrey: In terms of the process that you say you had gone through, very clearly, in terms of this organisation and its work, it has been stated here by the ladies that they are a voluntary organisation. They do not have — as many of the organisations that come to your door have — a coterie of employees who can pull together these applications. They have no full-time staff at all. They are working on a purely voluntary basis. They are a benevolent organisation, dealing with women who have suffered tragedy in their lives throughout the Troubles, and continue to do so. So I would have thought that this would have been an application that — given the political protections that this organisation has from Patten and that flow out of Patten — should have been a priority for the Department. Danna Cochrane said to us in the evidence that she gave that she spoke to Sammy Wilson when he was Finance Minister, and he in turn spoke to David Ford and asked him to make a special case for the widows' association. Was that ever done?

Ms Crawford: I am not aware of the detail of that. It is certainly something that I can check in the Department and come back to the Committee on, if that would be helpful. But I think —

Mr Humphrey: Sorry, can I just come in? If you would have been aware of it, you would be telling us that it happened?

Ms Crawford: Absolutely.

Mr Humphrey: So it did not happen?

Ms Crawford: I am not aware of it happening.

Mr Humphrey: I will make the assumption, then, that it did not happen. I would be very interested, and I am sure the Committee would be interested, to find out why it did not happen and to know, as quickly as possible, why it did not happen.

Ms Crawford: What I can outline for the Committee, which I hope is helpful, is the fact that the Department recognised that the change in classification and in the funding mechanism would be challenging for the organisation, exactly as you described. It was because of that that officials worked very closely with it to try to get this done. We were not just trying to get it funding for just one year, because it would end up having to go through this process year after year. We were trying to find a

longer-term solution for it. That was the reason why we worked with it to produce an application, and we also encouraged it to seek some support that would enable it to reposition itself as an organisation, recognising its new status, and with the possibility of making applications to other bodies as well. So our intention entirely was to ensure that the future funding of the organisation was on a much firmer footing.

Mr Humphrey: To go back to the potential meeting with the Minister, I think I picked up correctly that they asked for a meeting before Christmas and they were told that he was too busy before Christmas and that it would happen in the new year. Why did that not happen?

Ms Eithne Boyle (Department of Justice): The first we found out about any meeting or request for a meeting with the Minister was via a correspondence case that came in that had a timeline attached from the association.

Mr Humphrey: When was that?

Ms E Boyle: That was last November, and —

Mr Humphrey: So there was a request for a meeting in November?

Ms E Boyle: No. We got a correspondence case in from an MLA, and attached to the back of that was a timeline that the association had sent to the MLA to say that it had requested a meeting with the Minister. Hitherto, we were not aware of that.

Mr Humphrey: So, I do not know who the MLA is, but there was a request for a meeting. You are saying that the Department or the Minister may not have got it, but that there was a request for a meeting.

Ms E Boyle: There was no request for a meeting from the Department.

Mr Humphrey: What was it?

Ms E Boyle: It was a correspondence case from an MLA who asked us various questions regarding the funding, but attached to that request was copied in some information that had been sent by the association. It was in looking at that timeline that we saw that the association said that it had requested a meeting and, upon seeing that, private office was contacted and asked whether it could search its records to see whether there was any request for a meeting. It said that there was none.

Mr Humphrey: When was the private office contacted?

Ms E Boyle: As soon as I got the correspondence case.

Mr Humphrey: When? Was that November? December?

Ms E Boyle: Yes, that would have been November or December.

Mr Jones: If I can clarify about the correspondence case that the Department received; I think that it was around March or April just past. That was the first time that we had seen the timeline and, within the timeline, as was said, around November or December —

Mr Humphrey: So it was not November, it was March or April.

Mr Jones: No, it was in November, according to the timeline, that the request had been made to meet the Minister. We did not actually see the timeline until around April this year.

Mr Humphrey: But, clearly, you had seen it in November. You may have seen it in March, because I am getting more and more confused here, but, whenever it was seen, why on earth was nobody in the Department proactive in lifting the phone and asking to speak to the RUC George Cross Widows' Association to ask for a meeting?

Ms E Boyle: We did.

Mr Humphrey: Right. When?

Ms E Boyle: We were in email contact and phone contact —

Mr Humphrey: I am not talking about a meeting with civil servants; I am talking about with the Minister.

Ms E Boyle: But the Minister would not have been aware at this point that the individuals concerned were seeking a meeting.

Mr Humphrey: With respect, somebody in the Department should have taken the responsibility to make the Minister aware, given the organisation that we are talking about and the publicity that potentially could flow out of it and that has now flowed out of it.

Ms E Boyle: I agree, but we, as a Department, have bent over backwards in trying to engage with the widows' association. We have contacted them on a regular basis — when I say "regular basis", at some points, it was weekly — to try to resolve the issue and to have the individuals concerned come in so that we could sit round the table and talk through the application process, because it was in all of our interests to get it resolved.

Mr Humphrey: It is in everyone's interest to get it resolved, I have to say, including the Minister. I think that, whether through his SPAD, civil servants or whatever, the Minister should have been asked, through a proactive approach taken by the Department, to engage with the association, especially given the request by Minister Wilson to make a special case for it.

Finally, Mr Jones, in relation to the email that was sent to you that you said you did not get and that your team were not aware of either — you had spoken to your team — we were also told in the evidence that we got from the association that you were given a hard copy of that. Where is it?

Mr Jones: We have not received a hard copy of it. In the contact that I have had with the association, I was advised that a recorded delivery hard copy had been sent by post.

Mr Humphrey: When were you advised of that?

Mr Jones: That was back around early May. I do not have the exact date, but I think that it was around early May. I was in touch with Ms Cochrane, who advised that she had sent through a hard copy by recorded mail. Obviously, I had kept a close eye out for it, and when nothing had come after a few days, I got in touch again to see where it was and to ask if the association could track it. Following that, I received a letter from Ms Cochrane on 26 May saying that the association could not ascertain the whereabouts of the hard copy version that had been sent. It also advised that its PC, which had the document copy, had broken, and it could not be retrieved.

Mr Humphrey: When would you have been expecting the original email? What timescale are we going back to when the email did not appear? When were you expecting that?

Mr Jones: If I could just go back slightly, we met the association back on 3 December to again engage with them, talk about the application and provide support and assistance on what that should look like. I thought that that was a very productive meeting with the association. We followed up with them in December and early January to progress the application. From that, we were expecting an application to be put in shortly thereafter. As I said, following that, we had not received anything and we got into whether or not it was the case that emails had been sent. We checked; nothing had been received, and there was nothing in hard copy.

Mr Humphrey: You met them in December and were expecting a follow-up to that in the new year. They argue that an email was sent. You say that you did not get it. At what point was the Department proactive in saying, "We did not get the follow-up; we better make contact"? When did you do that?

Mr Jones: I have been in regular contact with the association throughout the period from January to March or April, and up to the current point. We had been expecting an application and would have

welcomed an application. When we did not get anything through and understood that an email and hard copy had been sent that we did not get, I was in touch directly with Ms Cochrane to see what the situation was. It is not the case, Chair, that the Department has not engaged with the association on this. I personally have engaged with it, and my team has engaged with it to find a resolution to this and try to get an application.

Mr Humphrey: Can I just say, Chair — I am finished now — that this whole thing is very unseemly. It is causing added stress and distress to the association, particularly the officer members who are here today. I implore the Department, right to the level of the Minister, to get this matter addressed once and for all, and to stop the association continually having to reapply. It is protected by a political agreement from years ago. The resource that should be afforded to them out of that agreement is there for a reason. I really think that the matter needs to be resolved, and expeditiously.

Ms Crawford: We all share the same desire, in that we want the same outcome. The Department and officials have worked extremely closely with the association to get to the point where we can fund it, not just on a yearly basis but through opening up opportunities for it to be able to secure funding on a longer-term basis and to apply to other organisations. We remain absolutely willing and available to meet the association again and provide whatever support and help we can.

Mr Humphrey: Can you come back to us on the special case that Minister Wilson asked the Minister to do? Was that ever done, and, if not, why not?

Ms Crawford: Yes, I will make enquiries.

Mr A Maginness: I just hope that this can be resolved expeditiously. It really seems a bit silly that this impasse has developed.

I want to follow up on one point that Mr Humphrey made. I agree entirely with him, and think that Mr McGlone made a similar point. This is a recommendation from Patten, and it is important that it be upheld. There is, in my view, a duty on the Department to finance the organisation, by whatever means possible and through whatever mechanism. I assume that you agree with that.

Ms Crawford: Yes, absolutely. I do agree. The Patten recommendation in no shape or form will be set aside. As I said earlier, the association is still able to access funding directly from government. The only change as a result of the classification exercise is the mechanism.

Mr A Maginness: Yes, the methodology. I want to make one point on that. There should be an application for a grant from the association. It is a voluntary association of ladies working together in solidarity to support one another and so forth. It does not seem to me that the organisation carries out extensive, sophisticated, elaborate work. It is very valuable work, but it is not the most complex — perhaps the net value of that is greater. Why, therefore, is it necessary to have what you term a detailed and costed grant application, over and above just a simple application — "We are doing x, y or z, please give us the money?"

Ms Crawford: At the end of the day, regardless of the amount spent, the Department is held accountable for the use of any funding that it allocates. We follow the DFP guidelines in relation to all of that. In terms of the application process, there needs to be clarity around the objectives of the organisation, how it is going to further the aims of the Department and how it demonstrates value for money.

The application form that was received had no costed information in it. Colleagues sat with the association and talked through precisely what was needed in the form in order to be able to produce an appropriate application that could then be considered. However, the one form that we received was not in a state that we could consider.

Mr A Maginness: And then the issue of having a consultant to assist the organisation?

Ms Crawford: Again, that was simply in recognition of the fact, as you indicated, that this was a voluntary organisation that might find the processes challenging and difficult. We wanted to make sure that we could support it as best we could. We suggested to it that if it were to engage consultants, it could look at its longer-term aims and objectives, produce quite a robust position statement on those, and then be in a position to seek funding from not just the Department but other

sources as well. Money was set aside in the Department in anticipation of that application being received. It was never received.

Mr A Maginness: Right, thank you very much. I have to leave now to attend to a delegation; apologies.

Mr McGlone: I think quite a bit of the stuff has already been answered, but just to run you through all this stuff again to get it clear in my mind — probably in the amount of time that we have spent on this today, a few of us, along with the interested parties, could probably have knocked together an application for them, just based on what I am hearing.

Now, two or three things. First of all, there is a commitment in principle from the Department to support this organisation, in compliance with Patten recommendations.

Ms Crawford: The Department would welcome a grant application from the association that meets the requirements.

Mr McGlone: Grand. I want to tease out the requirements. I have filled out quite a few of these myself. From what I am seeing and from what I heard from the ladies who were here, quite a bit of their stuff is travelling to events, so there would be expenditure on travel. There are also social events for people, and their extended families, perhaps, who find that that sort of common bonding or coming together is part of the shared experience and helps them to support each other, so there are costings for that, and costings for other things that might add to that. We heard of a number of events that people attend, so it is basically the costings for those, and probably a wee bit of a preamble to say how that contributes to the aims and objectives of the organisation and to its mission statement. You are not looking for 20 or 30 pages of stuff, I presume.

Ms Crawford: No, absolutely not. It is a standard application process. As I said, colleagues here sat down with representatives of the association and explained each element of the form and what was required.

Mr McGlone: Is that £10,000 still there for the organisation if it wishes to avail itself of it?

Ms Crawford: It was money that was set aside quite some time ago when we were having those conversations with the association in anticipation of receiving a grant application. Because of the time lapse and the fact that that application has not been received, that money has now been reallocated. As I said, however, the Department will look favourably on an appropriate application from the association.

Mr McGlone: An appropriate application for which? We are dealing with two applications now.

Ms Crawford: If they wish to go down the consultancy support avenue, we remain willing to consider that as well.

Mr McGlone: So the Department is favourably disposed to an application for the ongoing work. If a bit of work is required on adapting the needs of the organisation as they stand at the moment — we heard from the ladies there about people who were, say, members of extended families of PSNI officers — a consultant could be brought in to deal with the long-term viability of the organisation and help it to present proposals. Is that what that consultancy is for?

Ms Crawford: It is entirely up to the association to decide whether or not it wishes to go down that route.

Mr McGlone: Right.

Ms Crawford: From the Department's side, we thought that that would be particularly helpful, because it would mean that the association could look at that broader picture and give itself the opportunity to get funds from other sources.

Mr McGlone: Right, OK. Grand. Thank you.

Mr Dickson: I will follow on from Mr McGlone's point, and I want to be absolutely clear. Given that the issue goes beyond the DOJ, is the money for consultancy support to help the association to make an enhanced application still available, and is it not part of the grant? In other words, people will not be using part of their own grant to fund the consultancy work.

Ms Crawford: The expectation was, if the association chose to go down that route, it would make an application. At that time, we had set money aside. Given the passage of time —

Mr Dickson: I understand that, but are you willing to look at that again?

Ms Crawford: Yes.

Mr Dickson: One message coming out of today's meeting is that, if it is the association's will, it should be encouraged to get someone to assist it to complete an application form and to get it into the Department as quickly as possible. I presume that you have inherited a £38,000 budget from the NIO and that you have set aside £38,000 for the association. Have you?

Ms Crawford: It is interesting that you mention the fact that we inherited this from the NIO. Quite frankly, the problem is that we inherited it from the NIO, and it had not classified the organisation. It is because —

Mr Dickson: We are where we are, but have you set aside today's equivalent of £38,000?

Ms Crawford: Money has not been specifically earmarked for that, but an application would be considered.

Mr Dickson: You are not going to say to the association that it can have only £100. In your meetings with the association, will you indicate clearly that a sum similar to the sum you received from the NIO — based on a bona fide application, of course — will be made available to it?

Ms Crawford: We would expect that, in the application process, the association would make a case for funding, which would be considered by the Department in the round in light of other pressures and ministerial priorities.

Mr Dickson: Is there anything that the association was doing when it received the money from the NIO that today would not meet DFP guidelines? Has that been explained to the association?

Ms Crawford: The entire process has been explained on a number of occasions.

Mr Dickson: Is there anything in today's guidelines that would preclude —

Ms Crawford: As I recall, the main focus was the fact that, since the organisation was first established, some of its aims and objectives are now no longer valid. For example —

Mr Dickson: That is to do with the constitution being revised, but that does not cost money; that just takes a wee bit of time.

Ms Crawford: In a focused application.

Mr Dickson: Is there anything that the association was doing practically in the distribution of the £38,000 that it could not do today?

Ms E Boyle: The Department and the association realised that some aspects of the application form did not represent proper use of public money today.

Mr Dickson: So, under the new DFP guidelines, some things cannot be done today that were done in the past.

Ms E Boyle: Yes.

Ms Crawford: That is the key point. All we are trying to do is to ensure that, as a Department, we can genuinely stand over the issue and show good governance.

Mr Dickson: Is it equally fair to say that the association could do things now, under the new DFP guidelines, that it could not have done or was not doing in the past?

Ms E Boyle: That is correct.

Ms Crawford: That may be the case.

Mr Dickson: There is a trade-off in that there may be things that the association cannot do now, but there are other ways to do those things or to do things differently. Consultancy support could be helpful in that area.

Like virtually every member around this table, I encourage the widows' association — I am glad that its representatives are here to listen to this conversation — once the departmental officials have been dismissed, to get the diaries out and sit down with them in the corridor to see what they can do, on the basis of the conversation that we have had here today. I sincerely hope that, with goodwill on both sides, there is encouragement for the association to get some professional help. It may even be that there are people who are willing to deliver such professional help at no cost or very little cost to the Department and to help the association to make the application. I am quite sure that there are people and organisations of goodwill out there; I do not intend to name them publicly, but they can deliver that service to the association and help it to make a competent application to the Department. That will allow the resources to flow and the good work to continue. When this meeting is finished, I encourage you to do that.

Ms Crawford: Absolutely. We have no difficulty with that whatsoever. As I said, the Department is hugely sympathetic to the association's work. We have gone to considerable efforts to get to the position where we can fund it. Our door remains open, and we are more than happy to continue to engage.

Mr McCartney: Thank you for your presentation. It is clear that the Department has no issue about an application. There is clearly a funding stream for the type of work that the widows' association does. I will ask a couple of questions about the process. When the groups were being classified or reclassified, the word "private" was used. What other classifications can there be? Is there a classification for voluntary, or is it just public and private?

Mr Jones: In that case, the term "private sector" is quite misleading. It is not the private sector as you understand it; it is either public or not public. "Private" includes voluntary sector bodies.

Mr McCartney: That is fine. It was said that three groups had to be classified or reclassified. Do we know who the other two groups are and how they responded? Have they been able to engage with the process?

Ms Crawford: As I said, we reviewed all the arm's-length bodies. We identified just three that had not previously been classified by the NIO: the widows' association, the Prison Service Trust and the Prison Service Benevolent Fund. In each case, the DFP process identified them as being in the private sector, not government.

Mr McCartney: Were the other two organisations able to streamline themselves to make applications?

Ms Crawford: The Prison Service is going through a process with them. It has been engaging in exactly the same way as we have with the widows' association.

Mr McCartney: Stewart and others have said this: when powers were devolved, why were the groups reclassified?

Ms Crawford: To be clear, it was not that they had to be reclassified; they had never been classified in the first place.

Mr McCartney: Perhaps if they had been classified, the process would have been —

Ms Crawford: My guess is that, had they been classified in the first place, we would still have looked at them because the new Department of Justice was looking at all bodies.

Mr Anderson: Thank you for your presentation. Rosemary, you tell us that you recognise the problems and difficulties being experienced by the RUC George Cross Widows' Association due to the changes and that you have worked closely with it. If that is the case, why are we, as my colleague said, in this debacle today? The issue has not been resolved. That close working relationship has produced nothing for the association.

Ms Crawford: From the Department's perspective, the timeline of events we shared with the Committee demonstrates that we went to considerable lengths to try to help the association, which is very much in recognition of the importance we attach to its work. Colleagues met the association on numerous occasions, talked through the process and explained what was needed, but, at the end of the day, we did not receive the required output. We did not receive an application that could be assessed.

Mr Anderson: On the back of that response — I have to be careful about saying this — are you in some way taking a step back and putting the onus on the association to say that it should have done more to reach a point at which the application would have succeeded?

Ms Crawford: No, absolutely not. We have very much taken a shared approach. We have tried to work with the association to enable it to put in an application. The fact remains that we cannot fund the organisation without having received an appropriate application from it. It has to originate with the organisation.

Mr Anderson: That brings me back to Eamon and the timeline for the application, should it be via email, hard copy or whatever, that has been lost. No one seems to know where it disappeared to. I am sure that the time that you, Eamon and your officials have spent trying to trace the application could have been better spent. You could have made a phone call and said, "Come up and see us. Get an application form filled in here. Give us that application". Who is at fault? Who is to blame for the application not progressing in that manner?

Ms Crawford: The only application that we received from the association, despite numerous attempts to get one, was on 14 November 2013. Officials met members of the association on 3 December, having received the application and realising that there were problems. We met again on 11 December and convened a further meeting on 9 January. We were endeavouring to get an appropriate application so that we could provide the funding. Since that time, no revised application has been received.

Mr Anderson: If the two presentations had been the other way around today, and we had had your presentation first and the association's second, I wonder what feedback we would have got. The officials from the association are still here and are listening to your evidence. I would like to listen to their responses. I know that we are not in that situation today, but I think that, if we were, we may have got different responses. Up to now, nothing has been achieved to get the organisation its money. As you said, the Department has tried everything. What more will be done to get money for the association?

Ms Crawford: I can only reiterate that we need an appropriately completed grant application.

Mr Anderson: You tell me that you are working closely with the association, but as yet you have not got that far. Who will move the situation forward? Will it be the Department or the association? Where does the blockage lie? As I said, I wish we had had the presentations the other way around, because I know that I would get a different response. Rosemary, maybe you can tell me how we move this forward.

Mr Jones: Maybe it would be helpful if I clarify some points. The last written communication contact that I had with the association was on 26 May, when there was a request for a blank application form, in recognition that the hard copy could not be retrieved and the email had been lost. I sent that through and replied on 5 June. On the back of that, I said that I would be willing to meet the association if that would be helpful. It is hugely regrettable that it has got to this stage. As I said, on 26 May, we received a letter asking for a blank application form, which we sent out a week or so later.

Mr Anderson: Rosemary has accepted the fact that you are working closely with the group, but nothing has been achieved up to now. There is a failing somewhere by someone. I am trying to work out whether it is the Department or what is coming from here. As my colleague said, it is not rocket science to send out an application form, fill it in and return it. Hundreds are being done every day of the week. Who is to blame? Where is the failing? I am trying to work it out.

Ms Crawford: All I can say —

Mr Anderson: I want a straight answer. Where is the failing?

Ms Crawford: All I can say is that the blockage, as you describe it, is in the fact that we have not received a completed grant application. As soon as we receive that, we will be able to process it in line with normal —

Mr Anderson: Has the Department done everything possible to overcome that over the past months?

Ms Crawford: In our view, absolutely. Officials have worked extremely hard and made numerous attempts to engage with the association to support its members to develop the application, rather than just receiving it from them. We have sought to help the association to get to the point at which it can give us an application.

Mr Anderson: As yet, you have not received that application.

Ms Crawford: Correct.

Mr Anderson: What does the Department propose to do to ensure that we move this forward and that the association gets its money?

Ms Crawford: As I said, we remain absolutely willing to work with the association to help its members to complete the application and to get it to us so that we can process it. Ultimately, the application has to come from the association.

Mr Anderson: Is this not a complete embarrassment to the Department? It is a yes or no answer. We talk about funding, public money and all that, but the bottom line is that it is completely embarrassing that we are sitting talking about this today.

Ms Crawford: I agree that it is hugely regrettable that we are having this —

Mr Anderson: Is it not an embarrassment?

Ms Crawford: — conversation today. As far as I am concerned, from the Department's perspective, we have done as much as we can, and we remain willing and available to continue to do as much as we can to provide support.

Mr Anderson: As Mr Dickson said, when this session is finished, and you step out the door, maybe this can be sorted out, hopefully within days rather than weeks or months. I do not want another evidence session about the association not getting its money. I hope that it is able to achieve that.

Mr McGlone: I want clarity about a couple of things. The first is the £10,000 consultancy fees, and the second is the money — I will not commit it to £38,000 because the application could be for a bit more than that — for the functions and duties. In the Department, is there a promise — for want of a better word — that that resource will be there if a suitable application is received?

Ms Crawford: Money has not been specifically set aside for that purpose, but, if an appropriate application is submitted, and the Department recognises and appreciates the value of the organisation's work, it will be considered in the round with any other applications that we look at.

Mr McGlone: I am thinking about it in the context of the Patten proposals, in which a commitment was enshrined to fund the widows' association, as was the policing and emergency services college. It is unique in that context, in so far as it was a key part of the negotiations that led to the Good Friday Agreement and so on.

Ms Crawford: That fact would certainly not be lost when the Department is considering the application.

Mr McGlone: Good. I hope that it would not be lost; I hope that it would be found. *[Laughter.]* Where I come from, they say things slightly differently.

My second point, given that we were talking about things being lost and found, relates to the duration of any potential award. What is the time period? With the best will in the world, we do not want people who have other things to do becoming annual fundraisers or annual form-fillers, which can be so difficult. We often see people devoting so much time to filling in forms that core activities become sidelined.

Ms Crawford: The application form is not lengthy or difficult to complete. However, my understanding is that it is an annual application.

Mr McGlone: It is an annual application.

Ms Crawford: We made the offer of consultancy support to widen out the objectives and the association's description of what it does so that it is in the position of not relying on one source of funding and being able to access other sources.

Mr McGlone: That brings me to my next question. Given that it is an annual application — that is probably not the best way to do it and could be looked at for the duration of the award — are other organisations in a similar position and going through the same process? Will they have to go through this annual hoo-ha of applying for funding, or are there awards for two, three, four or five years?

Ms Crawford: Unless colleagues know otherwise, my understanding is that it is an annual award.

Mr McGlone: If the nature of an organisation's work does not vary much from one year to the next, why would you ask it to submit fresh applications annually?

Ms Crawford: Any process that we ask of any organisation, not just this one, is so that we can demonstrate that, as a Department, we take governance of the public purse seriously and that we follow the rules set by the Department of Finance and Personnel.

Mr McGlone: Does that apply to all the organisations that you fund?

Ms Crawford: Yes.

Mr McGlone: Do all of them have to apply annually?

Ms Crawford: No. It depends on the nature of the organisation.

Mr McGlone: That is precisely the point that I am coming to.

Ms Crawford: The widows' association has been classified as being in the private sector, so this is the process and the regulations that DFP has set and which the Department has to follow.

Mr McGlone: All that has to happen unless it is reclassified. That being the case, what would happen if it were to be reclassified?

Ms Crawford: The Department would judiciously apply the rules that follow DFP classification, and those rules and regulations are set by DFP.

Mr McGlone: If the association were to be reclassified to what the NIO had perceived it to be —

Ms Crawford: If the association were to be reclassified for any reason, we would follow the rules and procedures set by DFP in line with any new classification.

Mr McGlone: Do arm's-length bodies (ALBs) have to apply annually for funding?

Ms E Boyle: If arm's-length bodies are NDPBs, they get an automatic drawdown based on their long-term activities. However, it is different if an organisation is classified as being in the private sector.

Mr McGlone: Absolutely, I know. If an organisation is classified differently to what it thought was its classification, that is where the problem lies.

Mr Jones: For clarification: arm's-length bodies are given an indicative allocation over a spending review period, but their in-year budgets may be subject to the competing pressures that the Committee is aware that the Department is facing this year.

Mr McGlone: ALBs, however, are guaranteed year on year that there will be core funding.

Mr Jones: I will continue your point, Mr McGlone. If the association were classified as an ALB, it would be treated in the same manner for an indicative allocation, but it would be subject to year-on-year scrutiny and in monitoring rounds.

Mr McGlone: That takes us back to two Ministers having a conversation about the issue.

Mr Jones: For reclassification, there would need to be a material change, additional evidence or a change in the structure of a body. As the Chair said, ONS and the Treasury set that out. Unless there is a significant change in the structure of a body, reclassification would be difficult.

Mr McGlone: I know that they set it out, but I thought that DFP classification bodies did the assessment. Was that not in your briefing paper?

Mr Jones: Yes, that is correct. In this instance, the DFP classification committee undertook the exercise, but, at national level, it is the Office for National Statistics and the Treasury.

Mr McGlone: Maybe some of the consultancy work could come in as well.

Mr Humphrey: Subsequent to my contribution, a couple of points emerged from your answers. Assuming that this conversation with the Minister happens, I do not see how organisations of the nature that we have had described to us today can in any way be seen as being in the private sector. A private sector company is there to make money. The widows' association is a benevolent organisation that provides a unique service that no one else can provide, so it should be remembered that it is a voluntary organisation in every way.

Given that these ladies have presumably been organising activities at their own expense due to funding not coming through from the Department, can the funding be made retrospectively? Will you check whether that can happen? If the association is redesignated as a non-departmental public body, as it should be and as other members identified — I have been on the board of an NDPB — they get a drawdown each year. Could it be a drawdown for the term of the Assembly, for example?

I will use an example. The Ulster-Scots Agency came out of the Belfast Agreement and is a non-departmental public body — an arm's-length body. The widows' association came out of the Belfast Agreement eventually with the Patten proposals. There is no reason why it could not be treated in the same way. Then there would be none of this nonsense of having to make an application each year. In a five-year Assembly term, you would have spent £50,000 on consultants — £10,000 each year. That money could go to the organisation and be offset against its grant allocation.

Ms Crawford: Our estimated cost for the provision of consultancy support was a one-off arrangement that would have put the association in a position whereby it did not have to rely solely on the DOJ as a source of funding.

Mr Humphrey: I will go back to Mr Maginness's point. Given the nature of the application, it will not change much year on year. It would not have changed much this year from last year, but a consultant is required; that is my point. If it could be redesignated as a non-departmental public body — an arm's-length body — that is the way forward. It cuts out red tape and saves the taxpayer money, and you are still being extremely frugal with taxpayers' money through your Department's expenditure. Given that the association and the way in which it is being treated came out of a political agreement, why have you not ring-fenced the money?

Ms Crawford: To go back to the point about classification, the Department of Justice did not take that decision. The decision was taken by the relevant committee in the Department of Finance and Personnel, following Office for National Statistics and Treasury guidelines.

Mr Humphrey: I know that, but earlier we —

Ms Crawford: We did not choose the description.

Mr Humphrey: I accept that. Earlier, we established that Mr Wilson spoke to the Minister, and you are going to revisit that. If the association could be redesignated, that is the way forward. If you make it an arm's-length body of the Department, that would allow you to do that. No one else can do it — it is as simple as that — and they are protected by a political agreement.

Ms Crawford: Unfortunately, we are bound by the national and local regulations that are set by the Treasury and DFP. That process classified the association as being non-public and private.

Mr Humphrey: You are not bound by those regulations if the association becomes an arm's-length body. You would still have the protections that you require, as stated in your evidence.

The Chairperson: Hopefully, the issue can be resolved because I really do not want another meeting about £38,000. Make it a special case. At the moment, in my view, it just does not fit into a nice neat box for a civil servant to tick. Redesign the box. It is your job as officials to do that, and if you need the Minister to make a special case to DFP, get him to do that. The association is not a normal private sector organisation; it is a special group, so get a special provision — it happens all the time in organisations — rather than just saying that the association needs to fill out the form and then you will consider it.

I am not reassured by a lot of the language about competing priorities. That is not the language of a Department that recognises that a special commitment was made in the Patten proposals to provide funding. The Department is telling the association to make an application and that it will consider it along with other priorities, and it will be sympathetic. I do not think that that type of language reflects the status of the association. Therefore, you need to design a facility to channel money to an organisation that is doing very good work for its members.

You talked about safeguarding the public purse. Association members' lost loved ones safeguarded the public. That is the priority. Officialdom needs that type of mentality to find a system that fits around the association rather than saying that it does not fit a particular box so it cannot be ticked. My hope is that, in the outworkings of this meeting, the issue will be dealt with and resolved. It does not help the association or the Department to have such a fraught relationship. Let us try to get it resolved.

Ms Crawford: May I say that, in terms of the relationship, as officials and as a Department, we have absolutely no difficulty in continuing to work as best we can with the association to get this to the conclusion that we all hope to see? The Minister has also been very clear about the priority that he attaches to the importance of ongoing support to victims and, in particular, to police widows. When the issue is considered in the Department, it will be in that light.

The Chairperson: Thank you very much.