



Northern Ireland
Assembly

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

OFFICIAL REPORT (Hansard)

Victims and Survivors Issues:
OFMDFM Officials

25 June 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 Leslie Cree
Ms Bronwyn McGahan
Mr Stephen Moutray
Mr George Robinson

Witnesses:

Mr Ricky Irwin	Office of the First Minister and deputy First Minister
Mrs Patricia McIntyre	Office of the First Minister and deputy First Minister
Ms Linda Mervyn	Office of the First Minister and deputy First Minister

The Chairperson: We invite to the table Ricky Irwin, Patricia McIntyre and, from the Victims and Survivors Service (VSS), Linda Mervyn —

Ms Linda Mervyn (Office of the First Minister and deputy First Minister): From OFMDFM.

The Chairperson: From the Department's victims and survivors unit?

Ms Mervyn: Yes.

The Chairperson: Got ya. OK, you are all very welcome. Ricky, are you going to make any opening remarks?

Mr Ricky Irwin (Office of the First Minister and deputy First Minister): Yes. Chair and members, thanks for inviting us back to give you an up-to-date position on where the Department is with victims and survivors. Since I last updated the Committee, there have been a number of developments. I will start with the new structures that have been introduced to monitor implementation of the recommendations and advice emerging from the independent assessment of VSS and from the Commissioner for Victims and Survivors.

The victims and survivors' programme board has proved useful in supporting decision-making and encouraging communications between the Department, the commission and the service. As detailed in its terms of reference, the programme board has considered and discussed advice provided by the Commissioner for Victims and Survivors on addressing issues within the VSS and agreed a framework

to monitor implementation of the recommendations emerging from the independent assessment, including the commissioner's recommendations.

The programme board has monitored and reviewed the services offered to victims and survivors through the VSS, taking on board the views of the commissioner and a victims representative who was on the programme board. It has also improved communications between the Department, the commission and the service. In particular, the programme board has overseen the delivery of early changes in the VSS and agreed a strategic plan to address the structural problems within victims and survivors services.

As members of the programme board agreed that it had delivered on its terms of reference, and in light of the Chartered Institute of Public Finance and Accountancy (CIPFA) recommendations that it should stand down at an appropriate time, at May's meeting, members of the board agreed to it ceasing with immediate effect and agreed different structures to monitor and oversee delivery of the changes that the VSS needs to undertake. However, it is important to continue to reiterate our commitment to implementing in full the 70 recommendations presented to us following the independent assessment, which has also included the commissioner's advice. To this end, progress against implementation of the recommendations will continue to be regularly monitored.

We appreciate the value of the input that the groups and individual victims and survivors make. We will continue to ensure that the Victims and Survivors Service engages with them and other key stakeholders during the implementation process in order to deliver the best possible services to victims and survivors and to ensure that any changes being made are the right ones. The Committee will be aware that Kathryn Stone has left her post as Commissioner for Victims and Survivors. I take this opportunity to put on record my thanks to Kathryn for the work that she undertook here and for the clear, independent advice that she provided on matters affecting victims and survivors.

I appreciate the important role of the commissioner in promoting the interests of victims and survivors and, therefore, that it is essential that the incoming commissioner is in post as quickly as possible. Additionally, to ensure that the views of victims and survivors are considered, we have consulted with the Victims and Survivors Forum on the skills and qualities needed for that particular role. Their views will be taken into consideration when finalising the necessary skill sets for the appointment of the next commissioner.

In 2014-15, the VSS will continue to provide funding to individual victims and survivors through the individual needs programme and to victims groups through the victims support programme. Ministers have agreed that a financial assistance scheme will operate this year, and VSS has put in place the necessary steps to make that operational.

Scheme 6, the financial assistance, has opened in two phases this year. Phase 1 is for the seriously injured and phase 2 is for all other applicants, existing and new. VSS held information sessions between 2 and 6 June at eight locations across the region to advise individuals on how to apply. Those sessions were advertised in the press, on the VSS website and via VSS-funded organisations.

In relation to schemes 1 to 5 for 2014-15, the VSS has consulted over a prolonged period, with both the victims' forum and the commission regarding the criteria for the schemes. Issues were identified, and the forum was unable to agree to the initial set of proposals and expressed those views to the commissioner.

I have asked VSS to submit prioritised proposals on the schemes for Ministers' urgent consideration. I understand the frustration and anxiety of victims due to the delay in opening the schemes and, therefore, the importance of ensuring that schemes are opened as soon as possible. The Department received further proposals this week, which are under urgent consideration.

Going forward, we will continue to ensure that VSS directs funding to those victims who are most in need of support and services. To support that, the commission is commissioning research to evaluate the effectiveness of the individual needs programme and the impact of the victim support programme, which fund the groups. The recommendations from those reports will inform funding for victims and survivors from April next year.

That concludes the opening statement, Chair. I am very happy to take any questions.

The Chairperson: OK, Ricky. Thank you very much, indeed.

Maybe we will start with resignations, because it is not just Kathryn Stone. I see on the website that the chair of the Victims and Survivors Service board has resigned from his position. There is a statement on that from 23 June. What can you tell us about that?

Mr R Irwin: The Department received Peter Gay's resignation on Friday of last week. Peter has decided for personal reasons to step down from the role of chair and from the board completely. I have no more information on that beyond what you can see in the statement.

Obviously, the Department will want to act quickly. We have two processes: we want to look at how we can bring forward the role of an interim chair and, alongside that, look at a more long-term solution and a new permanent chair.

The Chairperson: How does the process for an interim chair work?

Mr R Irwin: At this stage, all I can say is that we are in discussion with the remaining members of the board. The remaining members called an emergency meeting yesterday, and I am waiting for further feedback from that to see what their thoughts are.

The Chairperson: I do not need to tell you that the WKM Solutions report stated:

"The difficulties being experienced by the VSS can be traced back to the failure to have a fully constituted Board in place at the time it opened for business."

It continued:

"This, in our view, led to a serious lack of management oversight and strategic leadership within the VSS. This negatively affected performance, delivery and, importantly, the culture within the VSS."

So, you cannot overestimate how unfortunate it is that the new chair has gone. In that context, I recall CIPFA saying that the programme board should stand aside and let the VSS board get on with its role.

Mr R Irwin: That is right.

The Chairperson: Perhaps, this is a time, more than any other, when the VSS board is not in a position to work and needs the support of the programme board.

Mr R Irwin: Obviously, these are very recent developments. The Department will move very quickly to bring forward the appointment process for the new board members. That process has commenced. Very shortly, we will be using public advertisement to recruit further board members. In light of the chair's announcement, we need to look at the arrangements for the chair. That is being looked at right now.

The Chairperson: How many board members are there at the moment?

Mr R Irwin: Three.

The Chairperson: How many are you hoping to have, including the chair?

Mr R Irwin: The recommendation in the CIPFA report was that between eight and 10 board members would be desirable. We are moving to have a board of around eight in place. That is the intention.

The Chairperson: The lower number. Is there any particular reason why you are going for eight rather than 10?

Mr R Irwin: That is the minimum requirement. However, I do not want to pre-empt the appointment process. We do not know what the level of interest will be. We will have to see how that process goes. If there are further suitable applicants who come forward and meet the selection criteria, that will have to be looked at.

In light of the independent assessment report, we have been looking at the skill set required for the role of board member. We had taken some advice from Peter Gay before he left on specific skill sets. There are certain requirements around governance and finance, and it is likely that the skill sets will be strengthened in those areas when we go out to seek further members.

The Chairperson: You also made reference to skill sets for whoever will replace the commissioner and consulting with the victims' forum. You have had Kathryn Stone, and before her you had four commissioners, which included me. I remember that part of our interview process involved presenting to FM and dFM and the junior Ministers on leadership. Before us, you had Bertha McDougall, and before her you had Sir Kenneth Bloomfield. So, there should be quite a body of knowledge built up in the Department in terms of skill sets that have been applied and how appropriate or inappropriate they have been. What are you learning from the forum?

Mr R Irwin: We have consulted the forum. That was facilitated by the office of the Commissioner for Public Appointments. The forum's input has been very useful in terms of identifying the specific criteria, requirements and individual specification that it would like to see when the advert goes out.

The Chairperson: What are they?

Mr R Irwin: Alongside what was in the original adverts from the last competition, there are some suggestions about an increased knowledge of the public sector, funding, governance and accountability. We are still in the finalisation process. I did not bring it with me, but I cannot go into any further detail on that until it has been agreed.

The Chairperson: There were some victims' representatives in the Building this week, and they expressed a concern that the Department would not be bringing forward a new commissioner in this calendar year. Can you allay those fears?

Mr R Irwin: Obviously, there are processes that we need to go through in relation to the appointment of a new commissioner. The appointment process will be regulated by the Commissioner for Public Appointments. We wanted to consult with the outgoing commissioner and get her views on the criteria. I hope that we will go to public advertisement on that post very soon. However long that takes —

The Chairperson: What is "very soon"?

Mr R Irwin: I cannot give you a date, but we hope that that will be out very soon.

The Chairperson: Does that mean within a month?

Mr R Irwin: Absolutely, yes.

Ms McGahan: Could you give us further information on the new structures for overseeing and monitoring the implementation of the recommendations from the independent assessment of the VSS?

Mr R Irwin: Sure. The new structures include a monthly victims and survivors' update meeting. That is attended by the commission, a representative from the victims' forum, OFMDFM officials and special advisers. The meeting is primarily based on a report that the commission provides in advance. That report is about what is working, what is not working and what actions need to be taken by the Department and Ministers. Immediately after that victims and survivors' update meeting, OFMDFM officials and special advisers meet and agree the resulting actions that are required. Alongside that, we still have the standard governance mechanisms of the accountability meetings, which are occurring on a monthly basis.

Specifically in terms of the new structure, once it has been agreed what actions are required in terms of, say, the independent assessment report or any other concerns that have been raised, I would write to the chair of the VSS, which we have done on two occasions now, outlining the specific issues that have been raised by the commission at the meeting. I would then expect that we would receive a response in detail from the chair or the board in relation to those issues and how they are being taken forward. We would then review those at the next meeting the following month.

Ms McGahan: When do you hope to have the process regarding the membership of the VSS board completed?

Mr R Irwin: At the danger of repeating myself, we hope that that process is going to start very soon, certainly within a month and hopefully a lot quicker than that. It may take three to four months to go through the process of advertisement, interview and recommendation of a suitable list of candidates.

Ms McGahan: OK. Just as a general question, how do you feel that you are managing changes within the VSS?

Mr R Irwin: Setting aside the fact that the chair has stepped down for personal reasons, we feel that good progress has been made across all the recommendations in the independent report. The report is not the only thing, of course. There are a number of other considerations. We have been working very closely with the commission and the service to bring forward further changes.

It is fair to say that a lot more work needs to be done. Not all of the recommendations have been implemented. The majority of them sit with VSS itself. Some of them are key issues and will require more time to get right. One example is the health and well-being review, which was going to take over from the individual needs review process. That is a process that the service has consulted with the forum and the commission on. Proposals were brought forward. Unfortunately, the initial proposals were not up to the required standard. That view was expressed to VSS, which has committed to urgently come back with further proposals. In fact, this week, it has confirmed that it will consult again with the forum on a revised health and well-being review format in early July.

There are other issues around revisions to the schemes. I mentioned earlier that there were some issues around the initial set of proposals to revise those schemes. There has been close consultation with the forum and the commission. I asked for a revised set of proposals to be put together as a matter of priority. We have received those just this week and are looking at them urgently. We will put those to Ministers as well.

There have been huge developments in the implementation of recommendations, but there remain some key issues that we need to continue to press.

Mr Lyttle: I will try to be quick. There are a few things. On the financial assistance scheme, one of my key concerns was how it was going to be communicated publicly. The detailed action plan states that one of the actions was to issue an advert to be included in the regional press, week commencing 19 May, with the objective of ensuring that the opening of the scheme and information sessions are advertised in a medium available to the wider public. Can you add detail to exactly what that was?

Mr R Irwin: I mentioned previously that there were two phases to —

Mr Lyttle: In a short way, because I have a number of questions.

Mr R Irwin: OK. The first phase was in relation to the seriously injured as a result of conflicted-related injuries.

Mr Lyttle: I do not need the phased approach; I just need what the advertisement in a medium available to the wider public looked like.

Mr R Irwin: I do not have a copy of that with me, but I do know that the VSS issued a self-declaration form to all those who received the scheme last year.

Mr Lyttle: But that is not the wider public. So, you do not know how it was advertised to the wider public then.

Mr R Irwin: I know that they held a number of information sessions, and I believe that they were advertised across the press. There were eight locations —

Mr Lyttle: That is what I am trying to ascertain: what that advert actually was. If you do not know, that is fair enough —

Mr R Irwin: I do not have it with me.

Mr Lyttle: — but if you could update us as soon as possible, that would be helpful. The communication to existing people seems to have been done reasonably well, but one of the key concerns I had, which was communicated previously, was about how people who have never heard of it before find out about it. It would be good to know what the precise nature of that advert in the regional press looked like, what press it was carried in etc.

Mr R Irwin: I could illustrate it by telling you the numbers of people who applied, including those who are new.

Mr Lyttle: How many new people applied this time round?

Mr R Irwin: There were 368 new applications issued, and 322 new applications have been received for phase 2.

Mr Lyttle: OK. That is positive.

The next objective is the same thing; it states that it is to:

"Ensure that the opening of the Scheme and the Information Sessions are advertised in a medium available to the wider public".

You can give us a bit more detail on that.

The other concern was about the resource. Given that you have an idea of applications to date, although I understand that they are open until 30 June, do you have any idea at this stage of whether £1.8 million is going to be enough to honour all the applications received?

Mr R Irwin: I do not have that detail in terms of whether it will be enough. When the closing date is reached next week, we will check that with VSS. The process agreed is that the seriously injured have already received payment. Once phase 2 is closed, they will have to determine the number of eligible applications and then look at what is available from —

Mr Lyttle: I would be keen to know about those two key things as soon as possible: what that public advertisement looked like, where it was carried and whether there is enough resource to return all the applications.

In relation to funding for victims' groups, the Department previously advised that the Victims and Survivors Service had been asked to produce a paper for the VSS programme board regarding the impact of the cessation of Peace III funding for victims and survivors' groups. My understanding is that that impact is already severe. Have you received that paper? What were the key findings, and what actions are going to be taken in response?

Mr R Irwin: The programme board received a paper from VSS in relation to the work the board had commissioned VSS to do. VSS identified a number of groups in receipt of VSS funding and Peace funding. That is still under consideration in the Department. I will not name the groups involved. It was not actually a bid or an application process for additional funding; it was merely a request to assess the impact across the services provided by those groups. There are one or two of those groups for which the Peace element of the funding is fairly substantial, so the impact will be once their funding comes to an end later this year for Peace. Services will be —

Mr Lyttle: You say later this year. Has it not already stopped for many of the groups?

Mr R Irwin: My understanding is that most of the Peace funding will end later in the calendar year, but maybe —

Mr Lyttle: I suggest that this is another serious issue. I would appreciate much more detailed information than that on the exact nature of the impact and what is going to be done in response. My understanding is that you are talking about four or five groups that work with thousands of victims and survivors. They are seriously concerned for the welfare of those people in the absence of funding.

Mr R Irwin: I understand that. The issue of Peace funding coming to an end goes beyond the victims and survivors' sector. It needs to be considered against other wider budgetary pressures as well. It is a serious concern for the groups involved, but there is no commitment to provide any additional funding at this stage, particularly when we are waiting for the outcome of June monitoring.

Mr Lyttle: That will be of sterling reassurance to all those people really concerned about what is going to happen.

The outgoing Victims' Commissioner provided advice with regards to the possibility of a Troubles-related serious injury pension. Can you give us a response to that advice and any update with regards to the consideration of that proposal?

Mr R Irwin: This issue was raised by the commissioner in her advice paper entitled 'Advice on Dealing with the Past: A Victim Centred Approach'. That was submitted to Ministers on 8 March. We recognised that there was a considerable amount of interest and backing in the sector regarding the issue. It appreciated the valuable work that was undertaken by the commissioner and the forum. That advice paper remains under the consideration of the Ministers in the Department. At this stage, I cannot go any further than that.

Mr Cree: Following the vice-Chair's comments on the actual moneys, or lack of them, has a bid been prepared for the June monitoring round?

Mr R Irwin: Yes. I believe that the Committee received a briefing from finance colleagues on 4 June. It outlined all of the June monitoring bids, including those for victims.

Mr Cree: That was three weeks ago.

Mr R Irwin: My understanding is that the position on the bid has not changed since then. It is just that there is no outcome of the June monitoring process yet. I can go over the detail of the bid, if you so wish.

Mr Cree: No, that is OK, so long as it is still in there.

The Chairperson: Ricky, what are the risks if the bids are unsuccessful?

Mr R Irwin: It would mean that VSS would not have the full budget for the delivery of its programmes, and we would have to ask the VSS board to look at the impact of that on the delivery of those programmes. That is all that I can say at this stage.

The Chairperson: At this stage, that would be three people, as opposed to the eight to 10 that the independent reports say would be the ideal.

Mr R Irwin: It would be three board members, as opposed to the four that were there up until Friday. I accept the point that additional board members need to be there. On that point, the remaining board members are very keen. As an interim measure, they are looking at options as the recruitment process for additional board members is running. One of those options is to perhaps look at a series of advisers coming on to the board. They would have no decision-making authority but would provide it with additional financial governance expertise.

The Chairperson: I am not having a go; I am just saying that it is not great to be in a situation in which you are dependent on June monitoring which, I think, is going to be extremely tight, and then not have the number of people looking at it for you that you would like to have in an ideal world.

The ownership and time frames for implementation have been broken down very usefully in your briefing papers: 54 with the service; seven with OFMDFM. How are you on your seven?

Mr R Irwin: The seven with OFMDFM have all been implemented.

The Chairperson: What about the two with the Health Department?

Mr R Irwin: I would need to check that.

Ms Mervyn: We are working with DHSSPS to progress those. We are looking at them in relation to moving forward with psychological therapies, and we have been working closely with the Department. We have also been trying to get information to the Department so that it can further develop proposals on taking that forward.

The Chairperson: It states that one is due to be implemented by March 2015. Otherwise, this calendar year seems to be the target.

Mr R Irwin: That is correct.

The Chairperson: Finally, Chris mentioned the pension for the physically injured. I know that the WAVE injured group has been lobbying all of the parties on that. The other issue, which I have mentioned wearing another hat, is the mental health and well-being piece, which, I think, is absolutely critical, not just for individuals and families, but communities. When I put that into the public domain, I was told that the Department was looking very seriously at a major initiative in that area. What can you tell me about the thinking that is going on?

Mr R Irwin: There are a number of things. We have been working very closely with the Health Department and the Health and Social Care Board. There was the immediate issue around a number of individuals who had been identified by VSS as requiring stage 2 psychological assessment. That was dealt with swiftly. A specific process was set up to have them triaged within the health sector and to have appropriate treatment put in place. That was done.

We had discussions with officials in the Health Department around how mental health needs could be provided through the health sector in the medium to longer term. There will be a lead-in time to that. As part of that work, the commissioner undertook to facilitate a round-table discussion on the future provision of trauma services as well. Unfortunately, the commissioner was not able to hold that discussion before she left, but we will pick up that broader discussion with the commission. That, of course, will feed into the development of any services from next year.

The Chairperson: Would it fair to say that, at this stage, rather than having an initiative, there is a scoping exercise?

Mr R Irwin: We have firmly tasked health officials with taking it further than that and to look at a specific business case that would cost this out. The work is moving on that.

The Chairperson: Are members content?

Members indicated assent.

The Chairperson: Ricky, Patricia and Linda, thank you very much indeed.