



Committee for Finance

# OFFICIAL REPORT (Hansard)

Administrative and Financial Provisions Bill:  
The Executive Office

21 January 2026

# NORTHERN IRELAND ASSEMBLY

## Committee for Finance

### Administrative and Financial Provisions Bill: The Executive Office

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**Members present for all or part of the proceedings:**

Mr Matthew O'Toole (Chairperson)  
Ms Diane Forsythe (Deputy Chairperson)  
Dr Steve Aiken  
Mr Gerry Carroll  
Miss Jemma Dolan  
Miss Deirdre Hargey  
Mr Harry Harvey  
Mr Brian Kingston  
Mr Eóin Tennyson

**Witnesses:**

Mr Gavin King	The Executive Office
Mr Ronan Murtagh	The Executive Office

**The Chairperson (Mr O'Toole):** I welcome Gavin King, grade 5 in victims and survivors division; and Ronan Murtagh, grade 5 in the finance division. I presume that each of you will speak to different clauses. Do you want to take it in turns to make an opening statement? Do you want to go first, Gavin, and then Ronan? As always, members should indicate if they wish to ask a question.

**Mr Ronan Murtagh (The Executive Office):** Gavin will pretty much cover both.

**The Chairperson (Mr O'Toole):** OK. Members, I will not divide it up by clause, although there are quite a few clauses. Ask what you wish about the Bill and the provisions in it relating to the Executive Office. Do not ask about Greenland or the price of fish. Gavin, you are to make an opening statement.

**Mr Gavin King (The Executive Office):** Thank you, Chair and Committee members, for the invitation to provide an oral briefing on the relevant TEO clauses in the Administrative and Financial Provisions Bill. I am acting director of the victims and survivors division.

The two key areas relating to TEO concern aspects of policy delivery reflected in the clauses brought forward by TEO and technical matters relating to the delivery of financial transactions capital (FTC), reflected in clauses brought forward by the Department of Finance and the Department for the Economy.

On policy delivery, TEO seeks to include clauses in respect of victims and survivors support services, board training and placement programmes for public appointments, asylum integration and support services and ending violence against women and girls (EVAWG). Those clauses seek, in general, to remove reliance on the sole authority of the Budget Act for delivery in those areas and to provide

some flexibility in future approach. A clause is also included on the term of appointment for the Commissioner for Survivors of Institutional Childhood Abuse (COSICA), following a recent statutory review.

I will talk through the clauses in more detail shortly. First, I want to mention briefly the issue relating to FTC. TEO has been working closely with closely with DOF and DFE to resolve technical matters relating to the delivery of FTC. At present, the lead Departments, DOF and DFE, are unable to fully administer the FTC for which they are responsible due to the position of legal vires. That results in delivery of FTC for those Departments being channelled through TEO and the Strategic Investment Board (SIB), as SIB has the required legal vires. The changes proposed by DOF and DFE through the Bill will provide a resolution to the issue and allow the lead Departments to assume full responsibility.

**The Chairperson (Mr O'Toole):** Let me understand that, Gavin, before we go on, because it is quite specific. It relates directly to our day job, as it were, on the Finance Committee. At the minute, if the Communities Minister wants to draw down FTC — and he has been making use of it — for the purposes of social housing, that has to go through SIB and TEO.

**Mr Murtagh:** Chair, perhaps, that explains why I am here.

**The Chairperson (Mr O'Toole):** I am glad that you are here, Ronan. Go on: give us the answer.

**Mr Murtagh:** FTC is a Treasury-earmarked fund, with specific conditions attached. Therefore, if the Communities Minister seeks to use FTC, it is a matter for the Communities Minister to set out the reasons why and to justify it. The arrangements that we are dealing with, and we are available to field any questions on today, are the clauses in respect of FTC that is channelled through TEO and SIB at the moment. Those are relevant to higher education delivery and the Northern Ireland Investment Fund. It is only those issues. Other Departments deal with other aspects of FTC —.

**The Chairperson (Mr O'Toole):** I am not asking about the merits of policy decisions elsewhere, just whether it is all FTC.

**Mr Murtagh:** It is not all FTC.

**The Chairperson (Mr O'Toole):** That is fine. OK. Go on ahead, Gavin.

**Mr King:** I will now talk in a little more detail about the individual clauses that relate to policy delivery.

Clause 6 refers to support services for victims and survivors. The strategy for victims and survivors of the Troubles/conflict 2024-2034 sets out a comprehensive framework to address the needs of victims and survivors of the Troubles/conflict. The strategy's vision is a trauma-informed society that addresses the needs of victims and survivors. TEO provides an oversight, coordination and management role to secure the delivery of services as part of the strategy. That includes, among other services, the victims' payment scheme, the Regional Trauma Network, and the victims' support programme that is delivered by the Victims and Survivors Service (VSS).

In recent years, VSS has also started to provide services to victims and survivors of historical institutional abuse (HIA), mother-and-baby institutions, Magdalene laundries and workhouses. To provide those services, TEO has relied on the sole authority of the Budget Act. However, that cannot be relied upon indefinitely. TEO therefore wishes to introduce legislation that gives it the authority to fund support services directly for victims and survivors in those spaces. It also needs the powers to amend such legislation so that it can make provision for relevant services, including grants for new groups of victims and survivors for which the Department may be given responsibility in the future.

Clause 7 relates to asylum and immigration integration support services. It will regularise spend of the funding from the UK Government for minority ethnic protection-based cohorts, such as refugees and asylum seekers. TEO receives that funding to coordinate services, support integration and build community cohesion. Again, TEO routinely relies on the sole authority of the Budget Act for the legal vires to use that funding. Clause 7 is intended to remedy that by removing the need for the ongoing reliance on the Budget Act.

Clause 8 relates to public appointments in the provision of development opportunities. TEO is responsible for public appointments policy, with individual appointment responsibility resting with the

respective Minister. The Executive are committed to improving diversity in public appointments and to ensuring that selection is based on merit. TEO wishes to avail itself of the Bill to make provision to have the legislative authority to fund a competitively procured training programme to improve the skills and experience of those seeking to hold a public appointment. The overarching aim of such a programme is to provide opportunities for people to acquire the skills or experience necessary to hold public appointments and to encourage wider diversity in such appointments to form effective public-sector boards.

**The Chairperson (Mr O'Toole):** I want to clarify that. Is that happening at the minute, under the sole authority of the Budget Act, or is it not happening and is something that the Executive Office would like to do?

**Mr King:** There is no work in that space at the moment. We hope that introducing the clause will give us the flexibility to bring in that process when budgets are decided. Increasing diversity is a key objective that we want to bring in.

As I said, the overarching aim of such a programme is to provide opportunities for people to acquire the skills or experience necessary to hold public appointments and to encourage wider diversity in such appointments to form effective public-sector boards. The programme will provide an opportunity for those without board experience to enhance their knowledge and understanding through in-depth learning and support.

Clauses 9 and 10 relate to ending violence against women and girls. In September 2024, the First Minister and the deputy First Minister launched the Executive's strategic framework on ending violence against women and girls. EVAWG is a Programme for Government priority, and, through the EVAWG clauses, we seek to ensure that there is an express power for TEO to implement the strategic framework and its successor strategies. We also have in place an express power to spend on that work, including on a grants fund. Again, the sole authority of the Budget Act that has been relied upon by TEO to date cannot be relied upon indefinitely. Consequently, the Department has been working with DOF colleagues to provide a legislative basis for its EVAWG activities through the EVAWG clauses in the Bill.

Finally, clause 14 relates to the term of appointment for COSICA. The Historical Institutional Abuse (Northern Ireland) Act 2019 requires that, every five years, Ministers commission an independent person to review the operation of COSICA, and, in August 2024, the First Minister and the deputy First Minister commissioned Professor Alexis Jay CBE to undertake an independent statutory review. That took place in October 2024, with the final report delivered to officials in February 2025. The review recommended extending the commissioner's role for a period of 18 months to a maximum of two years and then to determine whether the role should be broadened. Ministers accepted those recommendations and, in June 2025, invited the commissioner to continue in the role until December 2027.

The HIA Act does not put any restriction on the findings or recommendations of the review. However, the schedule to the Act restricts the term of appointment to five years only. Therefore, in order to give Ministers discretion to accept the recommendations of the review, an amendment to the schedule has been proposed so that the term for COSICA is to be for a period not exceeding five years. That is just to give flexibility.

Chair, that concludes my summary of TEO-related clauses. I am happy to answer members' questions.

**The Chairperson (Mr O'Toole):** Thank you. That was a very useful summary, Gavin, and thank you, Ronan, for clarifying that. We are very keen to ask lots of questions, so, members, please indicate.

I will go through the issues in turn. In many ways, the Executive Office has the broadest powers — I think that it is fair to say that — granted by the Bill. There are multiple financial provisions, but there is somewhere where administrative and financial provisions are mixed up together. There is vires to do things and vires to spend money on things. The exclusively financial provision is on FTC. Most of the others are a mix of powers being taken to do things, ranging from additional powers on funding services for victims and witnesses, which is already happening under the sole authority of the Budget Act; funding asylum and immigration services, notably integration services; and training for people who are applying for public appointments, with a view to improving diversity or to giving people the opportunity to apply for those things, or encouraging more people to apply.

Clause 9 is about ending violence against women and girls. I will start with it. On a plain reading of it, which is an extraordinarily important issue for the whole Executive and for everybody, given the crisis of violence against women, it is drawn extremely broadly. Anybody reading clause 9(1) would say, "God, that is very broad". There must be a reason for drawing it so broadly. It says:

*"The Executive Office has power to do anything that it considers is appropriate for the purpose of furthering any of the aims (however described) in the Strategic Framework to End Violence against Women and Girls."*

That is limited by clause 10(1):

*"The power under section 9 does not enable the Executive Office to do anything that it is unable to do by virtue of a limiting provision."*

That presumably means elsewhere in legislation. Why has clause 9(1) been drawn so broadly? Clause 9(2) says:

*"The power under subsection (1) includes power to—*

*(a) incur expenditure,*

*(b) give financial assistance to any person,*

*(c) enter into arrangements or agreements with any person,*

*(d) co-operate with, or facilitate" —.*

It is very broad. That might be a good thing, given the scale of the issue, but can you give us a sense of why it is so broad?

**Mr King:** Yes. As you said, Chair, it is a very broad power, and there are a number of areas to unpack to provide some reassurance and context on why.

The first thing to say is that tackling violence against women and girls needs a whole-Executive and whole-of-society approach. There is a need for flexibility in delivery, and to have such flexibility in delivery, there needs to be broad powers. I am sure that everyone is aware of the need, the scope and scale of the issue. However, to give some context, in the latest statistics from the PSNI, four in five victims of sexual offences, where the gender of the victim is known, were female. The young life and times survey 2022 showed that 75% of girls experience stress or harassment at least once in their lives, and one in two girls aged 16 receives an unwanted photo or video at least once. It is fundamental to society that we try to address that. Given the scope of it, in order to try to address it, it is about flexibility.

The current strategic framework and delivery plan highlights actions, including close partnership working with DE, DOJ, the Department of Health and the PSNI. The broad powers in the first aspect of the Bill, in respect of EVAWG, are to regularise those powers, to remove their reliance on sole authority and so on in order to regularise the current strategic framework. It is important to say that, at the moment, delivery requires broad powers. That is what we are doing.

As you will see, the legislation also mentions future strategies. We are working very well with our present partners. However, new partners may come along. During this part of the strategy, radical new ways of dealing with this important issue might be developed, so we will need those broad powers. It is also important to consider the counterfactual. What I mean by that is that if we were to have overly specific clauses to regularise spend or to anticipate future issues, it could reduce the pace at which we can deliver. We want to deliver on those things as fast as possible because we have seen how important the need is.

It may also reduce the extent to which we can take advantage of new ideas or new partnerships. If, for example, in the course of delivery we identify a new method, a new area of delivery, a new way of seeking to end violence against women and girls that could have a significant impact, we might not be able to begin delivery because we do not have the powers or there are issues with the powers or it causes a delay or in some way prevents us from fully capitalising on the new idea. Taking all that into

account, you might ask, "What about the risks of having too broad powers?". Chair, you said that clause 10 provides four key reassurances. First:

*"The power under section 9 does not enable the Executive Office to do anything that it is unable to do by virtue of a limiting provision".*

Secondly, the Executive may not exercise clause 9 in a way that:

*"unreasonably duplicates anything that may or must be done in pursuance of a function, under any statutory provision (whenever passed or made), of another Northern Ireland department".*

That speaks to what I talked about earlier: delivery with other Departments. Some of those processes may change, or a Department might decide to move things in the future, but it can only be done with the approval of both Departments.

**The Chairperson (Mr O'Toole):** Sorry to interrupt your flow, Gavin, but for the purposes of the record, can you think of any specific limiting provisions that came up while the clause was being drafted? Can you give a worked example of what that might be?

**Mr King:** It is difficult to give an envisaged instance. It does speak to a need for the broad powers. There are areas of delivery in other areas of government where we are very clear that limiting provisions will be apparent and easy to see. The broadness of the Bill speaks to the difficulty in thinking what those limiting provisions will be.

**The Chairperson (Mr O'Toole):** One obvious intervention in the strategy might be, for example, a specific programme on the education of young men — men and women — in secondary schools. Would the powers over the curriculum that the Education Minister has be a limiting provision on the ability of the Executive Office to say, "We want to ensure that there is a specific programme of education on ending violence against women and girls"? Although that might be an advisable thing to do. I am trying to understand why those powers are so broad and what the potential pitfalls or process challenges might be. Might they not act because the Education Minister already has those powers, or is that not a good example?

**Mr King:** Such issues will probably be tested when the specifics of the situation arise. It is not just about clause 10; there are a number of other scrutiny and monitoring elements. Clause 10 is there if need be, but, in the example that you have given, there would be considerable other scrutiny and monitoring. To speak to the scrutiny and monitoring that is available already or is ongoing, and its potential for the future, the strategy underwent consultation in July 2023, and there was strong support for the framework that was outlined. It went through all the relevant impact assessments. There is a written update twice a year for the Executive. All those things will come through in that monitoring. The EVAWG team will be with the Executive Office Committee in March.

That Committee can request papers, data and internal analysis and can pre-empt some of the issues that you have referenced down the line. Junior Ministers have chaired meetings of the EVAWG oversight group. There is a huge amount of monitoring and scrutiny, and it plays a key role.

**The Chairperson (Mr O'Toole):** In order to understand this, I am going to pick another departmental example: Justice. To be fair, coercive control, which we discussed in the previous mandate, and the statutory provisions that we have been discussing more recently, have been a priority for the Justice Department, the whole Executive and the Assembly. Clause 9(1) states:

*"The Executive Office has power to do anything that it considers is appropriate ... in the Strategic Framework to End Violence against Women and Girls."*

The strategic framework includes matters relating to the justice system. Would that provision allow the Executive Office simply to say, "We are going to introduce new sentencing guidelines, because clause 9 gives us the power to"?

**Mr King:** It comes down to the term "unreasonably duplicates". It would be a matter for the Department of Justice and the Executive Office. Apologies if I was not clear. You would hope that, given the monitoring arrangements that we have in place, they would not get to that stage because there would be prior engagement between the Departments.

I will finish off on the clauses. The Executive Office is not empowered by clause 9 to levy, impose a tax, charge, borrow money and so on. It also will not be authorised to disclose information in breach of existing statutes.

I talked about monitoring. This probably speaks to the range of consultation, scrutiny and monitoring that we have in place. At the end of the process, even if we say, "Look, they are very broad powers. We have outlined in detail the need for the broad powers, the flexibility that they provide us, and the monitoring that is there."

You might still say, "Why not have a stand-alone Bill?". A new Bill would require a full legislative process, with significant time and resource costs. Adding clauses to an existing Bill can accelerate the process of identifying methods of reducing violence against women and girls. Statistics from surveys conducted on the current strategic framework and the ongoing delivery that we have with the regional and local change funds show that 88% of participants, after having been part of the process, indicated that they had increased knowledge of the ending violence against women and girls strategy and issues around it; 81% had an improved understanding of what healthy relationships are all about; and 85% had increased confidence in addressing instances of violence against women and girls where they see them.

The strategy is working. However, as I said, there is no indication that there will not be flexibilities in the future that will allow us to do more. For that reason, the powers are broad.

**The Chairperson (Mr O'Toole):** What is the origin of clause 8? Has policy work gone into developing public appointments? What is the background to that clause?

**Mr King:** As mentioned, fundamentally, the issue of public appointments is one of diversity. I will refer to some statistics from the latest data on boards. In the two latest years of the survey, the number of over-50s on boards has increased from 72% to 75%. Young people are continually under-represented. We have not been able to impact that. The statistics on gender are positive. There has been a 4% increase in female representation. It is up to 42%, which is great, but there is work to do. Ethnic minority and disability figures are running significantly below the wider population. Community background is an even split and mirrors the wider population, which is very positive. However, it behoves all of us to improve the boards in the various areas of delivery so that they are more representative of society. There is no process in train at the moment. Hopefully, however, we will pre-empt some of the issues that have caused those matters to be in the Bill in the first place. It seeks to give us the flexibility to take advantage of an opportunity that comes along in the future once we can create a process.

**The Chairperson (Mr O'Toole):** I presume that that has been around for a while at Civil Service or ministerial level. The general sense is that ethnic minorities, disabled people and women, though not as much as previously, are under-represented on public boards.

**Mr King:** Yes. There has been an improvement in female representation, but not with regard to ethnic minorities, disabled people or the under-50s and young people in general. There is significant under-representation from those areas, so anything that we can do —.

**The Chairperson (Mr O'Toole):** Are asylum and immigration all happening under the sole authority of the Budget Act?

**Mr King:** Yes.

**The Chairperson (Mr O'Toole):** Is any spending on public appointments training happening under the sole authority of the Budget Act, or is it just not happening?

**Mr King:** There is no spend at the moment. There is nothing of any significance. It simply gives us the flexibility if something comes up.

**The Chairperson (Mr O'Toole):** For example, if you were to target ethnic minority communities to ask them to get involved, would that be advertising or trade? Can it be both?

**Mr King:** It will be a challenge. We have a team that has a lot of ideas on how to develop the process. It is something that we will come back to once we have a programme. In the context of the clause, it just gives us flexibility.

**Ms Forsythe:** Thank you both for coming here to speak to all the points. The legislation has such a wide scope. It has been landed with Finance, and there are so many issues with which we are trying to get to grips. Having seen how complex it is, I think that an administrative Bill and a separate financial provisions Bill would have made it easier to understand the implications of all the different areas. However, for complete simplicity and clarity on the clauses from your Department, am I right in saying that clauses 6, 7, 9 and 10 are all coming through the sole authority of the Budget Act and that it is just clauses 8 and 14 that are new?

**Mr King:** Yes. To help with the grouping, clauses 6, 9 and 10 on EVAWG and victims will regularise existing spend and provide a bit of flexibility. That is crucial with the victims and survivors programmes that we have and with ending violence against women and girls. Hopefully, including those clauses will remove sole authority. It is regularising spend. It is ongoing. We are always working very hard on the issues. If we identify new ways in which to deliver against them, we can then move quickly. That is what everybody wants. We have mentioned the appropriate guard rails in the EVAWG strategic framework, and there is similar provision in clause 6.

**Ms Forsythe:** Absolutely. In reference to the upcoming financial year or this financial year, how much spend will there be on the clauses that are moving from relying on the sole authority of the Budget Act into this legislation? Do you think that that spend could be moved out of that Act and into this Bill?

**Mr King:** For a number of reasons, it is hard to say. Again, speaking to the flexibility that we have, we are all aware of the wider financial situation, but, moving forward, it is very difficult to say. What I can say about EVAWG is that there was £6 million in the Budget for the most recent financial year. That included £2.2 million from the monitoring round. For clause 7, which is on asylum and immigration integration support services, there was £3.9 million. Asylum policy and immigration policy are excepted matters and are thus administered from Westminster. For victims, £11.6 million is going to victims' groups. That is what the spend is now, but again, we talked earlier about a counterfactual situation. If, for example, we were to receive further funding for any of those areas or to expand any of them, the impact would be greater, but we do not have such clarity at this stage. Those are the figures that we have.

**Ms Forsythe:** Everyone will agree that we want to see the money be spent in that way to normalise it and keep it coming through ministerial responsibility. I just wondered, out of the quantum of what is already being spent, how much you thought might be coming across. Is that information that you have?

**Mr King:** We will possibly have it once we know what 2026-27 looks like and what the figures will be. I do not want to say that our figures will reflect what comes across, but we can certainly provide that information.

**Ms Forsythe:** That would be a good-news story about financial governance. It would be really good to know the numbers that we are talking about, and it would be a good message for the public to see what has changed and in what way.

**Mr King:** Yes, I agree with you 100%. There are two key elements to a good-news message. One is the regularisation of existing expenditure on the financial side. The other is on the policy side, where it is about flexibility. If something comes up, we can move a bit quicker, and it can be seen by the public that we are moving a bit quicker.

**Mr Murtagh:** It is important at this point to apply the caveat that the budgets for future years are not established. We do not have an agreed position as yet, so it is not possible to quote what the plans may look like, but I completely agree with you.

**Ms Forsythe:** Thank you. As you said, Gavin, clause 6 is about support services for victims and survivors, while clauses 9 and 10 are about ending violence against women and girls. Those are two really powerful issues on which the First Minister and the deputy First Minister have taken a strong lead. That means so much to people, so it is really important to see those clause progress so that they can have that power to direct.



It was a historic day when the First Minister and the deputy First Minister launched the strategic framework on ending violence against women and girls. Before that, we were the only jurisdiction in this part of the world that did not have anything in that area. It was devastating to see the numbers indicate that Northern Ireland is one of the most dangerous places in the world in which to be living as a woman. It was therefore a landmark day. The powers in the Bill are really important, because the framework covers a seven-year period. As you said, it is so cross-cutting. It hits every angle of every Department. I also sit on the Public Accounts Committee, so I am often looking at policy pieces and at spend. When an issue becomes pigeonholed as one for TEO I have noticed that there is a problem straight away. To have those clauses in the Bill for the First Minister and deputy First Minister to be able to fully direct the strategic framework towards every Department is really important. That is good to see. Hopefully, we can see the provisions flow from the legislation and be maximised so that they have a good impact on society.

**Mr King:** Totally. TEO cannot solve the issues alone. It is about working together through the partnerships that we have established in the area of victims and survivors to achieve delivery. It is about working with the Regional Trauma Network and very closely with the Department of Health. Hopefully, those clauses will give us the flexibility to help us do that.

**Ms Forsythe:** Thank you.

**Mr Carroll:** Thanks for the update. I have three quick questions. Be it through the HIA Act or this Bill, can you detail any work on victims and survivors that is being done to ensure that religious institutions or those who are accused of serious malpractice are protecting their records?

**Mr King:** That is not covered in the relevant clause in the Bill, because there are criminal justice and other issues involved. The clause is about supporting victims and survivors. The wider issues that you mention are a matter for specific investigations and so on, but clause 6 is about broadening support. It is about regularising payments, services and support for victims of historical institutional abuse and about providing flexibility so that others can avail themselves of those services.

**Mr Carroll:** OK. Thanks. Have you done any work to ensure that organisations that were complicit, or accused of being complicit, in abuse, malpractice and so on do not avail themselves of support? A lot of religious institutions are guilty of heinous crimes, as, indeed, are non-religious institutions. Not only would it be a bad look if they were to receive funding but it would appal victims. I presume that work is being done to ensure that such organisations do not get any funding under the clause, but I still wanted to ask you the question.

**Mr King:** That speaks to some of the general points that we made about how there can be unintended consequences if clauses are broadened. All that I can say is that we have oversight all the way through the processes. When we design any new or additional services, there are business cases done, of which there is oversight. The Committee for the Executive Office also has oversight. That oversight prevents the issues that you talk about from arising, or it would certainly attempt to mitigate them.

**Mr Carroll:** I appreciate that the situation may develop, but, for clarification, are you are confident that none of those organisations avails themselves of that funding at the moment?

**Mr King:** Not to my knowledge.

**Mr Carroll:** OK. As is mentioned in the briefing, immigration is an excepted matter, but TEO has some coordination powers, if that is the best way in which to put it. The Bill is tidying up those powers. They are being moved relying on the sole authority of the Budget Act into this Bill. What powers will TEO have after that happens? Moreover, what powers does it have at the minute? Serious questions have been raised about Mears in particular moving people out of accommodation quite quickly once they get settled status. Neighbours of mine and people from across the constituency will have made a home and settled in communities. When they get settled status and are therefore no longer seeking asylum, they are obviously happy about that, but they are then told to join a waiting list for a house or to go to live, for example, in the north-west, having lived in Belfast. That causes all manner of chaos for them. I wanted to raise that general point. What measures are available to TEO to take? I know that it has regular enough meetings with Mears. Is there anything that TEO can do to raise such issues or to compel Mears, or any other provider, to make sure that it operates as it should?

**Mr King:** I will make two points before addressing the specific issue in a second. There is potential for frustration, given that immigration is an excepted matter that is administered from Westminster. As such, TEO's powers on some of the broader elements of the issues that you raise are limited.

TEO has responsibility for coordinating services and support for those who arrive here. That support includes welcome arrangements, advice and signposting. When there are specific issues with those services, it is a case of directing people to the relevant area in the asylum and immigration support services team. The Bill's scope is wider. It is about regularising the issues. There are no specific clauses in the Bill that pertain to the points that you make. That is simply a service delivery issue that can be handled through communication with the team.

**Mr Carroll:** Thanks. A lot of the issues have been raised by others as well as by me. Perhaps we can include TEO more often in the Committee's future correspondence. Thank you for those answers.

**Mr Harvey:** On clause 14, will you provide examples of circumstances in which appointing a commissioner for a period of less than five years would be necessary or beneficial?

**Mr King:** It is simply as we outlined: the HIA Act specifically provides for the appointment to be for a five-year period. We undertook an independent review of the service provided by the commissioner's office, and it was decided that it would run for less than five years. It is therefore simply an administrative clause to allow us to have a provision in the schedule to the HIA Act for the appointment to be for less than five years.

**Mr Harvey:** Will the length of appointment be made public at the time of the appointment? Will reasons be provided for why a term of less than five years has been chosen?

**Mr King:** It speaks to a more general point about regularising and flexibility. The regularising aspect is that the current duration for the term of the COSICA is until December 2027. Again, anything done in the future will depend on where we are at and thoughts about commissioners and their wider role.

**Mr Harvey:** Thank you.

**Mr Kingston:** I will ask about clause 8, which to assist:

*"people to acquire the skills or experience required to hold public appointments."*

Will you provide more detail on what sorts of appointments you have in mind here, be they to public boards or whatever? Can you give some examples of what is intended?

**Mr King:** We do not have a new programme yet, so the clause is to give TEO flexibility, because we do not know how the provision will be delivered. Say, for example, that there were a specific mode of delivery that we felt would address some of the issues with the number of people over the age of 50, the number of people of a certain gender, the number of people from an ethnic minority or the number of people with a disability. The clause gives us the flexibility to do that. Again, we cannot give a particular example as yet, because we have not got to the end of the process.

**Mr Kingston:** I am just trying to understand what sorts of positions are envisaged under the clause. Are the positions ultimately to be decided on merit?

**Mr King:** They could be appointments to oversight boards or public boards: any boards to which we invite public appointments to be made.

**Mr Kingston:** Ultimately, however, the appointments are to be made on merit.

**Mr King:** Yes.

**Mr Kingston:** OK. Thank you.

**The Chairperson (Mr O'Toole):** I have just one question, and it is about the clause on support services for victims and survivors, which is clause 6. Clause 6(3) states:

*"An individual is a 'victim and survivor' if the individual—  
(a) is a victim and survivor for the purposes of Part 2 of the Historical Institutional Abuse (Northern Ireland) Act 2019,  
(b) was a resident of a relevant institution within the meaning of section 4 of the Preservation of Documents (Historical Institutions) Act (Northern Ireland) 2022 ...  
(c) is a child of someone within paragraph (b) ...  
(d) is within such other description as may be prescribed in regulations made by the Executive Office."*

Those regulations would be made by negative resolution, meaning that the Department has the ability to change them without their going to the Assembly. Can you give us a sense of whom such people might be and of why such a power is included in the Bill?

**Mr King:** As I said, it speaks to the process, in that this regularisation is about an expansion of services. When we first created legislation for victims and survivors, it was for victims and survivors of the Troubles/conflict. The Northern Ireland life and times survey 2023 stated that 29% of people felt that their mental health had been impacted on by the Troubles/conflict. In 2021, however, the Commissioner for Victims and Survivors, who played a key role in providing advice on policy, conducted a survey that revealed that 24% of people surveyed had direct experience of trauma or loss in areas outside of the Troubles/conflict. That speaks to historical institutional abuse and mother-and-baby homes.

Subsection (3)(d) provides flexibility for an occasion on which, through the development of policy, other victims and survivors are identified and a process undertaken. We cannot speak to what that might look like yet. The provision is in the Bill just to provide flexibility so that, in the future, we do not have to come back to try to regularise spend again.

**The Chairperson (Mr O'Toole):** It would not have to be a victim or survivor of HIA or the Troubles. It could cover anything.

**Mr King:** To confirm, we are regularising the ongoing spend on victims of historical institutional abuse and mother-and-baby homes. As you say, paragraph (d) would not account for them. It is in there in case, through the development of policy, we consider other categories of victims and survivors as being part of a wider programme.

**The Chairperson (Mr O'Toole):** Do you mean other categories of victims of historical institutional abuse or of anything in general?

**Mr King:** That will depend on the policy development.

**The Chairperson (Mr O'Toole):** It feels as though it is quite a broad power to introduce victims' services for —.

**Mr King:** Well —.

**The Chairperson (Mr O'Toole):** Given that the Department is not yet able to conceptualise what it may cover, it feels quite broad.

**Mr King:** In the context of your opinion, not only is it broad but the process will be brought in by regulations that are subject to negative resolution. It is therefore about the assurances that we have in place. There is very strong oversight and governance when we bring in new programmes, especially in that area. A lot of oversight is done. We are talking about doing business cases, seeking ministerial approval and so on. Very frequently, Departmental Solicitor's Office guidance is sought, and it was sought for that clause. Even though the regulations are subject to negative resolution, the Assembly can still act, although the period for its doing so is truncated. Oversight is provided by the Commissioner for Victims and Survivors, whom we mentioned, the Committee for TEO and so on. Yes, there is flexibility in the powers. We want to be able to act quickly if we identify new areas in which we feel that we can make a positive difference, but we already have a lot of oversight and governance in place to provide reassurance.

**The Chairperson (Mr O'Toole):** Very little of that oversight and governance is available under the negative resolution procedure. Under negative resolution, regulations would come before the

Executive Office Committee, I presume. There would not be a vote, however, the regulations would not be subject to affirmative resolution. A future TEO Committee could pray against them if it found something questionable in them or wanted more information, but the regulations would not have to be voted on in the Assembly. It therefore feels as though it is quite an open-ended power to be introduced without —.

**Mr King:** Fundamentally, from a policy perspective, the oversight is there to ensure that, where an issue arises, it is worked through so that the situation does not get to that stage.

**The Chairperson (Mr O'Toole):** That is all internal oversight of policy development inside the Department, rather than external scrutiny by MLAs or, indeed, third parties. That is helpful to know.

We have covered most of the issues. Does anybody else wish to come in? There is a huge range of clauses. In most cases, we have shed a bit of light on why the Department wishes to introduce some of them. We may correspond with you more if we need further information as we continue with our deliberations on the Bill.

Ronan, do you want to clarify quickly for us what the FTC power in the Bill is for?

**Mr Murtagh:** I should clarify at the outset that TEO is not taking forward those clauses. Rather, they will be taken forward by the Department of Finance and the Department for the Economy. Those Departments are seeking to regularise the position in order to put in place the legal vires so that they can offer FTC loans and lend for policy delivery purposes.

**The Chairperson (Mr O'Toole):** Do you mean so that DOF can?

**Mr Murtagh:** Yes. DOF and DFE —

**The Chairperson (Mr O'Toole):** And DFE, of course.

**Mr King:** — cannot do that at the moment by virtue of the fact that the legal vires-widening powers rest with the SIB. As a workaround, the SIB administers, via TEO, FTC for those two Departments, and that will be the case until those clauses are enacted. This is the first opportunity to regularise that position. The clauses will improve transparency and regularity. The spend for policy delivery in those areas will sit with those Departments.

**The Chairperson (Mr O'Toole):** It has to be spend, is that right? Technically, is it spend? The accounting will —.

**Mr Murtagh:** It is the accounting for the loans and the various transactions associated with it, such as amortisation.

**The Chairperson (Mr O'Toole):** That is great. Thank you very much. I will not make a joke about funding car parks, because I will get in trouble for it. I have made my point about FTC. That is really helpful. We appreciate it. Thank you, members, and thank you, Ronan and Gavin, for coming to give us to your briefing today. As I said, we will correspond with you if we need to raise any further questions.

**Mr Murtagh:** Thank you.

**Mr King:** Thank you.