



**The Commission for  
Victims & Survivors**



## **Victims and Survivors Mid-Term Review Project**

### **Final Summary Report**

**March 2017**

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# 1 INTRODUCTION AND TERMS OF REFERENCE

## 1.1 Introduction

PACEC Ltd, in conjunction with Professor Kieran McEvoy (Institute for the Study of Conflict Transformation and Social Justice, Queen's University Belfast), were commissioned by the Commission for Victims & Survivors (CVS) to undertake this Mid-Term Review of the Victims and Survivors Strategy. A wider Project Steering Group comprising of the Executive Office (TEO), the Victims Forum (the Forum), the Victims and Survivors Service (VSS) and the Commission was established to consider and comment on drafts of the report. Collectively, these organisations are responsible for the delivery of the Strategy and are referred to within this report as the 'strategy bodies'.

This summary report provides a synopsis of the review context and approach, as well as key findings and recommendations. Further details relating to each section of this report, along with supporting appendices, can be found in a full version of the review report.

The Strategy for Victims and Survivors was published in November 2009 by TEO (formerly known as the Office of the First Minister and Deputy First Minister (OFMDFM) and is:

*"...designed to provide a coherent and comprehensive approach for taking forward work on a range of issues relating to victims and survivors"*.

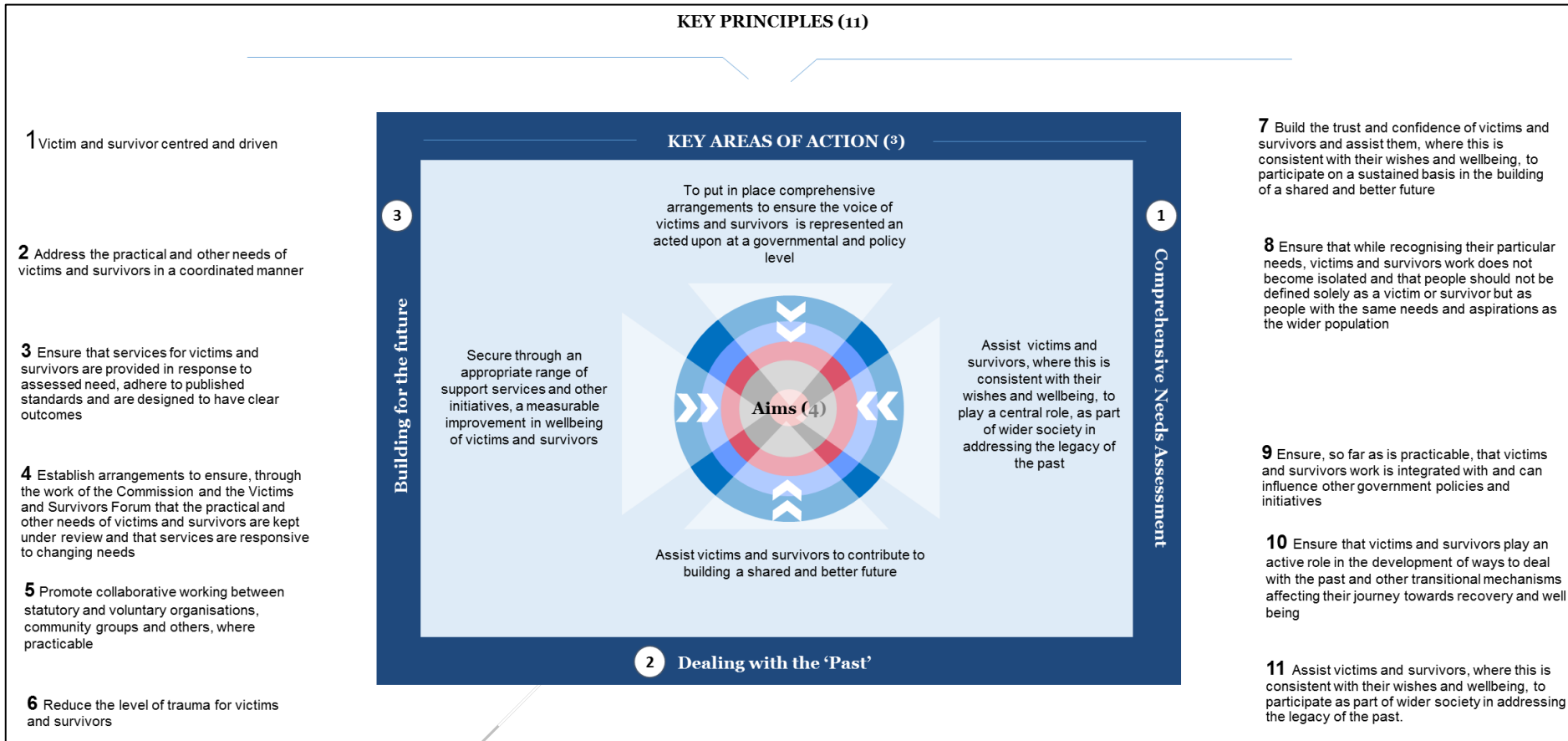
Its approach is 'victim and survivor centred' and built around:

- the CVS;
- the Forum; and
- the VSS.

The Strategy, as originally conceived, has a 10 year timeframe and is subject to periodic review. Having been in operation for well over 5 years, it is now a timely opportunity to review the outworking of the strategy and plan for its future direction and implementation.

The overall aims, principles and key areas of action underpinning the strategy are summarised in Figure 1.1 overleaf.

**Figure 1:1: Strategy Aims, Principles and Key Areas of Action**



## 1.2 Terms of Reference

The Terms of Reference for the Mid-Term Review highlight a requirement to:

- Conduct an assessment of the implementation of the overall aims of the Strategy for Victims and Survivors which are to:
  - put in place comprehensive arrangements to ensure that the voice of victims and survivors is represented and acted upon at a governmental and policy level;
  - secure through the provision of an appropriate range of support services and other initiatives a measurable improvement in the wellbeing of the victims and survivors;
  - assist victims and survivors, where this is consistent with their wishes and wellbeing, to play a central role, as part of wider society in addressing the legacy of the past;
  - assist victims and survivors to contribute to building a shared and better future;
- Examine the effectiveness of the arrangements established to progress the three areas of victims and survivors work, namely services (including the Comprehensive Needs Assessment (CNA)), dealing with the past and building for the future by:
  - The Executive Office Victims Unit;
  - the Commission for Victims and Survivors;
  - the Victims and Survivors Service; and
  - the Forum for Victims and Survivors.
- Review the progress of the Strategy in developing monitoring and evaluation systems and associated outcomes that effectively measure improvements in the wellbeing of victims and survivors. This review should also consider the progress of the Strategy in setting and reviewing the standards informing the provision of funded services for victims and survivors;
- Conduct an extensive consultation exercise with victims and survivors and a range of strategic and operational stakeholders in the statutory and non-statutory sectors on the implementation of the Strategy for Victims and Survivors; and
- On the basis of the analysis and consultation, develop a draft action plan/delivery framework containing a series of actions and recommendations that will inform the future implementation of the Strategy for Victims and Survivors.

It is anticipated that the research will:

- Provide quality, empirical advice to the Commission and the Executive Office in assessing the implementation of the aims of the Strategy for Victims and Survivors. The advice will reflect on the effectiveness of the arrangements through the Strategy's key delivering partners in progressing the three areas of victims and survivors work namely services (including the CNA), dealing with the past and building for the future;
- Provide advice and recommendations contained in the final report which can lead to improvements in the future implementation of the Strategy for Victims and Survivors; and
- Consider the following key questions:
  - What have been the key achievements of the Strategy to date?
  - What are the areas of the Strategy that can be improved upon in the years ahead?
  - What are the key strategic and operational areas of the Strategy that need to be focused on in the years up to 2019 and beyond?

## 2 RESEARCH APPROACH

The aim of this research is to conduct an independent review of the implementation of the Strategy for Victims and Survivors 2009-2019 and to provide a series of recommendations to inform the future direction and implementation of the remainder of the 10 year strategy and to consider the need for a future strategy beyond 2019.

The review process involved the following key elements:

- Review of the political context in which the Strategy has been delivered and the key events, policies and legislative context that have impacted on its delivery to date;
- Analysis of available information on the structure and delivery of the CVS, VSS and the Forum;
- Attendance at the CVS conference entitled “Review of the Victims and Survivors Strategy, 2009 – 2019”, which was held on 9th and 10th March 2016. 190 individual delegates attended the conference from across the victims and survivors community, including groups and service deliverers, statutory agencies, members of the Victims and Survivors Forum and individuals. Delegates had the opportunity to attend workshop sessions on the subject areas of dealing with the past, services and building for the future;
- Interviews with a range of strategic and operational stakeholders;
- Interviews with 10 funded groups. Groups were selected to be representative of geographical location, type of service provided (i.e. justice/advocacy, health and well-being and social support); and size of grant received (i.e. large grants of more than £75,000, and small grants of up to £75,000);
- In-depth interviews with 40 individual victims and survivors, including individuals who accessed services provided through funded groups, individuals who do not access services through a funded group but have accessed support through the VSS, and members of the CVS Panel to sustain Victims and Survivors Forum Membership 2016-2019;
- An online questionnaire for individuals, which was developed and advertised on the CVS website and promoted via direct mailing of over 4,000 households throughout Northern Ireland. A total of 104 responses were received over the period 3rd – 30th May 2016; and
- Review of learning/best practice obtained from other post-conflict and transitional countries that might be applied to improve the future implementation of the Strategy.

Although the methodology employed by the review is multi-faceted and wide ranging, it was developed to work within a defined budget and timescale. It is recognised that the interviews with funded groups/individuals and the online survey obtain feedback from a relatively small sample of the entire victims and survivors community and, consequently, the results of this consultation are meant to be illustrative only and cannot be regarded as being representative of the wider victims and survivors’ population.

However, despite these limitations, it should also be noted that the stakeholder consultation process has produced a high degree of consistency in feedback obtained from a wide range of sources.



## **3 KEY FINDINGS AND RECOMMENDATIONS**

### **3.1 Overview**

The remainder of this summary report profiles the key findings, future challenges and recommendations stemming from this review. Conclusions and recommendations are structured using the headings of the aims of the Strategy, namely:

- to put in place comprehensive arrangements to ensure that the voice of victims and survivors is represented and acted upon at a governmental and policy level;
- to secure provision of an appropriate range of support services and other initiatives;
- to assist victims and survivors to play a central role in addressing the legacy of the past; and
- to assist victims and survivors to contribute to building a shared and better future.

The full version of the review report also assesses the extent to which the strategy bodies have applied the stated principles of the Strategy, highlighting that significant progress has been made in relation to this from 2013/14 to date.

### **3.2 Ensuring the Voice of Victims and Survivors is Represented and Acted Upon at Governmental and Policy Level**

#### **3.2.1 Key Findings**

The strategy bodies have made a significant contribution to ensuring the voice of victims and survivors is represented at government/policy level. Examples of positive contributions to this area of work include:

- Forum advice papers (e.g. in relation to service improvements (February 2013 and March 2014), Dealing with the Past (February 2013), Trans-generational impact of the conflict (February 2013 and March 2014); Building for the Future (March and December 2014); Future Funding (December 2014); and Reparations (January 2015);
- The provision of CVS research and CVS advice to Ministers;
- The Forum's engagement with the Haass process and meeting with Richard Haass;
- Forum member meetings with strategic stakeholders, for example the First Minister (October 2014) and PSNI Chief Constable and Deputy Chief Constable (January 2015);
- CVS Conferences and Policy Seminars;
- Attendance at public committees by Commissioner/ CVS staff, VSS Chairperson and staff and TEO officials (e.g. OFMDFM Committee, NI Affairs Committee and Oireachtas Joint Committee on the Implementation of the Good Friday Agreement);
- Media appearances and press releases by the Commissioner and Forum Members (e.g. in relation to Suspension of Legacy Issues from the Stormont Agreement, November 2015); and
- Establishment of a panel of victims and survivors in order to complement and assist in the work of the Commission by creating a wider advisory body of victims and survivors for accessible and broader consultation and, to replenish the membership of the Victims and Survivors Forum (June 2016).

Significantly, stakeholders highlight that political decisions relating to proposed legacy institutions have been informed by both the Forum/CVS engagement with the Haass process and the CVS paper ‘Advice on Dealing with the Past’ (March 2014).

Whilst the above highlights that significant work has been done in representing the voice of victims and survivors at a governmental and policy level, feedback from individuals and funded groups suggests that further work is required in this area, particularly in relation to ensuring the voice of victims is acted upon at a governmental and policy level.

### 3.2.2 Future Challenges

Whilst the strategy bodies have made good progress in this area, it is recognised their work takes place in a complex and highly politicised environment with intense political interest in this policy area. Progress in this area, particularly in relation to legacy issues, can at times be problematic and elongated.

### 3.2.3 Recommendations for the period up to 2019

The wider political context surrounding victims and survivors issues requires a concerted and ongoing focus by the strategy bodies to ensure that communication with political representatives and public sector organisations is regular, clear and effective. As such we recommend the following:

Recommendation	Timing	Organisations Responsible
The strategy bodies should develop and implement an effective Communications Plan, whereby political representatives and other key stakeholder groups are updated on a regular basis on victims and survivors issues	Early 2017 onwards	TEO, the CVS and the VSS
The CVS should engage in a media campaign to ensure that the voice of victims and survivors is articulated to as broad an audience as possible	Early 2017 onwards	CVS
The strategy bodies should develop and implement an effective Engagement Plan to support ongoing work with other Government Departments and NGOs in raising awareness of victims and survivors specific issues and to secure improvements in service access and relevance. This Engagement Plan, along with the Communications Plan, should also aim to maximise future engagement with ‘hidden victims’.	Early 2017 onwards	TEO, CVS and the VSS



### 3.3 Provision of Support Services and Other Initiatives

#### 3.3.1 Key Findings

This review highlights that the maintenance of budgets, coupled with effective use of organisational/ programme reviews and collaborative working among stakeholders, has led to significant improvements in service provision, particularly over the period 2014 – 2016.

Stakeholder consultation has highlighted that:

- In relation to progress against aims, the majority of stakeholders consider the Strategy to have been effective in delivering support services for victims and survivors;
- Key achievements of the Strategy are perceived to include:
  - The production of the Comprehensive Needs Assessment (CNA) and other research that has informed service delivery and policy;
  - Collaborative working and high levels of engagement between the strategy bodies and funded service delivery organisations;
  - Improvements in service delivery to individuals and the piloting of the personalised budget and caseworker approaches; and
  - The establishment of the mental health trauma service.
- Key areas of unmet need identified by stakeholders include:
  - 'Hidden victims' – i.e. individuals not availing of support/services;
  - Siblings of victims and survivors; and
  - Support for transgenerational trauma and associated mental health issues for families.
- Areas identified as requiring ongoing focus include:
  - Research to inform evidence based practice;
  - Effective resourcing of, and the provision of holistic support by, the new mental health trauma service;
  - Collaborative working and ongoing investment in stakeholder relationships;
  - Sustainability of service provision (including issues relating to eligibility criteria for the access of services, gaps/areas of duplication in funded service provision; and sustainability of funded service providers); and
  - Development of the sectors capacity to deliver advocacy services.

#### **Funding:**

Despite an extremely restrictive public sector funding environment, the sector has benefited from budgets being protected and enhanced. Out of a total of £85 million invested from 2009 to March 2016, £78 million that has been allocated to service delivery bodies. On average, approximately £11.1 million has been allocated per annum to fund services to victims and survivors. In recent years the VSS budget has been increased from £12.8 million in 2013-14 to £14.1 million in 2016-17 which has supported both increased demand for the INP and continued support for VSP funded service providers.

### **Victims and Survivors Service:**

Since 2013, the VSS administered Victims Support Programme (VSP) and Individual Needs Programme (INP) has continued to develop and improve which have enhanced the wellbeing of a significant number of victims and survivors inside and outside Northern Ireland. Evaluation of the VSP in 2013/14 found that services delivered by funded service providers across Northern Ireland contributed to a range of health and wellbeing impacts. Meanwhile, the level of demand for funded support was significantly higher than that originally projected, with over 3,000 individuals accessing INP support in its first year of operation. In 2015/16, this had increased to 5,111 individuals.

VSS implementation of recommendations from the INP and VSP evaluations and their promotion of partnership working within the sector in recent years have contributed to improved administration of funding and service delivery to victims and survivors.

Key developments progressed by the VSS in partnership with other strategic partners include:

- Implementation of Personalised Budgets and Caseworker Pilots representing an approach that provides service users with greater control and flexibility. This process was informed through VSS consultation with the VSF in the design and ongoing implementation of the Pilots;
- Developments in service monitoring and evaluation, including the implementation of CORE and CORE Net software system for counselling services and MYMOPS for complementary services have advanced the efficacy of the monitoring and evaluation processes and strategic and operational stakeholders;
- Establishment of Practitioner Working Groups, initially piloted within Belfast and then rolled out regionally (2014 to date). This has provided a valuable mechanism to engage with service providers to share/disseminate knowledge and to contribute to policy and service development;
- Working with the Department for Communities (DfC) to incorporate victims and survivors specific measures (including training of assessor staff) to assist victims and survivors with the transition from DLA to PIP as part of Welfare Reform (2012 to date); and
- Working with the Department of Health and other stakeholders from the health and social care system, the VSS and the CVS are contributing towards the production of a partnership agreement between TEO and DOH that will inform the implementation of the new Mental Trauma Service.

### **The Collaborative Design Process**

The establishment of an innovative collaborative design process, which was led by TEO in conjunction with CVS and VSS, has contributed to the development of better relationships with and within the sector, improvements in service delivery (e.g. improved standards, enhanced flexibility of support, improved client communication) and advancements in relation to monitoring and evaluation. This collaborative working process has taken place over the last two years and led to improvements in partnership and collaborative working across the sector that has contributed to a fundamental change in how the sector does its business. There is more co-operation with the funded groups and decisions are taken on a more collective basis leading to greater cohesion within the sector as a whole. Strategic and operational stakeholders acknowledged the importance of these recent developments and the fact that they have been achieved as a result of increased trust and better working relationships within the sector.

Furthermore, effective partnership working through the collaborative design process has contributed to the delivery of highly significant developments that have the potential to impact positively on future service delivery. These include addressing the issue of sustainability not just in terms of growing demand but also in terms of improvements in service delivery by:

- Assessing and addressing more complex needs in a bespoke way giving greater control, choice and flexibility to the individual;
- Realising the best outcomes for victims and survivors through ongoing progress with monitoring and evaluation systems and also articulating the benefits realised in health improvements, social development and economic opportunities; and
- Changing the culture and attitudes associated with legacy issues to a more progressive narrative which is not only 'victim centred' but enables society and government to care for those most in need.

### **The PEACE IV Programme**

The securing of €17.6 million of PEACE IV funding to invest in service provision, capacity development and research within the victims and survivors sector over the period 2017–2021, incorporates:

- practical advocacy support for victims and survivors engaging with institutions, historical processes and enquiries;
- development of qualified assessors, health and well-being case workers to identify and address the needs of victims and survivors;
- provision of a resilience programme to address the individual needs of victims and survivors, including level one and level two mental health interventions;
- delivery of training and development to the sector to meet national and regional standards in research and regulation; and
- three major research projects, contributing to an enhanced evidence base informing trauma support service delivery, the transgenerational impact of the conflict and advocacy support.

### **The Mental Health Trauma Service**

In November 2015, the then Minister for Health, Social Services and Public Safety, Simon Hamilton announced the establishment of a world leading Mental Health Trauma Service. This announcement reflected a commitment contained in the Stormont House Agreement linked to a previous recommendation of the Commission for Victims and Survivors. The recommendation was for the development of a comprehensive regional trauma service, based within the health service that would work closely with the VSS and community-based service providers working directly with victims and survivors. Development of the initiative took place through the collaborative efforts of CVS, VSS, TEO and Department of Health (DoH).

### **Monitoring, Evaluation and Standards**

Throughout the Strategy period to date, effective use has been made of a range of organisations and programme reviews to inform service delivery improvements. Recent developments in service monitoring and evaluation have advanced the efficacy of the monitoring and evaluation processes.

Consultees identified a range of developments in service standards since the beginning of the Strategy period, including: the introduction of a minimum standards framework; improvement in befriending service standards; and improvement in staff training. The CVS has updated the standards in relation to the provision of services to victims and survivors. These standards were finalised prior to the call for applications in autumn 2016 and part of the PEACE IV programme will be utilised to assist the sector in meeting the required standards for service delivery.

The standards were an integral part of the call for applications under the VSP and PEACE IV Programmes and formed part of the Letters of Offer/contractual arrangements as part of the conditions of grant aid under both programmes.

### **Advice on Services**

Advice provided by the Forum and CVS advice/research has contributed to an ongoing assessment of victims and survivors needs (e.g. the CNA Phase I and II), review of existing service delivery arrangements (e.g. evaluation of VSS programmes), consideration of alternatives models of assistance (e.g. Advice on a Pension for the Severely Injured) and development of service monitoring and evaluation processes. In August 2016, the Commission submitted advice to the First and Deputy First Minister on the development of a new service delivery model. In producing this advice the Commission took into consideration recent research reports, ongoing consultation with the Forum, feedback from the workshops as part of the co-design process and ongoing engagement with the sector. The advice will lead to significant change in the current service delivery model for Individual Needs Programme and the adoption of two tiers of support for meeting self-directed needs and more complex needs. In relation to the VSP, the following policy advice will continue to refine the programme:

- Change to the current service delivery model for the INP and distinct support for meeting Self-Directed Needs and more Complex Needs;
- Individuals who present with more complex needs to be afforded the options of an Independent Needs Consultation with a dedicated Caseworker;
- Individuals presenting with complex needs should have their needs assessed by a suitably qualified assessor and support package put in place;
- Agreement to be put in place to refer individuals with considerable mental health needs into a new mental health service (using the Stepped Care Model);
- Much greater emphasis on realising positive outcomes for the individual;
- VSP funding continues with only a change to the threshold for small grants;
- VSP strategically aligned to the PEACE IV call for applications in November 2016;
- VSP funding allocated for a three year period from April 2017 to March 2020;
- Collaboration and partnership working within the sector continues;
- New Service Standards form an integral part of the call for applications; and
- Ongoing work in improving and enhancing the monitoring and evaluation.

### **3.3.2 Future Challenges**

The review has highlighted a number of key challenges associated with future service delivery, namely:

- **The sustainability of future INP service provision** - as identified above, the number of individuals accessing INP support has increased by over 2,100 people (70%) in the last 3 years. Whilst an increase in numbers of people receiving services and support should be seen as a positive outcome, it has also led to an increase in budgetary pressures. Future growth in the demand for services will lead to further budgetary pressure and therefore there is a clear need to ensure that future service provision achieves best value for money and outcomes for service users. This has implications for the following:
  - The eligibility criteria used for access to VSS funded services;
  - The strategic allocation of resources and future service delivery models;
  - The provision of research to inform evidenced based practice; and
  - Enhancement of monitoring and evaluations systems to provide a robust assessment of the efficacy and impact of funded interventions.
- **A requirement to address the needs of victims who live outside Northern Ireland**, as noted within the SHA, which will further add to budgetary pressures.

It is acknowledged that recent advice on the future service delivery model for 2017-2020 and the PEACE IV funding have the potential to contribute to more sustainable models of service.

- **The capacity and sustainability of funded service providers** – as the strategic and operating environment changes over time (e.g. with the establishment of the Mental Health Trauma Service and potentially the SHA legacy institutions), funded service providers will require support and assistance to ensure that their service delivery is sustainable and reflects best practice. This will be addressed in part by the investment of PEACE IV funding. It will also however require significant ongoing investment in the development of partnership working between community and voluntary providers within the sector and between these providers and the statutory sector (primarily the DoH) to ensure that future delivery is both effective (evidence based) and efficient (i.e. reflecting best value for money);
- **Service delivery gaps** – feedback from funded groups and individuals highlight perceived gaps in the delivery of service provision relating to specific geographies and an under-provision for the bereaved, siblings and victims and survivors suffering from addictions. In addition, stakeholder feedback has highlighted a view that a significant number of ‘hidden victims’ are not accessing current support provision. It should be noted that the VSS carried out a comprehensive mapping exercise in May 2016, which identified no geographical gaps in provision. The CVS’s advice on the new service delivery model attempts to address the under provision for bereaved and siblings. An increase in the number of people accessing support will have budgetary and service delivery implications (as detailed above);
- **Further development of monitoring and evaluation systems** - although significant progress has recently been made in relation to monitoring and evaluation, funded groups have previously raised issues relating to the collection and use of data on individuals service users. Any future enhancement of the monitoring and evaluation systems will need to be cognisant of these issues and will need to be developed in close consultation with key stakeholders; and
- **Resourcing and implementation of the Mental Health Trauma Service** – the establishment of the Mental Health Trauma Service represents a significant opportunity to provide victims and survivors with effective psychological and psychiatric interventions. Feedback from key stakeholders highlight the need for the roll-out of this service to achieve buy-in from the voluntary

and community sector, the provision of an holistic (as opposed to a “medicalised”) model of support and the need for an appropriate level of resourcing for the service to make a discernible impact among victims and survivors.

### 3.3.3 Recommendations for the period up to 2019

Our recommendations relating to service provision for the period up to 2019 are as follows:

<b>Recommendation</b>	<b>Timing</b>	<b>Organisations Responsible</b>
The VSS should work collaboratively with key stakeholders to embed a new model of service delivery that addresses the sustainability of future service delivery and improves the provision of services for victims and survivors between 2017 and 2020.	2016 onwards	VSS
The strategy bodies should continue to build on the collaborative working that has taken place over the past two years to continue to invest in the capacity and capability of the sector to deliver more sustainable services for victims and survivors.	2016 onwards	TEO, CVS, VSS, the Forum
The strategy bodies should work collectively with the DoH to ensure the delivery of a “world class” Mental Health Trauma Service that is sustainable and that improves the lives of victims and survivors.	2016 onwards	TEO, CVS, VSS, the Forum and DoH
CVS, in partnership with other strategy bodies, should develop a research programme that continues to inform evidence based decisions and policy advice. Research should also be used to develop new and innovative approaches to services, dealing with the past and building for the future.	2017	CVS

<b>Recommendation</b>	<b>Timing</b>	<b>Organisations Responsible</b>
A strategic monitoring and evaluation plan should be developed for the period 2017-2020 that takes	By mid-2017	TEO, CVS, VSS, and funded service providers



cognisance of the Programme for Government and Outcome Based Accountability.		
A formal evaluation of the 2009-2019 Strategy should commence in early 2018, in order to inform any future strategy post 2019.	Mid 2019	TEO
The strategy bodies work collectively and with the sector to ensure government funding is maintained	2016 onwards	TEO, CVS, VSS, the Forum

### 3.4 Addressing the Legacy of the Past

#### 3.4.1 Key Findings

Our review of Northern Ireland’s approach to Dealing with the Past highlights that it has been implemented in a piecemeal manner. The UN (United Nations) Special Rapporteur’s November 2016 report<sup>1</sup> makes the same point, highlighting that Northern Ireland’s approach has not been comprehensive when assessed against any of the four key pillars of UN ‘transitional justice policy’.

Significant political developments relating to dealing with the past include:

- Negotiations chaired by US diplomats Richard Haass and Megan O’Sullivan. Recommendations within their final (December 2013) report included:
  - the establishment of a Historical Investigations Unit (HIU);
  - an Independent Commission for Information Retrieval (ICIR); and
  - other processes to facilitate acknowledgement, storytelling and specialist services for victims and survivors.
- The December 2014 Stormont House Agreement (SHA), which reflected provisions to establish a number of mechanisms specifically designed to deal with the past namely:
  - the HIU;
  - ICIR;
  - An Oral History Archive (OHA); and
  - An Implementation and Reconciliation Group (IRG).

In addition to the above, the SHA stated that:

- The Executive will take steps to ensure that victims and survivors have access to high quality services, respecting the principles of choice and need. The needs of victims who do not live in Northern Ireland should also be recognised;
- The CVS recommendation for a comprehensive Mental Trauma Service will be implemented;
- Further work will be undertaken to seek an acceptable way forward on the proposal for a pension for severely physically injured victims; and

<sup>1</sup> “Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence on his mission to the United Kingdom of Great Britain and Northern Ireland”, 17 November 2016

- Victims and survivors will be given access to advocate-counsellor assistance if they wish.

All stakeholders acknowledge that future progress in dealing with the past is dependent on political developments. Following the November 2015 ‘Fresh Start’ Agreement, there is cautious optimism among stakeholders that the SHA legacy institutions will be implemented, as well as a recognition that the establishment of these organisations will create the need for the provision of further information, advice and support to victims and survivors. There is also recognition that there will be a need for robust monitoring of the work of the institutions to ensure they provide a victims and survivors centred service.

At the time of writing this report, political agreement has not been reached in relation to the establishment of the SHA’s proposed legacy institutions.

The Paramilitary Panel Report (December 2015) highlights that a lack of political agreement on dealing with the past continues to have a negative impact on both victims and survivors and society as a whole and the Lord Chief Justice’s recent proposals for legacy inquest funding appears to be on hold until there is agreement on an ‘overall legacy package’.

During the Strategy period, a significant amount of work has been carried out by the CVS and the Forum to inform developments in this area. Examples of key activities include:

- Forum consultation with agencies that deal with the past, including the Attorney General of Northern Ireland, NGO’s and community based organisations;
- Forum and CVS engagement with the Haass process/meeting with Richard Haass. This contribution has been acknowledged in the Haass document where it states the following<sup>2</sup>:

*“..... In many cases, victims have become prominent voices in the effort to heal divisions across communities – an extraordinary example of leadership from which all in Northern Ireland could learn. We have been privileged to draw on their experiences, views and goals. Their voices in this area deserve special consideration and we have endeavoured to honour that wherever it was in our power to do so.”*

- Forum advice paper submitted to the Commissioner in February 2013; and
- CVS advice papers on Dealing with the Past (June 2010 and March 2014).

As highlighted above, political decisions relating to proposed legacy institutions have been informed by both the Forum/CSV engagement with the Haass process and the CVS paper ‘Advice on Dealing with the Past’ (March 2014).

Our review highlights that the issue of reparations (one of the four pillars of ‘transitional justice policy’) has not been adequately addressed during the Strategy period to date. Despite the provision of a wide range of support to victims and survivors, these services have not been designed as reparations, and therefore, this issue needs addressed “*seriously and systematically*”<sup>3</sup>.

<sup>2</sup> “An agreement among parties of the Northern Ireland Executive on Parades, Select Commemorations and related Protests; Flags and Emblems and Contending with the Past”, 31 December 2013 (p.20)

<sup>3</sup> Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence on his mission to the United Kingdom of Great Britain and Northern Ireland”, 17 November 2016. (Paragraph 130).

Work carried out by the CVS and the Forum on a pension for the seriously injured and lessons learned from other post conflict contexts, taking into account the inter-related issues of definition, eligibility, the quantification of harm and individual versus collective reparations, should inform future decision making relating to this area.

The UN Special Rapporteur's November 2016 report highlights:

*'the importance of a comprehensive approach to non-recurrence and of an enabling context and initiatives that go beyond institutional reforms, and entail strengthening both civil society and interventions in the cultural sphere'.*

The UN Special Rapporteur's report also highlights that policies aimed at addressing segregated education and housing would contribute positively to the development of an 'enabling context'. This broader perspective on 'non-recurrence' may be seen as key components of a 'building a better future' action plan.

### **3.4.2 Future Challenges**

Our review of the experience of other post conflict contexts suggests a range of challenges associated with legacy issues, namely:

- **Acknowledgement** - international experience suggests that statements of acknowledgement or apology that are posited on victims and survivors are unlikely to succeed. In order to be successful victims and survivors need to be included in any process of design and delivery that considers the content, delivery, tone, timing, context, location and style of any apology. The CVS and the Forum will need to work closely with the Implementation and Reconciliation Group (IRG) to ensure that this occurs;
- **Truth** - if an ICIR is established in the period 2017-19, the challenge for the CVS and the Forum will be to keep victims and survivors informed of developments and to alert them to the challenges and difficulties associated with the political, legal, social and practical issues of truth recovery;
- **Justice** - the CVS and the Forum should lobby to ensure that the possibility for prosecution remains an option for victims and survivors given the passage of time from many of the incidents. If agreed, the CVS and the Forum should be consulted on the design and establishment of the HIU and Legacy Inquest Unit;
- **Reparations** - the CVS and the Forum should advocate for a comprehensive package of reparations for victims and survivors that includes elements of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

Should the proposed SHA legacy institutions be established, a number of significant challenges will emerge for the service delivery bodies to address, namely:

- **Increased Engagement:** Victims and Survivors will require support and guidance in their dealings with these new institutions. The institutions will also require a process/mechanism whereby their engagement and communication with the sector is clear and effective. There is a clear role for the CVS and the Forum in both aspects of this work;
- **Increased Funding:** The Stormont House Agreement indicated that £150 million would be allocated to the new legacy bodies however this area of work will require a significant level of additional resource to ensure processes operate in an effective and victims/ survivors centric

manner. A proportion of this resource will be funded via PEACE IV, however, the level of non-EU funded resource will need to be confirmed and budgeted for;

- **Timeframes:** It is estimated that the SHA legacy institutions will be operational for at least five years from their establishment and this will potentially require the delivery bodies to be operational during this timeframe to provide these services for victims and survivors; and
- **Forum Principles:** The CVS and the Forum should have significant engagement with these institutions during their establishment phase to ensure that the Forum Principles are taken into consideration.

### 3.4.3 Recommendations for the period up to 2019

Our recommendations relating to addressing the legacy of the past for the period up to 2019 are as follows:

Recommendation	Timing	Organisations Responsible
The CVS and the Forum in conjunction with the sector, should co-ordinate a programme of on-going lobbying of political representatives to ensure that legacy issues are agreed and implemented as soon as possible.	2016 onwards	CVS and the Forum
The CVS and VSS should put in place a plan to address the impact on services when the legacy issues are agreed so that they are prepared for any increase in demand, in addition to plans already in place for support through PEACE IV.	Upon agreement of SHA Legacy Institutions	CVS and VSS
If SHA legacy institutions are established:		
<b>Acknowledgement</b> – the CVS and Forum should work closely with the IRG to prepare the design of any acknowledgement or apology process that is victim centred.		CVS and the Forum
<b>Truth Recovery</b> – the CVS should develop a plan to ensure the independence of the ICIR and that it remains victim centred and that the process is not undermined by any lack of political will.		CVS

Recommendation	Timing	Organisations Responsible
<p><b>Justice</b> - the CVS and the Forum should assist victims and survivors through the justice (HIU) processes.</p> <p>Appropriate resources should be allocated to provide effective services to victims and survivors going through the justice processes concerning legacy investigations.</p>	<p>Upon establishment of SHA Legacy Institutions</p>	<p>CVS and the Forum</p> <p>The TEO, VSS and the Department of Justice (DOJ)</p>
<p><b>Reparations</b> – the CVS should promote victims and survivors’ rights to secure a comprehensive and effective reparations package. This is consistent with the UN Special Rapporteur’s November 2016 report, which highlights that “<i>Reparations for victims should be tackled seriously and systematically</i>”.</p>		<p>CVS and the Forum</p>

### 3.5 Contributing to Building a Shared and Better Future

#### 3.5.1 Key Findings

Building for the Future is an emerging area that has been informed by a wide range of research and advice provided by the CVS and the Forum. The UN Special Rapporteur’s November 2016 report highlights that ‘building a better future’ initiatives can contribute to the development of an enabling context to support ‘non-recurrence’ in a post-conflict society.

Our review of experience from other post-conflict contexts highlights that reparation programmes often include both collective and individual components and that the collective elements include symbolic forms of acknowledgement and commemoration as well as material help and support to groups. Future collective reparations could be considered as part of a wider ‘building for the future’ strategy/action plan.

Key activities and outputs associated with this area of work include:

- The Commissioner for Victims and Survivors engaging with the Paramilitary Disbandment Panel as part of their work in compiling its report, which was presented to the NI Executive in May 2016;
- CVS commissioning of research on transgenerational issues (2012 and 2015)<sup>4</sup>;

<sup>4</sup> Hanna, Donncha, Dempster, Martin, Kevin Dyer, Evanthia Lyons and Lee Devaney. Young People’s Transgenerational Issues in Northern Ireland. Queen’s University Belfast for the Commission for Victims and Survivors. April 2012; and O’Neill, S, et al. Towards a Better Future: The Trans-generational Impact of the Troubles on Mental Health. University of Ulster for Commission for Victims and Survivors. March 2015.

- CVS commissioning of research on children and young people engagement project, a research project that aimed to inform the Commission and the Forum on how to effectively engage the views of children and young people on conflict-related issues in the future (2015)<sup>5</sup> ;
- Engagement with NICCY. Since coming into post in September 2015, the Commissioner for Victims and Survivors has met with the Commissioner for Children and Young People to discuss areas of common interest including the continuing impact of the Troubles/Conflict's legacy on children and young people. The NICCY Commissioner was invited to speak at the CVS Conference in March 2016 and both Commissioners spoke consecutively at a recent conference on the impact of the Conflict's legacy on early years;
- As part of the PEACE IV funding, development of a research proposed for a Trans-generational Legacy and Young People Research Project;
- Development of trauma-focussed psychoeducation literature to support families affected by the inter-generational impact of the Troubles/Conflict. CVS and VSS are currently working with practitioners to develop a set of evidence-based psychoeducation resources that victims and survivors and their families can readily access to mitigate against the potential effects of intergenerational trauma;
- CVS and VSS work on advocating for the exemption of victims and survivors from any reassessment stemming from Welfare Reform and working with the DfC to develop processes/procedures to reduce stress and anxiety experienced by victims and survivors as a result of any changes;
- Forum Advice Papers on the trans-generational impact of the conflict to the Commission in February 2013 and March 2014; and
- Forum Update Advice Paper to the Commission on Building for the Future in December 2014.

The CVS has also developed (and at the time of writing, is in the process of updating) a Building for the Future Action Plan. Key elements of the current Action Plan include:

- Engagement with key stakeholders who work with children and young people;
- Development of guidance to support parents in talking about the impact of conflict-related experiences within a family setting;
- Action around addressing the legacy of paramilitarism;
- Reviewing trauma services for families; and,
- Development of a transgenerational service framework to inform delivery of services across statutory and non-statutory providers.

### **3.5.2 Future Challenges**

It is essential that any future Building for the Future Action Plan is based on and engenders effective partnership working with other key public and non-governmental stakeholders. Obtaining stakeholder buy-in for future partnership working arrangements will require continued political support.

<sup>5</sup> McLaughlin, Helen and Swain, Suzi. *Children and Young People Engagement Project - Research Report*. Commission for Victims and Survivors. March 2016.



### 3.5.3 Recommendations for the period up to 2019

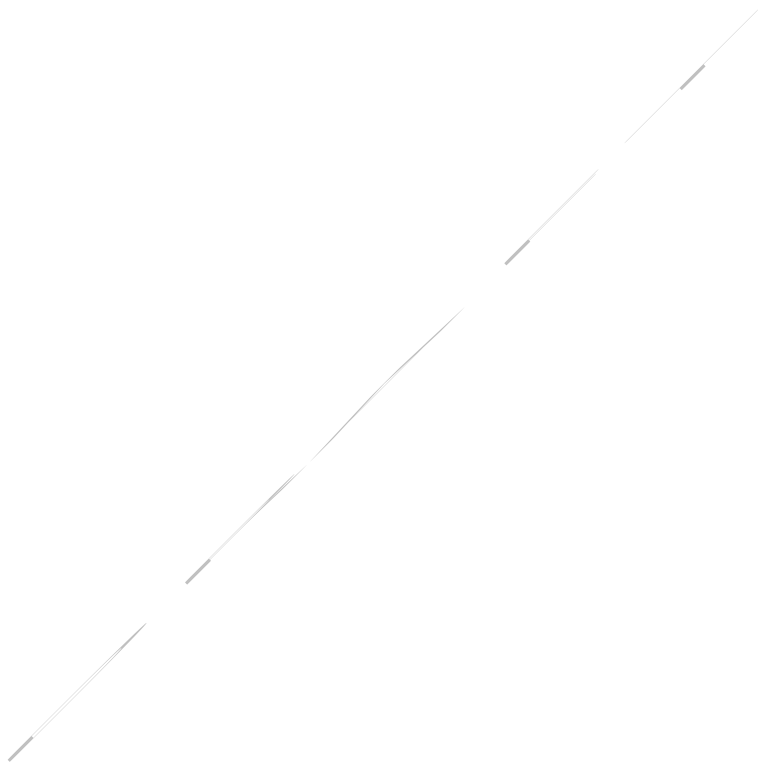
Our recommendations relating to contributing to building a shared and better future are as follows:

Recommendation	Timing	Organisations Responsible
<p>Continue to work with Government Departments and NGOs on an ongoing basis to support political and wider stakeholder cooperation to implement a 'two-generation' approach<sup>6</sup> to address the trans-generational impact of the Troubles/Conflict on victims and survivors and wider society. This will involve providing both individualised support <u>and</u> a collective cross-sectoral engagement process to resolve enduring conflict-legacy issues including segregation, sectarianism and paramilitarism. This cross-sectoral approach would include a review of opportunities for:</p> <ul style="list-style-type: none"> <li>• delivery of positive outcomes for victims and survivors across a range of policy areas/interventions;</li> <li>• enhancing the sensitivity and responsiveness of public sector service providers to the legacy of the past and victims and survivors' needs;</li> <li>• reducing the ongoing impact of legacy related issues on victims and survivors and wider society (e.g. segregation of social housing and education);</li> <li>• making a significant contribution to reconciliation, cross community/ good relations and the TEOs 'Together: Building a United Community' strategy;</li> <li>• monitoring and contributing to the delivery of actions resulting from other relevant strategic initiatives, assessing their implications for building a better future (e.g. the Executive Action Plan on Tackling Paramilitary Activity and the mental health trauma service).</li> </ul>	2016 onwards	CVS and the Forum
Utilise outputs emanating from the PEACE IV funded Trans-generational Legacy and Young People	2017 onwards	VSS and CVS

<sup>6</sup> "Towards A Better Future: The Trans-generational Impact of the Troubles on Mental Health", prepared for the Commission for Victims and Survivors by Ulster University (March 2015), recommends the adoption of a two-generation approach as its core principle, where the focus is not only on the needs of specific generations but also the relationships between them.

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<b>Recommendation</b>	<b>Timing</b>	<b>Organisations Responsible</b>
Research Project to inform future service and policy development in the area of transgenerational trauma.		



## **4 SUMMARY OF PROGRESS TO DATE AND POST 2019 CONSIDERATIONS**

This mid-term review highlights that good progress has been made against the key aims of the Strategy and in the application of its principles. Progress has been most pronounced in relation to services, where service funding levels have increased and improvements to service delivery models have been made.

There has been less progress relating to Dealing with the Past, as it is closely linked to political developments. However, the strategy bodies have been productive in informing and stating victims and survivor needs in this area. If political agreement was to be reached in the near future, it would lead to a number of significant challenges being presented to the strategy bodies as outlined in paragraph 3.4.2 above. In terms of timeframe even with the assumption that political agreement is reached, legacy bodies would not be operational until 2018 with a five year work programme ending in 2023.

Work relating to Building for the Future has only gained momentum in the last 2-3 years, however, it has the potential to form a key element of the remainder of the current Victims and Survivors Strategy, as well as any subsequent strategy.

The 'architecture' developed by the Strategy has proven to be effective, allowing strategy bodies to both support and challenge each other in progressing key areas of work. This formal structure has also been enhanced by the adoption of a collaborative design (partnership working) process, which has contributed significantly to the development of better working relationships within the sector, and through the establishment of Practitioner Working Groups, which provide a valuable mechanism to engage with service providers and for service providers to share/disseminate knowledge.

Throughout the review process the interconnected nature of the Strategy's key areas of work have been clearly apparent, for example:

- a lack of progress in Dealing with the Past contributes to ongoing high levels of demand for services and impedes progress in Building for the Future (e.g. actions aimed at addressing paramilitarism); and,
- Towards a Better Future has informed the development of a two generation approach in dealing with the mental health impacts of the conflict. It recognises the ongoing negative consequences of the Troubles for parents and recommends access to evidence-based treatment and support, which in turn, supports families dealing with legacy issues and builds a better future for their families.

Stakeholders have been unanimous in stating that there is a need for a victims and survivors strategy beyond the current strategy period. In preparation for a post-2019 strategy, the recommendations presented within this report aim to establish a robust evidence base to inform future policy development, enhance the positive impacts of support provision and develop a more sustainable model of service provision.

Given the potential for other public sector policies to deliver positive outcomes for victims and survivors, and the potential for victims and survivors to contribute positively to the delivery of other policy outcomes (particularly those relating to building a better and shared future), it is essential that the development of a post-2019 strategy involves engagement with, and buy-in from, other key Non-Governmental Organisations and government departments. These organisations should include, but should not be limited to: the DOJ, the Department of Health (DoH), the Department for Communities (DfC), the NI Commissioner for Children and Young People (NICCY), the Department of the Economy, TEO's TBUC Team, the Department of Education etc. This programme of engagement should be developed and sustained during the remainder of the current strategy period in preparation for the development of a joined-up strategy post-2019.

The progress made under the collaborative design process should continue over the remainder of the Strategy and in the next two years should focus on addressing, in partnership with the sector, the following important questions:

- Is there a need for the current architecture to continue and endure beyond 2019? If so, how may the responsibilities and priorities of the strategy bodies change?
- Sustainability – are the current funding levels appropriate and is it spent in the most effective way?
- If legacy issues are agreed, what is the likely impact on the role and purpose of the strategy bodies?
- Service provision – have the needs and demands of victims and survivors changed and if so, are changes to service delivery bodies required?
- Building for the Future – how can strategic delivery partners work most effectively to:
  - Address the needs of an ageing victims and survivors population?
  - Secure measurable improvements in the wellbeing of victims and survivors?
  - address the gender impacts of the conflict e.g. the burden disproportionately shouldered by women in caring for traumatised/ injured family members and gender based violence?;
  - make a significant contribution to reconciliation and community/ good relations?; and
  - provide a cross-sectoral and cross-government commitment to reduce the impact of conflict legacy issues on victims and survivors and wider society in Northern Ireland?.

Progress against all these actions will require robust and ongoing monitoring over the 2016-19 period. It is recommended that a formal evaluation of the Strategy commences in early 2018 in order to inform any future strategy post-2019.