



Northern Ireland
Assembly

Committee for The Executive Office

OFFICIAL REPORT (Hansard)

Victims' Payments Scheme:
The Executive Office

18 November 2020

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Colin McGrath (Chairperson)
Mr Doug Beattie (Deputy Chairperson)
Ms Martina Anderson
Mr Trevor Clarke
Mr Trevor Lunn
Mr George Robinson
Mr Pat Sheehan
Ms Emma Sheerin
Mr Christopher Stalford

Witnesses:

Dr Mark Browne	The Executive Office
Mr Gareth Johnston	The Executive Office

The Chairperson (Mr McGrath): You are very welcome. We have two seats available. We welcome, as usual for the victims' payment scheme, Mark Browne, director of strategic policy, equality and good relations; and Gareth Johnston, director of the victims' and survivors division in the Executive Office (TEO). As ever, evidence is being recorded by Hansard and will be published on the Committee web page. We will go for the usual format, if you want to give us a short presentation or update on where we are, and then we will open it up to the floor for some questions. You are well used to the format.

Dr Mark Browne (The Executive Office): Thank you very much, Chair; I think that we are well into the format by now. First, may I apologise that the paper was not provided in advance, within the time frame? I will take you through the paper, which is really an update on our progress since the last meeting.

We have had the formal designation of the Department of Justice and funding of £2.5 million advanced by the Executive Office, which has meant that a substantial programme of work has gone forward in order to put in place the Troubles permanent disablement scheme. That has already enabled the establishment of a dedicated project team in the Executive Office to oversee the programme of work to deliver the scheme. Likewise, a dedicated project team has been established in the Department of Justice in order to progress the development of the delivery structure that it is responsible for in the scheme. It has also allowed critical IT developments to start. The IT discovery phase, as it is described, has now been completed. It is anticipated that it will now progress to the design phase for the system. Draft application forms and accompanying guidance notes for the scheme have been developed and will be shared with the judge designated by the Lord Chief Justice and with representatives of the victims and survivors sector.

The Lord Chief Justice has announced Mr Justice McAlinden as the interim president of the Victims' Payments Board (VPB) to assist the Department of Justice with the development of the scheme. Job descriptions for the Victims' Payments Board members have been finalised, and the Northern Ireland Judicial Appointments Commission (NIJAC) will commence the selection process for the short-term board members. Good progress has been made on identifying accommodation for the staff who will be delivering the new scheme.

The funding advanced by the Executive will also enable a number of other important operational steps to advance the implementation of the scheme. That includes work towards the development of an online application system and associated security accreditation; the scoping and development work on the medical assessment process; the payment of salaries and the IT requirements for the various project teams, the Victims' Payments Board and the associated administrative body; provision of additional resources for the Victims and Survivors Service (VSS) and the VSS partner organisations in order to help them to train staff to ensure that they can support applicants through the applications process; design and implementation of a staff training programme; completion of independent reviews for the programme to provide an assessment of confidence for delivery, which are the gateway reviews and so forth that are carried out to assess progress and whether the project is on target; provision of Government Actuary's Department (GAD) advice on the projected lifetime costs of the scheme; and provision of legal advice on the terms and conditions of contracts and procurement advice services from construction and procurement delivery in Central Procurement Directorate (CPD). It will also allow also initial advertising for the opening of the scheme.

Turning to the timeline, the Justice Minister indicated to the Assembly that her aim is for the scheme to open to applications in early March. As I mentioned, an interim president has been appointed, and it is anticipated that the interim board members will be appointed in January 2021, with staff being put in place to support the board from February 2021. Subject to the establishment and agreement of the board, the application forms and guidance notes and so forth will be finalised and the advice and support arrangements for applicants will be introduced by the end of January 2021.

Important internal processes are also required. The required business cases are progressing, and all approvals are expected to be in place and funding for 2021-22 secured by the end of February. An oversight group is in place, which I chair, and it monitors all aspects of implementation and timelines, including the development of the relevant business cases. Work is ongoing on the lifetime costs of the scheme, and we have engaged the Government's Actuary Department to assist in those calculations. It aims to have produced revised estimated lifetime costs by mid-to-late December. An interim business case for the preparatory work that we have talked about before, which means the £2.5 million, has been drafted and is before the Department's major business case committee. A strategic outline business case is at an advanced draft stage, and an overall outline business case with more detailed estimates will be required further down the track.

As we discussed at the Committee before, the number of applications to the scheme and the related costs are unknown. Costs are based on a range of assumptions relating to how many people will apply, what the average award might be and how many people might avail themselves of the lump sum option. The estimates in costs will be subject to refinement as the scheme progresses.

Procurement processes need to be followed for the IT and the medical assessment service provider. In relation to the IT, it is anticipated that what is described as "a minimum viable product", in other words, the basic system that is needed in order to allow us to open the scheme, will be in place for the scheme opening to applications in early March. Discussions are ongoing on the identification of the medical assessment service provider.

Once the scheme is open, it will take some time to process applications. Therefore, the DOJ has advised us that it is not possible to be specific about when exactly payments to victims and survivors might commence, as that will, ultimately, be a matter for the Victims' Payments Board when it is established. It will also depend on how quickly the necessary evidence can be gathered and the medical assessments carried out, if they are required, to allow applications to be assessed.

Future funding has, of course, been an ongoing issue. The First Minister and the deputy First Minister are entirely committed to delivering the scheme, and TEO acknowledges that the scheme needs to be funded in order to operate properly. In accordance with normal government budgeting arrangements, TEO will make requests to the Department of Finance for the necessary funding to allow it to make the necessary grants of funding to the DOJ for the scheme, in accordance with schedule 1(9) to the regulations. We will make those bids to the Department of Finance as funding falls due, in other

words, as it is required. A request will be made before each Budget period for the resources that are anticipated to be required during that period, which is in line with normal budgeting processes.

Alongside that, the First Minister and the deputy First Minister, along with the Finance and Justice Ministers, will continue to seek additional funds for the block grant from the Secretary of State and, through him, the Treasury, in order to address the financial pressures that have been created by the scheme. The four Ministers met on 22 September to discuss the approach to substantive funding and agreed to seek a meeting with the Secretary of State. In the meantime, those discussions and requests will not prevent TEO making the necessary requests for funding from the Department of Finance as they fall due. However, despite the meeting being requested on 22 September, as of 12 November, the actual arrangements have not yet been agreed.

Correspondence was recently received from the Secretary of State indicating that he is willing to meet. In that correspondence, he reiterated the position that victims' payments are a devolved matter, that devolved matters are funded by the block grant and that the devolved funding mechanism means that the Executive are funded through the block grant, together with their revenue-raising capabilities, in order to fund their statutory responsibilities, including the victims' payment scheme. He stated that it is therefore for the Executive to manage their available resources to deliver their spending priorities.

DOF has commissioned an exercise to gather information from Departments on their provisional budget requirements over the next three years from 2021 to 2024. Consistent with our indication that we will seek the necessary funding as it falls due, TEO has included an indication of its requirement for the victims' payment scheme in its formal response. That has been agreed by the First Minister and the deputy First Minister and submitted to the Department of Finance. For the first year, 2021-22, a bid of £28.7 million has been put forward; for the second, 2022-23, a bid of £64.3 million has been made; and for the third, 2023-24, a bid of £72 million has been made. That makes a total of £165 million over those three years.

On the initial scoping of the costs for 2020-21, the expectation in DOJ and TEO was that £2.5 million should be sufficient to cover the costs incurred by both Departments in undertaking the necessary work to establish the scheme's administrative arrangements. As the project has developed and the costs have been refined, it is now expected that some additional funding may be required. TEO and DOJ officials are looking at the detailed costings, and we will include any additional funding needs that might be identified in 2021 as part of our return on the departmental January monitoring round.

Chair, that is an update on where we are with the timeline, funding and so forth. We are happy to take any questions.

The Chairperson (Mr McGrath): Mark, thanks very much for the presentation and the detail. If we compare all that with where we were, even six months ago, we see that there has been a considerable amount of movement. That has to be welcomed, because the Committee has consistently highlighted how those in the victims' community are some of the people who require most of our attention, yet, over the last number of years, it feels like they have received the least of our attention. There is an urgency about delivering the scheme, and they will want to see it delivered.

The unfortunate side to this is that some sort of fiscal management needs to be considered as part of it, and we are still looking at a deeply worrying scenario. I cannot quite determine whether the Secretary of State is just uninterested, lacks understanding or is using a negotiating tactic to simply say, "No, this is something that is just to do with you". Without overplaying or underplaying the specifics, the British Government were players in the Troubles process here that resulted in the victims' community. Therefore, to absent themselves completely from any responsibility in having to pick up the tab at the other end is quite naive. They really have to consider that, and I hope that they will enter into any meetings or negotiations with the Executive in an open and positive way and will not say simply, "No, this is nothing to do with us". Likewise, there are a number of people in the victims' sector who are not from Northern Ireland. They were not injured here, and how they will feature in any pension system need to be considered. Given that, it is still a very perilous scenario. I offer that more as a comment than a question, because I appreciate that you will not have an answer to that until there is a conclusion of that programme.

If the programme is rolled out in March, do you have any sense of what sort of numbers might be able to avail themselves of the scheme and how quickly it will take the scheme to build a bit of steam to start delivering for a significant number of people? Do you have any thoughts on how many people will be in that process as we move forward?

Dr Browne: We have had some discussion on that before. There are two questions there. What are the total numbers that will come forward? How quickly can they be processed? We are still working on the total numbers. We had the initial Northern Ireland Office (NIO) estimate of 2,000, which was the basis of the earlier costings. However, based on work that we are doing with Queen's University on psychological injuries and a consideration of how many service personnel, police and army, here and in GB, may be eligible for the scheme, we believe that to be much too low and the figure could be significantly higher than 2,000.

In assessing what our budgetary requirements might be over the next three years, we looked at the likely throughput. Therefore, regardless of the number, assuming that a significant number come forward, what will the likely throughput be? We looked at that in light of our experience with the historical institutional abuse (HIA) tribunal, which was a similar process with a judge-led board and so forth. On the basis of three panels sitting for four days a week, which is what happens with HIA, we have reckoned on throughput in the first year of somewhere in the region of 500 cases and 1,200 cases in the second and third years. That is approaching 3,000 cases over the first three years. That has been the basis on which we calculated the sums that we asked for from the Department of Finance.

Ultimately, it is clear that the number of cases that will be dealt with will be a matter for the payments board to decide. It will also be dictated by the extent to which all the evidence that it needs can be quickly gathered, how quickly people apply and how complicated the assessments are. We looked at the only reasonable comparator that we have, which is HIA, and based our assumptions on that.

The Chairperson (Mr McGrath): You would hope that even what you just said would enlighten the British Government on what they need to do. They based their modelling on 2,000 cases in total, and you reckon that in the first three years you will get 3,000. The process will probably go on for many years beyond that, so it is fairly obvious to most that the numbers that will be involved in the scheme will well outweigh the NIO's figure. The NIO is saying no even to financial support for 2,000 cases, never mind that there will be more. I hope that that will allow for a sharpening of thought for people there so that they realise that the block grant that we have here is virtually committed to keeping the lights on and not much more beyond that, so to start heaping that sort of pressure on is unfair.

Dr Browne: It is important to make the point, Chair, that applications should be made within the first five years. It will then take a little bit longer to consider them all. A number of applicants will seek lump sums, so that will be a single payment, but others will seek the ongoing payment. That element will go on for a great many years in the same way that a pension scheme might go on in different circumstances.

The Chairperson (Mr McGrath): OK. Thank you.

Mr Beattie: Thank you for the briefing, it is always good to get an idea of what is happening.

I will carry on with the commentary on this. I am clear that the UK Government should help with the financial support for the scheme, but I do not think that they have just turned their back on it. I remind people that the only reason why the UK Government brought the scheme in was because we failed to. We were the ones who failed in the first place, and the British Government had to step up to bring this in. They did not wash their hands of it. It was a disgrace that we could not sort it out and that they had to do it for us, but they need to add financial support. When we say that the British Government have a responsibility in what happened here — as the Chair said, they were "players" in the conflict — the Irish Government were also "players" in the conflict. I do not see them putting their hands in their pocket too much or making any movement whatsoever towards supporting the scheme. There is a commentary to be had about this whole thing, and the UK Government have to put their hand in their pocket and put money in to support this, but so do other people. The sooner we get on with this, the better.

I would like to raise an issue about the numbers, please. I have been part of this process for quite some time, as have others. Work was done through the VSS, which started off with about 150 people who were likely to get the payment. That went up to about 750, then 2,000, and now we are talking about 3,000. However, is there not a case for managing expectation, because we are now calling the scheme a victims' payment scheme? It is not a victims' payment scheme; it is a Troubles permanent disablement payment scheme. What you now have are people who are victims, and, rightly, they are victims, but who think that they are entitled to this because they are victims. That is not what it is designed for. It is designed for people with permanent disabilities. We should stop and change our

language. I am looking at all the paperwork that comes from you and elsewhere, and I see that it uses the term "victims' payment scheme". We need to change our language, and it needs to be the "Troubles permanent disablement payment scheme". That makes people understand that this is for people from the Troubles with permanent disabilities. That might be a reason why our numbers are increasing. Is that a fair point?

Dr Browne: First, you are right that we need to get the terminology correct. It needs to do what it says on the tin, and that is really important. Using the term "permanent disablement scheme" is really important. If you recall, this started as a victims' pension, and we have tried to get away from that.

Mr Beattie: Yes, I know.

Dr Browne: Pension then became payment. Now, using the full term is important to convey what the scheme is designed to do.

On where the increase in numbers came from, initially, the commitment was to the severely physically disabled, and that was what the initial discussions were about. It then extended to those who were permanently disabled from a psychological perspective. The real difficulty is trying to assess the psychological damage and the numbers that might come forward in that area. We are fairly clear about how people have suffered severe physical disablement. Most of them are already being supported by the VSS, and the figures there are accurate. When you get to psychological disability and those supported by VSS, our estimate is that, based on the work of a psychiatrist in Queen's and other information and surveys about how many have suffered psychological mental illness or disability through the Troubles, the figures are much higher than initially envisaged. The problem is that it is difficult to know exactly how many there are and how many will come forward and meet the threshold. That is where the increase has come from in the civilian element. You then look at the numbers of service personnel who suffered a permanent disability as a consequence of their service here. We can get numbers for those who are resident here, but, of those who are receiving a pension in GB, we cannot distinguish how many receive it as a consequence of the Troubles here. You could speculate that the likelihood is that there will be significant numbers, given that the operation here was one of the biggest in British Army history, but we still do not know how many there are. The issue is that, while it is unlikely that the individuals themselves would receive any payment from this, provided that they have applied beforehand, they could nominate a spouse or carer to receive the 10 years' worth of payment on their death. That is where much of the unknown comes in. We are trying to work that through. We have been in touch with the MoD on this, but it has been difficult to get any clarity on those figures. The numbers that we are talking about could increase significantly.

Mr Beattie: Thanks for that, Mark; that makes sense. Do you see the increase for "psychological"? That is where the jump from 750 to 2,000 came in the VSS when I was with them. We suddenly went, "Oh, psychological". That is where the jump came from initially. I am not saying that we are expanding something here. I absolutely get the problem that we are talking about. Are we saying that those who were service personnel will be directed to the MoD scheme and that that is where they should go for their compensation, not to this scheme? Are we saying that it is the MoD and not this scheme that will pay someone who has a permanent disability due to their service in the military in Northern Ireland?

Dr Browne: There are two things there. First, the jump in the number of psychologically disabled was not just caused by including those who were known to VSS. VSS would not know everyone in Northern Ireland, only those who happen to be in contact. There is an increase in the numbers there when you start to do population estimates of how many would be impacted. The issue about the MoD and those who have been service personnel is that while, yes, they go to their own scheme, they are eligible for this scheme. Now, any payments that they get in the MoD scheme would be discounted so, in the main, it will probably not be beneficial for them. However, if they have applied and been deemed eligible, on their death, there will be 10 years' worth of provision available for their spouse or carer. That is where this could become very attractive and where the additional cost could come in, and that is what we have been looking at here.

Mr Gareth Johnston (The Executive Office): Mark, I will just add something on the name of the scheme and making sure that the nature of the scheme is understood. That is something that the sector is very concerned about as well; it has been the topic of a number of our meetings. Unfortunately, the regulations that we have inherited talk about this in two different ways. They say the "Troubles permanent disablement payment scheme", but they also talk about a "Victims' Payments Board". DOJ colleagues have been trying to make sure that, in the branding, the "Troubles permanent

disablement scheme" comes out very clearly. The last thing that we want is for people to feel that they might benefit from this only to be disappointed. That would just retraumatise them.

Mr Beattie: You are absolutely right, Gareth. That is the problem. People come into my constituency office who were victims — they were victims, without a shadow of a doubt — and it is really hard to say to them, "But you do not have a permanent disability. You are not entitled". That is really quite difficult, but it is just something that I have to manage. The beauty about my being on this Committee and on the Justice Committee is that I know that the DOJ is saying, "Let us make sure that we use the right terminology". That is one of the reasons why I read about it. Your answers are perfectly right. I accept that and have no issue with it at all.

Sorry, Chair, I will make this question my last. Mark, I know that you have not said it, but DOJ staff said that the first payment is likely to be at the end of the 2021-22 financial year. We are talking about the first payment being in March/April 2022. That seems an awful long way away.

Mr Johnston: I think that what was said was perhaps the second half of the 2021-22 financial year. It depends on how quickly the processes can be worked through. There is a multistage process.

First of all, people gather together their evidence and get in their application. Then, a decision needs to be made about eligibility. Was it a Troubles-related incident? Was the person present in the immediate aftermath? The board will need to check records — maybe police or health service records — to triangulate and establish that. If you get through that, there is the question of the degree of disability, so an assessment needs to be done.

The regulations give us quite an elongated process. I know that DOJ colleagues are committed to working things through as quickly as they can. There may be cases where people have all the information conveniently to hand. There is provision in the regulations for prioritisation. They will be doing everything they can to get cases through, but there is a time factor that cannot be avoided.

Mr Beattie: Exactly. I am not trying to put a thumb on somebody, and say, "Give us a time. It's got to be to this time." I get that, but there is an expectation as well. Somebody says, "The fourth quarter of the financial year". It is worth understanding what we are talking about.

The historical institutional abuse inquiry did not take that long to get payments out. Its first payments went out within four months of it being set up, but we are talking twice or maybe three times that. As I said, I am not trying to put my thumb on a date; I am just trying to get an understanding of it.

Dr Browne: As Gareth said, some cases may come forward more quickly.

Mr Beattie: Yes, of course.

Dr Browne: I suspect that what our colleagues are trying to do is manage expectations. The main flow may take some time to get into place, although some early cases might come through. The HIA process, while similar, is not exactly the same as this. There are additional complications in this scheme that could lead to slightly longer time frames [*Inaudible*].

Mr Beattie: OK, thank you.

Mr Sheehan: Thanks, Mark and Gareth, for coming in again. I think that we are in agreement that the sooner those who have been disabled as a result of the conflict receive this payment, the better, and all of us want to see that happening as quickly as possible. However, we all know that there are anomalies in the scheme, and I will focus on those in the funding.

I do not expect you, Mark, to have the answers to this, but I want to mention it anyway. Usually, in circumstances such as these, whoever makes the policy also provides the funding. Of course, it was the British Government who developed the policy and now they say that they will not provide the funding and that it will have to come out of the block grant.

The other issue is that I know of no other circumstance where a devolved Administration would have to pay for a scheme that would cover all the jurisdictions, as well as anyone who was injured in Europe. There are clear anomalies, and I think that all of us are in agreement that the British Government need to stump up as far as the scheme is concerned.

I listened to what you said about the British Secretary of State's letter saying, effectively, that it was up to the Executive to find the funding. He has not been terribly forthcoming when it comes to sitting down to discuss providing funding. Have any discussions taken place at official level that you are aware of, Mark, between you and the NIO?

Dr Browne: We are in contact with the NIO on some aspects, Pat. For example, trying to clarify the policy intent or where we can go to get information on the number of service personnel and so forth.

The issues that you describe are entirely in the political sphere and are for Ministers to take forward. The First Minister and the deputy First Minister are clear that they believe that the British Government should make a contribution to the scheme. They, along with the Justice Minister and the Finance Minister, have indicated that they want to pursue that, and they are seeking to pursue it. As I say, those issues are very much in the political sphere and are not ones that officials can sort out.

Mr Sheehan: I understand that. My fear is about the sustainability of the scheme. I think that you said before that it could go on for 30 years. There was a discussion earlier — Doug mentioned it — about British service personnel qualifying for the scheme by nominating a spouse for a 10-year payment after their death. We in the Committee have had some informal discussion about that. It is difficult to quantify the size of claim that would result from British Army personnel making an application, because, presumably, many of those who would make such an application are already in receipt of a disabled pension from the Ministry of Defence. It would not be a lot of trouble for them to make an application, because all the evidence would already be with the Ministry of Defence.

Those things have a tendency to snowball. I have mentioned this before in relation to the PSNI hearing loss claims: once it appears that a small number of people are getting claims for what is, effectively, a subjective injury, and that would be the case in regard to psychological injuries, you could have an avalanche of claims, particularly from people, as I say, with psychological injuries. That adds to the issue of who will pick up the tab for this. A lot of people might say, "Well, the Executive should have no difficulty providing funding for the first couple of years", but it is a bit like going for a mortgage: although you only have to give the mortgage company three months' pay slips, it takes a decision based on whether it thinks you will be able to sustain the payments over a much longer time, whether 20 years, 25 years or whatever. It seems to me that it would be difficult for the Executive to sustain the funding over a protracted period, particularly if there were, as I say, an avalanche of claims from British Army personnel. What is your view on that?

Dr Browne: At the moment, Pat, we are working to get the best estimate that we can, although I am not sure that we will be able to get a very accurate one. It is very difficult, because it is impacted by a number of things. First, while we know the number of British Army personnel in receipt of a pension in GB — about 100,000 — we do not know how many of them are entitled to that as a consequence of the Troubles. You made a point that, if someone is eligible for that pension and the evidence for that is already there, they may be eligible for this scheme, but it depends on the evidence levels and the criteria. The criteria would not be exactly the same for both.

Then there is the issue of how attractive this permanent disablement scheme is compared with whatever benefits or ongoing payments there are for the widow of a member of service personnel. There is also the issue of how many would come forward, even if it were an attractive scheme. We know that not everybody in every case will come forward. There is therefore a whole series of very difficult assumptions to make. The difficulty is that, when you make an assumption and divide it into a large number, a small variation leads you to a very large figure. It will be particularly difficult for us to come up with any sort of meaningful estimate in that area. We have gone as far as we can with the MoD. We have been talking to it, but its database is limited in what it can tell us, so there will be significant uncertainty in that area.

Mr Sheehan: OK. Thank you, Mark.

Mr Lunn: Thank you, Mark and Gareth. You are making good progress on the organisational side of it, that is for sure. That is good to see. However, the elephant in the room, obviously, is funding. We all keep coming back to that. The three figures that you have given us for 2021-22, and so on, are somebody's best guess based on various criteria. Would it be fair to say that those figures are more related to lump-sum payments than to pension payments, or is that not the case?

Dr Browne: Gareth can give the detail on that. We came up with those figures on the basis that we consider that the number of people who will be eligible is likely to be significantly more than 2,000.

You start to look at the physical capacity of the panel to process payments; again, looking at the HIA scheme as an example. Of course, you flex that up or down by bringing in more panels, although that creates its own problems, as you have to bring in more admin support and process all the evidence. The figures that we have put in place are what we think is a reasonable throughput for the first three years. That is what we have based that on. We expect that a significant number of people are likely to go for the lump sum up front. Gareth, do you want to say a little more about the considerations about that?

Mr Johnston: Yes. The lump sum is available to people who are or who turn 60 or over. The question is how many people who fall into that category would want to take the lump sum rather than the annual payment. We have been working on the basis that it would be an attractive option for people. We are looking at maybe between two thirds and four fifths of people who would take that option. By way of illustration, if we took, say, the figure for year 3, the £72 million that is in your papers — those figures are hedged round with all kinds of cautions — about £40 million of that would be for backdating, because people would get their claims backdated to the Stormont House Agreement 2014; about £18 million would be for the lump sums; and then £7 million or so would be for the annual payments, with the implementation costs on top of that. Therefore, at least in the early stages, we envisage that the bulk of the money would go backdating and lump sums.

Mr Lunn: The question of whether the over-60s whom you are talking about would take a lump sum or pension really depends on their age. If they are 70-plus years old, they will probably take the lump sum.

Mark, you mentioned the five-year window for applications. I have no experience of that, but it seems like an awful long time for something that has been in the making for so long. I would have thought that most people, or at least many people, who might be eligible for those payments would already know about the scheme and would be waiting to apply. I think that you will find out in March just what the likely uptake will be. Does the application process need to be spread over that length of time? I think that you said that there might even be exceptions to that that would go into the future beyond five years.

Dr Browne: No; what I was thinking was that it might take longer to actually make a decision on some of the applications. After five years, there would be a tail; a period in which you were still working through all the applications that you got in the five years. Five years was set down in the regulations. Therefore, that was part of the framework within which we have to work. Some people will be very aware of the scheme and whether they are eligible; others will be less aware. That provides an opportunity to ensure that people are made aware of the scheme through publicity about it, so that, if they feel that they are entitled, they can apply and are encouraged to do so.

Mr Johnston: There is also the factor that if someone has had a traumatic experience, making the decision and taking the steps to apply, getting information, and so on, may be things that they have to work themselves up to doing. That was part of the consideration. However, the five-year application period is the same as that of the historical institutional abuse inquiry scheme.

Mr Lunn: Do you think that the third is the very high figure? What is your best guess for afterwards? This thing could run, as Pat said, for 30 years. It must taper off.

Dr Browne: Part of the calculations is how many applications come forward, what the level of assessment will be — based on the degree of disablement— and how many will take the lump sum up front. That all plays into the figures that we have. Once we get beyond the five-, six-, seven-year period, you would expect that it is those who are taking the ongoing payment over the number of years whom we are talking about. That figure will gradually decline over the years.

Mr Lunn: Do you think —. Sorry about this, Chair.

The Chairperson (Mr McGrath): It is descending a wee bit into a conversation in that corner of the room. Can we try to keep it to question and answer?

Mr Lunn: OK, well just the one, then. Is it fair to say that the vast majority of the applications will come in during the five years and that there should not be people left out after that point? You could accurately quantify the extent of funding required.

On the basis of these figures, there is no way that the Northern Ireland exchequer can deal with this. The British Government have to come in, although I am interested in Mr Lewis's strident response that there is no way that they will. He says that he will meet about it but goes on to say that they will not budge. That is negotiation, all right.

Dr Browne: Applications have to be submitted within the five years. As we move through the process, we will get a better idea of the extent of the number of applications coming in and whether the estimates that we had are accurate. We will revise our estimates and business cases, as is good practice, in light of that.

Mr Lunn: All I am thinking is that, as time goes on, let us say at the 10-year point and beyond that, the Northern Ireland budget could probably handle it, I would have thought. However, the three years, and possibly a couple of years beyond them, is where the pressure will be, and where it will be almost impossible for us deal with it.

Dr Browne: The provisions for backdating and for lump sums mean that a lot of the costs are front-end loaded.

Mr Lunn: Thank you very much. Thanks, Chair.

The Chairperson (Mr McGrath): Apologies for some of the interference. The acoustics in this room are terrible. When you talk down that way, I struggle to hear you at this end of the room.

Mr Lunn: Apologies, Chair. I will start shouting one of these days.

The Chairperson (Mr McGrath): I know that the questions will be banging, so, Trevor, I want to hear them.

I have no other indications that anyone else wants to ask a question. George, do you want to ask a question?

Mr Robinson: I am fine, Chair.

The Chairperson (Mr McGrath): OK, no problem. Is there another point that you wanted to make, Doug?

Mr Beattie: I am reading something here that is important, Chair. It says here clearly that:

"Widows, widowers and surviving civil partners of all members of the armed forces pension scheme will now retain their pensions, for life."

If they are retaining their pensions for life, they would not be applying for a pension 10 years on.

Mr Johnston: The difference comes with the widows, spouses and partners in the war pensions scheme. We are probably mostly talking about the old war pensions scheme for people who would qualify for this. It was only in situations where someone had been at least 80% disabled that the survivor benefits kicked in. There is a difference between the armed forces compensation scheme — the new scheme — and the former war pensions scheme in that regard.

Mr Beattie: I do not want to take time, but I am just reading here that it is in all of them. It is the 1975 pension scheme, it is the war widows' pension scheme, the 2015 pension scheme. You know that there is a whole rake of them, but in all of them, on death, their widows, their widowers, their spouses, their partners get the pension for life, so they would not be applying for the 10 years' payment. Anyway —.

Mr Johnston: We are in touch with the chief medical officer in the MoD, who is responsible for the war pensions scheme to clarify those points.

Mr Beattie: All right, thank you.

Mr Johnston: Something else has sprung to mind about your earlier point. Yes, of course there will be many victims who do not qualify for this scheme because it is designed for a particular set of circumstances, but who would qualify for the other services and support —

Mr Beattie: Of course.

Mr Johnston: — that is available through VSS. One of the things that we want to do is make sure that anybody who applies is aware that, whatever the outcome, service and support are available to them.

Mr Beattie: That is a good point to make, thank you. Thank you for your indulgence, Chair.

The Chairperson (Mr McGrath): OK, Mark, Gareth, thank you very much indeed. It was mentioned by a number of members that a lot of movement is taking place. There is still a fair bit of movement that we would like to see, but it is going on in that scheme. We have been asking for that, so to see it is good. Thank you very much for coming.

Dr Browne: Thank you very much, Chair, and members.

Mr Johnston: Thank you.

The Chairperson (Mr McGrath): We will have you back again to talk about money at some point.

Dr Browne: Thank you.