



Northern Ireland
Assembly

Committee for The Executive Office

OFFICIAL REPORT (Hansard)

Commission for Victims and Survivors

6 October 2021

NORTHERN IRELAND ASSEMBLY

Committee for The Executive Office

Commission for Victims and Survivors

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Members present for all or part of the proceedings:

Mr Colin McGrath (Chairperson)
Mr John Stewart (Deputy Chairperson)
Mr Pádraig Delargy
Mrs Diane Dodds
Mr Alex Easton
Mr Trevor Lunn
Mr Pat Sheehan
Ms Emma Sheerin
Mr Christopher Stalford

Witnesses:

Dr Katy Radford	Commission for Victims and Survivors
Mr Andrew Sloan	Commission for Victims and Survivors
Ms Mary Moreland	Victims and Survivors Forum

The Chairperson (Mr McGrath): I welcome Mr Andrew Sloan, chief executive of the commission; Dr Katy Radford, the acting head of research and policy development; and Mary Moreland, a member of the Victims and Survivors Forum. You are very welcome to today's meeting. The meeting, as ever, is being recorded by Hansard, and we are being broadcast live at the moment. Thank you very much for your attendance today. As normal, we will pass over to you for a bit of an update on where you are and how you are getting on with things. Afterwards, we will open up for some questions from members. If you are happy with that, I will pass over to you, Andrew, to begin.

Mr Andrew Sloan (Commission for Victims and Survivors): No problem. Hopefully you can hear me OK.

The Chairperson (Mr McGrath): Yes indeed.

Mr Sloan: Thank you for the opportunity to present to the Committee this afternoon. I am Andrew Sloan, chief executive at the Commission for Victims and Survivors. As you said, I am accompanied today by Mary Moreland, a member of the forum, and Dr Katy Radford, who is our head of research and policy development.

The Commission last gave evidence to the Committee in March 2020. At that Committee meeting, the former commissioner, Judith Thompson, and members of the forum addressed the Committee on issues relating to legacy, Peace IV research and the Troubles permanent disablement payment scheme. You will be aware that, since Judith's tenure ended in August 2020, the commission has continued to operate in the absence of a commissioner. That has placed various limitations on our

functions. Without a commissioner, we have been unable to fulfil our legislative duties and our independent function of providing advice to Government. We have also been unable to replenish the membership of the Victims and Survivors Forum, meaning that the workload and responsibilities placed on our current members have been much greater.

I welcome the current advertisement of the commissioner's post and look forward to the outcome of that process. I also thank and acknowledge colleagues in the Executive Office victims unit, commission staff and members of the forum, who have shown great commitment to furthering the work in the interests of victims and survivors and contributing towards greater reconciliation and societal healing, despite such challenging circumstances. In particular, I want the Committee to join me in recognising that the forum members invest their time and energy in the work on a wholly voluntary basis.

I will set some context around the ongoing relevance of conflict impact and why victims and survivors' issues must remain a priority. In August this year, the commission carried out a population survey that asked the general population in Northern Ireland a series of questions about issues affecting victims and survivors. I provided the Committee Clerk with a copy of our summary findings, which I hope has been circulated. The survey found that 24% of our adult population met the legal definition of a victim or survivor of the Troubles, as outlined in the Victims and Survivors (Northern Ireland) Order 2006. Leaving issues around the definition aside, from a social perspective, that is at least 320,000 adults in Northern Ireland who have been affected in some way by the violence here.

Following the public consultation on legacy proposals by the Northern Ireland Office in 2018, the commission submitted advice to the Secretary of State for Northern Ireland. That advice was underpinned by key guiding principles developed by the forum. It outlined a clear view that any mechanisms must, first and foremost, meet the needs of victims and survivors, seek to promote reconciliation and, importantly, uphold the rule of law. The Committee will be aware that, in January 2020, the New Decade, New Approach agreement reaffirmed the commitment to establishing the legacy institutions of the Stormont House Agreement. In the period leading up to the publication of the Command Paper in July 2021, the UK Government signalled a change in direction for legacy mechanisms. They also outlined the intention to bring current and future civil cases, judicial reviews and inquest proceedings on Troubles-related activities to an end. The premise of these proposals seems to be centred around the idea that the current system is not working for anybody and that Northern Ireland's past significantly impacts on politics, public debate and trust in the police and wider justice system. It is accepted that the current system is not working for the majority of people. However, we should recognise that civil proceedings, judicial reviews and inquests have delivered much for some families and that the institutions proposed in Stormont House have never been implemented or given the chance to work.

The Command Paper has been met with considerable opposition from victims and survivors, political parties in the Executive and prominent voices in academia and civic society. In the recent population survey, 88% believed that it is important to address the legacy of the conflict; yet, in the same poll, 70% stated that they did not support the statute of limitations — or an unequivocal, broad, unconditional amnesty, as it has recently been described by legal experts in Queen's University — which would apply to all Troubles-related incidents.

The commission, the forum and many other victims and survivors' organisations have shared with the UK Government the triggering and distressing human impact on the mental health and emotional well-being of those affected by such proposals. It is disappointing that this is not enough to influence the direction of travel. To that end, the commission and forum have met members of the US Ad Hoc Committee for the Protection of the Belfast/Good Friday Agreement and the United Nations Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism. In recent weeks, we have seen that Members of the US Congress have written to the UK Prime Minister calling for the Government to reconsider their legacy proposals.

Both the commission and its forum fully recognise that victims and survivors are a diverse group of people, often with a range of views and unmet needs on legacy matters and, although support for the Stormont House institutions was always nuanced, it remains the position of the commission and the forum that those measures offer the best chance of delivering optimal outcomes for victims and survivors, and wider society, when it comes to addressing the past. We feel that the closure of avenues, as proposed in the latest Command Paper, represents a sweeping denial of the rights of families and presents a real risk of seriously damaging our focus on reconciliation. That sentiment was broadly supported in the population survey, with between 55% and 67% of respondents saying that they were in favour of establishing the legacy bodies proposed in the Stormont House Agreement.

Despite these micro and macro challenges, the commission has continued to develop a number of key strategic pieces of work across the organisation. We are in the process of developing a new government strategy for victims and survivors, alongside our co-design partners in the Executive Office, the Victims and Survivors Service and community-based service delivery bodies. To date, this has been informed by our policy information paper provided to the Executive Office, our research over the years and, most recently, the interim findings of the four Peace IV-funded research projects due for completion by the end of the year, and by sectoral experiences provided by community-based organisations and the lived experience of the Victims and Survivors Forum. Unlike the previous strategy, which was lacking in target-setting or performance measurement, in the development of a new victims strategy, we are mindful of adopting an accountability-based approach to the work done across the sector. We seek the Committee's support in considering this and feeding back to Ministers when the draft is received.

It is clear that the impacts of our past can very much be felt in the present. Education, housing and often even sport experience a high degree of segregation and, whilst great work is being done across Departments in looking to integrate and reconcile these areas, countless other social and political developments can amplify pre-existing tensions that go right to the heart of identity and culture. They are issues that remain difficult to address, despite the passage of time since the Belfast/Good Friday Agreement, but a better future relies on a cross-sectoral and coalesced approach to dealing with our social challenges across health, education, community planning and economic development. In short, lasting peace is a cornerstone to the effective delivery of key outcomes in the Programme for Government. It is our ask today that government applies a victims lens across policy areas. Just as rural proofing saw a governmental commitment to reviewing and examining all public policies to ensure that they do not disadvantage rural areas, we seek the Committee's support in considering a similar approach for victims and survivors, to take account of the circumstances and needs of a population of which a quarter have been affected by the Troubles. That would ensure that the same individuals and families would have their views considered in areas overlapping conflict legacy and learning about the Troubles, including education, health, community planning, sport, arts and tourism.

It is worth mentioning and recognising that, of the 24% of people meeting the legal definition of a victim, many will choose not to self-identify as a victim, the reasons for which are varied. Some find the public debate on victims' issues to be harmful at a personal and societal level, and others were previously unaware that they met the legal definition until it was presented to them. Still others do not wish to be labelled or put in a box based on a particular experience in their life. To date, much of the work in what is known as the victims' sector has centred around truth, justice, health and well-being, and it is vital that that work continues in these areas. However, there is a piece of the puzzle missing, and that is building towards a better future. To our mind, that is the empowerment of victims and survivors in the pursuit of reconciliation and societal healing from a policy perspective. Not only would this complement and enhance the work of a new commissioner and the delivery of a new strategy for victims and survivors, but a coordinated approach could optimise the use of public money by collaborating on areas of overlap. There is a strong overlap between high levels of mental ill health and poverty in areas most impacted by the past. Social isolation of victims and survivors living in rural communities further compounds these experiences. Responses to the population survey revealed that 21% of adults in Northern Ireland said that their mental health had been affected by conflict-related incidents. Of this figure, 44% said that they continued to be affected to the present day.

Significant resources to address the mental health legacy of the conflict have gone into providing treatment and support across the health service and funded community partners throughout the lifetime of the current strategy. In 2020-21, over 2,500 individuals accessed a range of trauma-focused psychological therapies through community-based service providers. Across this critically important line of service delivery, the Victims and Survivors Service has indicated that approximately 60% of service users reported a clinically reliable improvement in their psychological well-being. This is an encouraging outcome that is potentially life-changing for an individual whose mental health has been negatively impacted by their experience of the Troubles. However, we recognise that further work is required to ensure that more victims and their families are accessing treatment and support that achieves an improvement in their psychological well-being.

We welcome the recent announcement from the Health Minister on the allocation of £8.7 million to community organisations providing mental health services, and we echo his sentiments that too many people in our society struggle with being mentally unwell and find it difficult to access the help and support that they need, when they need it. Indeed, as the recent population survey indicates, a significant proportion of adults in Northern Ireland continue to live with the psychological consequences of the Troubles. The commission has been a long-standing advocate for the creation of a dedicated regional trauma network (RTN) by which regional specialist trauma services could be

accessed by victims and survivors of the Troubles. It is regrettable that, six years after the commitment was made to establish a world-leading mental trauma service for Northern Ireland that would be a fitting legacy to those who have suffered during the Troubles, it remains uncertain when the service will become operational. We acknowledge that the delays to this service are in part linked to the considerable pressures upon the health and social care system as a result of the COVID-19 pandemic, and we are aware of some significant concerns raised in connection with the regional trauma network's proposed service delivery model. From a societal point of view, we need to ensure that services are in place to bring people to the greatest degree of well-being possible. It is also crucial that that is considered alongside the outworkings of investigations or truth recovery processes, which can often compound pre-existing trauma.

When we speak of the trans-generational impact of the Troubles, it is worth recognising the disparity in educational attainment in areas affected by violence, which directly impacts opportunities later in life, including employability. Those issues impact the work and outcome delivery objectives of other Departments, including Health, Education, Finance, Economy and Infrastructure. Segregated education also remains a barrier to a reconciled society. Despite a recent attitudinal survey conducted by the Integrated Education Fund, which found that 71% of the Northern Ireland population believes that integrated education should be the primary model, only 6% to 8% of schools in Northern Ireland hold integrated status, the majority of which are primary schools.

During the field research for our Peace-IV-funded trans-generational research project, when questions around education were put to our recent survey respondents, some suggestions supported the view that learning from the past is in the best interests of shaping a better future. Of those respondents, 43% felt that learning about Northern Ireland's past should be compulsory across primary and secondary schooling here. Victims and survivors have important voices to lend to the conversation around integration and the importance of shared learning, whether that is through formal education or education through the arts and tourism. They have profound and direct experience of how divisions can nurture fear or lack of understanding for those who come from different backgrounds, experiences or walks of life.

Good relations and social change are at the heart of a better future. We all have a role to play in creating and promoting cultural shifts towards reconciliation. That involves including victims and survivors in shared learning and thinking in areas that may previously have been overlooked. In the context of community planning and development, victims and survivors have much to contribute to conversations around how public spaces can be reimagined to make them more accessible and inclusive for those affected by the past. Through empowering victims and survivors in conversations around the exhibition and display of culturally and historically significant material, such as commemorative events and plaques, memorials, murals, the way that history is taught in school and other potential trauma reminders or triggers, we can promote best practice in educating about our past in a way that is not damaging to victims or survivors or to the fabric of our society. In doing that, we can begin to reduce the trans-generational transference of trauma.

I will close by saying that continually building towards broader reconciliation is in all our interests. We must be mindful that, in healing our past, we are actively inclusive of other backgrounds, ethnicities and cultures. In the promotion of Northern Ireland, strategic investment and regeneration are heavily reliant on prolonged and sustainable peace. So, too, is incentivising our young people to see a worthwhile future in which the best standard of living is available to them. Learning from those who have direct lived experience of the harm and suffering caused by conflict is key to minimising the risk of a return to violence. We seek the Committee's support to advance our work, both interdepartmentally and across parties, on a number of areas that are pertinent to victims and survivors and to the broader reconciliation of our society.

Thank you for your time. If you do not mind, I will ask Mary and Katy to take a moment to introduce themselves.

Ms Mary Moreland (Victims and Survivors Forum): Thank you, Andrew. As you know, I represent the Victims and Survivors Forum. My husband and I both served in the Ulster Defence Regiment. He was murdered by the IRA on 16 December 1988 as he went about his day job, leaving me a widow with our two children, who were then aged 10 and 12. Like all members of the forum, I am determined that our society does not return to the Troubles.

As we approach the end of 2021, we are still debating the legacy institutions. I am sure that few would disagree that the Stormont House Agreement institutions were not perfect, but, if we continue to wait for perfect, nothing will ever happen. At the minute, those institutions remain the best way forward to

meet the varying needs of all victims and survivors. They should be implemented with haste and they should, of course, be properly resourced.

Our politicians continue to shy away from dealing with the past. We have been without a Commissioner for Victims and Survivors for over a year. That is incomparable to any other commissioner-led body and effectively silences the voices of victims and survivors. Those who advocate drawing a line under the Troubles, or who think that it is the best way to help Northern Ireland to move further along the road to reconciliation, do not understand that grief and pain are not time-bound. Neither does that reflect the voice of the forum or, indeed, the voice of the majority of the population. Every citizen has the right to have access to the criminal justice system. Denying that fundamental right is, in my opinion, immoral. The world is watching. The UK Parliament is synonymous with democracy and has become a model for parliaments around the world. Denying access to the criminal justice system is wrong and an insult to victims, survivors and society as a whole. Now is the time to act and implement the, albeit imperfect, solutions. It has been said many times, but there is a real opportunity to stop working in silos, to have a joined-up approach and to change our language from rhetoric to factual, accurate and inclusive language. The effect of doing nothing impacts right across society, across genders and across generations. We all have a responsibility to build a better future — a future that we as a society can be proud of and in which we can ensure that those responsible for delivery are held to account.

We spoke about strategy. The previous strategy lacked target-setting and performance measures. Moving forward, there must be accountability. The forum, representative of the diverse nature of victims and survivors, does not just look at the past; it does so in the context of creating a better future for all. The forum does not use the word "closure" but looks at achieving the greatest degree of resolution possible. The forum is trying to make sure that the conditions that enabled conflict to happen are not recreated.

Dr Katy Radford (Commission for Victims and Survivors): Good afternoon. By way of introduction to the commission's research and policy development work, I reiterate that the extended team applies a victim-centred and trauma-informed approach to all our engagements. We undertake qualitative and quantitative research that, whenever possible, has been co-designed or steered by victims and survivors in three key areas: to address the legacy of the past; to advance access to services, based on defined need; and to build a better, shared future. It is not surprising that those three areas, more than often, overlap. Having spent my childhood and adolescence during the 1960s and 1970s in Belfast, my personal and professional experiences have been profoundly shaped by that period and now focus on the point at which the three areas intersect. That intersection can and should, where possible, become a point of resilience building and post-traumatic growth to provide our society with the architecture and tools to ensure that future generations do not bear the scars and burdens of the past but can carry their culture, identity and heritage with pride and learn to recognise the value and worth of others. Our work in the commission can be a map for victims and survivors to move forward if they can and, if they can, to be supported to model a valued and leadership role in enabling society to do the same.

I began working with victims and survivors in 2000 on the oral history project 'Bear in Mind' for An Crann, which means The Tree. The title of that work was taken from John Hewitt's poem 'Neither An Elegy Nor A Manifesto'. The commission recognises that the arts are cathartic and educational and, increasingly, draws on the work of our many artists, poets and performers to interpret or illustrate the findings of our research. We do so to ensure that as wide a range of people as possible can access and respond to the findings of rigorous academic research. The work can also be used to feed into policy development and how our visitors view us: the message that we send to others as well as to ourselves.

You have had sight of an example of that with 'The House', a project that we undertook with the Northern Ireland Housing Executive and the Big Telly theatre company in Coleraine. That work showcased at the Féile an Phobail and EastSide Arts festivals at the same time. It took quotations from research undertaken by or on behalf of the commission and, quite literally, decorated the walls, furniture and soft furnishings of two Northern Ireland Housing Executive properties, enabling visitors to the properties to experience a piece of immersive theatre that dealt with legacy and service delivery needs to address issues such as addiction, education, the transference of family traumas, trust, isolation, mental well-being and the complexities of juggling competing domestic and gendered expectations. We found that, of the 200 visitors to the experience over four days, many, though technically victims under the legislation, had not engaged with service provision. Building on that work, we will continue our existing partnerships with the Housing Executive and will further explore, within a shared education framework with Queen's and St Mary's University College, how an augmented reality

version could be piloted in schools and teacher training modules. For the commission, research does not mean monitoring and evaluation services alone; rather, it is to encourage ethical and hard conversations that create discourse about the issues that Andrew and Mary have raised.

Finally, I revisit and respectfully reinforce the point made by Andrew that Executive Office Committee members are in a unique position to play a significant role in taking forward his suggestion from the commission that, as with the Departments' race equality champions, the establishment of departmental champions would go a considerable way towards ensuring that those who are most impacted by what is euphemistically referred to as the Troubles or conflict remain a priority in policy development and accountability. I thank the Committee for its consideration and look forward to our conversation.

The Chairperson (Mr McGrath): Thank you very much, Andrew, Mary and Katy, for your report to the Committee. You gave us plenty of information and a sense of the breadth of your work. We will move to questions and a few comments. I highlight the fact that you mentioned, Andrew, that 24% of the population has been impacted in some shape or form by what is known as the Troubles. It is a stark figure; it is a big figure. Do you want to give us some comment on that? If there was any other issue that affected close to a quarter of the population, there would be an expectation of resources and a response. Will you tell us more about that figure and what it means? What do you think there should be as a result?

Mr Sloan: That figure, as I said in the presentation, equates to 320,000 people, which is a vast number of people across this small island. The percentage of them who had, and continue to have, mental health issues was stark to me. It certainly needs to be addressed. As I said about getting the regional trauma network up and running, it is regrettable that it is six years since the RTN was first mooted. I understand from engagement with the Department of Health that officials are working with stakeholders to advise the Minister. There are issues around how long a pilot phase that would be ring-fenced for victims and survivors would last and the referral pathways into that service.

I will pass over to Katy, who will be able to take you through some of the other figures in the report.

Dr Radford: Thank you, Andrew. In answer to your question, Chair, one of the things that stood out to me about the legal definition was that, when we asked whether people experienced and were affected by the Troubles conflict — I use that expression because it is what we tend to use in the commission — 51% of respondents said that, irrespective of whether they were a victim themselves, they had a distant relative, neighbour, colleague or friend who had experienced it; and 45% had been present at an incident.

We can also see how those figures break down in jurisdictions. We had the opportunity, when doing this particular population survey, to look at the experience of people within five miles of the border area and within council areas. We found, for example, that there was a real difference in the figures for those who perceived themselves to be affected by the Troubles or who were affected by the Troubles. For example, in Newry and Mourne, it was 34% of respondents, as opposed to 15% in Ards and North Down. That begs the question, "Why do some people consider themselves to be victims and survivors while others choose not to be recognised as such?" We know from talking to the Veterans Commissioner, Danny Kinahan, and to service providers in GB and the Republic of Ireland that there are a range of different responses that people have. As a good researcher will always say, it leads us to the need to do more research, and we need support in order to conduct that.

The Chairperson (Mr McGrath): Andrew, there has not been a commissioner for over a year. Whilst the advertisements in the paper last week were welcome, it is only the beginning of a process. Obviously, it will require advertisement, and there will be applications, shortlisting, interviews, appointment and, eventually, somebody taking up the post. In reality, the appointment will not be taken up until the new year. What has been the day-to-day impact on the commission of not having a commissioner? You said that advice to government has been missing, membership of the forum has not been taken up, and legislative duties have not been undertaken. What is the day-to-day ramifications of those tasks not being carried out?

Mr Sloan: It leaves the commission hamstrung with regard to advising government. We can present options and the pros and cons of each of those options to government, but we cannot give advice. That is the remit of a commissioner. You allude to replenishing the forum. The forum is a body that provides the commission and commissioner with the lived experience of a victim and survivor. A new commissioner might have different ideas about how the forum should be constructed. We currently

have an in-person forum, but that could be an electronic forum, with a new commissioner coming in. On a day-to-day basis, the commissioner is, essentially, the board of the organisation and provides the strategic direction to the organisation. The commissioner is a corporation sole — the commission is one of the few organisations in the public sector that holds that status — and not having that board person in place presents difficulties in knowing in what direction the organisation should be researching. For example, we have a research strategy, but if there were a commissioner in post, they would have their ideas about the areas and priorities that should be focused on.

The Chairperson (Mr McGrath): Andrew, we have to feel your pain, insofar as research states that nearly a quarter of the population are impacted in some shape or form, or defined as victims, but we have an Executive Office that takes almost 18 months to appoint a commissioner to carry out the day-to-day work. Those two things are inconsistent. If there is a massive need in our community, we should be responding to that need, and responding to it quickly. On this occasion, it does not feel that that is the case. In fact, it is very slow.

Mr Sloan: We would encourage the Executive Office to complete the process as soon as it can and ensure that a new commissioner is appointed as soon as possible. I agree with what you say about the time that it will take from the advert going out. I cannot see a commissioner being in post in less than six months. By the time they shortlist, interview, and put the selection forward to Ministers — and the person may have to give notice in their job — it could take six months. I am expecting something around the beginning of the new financial year.

The Chairperson (Mr McGrath): Being cognisant of roles and jobs etc, I will direct the next question to Mary, because I appreciate that you may not wish to comment on this on the record, Andrew. Mary, from the forum perspective, it feels like the Tory Government have ripped up a substantial number of years' work that was painfully undertaken to try to bring as many political parties and communities together in attempts to find some sort of resolution for the legacy issue and to try to find appropriate ways of addressing that. How do you feel about what took place over the summer and what took place today when one of the Ministers of State in the Northern Ireland Office said that the Government are open to suggestions, after what has been a long time and a lot of work? Are you frustrated by that?

Ms Moreland: The forum is frustrated. The lack of a commissioner means that there is a vacuum. As Andrew stated, we have not had the opportunity to replenish membership and, therefore, bring on different voices. The priority is to ensure that a commissioner is appointed as soon as possible. It is frustrating that nothing has happened. As I said in my opening address, the Stormont House Agreement is not perfect. The survey shows that 70% of the population does not want the statute of limitations and that the majority of the population wants the institutions to be established. It is frustrating. It is wrong.

In, I think, 2019 — Andrew could tell you better — the commission made about 40 recommendations that needed to be considered. However, as I said, the survey shows that the majority of the population wants the institutions to be established. You spoke about Conor Burns saying that they would listen to proposals. I suggest that I speak for the forum when saying that he can come to listen to us at any time. We are probably the most representative body in terms of the variety of victims and survivors. Not all victims and survivors access services, but that does not mean that they do not want their voice to be heard. We need politicians, especially the Executive and the First Minister and deputy First Minister, to listen, to stop the rhetoric and to get on with implementing the proposals, which, although they are imperfect, are better than nothing.

The Chairperson (Mr McGrath): There was a clear suggestion there that the Minister of State should meet you to hear exactly what your forum has to say. I hope that that will be a further example to him and the British Government that there is, more or less, consensus here that their suggestions are not welcome.

Andrew, I will ask two more questions on behalf of John Stewart. John is the Deputy Chair and normally goes second with questions, but, unfortunately, technical problems have bumped him off the system today. Will you detail the practical help that you provide to victims and survivors? Do you feel that the commission gets buy-in from the full spectrum of victims across the North, or do you think that there are gaps because some victims' groups do not buy in? If you were able to give us an answer to those, John would appreciate it.

Mr Sloan: The victims and survivors' groups have about 14,000 or 15,000 members. We know from our survey that the actual number is probably around 340,000, albeit many victims and survivors do

not want to identify as victims. As for getting buy-in, there are issues around the definition of a victim, but we have to work within that definition. We try our best to ensure that all victims and survivors are represented in our engagements, where we take views from those victims and survivors and incorporate their opinions into any policy advice that we give to government. As Mary said, the Victims and Survivors Forum is the most representative forum of victims and survivors that there is. That is the primary source of evidence in taking that lived experience and incorporating it in to the policy advice that we give to government.

The Chairperson (Mr McGrath): Thank you for that.

Mr Sheehan: Thanks to the panel for the presentations.

I want to start by setting clearly on the record that, in the view of Sinn Féin, the Stormont House Agreement is the best way forward to deal with the past. It is a victim-centred approach. As Mary said, it may not be perfect, but it is the best bet and basis for moving forward.

My starting point is this: no victim should be asked to remain silent and forgo any rights to truth and justice. I say that sensitive to the deep loss right across our communities and to recognise the desire of many families to have questions answered. If we are serious about dealing with the past and building for the future, there cannot be any dilution or erosion of the rights of all victims — not just some victims but all victims.

I suppose the context for our discussion today is the British Government's Command Paper and its proposals for an amnesty for their own state forces. That is a full-frontal assault on the Good Friday Agreement. It is also an affront to families that lost loved ones during the conflict. These proposals are about covering up what their own state forces were involved in during the conflict.

The Model Bill Team from Queen's University, Belfast and the Committee on the Administration of Justice suggests that, in comparison with amnesties internationally, this proposal from the British Government offers the broadest level of impunity of any that they studied. They described it "Pinochet plus". What is the view of the forum? Is the forum in favour of an amnesty and statute of limitations? Is it in favour of ending all legal remedies such as inquests, public inquiries, civil actions, judicial reviews and so on? I will come back for a further question after that.

Ms Moreland: I can categorically state that the forum is totally opposed to the proposed statute of limitations — the amnesty. I served in the Ulster Defence Regiment, and I am extremely proud to have served in that regiment. I would say that 99.9% of the armed forces served with honour, dignity and integrity. However, the statute of limitations does not affect only veterans in what has been described as a witch-hunt. Should I want an investigation into my husband's murder, because nobody has been convicted of his murder, the proposals, effectively, deny me that as a veteran and a widow.

The forum, like 70% of the population in the study, believes that it is wrong and should not be implemented. It is probably one of the things that Northern Ireland society as a whole can agree on for once.

Mr Sheehan: Thanks for that, Mary. That is really crystal clear.

My other question is in relation to the jointly convened Irish/British legacy process. Can you offer a view on that process and whether it is capable of delivering for victims?

Ms Moreland: Is that to me again?

Mr Sheehan: It is to whoever wants to respond.

Ms Moreland: I will not offer a view on something that I am not up to speed on. I will hand over to either Katy or Andrew.

Mr Sloan: I am afraid that I am not up to speed on that, Pat.

Mr Sheehan: OK.

Dr Radford: Did I get the short straw, Pat?

Mr Sheehan: It looks like it, Katy, yes.

The Chairperson (Mr McGrath): Katy, can you give an answer to that?

Dr Radford: Forgive me, but, given that the commission does not have a position on it, it would be unwise for me to do that without first referring it to the forum. As you know, the forum is the first go-to place in terms of what we comment on publicly, so forgive me, but I will stay silent on that.

Mr Sheehan: Fair enough. Thanks for that.

Mr Easton: Thank you for your presentation. I am quite new to the Committee, but I have a vague knowledge of what has been going on. It is quite disappointing to hear about all the delays that you have been facing in trying to implement things. You have my sympathy on that.

I am quite shocked by some of the stuff that I have heard. Can somebody comment on why it has taken the Executive so long to appoint a commissioner?

Andrew mentioned the trauma services that you are trying to get introduced. What are the issues with those being progressed? It is quite shocking to hear that 24% of people have been impacted by the Troubles. That is a huge number of people, and I feel that those people are being failed, not by you — you want to get this done — but by others from the Executive Office or from wherever all these delays are happening. That worries me.

Can I also ask for a comment on the proposed amnesty that our Prime Minister is bringing in? It is totally unacceptable. Do you agree with me that that is, first, morally wrong and, secondly, will traumatise the victims even more?

The fourth question is about education and the possibility of our young people being taught about the Troubles and the past. Anything that we teach our kids needs to be the truth, and it needs to be the truth about the Troubles. It was really just a sordid terrorist war, and we need to be very careful what our young people are taught because the truth is absolutely vital if that is ever to progress. Those are my four points. Thank you.

Mr Sloan: Thank you, Mr Easton. I will deal with the first two points. Mary can deal with the amnesty one, and Katy can deal with the education one.

Why has it taken so long? The answer is that I do not know why it has taken so long. When the commissioner's term came to an end, the forum was very quick to get a letter to the First Minister and deputy First Minister to get the process under way as quickly as possible. We can see the outworkings of that process. It took more than a year before the post was advertised. I believe that the process had been agreed prior to the summer but it was decided not to advertise the post until the autumn and once the summer period was out of the way.

As I said in my opening remarks, we are very keen to see the trauma service up and running. I engaged with Department of Health officials to find out where we are with it, and they advised me last week that they are still preparing advice for the Minister and that they would, as they described it, be consulting stakeholders about that advice.

There are two issues with the regional trauma network. One is that it is proposed that it will be a dedicated service for a period of time for victims and survivors. As I understand it, the legal advice that the Department of Health has received is that health service provision cannot be ring-fenced for a section of the population and should be open to all. My understanding is that it wants to do it as a pilot, for a specific period of time, that is available only to victims and survivors.

The other issue is the referral pathway into it and getting agreement on who can refer into any new regional trauma network. A small number of groups hold the relevant accreditation to allow them to refer people into psychological services, as do some staff in the Victims and Survivors Service. It is about getting agreement from the Department of Health that those organisations will be allowed to refer into the regional trauma network. For us, one of the key issues is that GPs must be allowed to refer into the RTN. That is because, quite simply, the vast majority of victims and survivors engage with their GP on a regular basis, especially if they have a psychological need. It is, therefore, key to ensure that GPs are able to refer into that service. When I spoke to Department of Health officials, they said that the time frame for completion of stakeholder engagement was six months.

I will pass the amnesty question over to Mary.

Ms Moreland: I will ask Alex to repeat the question, because my internet dropped out for a moment.

Mr Easton: The Prime Minister's amnesty proposal is totally unacceptable. If that goes ahead, will it re-traumatise victims, given that some of them might never get the opportunity to bring people to account for their actions?

Ms Moreland: You are probably not far from the truth. Not every victim wants people to be brought to court and prosecuted. What most victims and survivors want is the best possible resolution to enable them to move forward and to empower them to do so. To deny access to the criminal justice system is, in my opinion and that of forum members, wrong. On a personal note, I do not necessarily want to access the criminal justice system, but I do not want that access to be denied. If, at a future date, new information or evidence were to come to light, the proposal effectively, as I said, would deny me, as a veteran and as a widow, that right. As I said, the world is watching, and that sends out the wrong message. It is wrong.

Mr Sloan: In our engagement with the UN special rapporteur, her words were that China and Russia are rubbing their hands with glee when they watch what is going on in the UK in relation to a proposed amnesty in Northern Ireland. They have been criticised for many years for doing something similar, and now the UK, which is held up to be one of the best Western democracies, is doing exactly the same thing.

Mr Easton: Thank you for those comments. We have to do everything that we can to get a bit of sense from our Prime Minister on these issues. My next question was about education.

Mr Sloan: I will hand over to Katy on that one.

Dr Radford: Thank you for the opportunity to comment. As part of the population survey, we asked how 11 different categories were perceived by the respondents in having a positive or a negative influence. Segregated or separate schooling and housing were the two highest components of that. Some 70% felt that to have separated schooling systems had a negative influence.

What is interesting about the responses to this and other questions is the difference between what those who are in the 18- to 40-year-old categories and those in the 65-plus category see as different. In a lot of our responses, you will find that those in the 65-plus age range are less concerned about some of the issues and less taxed than those in the younger age range. That is true in terms of separate schooling and education, but also in terms of informal education. Some 67% — the highest set of respondents — were very positive that we needed the oral archive component, which was set out in the Stormont House Agreement. For that, essentially, what we are going to do is see that oral initiatives play a very strong part in the informal education of young people as well as in their formal education. Both of those are things to keep an eye on; it does not necessarily mean that, in terms of education, we need to look to the formal schooling sector. I hope that that helps.

Mr Easton: Thank you.

Mr Lunn: I thank all of you for your presentation. The work that you do is outstanding, and I hope that you have continued success with it.

Mr Sloan: Thank you.

Mr Lunn: Andrew, you mentioned a figure of 320,000 people who feel that their mental health has been affected by the Troubles and, I think, that 44% of those people feel that their mental health continues to be affected. Is that a fair reflection of what you said?

Mr Sloan: The figure of 320,000 people relates to those who, if we extrapolated out our population survey, would identify as a victim and survivor, given the definition. Some 21% say that their mental health is affected. I do not have the exact numbers, but it is around the 275,000 mark, and 44% of them say that their mental health continues to be affected.

Mr Lunn: I am looking at the figure that you gave there and equating it to the number of people who are on health service waiting lists at the moment; they are pretty much the same number. Is it fair to say that the more successful that you are with the work that you are doing, the more beneficial effect you could have on the health service waiting lists?

Mr Sloan: Absolutely. I am sure that there is a direct correlation between the work that we in the victims' sector and our partners in the Victims and Survivors Service do and helping to address the issues that the health service is facing. It comes back to having a joined-up governmental approach to doing business. One of the key things that, I think, was missing from the last strategy was targets. There was no accountability or monitoring framework in it. If we have that joined-up approach and bring a victims' lens to everything that we do, we can start to address some of the issues and make the public pound go a little further than it does currently.

Mr Lunn: I could not agree with you more. Joined-up government is an elusive goal in this place.

I do not want to repeat the discussion around the appointment of a commissioner, but I will say that it was not a surprise when Judith Thompson left the position in August 2020. We knew about it before that. The inexcusable aspect of this is the period of time between when we knew that Judith's contract would not be renewed and 27 September this year. It is par for the course with public appointments, as far as I can see, but there is no an excuse for it.

By coincidence, we will have the First Minister and the deputy First Minister here next week to discuss whatever we care to raise. You can take it from me that that question will be asked of them directly to see whether they cannot speed this up. You told us how much your work is constrained by the absence of a commissioner. This is a vital service that affects so many people in Northern Ireland, yet it takes the Executive Office 14 or 15 months to come up with an advertisement. That is not a question, Andrew; it is just a bit of a rant. I am sorry about that.

Mr Sloan: It is fair to say that the Victims' Commissioner is the advocate for victims and survivors. Victims and survivors really miss having a commissioner to advocate on their behalf. That is not to say that every victim or survivor will agree with the commissioner every time, but a commissioner gives them that voice.

Mr Lunn: Keep up the good work. Thank you for your answers.

The Chairperson (Mr McGrath): I will update the member on something that will be of interest to him given what he has just said. We have requested a written report from the Commissioner for Public Appointments, but the Executive Office has not appointed a Commissioner for Public Appointments. If we have an office that cannot appoint a Commissioner for Public Appointments, is it really a surprise that it has not been able to appoint a Victims' Commissioner for nearly a year? We are starting to unearth some issues in the Department that we can certainly flag up and flesh out next week.

Mr Delargy: I want to come in on the points about education. As a former teacher, I obviously have a lot of experience of education. I found Alex's comments quite concerning. It is very clear that he has no background in education and even less commitment to moving forward. I want to flag up those points and show my concern about them.

Secondly, we are in dangerous territory when we start to suggest that religious education in some way promotes sectarianism. That is a very dangerous avenue to go down. It is completely unfounded. From being in schools, I know that a huge amount of cross-community and shared education opportunities are available through personal development and mutual understanding and other projects that show a real degree of inclusion across the board. That point needs to be raised. You cannot just say that integrated education is the only way to go and, by doing so, tar any schools that do not follow the integrated education model. I want to flag that up.

Moving on to my question, in your request to meet the Committee, you stated that you are working:

"within the context of a greatly reduced Victims and Survivors Forum."

Why has the forum been greatly reduced, and how has the quality of victims and survivor engagement been impacted on by that?

Mr Sloan: When the original forum was appointed, there were about 25 members. Over time, the numbers have depleted. We have to remember that the forum is a group of volunteers, who are victims and survivors and who have to relive their victimhood and trauma every time that they come to a meeting, because they are coming to a meeting of the Victims and Survivors Forum. A number of people have dropped out of the forum for personal reasons and a whole variety of reasons. It is the same with any collection of people who come together: they stay together for a period and, then, the numbers start to diminish.

When the forum's numbers diminish, it puts greater pressure on the remaining members given the work that they have to do. If we had had a commissioner in post — if, for example, Judith Thompson's term had been extended — the forum replenishment exercise would have been completed by this stage and additional members would have been added to the forum to lift that burden and pressure. I worry about the pressure on forum members, especially when they have to come along every month or, in some cases, two or three times a month and relive the traumatic experiences that they have had.

Ms Moreland: As I said, the forum is representative of the diverse nature of victims and survivors. I believe that it still is representative, even though it has been slightly reduced. We come with our lived experiences. If Judith's term had been extended — I would argue that it should have been extended until there was an opportunity to hand over to a new commissioner — the forum would have been replenished, as Andrew said.

The current forum members provide the experience in the forum. The appointment process for forum members is robust. It means that you look at your own emotional intelligence. Every victim and survivor goes through various stages of grief, bereavement and pain, which are not time-bound. It is that emotional intelligence of the forum and its members that enables us, who are from all backgrounds and from diverse communities, to go back, sit in a room and agree. It is really important that there is a commissioner to replenish the forum so that we can continue the good work that we are doing to achieve the greatest degree of resolution possible, so that we all move forward as a society, and so that we empower victims and survivors.

Dr Radford: Thanks for the question, Pádraig. It may also be worth considering that we have undergone an evaluation of the forum and of how to move forward as soon as we can. However, as Andrew has said on a number of occasions, the process is so tied up in what the statutory duties of the commissioner are as opposed to what we as a commission can do that it can be frustrating for us.

The Chairperson (Mr McGrath): I want to check whether Emma has any questions. She may not have been able to indicate, given the problems with her connection earlier. Emma, do you have any questions?

Ms Sheerin: Thanks, Chair. I have just turned my camera back on. I am breaking up and coming in and out because of my connection. No, I do not have any questions. Following on from what my colleagues said, the revelations over the past number of days about the stated intention to review the Human Rights Act in light of the British Government's amnesty proposals are cause for concern for us all. I echo others' sentiments on that. Thank you for the presentation and your answers.

Mrs Dodds: First, apologies for being a little bit late. The Education Committee meeting overran by about an hour and a half, and I was running between two things.

Thank you to everyone for the presentation. I heard most of it. I will make a couple of observations to start with. It will not be unexpected for me to say this. You were very careful to stick to the legal definition of a victim in the population survey, but that definition is still an issue. I meet and talk to victims very frequently. It is still an issue that that definition does not exclude victim-makers. It should exclude victim-makers and apply solely to innocent victims. That is an observation; it is not anything that you can do anything about today, but it is really important. The survey was a really interesting piece of work. Question 4 asked:

"Do you support the establishment of any of the following"?

Some 70% of people were absolutely against a statute of limitations. Last week, I brought a motion on this to the House. The Assembly has already spoken against the statute of limitations. It was one of the rare occasions when all five major parties in the Assembly spoke with one voice. Last week, I met the Speaker of the House of Lords, who talked about reconstituting an informal inter-parliamentary

group. That would be useful, because I wonder how much politicians in the Lords or Commons actually follow what the Northern Ireland Assembly says if they are busy with their affairs in Newcastle, Sunderland or wherever. I made him aware that the legacy proposals would be opposed by all parties in the Assembly, and that that should be reflected at Westminster. Our MPs will, of course, reflect it, but it is also important to set it out in the agenda and try to disseminate that information as far as possible.

Again, this is an observation. I will get to a question, Chair — just hold on a minute. I really am bemused and annoyed by the fact that Sinn Féin still thinks that the legacy proposals are about covering up what state forces did, when terrorist organisations, such as the IRA and the assorted groups of loyalist paramilitaries, caused 90% of all the deaths in Northern Ireland, and created and inflicted such terrible pain and misery. That is also worth putting on the record in a meeting like this.

What contact have you — particularly you, Mary — had with the Secretary of State, and even Conor Burns, on the legacy proposals? Thank you for speaking with such grace and dignity.

Ms Moreland: Andrew could probably tell you the dates and times, but we have met the Secretary of State, Brandon Lewis. We have also met the shadow Secretary of State. I have not met Conor Burns.

Mr Sloan: We have had no contact with Conor Burns whatsoever.

Ms Moreland: I did not think so. As I keep saying, we are the most diverse representative forum for victims and survivors. We will meet anybody who is willing to speak to us. We struggled to get a meeting with the Secretary of State. We had a meeting that was probably not as productive as we would have hoped. Again, Andrew will keep me right, but I think that the forum has asked for regular meetings with the Secretary of State. It is important that the forum meets the Secretary of State, Conor Burns and whoever else in the United Kingdom Parliament is involved in Northern Ireland. It is important that they listen. It is important for the Assembly to listen as well, as a lot of the issues will have to be dealt with by the Assembly. We have spoken about working in silos and collaborative approaches. The work of Infrastructure does not happen without Health, and the work of Health does not happen without Finance. The Departments have to work together. There has to be a victim-focused policy. A bit like rural proofing, there has to be victim proofing of all policy development. The only way that you can do that is by listening to victims.

Mrs Dodds: Can I just probe that a little further? Why was the meeting with the Secretary of State unproductive?

Ms Moreland: It appeared that he had other things on his mind when we were speaking with him. We all understand that he is a busy, busy person, as all politicians are. However, regular meetings would probably educate him, and other politicians, much more fully. They should have regular meetings with the forum, and listen to people with lived experiences.

Mrs Dodds: I am disappointed by that. If you are going to take such radical steps in legislation, those must be, as you said, victim proofed. We must ask innocent victims for their views on this. That is enlightening and disappointing. It will enlighten all colleagues in the room as to how this process got to where it is, which is very disappointing.

I will move on. Maybe I have just been around too long, but I seem to have heard for years about the regional trauma service for victims. What is holding it up? Andrew has told us where it is now. Why have we spent so long on this? Yesterday, we heard about a great shame in our society: the treatment of women and children in mother-and-baby homes. Another great shame in Northern Ireland is the treatment of victims. We left people to get on with their lives with very little help, advice or anything else. Why have we spent so long talking about a regional trauma service for victims and not delivering it? What can the Committee do to push that along?

Mr Sloan: The Committee can ask the Health Minister to make the decision to get the regional trauma network up and running. It requires decisions on how long there will be a dedicated service for victims and survivors, and the referral pathways into it. If those two issues were resolved quickly, the regional trauma network could at least be established and start to work. Health service staff have been appointed to the regional trauma network. COVID came along and those staff were redeployed into COVID work, which we understand. However, staff have been engaged to carry out this work. We just need a final push to get the network established and open for victims and survivors.

Dr Radford: I go back to the original point, which both Andrew and I made, about the commission's need and desire to have departmental champions. We need those dedicated people in Departments. We need a shortcut and an opportunity to raise specific areas that particular Departments have an understanding of and a commitment to. I cannot reiterate enough how important that is for us. They would be just like the race equality or rural proofing champions. This is a category of people who, unlike others, are not protected under particular legislation.

Mrs Dodds: Katy, do you see those champions as being departmental officials, across the range of Departments, whose job is to look at policies and champion victims?

Dr Radford: Absolutely. There are some very good champions for race equality who look after the development of the race equality strategy; that has been very successful. We see this as absolutely essential to furthering the work in a more productive way and providing value for money. It will enable us to develop outcomes-based accountability across government. Then, we can start to apply it in local areas as well as regionally.

Mrs Dodds: It is interesting that, in the answers to question 6 of the survey, the vast majority of people, either those directly impacted or suffering a subsidiary impact, indicated that health and emotional well-being is the most important issue.

Dr Radford: Thank you for picking up on that. It goes back to the question that we talked about earlier: who requires the support? We look at professionals, first responders, immediate relatives, and those who were displaced and had to leave spaces for a variety of reasons. Those are all key and core, yet we seem to focus on the second and third generation. We need to do more work to understand the needs of those who have not yet accessed services and the reasons why. If that is where they need to be, we need to be able to provide for them better than we did when their tragedies occurred.

Mrs Dodds: OK. Thank you. That was really interesting. Thank you for the work that you do, and thank you, Mary, for your championing work.

The Chairperson (Mr McGrath): OK. Thank you, Diane. To clarify, did you overrun by over an hour and a half in the Education Committee because you got a lunchtime detention for misbehaving? We welcome you here, anyway.

Mrs Dodds: There was no lunchtime detention. The Education Committee went on until almost 2.00 pm. It is just one of those days. I did not want to miss this because it is so important.

The Chairperson (Mr McGrath): We appreciate that and all the contributions. That is the end of questions. Thank you, Andrew, Mary and Katy, for your contributions. I am sure that we will take a number of actions on the back of our conversations with you. We appreciate hearing from you at first-hand about the issues that you face and the work that you do. We will let you head on.

Mr Sloan: Thank you very much, Chair and Committee members. There is one final thing: we extend an invitation to members to hold a Committee meeting outside of Stormont and meet the forum, perhaps when we get out of these COVID, Zoom times.

The Chairperson (Mr McGrath): Thank you very much indeed. We will note that. Once we can get out and about and on the road again, we will visit you. Thank you.