



Northern Ireland
Assembly

Committee for The Executive Office

OFFICIAL REPORT (Hansard)

Briefing by the Victims and Survivors
Consultation Forum

29 May 2024

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Ms Paula Bradshaw (Chairperson)
Mr Pádraig Delargy
Mr Harry Harvey
Mr Brian Kingston
Ms Sinéad McLaughlin
Ms Carál Ní Chuilín
Ms Emma Sheerin

Witnesses:

Mr Richard Hadley	Victims and Survivors Consultation Forum
Ms Adele Johnston	Victims and Survivors Consultation Forum
Ms Avila Kilmurray	Victims and Survivors Consultation Forum
Ms Patricia Mallon	Victims and Survivors Consultation Forum
Mr Paul McClarey	Victims and Survivors Consultation Forum

The Chairperson (Ms Bradshaw): I welcome representatives from the Victims and Survivors Consultation Forum. We have the chair, Avila Kilmurray, and four members: Paul McClarey; Patricia Mallon; Richard Hadley; and Adele Johnston. Thank you for waiting. We had two meaty panels in the previous evidence sessions, and we are really looking forward to hearing what you have to say now. Avila, do you want to make some opening remarks?

Ms Avila Kilmurray (Victims and Survivors Consultation Forum): OK. Thank you very much, Chair. Thank you for introducing our panel. I will make just a few remarks about the Victims and Survivors Consultation Forum, and I will then hand over to people who have the lived experience, basically.

I became the independent chair in April 2022. I took the role on a voluntary basis, because I was very conscious of the level of mistrust that people have of the system. Essentially, many members of the panel will talk about being lied to by various professionals over years and years. Roisin McGlone made a really important point in the previous evidence session about reinjecting a sense of agency and empowerment into victims and survivors, because they are the ones who really have the answers and know what the issues are.

As was mentioned earlier, our forum membership is about 15 and 25 on a monthly basis. Unfortunately, meetings have to happen by Zoom, which has its drawbacks, because it is hard to get that sort of personal engagement, but we have a very diverse geographical spread. We also have a very diverse composition. There are people who are birth mothers, those who were adopted and those

who are family members and relatives. Quite often, we have a diverse range of issues coming up and, indeed, suggestions coming forward.

It was also mentioned earlier that TEO has acted as our secretariat. It draws up the agendas and circulates very detailed minutes. That is because those documents go out to about 90 other people who have asked to go on the list. There is an issue, however. In fairness, the civil servants that we have had have been under pressure as well. I must pay particular tribute to Pauline Corscadden, who has been with us for as long as I have been involved with the independent panel and has been available at the end of the phone well outside of office hours. However, there is an issue with a Civil Service culture that is hierarchical and bound by data protection regulations. For example, as chair, I do not have access to the emails of the panel members. That request has to go up to the Department and down again. That is an issue when you are trying to draw something together. That gets back to the point discussed in the previous session about the need to have something to allow victims and survivors to come together themselves. The forum meetings are very important as an interface with the Civil Service and Departments, but people need to have time to work through what their priorities and demands are and, if needs be — we have been asked about this at times — to retain their own legal advice, because they are being presented with very complicated pieces of documentation, and it is then very dependent on input from the Departments. There is a need there.

Having said that, there has been progress. There has certainly been progress in terms of the guidance and access to records. There was also progress where you had subcommittees that included some of the officials and some of the victims and survivors. Those subcommittees are not always in place, however, and they do not always operate. There was also, obviously, progress on the independent panel. On this point, I am going to hand over to our other representatives. Increasingly, as we move into a situation of legislation and provision for the public inquiry, there is a feeling that people are getting more and more disempowered because decisions are being made up here and that, whenever there are questions or requests for further information, they are referred back to ministerial decisions, the possibility of judicial conflict of interests or whatever else. There are issues, but the idea behind the integrated truth approach that could be non-adversarial was really important. The question, once you get into a public inquiry, is about whether that will work in practice. One thing that clicked in my brain when I heard about the infected blood report coming out was about the statutory duty of candour: we actually need a statutory duty of candour, whether it pertains to access to records, to who is holding the records or to what sort of process is going to take place with the public inquiry.

I will leave it there and hand over to Adele.

Ms Adele Johnston (Victims and Survivors Consultation Forum): Good afternoon. Thank you very much for listening to us. My name is Adele Johnston, and I was born to a single parent in 1951. She was in Mater Dei in Belfast. I was adopted when I was almost two. At the age of 18, I was forcibly placed in Marianvale in Newry, where I gave birth to a son. But I am not here to tell sad stories; I am going to discuss access to records and the problems, which are absolutely ongoing, that people face on a daily basis. They are being blocked at every turn. I will give you an example, if you do not mind. I help to support a gentleman whose grandmother was in Thorndale. She gave birth to a son, who was that man's father. He was subsequently adopted and went on to marry and have a family, but they are all deceased. He has tried to get access to his information and has been told that, because he is not the adopted person, he cannot access all that information. I understand that, under GDPR, there has to be protection and a duty of care, but, if everybody is deceased, then who are they protecting? There is no need to infantilise us. We are not children and do not need to be protected from our information; we need to know that information.

I also help support another lady whose mother came from the South of Ireland and had her baby in Marianvale in Newry. Her baby was subsequently adopted to the South. She applied for the information, and, again, was rejected and sent back to Tusla. She is not looking for information about her sibling, because she has met her sibling. She knows who she is. She has met her. They converse, meet for coffee and send cards. Again, who is being protected? There is no need for safeguarding.

People need to keep in mind that we are human beings. We are not numbers on a spreadsheet. Can you imagine going to a doctor, the doctor asking if you have any history of heart disease or diabetes in your family, and you look blankly and say, "I do not know. I am adopted"? Genealogy is a nice thing that people do. They look up their family trees. Adopted children cannot do that, because we do not have a family tree. We can look at the family tree of our adopted parents, but that is not your family tree. It goes on and on. There are simple things that really frustrate, upset and hurt. We are human beings. We bleed when we are cut. Thank you for listening to me today.

The Chairperson (Ms Bradshaw): Thank you, Adele. Richard?

Mr Paul McClarey (Victims and Survivors Consultation Forum): We have a bit of a running order.

The Chairperson (Ms Bradshaw): Go ahead, Paul. Thank you.

Mr McClarey: I will start by declaring an interest. I am also a victim and survivor representative on the independent panel, but I am speaking today in my capacity as a victim and survivor and to represent the views of others on the consultative forum. I had an opportunity before, along with Adele and two others, to present to the Committee, and I see some members who were there two years ago. It was a very powerful day. That day, we talked about our lived experience, so I do not intend to go into the depths of that today. That was two years ago, and we have taken a few baby steps, but not much, unfortunately, has happened for us in the last two years. We accept that the Government has been down and there are issues, but as victims and survivors, there are issues in our lives every single day, and they will remain with us. We are actively seeking truth and justice swiftly.

It is a privilege to speak on behalf of victims and survivors today. They have shown incredible resilience in their pursuit of truth and justice, not only for themselves as individuals dealing with the legacy of trauma every day of their lives, but with the weight on their shoulders and the civic responsibility for others — there are thousands out there — who have yet to come forward into the process. The engagement is too small. After 30 meetings and two and a half years since the publication of the 'Truth, Acknowledgement and Accountability' report in October 2021, the fact that so many are still unaware of the process is shocking and a failure of conscience. Richard will speak in more detail about that. I will talk specifically about the concerns that victims and survivors have about one of the five core recommendations, and that is recommendation 5: redress, repatriation and compensation.

When we engaged with forum members, they voiced some of their concerns and asked us to bring them to your attention. They strongly believe that redress, repatriation and compensation are as much a matter of acknowledging the wrongs done as they are about financial compensation. That is really important. They have reflected deep hurt over the posthumous date that we have heard about in proposed legislation at one of our consultation forums. It was mentioned earlier on, and I noted that the TEO evidence said that the truth recovery report has no paragraph or words that mention "posthumous".

However, there is a paragraph in there, and I would like to read it to you:

"A financial redress scheme should be prioritised, comprising an automatic standardised payment and the entitlement to a further individually assessed payment. The scheme should include all women"

— all women —

"who spent time or gave birth in a Mother and Baby Institution, Magdalene Laundry, Workhouse or other related institutions such as private nursing homes, and all those born to girls and women while institutionalised;"

For us, as victims and survivors, there is your reference to "posthumous" right there.

We strongly feel that the setting of a date must not exclude large cohorts of birth mothers and their family members. Victims and survivors have been silenced for far too long, and further exclusion is completely unacceptable. We have further concerns around the lack of inclusion in any proposed redress scheme of children born to mothers in workhouses or Magdalene laundries. That appears to be absent.

On the specific issue of posthumous claims, we were told that 8 November 2021, which was around the date when the First Minister and deputy First Minister at that time accepted in full the 77 recommendations in the 'Truth, Acknowledgement and Accountability' report, was the entry point in terms of eligibility for redress. That date is not acceptable to us. That date leaves too many people behind. I was a baby in one of those institutions. I am now an adult. I left there when I was 18 days old and never saw — and will never see — my mother again, because she died when she was 29 years old. I have talked about that lived experience, but that date says to me that her life did not matter. That date says to other victims and survivors, to the loved ones they have lost, the family members, children and mothers, that their lives did not matter — and their lives absolutely do matter.

With regard to the advancement of that date, I heard TEO officials say today that they based this on similar schemes. One was the scheme that was recently launched in the Republic of Ireland, which continues to come under scrutiny from victims and survivors, academics, TDs and interested stakeholders. It is a scheme that, with a single swipe of a pen, removed 24,000 children — now adults — from redress, saying that, unless they had spent six months in an institution, they were ineligible. That takes no account of the lifelong effects of separation and abandonment and the complex PTSD that those individuals have suffered. To suggest to us that a scheme like that should form a benchmark for the proposed redress legislation is, frankly, insulting. That is not a world-class scheme. The very thing you should do is look at that scheme and say, "That's not working. Let's do something different", so it is disingenuous, at best.

This is not about money, and I have already talked about that. It is an acknowledgement that the lives of the people who have gone before and are sadly no longer with us matter. Not having a form of that addressed in a posthumous date is wrong. I accept that it can be complex to work all of these things out, but I can tell you that living every day as a victim and survivor is complex. That is difficult. Sorting out some legislation or how we might administer a scheme — yes, that is difficult, but living every day as a victim and survivor is what is really difficult. Other members of the forum have concerns about memorialisation, and action on this should be taken forward without delay.

I will spend a couple of minutes talking about co-design and, in particular, how this concept is delivered in practice. We are told that we are in a co-design process but, when it comes to any proposed legislation, we feel that we have lost agency and we are not truly in a co-design process. We have had sight of recent proposals for legislation that have been drafted around the redress scheme and the public inquiry. We have been listened to, but I do not believe that we, and our concerns, have been heard. It seems to me that there are times when co-design is used and times when it is simply thrown out of the window. We are told that there are elements of this process that are not suitable for co-design and that influence on proposed legislation is one of the times when co-design does not work. As stakeholders, we find that notion incredible. This is our truth and justice. To diminish us and say that we are a stakeholder who might have bias or advantage — again, I am afraid that that is insulting. We should have influence, and we are being denied it. We should have agency, and we are being denied it. These are really important things that we want you, on our behalf, to address with TEO and other officials.

I finish by quoting the lyrics of an Elton John song.

Ms Ní Chuilín: Great.

Mr McClarey: I am not going to sing it: I am just going to quote it.

Ms Ní Chuilín: I am joking.

Mr McClarey: The lyrics of the song are:

"sorry seems to be the hardest word".

In this process, when it comes to redress, so far, "sorry" seems to be the only word. "Sorry" is not enough. "Sorry" alone does not deliver truth and justice, and we need urgent action in payment for the acknowledgement part of redress. Sadly, many of our community are advanced in years and will not see the public inquiry. They will not be here when the individually assessed payment part of the redress scheme and the redress board are here. They require help and assistance, and they require that element of truth and justice now. We urge you to continue to support us in our pursuit of truth and justice.

Ms Patricia Mallon (Victims and Survivors Consultation Forum): I do not know whether this is impostor syndrome, but I feel that I should not be here. The reason is that I know a bit about the Magdalene laundries, because I was in the Sacred Heart Home, which is adjacent to that, up the Ormeau Road. I was there with my sister and, inexplicably to me, she was not there, and she was in the laundry, so I am able to give testimony from the point of view of a sort of observer. I understand that the children's home is not in your remit, but you cannot divorce the two, and that is part of the complexity. I knew nothing whatsoever about the mother-and-baby home. I could see it from the dormitory window, over the wall, but everybody acted as though it did not exist. That is a measure of the shame and the stigma.

Being on the forum — I just got involved because I thought, "Well, I know a bit about that place", and I went to Queen's and said, "Do you want to know about the bits I know?" It turned out to be a bit useful. However, as I say, I feel that I have not suffered, in a way. I cannot imagine anything worse than being coerced into giving your baby up. Everybody would agree with that. From that perspective, it is hard for younger people to imagine what it was like, because society has moved on a bit and values have changed quite a bit: the shame, the stigma and a culture of secrecy, really. There were family breakdowns, but the most important thing was to have a front, as if everything was all right. Earlier, there was mention of the pathways into the institutions. That is all connected to the culture of that time. In my case, I illustrate, I suppose, domestic abuse. There was not even the concept of domestic abuse. I came home one day and my mother was not there. I knew why she was not there. Our father was pretty brutal. I loved him, but he was brutal. One way or another, my sister was put into a children's home. In the end, I could not take the violence at home and I walked into the children's home. I cannot say that they treated me badly there at all. I was glad to be away from the fear of being beaten. The reason why I am highlighting that is to let you know of the different kinds of pathways. You cannot just look at the institutions in isolation. You have to look at what fed them; whether people looked the other way, were complicit in it or were just doing their job. I would say that people in welfare positions, like social workers, were doing their jobs. There was shame connected with a home breaking down or anything unpleasant. It was like a dumping ground.

I think that it must be difficult to get information, certainly about the Magdalene laundry that I knew, because, in our case, I do not think that the nuns treated us badly. It is instructive to look at the South, where you had people who were in Magdalene laundries who were much more active and broke the silence, just as Adele and her colleagues did up here. I also think that it is instructive to think of the McAleese report. It was rightly criticised, but I do not think that it was worthy of criticism on one particular thing — I suppose that I need to see the wording — because I do not see how you could explain how those institutions were sustained without thinking about society. I think that it was criticised for saying that society was to blame, or, in other words, nobody is to blame, because we are all to blame. I hope that, in the end, the outcome of the independent inquiry is that, ultimately, it will say to the public, "You are not looking at problems in your home"; "You looked the other way when you heard a neighbour being beaten" — which is what happened in my case — or "You took a certain attitude to someone who was not married and had a baby". That was just wrong. It was to do with attitudes. Unless the public know that, they will say, "Oh, it was those bad nuns", "It was in that workhouse", or whatever. Yes, you have to identify individuals, but I think that a lot of the report is going to highlight what was wrong systemically.

As I say, I think that it will be difficult for upcoming generations to understand how that was allowed to happen, particularly to mothers and children. The research highlights things that I did not even know about. There were families where the mother might have known that the young woman was away having a baby. In some cases, it was the result of incest and rape. Although, in the mother-and-baby home near me, there was no talk about it — you just knew that you dare not mention it — I do remember one nun whispering to another, "There is a 13-year-old in there". Now, she was shocked, but it shows you that that was the sort of —. Everything that was problematic — a lot of social problems — seem to have found space there one way or another.

Then, of course, you have the fact that the people who were in the laundry did not have the status of employees, as I understand it. I often wonder whether their stamps were paid. I very much doubt if their insurance stamps were paid, so what happens to them in retirement? That bears looking at. As I was listening earlier, I was thinking that I am not as downbeat as you are, Paul. I actually think that a lot of things are going right, but it definitely sounds as though it is terribly sluggish. I divide the things that people need help with into the practical, psychological and emotional. Please let us get on with the practical things that are suggested. Earlier, there was mention of there being no discretion and the means testing of people who are looking for legal advice and assistance. That has been mentioned a few times. I had not known that that was mentioned in the independent panel's interim report. That is one thing that, at a stroke, should be fixed up. The report states that the remedy is to review and amend the legislation so that victims can have access to legal advice and legal aid assistance when they are looking for access to records. That will not cost a lot; there cannot be a huge number who would need that and be looking for it. At a stroke, you could help with that.

The independent panel also recommended the early appointment of a chair. We are totally behind that. We need to advance that, for all of the reasons that were mentioned. Sean O'Connell has explained how certain things were held up at the beginning because this and that were not in place. It is an integrated approach. In the integrated approach, the independent panel is going to help identify questions. I say, "help", but I am not saying that it will be influential; it will be independent, but a lot of the stuff that it will have gathered will have a bearing on, and be fed into, the inquiry. It is a no-brainer

that a chair should be appointed before the rest of the panel is appointed. In Civil Service terms, that is value for money, because if you appoint everybody at once, you do not have all of the nuts and bolts in place. Once that chair is in place, they take ownership of it and get a sense of what is happening. It will accelerate what happens, so we are definitely completely behind the panel in that.

I think that is all. Thank you.

Mr Richard Hadley (Victims and Survivors Consultation Forum): I will talk about the forum. I also acknowledge the length of time that it has taken for us to come in front of you. We hope that it will be an ongoing dialogue, since we are the ones with lived experience. I know that there are lots of strands to your constituency work, and people are able to come to you, but the forum is the only place in which we can come together and navigate the issues, difficulties and contradictions that there may be. One of the many features of this process is that lots of us have moved away because it is too difficult to be here. This is the only place where we can feed into the democratic processes informally. That creates a difference and a difficulty. I want to highlight that we are glad to be here and hope to continue to be here. Hopefully, we will be here a lot more.

I also want to talk about language and communication. No real communication strategy has yet been enacted. We have talked about that already. We are limited in number. It is hard to be in the forum, because we are there because of the most difficult thing that has ever happened to us or to people whom we love. We need to be able to steady ourselves for the long process ahead. We need greater numbers to do that, so there needs to be a proper communication strategy to reach out to people who are there, waiting.

One of the other aspects relates to the shame and indifference that is felt by some people who feel that they have to get over the barrier that has been placed in them, and which exists outside them, because of what happened when they were babies. It takes time to do that — if they are ever ready. The earlier the communication, the better. The landscape of all of the things that are being done, not just one piece of it — it is fragmented — and information to say that someone is taking ownership of the overall truth recovery programme, and an explanation on how that will be done, needs to be communicated to the population here and to the diaspora. That is important for us.

I move now to language. I was pleased that the panel was able to take this up with some of the officials who have been with us all along but who are still using inappropriate language. It is difficult. It is an ongoing process, and we have to keep them up on that. It is not about just the dignity of language as it is used but the precise meaning of it and what it means for scope.

This has been touched on already in some questions, but, in my personal story, when I read about the mother-and-baby homes, Magdalene laundries and workhouses, I see that I am not included. If you include the "pathways and practices", the interpretation of that is that it is the pathways and practices of just those mother-and-baby homes. There are people out there who were diverted from those places and kept out of them — in very sinister stories — but by the same individuals and organisations. That is how they were operating. If you exclude that from the detail and legal text of legislation for redress and statutory inquiry, you will disenfranchise us, and we will have to carry on another campaign. There needs to be a reminder of why we are here, 10 years after the historical institutional abuse (HIA) inquiry. It is because people were left out. Mothers were left out. Toddlers and babies, the most vulnerable people in those places, were left out. We are still looking for redress and for our issues to be addressed. We cannot, by improper use of language or scope, get into a situation where that happens again.

The last point is an appeal to everyone: do not see us as babies. See us as people who have had our identity stripped from us and who have had everyone whom we ever knew or would recognise taken from us, with the silence and the daily difficulties that that causes each one of us. The Committee knows, from having heard about the indignities and the processes, that it causes us that. Then, today, when you start to go back to find out what actually happened, you find out about the impropriety; you find out about the violence; you find out about the neglect; and you find out about the abuse. That is something that will be ongoing for people who are not necessarily ready for that. Years down the line, they will look for the records and deal with those stories when they come to them. They will deal with that on top of the normal detail of the lives that they have missed and the families that they are no longer with. All the highs and lows of a life — many lives — being dumped on you all at once is really hard to take. That is the difficulty for any adoptee, but it is more difficult when you have the other issues that are involved in what happened to us.

Ms Ní Chuilín: Thank you.

The Chairperson (Ms Bradshaw): Thank you so much. I do not have many questions, but I want to give reassurance, particularly to Paul. We have not seen the draft Bill — we got the letter from the Executive Office only last week to say that it had launched its legislative programme — but we will be the scrutiny Committee for that, and we will put out a call for evidence. We will not keep dragging you back, I hope, but we will certainly appreciate as much engagement as you are willing to give us when it comes to amendments that the Committee or my party could table so that we get the legislation right. I give the commitment to you today that we will continue to engage with you in that space. The whole issue about the date for posthumous claims is just so unpalatable to Connie and to me and the Alliance Party; you have not said anything that we disagree with, and we will certainly support you.

I have one question — sorry to focus on Paul — about redress. When we met victims and survivors of childhood historical institutional abuse, they said that it was really important to see the institutions making a contribution because that was, in some ways, holding them accountable. To what degree would you say the same? Maybe others will want to come in.

Mr McClarey: I am sure that the others will come in, but we absolutely —

Ms Johnston: Yes, 100%.

Mr McClarey: — 100% agree. It falls on them. Unfortunately, it is not just on them, as the state was complicit in what happened. Absolutely, the religious orders need to stop selling land for luxury flats, stop all the shenanigans and burying of bits and bobs that they are doing and ante up 100%. It should not be on the taxpayer.

Ms Ní Chuilín: Thank you very much. I want to explore your comment about the culture and practice of the Civil Service. I just think that it is crazy biscuits that you do not have any contact with everybody else in the database. Starting off like that is not a good omen. Maybe the Committee could agree to write — just to assure you of that.

I was not on the previous Committee, but I read the reports. You need to let us know what the pathways and practices are, because the last thing that any of us wants to do is leave anybody out. We are all genuine about that. That is a really important part of the acknowledgement. I looked through the report and saw that some of the institutions were in north Belfast. What it did not mention was the private hospital in the Mater, and it did not mention the fact that midwives delivered babies in homes and those babies were never seen again. I know that. I grew up hearing those stories, albeit years later. If that is what you are referring to, and if I have left something else out, let us know.

To assure you, we have just received notice of a legislative list coming forward. Whatever is in the legislation, it can always be amended. Our ability is to scrutinise and amend.

I will finish on this. One thing that I cannot get my head around is why you need to engage legal aid to get access to your records. I do not get that at all — I honestly do not. I think that that is another impediment, so maybe something could be done on that now.

Ms Mallon: It is the poorest people.

Ms Ní Chuilín: It is always the poorest people who suffer the most. There is a class issue here as well.

Ms Kilmurray: It is one of the reasons why I was saying what I said earlier, and, to an extent, it goes back to what Roisin McGlone was saying. Yes, there is a gap around advocacy. You heard from Survivors and Victims of Institutional Abuse (SAVIA).

Ms Ní Chuilín: Yes.

Ms Kilmurray: There is nothing, really, that is resourced for victims and survivors to say, when faced with draft legislation, "We would really love to get somebody in who can give us a bit of advice around that and who is independent from the Civil Service". That would give that additional support.

Ms Ní Chuilín: That is where the agency starts to get unpacked, because there are references to the Victims and Survivors Service and to WAVE. Those are great organisations.

Ms Kilmurray: It is different.

Ms Ní Chuilín: It is completely different, and I find that it is a bit patronising. I will leave it at that.

Ms McLaughlin: It has been two years and eight months since the 77 recommendations. There are processes that have been put in place, and we have to acknowledge that and acknowledge that people are doing really good work and are trying to move this forward. However, we also have to acknowledge that it is not really going quickly enough. We have to acknowledge that we are working with victims and survivors who are getting older. It is not about the monetary compensation, although that is very important. It is about an acknowledgement of the hurt done to them by church and state.

There are many things that we do not know. There is the undercover stuff that will never be uncovered, including the babies who went to America and elsewhere, money crossing hands and all of that. There is really no deep acknowledgement of the church undercover stuff that took place, and we know that. The longer we leave this, the more difficult it is to recover it.

I want to ask a little bit about the forum and your engagement with it. We need to make sure that it is working for you, and, if it is not, we can do something about that now. We can start engaging with the Department around that. How are the relationships in the forum?

Taking a step on to legal support, it should not be legal aid. It should be independent legal support that is accessible to you so that you are not going through the Civil Service to get it. It would be your legal support, and it should be available and confidential. It, too, should be independent, and you could take it or leave it or seek other legal support if you do not like that answer or want to engage in another way. I think that that should be very possible as one of the support services. We are talking about psychological support, so why not legal support in that context as well?

I have been engaging with victims and survivors, and they have told me that, sometimes, the forum re-traumatises them in a way, because it is talking about the endgame on redress, with an interim payment and then an assessment payment. That has thrown them into more and more trauma. Is the forum working for everybody, and have you any suggestions for how it might work better? Maybe that is too complicated.

Ms Kilmurray: I will start off, and I am sure people will come in. It is not. It is important to keep it there as an interface for knowing what is going on in the various Departments, but it is being asked to basically co-design the responses to the recommendations. In some situations, there has been co-design, such as in access to records, but in a lot of others, there has not, because we were told that it was not appropriate.

Ms Mallon: Consultation.

Ms Kilmurray: Yes, there is a consultation. I have talked to people and asked them to come along to the forum, but I have stopped doing that because what they want is somebody who has been through the process to sit down with them, and they want to get angry and cry. To throw them in and try to discuss a piece of draft legislation basically does not work. It still needs to be there, but it needs to have a much clearer remit, and there needs to be a support organisation around it.

On the question of timing, we have lost people because they have just said that it is like watching paint dry. We have also lost people, as Richard said, when they do not see themselves in similar pathways. They say, "We are out of here".

What we almost need is a matrix that says, "These are the issues. These are the bits that we know about and things that are 'easier' to do — a standardised payment for people who have been through a certain institution — and these are the ones that need more research or more thought".

You do not wait until you have fixed one bit before you start looking for something else; you do it alongside. For example, we are being told that there were a lot of people in different circumstances in workhouses. How do we identify which would fall within the redress scheme? That needs to be researched now rather than waiting and leaving people feeling that they are being left outside because it is too complicated.

Mr Hadley: It is a rock face, and it is really difficult to be there, but I do not think that anyone wants it to go away because it is so important to be there when decisions are being made. Through the work of

the Executive Office, we are able to affect the issue there, but it has been too difficult. Different groups and individuals have been saying for a long time that it has been very difficult. We are grateful that Avila Kilmurray has been brought in and that there has been additional support, but that needs to be ramped up quickly to be able to do something else to bolster us as a group. We are a diverse group; we are not just one amorphous blob. We have contradictions and difficulties between us and very different stories. No one person can speak to all the harms that are being addressed here. We need space to be able to work through that and come to TEO with more-reasoned, balanced priorities. It seems that a series of arrows get fired at individuals TEO, and that is difficult for them, but we certainly see the absolute value in the forum, and the integrated approach is fundamental.

"Co-design" is another example where language is used without considering what it actually means. At its basis, it means active listening, and that is not necessarily what happens. The meetings are more businesslike; there are presentations, and then they wait. There is not really much active questioning about what the diversity of views might be of victims and survivors. It is more presented as, "This is the work that we have done. Respond". There are no leading questions and things like that, and that can be quite frustrating because it means that you have to feel as if you have to get absolutely everything across in a very forceful way to be heard among the maelstrom from everyone else, and that makes it difficult.

Ms McLaughlin: I have asked every panel that has been here today about a dedicated advocate for you. What is the panel's feeling about that?

Mr Hadley: It is complicated because it is not one issue. It is difficult to say an absolute yes. We need a full-time focus on just representing and articulating the views of victims and survivors. The question is how that function is going to happen and how an advocate will engage with the numbers of groups and individuals that they need to engage with and be able to present that in a way that is representative and clear and that everyone can feel as if their views are being represented. There needs to be more for the forum to stand by itself, rather than just being shuttled between different committees or themes as suits. Government needs to work at a certain rate and in a certain way. That is not what is in our minds. We need our own space to be able to set out our priorities and ways of going through things at appropriate times. We need to have enough time to comprehend things and design the ways of doing that, rather than what may be happening with hard work that is going on here, albeit it is necessary. It is about having a better interface between the two.

Mr McClarey: Sinéad, you talked about independent legal advice. I assume that that was for the forum.

Ms McLaughlin: For the victims and survivors, as one of your services.

Ms Mallon: Access to records, for example.

Mr McClarey: Is it specifically for the forum? We have asked before for independent legal advice, but we were told that that was not possible. When TEO has come with a proposition and has taken legal advice on it, we have asked whether we could have legal advice and a legal opinion as well, and TEO told us that that was not possible. I think that victims and survivors would welcome having independent legal advice to challenge that.

Essentially, there is a trust issue. I acknowledge that TEO has made progress, but, in a different guise, many years ago, the state sat over this when it happened and let it happen. For us, as victims and survivors, that trust issue is still there. When we hear things like, "Well, sure, if it goes to public consultation, you'll have an opportunity to influence that", we think, "Well, why can't our views not be in the public consultation before it goes out?". Frankly, we think that, when it comes back, you will ignore it to suit your own agenda. If independent legal advice were available, I think that victims and survivors would very much welcome it.

Ms McLaughlin: The point is that you are not a stakeholder: you are not an outside body that needs to be consulted.

The Chairperson (Ms Bradshaw): I am going to move on. I have two more members who want to come in.

Mr Delargy: Thank you all for your presentation today. We have already mentioned this a few times, but I hope that we can formalise it: your voices need to be heard first in our Committee. Our role is as a scrutiny Committee. A lot of things that you have said today are vital to our work. They will allow us to perform our scrutiny role, understand the issues and ask more-pertinent questions when officials and bodies are in with us, which will allow us to get the answers and assist you in doing so. This is not really a question; it is more of a comment about that. I hope to get other colleagues on board with that as well. Your presentation has been so useful. I sat on the Committee from 2021 to 2022. I always think that hearing evidence at first hand is the most important thing. It needs to come first, at the start of our Committee, to allow us to ask the relevant and most-pertinent questions.

Thank you for presenting today. I really appreciate all that you have done.

The Chairperson (Ms Bradshaw): Does anybody want to respond to that?

Ms Mallon: Thank you for your words of encouragement. The fact that the First Minister and the deputy First Minister accepted every one of the 78 recommendations uplifted me — for that one day, anyway. That is why this is all happening. When the Government were down, we were able to continue. Seeing you all together, so interested, does my heart good.

The Chairperson (Ms Bradshaw): Thank you. That is a nice note to end on. The Bill will be consulted on, and it will probably be the autumn before you will be back, but we will really appreciate your engagement at that time.

Ms Kilmurray: Thank you very much for having us.

Can I just say this: when we talked to the other people on the forum about this hearing, one of the things that everybody said was, "Look, our main concern is that we do a service for all the victims and survivors". We heard before about the members. Richard mentioned communications, but it is also about doing the research and finding out which networks will reach people. Things have happened in Canada and Australia, but we need to start doing that now because it will take time, and we do not have much time.

Ms Johnston: Can I add something to that conversation?

The Chairperson (Ms Bradshaw): Please, go ahead.

Ms Johnston: There has been great emphasis on the internet, websites, etc, but that is not reaching the people who concern me. I am thinking of wee Mary who lives in Fermanagh and does not have a phone or internet. How do we reach her? We have been talking about this for years. I have asked repeatedly for a designated phone line that people can ring and be signposted towards WAVE and VSS and towards information to get their birth certificate; a one-stop shop. I know that it probably needs a lot of funding, but, surely to goodness, we could fund a phone line.

The Chairperson (Ms Bradshaw): We will pick that up. Thanks again, everyone.