

Outline draft strategic approach for Victims and Survivors – Consultation paper

August 2008

Introduction

1. This paper is designed to provide an outline of a coherent and comprehensive strategy for taking forward work on a range of issues relating to victims and survivors which have been the subject of consultations in the past. These consultations have largely concentrated on specific issues rather than on producing an overall strategic approach as to how these issues might be handled.
2. It is recognised that the issues are numerous, complex and give rise to very deeply held emotions and feelings. This makes it of the utmost importance that the strategy itself is concise and easily understood. Also, because for many people fear and trauma remain a present day reality it is also crucial that any strategy recognises the importance of victims and survivors feeling that they are safe in a changing environment.
3. This approach must be 'victim and survivor centred' and it is intended that it should be built around:
 - (a) the newly established Commission for Victims and Survivors¹;
 - (b) a Victims and Survivors Forum; and
 - (c) a new Victims and Survivors Service.
4. The strategy must recognise:
 - the pain and suffering which has occurred and that this should not be forgotten;
 - the long-term impact of violence on victims and survivors;
 - that victims and survivors are individuals and therefore there is no single approach which will suit everyone;

¹ Referred to hereafter as the Commission

- the need for victims and survivors to be invited to play a part in building a more peaceful future, but that as people who have suffered most they should feel safe, should be treated with dignity and should move at their own pace;
- that funding arrangements for work with individual victims and survivors, and victims and survivors groups need to be placed on a more secure footing that is responsive to identified and *changing* needs;
- the valuable work carried out by victims and survivors groups over the years;
- that the work carried out by victims and survivors groups, Trauma Advisory Panels and other organisations should be built upon;
- that many people have dealt with their individual pain or loss through the support of family, friends, church and faith communities and do not feel that they require additional support.

Individual needs

5. What is important varies greatly from individual to individual. Many face the consequences of trauma and / or physical disability. There remains a demand for support services including counselling, befriending and a variety of therapies while for many people simply getting information about available services is a problem.
6. Some victims and survivors wish to find out more about the circumstances surrounding the death of a relative. Many suffer financial hardship, social isolation, exclusion and a variety of other problems arising from loss or injury. There are those who wish to have their individual stories heard, documented, archived, shared and appropriately acknowledged. Public acknowledgement including memorials and other forms of public recognition of loss is also important to many people.

Broader community needs and reconciliation

7. Alongside and related to the personal needs of individuals are the needs of local communities which have a collective experience of suffering. There are also broader issues to do with building for the future in the context of peace and reconciliation. It must be recognised that reconciliation and steps towards building a better future take on a particular dimension in the context of work with those people who have suffered loss or injury.
8. Some local communities have suffered substantially more than others. Many of those who have lost friends or relatives or who have suffered as a result of injury, either to themselves or another, feel a strong sense of grievance towards the individual or organisation they consider responsible. Therefore it is important to build confidence and security within local communities so that they can move at their own pace as regards building for the future.
9. Supporting the need for truth, acknowledgement, reparations and meeting the needs of those injured and bereaved will contribute to building confidence and cementing peace in areas disproportionately affected by the conflict and in the wider community.

Overall aims and objectives

10. Policy in relation to victims and survivors has previously suffered from not having clear direction and measurable outcomes. Other difficulties encountered relate to the short term nature of funding which has hindered planning by voluntary groups involved in this area of work. In order to assess its effectiveness the strategy needs to have a clear timeframe with a clear statement of overall aims and objectives linked to stable funding arrangements.

Aims

11. The overall aims of the strategy should be to:

- *put in place comprehensive arrangements to ensure that the voice of victims and survivors is represented and acted upon at a governmental and policy level;*
- *secure through the provision of an appropriate range of support services and other initiatives a measurable improvement in the wellbeing of victims and survivors*
- *assist victims and survivors, where this is consistent with their wishes and wellbeing, to play a central role, as part of wider society in addressing the legacy of the past and*
- *assist victims and survivors to contribute to building a shared and better future.*

Objectives

12. The overarching objectives of the strategy should :-

- be victim and survivor centred and driven;
- address the practical and other needs of victims and survivors in a coordinated manner;
- ensure that services for victims and survivors are provided in response to assessed need, adhere to published standards and are designed to have clear outcomes;
- establish arrangements to ensure, through the work of the Commission and the Victims and Survivors Forum that the practical and other needs of victims and survivors are kept under review and that services are responsive to changing needs;

- promote collaborative working between statutory and voluntary organisations, community groups and others, where practicable;
- reduce the level of trauma for victims and survivors;
- build the trust and confidence of victims and survivors to participate on a sustained basis in the building of a shared and better future;
- ensure that while recognising their particular needs, victims and survivors work does not become isolated and that people should not be defined solely as a victim or survivor but as people with the same needs and aspirations as the wider population;
- ensure, so far as is practicable, that victims and survivors work is integrated with and can influence other government policies and initiatives;
- ensure that victims and survivors play an active role in the development of ways to deal with the past and other transitional mechanisms affecting their journey towards recovery and well being;
- assist victims and survivors, where this is consistent with their wishes and wellbeing to participate as part of wider society in addressing the legacy of the past;
- assist victims and survivors, where this is consistent with their wishes and wellbeing to contribute to a shared future.

A new approach for victims and survivors work

13. Action is required in three key areas:-

- (a) a comprehensive needs assessment to inform the development of services (linked to the provision of long-term funding and support services for victims/survivors based on assessed need);
- (b) dealing with the 'past'; and
- (c) building for the future.

There is a high level of interrelationship between all three areas and work needs to be taken forward in a coordinated manner which recognises this interrelationship.

Arrangements to address the 3 key areas of victims and survivors work

14. Work will be taken forward by:-

- the Commission;
- the Victims and Survivors Forum; and
- a new Victims and Survivors Service which will be responsible for providing support for individuals and groups and which will distribute funding in response to assessed and agreed need.

15. The roles and relationship between the Commission, the Victims and Survivors Forum and the new Victims and Survivors Service are summarised in the **Annex** to this paper. The Commission, in consultation with the Forum, will oversee and provide guidance to the Forum in relation to the three key areas of victims and survivors work highlighted at paragraph 13 above. This is intended to ensure that the Forum retains a clear focus and is productive. The Forum will act as an advisory body to the Commission.

16. The assessment of need to be carried out by the Commission in liaison with the Forum will be used by the new Victims and Survivors Service²

² Described at paragraphs 25-30 below.

to allocate resources and commission services from victims groups and others. Once established the Victims and Survivors Service will also be available to provide practical support to individual victims and survivors and will itself provide a source of information on need.

The Commission for Victims and Survivors

17. The Commission is designed to³:

- promote an awareness of matters relating to the interests of victims and survivors and of the need to safeguard those interests;
- keep under review the adequacy and effectiveness of law and practice affecting the interests of victims and survivors;
- keep under review the adequacy and effectiveness of services provided for victims and survivors;
- advise the Secretary of State, the Executive Committee of the Assembly and any body or person providing services for victims and survivors on matters concerning the interests of victims and survivors;
- take reasonable steps to ensure that the views of victims and survivors are sought concerning the exercise of the Commission's functions;
- make arrangements for a Victims and Survivors Forum.

18. The Commission has a number of powers, including conducting or commissioning research and issuing guidance on best practice in relation to any matter concerning the interests of victims and survivors. The Commission will also be there to provide information about available services to victims and survivors. The Commission will act in accordance with a work programme agreed with the First Minister and deputy First Minister.

³ The functions of the Commission relate to those set out in the Victims and Survivors (NI) Order 2006 as amended by the Commission for Victims and Survivors Act (Northern Ireland) 2008.

Victims and Survivors Forum

19. It is essential that the views of victims and survivors are based at the very heart of the agenda. In order to achieve this the Commission is required by the Victims and Survivors (Northern Ireland) Order 2006 to make arrangements for a forum for consultation and discussion for victims and survivors.
20. The Forum must:
 - be representative of victims and survivors;
 - include representation from statutory, voluntary and community organisations involved in work with victims and survivors.
21. The Victims and Survivors Forum may discuss any matter connected with victims and survivors, but should act in accordance with principles laid down by the Commission as to the conduct of its business. To be productive and to enable it to contribute to the Commission's work programme the Commission should agree with the Forum the issues to be taken forward in relation to the three key areas of work set out in paragraph 13 above.
22. It will be the responsibility of the Commission to ensure that the Forum contributes to its programme and to obtain the agreement of the First Minister and deputy First Minister to the work to be carried out. This will include obtaining the First Minister's and deputy First Minister's agreement to the costs of the work programme.
23. The Forum will work as a group in supporting the Commission in drawing up a comprehensive list detailing the needs of victims and survivors. The recommendations of the Commissioners in relation to the comprehensive needs assessment will be key in identifying a basis to

direct funding to be distributed through the Victims and Survivors Service.

24. The Forum will also have the role of examining the issues surrounding the definition of “victim” and to make recommendations.

Victims and Survivors Service

25. There will be a new Victims and Survivors Service established by the Office of the First Minister and deputy First Minister. This service will be the focal point for funding work with victims and survivors and will replace a number of existing funding schemes. These include the core funding and development grant schemes currently operated on behalf of the Office of the First Minister and deputy First Minister by the Community Relations Council and which provide resources to victims and survivors groups and other voluntary organisations working with victims and survivors. The new Service will also provide funding to individual victims and survivors.

26. Organisations seeking funding would be required to relate their proposed activities to a comprehensive needs assessment⁴ and have regard to the need to comply with agreed standards and outcome measures for services.

27. In considering any applications by victims and survivors groups the Victims and Survivors Service will be able to consider applications from single identity groups. This is in keeping with the principle that some victims and survivors only feel comfortable with people from within their own community.

28. The Victims and Survivors Service will use appropriately qualified staff to:

⁴Referred to under paragraphs 31 – 33 below

- process applications against a clearly published set of criteria;
- speak directly with individual victims and survivors and groups to identify with them what needs they have;
- direct individual victims and survivors and victims and survivors groups towards other services and to relevant grants;
- keep relevant information that will be useful for the Commission and OFMDFM in needs analysis.

29. The new Victims and Survivors Service will be independent of government with regard to its day to day operations. The Victims and Survivors Service will allocate funding in a transparent and open way in accordance with clear and published criteria. As the new Service will replace the schemes currently funded by OFMDFM in relation to the provision of support to individual victims and survivors and groups involved in this area of work it is anticipated that the administration costs will be offset by resources currently deployed on administration under existing arrangements.

30. OFMDFM will consult with the Victims Commission, the Victims and Survivors Forum and relevant Departments on plans for the Victims and Survivors Service.

Comprehensive needs assessment

31. A comprehensive needs assessment is essential in order that the Commission can effectively comment upon the effectiveness of services for Victims and Survivors and represent the needs of victims and survivors to government in a coherent fashion. The Commission will issue guidance to the Forum on the preparation of a comprehensive needs assessment but responsibility to bring forward a needs assessment will rest with the Commission. The Commission may also

wish to initiate further research work in relation to specific areas of need to support the work (for example the impact of the conflict on children and young people, elderly people and issues specific to men and women).

32. The comprehensive needs assessment will be used to create a sound basis for funding the work of victims and survivors groups and other non-statutory organisations providing services in this area. It is recognised that there has been considerable competition, duplication of effort and financial instability within the sector which is substantially due to lack of clarity about what is actually needed to support victims and survivors. As already noted, the process of needs assessment would be carried out with the assistance of the Forum and this needs assessment will be used to underpin the work of the new Victims and Survivors Service.
33. Victims and Survivors groups will be provided with financial assistance to assist them in contributing to the comprehensive needs assessment process.
34. A key element of the work of the Commission and the Forum will be to ensure that victims and survivors and the services provided for them do not become isolated, but are increasingly integrated with services provided for generally. The Commission will be expected to make representations to government regarding the wider range of services for the general population and their responsiveness to the needs of victims and survivors. In this regard it will be particularly important that the Commission monitors closely the impact of the implementation of the Bamford review on victims and survivors.
35. While the new Victims and Survivors Service will be dedicated to meeting the needs of victims and survivors over the period of this strategy, the intention is that the needs of victims and survivors will increasingly be met as part of the general provision of services and that

over time there will be a reduction on the need for some services specifically provided for victims and survivors.

Standards for services

36. Services must be of the highest standard and draw on existing, local, national and international best practice in particular those services involving counselling and befriending. Standards are also a necessary condition under which referrals of individuals can be made between organisations. Some work has already been carried out by the Department of Health Social Services and Public Safety in relation to such standards and the Commission will be responsible for issuing good practice guidance in relation to standards for services. Financial assistance will be provided to victims and survivors groups to assist them with developing and complying with standards of good practice.

Outcomes

37. Measures of effectiveness are essential to the delivery of services. In the context of victims and survivors work the establishment of outcome measures is difficult, but is nevertheless essential. The Commission will be responsible for providing good practice guidance on the establishment of outcome measures.

The 'Past'

38. The Commission (in liaison with the Forum) will be tasked with developing advice to government and contribute to the broader consideration of ways to deal with the 'past' as an essential element of transition. Key issues would include truth recovery and justice, story-telling, acknowledgement, memorials, inquiries and the work on historic cases. It will be important for specific objectives to be achievable within defined timescales.

Building for the future

39. It is important that the work of the Forum, while recognising the suffering of the past, does not become locked in the past. This aspect of the work of the Forum would be primarily concerned with the contribution which victims and survivors can make to playing a part in building a shared and better future.

40. How the experience of those who have suffered can help individuals and local communities move forward is recognised as important to any healing process. In addressing current needs and examining the past the Forum must be aware that how it deals with those matters will have important implications for the future. An important area to be addressed is likely to be the trans-generational impact of the troubles on children and young people and the need to promote cross-community work with children and young people. In this regard the Commission should establish links to the work of the Commissioner for Children and Young People.

41. It is recognised that an over emphasis on reconciliation between communities in the context of victims and survivors work can be misplaced. The view supported in this strategy is that reconciliation is a key component of work with victims and survivors, but must take account of the broad range of feelings and sensitivities which exist. Everyone must be allowed to move at his or her own pace and should not be made to feel excluded.

Period of strategy

42. This strategy is designed to last for ten years. The initial stages have commenced with the establishment of the Commission and will continue with the establishment of the Victims and Survivors Forum by the

Commission. In parallel with these developments OFMDFM will make arrangements for the establishment of the Victims and Survivors Service which will address the needs of individuals and groups and commission services and administer applications in response to the comprehensive assessment of need arising from the work of the Commission and Forum.

Building the strategy

43. It is recognised that it is essential that there is no shortfall in funding for victims and survivors groups in the interim period until the new arrangements are in place. Accordingly the funding arrangements currently in place in relation to the NIMF, the core funding and development grant schemes for victims and survivors groups operated on behalf of the Office of the First Minister and deputy First Minister will continue during the financial year 2008 – 2009 with the following changes.

- OFMDFM will work closely with all relevant groups and agencies, the Commission and the Forum to manage the transition to the new Victims and Survivors Service; this will include addressing any needs emerging from the work of the Commission in advance of the comprehensive needs assessment.
- Funding will be provided to victims and survivors groups and other voluntary organisations working in this area to enable them to fully participate in the Forum, including the development of the comprehensive needs assessment.

44. In liaison with the Commission, OFMDFM will take forward work in relation to certain areas of need already identified:-

- enhanced support for victims and survivors groups to provide befriending services for victims and survivors;

- support for carers and respite care;
- support for General Practitioners in dealing with trauma.

45. The timeline for building the strategy is set out below. Thereafter targets will be set in line with future programme(s) of work agreed between the Commission and the First and deputy First Minister.

Outline timetable for developments in building a strategic approach to victims and survivors work

Commission for Victims and Survivors established	June 2008
New Strategy for Victims and Survivors published for consultation	August 2008
Commission agrees first work programme with First Minister and deputy First Minister to cover the establishment of the Victims and Survivors Forum and development of arrangements to address services, the 'past' and building for the future.	Autumn 2008
Proposals for Victims and Survivors Service published by OFMDFM	August 2008
Victims and Survivors Forum established by Commission	Dependant on Commission's Work Programme
Commission issues guidance to Forum on needs assessment	Dependant on Commission's Work Programme
Victims and Survivors Service initiates commissioning of services in response to comprehensive needs assessment	January 2009
Victims and Survivors Service comes fully into operation to provide support for groups and individual victims and survivors	April / May 2009
Continuation of existing core funding scheme operated on behalf of OFMDFM by the Community Relations Council coupled with an enhanced development grant scheme to – provide greater support for befriending services and carers; – enable victims and survivors groups to make the transition to new funding arrangements and to participate in the Victims and Survivors Forum. – address issue of respite care.	April 2008 – March 2009
Arrangements made by OFMDFM for the development of a service to support GPs in dealing with trauma	July 2008 – March 2010

EQUALITY STATEMENT

46. In line with commitments in its approved Equality Scheme, the Office of the First Minister and Deputy First Minister (OFMDFM) is committed to adhering to the principles of section 75 of the Northern Ireland Act 1998 when reviewing and developing policy.

Assessment of impacts

47. This draft strategy is concerned with addressing the needs of those who define themselves as victims & survivors. In broad terms the strategy is demand led, it has to serve the 'constituency' that exists. Any differential impact between the section 75 categories, or groups within them, is not an equality issue in terms of the Act, the differential impact occurs because the need is greater.

Consideration of mitigating measures or alternative policies

48. Given the view expressed at paragraph 47 above mitigating measures or alternative policies have not been considered at this point. However, consideration will be given to any relevant views on foot of this consultation.

Responses

Comments on this consultation paper should be sent to the following address:

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