



**VSS Response to the Northern Ireland Office Public Consultation:
ADDRESSING THE LEGACY OF NORTHERN IRELAND'S PAST**

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A Introduction and Background

1. The **Victims and Survivors Service (VSS)** was established by The Executive Office (TEO) in 2012 to provide support and services to victims and survivors of the Conflict/Troubles in the areas of health and wellbeing, social support, and advocacy, both directly and through a network of community-based organisations.
2. The **Strategy for Victims and Survivors (2009)** outlines our role and the roles of our key partners, the Commission for Victims and Survivors (CVS) and TEO, and defines three key strategic priorities: Dealing with the Past, Building for the Future and Services for victims and survivors.
<https://www.cvsni.org/media/1097/ofmdfm-victims-strategy-november-2009.pdf>
3. 'Victims and survivors' are defined in legislation in the **Victims and Survivors (Northern Ireland) Order 2006** as those who:
 - have been bereaved as a result of a Conflict/Troubles-related incident;
 - have been injured as a result of a Conflict/Troubles-related incident (physically or psychologically); or
 - provide care for others who have been injured in this way.
4. The VSS provides direct assistance to **6,000+** individual victims and survivors. We also fund and work in partnership with **56** community-based organisations that deliver a range of services and support to more than **12,000** individuals across Northern Ireland, Ireland, Great Britain, and beyond. Some of these organisations have been in operation for more than 20 years, and have significant experience of engaging with and supporting victims and survivors.
5. Over the past number of years, VSS has engaged in a collaborative design (or 'co-design') process with all partners to improve services for victims and survivors. This experience has strengthened both our network of service providers and the quality, responsiveness, and accessibility of support we offer.
6. The VSS and our community-based partners work and engage with victims and survivors on a daily basis. We therefore have a real and practical understanding of their diverse perspectives and needs, and of the nature and impact of legacy issues for individuals, families, and communities. This unique insight into the challenges and benefits involved in developing and delivering victim-centred services means we are also aware of gaps in current services.
7. This response to the Northern Ireland Office Public Consultation is informed by the experience outlined above.

Structure of this document

8. In responding to this Consultation, our priorities are:
 - To add value and substance to the discussion around developing **victim-centred processes and services**, based on the experience and learning of the VSS and our partners over the past number of years.
 - To **highlight current gaps** in the support currently offered by the VSS, and to emphasise the importance of progressing specific measures proposed in the *Stormont House Agreement* and narrative of the Consultation document to address those gaps.
9. It is the role of the CVS to provide comment and advice with regard to policy development (see the Strategy for Victims and Survivors (2009), per point A2 above). In addition, our Advocacy Support Programme, comprising a network of community-based Advocacy Support workers will provide detailed feedback in relation to each of the proposed Legacy Institutions, based on their extensive engagement with victims and survivors they support across the region (see **Section D** and **Annex 1** and **Annex 2**). The VSS will not duplicate these efforts in this response.
10. We understand any next steps implemented following this Consultation will be delivered in line with the guiding **principles** underpinning the *Stormont House Agreement*, including the commitment **to acknowledge and address the suffering of victims and survivors**.
11. On this basis, we have outlined below:
 - Priority themes and recommendations we urge the Northern Ireland Office and other stakeholders to take into account when planning and delivering any next steps (**Section B**).
 - Key information arising from our engagement with individual victims and survivors over the Consultation period (**Section C**).
 - Relevant information arising from the work of the Advocacy Support Programme, which is funded under PEACE IV. VSS is the Lead Partner. This Programme has enabled engagement with victims and survivors across the whole region over the Consultation period (**Section D**).
 - A brief concluding note that references the wider societal context (**Section E**).

B Key Themes and Recommendations

Based on the experience of the VSS, and our extensive engagement with partners in the community/voluntary and statutory sectors, we recommend the following should be taken into account when planning and delivering any next steps following this Consultation:

1 Building structures around good processes and ‘The Victim Journey’

- 1.1 The proposed Legacy Institutions, as described in the Stormont House Agreement, are clear and separate structures. The focus is currently on the roles and responsibilities and the technical and legal remit of each institution.

This primarily top-down view of the *structures* involved may have been pared down to enable brevity in the Consultation document.

However, when designing and implementing the Legacy Institutions, **the VSS recommends that time and resources should be dedicated to carefully consider and plan the *pathways and ‘victim journey’* that will enable victims and survivors (and other members of the public) to engage with and access the services and support within and between these structures.**

Considering these pathways is a vital first step in designing a *victim-centred* process and in ensuring adherence to the six principles underpinning the Stormont House Agreement, in particular ‘*acknowledging and addressing the suffering of victims and survivors*’

- 1.2 The VSS makes this recommendation on the basis of having learned from our own mistakes in our early years of operation, and the subsequent corrective actions we have taken since then.

Put very briefly: when our organisation was established in 2012, the structure was rigid and pre-determined. Community/voluntary sector organisations were notified that we were available to assess the needs of victims and survivors, and it was anticipated that individuals who required assistance would present to the VSS, and would express their needs within very set and inflexible boundaries.

It very quickly became clear that this approach was fundamentally flawed. Our systems were overwhelmed, as were many of our staff, and we were unable to keep pace with requests for assistance. As a result, we lost the

confidence and trust not only of many individuals who came forward for help, but also of our critical friends and stakeholders in the community/voluntary sector – many of whom had been holding the line for and providing trusted support to victims and survivors for a decade or longer.

We came to understand that, in order to build a service that would work for victims and survivors, we needed to:

- a. Listen to, learn from, and work with the organisations and other stakeholders that were already operating in this area;
- b. Focus on the victim journey, developing processes, procedures, and an organisational culture that would support that journey;
- c. Manage expectations carefully and sensitively.

On this basis, over the past number of years, the VSS has moved from an organisation in crisis to being an organisation that works in partnership with the community/voluntary sector and victims and survivors. It is not perfect. However, today, we enable the delivery of flexible, needs-based assistance to victims and survivors in their local areas, and facilitate pathways to specialist support in the statutory sector where needed. We have developed robust systems that cope with the current levels of demand, and we are focused on continuous learning and improvement.

1.3 The VSS can summarise the key 'lessons learned' over this period as follows:

- a. **Leadership:** Delays in initially appointing VSS Board Members and a permanent senior management team of the organisation meant that governance weaknesses inherent in initial arrangements to set up the organisation were prolonged. These issues translated into practical problems, which undermined the quality and consistency of service delivery for victims and survivors. These circumstances compounded the uncertainty, anxiety, and distress already felt by victims and survivors, exacerbating the effects of trauma and injury that damage trust and impair the capacity for constructive engagement.

The eventual appointment of the VSS Board at the end of 2013 and the recruitment and retention of Senior Management Team members has had a significant positive impact, enabling the organisation to revisit and define its strategic direction, detail its business and engagement plans accordingly, and scope and recruit the right people to deliver front line services and support to victims and survivors coming forward.

This experience shows that the quality, skills, and insight of the leadership of an organisation with a remit to address issues as sensitive as those addressed by the VSS is key to its success. On this basis, **the VSS recommends that careful planning should inform the recruitment and retention of appropriately qualified and experienced people to lead the proposed Legacy Institutions.** This should include rigorous analysis of the skills and capacities required by the various leadership roles, robust recruitment processes, realistic lead-in times, and an awareness of the inter-connectedness of the community/voluntary and statutory sector landscape.

- b. **Strategic Direction:** As described above, the delays to establishing the leadership of the VSS impaired the capacity of the organisation to define its vision, values, and guiding principles. This in turn had a negative impact on both service delivery and the development of positive stakeholder relationships.

This experience demonstrates the importance of clearly defined objectives at the start of the process. On this basis, **the VSS recommends that, for each of the proposed Legacy Institutions, the development of a clear vision, mission, and specifically defined values and guiding principles should be treated as a priority, before any activity is undertaken.**

- c. **Victim-Centred Service Delivery: the importance of the Victim Journey:** As described above, the VSS experience has shown that effective service delivery prioritises process and client experience over structure.

On this basis, the **VSS reiterates its previous recommendation that time and resources should be dedicated to carefully consider and plan the *pathways* that will enable members of the public, including victims and survivors, to engage with and access the proposed Legacy Institutions.** This should be treated as a priority, before any service delivery is undertaken, and kept under review as the process unfolds, to enable continuous learning and improvement.

- d. **Engagement:** As described above, the VSS experience has shown the value of *listening and learning* for the development and implementation of effective service delivery.

On this basis, **the VSS recommends that each element of the proposed Legacy Institutions should incorporate a specific engagement plan to map the relevant stakeholders, initiate contact, and develop an ongoing programme of outreach, information sharing, and relationship building over the whole implementation period.** This will inform the development of good practices and, paired with demonstrable accountability (see point **B2** below), will help to build trust and public confidence in the process.

- e. **Partnership and Integration:** Further to the importance of engagement described above, the VSS has learned that even when an organisation is part of a ‘new’ policy initiative, it does not emerge on a ‘new’ or neutral landscape. For a new organisation or body to succeed, it must understand, work with, and integrate itself into the existing landscape; on this basis, the whole system can then grow, shift, and move forward with renewed insight and experience.

The proposed Legacy Institutions will be established in a landscape that is already densely populated both with the traces of previous initiatives, and many dedicated and experienced community/voluntary organisations that are currently working to support people to address legacy issues.

The VSS recommends that, as part of their engagement and business planning, each element of the proposed Legacy Institutions should:

- i. **Demonstrate respect for the work undertaken by existing stakeholders in their relevant areas.**
- ii. **Value the experience, skills, and capacity they hold.**
- iii. **Where relevant, mobilise that experience, skill, and capacity to support the delivery of safe and effective activities and services as part of this process.**
- iv. **Focus on the needs of victims and survivors. This should include practical, sensitive planning that keeps the *person* at the heart of the process. For example, in practical terms, this could include developing measures such as a single transferable statement for use by victims and survivors across all of the proposed institutions with which they engage, to avoid re-traumatisation and the re-telling of their story.**

This will enable shared learning, the development of good practice, and the delivery of better outcomes for victims, survivors and other stakeholders to this process.

- f. **Managing Expectations:** Our learning to date has highlighted the importance of managing the expectations of victims and survivors. While for some people the proposed new system for addressing the past may resolve long-standing issues; for many others, however, the issues they grapple with may never be resolved. It must be stated at the outset that these mechanisms are unlikely to achieve justice in the prosecution sense for most victims and survivors. Based on our experience, **the VSS recommends that the proposed institutions should take care to be clear and explicit in their communication, and to be specific insofar as it is possible to provide detail with regard to aims, objectives, processes, timescales, and anticipated outcomes.**

Further, it is important to grasp that ‘managing expectations’ in this context is not a matter of placating individuals.

The VSS recommends that any next steps in this process should take very seriously the complexity and sensitivity not only of victims’ and survivors’ needs and circumstances, but also the dynamics and responsibilities of the wider sector, including individuals, families, communities, advocacy organisations, service providers, and their legal and other representatives.

On this basis, we recommend the following:

- i. A realistic timeline should be set out that clearly articulates how each mechanism will deliver on its commitments and objectives.
- ii. Adequate, detailed operational budgets should be specified and secured.
- iii. Each structure should demonstrate that it is staffed by the right people, with the necessary combinations of experience and skill, capable of responding to and managing the complexity and sensitivity of both victims’ and survivors’ needs, and the dynamics of the sector.

- iv. It should be anticipated that ‘competing narratives’ will inevitably mean that some victims and survivors will be unhappy with how their case is heard or handled. This will lead to disagreement over versions of events and may result in appeals and / or legal challenges from members of the public.
- v. The proposed institutions should carefully consider how such challenges will be handled as part of the overall system for addressing the past, in line with the constructive and victim-centred guiding principles underpinning the *Stormont House Agreement*.

1.4 **Utilising existing networks, experience, and expertise:** The importance of incorporating these ‘lessons learned’ cannot be overstated: the proposed Legacy Institutions will engage with many of the same stakeholders that the VSS has built positive relationships with over recent years. As organisations work in a coordinated way on issues affecting victims and survivors, we cannot afford to damage or undermine these relationships or this positive working environment.

On this basis, **the VSS recommends that any new structures established as a result of this Consultation should build upon the structures and networks of provision that already exist and, critically, should draw upon the experience and expertise of the personnel that have developed this existing infrastructure.**

2 Trust and confidence

2.1 In our experience, victims and survivors and their families and communities tend to lack confidence in formal processes and structures established to address the legacies of the past. Reasons for this include, for example:

- a. Negative past experiences with, for example, the Historical Enquiries Team, where they perceived the process they engaged in was compromised, or they felt they had not been dealt with honestly or respectfully.
- b. Frequent and ongoing media coverage of high profile legacy cases: this includes exposure of contentious issues that raise expectations and cause division and coverage of stories where other victims and survivors have expressed disappointment or hurt in relation to the process and outcome. Coverage of high profile cases also results in distress for those victims and survivors whose cases are not 'high profile' but equally important.
- c. The slow, increasingly publicised progress through the courts of significant and traumatic cases for families.

(See also discussion at [Section C3](#) below.)

In this context, building public confidence and trust in new processes and structures will be both a key challenge, and fundamentally important for the success of the new approach. The complexity of this will be even more pronounced in the context of no devolved Government in Northern Ireland for the foreseeable future.

2.2 Taking this into account, **the VSS recommends that any steps to develop and implement the proposals in the Consultation should demonstrate the political, institutional, and public accountability of the different structures and processes.** This should include measures that make it explicitly clear to the public:

- a. To whom/to which organisation/body each Legacy Institution is accountable.
- b. How accountability for appropriate processes, ongoing progress, and results will be ensured.
- c. How the public, including victims and survivors, can raise questions about the process, particularly if they are unhappy with the way their case is handled.

3 Resourcing

- 3.1 The proper resourcing of **budgets** and **staff** to deliver any next steps will be critical to the success of the proposed Legacy Institutions
- 3.2 **Budget:** When compared to the £30million budget allocated to Operation Kenova alone, the £150million budget outlined for the delivery of all of the proposed Legacy Institutions appears to be very limited. Once Government commits to this process, it must not be curtailed or stalled on account of limited budget: this would fatally undermine the trust and confidence fundamental to its overall success.
- 3.3 On this basis, **the VSS recommends that the stated £150million budget should be reviewed alongside the careful planning of pathways and processes described at point B1 above, and more realistic timelines to ensure a realistic budget is identified and secured.**
- 3.4 **Staffing:** The quality, experience, and skill of the staff recruited to the proposed Legacy Institutions, from front-line engagement teams to senior leadership, is vitally important.

This may be the last opportunity to address the legacy of Northern Ireland's past. If the proposed structures and mechanisms are not adequately resourced, this opportunity may be lost and will likely have devastating consequences for victims and survivors.

It is therefore vital that the roles and requirements of the proposed Institutions are properly scoped and recruited for, ensuring that the right people with the right skills are identified – from functional and technical duties, to engaging with victims and survivors, supporting vulnerable people, and inspiring public confidence in an ambivalent process.

- 3.5 On this basis, **the VSS recommends that the staffing of each element of the proposals should be developed alongside the careful planning of pathways and processes described above, to ensure that people with the right combinations of skills, experience, and capacity are identified for the various posts involved.**

4 Anticipating the impact on staff and on other services

- 4.1 Based on the VSS's experience of supporting and working with victims and survivors in relation to legacy issues, we understand the complexity of the inter-related challenges that face individuals and organisations in this area.
- 4.2 **Impact on other services:** People involved in processes to address the legacies of violence and conflict also frequently present with needs in relation to physical health, access to welfare, financial support, care, and access to development opportunities; this has been documented in research published by the Commission for Victims and Survivors and is borne out in the experience of the VSS. It is reasonable to anticipate that establishing the proposed Legacy Institutions will create the circumstances for identifying need in these areas, and will give rise to increased demand for and potential pressure on relevant services, both in the community/voluntary and statutory sectors.
- 4.3 On this basis, **the VSS recommends that, in planning the next steps following this Consultation, measures should be put in place to anticipate and meet increased demand for other community/voluntary and statutory services, including in particular mental health and wellbeing services for victims and survivors, staff working within the institutions, and other stakeholders.**
- 4.4 **Impact on staff:** Dealing with the past almost always involves being vigilant for and coping with negative impacts on mental health and wellbeing. This impact is felt not only by victims and survivors, but also by their support networks and representatives.
- 4.5 Working in this area and dealing with vulnerable and distressed individuals on a daily basis has a significant impact: our experience and that of our partner organisations shows that recognising and responding to traumatic incidents and experiences can take a significant toll on staff working with victims and survivors.
- 4.6 On this basis, **the VSS recommends that structures should be put in place to ensure the staff working with victims and survivors as part of this new system have access to support for their mental health and wellbeing. Resource planning should take account of the high potential for burnout and compassion fatigue, and provide adequate capacity and appropriate support structures to accommodate staff and ensure their wellbeing.**

- 4.7 Furthermore, it should be noted that the VSS currently delivers services that either meet gaps across these areas in existing provision, or that provide a critical link or pathway enabling victims and survivors to access existing services. Currently, the VSS is funded up to July 2021. The statutory sector is not resourced to address existing need in these areas, much less increased levels of demand.
- 4.8 On this basis **the VSS recommends that, in planning the next steps following this Consultation, measures should be put in place to calculate and secure resources necessary to ensure continuity of provision in response to need, across the range of services demonstrated to benefit victims and survivors of the Conflict/Troubles.**

5 Addressing urgent gaps in current provision

- 5.1 In the context of this Consultation, it is important that the VSS highlights key issues that the current provision of services and support for victims and survivors does not address.
- 5.2 Some of these issues are highlighted in the feedback received through the VSS Advocacy Support Working Group, documented in [Section D – Table 2](#) below, and include notably the lack of progress in relation to the **pension for the seriously injured** and **outstanding Legacy Inquests**. That information is not repeated here.
- 5.3 Further to the information highlighted in [Section D – Table 2](#) below, the VSS wishes to note the following:
- 5.4 **Regional Trauma Network (RTN)** (referred to in the *Stormont House Agreement* as the Mental Health Trauma Service): While this matter is not addressed in the Consultation, progress to deliver this Network has begun, and the VSS is a key stakeholder to this process.
- 5.5 Specifically, the VSS is involved in practical steps that are currently underway to develop the Regional Trauma Network. The VSS is lead partner for the Victims and Survivors Programme funded under PEACE IV. This includes the delivery of the **Advocacy Support Programme** (see [Section D](#) below) and a **Health and Wellbeing Caseworker Network**.
- 5.6 The Health & Wellbeing Caseworker Network is effectively a large team of PEACE IV-funded staff members employed in victim/survivor support organisations across the region, that work collaboratively and in partnership with the VSS. The aim of the Network is to build pathways and relationships that ensure victims and survivors gain safe access to relevant services and support, including existing community and voluntary sector services, and where necessary, statutory mental health provision.
- 5.7 This service delivery model is shown in the diagram of the [VSS Health & Wellbeing Casework Approach](#) attached at [Annex 3](#).
- 5.8 The Health and Wellbeing Caseworker Network is a vital precursor to the Regional Trauma Network, developing and embedding good practice, safe pathways, and strong working relationships. It is also a critical resource in terms of the safe delivery of any next steps following this Consultation, insofar as it can provide insight, expertise, and the capacity of existing support services for victims and survivors and others involved in developing the proposed new

system for addressing the past. The need for such services is discussed in detail in **Section B4** above.

- 5.9 In summary: to support the establishment of the Regional Trauma Network, the VSS is contributing lessons learned in relation to engagement with the community/voluntary sector, and is piloting the development of pathways into statutory mental health service provision. Progress up to now has, however, been slow and dependent on the mobilisation of mostly non-recurrent funds and resources via the Health & Social Care Board.
- 5.10 On this basis, **the VSS recommends that any next steps following this Consultation should include a specific and time-bound plan to progress the implementation of the Regional Trauma Network.**
- 5.11 **Addressing the trans-generational impact of exposure to conflict-related trauma:** Research published by the Commission for Victims and Survivors (CVS) on *The Trans-generational Impact of the Troubles on Mental Health*¹ revealed that:

“[T]raumatic experiences and exposure to violence can lead to adverse mental health and other consequences not only for the person themselves, but also for their children and potentially, their grandchildren, resulting in a trans-generational cycle which impacts upon the well-being of subsequent generations. Specifically, the effects of violence, traumatic experiences and social segregation impact upon parenting practices which affect early attachment and the capacity of the child to self-regulate. Self-regulation difficulties increase the person’s risk of mental disorders, behavioural problems and suicide. They also affect how that person engages with their own children when they become a parent. The accumulation of childhood toxic stress, resulting from negative parenting behaviours, exposure to violence and the use of harsh punishment, is associated with adverse mental health outcomes. Social deprivation and poverty serve to exacerbate the mental health impact of the consequences of the conflict.”

(CVS 2015:8-9)

- 5.12 The CVS research also highlighted that:

- Only one (out of eight) statutory (organisation) respondents indicated they provided services specifically designed or funded to address trans-generational needs arising from the Conflict/Troubles; and
- A small number of service providers funded by the VSS provide youth-based services explicitly focussed on trans-generational needs.

¹ See *The Trans-generational Impact of the Troubles on Mental Health* (Commission for Victims & Survivors, 2015): <https://www.cvsni.org/media/1171/towards-a-better-future-march-2015.pdf>

- 5.13 These findings and the issues that they raise for service provision are borne out in the experience of the VSS to date.

On this basis, **the VSS recommends that any next steps following this Consultation should specifically consider the far reaching consequences of the trans-generational impact of the Conflict/Troubles, not only in terms of the well documented area of mental health, but also in the spheres of education, employability, personal wellbeing, and relationship building.**

‘Addressing the legacy of Northern Ireland’s past’ must include steps to identify gaps in service provision to meet needs across all of these areas, and engagement with communities and agencies to better understand and support individuals and families affected by these issues.

6 Gender lens

- 6.1 International best practise increasingly highlights the importance of a gender-sensitive analysis of conflict, its impact, peace building and reconciliation initiatives, and the design and development of services for victims and survivors.² In a broader international context, the UN's Sustainable Development Goals (2015)³ identify Gender Equality as a key goal, setting an international agenda that strives to achieve gender equality and empower all women and girls.
- 6.2 To date, the steps that have been taken to deal with the past in Northern Ireland and to develop and deliver services for those impacted by the Conflict/Troubles have not taken gender into specific consideration. Rather, the focus has been on a forensic analysis of incidents, deaths, dates, and injuries. This approach misses the rich narrative and learning which can be achieved through understanding the different dimensions of the diverse experiences of men, women, families, and communities.
- 6.3 The information available to the VSS and our partners demonstrates that the Conflict/Troubles-related experience of women was and continues to be very different to that of men. For example:
- a. Of the more than 3,720 people who have lost their lives as a result of the Troubles/Conflict, 91% were men.
 - b. Among the more than 40,000 physically injured, and many more psychologically injured, more than 4 out of 5 of their carers are women.
 - c. The direct financial consequences of bereavement and serious injury over the period 1969-1998 (and beyond) have included loss of income and loss of pensions. The affected children, siblings, parents, and spouses – overwhelmingly women – have had to adjust their life plans and aspirations to accommodate these financial impacts.
 - d. Responding to injury and bereavement in this way has, furthermore, impacted upon social mobility and the structures of family and social

² See for example:

- United States Institute for Peace: *Gender Inclusive Framework and Theory* (2018), available at: [https://www.usip.org/publications?issue_areas\[0\]=56](https://www.usip.org/publications?issue_areas[0]=56)
- Conciliation Resources: *Gender in Peacebuilding* (2014), available at: http://www.c-r.org/downloads/CR_Gender_peacebuilding.pdf
- Office of the High Commissioner for Peace, Colombia: *The Colombian Peace Agreement: The Opportunity to Build Peace* (2016), available at: http://www.altocomisionadoparalapaz.gov.co/herramientas/Documents/The_Colombian_Peace_Agreement_the_opportunity_to_build_pace.pdf

³ Information on the UN Sustainable Development Goals is available at: <https://sustainabledevelopment.un.org/?menu=1300>

support, impacting on the health and resilience of individuals and whole communities.

- e. The VSS and its partners have witnessed how, with the focus on ‘holding it all together’ at the time, women and families often did not prioritise their own health and wellbeing, and became disconnected from statutory support and services. As a result, poor physical and mental health, and frequently a reliance on prescription medication, are reported as systemic issues by carers and the bereaved.
- f. The burden of pursuing truth and justice has been carried by widows, often into old age, and frequently passing on to the next generation to children, siblings, and grandchildren, with a rippling impact throughout the whole family.
- g. Research recently published by the University of Ulster has highlighted the hitherto unacknowledged prevalence of specific gender-based harms associated with the Conflict/Troubles, including domestic violence,⁴ and how victims of such harms can benefit from inclusion in the peace process.
- h. Ongoing problems such as paramilitary-style so-called ‘punishment’ beatings affect children and young people in particular: the impact of this violence on mothers, predominantly in socially deprived areas, is hinted at in media coverage⁵ but is poorly understood in terms of tailored services and support mechanisms.

6.4 On this basis, **the VSS recommends that any next steps following this Consultation should include the agreement of a set of gender principles to ensure that the different Conflict/Troubles-related experiences and impact are visible and that gender is integrated into the design and implementation of the proposed Legacy Institutions. These principles should be informed by international good practice, and by the initial work undertaken in this area by the Legacy Gender Integration Group (*Gender Principles for Dealing with the Legacy of the Past*, 2015).**⁶

⁴ *Intimate Partner Violence in Conflict and Post-Conflict Societies: Insights and Lessons from Northern Ireland* (J.L. Doyle & M. McWilliams, 2018), available at:

<https://www.ulster.ac.uk/news/2018/sepember/study-shows-how-victims-of-domestic-violence-benefitted-from-the-peace-process-in-northern-ireland/>

http://blogs.sps.ed.ac.uk/politicalsettlements/files/2018/07/2018_PSRP-Violence-Report-NI.pdf

⁵ See: “A Mother Brings Her Son to be Shot” review – corruption and violence in Free Derry (Guardian, 17 March 2018): <https://www.theguardian.com/film/2018/mar/17/a-mother-brings-her-son-to-be-shot-review-corruption-and-violence-in-free-derry>

⁶ *Gender Principles for Dealing with the Legacy of the Past* (Legacy Gender Integration Group, 2015), available at: <https://caj.org.uk/2015/08/17/gender-principles-dealing-legacy-past/>

C VSS Engagement with Individual Victims and Survivors

1 VSS communication and engagement plan

1.1 The public Consultation opened on Friday 11 May 2018. Mindful the Consultation addressed issues likely to cause distress or anxiety for victims and survivors, the VSS immediately put in place a communication and engagement plan to share information with the individuals we support directly, and with our funded organisations across the region.

1.2 The VSS communication plan included:

- a. Contacting the **56** community and voluntary organisations funded by the VSS: following an initial notification on 11 May 2018, we communicated with this network on an ongoing basis to address queries, share resources to facilitate discussion and responses (see [f] below), and ensure consistent and accurate reporting and messages across the region.
- b. Issuing a letter directly to **6,938** victims and survivors registered with the VSS. This was done to raise awareness of the Consultation and to remind individuals of the support available to them via the network of funded organisations. The letter highlighted both Advocacy Support to assist responses to the Consultation, and other relevant health and wellbeing services.
- c. Issuing communication jointly with the Commission for Victims and Survivors to all **108** MLAs, to inform them about the steps described above and our respective roles in relation to the Consultation.
- d. Contacting individual victims and survivors known to the VSS to live in Great Britain, to provide them with information on Consultation events organised in Warrington, Leeds, and London (see [Annex 1](#)).
- e. Maintaining consistent and up to date messaging and information on the VSS website over the Consultation period.
- f. Resourcing the printing and dissemination (across and beyond the network of our 56 community-based partner organisations) of a user-friendly discussion aid developed by **Healing Through Remembering**:⁷ *A Simple Aid to Responding to the NIO Public Consultation on “Addressing the Legacy of Northern Ireland’s Past”*.⁸

⁷ Healing Through Remembering is an independent organisation comprising a diverse membership with different political perspectives. It focuses on the issue of how best to deal with the legacy of the past relating to the Conflict/Troubles.

⁸ Available to download at: <http://healingthroughremembering.org/wp-content/uploads/2015/11/NIO-Consultation-HTR-Simple-Aid-1.pdf>

2 Level of engagement

- 2.1 Despite the intensive outreach described above, the VSS found levels of individual engagement with the Consultation directly via the VSS office were low.
- 2.2 The direct contact the VSS received from individuals with queries about the Consultation is summarised in **Table 1** below.

Table 1: Individual Queries received

TOTAL NUMBER OF INDIVIDUAL QUERIES RECEIVED		120
Examples: Contact Records		Number of contacts
<i>Request for hard copy of Consultation Documentation</i>		5
<i>Signposted to funded partner organisations for further information/support</i>		26
<i>Signposted to Commission for Victims and Survivors for information/support in relation to a policy query</i>		1
<i>Request for further clarity on proposals in the Consultation and/or assistance to complete consultation</i>		83
<i>Receipt of letter regarding Consultation was a trigger to contact the VSS to discuss other issues</i>		5

3 Feedback from individual victims and survivors

- 3.1 The low level of direct engagement with the VSS described above may have reflected the fact that individuals successfully followed the advice provided in our letters, i.e. to engage with the funded Advocacy Support network (see **Section D** below, and **Annex 1** and **Annex 2**), or to respond directly to the Northern Ireland Office if they felt sufficiently confident to do so.
- 3.2 Notwithstanding that possibility, the low level of engagement may also have been indicative of concerns voiced by individuals to the VSS over the Consultation period. This feedback included the following key points:
- a. **Frustration and associated feelings of distress, sadness, and anxiety:** In the early weeks of the Consultation the VSS received feedback from a number of individuals expressing frustration in relation to the Consultation. They expressed disappointment at what they perceived as ‘yet another’ prolonged process to deal with issues that have been affecting them, and that have remained largely

unaddressed, for years – and in some cases, for decades. Some felt confused and annoyed by the proposals, resulting in increased frustration and heightened anxiety expressed to VSS staff. In handling these contacts, the VSS has encouraged individuals to express their reactions by responding to the Consultation. In every case, the VSS has signposted the health and wellbeing and advocacy support available.

- b. Disengagement:** The low level of direct engagement with the VSS in relation to the Consultation suggests a significant degree of disengagement among victims and survivors with regard to formal processes of dealing with the past. This disengagement may be explained, in part, by the timing of the Consultation over the traditionally quiet summer period; however, in the wider context of political uncertainty and the fragmented slow progress of the existing mechanisms to deal with the past,⁹ it is reasonable to conclude that it points to a more general sense of powerlessness among victims and survivors to influence change or progress. Nevertheless, recent feedback from our funded partners in the community/voluntary sector suggests that, as the Consultation deadline has approached and been extended, there has been a greater appetite to engage with the process and submit responses.
- c. Distrust:** Many individuals that have contacted the VSS in relation to the Consultation have expressed a sense of distrust regarding the proposals. Feedback and comments have reflected people's belief that nothing will really change, and that the proposed Legacy Institutions will not effectively address their personal issues or circumstances. These individuals have cited negative past experiences with the Historical Enquiries Team, where they perceived the process they engaged in was compromised, and they felt they had not been dealt with honestly. They have also referred to media coverage of high profile cases where other victims and survivors have expressed disappointment and hurt in relation to the process and outcome. This also has a significant effect on those victims that are not considered 'high profile', and links closely to the final point regarding 'self-protection' highlighted below.
- d. Self-protection:** Some individuals that have expressed a sense of distrust in relation to the proposals have specifically explained that they will not engage with the Consultation because they want to

⁹ Including, for example, the collapse of the Historical Enquiries Team in 2014, the limited progress made in relation to historical cases by the Legacy Branch of the PSNI and the Office for the Police Ombudsman, and the large number of outstanding Legacy Inquests.

protect themselves from additional distress, disappointment, and pain. These individuals have used language such as: *'I can't go through it all again', 'I can't put my family through this again', 'I don't want to be retraumatized.'* This perspective was highlighted recently in the media, when it was reported that the family of Henry Cunningham, who was killed in a Conflict-related incident in 1973, have decided to end their campaign for a fresh inquest into his death.¹⁰ Some individuals also say things like: *'I want to move on and not think about it all'*; however, the same people often continue to express a need for the health and wellbeing and other support services offered by the VSS.

- 3.3 Taking this feedback into account, it is likely the disengagement described above is not due to apathy among victims and survivors, but the result of decisions (conscious or instinctive) to distance themselves from the formal processes of dealing with the past.

It is not that the issues raised in the Consultation are not important to victims and survivors: rather, they are critically important, but have been handled previously in such a way as to make victims and survivors uncertain, and in some cases, very worried about whether to engage with the process. This is because, in their previous experience of formal legacy mechanisms:

- a. The process has taken a very long time to deliver progress, information, and/or other results.
- b. The process did not clarify what victims and survivors can expect, and/or has failed to meet their expectations. (See **Section 1.3 f** above regarding 'Managing Expectations'.)
- c. The process has not been transparent, from the perspective of victims and survivors.
- d. The process has caused additional hurt to victims and survivors.

- 3.4 This feedback is important. It sheds light on the ambivalent feelings that victims and survivors have in relation to formally addressing legacy issues at this time, and why this is the case. It also highlights specific obstacles to engagement that will inhibit the successful delivery of any next steps following the Consultation.

The VSS recommends therefore that the comments and issues noted in this section are taken into account when designing the proposed new approaches to addressing the legacy of the past.

¹⁰ "Family of 16-year-old murdered by UVF end fight for new inquest" (*Belfast Telegraph*, 8 August 2018) <https://www.belfasttelegraph.co.uk/news/northern-ireland/family-of-16-year-old-murdered-by-uvf-end-fight-for-new-inquest-37197077.html>

D VSS Advocacy Support Programme

1 Background

- 1.1 The VSS is the Lead Partner in the delivery of PEACE IV funding for the Advocacy Support Programme. We work with 9 community and voluntary organisations that, since April 2017, have been funded to employ up to 23 Advocacy Support Workers and Managers across the region.
- 1.2 The Advocacy Support Programme provides advocacy support to victims and survivors specifically in relation to work on themes including truth, justice, and acknowledgement associated with the legacy of the Conflict/Troubles. It ensures victims and survivors have access to high quality practical support when engaging with investigating bodies, justice system services, and any other institution involved in dealing with the past.
- 1.3 When the Programme was originally developed (mid 2016), it was intended to provide holistic support to victims and survivors engaging with the legacy institutions and processes proposed in the *Stormont House Agreement*, specifically:
 - Historical Investigations Unit (HIU)
 - Independent Commission on Information Retrieval (ICIR)
 - Oral History Archive (OHA)
 - Legacy Inquests
 - Outstanding Investigations
- 1.4 Given the delays in implementing the *Stormont House Agreement*, however, the Programme currently supports individuals engaging with the fragmented landscape of current structures established to progress investigations and information recovery, including for example: the Historical Investigations Directorate of the Office of the Police Ombudsman for Northern Ireland (OPONI); the Police Service of Northern Ireland (PSNI) Legacy Branch; the Public Records Office for Northern Ireland (PRONI); the National Archives; and the stalled progress on Legacy Inquests.
- 1.5 The network of funded Advocacy Support Workers has also provided a platform for engagement in relation to this Consultation on *Addressing the Legacy of Northern Ireland's Past*.

2 Engagement with victims and survivors through the VSS Advocacy Support Programme

2.1 Through the VSS Advocacy Support Programme, more than **4,000** individual victims and survivors attended **297+** private family sessions, focus groups, public consultation events and panel discussions held throughout Northern Ireland, Ireland, and Great Britain.

2.2 A number of different approaches were facilitated to meet the needs of victims and survivors in this process, including:

- Public events;
- Large but closed events;
- Small closed meetings; and
- One to one liaison with individuals and/or families.

A summary of the engagement and events conducted by the network of organisations funded under the VSS Advocacy Support Programme is included at [Annex 2](#).

2.3 At the request of a number of organisations, VSS chaired **4** public events.

3 Feedback from VSS Advocacy Support Working Group

3.1 The VSS convenes a regular meeting of the Advocacy Support Workers and Managers funded under the Advocacy Support Programme. This meeting enables information sharing, the development of shared practices, standards, and learning, and consistent monitoring and evaluation of the Programme. It is referred to as the **Advocacy Support Working Group**.

3.2 Two meetings of the Advocacy Support Working Group were convened on 24 July 2018 and 24 August 2018 specifically to discuss the Consultation on *Addressing the Legacy of Northern Ireland's Past*.

3.3 Representatives from both the Department of Foreign Affairs and the Northern Ireland Office were in attendance at these meetings, as well as a representative from the Commission for Victims and Survivors (CVS).

3.4 The discussion of the detail of the Consultation at these meetings was frank and robust. **Table 2** below provides a summary overview of the key issues addressed.

Table 2: Advocacy Support Working Group (ASWG) Meetings (July and August 2018) – key issues discussed

Ref	Issue	Summary note	Broad Consensus or Contested issue?
PROPOSED LEGACY INSTITUTIONS			
1	Historical Investigations Unit	Clarification is required in relation to the difference between a Historical Enquiries Team Review and Historical Investigations Unit Investigation .	Broad Consensus
		Broad agreement that <u>all</u> deaths should be looked at again under the new proposals and a parallel process in GB and ROI.	Broad Consensus
		Concerns in relation to the potential redaction of information from family reports produced by the Historical Investigations Unit, and clarification as to the circumstances in which such decisions may be taken.	Broad Consensus
		Issues around the Historical Enquiries Team process, notably families' reported concerns about its shortcomings and in some cases their lack of confidence in the investigations.	Broad Consensus
		Concerns expressed in relation to the power, authority and pressure on one individual – the HIU Director.	Broad Consensus
		All injuries should be subject to an Article 2 compliant investigation by HIU.	Broad Consensus with the principle. Contested re: practicalities and feasibility of implementation.
		Discussion around the uncertainty when it comes to legal cases of the status of OTR letters and Royal Prerogatives of Mercy.	Contested
		Discussion around eligible cases from 31 st March 2004 rather than 10 th April 1998.	Contested

Ref	Issue	Summary note	Broad Consensus or Contested issue?
2	Oral History Archive	<p>Discussion around the ethical standards and processes underpinning the proposed Oral History Archive – need for clear standards and ethics.</p> <p>Queries as to why it is proposed to locate the OHA in PRONI and concerns with political interference.</p> <p>Discussion around the need to build on existing stories network and other oral history projects.</p> <p>Concerns expressed around potential re-traumatisation of victims and survivors re: competing narratives and clear need for safeguards.</p>	<p>Broad Consensus</p> <p>Broad Consensus</p> <p>Contested. Some favour starting from a 'blank page'. Others firmly believe a foundation has been established and should be built upon</p> <p>Broad Consensus</p>
3	Independent Commission on Information Retrieval	<p>Clear issues associated with operating the Historical Investigations Unit (HIU) in parallel with the Independent Commission on Information Retrieval (ICIR). Discussion around the potential merit in limiting access to the ICIR only after an HIU investigation had been completed and closed.</p> <p>Discussion around the political aspect of appointing members to the ICR and the level of political interference this may bring.</p> <p>Discussion around the need for clear processes to ensure veracity of information disclosed and limit distress for victims and survivors.</p>	<p>Broad Consensus</p> <p>Broad Consensus</p> <p>Broad Consensus</p>
4	Implementation and Reconciliation Group	<p>Discussion around the need for a broad acknowledgment statement at the start of the process to establish a level of trust and confidence.</p>	<p>Contested</p>

Ref	Issue	Summary note	Broad Consensus or Contested issue?
URGENT GAPS IN CURRENT PROVISION			
5	Pension for the seriously injured	<p>This is understood to be a devolved matter.</p> <p>However, overwhelming feedback indicates this is a significant omission from the Consultation and an urgent matter which needs to be progressed.</p> <p>The VSS and its funded organisations work with many of the individuals concerned and injured in incidents that occurred several decades ago. Many have far outlived the lifespan that was projected for them at that time on the basis of their injuries in calculating compensation and medical needs.</p> <p>Their suffering has been compounded by deteriorating mobility, health, and wellbeing, becoming more serious as they age.</p> <p>Many are in severely declining health, suffer persistent pain, and require daily care and support. The impact on family and carers has been significant. Tragically, dozens have already died without the opportunity of a properly supported and dignified quality of life.</p> <p>The feedback heard by the VSS in this regard suggests that any next steps following this Consultation should include a specific and time-bound plan to deliver the pension to the remaining small number of individuals that have been identified as being in need of this support.</p>	Broad Consensus for principle. Contested re: Eligibility. See Point 9.

Ref	Issue	Summary note	Broad Consensus or Contested issue?
6	Outstanding Legacy Inquests	<p>This is understood to be a devolved matter.</p> <p>However, overwhelming feedback indicates this is a significant omission from the Consultation and an urgent matter which needs to be progressed.</p> <p>54 legacy inquests into 94 deaths related to the Conflict/Troubles remain outstanding at this late date. Bereaved families have a right to this due process, and the delays involved have a negative impact on the mental health and wellbeing of all affected. It is noted that the Lord Chief Justice has provided a feasible plan for the delivery of the outstanding cases within a five-year period.</p> <p>The feedback heard by the VSS in this regard suggests that any next steps following this Consultation should include a specific and time-bound plan to commence delivery of these outstanding inquests.</p>	<p>Broad Consensus</p> <p>Contested re: timing. Some believe this should be immediately, others in line with any legacy mechanisms.</p>
OTHER RELATED DISCUSSIONS			
7	Irish Government	<p>Clarification is required in relation to the reciprocal responsibilities of the Irish and UK Governments to provide information and cooperate with the Historical Investigations Unit.</p> <p>Discussion around the need for (at a minimum) a dedicated Legacy Unit.</p> <p>Explanation is required of the particular circumstances and perspectives of victims and survivors living in the Border Region, including their sense of vulnerability and abandonment.</p>	<p>Broad Consensus</p> <p>Broad Consensus</p> <p>Broad Consensus</p>

Ref	Issue	Summary note	Broad Consensus or Contested issue?
8	Trust & Confidence	<p>Discussion around why some communities in both Northern Ireland and Ireland find it difficult to trust the Irish Government and Gardaí, and why others find it similarly difficult to trust the UK Government and the PSNI.</p> <p>See Section B, Point 2 above</p>	Broad Consensus
9	Resources	<p>Queries raised regarding costs, shared responsibilities, and feasibility of the proposed timescales. Feedback that resourcing is unrealistic.</p> <p>Discussion of the negative impacts that BREXIT would have on progressing this programme of work under PEACE IV.</p> <p>See Section B, Point 3 above</p>	<p>Broad Consensus</p> <p>Broad Consensus</p>
10	Definition of a victim	Discussion around the current Victims and Survivors Order (2006) and the sensitive debate around the hierarchy of victimhood.	Contested
11	National Security	Concerns expressed in relation to the potential redaction of information from family reports produced by the Historical Investigations Unit, and clarification as to the circumstances in which such decisions may be taken.	Broad Consensus
12	Compensation Payments	Discussion around the need for a review of compensation to both those who were bereaved and injured and the historical system based on actual and projected earnings and the perceived 'economic value' of the victim.	Broad Consensus

E Conclusion

1. The Consultation on *Addressing the Legacy of Northern Ireland's Past* deals with issues that are of absolute significance to victims and survivors. As acknowledged in the Consultation document, many victims and survivors are advancing in age and are in poor physical and mental health. Many others are no longer with us, and their families carry significant burdens of unresolved grief and pain.
2. While expert stakeholders across society have submitted detailed responses on the legal and technical provisions included in the Consultation, from the perspective of the VSS, we wish to underline the critical importance of ensuring a **victim-centred process**.
3. Any next steps taken following this Consultation must learn from the experience outlined above in this response. The VSS has worked hard over the past number of years to integrate, consolidate, and build upon the existing wealth of insight, skill, and capacity to support victims and survivors that has emerged across the region over the past two decades (and longer). It is so important that this learning is not lost or ignored.
4. It is equally important that the wider context of political, economic, and social uncertainty in Northern Ireland, and specifically the impact of this uncertainty on victims and survivors, is explicitly taken into account, and acknowledged as relevant to the way in which any next steps are taken.

Victims and survivors have suffered and continue to suffer as mechanisms for addressing the past are delayed and denied. Current issues that compound this suffering include:

- 4.1 **Absence of the Northern Ireland Executive**, which affects victims and survivors specifically as follows:
 - a. **Gaps in current provision:** The impact on victims and survivors of delays in progressing devolved matters in the absence of an Executive are detailed in **Section B5** and **Section D Table 2** above. These include a **pension for the seriously injured**, funding for **outstanding legacy inquests**, and progressing the **Regional Trauma Network**.
 - b. **Continuity of current provision:** The VSS delivers support to victims and survivors directly (through the Individual Needs Programme) and to 56 community and voluntary organisations (through the Victims Support Programme) to deliver health and wellbeing services. A three year business case was approved by ministers in November 2016, which is

valid to 31st March 2020. This secures support and certainty in the immediate term. However, the critical planning for the post-2019 *Strategy for Victims and Survivors* cannot be undertaken in the absence of the Executive. This will impact on the quality and relevance of services for victims and survivors from 2020 onwards. Such uncertainty for the continuity of provision raises anxiety and distress amongst victims and survivors, and creates instability in the organisations that deliver support.

- 4.2 **Welfare Reform:** The transition from Disability Living Allowance to Personal Independence Payments commenced in December 2016. Although there are mitigations in place that have assisted some victims and survivors (primarily those who are seriously physically injured), the VSS has identified a number of issues associated with the assessment process.

We raised these issues in our response to the *Independent Review of the Assessment Process (Northern Ireland)* in March 2018. They include:

- A lack of understanding of the impact of the Troubles/Conflict.
- Negative impact of the assessment process on health and wellbeing.
- Inconsistent and at times poor communication.
- Inconsistency in skills and training of assessors.
- Lack of clarity around decision making process and audit trail used.

In addition to these practical challenges, media coverage of Welfare Reform continues to give rise to significant concerns and an atmosphere of fear of the process among victims and survivors.

- 4.3 **BREXIT:** The wider impact of BREXIT on society in general, and on victims and survivors in particular, is as yet unknown. We do know that any uncertainty brings with it anxiety for victims and survivors and any weakening, tensions or changes in relationships between both governments is likely to have a psychological impact on victims and survivors.

However, a very specific likely impact attaches to the reliance of victim/survivor support services on EU funding.

The VSS is lead partner for the Victims and Survivors Programme funded under PEACE IV. This includes the delivery of the Advocacy Support Programme (see [Section D](#)) and a Health and Wellbeing Caseworker Network (see the [VSS Health & Wellbeing Casework Approach](#) detailed at [Annex 3](#)).

This network is currently building pathways and relationships to ensure victims and survivors gain safe access to relevant services and support across the region, including community and voluntary sector services, and where necessary, statutory mental health provision.

As such, the Health and Wellbeing Caseworker Network is a vital precursor to the Regional Trauma Network (see [Section B5](#) above), developing and embedding good practice, safe pathways, and strong working relationships. It is also a critical resource in terms of the safe delivery of any next steps following this Consultation, insofar as it can provide insight, expertise, and the capacity of existing support services for victims and survivors and others involved in developing the proposed new system for addressing the past. The need for such services is discussed in detail in [Section B4](#) above.

The cessation of this PEACE funding, without an alternative source of funding in place, would be catastrophic for both:

- The Regional Trauma Network (see [Section B5](#) above), and
- The successful implementation and delivery of the Legacy Institutions proposed in the Consultation (see [Section B4](#) above).

Taking into account all of the above:

5. The VSS is grateful to the Northern Ireland Office, the Department for Foreign Affairs and Trade, and our extensive network of partner organisations for the positive and robust engagement that we have participated in over recent months, including at the Advocacy Support Working Group meetings. We look forward to ongoing contact in the weeks and months ahead.
6. All of the comments and recommendations included in this response are offered in an open and constructive spirit. The VSS Board and Senior Management Team remain ready to assist the Governments, our community/voluntary sector partners, and other relevant stakeholders in any way we can. If there is any part of this response that requires further clarification or discussion, please do not hesitate to contact us. In the meantime, we will continue to develop and improve the delivery of our own victim-centred services, sharing our learning as we move forward

F Summary of Key Recommendations

1. **Building structures around good processes and 'The Victim Journey':** the VSS recommends that time and resources should be dedicated to carefully consider and plan the *pathways and 'victim journey'* that will enable members of the public, including victims and survivors, to engage with and access the services and support within and between the structures of the proposed Legacy Institutions. This should be treated as a priority, before any service delivery is undertaken, and kept under review as the process unfolds, to enable continuous learning and improvement.
2. **Leadership:** the VSS recommends that careful planning should inform the recruitment and retention of appropriately qualified and experienced people to lead the proposed Legacy Institutions.
3. **Strategic direction:** the VSS recommends that, for each of the proposed Legacy Institutions, the development of a clear vision, mission, and specifically defined values and guiding principles should be treated as a priority, before any activity is undertaken.
4. **Engagement:** the VSS recommends that each element of the proposed Legacy Institutions should incorporate a specific engagement plan to map the relevant stakeholders, initiate contact, and develop an ongoing programme of outreach, information sharing, and relationship building over the whole implementation period.
5. **Partnership and integration:** the VSS recommends that, as part of their engagement and business planning, each element of the proposed Legacy Institutions should:
 - a. Demonstrate respect for the work undertaken by existing stakeholders in their relevant areas.
 - b. Value the experience, skills, and capacity they hold.
 - c. Where relevant, mobilise that experience, skill, and capacity to support the delivery of safe and effective activities and services as part of this process.
 - d. Focus on the needs of victims and survivors. This should include practical, sensitive planning that keeps the *person* at the heart of the process. For example, in practical terms, this could include developing measures such as a single transferable statement for use by victims and survivors across all of the proposed institutions with which they engage, to avoid re-traumatisation and the re-telling of their story.

6. **Managing expectations (1):** the VSS recommends that the proposed institutions should take care to be clear and explicit in their communication, and to be specific insofar as it is possible to provide detail with regard to aims, objectives, processes, timescales, and anticipated outcomes.
7. **Managing expectations (2):** the VSS recommends that any next steps in this process should take very seriously the complexity and sensitivity not only of victims' and survivors' needs and circumstances, but also the dynamics and responsibilities of the wider sector, including individuals, families, communities, advocacy organisations, service providers, and their legal and other representatives. On this basis, we recommend the following:
 - a. A realistic timeline should be set out that clearly articulates how each mechanism will deliver on its commitments and objectives.
 - b. Adequate, detailed operational budgets should be specified and secured.
 - c. Each structure should demonstrate that it is staffed by the right people, with the necessary combinations of experience and skill, capable of responding to and managing the complexity and sensitivity of both victims' and survivors' needs, and the dynamics of the sector.
 - d. It should be anticipated that 'competing narratives' will inevitably mean that some victims and survivors will be unhappy with how their case is heard or handled. This will lead to disagreement over versions of events and may result in appeals and / or legal challenges from members of the public.
 - e. The proposed institutions should carefully consider how such challenges will be handled as part of the overall system for addressing the past, in line with the constructive and victim-centred guiding principles underpinning the *Stormont House Agreement*.
8. **Utilising existing networks, experience, and expertise:** the VSS recommends that any new structures established as a result of this Consultation should build upon the structures and networks of provision that already exist and, critically, should draw upon the experience and expertise of the personnel that have developed this existing infrastructure.

9. **Trust and confidence:** the VSS recommends that any steps to develop and implement the proposals in the Consultation should demonstrate the political, institutional, and public accountability of the different structures and processes.

This should include measures that make it explicitly clear to the public:

- a. To whom/to which organisation/body each Legacy Institution is accountable.
 - b. How accountability for appropriate processes, ongoing progress, and results will be ensured.
 - c. How the public, including victims and survivors, can raise questions about the process, particularly if they are unhappy with the way their case is handled.
10. **Resourcing:** the VSS recommends that the stated £150million budget should be reviewed alongside the careful planning of pathways and processes, to ensure a realistic budget is identified and secured.
11. **Staffing:** the VSS recommends that the staffing of each element of the proposals should be developed alongside the careful planning of pathways and processes described above, to ensure that people with the right combinations of skills, experience, and capacity are identified for the various posts involved.
12. **Impact on staff:** the VSS recommends that structures should be put in place to ensure the staff working with victims and survivors as part of this new system have access to support for their mental health and wellbeing. Resource planning should take account of the high potential for burnout and compassion fatigue, and provide adequate capacity and appropriate support structures to accommodate staff and ensure their wellbeing.
13. **Impact on other services:** the VSS recommends that, in planning the next steps following this Consultation, measures should be put in place to anticipate and meet increased demand for other community/voluntary and statutory services, including in particular mental health and wellbeing services for victims and survivors, staff working within the institutions, and other stakeholders.
14. **Continuity of existing provision for victims and survivors.** The Victims and Survivors Strategy ends in 2019. In addition, PEACE IV funding has been secured up to July 2021 and Executive Office provision up to March 2020: the VSS recommends that, in planning the next steps following this Consultation, measures should be put in place to calculate and secure resources necessary to ensure continuity of provision in response to need, across the range of services demonstrated to benefit victims and survivors of the Conflict/Troubles.

15. **Regional Trauma Network:** the VSS recommends that any next steps following this Consultation should include a specific and time-bound plan to progress the implementation of the Regional Trauma Network.
16. **Addressing the trans-generational impact of exposure to conflict-related trauma:** the VSS recommends that any next steps following this Consultation should specifically consider the far reaching consequences of the trans-generational impact of the Conflict/Troubles, not only in terms of the well documented area of mental health, but also in the spheres of education, employability, personal wellbeing, and relationship building. 'Addressing the legacy of Northern Ireland's past' must include steps to identify gaps in service provision to meet needs across all of these areas, and engagement with communities and agencies to better understand and support individuals and families affected by these issues.
17. **Gender dimension:** the VSS recommends that any next steps following this Consultation should include the agreement of a set of gender principles to ensure that the different Conflict/Troubles-related experiences and impact are visible and that gender is integrated into the design and implementation of the proposed Legacy Institutions. These principles should be informed by international good practice, and by the initial work undertaken in this area by the Legacy Gender Integration Group (*Gender Principles for Dealing with the Legacy of the Past*, 2015).
18. **Current context:** the VSS recommends that any next steps following this Consultation should very explicitly take into account the wider context of political, economic, and social uncertainty in Northern Ireland, and specifically the impact of this uncertainty on victims and survivors. This includes:
 - a. The absence of the Northern Ireland Executive: which is delaying progress on the pension for the seriously injured and outstanding Legacy Inquests, and which threatens the continuity of funded provision for victims and survivors.
 - b. The Welfare Reform process: which is causing anxiety and distress to victims and survivors.
 - c. BREXIT and associated uncertainty of EU funding streams: which threaten the continuity of provision for victims and survivors in general, and specifically the development of the Regional Trauma Network and support services required for the safe and effective working of the proposed Legacy Institutions.

ANNEX 1 Advocacy Support Network Consultation Events

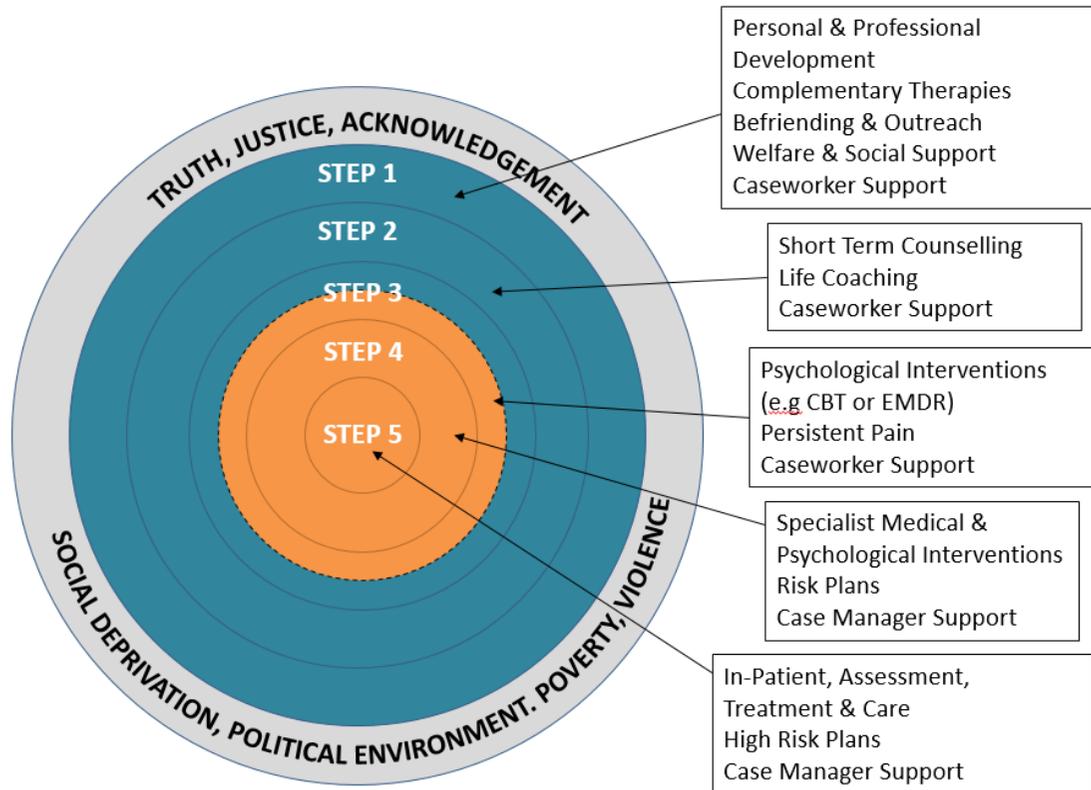
Geographical spread of Legacy Consultation events held by organisations funded by PEACE IV and VSS to deliver Advocacy Support



ANNEX 2 Detail of Advocacy Support Network Consultation Events

Funded Organisation	Number of funded workers	Broad nature of Events* -
Family Research & Policy Unit	2 Support Workers 1 Manager	Delivered public events in 7 locations across Northern Ireland and contributed to event in Birmingham and 5 private focus groups. Individual private family engagements.
Fírinne	1 Support Worker	14 Trustee and Members events and 12 Focus Groups. Individual private family engagements.
Omagh Support & Self-Help Group	1 Support Worker	Delivered public events in 3 locations across Northern Ireland and Ireland, 2 events for members and local community groups. Individual private family engagements.
Paper Trail	1 Support Worker	11 clinics across Northern Ireland and engaged in the Time for Truth campaign resulting in 14,875 responses submitted.
Pat Finucane Centre (Regional)	4.5 Support Workers 1 Manager	Conducted 70+ private engagements with families across Northern Ireland and Ireland
Relatives for Justice (Regional)	3 Support Workers 1 Manager	3 regional events, 50+ individual family meetings, 60+ one to one meetings and 1 launch event of the consultation response.
SEFF (Regional)	4 Support Workers 1 Manager	Delivered public events in 11 locations, 15 clinics with members and churches, 14 thematic meetings and conducted large number of family engagements across Northern Ireland, Ireland and Great Britain.
Ulster Human Rights Watch (Regional)	2 Support Workers 1 Manager	Delivered 2 public events in Northern Ireland and individual private family engagements.
WAVE (Regional)	3 Support Workers 1 Manager	Conducted 9 focus groups across Northern Ireland and 9 engagements of the Wave Injured Group with NIHRC, churches and others. Individual private family engagements
TOTALS	21.5 Advocacy Support Workers 6 Advocacy Support Managers	23+ public consultation events, 94+ focus groups and clinics, 180+ private family sessions (297+ in total) involving 4,000+ victims and survivors at these events and engagements.

ANNEX 3 VSS Health & Wellbeing Casework Approach: Stepped Care Model



Key: VSS
Statutory Services
Context