

FORUM

SERVICES WORKING GROUP

ADVICE PAPER TO COMMISSION ON

SERVICES TO VICTIMS AND

SURVIVORS

April 2013

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Summary

1. Since its inception in October 2012, the Services Working Group focused on three key areas; Welfare Reform, Service Provision and Financial and Reparation Processes. This paper details a series of recommendations in these areas. The Services Working Group feels that they should continue to explore, engage and monitor service provision and their development especially in the area of the Victims and Survivors Service and Individual Finance.
2. They also recommend the continued monitoring of the implementation of welfare reform including universal credit and Personal Independence Payment and its subsequent impact on victims and survivors.

Recommendations

3. The recommendations made by the Services Working Group will evolve as further changes take place. Given the announcement of individual financial support packages is pending further recommendations may be required based on the details of the programme that will be delivered to victims and survivors.
4. The recommendations from the Services Working Group (SWG) are concentrated on three broad areas; welfare, service provision and financial/ reparative programmes. This section will detail the key points that the SWG are recommending to the Commission and is at the heart of the advice.

Welfare

5. The impact for victims and survivors of welfare reform continues to be immense. The impact of the changes that are expected through the reform of Disability Living Allowance to PIP are currently not fully known, however advice and welfare specialists have highlighted to the SWP the scale of reform and the difficulties envisaged.
6. The Services Working Group recommends:

- That communication is established between CVSNI and Department of Social Development (DSD) and Department of Work and Pensions (DWP).
- A scoping exercise is undertaken by CVSNI to capture the impact of welfare reform on victims and survivors.
- That CVSNI work to advocate for special legislation to protect victims and survivors of the Troubles in line with that afforded to victims of the July 7TH bombings in London or Military Covenant.

Service Provision

7. The Services Working Group has welcomed engagement with the Victims and Survivors Service. Given the infancy of this service the following recommendations may evolve, as further information is known. The SWG recommends:

- The structure regarding an independent ombudsman's role for the service needs to be reviewed.
- The services working group seek clarity from CVSNI and OFMDFM regarding how this can be reviewed - given the legislation on which VSS is based the Ombudsman for NI will not have a remit to review cases/ complaints.
- CVSNI work with OFMDFM to highlight the need for a separation of policy from service provision. Namely that 15 months from creation an independent board has not been established in relation to managing the Victim's and Services Service.
- The Services Working Group have requested that the VSS provide clear information regarding the assessment process and what is available to individual victims and survivors to ensure optimum choice is afforded to victims and survivors.

- The Services Working Group recommends that CVSNI keep under review information regarding the procurement and provision of psychological services by VSS.
- Individual financial support packages have started to be released. However, there is a lack of clarity regarding:
 - How the decisions in relation to Individual financial support packages are reached:
 - The overly bureaucratic process facing individuals regarding the information required; and
 - The delay faced for individuals as financial care packages are dependent on assessment.

The Services Working Group recommends that the Commission keeps this process under review with the Department.

- Given the structure of the VSS with the lack of distinction between assessment and grant awarded, the SWG would request a feedback mechanism to be established independent of VSS.
- Recognition and acknowledgement have been central to Individual support in the past. The SWG are concerned at the perceived move away from recognition and acknowledgement.

Financial/ Reparation Processes

- The SWG recommends that CVSNI undertake a review of the processes, which exist for victims and survivors to receive financial and practical assistance. This review should include provision from benevolent and other agencies and map need and services to create a whole picture.

- Reparative financial processes are provided across the European Union to individuals bereaved, injured or traumatised as a result of conflicts as evidenced. The working group recommends that a comparative analysis is undertaken by CVSNI to review the direct reparative and financial processes for individuals and families directly affected by the conflict.
- Those injured by the conflict have campaigned for a pension given the impact of their injuries on their potential earning power, coupled with the lack of rehabilitative processes throughout the 1970's and 80's in particular. There is also concern about eligibility and exclusions of those outside the jurisdiction. The working group recommends that CVSNI work to review and support this initiative.

Introduction

8. In September 2012, Kathryn Stone OBE assumed her post as Commissioner for Victims and Survivors and initiated a review of the Forum. To ensure the delivery of the Commission's objectives, it was proposed that three thematic working groups are established within the Forum.
9. These three working groups would reflect the three key themes of the OFMDFM Strategy for Victims and Survivors 2009. These are;
 - (a) To contribute to the Commission's assessment of the needs of victims and survivors; funding arrangements and the provision of services;
 - (b) To advise the Commission on dealing with the past;
 - (c) To advise the Commission on the contribution of victims and survivors to building a shared and better future.

10. In October 2012 the Forum agreed to the establishment of the Working Group and approved Terms of Reference. The purpose of the Services Working Group is to ensure that advice is provided to the Commission on needs, funding arrangements and services delivered.

Background

11. The aims of the Services Working Group are to;

- Discuss and consult with Victims and Survivors in relation to their experiences of service delivery to date and currently;
- Examine the current service delivery structures and identify good practice or gaps that currently exist in relation to the provision of services to victims and survivors;
- Examine victims and survivors experience of the new Victims and Survivors Service;
- Produce a briefing paper to inform the Commissioner of the findings of the Working Group by March 2013 and report to the Forum Plenary;
- Make a series of recommendations on how services can be improved informing the Commissioner with a final paper.

12. The following Forum members will constitute the Services Working Group:

1. Sandra Peake (Associate Member who will act as facilitator to the group)
2. Mitch Bresland
3. Jennifer McNern

4. Eibhlin Glenholmes
5. Alex Bunting
6. Doreen McGee
7. Roberta Holmes
8. Irene Kerrigan
9. Liz Clarke

13. The Services Working Group (SWG) is responsible for delivering an advice paper on Services and present its findings to the plenary Forum at the March residential meeting of the forum for consideration, discussion and agreement. This will then be submitted to the Commission as advice by the end of March 2013. The Commission would provide secretariat support and Tina McCann was the appointed member of staff to this group.

14. At the first meeting of the Services Working Group in October 2012 a discussion was held on the key areas for focus by the SWG. It was agreed that the following areas should be addressed by the group;

- Service Provision
- Welfare
- Financial/ Reparation Processes.

15. Key stakeholders were identified and the secretariat was instructed to arrange engagements. These stakeholders included the Victims and Survivors Service (VSS), Welfare Advice Officers and victims groups.

Discussion

Welfare

16. At the SWG meeting in November, presentations were given by Annette Kreelman and Stuart Magee, Welfare Advice Officers from Wave. The presentation gave a comprehensive overview of the impact of Welfare Reform to date and the predicted impact of the Personal Independence Payment and Universal Credit.
17. As a result of this, the group requested that the Commission lobby Ministers in the Department of Social Development and the UK Government's Department of Work and Pensions on this matter.
18. On the 28th November 2012 Commissioner Kathryn Stone, Commission officials and two members of the SWG meet with Lord Freud and Minister Nelson McCausland to discuss Welfare Reform and the impact on victims. This was a high level meeting with very satisfactory outcomes for victims and survivors as it was agreed that a partnership arrangement would be established between DSD and the Commission to ensure that the impact on victims would be carefully monitored. This process is currently ongoing and continues to develop.

Service Provision

19. In developing their knowledge and understanding of the VSS, the Services Working Group has had a number of meetings with the CEO of the Service and other staff in recent months. During these meetings members of the Group received updates on the progress relating to a number of key processes and delivery programmes that underpin the operation of the Service.
20. The Services Working Group tabled a number of issues with the Service for discussion at its meeting on 5th December 2012. These focused on:
 - The Assessment Process;
 - The Assessment Form;

- Service Level Agreements;
- Referrals;
- Monitoring and Evaluation;
- Communication;
- Verification of victim and survivor status;
- Appeals;
- Complaints;
- VSS Board;
- Confidentiality procedures; and
- The engagement between the Forum and the VSS.

21. The discussion focussed on the assessment process and improving it for the individual victim and survivor. From its meetings the Working Group made the following observations and recommendations:

- *The Assessment process and communication with the client:* This process was discussed at length. The Services Working Group recommended that it should be made clear in initial correspondence that individuals can be accompanied to an assessment and advised that they can have an advocate present.
- *The Assessment process and communication with the client:* From their current experiences the SWG identified a level of confusion with clients exiting the assessment interview. Therefore, the Group recommends that communication with the client could be improved in relation to the package of care offered to clients and the stages of the process. They recommend that the client leaves the assessment with a written document and that a follow up call is made.
- *The Assessment process and communication with the client:* The Services Working Group recommends that it should also be made clear to individuals in

the initial correspondence that the assessment can take place in a number of places, for example, in:

- The VSS Offices;
 - A neutral venue of their choosing; or
 - In the client's home.
- *The Assessment process and referrals to groups:* Where clients are referred to groups the SWG recommends that when a client is sign-posted or referred to a group that the group is made aware of or informed of the signposting or referral. This is to enable the group to cater for likely clients and also to know how many of those referred are not making contact with the group.
- *The verification of the victims and survivors status:* The SWG identified issues and difficulties with the current system of providing the proof of the incident that is currently required and the difficulty in obtaining the relevant information to satisfy or meet the current criteria. The Group suggested a number of ways that could potentially help to solve this issue:
- The staff of the Service could assist individuals and groups to obtain the relevant documentation;
 - The eligibility criteria could be amended or expanded to include a letter or a reference from a GP/Health Professional/Minister/Community Organisations to verify an individual's victimhood;

A similar system to referee's for a passport could be put into operation

Financial/ Reparation Processes

22. The SWG identified finance and reparations as an area of concern and for development. Initial discussions indicated that there had been some

international studies in this area and that the Wave Group were producing a paper specifically on pensions.

23. The group were advised that the pensions issue was included in the Commission's work programme and that they would address this when they received the Wave paper on pensions which is currently in development. When this has been progressed the SWG would revisit this issue.

Conclusions

24. The Services Working Group hopes that the Commission will appreciate the necessity for them to continue building on the work of the last six months in the area of service provision. In this period, the members of this group have developed a significant and detailed knowledge of services provided to victims and survivors and have added value to the Commission in terms of giving their unique experience on these issues and the challenges victims and survivors face.

25. Their continued work in this area will assist the Commission in improving the outcomes for victims and survivors that they deserve.