



STORMONT HOUSE AGREEMENT

KEY GUIDING PRINCIPLES FOR THE ESTABLISHMENT OF NEW ORGANISATIONS TO EFFECTIVELY DEAL WITH THE PAST

In March 2015, the members of the Victims and Survivors Forum agreed to a series of principles that reflect their views and aspirations for the institutions that will deal with the past.

Detailed below are five principles that will be required to deliver effective and appropriate processes for the proposed institutions that deal with the past going forward and recommendations for actions to assist in implementing these principles:

1. **Co – Design and Collaboration-** Forum members suggest that there is a need for a co-design and collaborative approach between victims and survivors and the relevant department/stakeholders in order to build confidence. Confidence in these institutions is critical for victims and survivors and those groups who support them.
 - 1.1. Therefore, a collaborative approach should be taken through a co-design process to ensure that the knowledge, skills and experience of all stakeholders is utilised in shaping the HIU ahead of any legislation being passed.
2. **Victim-Centred-** Forum members welcome the statement in Paragraph 31 *“Processes dealing with the past should be victim-centred”*. It is critically important that there is a comprehensive understanding of what ‘victim-centred’ means.
 - 2.1. Victims and Survivors Forum members understand ‘victim-centred’ to mean that there is an empathy and understanding of the impact of the conflict/Troubles on victims and survivors and that an emotionally intelligent approach is taken in designing the competencies and skills required from prospective employees. Relevant and specific training and induction should develop these skills for the relevant personnel.
 - 2.2. Any potential solutions to dealing with the past that are victim centred must enshrine the principle of choice for victims and survivors of whether to engage with the mechanism or not. It must be recognised that not all victims,

families or individuals will wish to participate in any future mechanism for dealing with the past and that this principle of choice is fundamental to any process.

2.3. A holistic programme of pastoral support that is nuanced to the needs of victims' families will be required to ensure the wellbeing of victims and their families. This programme should be designed in consultation with victims and survivors.

2.4. The HIU must demonstrably show that the learning from the HET and HMIC Report has been applied and addressed.

2.5. The expectations of victims and survivors must be managed to ensure that from initiation to the process right through to the delivery of the HIU findings, victims and survivors are aware what is deliverable and achievable from a historical investigation.

3. Independent and Impartial - Trust is paramount to victims and survivors.

3.1. It is critically important that trust is rebuilt between victims and survivors and those tasked with dealing with historical investigations.

3.2. Victims and survivors do not want or need these institutions to be another battleground. Therefore, independence is critical in both delivery and oversight.

3.3. They should be free from any type of political interference and should be impartial. This may require oversight sourced outside Northern Ireland and could be potentially sourced from the EU to ensure compliance to EU legislative requirements.

4. Inclusivity- There have been many victims and survivors who have previously been excluded from the scope of historical investigations.

4.1. The scope of investigations should be extended to cover those who died at the scene of an incident (refer to the Cain-Sutton List of Fatalities).

4.2. Many victims were left seriously and critically injured during the conflict/Troubles yet have had no access to information or proper investigation of these incidents. The severely injured should be offered the option and choice to have their cases reviewed by the HIU.

- 4.3. There should be consultation and clarity around the prioritisation process for cases from OPONI, LIB and review cases.
5. **Fit for purpose-** The HIU will need an appropriate and realistic budget to deliver an effective historical investigation service.
- 5.1. Forum members are not convinced that a realistic budget was allocated to take on the high volume of cases already held by PSNI/LIB and OPONI.
- 5.2. Forum members are not aware how a budget was identified for the delivery of an appropriate and effective investigations unit that is 'victim – centred' without due regard to the needs of a 'victim-centred' unit.
- 5.3. It is imperative that the budget is realistic and if it is not possible to deliver a realistic and achievable historical investigation, the expectations of victims and survivors and wider civic society should be managed.
- 5.4. There needs to be transparency around the proposed operational plans for the structure and staffing levels of the HIU and effective communication with victims about what will happen after the 5 year budget allocation passes. This transparency in information and effective communication will help manage the expectations of victims and their families.

On Behalf of the Victims and Survivors Forum