



Advice on the Work of the Forum

Commission Advice Paper

20th September 2013

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Introduction

1. The purpose of this paper is for the Commission to formally advise Ministers of the work of the Forum to date and to make them aware of the recommendations proposed by the Forum to the Commissioner.
2. The Commission for Victims and Survivors is required by the Victims and Survivors (NI) Order 2006 to make arrangements for a Forum for consultation and discussion for victims and survivors.
3. The current Forum has been operational since May 2012 and will continue to March 2014. It meets on a monthly basis as a Forum. In addition, three working groups were established to examine in detail issues in relation to Dealing with the Past, Building for the Future and Services from a victim and survivor perspective.
4. In the Commission's work programme for 2012/13 a focus was placed on the Forum's role in providing advice to the Commission. The working groups met regularly throughout the autumn and winter of 2012/13, holding internal and external meetings to inform the development of their advice.
5. The membership of each working group is as follows:

Services Working Group
Sandra Peake (Facilitator)
Mitch Bresland
Jennifer Mc Nern
Eibhlin Glenholmes
Alex Bunting
Liz Clarke
Roberta Holmes
Irene Kerrigan

Dealing With the Past Working Group
Lesley Carroll (Facilitator)
Errol Mc Dowell
John Loughran
Briege Voyle
Stephen Gault
Alan Brecknell
Geoff Hamilton
Peter Heathwood

Building for the Future Working Group
Michael Arlow (Facilitator)
Fiona Kelly
David Scott
Ann Travers
Jude Whyte
Violet Craig
Jeff Smith

6. The Forum met with Ministers on 20th June 2013 and presented the content of their papers. The final agreed papers are enclosed in the Annexes 1-3 of this document for information purposes.
7. The following paragraphs present the main recommendations contained within the Working Group papers.

Recommendations from the Services Working Group

8. 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 as their advice.

Welfare

9. 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.
10. The Services Working Group therefore 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; and
 - That CVSNI works 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

11. 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 made available. The Service Working Group recommends:

- The structure regarding an independent ombudsman's role for the service needs to be reviewed;
- The Services Working Group seeks clarity from CVSNI and OFDMFM 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 OFDMFM 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.

12. 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.

13. 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

14. 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.
15. 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.
16. 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.
17. The full text of the Service Working Group's paper is attached at Annex 1.

Recommendations of the Dealing with the Past Working Group

18. The Dealing with the Past working group focussed on the issues where agreement could be reached. All of the advice arrived at was directed by one core principle – that it should never happen again. In considering their recommendations the group, as far as possible, worked to reach consensus and therefore the following recommendations were agreed:
19. We recommend that a process to deal with the past should be directed towards the aspiration that it should never happen again.
20. We recommend that victims and survivors play a vital role with others in developing a process for dealing with the past given the experience of trauma and its impacts that a process must be designed to resist ever happening again.
21. We recommend that political leaders should adopt these values as a starting point in their conversations about how to deal with the past and that consideration be given to how these values can be adopted across society and that individuals be enabled to make the choice for these values so that they can bend their efforts towards a better, shared and more peaceful future.

22. We recommend that in considering, or failing to consider, a process for dealing with the past civic and public leaders give consideration to the impact on victims and survivors.
23. We recommend that speaking about 'drawing a line under the past' should be replaced by an open commitment and active willingness to seek out ways to deal with the past both in the short term and in the longer term.
24. We recommend that consideration be given to establishing a process to serve both truth and justice and to draw together existing processes. All parties involved in acts of violence and in creating and sustaining the conditions for acts of violence should be asked to acknowledge a commitment to a shared and better future built on the values set out in paragraphs 21-23 of our paper.
25. We recommend that the important issue of recognition for victims and survivors be given consideration by political leaders, taking into account that recognition means different things to different people including hearing individual stories met with generous listening.
26. We recommend that the needs of victims and survivors be fully addressed as a significant aspect of the mechanisms for recognition.
27. We recommend that stories already recorded should be collected from existing projects and become part of a newly designed story telling project, part of a newly designed process to contribute to a composite narrative of the past.
28. The full text of the Dealing with the Past Working Group's paper is attached at Annex 2.

Recommendations from the Building for the Future Working Group

29. In considering the content of relevant literature and presentations related to the trans-generational impact of the conflict in recent months, the Building for the Future Working Group would like to put forward the following pieces of advice/recommendations. Members would also make the following suggestions:
30. In progressing the collective business of the Forum in general and the Working Groups in particular, Members advise greater integration and sharing of the issues, observations and lived experiences between the Working Groups in the months ahead.
31. Following completion of the current period of business, the Building for the Future and Dealing with the Past Working Group should consider the issues

emerging from their Reports to identify areas of shared thinking that could inform the forward work planning of both Groups.

32. One specific area of work for the BFF Group to focus on in the months ahead is an examination of the forthcoming Executive's response to the Cohesion, Sharing and Integration consultation exercise. In awaiting the Executive's response, the BFF Working Group may wish to explore and comment on the content of the document entitled *For Everyone* published by the Alliance Party in January 2013.
33. Following advice contained in *Young People's Transgenerational Issues in Northern Ireland* Report, Members advise that the Commissioner undertake a review of existing best practice in relation to the psychological care of young people impacted by conflict-related trauma in Northern Ireland.
34. Given the very concerning rise in suicide in Northern Ireland in recent years and the findings emerging from Tomlinson's latest research, Members would advise the Commission to consider a further bespoke study exploring the link between the conflict and suicide.
35. Communication and a culture of silence represent key mechanisms that potentially cause the transmission of trauma across generations impacted by the conflict. Members recommend the development of practical guidance for victims and survivors to assist them in managing their conversation about the traumatic impact of the conflict with young members of their immediate family.
36. Arising from work already completed, the BFF working group proposes education at primary and secondary levels as a second area for exploration and comment. It will attempt to identify existing good practice in formal and non-formal education for dealing with the enduring legacy of the conflict. It will consider ways to:
 - raise awareness in relation to the nature, consequences and ways to address trans-generational conflict related trauma;
 - promote better representation of the voice of victims in educational resources and activities;
 - connect young people with the tangible progress of transition away from violent conflict in Northern Ireland.
37. The full text of the Building for the Future Working Group's paper is attached at Annex 3.

Conclusion

38. The Commission are currently working with the Forum in taking forward the recommendations of the Working Groups. The Working Groups will continue to work in their current format until March 2014 and are currently working to provide the Commission with further advice in January 2014.
39. The Working Group papers are enclosed in full in annexes 1-3.

20TH SEPTEMBER 2013



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 OFDMFM 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 Commissions 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.

The Victims and Survivors Forum

Dealing With the Past Working Group

Advice Paper to the Commission on Dealing with the Past

May 2013

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DEALING WITH THE PAST – ADVICE FOR THE COMMISSIONER

Summary

1. This advice reflects the agreements and disagreements among the membership of The Victims and Survivors Forum (hereafter The Forum) on the outstanding matters relating to the past. All of our advice is directed towards one core principle - *that it should never happen again*. The manner in which this advice is set out has been carefully considered so that relationships can be built from what we hold in common. We believe that these relationships will sustain us toward the focus *that it should never happen again*, particularly when we face contentious and divisive issues. In considering these recommendations The Forum have, as far as possible, worked to reach consensus. In a few cases that was not possible with a majority of The Forum agreeing the recommendation. We have indicated where this is the case.

Introduction

2. Northern Ireland exists within a broad international context, built on commitments to basic human rights. International experience regarding societies emerging from conflict provide models and insights for dealing with the past but these must be held together with the particular context of a Northern Ireland, Ireland and Great Britain after the troubles. Whatever processes are agreed for dealing with the past the ongoing experience of victims and survivors should not be forgotten and strong political leadership is required in order that emotive matters can be resolved. As a Forum we make our recommendations as victims and survivors. A process for dealing with the past should, we believe, respond to our expressed needs. But we also believe that a wider discussion is required across society, led by politicians

who take into consideration the discussions that are persisting at grassroots level.

Background

3. Issues related to the task of addressing Northern Ireland's troubled past are both emotive and challenging. In order to direct us in our work we agreed an outcome to which we are all committed - *that it should never happen again*.¹ The Forum accepts that achieving the ambition *that it should never happen again* will require a cost from us all. Nevertheless we are convinced that the time is right for measures to be put in place to address the outstanding issues. These measures have to be agreed in response to the particular context of the conflict in and about Northern Ireland. Strong leadership will be required to address the outstanding issues. It is our view that we will be better enabled, as victims and survivors, to contribute to the health of society when steps are in place to achieve the ambition *that it should never happen again*.

Moving forward and dealing with the past

4. There are matters about which The Forum is agreed. We are agreed that a line should not be drawn under the past and that a process for dealing with the past should be considered and constructed. As victims and survivors our experiences influence what is important in any process and we are convinced that strong political leadership is required to put the process in place. If a line is drawn under the past either overtly or by default then victims and survivors will be removed to the edge of society rather than being enabled to contribute to a healthy society directed towards a new and more hopeful future. The existing disparate processes for dealing with the past are insufficient. A composite and focused process is required, taking as its starting point a recognition, from all involved in violence and from all who created and sustained the conditions for violence, that they killed and maimed. We

¹ In binding ourselves to the ambition that it should never happen again we are emphasizing that the focus of dealing with the past should be the future - our children and our grandchildren, the generations to come whom we do not want to suffer as we have suffered. We are committed to our suffering and loss as a source of energy for a better, more reconciled and peaceful future.

provide a set of values which we believe are essential to underpin a composite process and we advise that these values should be adopted by political leaders who would also consider how the values can be adopted across society. The purpose of resisting 'drawing a line' is for society to move towards the aspiration *that it should never happen again* in a way which enables future generations to move closer to that ambition rather than back into the past. In other words, each generation should be enabled to move into a new future because of the steps taken by the previous generation. The goal is towards a peaceful and shared future in which the mistakes of the past are resisted.

5. Recognition and acknowledgement of the experiences both ongoing and in the past, of victims and survivors is crucial for moving forward. We set out a significant number of areas on which we are agreed and which we consider to be important for the required recognition and acknowledgement. We make specific recommendations regarding storytelling and reparations for victims and survivors.

The present context

6. Northern Ireland remains a contested society. In this section we address matters that remain contested: the definition of a victim; methods of achieving truth; the pursuit of justice and an agreed composite and un-adjudicated narrative of the past. Regarding the definition of a victim, we recognise that there is contention and disagreement. On the issues of truth, justice and an agreed narrative we will focus future advice on the construction of a process for dealing with the past. This will include what is meant by truth, what truths can be provided to victims and survivors, a context for disclosure, justice arrangements including transitional justice and a composite narrative of the past. It is important that, in the first instance, we set out those areas on which we are agreed. From our diverse backgrounds and experiences we have been able to draw together common strands of thought with the certainty that we can move forward. If we, from our diverse backgrounds and carrying our

experience of being victims and survivors, can reach a common mind we believe that others will be able to also.

Recommendations

- 1. We recommend that a process to deal with the past should be directed towards the aspiration that it should never happen again.***
- 2. We recommend that victims and survivors play a vital role with others in developing a process for dealing with the past given the experience of trauma and its impacts that a process must be designed to resist ever happening again.***
- 3. We recommend that political leaders should adopt these values as a starting point in their conversations about how to deal with the past and that consideration be given to how these values can be adopted across society and that individuals be enabled to make the choice for these values so that they can bend their efforts towards a better, shared and more peaceful future.***
- 4. We recommend that in considering, or failing to consider, a process for dealing with the past civic and public leaders give consideration to the impact on victims and survivors.***
- 5. We recommend that speaking about 'drawing a line under the past' should be replaced by an open commitment and active willingness to seek out ways to deal with the past both in the short term and in the longer term.***
- 6. We recommend that consideration be given to establishing a process to serve both truth and justice and to draw together existing processes. All***

parties involved in acts of violence and in creating and sustaining the conditions for acts of violence should be asked to acknowledge a commitment to a shared and better future built on the values set out in paragraphs 21-23.

- 7. We recommend that the important issue of recognition for victims and survivors be given consideration by political leaders, taking into account that recognition means different things to different people including hearing individual stories met with generous listening.*
- 8. We recommend that the needs of victims and survivors be fully addressed as a significant aspect of the mechanisms for recognition.*
- 9. We recommend that stories already recorded should be collected from existing projects and become part of a newly designed story telling project, part of a newly designed process to contribute to a composite narrative of the past.*

Introduction

The International Context

7. The Belfast Good Friday Agreement (1998)² was an International Agreement. As a negotiated political settlement the Belfast Good Friday Agreement sought to facilitate a resolution to the protracted political and historical conflict in Ireland, the UK and the European Union. It was supported by 71% of those voting in the referendum in Northern Ireland on 22 May 1998.
8. The scale of the political conflict, from 1966-1998, is such that over 3,700 people were killed and 40,000 injured.³ The Agreement made the link of ending conflict and violence with a new political beginning. The parties to the Agreement declared: *“The tragedies of the past have left a deep and profoundly regrettable legacy of suffering. We must never forget those who have died or been injured, and their families. But we can best honour them through a fresh start, in which we firmly dedicate ourselves to the achievement of reconciliation, tolerance, and mutual trust, and to the protection and vindication of the human rights of all.”*⁴
9. As victims and survivors our considerations are set within the context of international law and decision-making in which central place is given to addressing the needs of victims and survivors. Internationally and legally the right to remedy, reparations and the truth are crucial. The pursuit of these outcomes has, in some cases, led to truth recovery processes committed to varying degrees of justice in the narrow and traditional sense. The processes have at times been assisted by the introduction of amnesty or immunity arrangements. We are committed to upholding international standards within

² *Agreement Reached in the Multi-Party Negotiations*, 10 April 1998. Hereafter referred to as the Good Friday Agreement accessible for reference at: <http://cain.ulst.ac.uk/events/peace/docs/agreement.htm>

³ For an index of the deceased see Malcolm Sutton, *An Index of Deaths from the Conflict in Ireland 1969-1993* accessible at: <http://cain.ulst.ac.uk/sutton/>

⁴ Declaration of Support, Point 2, The Good Friday Agreement (1998).

our own particular context. We are looking for a set of arrangements that will direct society towards a situation in which what happened will never happen again.

10. In local contexts the international ambition for truth has to be taken into consideration but not to the extent that a false reconciliation is imposed locally. In all cases where truth-recovery mechanisms have been introduced arrangements have been made which are pertinent to the particular context. Arrangements may follow transitional justice mechanisms. However, even transitional justice remains contested as some believe that it is nothing short of sacrificing justice altogether. Careful thought needs, then, to be given to the nature of contextual mechanisms, how they will impact different communities, groups and individuals. What can be achieved and at what cost is an important aspect of any consideration of what can or should be done. We emphasize that local arrangements should take account of whether or not they will make for better relationships out of which understanding of difference and a shared and more reconciled future may be built.
11. Whatever is done locally to deal with the past must be committed to truth that, together with peace and at least an agreed form of justice, can lead to reconciliation. Truth is essential to rebuilding the future of Northern Ireland. Given that there have been more than thirty Truth Commissions across the world since 1973 there is clearly a growing International understanding of and commitment to the importance of establishing truth. The purpose of any Truth Commission, or whatever contextually situated process is agreed, is preventing what happened in the past from happening again. How truth may be understood, as well as how it can be achieved, is work that we intend to give consideration to in the next year.
12. At this point we are strongly of the view that the many narratives about the past can be gathered into a composite and un-adjudicated narrative which will enable the many different voices to be heard. This will contribute to understanding and may be viewed as an effective local approach to beginning a new approach to dealing with a past that continues to disquiet.

Background

'It should never happen again'

13. In preparation for giving this advice members of the working group read the extensive material available on how to deal with the past. The working group consulted with academics and individuals within the group held conversations with many interested people who have been developing their thinking since the signing of the Belfast Good Friday Agreement. The working group also organised a meeting for The Forum with the Attorney General and discussed questions pertinent to areas of truth and justice.

14. Both the working group and The Forum came to the task aware that many aspects of the debate are emotive and contentious. From the beginning, therefore, the group set out a commitment and a purpose for the task. This was not difficult given that, as victims and survivors, we have a shared experience of suffering and loss and a respect for one another and for our individual experiences. The experience inflicted upon us leads us to the shared conviction that *'it should never happen again'*. Later in this paper (paragraph 21-23) we set out values which, if adopted, would provide a basis from which behaviour and vision for a future which resists the past happening again. Such values adopted across public life, taken into policy-making, and adopted at every level of society, will contribute to a secure democracy for future generations.

We recommend that a process to deal with the past should be directed towards the aspiration that it should never happen again.

15. Among victims and survivors many feel isolated, forgotten and left behind while others are perceived to have 'moved on'. The realities of injury, ongoing health challenges and the intrusion of disturbing memories mean that for many the present is defined or dominated by their past experience. What

happened in the past can be real today. There is an inevitable tension between the individual story⁵ and experience and the need of a society to reconstruct itself towards a settled peace. As victims and survivors we want to play an active role in society, bringing our experiences into the public domain in ways which assist the construction of a firmly rooted democracy focused on a future in which the things of the past, the differences and divisions, do not result in the kind of violence which has left us with daily suffering, many unanswered questions and hopes of a better future so fragile that we dare not believe it to be possible for ourselves. So in all that we say we direct our readers to our conviction and direction of thought – that what happened in the past should never happen again.

We recommend that victims and survivors play a vital role with others in developing a process for dealing with the past given the experience of trauma and its impacts that a process must be designed to resist ever happening again.

16. Measures will have to be taken for our hope to become reality. Some of those measures will have to happen incrementally given that there is not yet broad agreement on what needs to be done. What can be done must be done. What is not yet agreed requires a longer-term strategy. Having lived as we have lived we know without a shadow of doubt that if the past is not addressed, if the outstanding issues are not confronted and if the causes of what happened are not removed, at both rational and emotional levels, then the hope of a society in which ‘it never happens again’ can only be disappointed.

17. We accept that the ambition *that it should never happen again* comes at a price worth paying for the sake of a shared and peaceful future. Those who seek an international commission may have to accept the integrity of national

⁵ Individual stories of experiences relating to death, injury and ongoing trauma need to be accommodated. These stories are many and various. If any are excluded then there will be victims and survivors who have been dismissed from society in a manner which is both untimely and without compassion. We believe it is possible to allow individual stories to be held together in the movement of a society to a new and better place. We further believe that individual stories contribute to sustaining a commitment towards action and decision-making so that *it should never happen again*.

representatives. Equally, those who resist an international dimension may have to accept that it may be the only way to put a process in place to which representatives from across the community can become a part.

18. We acknowledge that how we deal with the past is a matter of dispute given the many narratives of the past. In particular, the language used in discussion has the potential to further divide or to unite around an agreed process. Evidence needs to be seen of attempts to develop language to interpret one another's understandings and to bring healing and hope.

19. In order to deal with the past, clear and strong civic and political leadership is needed. We are interested to know how political parties are going to lead on this issue and we want to be assured that there is a commitment to dealing with the past. At community level and among NGOs there is considerable discussion about how the past can be dealt with. This ongoing conversation can provide a model upwards through society to assist in understanding where effective leadership can be given and advantage should be taken to involve those who are familiar with the challenges and opportunities.

Discussion

The present contested context

20. Across society there are differences of opinion as to what needs to be done with regard to the past. It is our intention to make these areas the basis of our work into the next year and already we can identify some emerging agreements. In particular, we will focus on matters related to truth and justice. As a group of individuals from diverse backgrounds we have developed a set of values to underpin our work in considering how to deal with the past. In our discussion we set out those values together with areas on which we are agreed. We also discuss those areas on which we have not reached

agreement, setting out the matters that remain unresolved and provide a framework for our future work.

Values underpinning the conversation about the past

21. The Forum has agreed a set of values to underpin new processes to deal with the outstanding issues from the past. It is our belief that these values, if applied, can assist in designing a process that will deliver to some of the needs of victims and will direct towards a society in which what happened in the past will not happen again. These values sit under our commitment *that it should never happen again*.

22. These values should be considered and adopted by our political leaders and consideration should then be given as to how these can be owned and applied across society.

23. The values we have agreed are:

Violence is futile;

The rule of law is to be respected as a basis for moving forward;

Generosity is called for, to each other in the victims and survivors sector and across society;

Victims and survivors should be considered part of the whole community and integrated into it rather than tolerated or marginalized;

Individual, local and sectional experiences of victims should be respected;

Strong political leadership and decision making should be paramount in the interests of democracy;

The outstanding issues with regard to the past must be addressed;

All parties, both public and individual, engaged in developing a better future should come to their task with humility, respect for the dignity of others, tolerance and a desire to make and embed peace.

We recommend that political leaders should adopt these values as a starting point in their conversations about how to deal with the past and that consideration be given to how these values can be adopted across society and that individuals be enabled to make the choice for these values so that they can bend their efforts towards a better, shared and more peaceful future.

We recommend that in considering, or failing to consider, a process for dealing with the past civic and public leaders give consideration to the impact on victims and survivors.

Moving forward and dealing with the past

24. Over the months of discussion some areas of agreement have been identified and the Forum believes that action should be taken. These areas are with regard to the flawed notion of drawing a line under the past, the need for a process to deal with the past and values that should underpin such a process. There are also some on how the experiences of victims can be recognised and acknowledged.

No drawing a line under the past

25. Some argue that the only way to deal with our troubled past is to draw a line under it and move on. The Forum recognises the natural and understandable desire of many within our society to draw a line under the past but we are concerned that for some “drawing a line under the past “is a coded description for a process in which victims are expected or even pressured to become and to remain silent about their suffering, their concerns and the injustices visited upon them. We cannot accept the validity of any such process. Drawing a line under the past will only result in the silencing or marginalizing of victims and survivors who must be facilitated to articulate their experiences in a way which provides a resource into future generations to resist what happened ever happening again.

26. It is not possible for victims and survivors to draw a line under the past given our ongoing experience - memories of our loved ones, physical and mental scars left by our experiences, loss of hope and the ongoing experience of trauma. Some of us speak of our political losses and others of our political gains. Some of us have more hope than others but all of us share the belief that if a line is drawn under the past then we, as victims and survivors, are displaced and dismissed from society.
27. Drawing a line under the past provides the ultimate in amnesty arrangements without truth or justice for victims and survivors.
28. It is important to us that our experience is not repeated in future generations. We therefore believe that what can be done must be done so that future generations can do more with regard to dealing with the past once and for all. If that which can be done is left undone then the possibility of history repeating itself will be more likely. This includes developing understanding of how peace is promoted and a future built on the foundations of good relationships and a commitment to peace.⁶

We recommend that speaking about 'drawing a line under the past' should be replaced by an open commitment and active willingness to seek out ways to deal with the past both in the short term and in the longer term.

The need for a process

29. The Forum acknowledges existing processes that are in place to address outstanding issues from the past – HET, OPONI, Inquests and Inquiries, amongst others. While there is value to victims from these processes we emphasize the limited nature of these processes. These processes are

⁶ George Santayana, in his Reason in Common Sense, The Life of Reason, Vol.1, wrote "Those who cannot remember the past are condemned to repeat it."

disconnected, dissatisfying and often leave victims feeling unacknowledged and their suffering unrecognized.

30. Thought needs to be given to existing processes so that a more effective process for dealing with issues from the past can be established and which will deliver to victims the truth they deserve.

31. Victims should be at the core of such a process together with a commitment to developing relationships across society so that there will be no new community of victims in the future.

32. It is essential that political nettles are grasped by British, Irish and local political parties. If present processes are allowed to continue as they are they will result in a disconnection between society and victims. Present processes have, therefore, the potential to become more toxic and divisive. It is in the interests of victims and survivors that a narrow legalism is resisted and a new process found to allow a fully functioning democracy, in which everyone can trust, to emerge.

33. Some would go so far as to say that the present systems reward violence rather than respond to victims and, therefore, we are agreed that any process should engage all who were part of the violence, killing, strategizing to kill and participation in the systems and institutions of society which led to a collapse of the rule of law.

34. We believe that political stability, which is of the utmost importance in building toward a peaceful and shared future, must acknowledge the needs and interests of victims and survivors.

35. Lundy & McGovern's research provides insight into what arrangements for dealing with the past will be accepted across Northern Ireland. For example, the majority is more likely to trust international facilitators. The Forum is

agreed that these statistics should be given careful consideration in order that no line is drawn under the past.⁷

36. Processes for the resolution of the past have to be transparent and professional, adhere to international standards and hold all members of the community accountable.

37. We address values essential to underpin any process in paragraphs 21-23. These values could be expressed in a public statement as a means of committing all members of society, or as many as can, to a shared future. A covenant to victims and survivors that every effort will be made for the past not to repeat itself could also provide a way in which a common commitment to a better future is made publicly. Or some other means may be found that allows for public accountability for the future to be expressed by recognition of the mistakes, horrors and suffering caused in the past.

We recommend that consideration be given to establishing a process to serve both truth and justice and to draw together existing processes. All parties involved in acts of violence and in creating and sustaining the conditions for acts of violence should be asked to acknowledge a commitment to a shared and better future built on the values set out in paragraph 21-23.

(Agreed by the large majority of The Forum)

Recognition & Acknowledgement

38. We are agreed that recognition should be given to victims in the United Kingdom and the Republic of Ireland and also to those who have come from further afield. Some visitors from other countries lost their lives and were injured. Some of those killed or injured as a result of the conflict in and about Northern Ireland were based in or living in other countries. Others have

⁷ Patricia Lundy & Mark McGovern *Attitudes Towards a Truth Commission in Northern Ireland*, 2007

moved out of the country. All should be recognised as victims and survivors of the troubled years.

39. Recognition means different things to different people. There is always a human cost to violence and a legacy that follows loss. How the human cost can be recognised merits more thought and we are agreed that political leaders should address themselves to this matter, for example through the Maze/Long Kesh Project.

40. We are agreed that history should be taught in a way which includes different perspectives and political viewpoints and which attends to the futility of violence.

41. We are agreed that story telling is an important aspect of recognition and that it has therapeutic and trauma relieving outcomes.

42. We further believe that story-telling bears witness to the futility of violence.

43. As a project and experience story telling needs to develop to include generosity in listening. Without this generosity there is a likelihood that some victims will feel further isolated, dismissed and victimized. Remembering should always be of lives taken, lives broken, lives continuing with injury and lives changed forever.

44. We are aware that there are many story telling projects underway and we believe that a collection of these projects should be made. The challenge of bringing together different types of project can be met and makes an important contribution to a shared narrative of what happened.

45. It is important to note the contentious matter of means testing of victims and survivors in order that their ongoing needs, including mental health and emotional needs, can be met. We affirm that responding to the ongoing needs of victims and survivors is a matter of reparation and, therefore, any assessments should be made on the basis of needs.

We recommend that the important issue of recognition for victims and survivors be given consideration by political leaders, taking into account that recognition means different things to different people including hearing individual stories met with generous listening.

We recommend that the needs of victims and survivors be fully addressed as a significant aspect of the mechanisms for recognition.

Focus for future work

46. Our discussions have revealed some areas about which we have not yet reached agreement. Given the extent of the issues raised within each of these areas we have not yet been able to give full consideration to these matters and will give time to them in the coming months.

47. Time and again victims and survivors have expressed to us a concern that their experience is overlooked and their stories unheard. For some that belief arises from the unfinished business of inquests while for others it arises from a view that those who were, in the past, involved in acts of violence have been embraced by society while victims and survivors are still fighting for effective services and for the opportunity to tell others about their experience. At times the difficulty is attributed to the definition of a victim. At other times this is attributed to an inflexible system of governance and justice. Truth processes are considered by some to provide some resolution to the difficulties while for others truth processes are a way of redefining what happened in the past. Behind all of these differences lies the reality of multiple narratives of the past. Each of these areas provides the focus of our work in the coming months.

Who is a victim?

48. For some the present definition of a victim establishes innocence and guilt in a way that they find difficult to accept. For others tampering with the definition

leads to establishing the 'deserving' and the 'undeserving' in a way which would mean the downfall and loss of all that we have achieved since the signing of the Belfast Good Friday Agreement.

49. We emphasize the importance of seeking consensus on the definition and are very aware how difficult consensus is to achieve. Strong leadership will be required given the potential for political disarray. The debate may be assisted by all who killed or maimed making recognition of what they did and the impacts for victims and survivors. The human experience of loss can be agreed and we can recognise that in one another despite the different understandings of the past that we hold. The experience of loss is no respecter of politics, religion or class. There is a shared experience of loss across all divides, whether a loss of life, opportunity, hope or in some other way. In this sense there is a common understanding of what it means to be a victim or a survivor.

50. The debate will be further assisted by the provision of effective and accessible services to redress what some see as an imbalance across society.

51. Some hold the view that, at the very least, the First and Deputy First Ministers should hold a discussion about the definition either to open a debate or to finally establish the impossibility of any redefinition.

52. Other definitions of a victim may be considered e.g. EU definition⁸. But even the EU definition is problematic in that victimhood is measured by the laws of the State. If these laws are contested then the definition is contested.

53. We are conscious of the difficulties that will present if the debate about how victims are defined is opened up. We would prefer that our concerns are addressed by effective services which are accessible and by the provision of a productive process to deal with the past. We do not believe that everything

⁸ The European Framework Decision (2001/220/JHA). On the standing of victims, adopted on 15 March 2001, defined a victim as follows: 'victim' shall mean **"a natural person who has suffered harm, including physical or mental injury, emotional suffering or economic loss, directly caused by acts or omissions that are in violation of the criminal law of a Member State."**

can be done in this generation but we strongly believe that what we do in our time and generation should enable future generations to do more so *that it should never happen again*.

54. Without the matter of definition being finally addressed then all matters contingent on the different views of what a victim is or is not will stand or fall.

The pursuit of justice

55. The existing system of justice does not satisfy everyone. Some seek freedom of access to information during review processes, free from political and religious interference. Some seek a resolution of situations in which prosecutions were never brought. Others believe that focused consideration should be given to what is meant by 'justice', what it is hoped to achieve through processes of justice and what transitional justice can offer.

56. All are agreed that when expectations are set too high disappointment will follow.

57. Given the broad disagreement on how justice is pursued and what can be achieved, it is our intention to provide advice in the future.

58. Justice arrangements in regard to how the past is dealt with should, in our view, be applied across the board.

Methods of achieving truth

59. The purpose of truth telling has to be focused on the overall outcome of a process aimed at ensuring that what happened in the past will never happen again. Members of The Forum are agreed that the best way for truth to be disclosed is by those who know the truth.

60. Truth telling is in everyone's interests, including wider society and the health of that society.

61. Differing views are held across the sector as to who and how truth can be disclosed; some seek full disclosure, others a narrative of what happened without names, details etc.

62. It is our intention to review literature and to consider the issues raised in discussion with informed individuals and groups to see if it is possible to reach agreement about what truth can be achieved and how it can be achieved. The debate will include an awareness of an effective amnesty being offered in 1968, of the arrangements for disclosure of information regarding the disappeared, of immunity arrangements during the Saville Inquiry and more recently, and in another context, of the Leveson Inquirers adopting a 'self-denying ordinance' with regard to the potential before them of pursuing investigations.⁹

63. Other means of achieving the 'truth' may be sought. In some cases victims are not satisfied with the existing justice system and the measure of truth that it offers. They prefer to consider an alternative process to access truth. But others cannot settle on the morality of any kind of immunity or amnesty arrangements. We will provide advice on these matters in the future.

64. Future advice will include what is meant by truth. Truth can be understood in a variety of ways, for example information, prosecution, narrative etc. and we will need to consider what we mean by truth and what different forms of truth can be expected to deliver to victims and survivors. Consideration needs to be given to how best to achieve the truths that are sought.

A narrative of the past

65. Behind the dilemmas in reaching agreement that present themselves is an ongoing difficulty in developing a composite or accepted understanding of what happened in the past. How each defines the past shapes how going

⁹ By this was meant a commitment not prejudice investigations with any information that came before the Inquirers thus providing a freedom for information to be given to the Leveson Inquiry.

forward is conceived. The conflicts we continue to experience arise, in large part, from our separate and dividing narratives of the past and, consequently, those narratives need to be given attention.

66. We are agreed that a narrative needs to be constructed and that a collection of existing narratives should be made out of which, with additional material, the contours of a narrative can be constructed, without conflicting narratives being adjudicated. This will inform the process of moving into a future in which the past will not repeat itself.

67. We have addressed stories and storytelling in paragraphs 38-45.

We recommend that stories already recorded should be collected from existing projects and become part of a newly designed story telling project to contribute towards a composite narrative of the past.

(Agreed by the large majority of The Forum)

Conclusion

68. As victims and survivors we are aware more than most how emotive, challenging and unresolved Northern Ireland's troubled past remains. The many areas of contention should not be permitted to persist as opportunities to extend the conflict and create more victims or permit avenues into a repetition of our conflicts of the past. We have approached our task with a sense of urgency and believe that there is no alternative but strong and urgent leadership across society in order that movement towards a better future can be made. The urgency consists in the core focus agreed for our task - *that it should never happen again.*

**THE VICTIMS AND SURVIVORS
FORUM**

**BUILDING FOR THE FUTURE
WORKING GROUP**

**ADVICE PAPER TO THE COMMISSION
ON BUILDING FOR THE FUTURE**

APRIL 2013

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Building for the Future Working Group

Advice Paper

What cannot be talked about can also not be put to rest; and if it is not, the wounds continue to fester from generation to generation.¹⁰

Introduction

1. The central aim of this paper is to reflect the business of the Building for the Future Working Group over the previous six months. It will highlight key issues and observations that emerged during consideration of the content of presentations and literature received relating to the impact of the conflict's enduring legacy. The paper provides advice and a number of recommendations for the consideration of the Commissioner for Victims and Survivors.

Background

2. During initial discussions with Members, the Group agreed that a significant focus of their work should be on the impact of trans-generational trauma on individuals and families affected by the conflict. Given the Working Group's limited timeframe, Members acquainted themselves with the main issues emerging from a number of identified sources including the Comprehensive Needs Assessment (CNA) Reports and the *Young People's Transgenerational Issues in Northern Ireland* Report. This report was commissioned by CVSNI as part of the CNA process and was completed by Queens University Belfast on behalf of the Commission in April 2012. Further, to complement the literature provided a number of key stakeholders representing academia, clinical practice, and community-based work were invited to present to the Group.
3. Over the past six months, Working Group members received oral presentations from a number of individuals whose work directly and indirectly addresses the complex issues related to the trans-generational impact of the conflict.

¹⁰ Quote by Bruno Bettelheim, an Austrian-born educational psychologist who was sent to a Nazi concentration camp for a number of months before his release in 1939. Reference to Bettelheim's quote can be accessed here: <http://www.primal-page.com/mann.htm>

- Arlene Healey, Consultant Family Therapist, Family Trauma Centre (Belfast Health and Social Care Trust);
- Professor Mike Tomlinson, Professor of Social Policy, Queens University, Belfast;
- Martin McMullan and Michael McKenna , Youth Action NI;
- Alex Bunting and Jayne Armstrong, Forum for Action on Substance Abuse (FASA);
- Dr Alastair Black, Consultant Psychotherapist, Police Retraining and Rehabilitation Trust (PRRT), Belfast.

4. The main aims and objectives of the Building for the Future Working Group were as follows:

- Discuss the impact of conflict-related trauma across the generations in Northern Ireland who lived throughout ‘the Troubles.’ These discussions should occur through a consideration of the Commission’s Report entitled ‘*Young People’s Trans-generational Issues in Northern Ireland*’;
- In addition to the impact of trans-generational trauma, the Working Group should examine the continuing impact of the conflict’s enduring legacy on the lives of children and young people growing up in post-conflict Northern Ireland;
- Examine the current treatments and services available to victims and survivors that seek to address issues relating to trans-generational trauma emerging from the conflict;
- Examine the current education and community-based programmes that are seeking to address the impact of the conflict’s legacy on the lives of children and young people across Northern Ireland;
- Produce a briefing paper to inform the Commissioner of the findings of the Working Group [...] and report to the Forum Plenary;
- Make a series of recommendations on how services can be improved through informing the Commissioner with a final paper.

Discussion

Intergenerational Impact of Conflict-related Trauma

5. A key focus of the Group's work has been on exploring the intergenerational impact of conflict-related trauma on individuals and families. In developing their knowledge and understanding of the concept and psychological impact of 'trans-generational trauma', Members received a number of important pieces of literature. These included the Trans-generational Issues and Young People chapters from the two CNA Reports and notably the commissioned study entitled *Young People's Trans-generational Issues in Northern Ireland*. During initial briefing at the Working Group's first meeting, Members heard how there is surprisingly few research studies into the trans-generational impact of the conflict in Northern Ireland. Nevertheless, in considering the literature provided, presentation content and reflections of Members from their own lived experiences, a number of pervasive issues emerged.
6. A central aim of the Commission's Report was to undertake a conceptual analysis of 'trans-generational trauma' through a wide-ranging investigation of existing local, national and international literature. In supporting an understanding of the concept, the Report defined trans-generational trauma as,

...the poor psychological health of children that appears to result (at least partially) from the 'consequences' of the trauma experienced by parents, resulting in detrimental effects on the interaction of parents and children.¹¹

7. This particular definition of trans-generational trauma was particularly useful in stimulating discussion among Working Group Members. In focusing on the 'poor psychological health of children', the definition emphasized how a parent's particular reaction to conflict-related trauma can negatively impact on the mental health of their children. The potential for trauma transmission because of parental behaviour resonated strongly with several Working Group Members.
8. A key mechanism highlighted within the Commission's study that can contribute to the transmission of conflict-related trauma is the 'context of silence' that often characterised the lives of many family members throughout the Troubles. The deliberate decision not to communicate with family Members or friends about exposure to conflict-related incidents was justified for a number of reasons. These included a real fear that in talking about conflict-related incidents it may cause personal danger to relatives and friends. Equally, silence was employed as an 'avoidance tactic' or coping strategy designed to push traumatic experiences into the past to avoid dealing with them. Furthermore, the decision by parents to maintain

¹¹ CVSNI (2012) *Comprehensive Needs Assessment – Final Report*: 118.

silence about the conflict was regarded as an effective strategy to 'protect and shield' their children.

9. The pervasive culture of silence throughout the Troubles is a theme Arlene Healey highlighted in her presentation to the Working Group and in her commentary elsewhere. In an article written in the Guardian in 2007, Healey stated that, "*It's difficult to overstate how deep and how damaging the silence has been...It's only since the situation here started to improve that people have had the confidence to speak about the things that they've been through.*"¹²
10. The Commission's Report noted that this inability of parents to speak out during the conflict engendered a culture of silence that negatively influenced parenting style. Further, the detrimental impact on parenting style not only pervades the lives of the survivor generation but can be 'learned' by their children.
11. Dekel and Goldblatt asserted that families often avoid talking about the traumatic event in order to save the survivor any distress from reliving the experience. However, children in the family still recognise that something traumatic happened as they overhear conversations or notice the survivor parent's emotional reactions to the event such as unexplained crying, emotional distress and a failure to function effectively.¹³
12. The Commission's Report highlighted how the lack of communication between parents and their children relating to conflict-related incidents can negatively impact normal family interaction. According to the study the disruption to family interaction can be due to either a disruption of parenting due to a parent having died or due to a change in the parenting style or ability of the victim due to a traumatic event. The report highlighted that, '*whether a child physically loses a parent due to bereavement or loses a parent figure due to the trauma victim no longer being able to function effectively as a parent, responses can be strikingly similar.*' In illustrating this point the Commission's Report highlighted a comment made by a 'second generation trauma victim' who was a brother of an individual killed on Bloody Sunday: "*when it affected my mother, it affected me deeply*".¹⁴
13. Reflecting on the potential negative impact of conflict-related trauma on family interaction and communication, Working Group Members made a number of interesting comments. Firstly, Members affirmed the difficulties involved in deciding

¹² Hill, D. (2007) 'Breaking the Silence', *The Guardian*, 24th March – article can be accessed electronically at: <http://www.guardian.co.uk/lifeandstyle/2007/mar/24/familyandrelationships.family3>

¹³ Dekel, R and Goldblatt, H (2008) 'Is there transgenerational transmission of Trauma? The Case of Combat Veteran's Children', *American Journal of Orthopsychiatry*, 78, No. 3: 281-289 cited in CVSNI (2012) *Young People's Transgenerational Issues in Northern Ireland*, QUB: 15.

¹⁴ Hayes and Campbell (2005) *Bloody Sunday: Trauma, Pain and Politics*, London, Pluto – cited in CVSNI (2012) *Comprehensive Needs Assessment – Final Report*, CVSNI: 120.

if and when to discuss the details of the traumatic event(s) with other family members. This can be particularly difficult when communicating with younger children who may not have been alive during the conflict. Secondly, Members discussed the emotional difficulties for relatives in the wider family circle to talk about conflict-related incidents. For some families, traumatic incidents that occurred in the past have not been spoken about for many years or indeed at all, for example where family members have moved away. Further, Members indicated that family members who experienced the impact of the traumatic incident deal with it in their own personal ways. Some decide not to talk about it while others believe that in talking about the emotional burden with others it can be a cathartic process.

14. Working Group Members agreed that in addressing the issues around the culture of silence through improving communication within families, access to practical evidence-based advice would be helpful. Also, raising awareness of the impact of conflict-related trauma on the family is required to support a more understanding context for victims to freely and openly talk about the traumatic experiences without judgement or impediment is critical.

15. Throughout the course of the Working Group's consideration of the literature and hearing from the guest speakers, a number of clinical therapy-based treatment models were identified and explained. Members also talked about personal experience of accessing a range of psychological therapy treatments.

16. The *Young People's Transgenerational Issues in Northern Ireland* Report indicated that the most common psychological therapy-based methods in working with transgenerational trauma are individual psychotherapy and family therapy. A number of evaluative pieces of research have been undertaken in recent years in the broad area of treating trauma in children. NICE¹⁵ guidance issued in 2005 in the treatment of PTSD recommends the employment of trauma-focused CBT and EMDR.¹⁶ However, it has been argued that alongside these therapists, a child specialist grounded in their own therapy of expertise (e.g. play therapy, behavior therapy or family work) should be considered to appropriately prepare the child or young person for the trauma-focused intervention.¹⁷

17. An important part of the Commission's planned research project exploring the enduring impact of the conflict on mental health is examination of current treatments for family-based trauma. During the presentations from Arlene Healey, Alastair Black and Alex Bunting, a number of therapy-based models were presented. Furthermore,

¹⁵ NICE is the abbreviation of the National Institute for Health and Clinical Excellence. Established in 1999 NICE is a agency based within the English National Health Service that develops evidence-based guidance in the treatment of a range of medical conditions.

¹⁶ CBT stands for Cognitive Behavioural Therapy and EMDR stands for Eye Movement Desensitisation and Reprocessing.

¹⁷ Dutton, P. (2009) 'Trauma in Children and Young People', *Counselling Children and Young People*: 10.

in sharing their experiences of accessing counselling and psychotherapy treatment, Members introduced the merits of a number of therapy-based approaches. The research project that the Commission plans to initiate later in 2013 will undertake a systematic literature review. This will include an examination of the current redevelopment of psychological therapies in the provision of CAMH services within the health and social care system. The content of the Working Group discussions emerging from the presentations and the literature considered will inform the drafting of the Commission's project plan for these important research studies.

Conflict and Suicide

18. An important public health issue situated within the wider debate relating to the enduring psychological legacy of the conflict is suicide and self-harm. The prospect of the conflict representing a serious risk factor contributing to individuals dying by suicide has been the subject of investigation in recent years. This debate had occurred against the background of a significant rise in suicide in the past decade. The suicide rate in Northern Ireland is higher than the current national rates in England, Scotland and Wales.¹⁸ In 2011, there were 289 such deaths registered in Northern Ireland, of which 216 were of males and 73 were of females. This is a decrease from the 313 registrations in 2010 (240 males and 73 females)¹⁹ which represented the highest figure ever recorded in Northern Ireland.
19. At the initial meeting of the Working Group, the high rate of suicide in Northern Ireland was raised as an issue for further consideration. One of the difficulties identified during this discussion was establishing the extent to which the legacy of the conflict has contributed toward the rise in suicide over the past decade.
20. During his presentation Mike Tomlinson highlighted that the conflict's legacy is having a pervasive and damaging impact on the population in Northern Ireland. According to Tomlinson, an interpretation supporting a 'trauma narrative' related to the conflict's impact suicide rates can be explained as follows:

The whole society has been traumatized, brutalization is common, resistance to change engrained, and depression and anxiety are widespread. It is only in recent years that the full effects are coming to light through the work of victim's groups, new demands on services and evidence of mass medication with anti-depressants, alcohol and prescription and non-prescription drugs.²⁰

¹⁸ DHSSPS (2012) Evaluation of the Implementation of the NI Protect Life Suicide Prevention

Strategy and Action Plan 2006-2011, Moore Stephens: 12

¹⁹ NISRA (2012) Registrar General Annual Report 2011, NISRA: 24.

²⁰ Information extracted from Professor Mike Tomlinson's presentation.

21. A key finding to emerge from a recent study conducted by Tomlinson revealed that 'the cohort of children and young people who grew up in the worst years of the violence, during the 1970s have the highest and most rapidly increasing suicide rates, and account for the steep upward trend in suicide following the 1998 Agreement.'²¹ This finding indicates that for a significant number of individuals in their thirties and forties their early child and adolescent years predisposed them to often very traumatic experiences linked to the conflict. For many they have carried a considerable psychological burden for years which has not been effectively treated. Moreover, in not appropriately addressing this level of unmet need, there is a potential for the psychological health of their children to be affected. Part of the scope of the Commission's proposed research in the year ahead is to examine the wider relationship between the transgenerational impact of the conflict and rise in suicide rates since 1998.

Enduring impact of the Conflict on Children and Young People

21. A recurring theme to emerge during Working Group meetings relates to the continuing impact of the conflict on the lives of children and young people including their mental health and well-being. In presentations delivered by community-based organisations FASA (Forum for Action on Substance Abuse) and Youth Action it was stated that many young people living in areas worst affected by the conflict feel marginalized and disconnected from the progressive view of society in Northern Ireland emerging from conflict. The discussions held with Working Group members reflected the contemporary experiences and activities of many young people currently getting involved in civil disturbances including those related to the flag dispute.

Concluding Summary

22. The essence of the Building for the Future Working Group in recent months has been capturing the lived experiences of members in exploring the conflict's enduring impact through its focus on trans-generational trauma. In discussing the potential impact of intergenerational trauma on families affected by the conflict, there was a strong resonance among Members with many of the issues emerging from the literature and presentations received. In particular, there was a strong identification with the issue of 'culture of silence' and lack of communication about conflict-related experience as a characteristic feature or coping strategy employed within many families during the Troubles. In discussion around the continuing impact of the legacy of the conflict, Members voiced concern at the potential contribution of the conflict to rising suicide rates in Northern Ireland in the past decade.

²¹ Tomlinson, M. (2012) 'War, peace and suicide: The case of Northern Ireland', *International Sociology*: 464.

Advice and future work

23. In considering the content of relevant literature and presentations related to the trans-generational impact of the conflict in recent months, the Building for the Future Working Group would like to put forward the following pieces of advice/recommendations. Members would also make the suggestion that:

- In progressing the collective business of the Forum in general and the Working Groups in particular, Members advise greater integration and sharing of the issues, observations and lived experiences between the Working Groups in the months ahead.
 - Following completion of the current period of business, the Building for the Future and Dealing with the Past Working Group should consider the issues emerging from their Reports to identify areas of shared thinking that could inform the forward work planning of both Groups.
 - One specific area of work for the BFF Group to focus on in the months ahead is an examination of the forthcoming Executive's response to the Cohesion, Sharing and Integration consultation exercise. In awaiting the Executive's response, the BFF Working Group may wish to explore and comment on the content of the document entitled *For Everyone* published by the Alliance Party in January 2013.
- Following advice contained in *Young People's Transgenerational Issues in Northern Ireland* Report, Members advise that the Commissioner undertake a review of existing best practice in relation to the psychological care of young people impacted by conflict-related trauma in Northern Ireland.
- Given the very concerning rise in suicide in Northern Ireland in recent years and the findings emerging from Tomlinson's latest research, Members would advise the Commission to consider a further bespoke study exploring the link between the conflict and suicide.
- Communication and a culture of silence represent key mechanisms that potentially cause the transmission of trauma across generations impacted by the conflict. Members recommend the development of practical guidance for victims and survivors to assist them in managing their conversation about the traumatic impact of the conflict with young members of their immediate family.

- Arising from work already completed, the BFF working group proposes education at primary and secondary levels as a second area for exploration and comment. It will attempt to identify existing good practice in formal and non-formal education for dealing with the enduring legacy of the conflict. It will consider ways to:
 - raise awareness in relation to the nature, consequences and ways to address trans-generational conflict related trauma;
 - promote better representation of the voice of victims in educational resources and activities;
 - connect young people with the tangible progress of transition away from violent conflict in Northern Ireland.

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