

## **COMMISSION FOR VICTIMS AND SURVIVORS NORTHERN IRELAND RESPONSE TO REFORMS OF THE SOCIAL FUND'S FUNERAL EXPENSES PAYMENT SCHEME**

The Commission for Victims and Survivors for Northern Ireland (the Commission) was established in June 2008 under the Victims and Survivors (Northern Ireland) Order 2006, as amended by the Commission for Victims and Survivors Act (2008).

The Commission is a Non-Departmental Public Body of the Executive Office. The principal aim of the Commission is to promote awareness of the interests of victims and survivors of the conflict. It has a number of statutory duties that include:

- Promoting an awareness of matters relating to the interests of victims and survivors and of the need to safeguard those interests;
- Keeping under review the adequacy and effectiveness of law and practice affecting the interests of victims and survivors;
- Keeping under review the adequacy and effectiveness of services provided for the victims and survivors by bodies or persons;
- Advising the Secretary of State, the Executive Committee of the Assembly and any Body or person providing services for victims and survivors on matters concerning the interests of victims and survivors;
- Ensuring that the views of victims and survivors are sought concerning the exercise of the Commission's functions; and
- Making arrangements for a forum for consultation and discussion with victims and survivors.<sup>1</sup>

The Commission welcomes the opportunity to provide a response to the Department for Communities consultation on Reforms of the Social Fund's Funeral Expenses Payment Scheme.

The Commission acknowledges DfC's proposals to reform the Funeral Expenses Payments Scheme in order to clarify issues around eligibility and make the process for claiming simpler.

The Social Fund remains a welcome source of help for those struggling to meet the costs of dealing with a major or unexpected event. This level of support is particularly important in the context of ongoing changes to the welfare system in Northern Ireland.

It is accepted that the conflict in Northern Ireland has had harmful effects on the social and economic health of our society. Victims and survivors are doubly affected as ordinary citizens living in a society that has been socially and economically damaged by conflict and as individuals who have been directly impacted by violence.

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<sup>1</sup> The functions of the Commission relate to those set out in the Victims and Survivors (Northern Ireland) Order 2006 as amended by the Commission for Victims and Survivors Act (Northern Ireland) 2008.

Historically, it is well recognised that compensation payments made during the Troubles did not meet the needs of many victims and survivors.<sup>2</sup> In addition, there are a number of financial needs which are a direct consequence of individuals becoming victims and survivors. These include loss of income, loss of pension provision, the extra costs of disability and dependency and the cost of building and maintaining social support and resilience as a consequence of injury or bereavement.<sup>3</sup> Recognising the profound financial impact of conflict-related incidents, the Commission has submitted advice to government in relation to a pension for those who were seriously injured during the Troubles.<sup>4</sup> This reparation proposal remains a priority for the Commission.

With an ageing population of victims and survivors, the Commission is mindful that many individuals, particularly carers, will find themselves in the position of financing funeral arrangements. Equally, the Commission recognises that conflict-related incidents have not ceased. Whilst it should be acknowledged that the security situation in Northern Ireland has improved considerably since 1998, a significant threat still remains as evidenced by the number of security-related deaths.<sup>5</sup>

It is within this context that the Commission welcomes the opportunity to provide a response to DfC's consultation.

**Question 1 – Do you agree recipients of funeral payments should be allowed to receive additional contributions towards the cost of a funeral from charities, friends and relatives without these contributions being deducted from the value of the funeral payment awarded?**

The Commission welcomes the proposal to allow recipients to receive additional contributions from charities, friends and relatives towards the cost of a funeral without these contributions being deducted from the size of their funeral payment. The Commission would also highlight that any support received from the Victims and Survivors Service should not be taken into consideration as income or impact upon an application process.

**Question 2 – Do you agree that we should not assign the responsible person status to people living in care establishments who receive income-assessed help from the local HSC Trust with their care fees, in place of an applicant who would otherwise be eligible for a funeral payment?**

The Commission is content with DfC's proposal.

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<sup>2</sup> CVSNI (2011) *Analytical Review of Compensation*, Commission for Victims and Survivors Northern Ireland.

<sup>3</sup> CVSNI (2012) *Comprehensive Needs Assessment*, Commission for Victims and Survivors Northern Ireland, p.60.

<sup>4</sup> CVSNI (2014) *A Pension for people severely injured in the Troubles*, Commission Advice Paper, 11th June 2014, Commission for Victims and Survivors Northern Ireland.

<sup>5</sup> Latest statistics indicate that there were 4 security-related deaths during the most recent rolling 12 month period of 1 August 2016 to 31 July 2017, the same number that occurred in the previous rolling 12 month period (1 August 2015 to 31 July 2016). Source: PSNI (2017) *Police Recorded Security Situation Statistics, Monthly Update (11 August 2017)*, Police Service of Northern Ireland, p.2-3.

**Question 3 – Do you agree that we should extend the application period to claim funeral payments from 3 months to 6 months?**

The Commission welcomes DfC's proposal to extend the period in which applicants can claim for a funeral payment. The Commission believes that the maximum of a 6 month period, in most cases, should be a sufficient amount of time for an applicant to consider an application or to seek assistance with a claim. However, given the unique nature of conflict-related incidents the Commission would recommend that DfC considers the opportunity to explore discretion and flexibility for claimants. This is particularly important in the context of incidents that may generate political and media interest.

**Question 4 – Do you support the launch of a shorter application form for claims relating to children's funerals?**

The Commission agrees with DfC's intention to reduce undue stress on the responsible person making a claim in relation to the death of a child.

**Question 5 – Do you agree that we should clarify that funeral payments will pay for the necessary costs of a burial with or without exclusive rights of burial?**

The Commission welcomes DfC's proposals to provide clarity in the regulations regarding the costs associated with funerals in both instances.

**Question 6 – Do you agree that applicants and funeral directors should be able to submit evidence electronically to support a claim for funeral payments?**

The Commission welcomes DfC's intention to allow applicants to submit supporting evidence electronically.