

**Report pursuant to
section 3(13) of the
Northern Ireland
(Executive Formation etc)
Act 2019 - Victims'
Payment**

Presented to Parliament pursuant to section 3(13) of the
Northern Ireland (Executive Formation etc) Act 2019



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Report pursuant to section 3(13) of the Northern Ireland (Executive Formation etc) Act 2019 - Victims' Payment

This report is based on information provided by the Northern Ireland Office.

Section 3 of the Northern Ireland (Executive Formation etc) Act 2019 requires the Secretary of State to publish and lay before both Houses of Parliament a report on progress made towards forming an Executive and other matters.

This report is made in accordance with section 3 (13) of that Act which states:

The Secretary of State must publish a report on or before 4 September 2019 on progress made towards preparing legislation implementing a pension for seriously injured victims and survivors of Troubles-related incidents.

Under s.10 of the same Act, the Secretary of State for Northern Ireland must establish a scheme which provides for one or more payments to be made to, or in respect of, a person who has sustained an injury as a result of a Troubles-related incident by regulations, if an Executive is not formed by 21 October 2019. Regulations must be made before end-January 2020 and come into force by end-May 2020.

The Stormont House Agreement (2014) contained the commitment that “further work will be undertaken to seek an acceptable way forward on the proposal for a pension for severely physically injured victims in Northern Ireland”. The Stormont House Implementation Group established by the five main parties of the Northern Ireland Assembly considered initial proposals for this matter in 2015 - but its work was not completed. Last year, the UK Government asked the Northern Ireland Commissioner for Victims and Survivors to provide updated and comprehensive advice on how a pension could be progressed. She provided that advice on 31 May 2019.

The Northern Ireland Office has been undertaking follow-up work to those recommendations and on the detailed arrangements for the scheme, with factual input from the Northern Ireland Civil Service. This has included consideration of other relevant schemes, further detailed design work, discussion with certain stakeholders (with further wider engagement planned), and preparing detailed advice on the proposed architecture of the scheme.

This includes:

- levels and methods of payments
- purpose and principles of the scheme
- who would benefit from the scheme and who would not (including exclusion of those injured in a Troubles-related incident they were convicted of playing a role in orchestrating)
- technical and practical details of the scheme
- evidential requirements and assessment processes
- support given to applicants and opportunities for requesting reconsideration/making appeals.

Update on progress

Since the Northern Ireland (Executive Formation) Act 2019 gained Royal Assent, good progress has been made to ensure that the UK Government is well placed to deliver these regulations including, but not limited to:

- Establishing cross-departmental teams to work at pace ready to deliver if the duty comes into effect on 22 October 2019 if there is no restored Executive by this time;
- Having discussions with the Northern Ireland Civil Service to seek factual advice and input to inform UK Government-led policy formulation work
- Initial scoping of how best to deliver the regulations;
- Reviewing international models where relevant; and
- Developing engagement and communications plans ready for implementation if the duty comes into effect.

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