

FROM THE OFFICE OF THE JUSTICE MINISTER



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To: GROUPS REPRESENTING VICTIMS AND SURVIVORS OF THE TROUBLES

4 March 2021

Dear Colleague,

I am writing to update you on progress with implementing the Troubles Permanent Disablement Payment (TPDP) Scheme.

Following designation of the Department of Justice on 24 August 2020, work has been ongoing on a number of fronts to put in place the necessary administrative arrangements to deliver the TPDP Scheme.

That includes securing office accommodation for the administration team, development of a draft application form and an IT system to support on-line applications, which is on schedule to be completed as anticipated. The Northern Ireland Judicial Appointments Commission has also completed the recruitment process for short-term members to the Victims' Payments Board and 26 members (Legal, Medical and Ordinary members) were formally sworn in on 23rd February 2021. The Lord Chief Justice has also confirmed the appointment of Mr Justice McAlinden as President of the Victims' Payments Board.

Engagement has continued with the Police Service of Northern Ireland, Public Record Office, Health and Social Care Trusts and GP representatives to provide for information flows to the Victims' Payments Board to assist with the processing of applications.

Since the Department was formally designated by TEO, officials have met on a fortnightly basis with a sectoral group that is chaired by TEO and includes the main organisations representing victims and survivors of the Troubles – WAVE Trauma Centre, Relatives for Justice, South East Fermanagh Foundation (SEFF), The Ely Centre, Commission for Victims and Survivors and the Victims and Survivors Service. That engagement has been important in keeping the main representative groups updated on progress with implementing the Scheme.

An important component of the new Scheme is a medical assessment service that will assess the relevant level of permanent disablement for applicants, where necessary. Following an open procurement competition, Capita has been appointed to design the service for carrying out medical assessments and that work is ongoing.

Mr Justice McAlinden has advised that, in advance of making an application, in his view it would be important for applicants to have access to guidance on how medical assessments will be carried out. That guidance will take a number of weeks to complete and will need agreement by the President and the Victims' Payments Board.

The work done by the Department means the Scheme could open this month to allow preparatory work on application forms to be completed by those who wish to apply; however, the President and the Victims' Payments Board are ultimately responsible for deciding on the precise timescale for launching the Scheme.

Mr Justice McAlinden engaged with the organisations involved in the sectoral group and sought views on the option of the Scheme opening for applications this month as planned, with the ability to complete forms in draft, or to delay formal opening until the medical assessment service has been fully defined. On the basis of that engagement, Mr Justice McAlinden has concluded that the Scheme should not open for applications until the medical assessment service has been fully designed and the relevant guidance agreed by the Victims' Payments Board and available to applicants.

I fully appreciate that some victims and survivors may be concerned that the Scheme will not open for applications this month as anticipated. However, I believe that it is

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important to take into account the views of the groups and individuals who represent and deal directly with victims and survivors, and who have indicated their preference not to have a two stage process.

In the meantime, if you wish to register an interest in the Scheme please forward your details to vpsqueries@justice-ni.gov.uk. Your contact details will only be used for the purpose of contacting you in relation to providing further information about the Scheme.

On a separate matter, efforts are continuing to secure funding for payments from the Scheme. A recent Court of Appeal decision made it clear that TEO is under a legal duty to make the necessary funding available to support payments from the Scheme. However, funding the Scheme in its entirety would put considerable pressure on the Northern Ireland block grant, particularly for the early years of the Scheme.

I joined the First Minister, deputy First Minister and Finance Minister in a recent meeting with the Secretary of State for Northern Ireland to press him on the need for the Westminster Government to provide funding for the Scheme. It was agreed that further work would be progressed and that we would meet again soon.

I wish to stress, however, that any uncertainty around the funding for the Scheme is not impacting on work to implement the Scheme, nor does it impact on the certainty for victims and survivors that they must, under law, receive the payments to which they are rightfully entitled.

Yours sincerely,



NAOMI LONG MLA
Minister of Justice