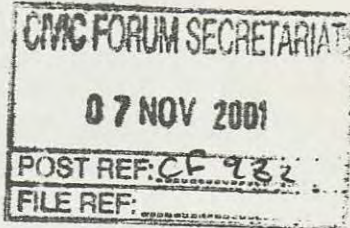


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BLOODY SUNDAY TRUST



Chris Gibson  
Chairman, Civic Forum  
The Arches Centre  
11-13 Bloomfield Avenue  
Belfast  
BT5 5HD

5<sup>th</sup> November 01

Dear Chris,

I am writing to express my concerns at comments made by you on Radio Ulster last Wednesday 31<sup>st</sup> October.

You were interviewed following a service of remembrance at St. Anne's Cathedral for victims of the conflict. During the service, Kenneth Bloomfield remarked that he believed a victim's commissioner should be appointed and during your interview, you endorsed this viewpoint.

I believe that your endorsement of the idea of appointing a victims commissioner was ill-judged for several reasons. Firstly, this endorsement could be seen as the view of the Civic Forum which it is not. The issue has not been debated within the organisation, so it is wrong to assume that it would meet with approval of all or a majority of members.

Secondly, at the last plenary, Alan McBride and myself were tasked with drawing up a response on behalf of the Civic Forum to the Consultation Paper on Victim's Strategy. We have spent considerable time and effort on this piece of work and have consulted with a broad spectrum of grassroots organisations in order to deliver a fair and balanced response on behalf of the Civic Forum. Your comments were made without sight of this response and consequently have undermined it. If the Chair says one thing and the Forum says another, then the whole rationale for a Civic Forum in the first place is devalued.

Finally, in light of the fact that the Consultation Paper on Victim's Strategy is open to responses until November 9<sup>th</sup>, your comments pre-empted the outcome of the consultation. This should not happen.

I am enclosing a copy of the response to the consultation paper that Alan McBride and I have drafted on behalf of the Civic Forum for your information.

Yours Sincerely,

Patricia MacBride

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Rev. Terence McCaughey  
Kerry Kennedy Cuomo

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## Introduction

Patricia MacBride and Alan McBride on behalf of the Civic Forum have drafted this response to the consultation paper on Victims' Strategy. We have consulted with various groups working in the field and with individuals and our response is broadly reflective of the viewpoints that were expressed to us, as well as our own personal feelings on the matter.

### Response of the

### Civic Forum

### to the

### Consultation Paper on Victims' Strategy

### Victims' Unit, Office of the First Minister & Deputy First Minister

#### 1. General Comments

##### 1.1 Assumptions

The assertion in Paragraph 1.2 of the paper that "the Bloomfield report was, on the whole, well received" does not hold true for a large part of the nationalist community. It is the belief of many nationalists that Bloomfield failed to adequately address the issue of the role of the state as a perpetrator of violence and trauma, and as such the recommendations excluded many people. It is important that any strategy developed by the devolved administration does not make the same mistake.

##### 1.2 Definition

We welcome the fact that a definition of who constitutes a victim is included in the paper and find it to be appropriate. Different interpretations of the term in previous reports and strategies has led to conflict and misunderstanding and we believe the definition used here will be inclusive and encompassing of all experiences in our society.

#### 2 Vision

We recommend the vision statement should read (our additions in italics)

"A society where the suffering of *all* victims is fully recognised; a community that acknowledges the pain of the past and learns lessons for the future, and an administration that provides, in conjunction with others, support and services in a proactive and sensitive manner to meet the needs of *all* victims."

We believe that the addition of the words "all" and "fully" will serve to negate problems that have existed in the past with the real or perceived hierarchy that exists amongst victims groups and individuals. It will acknowledge the hurt and



## Introduction

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We welcome the issuance of this paper for consultation on issues relating to victims of the conflict. It provides positive recognition for those groups working with victims and survivors and invites their input into developing strategy in this area.

We are concerned, however, that the paper does not outline how responses will be handled, responded to, weighted and acted upon. We ask that this matter be clarified by the Victim's Unit.

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We believe that the addition of the words "all" and "fully" will serve to negate problems that have existed in the past with the real or perceived hierarchy that exists amongst victim's groups and individuals. It will acknowledge the hurt and



pain felt by all sections of our community regardless of their political or religious beliefs and aspirations.

### **3 Values**

The values expressed are sound but their strength will lie in their implementation. We recommend that under "Inclusive" the statement should read:

*"The diversity of victims' experience, culture and lifestyles must be recognised and respected."*

It is one thing to recognise diversity and acknowledge that we are different individuals, it is quite another thing to respect that diversity and that respect is a key element in being able to deliver the strategy.

### **4. Meeting Needs**

The overall statement of purpose contained is worthy, but we would urge caution on the use of language. The language used in Paragraph 2.5 referring to meeting "basic needs such as bus runs, shopping trips etc." somehow devalues these activities and their positive benefits for participants and conveys a sense of lack of structured programmes of work.

### **5. Aims**

We would agree with the aims of the Strategy and would only comment that the point regarding funding needs to be further clarified. The statement made is that "any grant aid is distributed and monitored collectively by the statutory sector." What sections of government does this entail and in what areas of work will they be monitoring? Does it allow for a partnership approach with the community and voluntary sector?

### **6. Answers to questions posed by the Consultation Document.**

#### ***Question 1: How best can the Inter Departmental Working Group on Victims interact with victims and their representatives?***

A large amount of confusion exists as to who exactly has responsibility for what areas of work, partly because of the division of responsibilities between the NIO and the devolved administration. It would be helpful to produce an organisational chart of some sort that would clarify the position for people.

A group of representatives who would liaise with the IDWG should be selected from within those groups working with victims and from individual victims. This group should be constituted in the same manner as the selection process for the victims representatives on the Civic Forum was carried out.

The Trauma Advisory Panels, which are already established could be used as a method of interaction. This, however, would be subject to the panels being a



fair representation of groups in the geographical area in which they are situated and not being weighted with statutory sector membership. Also, any process for nominating representatives to a selection process as outlined above should be equality proofed and, if necessary, affirmative action principles applied to ensure a fair representation of the community and voluntary sector.

The IDWG should consider various options to ensure the genuine voice of victims is heard. Some suggestions might include;

- Interaction through a news letter sent to as many individual victims as possible, where ideas can be discussed and opinions sought.
- The setting up of good communication channels, for example, web site, e.mail and telephone lines, where victims can make comment and engage in general discussion about decisions the IDWG might be making on their behalf.

Finally, the work of the IDWG must be transparent with reports and documents readily available to any victim or victims representative who might want to see them. They should be written in a way that is easily understood.

***Question 2: Does the Draft Action Plan contain meaningful targets, the implementation of which will lead to a noticeable improvement in the services provides for victims?***

We do not dispute the merits of the targets set by the draft action plan. We would, however, be concerned that actions taken on these are done in full consultation with the community and voluntary sector.

We would draw particular attention to the following actions;

Action point 3. 'training for civil servants delivering front-line services', this is important as victims need to be dealt with in a sensitive way, also to be treated with respect and dignity.

Action point 4, 'further capacity building for victims groups, including on a single identity basis', this action recognises that not all groups are ready for cross community contact. There are various issues of trust etc. to be considered, especially for those groups which operate in border areas and where attitudes are amongst the most polarised.

Action point 7, 'identify education and training needs for staff in the Personal Social Services to enable them to deal with the personal and community consequences of the 'troubles'. The impact of inter/intra community conflict on personal and community life must be taken into consideration when developing adequate social services.



Action point 15, 'consider how the concept of the book Lost Lives might be given physical expression'. Whilst we acknowledge that some consider the Lost Lives book to be a fitting memorial to the victims of the conflict, it is not the opinion of all. Some, within the victims constituency point out that the information contained within the book came from a secondary source, media reports, etc, which has proved unreliable and inaccurate, also, little attempt was made at consultation.

Another suggestion was to set aside a public holiday where the victims of Northern Ireland's conflict could be remembered. A day marked by various ceremonies similar to Remembrance Day. This need not be at a cost to the economy as a public holiday such as May Day could be immobilised for this purpose.

Some thought might also be given to the concept of a museum, where the story of Northern Ireland's conflict could be told, not one that would in any way serve to glorify the combatants, but rather remind the public of the horror of sectarian warfare. There are many community museums throughout the world that could serve as models, for example the Anne Frank Museum, The District Six Museum in South Africa, The Survivors of the Shoah History Foundation.

Some of these ideas are bound up with various constraints, for example, has enough time elapsed to reflect the casualties of conflict in this way, what happens if ideas do not have unanimous support, specifically in relation to a museum – who decides what events in our past get remembered, etc, etc.

Action point 20: 'examine how victims issues can be addressed in the new statutory curriculum for schools'. If this is to have maximum impact it must form part of a core curriculum subject and not dealt with on the fringe of education. Perhaps it could play a role in 'Citizenship' or 'Personal Development' classes. Issues which must be tackled include, 'death and loss', 'identity', 'understanding difference', 'conflict resolution/transformation' and 'citizenship'.

Action point 21: 'examine how teacher development can address barriers to learning experienced by victims'. The impact of the 'troubles' on young people should be part of teacher training, both for student teachers and those in current practice. The teaching profession could make use of expertise gathered on the ground by various community and voluntary victims organisations.

In addition to this, support services should be available to teaching staff who might have to deal with young people who are severely traumatised as a result of community conflict.



Action point 22: 'examine how parent support and the development of parenting skills can be developed by schools and other agencies'. Adequate parenting would go some way to helping young people learn to cope with the effects of trauma, however, often the parents are severely traumatised themselves affecting their ability to cope. While the development of parenting skills is to be welcomed, one would have to be careful that this would not be detrimental to parents, making them feel that they have in some way failed, sensitivity is therefore called for.

Action point 23: 'examine how counselling support for pupils can best be made available in schools'. Counselling already exists in many secondary and grammar schools. This provision should also be extended to primary schools. Where counselling is provided counsellors should have specific skills in, A. relating to children, B. dealing with violent death and C. an understanding of inter/intra community conflict.

One useful idea here might be for schools to work in partnership with local victims groups who have considerable experience in this area. This partnership approach has already proved successful when dealing with other issues, for example, drugs and alcohol abuse, sexual abuse, ect.

Action point 25: 'by December 2002 examine the development of alternative programmes for getting intimidated youth back into education'. This is too long a time gap, many young people that have suffered intimidation need this help now. Not just for those that have stayed away from school, but also for those that have remained or have found a new school.

While this remains a problem needing an immediate imaginative solution we should not forget the root cause. Schools should be safe havens for children and young people to learn, this should be universally respected by all in society, including paramilitary organisations and their supporters. This right should be emphasised in any negotiated settlement being sought between conflicting communities.

Action point 27: 'consider the specific needs of victims when implementing the review of counselling'. Counselling support offered to victims must take into consideration a number of issues.

A. It may be long term;

B. It must be available in the community if the individual requires it to be;

C. It must be free;

D. The counsellor must be professionally trained;

E. The counsellor must have some experience in dealing with trauma as result of community violence;



- F. Counselling should always be focussed on helping individuals move on, it should not create dependency;
- G. Individuals receiving counselling must be kept informed of the process upon which they have embarked;

***Question 3: Are there targets or target areas which should be included on the draft action plan which currently are not?***

We recommend that the Action Plan contain measures to allow individuals access to information regarding the deaths of their loved ones. For many people that we work with and especially within the broad nationalist community the issue of truth is paramount and the action plan simply does not address it.

We believe the action plan lacks enough emphasis on assisting those who have been injured as a result of the conflict. Whether this assistance is practical, through recognising the need for a strategic approach in both the statutory and community/voluntary sector to pain management or broader in terms of compensation issues, the plan needs to reflect it.

We would also wish to add to Point 25 that programmes should be developed which allow adults to get back into employment.

***Question 4: How can funders make the funding process easier to understand and access?***

In the past, funding organisations have not operated to their best efficiency, which has created problems for organisations who depend on them. Individuals and organisations should be able to avail of a straight-forward application process, where they are kept informed at all times of the progress of their application.

Funding application forms should be straightforward, using plain language. The criteria on which funding will be granted should be clearly shown and a rationale for this given.

Funding sources should recognise the validity of single identity groups and organisations and not stipulate a demonstration of cross community activity. Capacity building on a single identity basis is vital in the first instance before cross-community work can begin and it is wrong to penalise groups/individuals who are not yet ready to develop cross community programmes.

Organisations need to be able to avail of proper core funding which is longer term than has been in the past. This is vital for the sustainability of groups working with victims and survivors of the conflict.

Groups also need to be made aware at an early stage of the auditing arrangements of each organisation, so as to ensure that they are operating to



standards of best practice. Further capacity building work in this area is vitally important.

***Question 5: What other methods can be used to raise awareness of victims' issues?***

The Northern Ireland Human Rights Commission organised a very successful scheme which trained facilitators who went back to their own communities to carry out consultation on the Bill of Rights process. A similar scheme could be used by the Victim's Unit, which would allow feedback to the joint Inter Departmental Working Group and Community/Voluntary sector partnership.

This would also be a good method of raising issues of relevance for individual victims who, for many reasons, do not feel comfortable working with constituted groups. Trained facilitators could endeavour to contact these individuals on a befriending basis and feedback their views to the wider group. Such befriending and listening ear support is currently undervalued and developing these services could lead to a broader participation.

Capacity building for organisations working with victims and not just for policymakers needs to be developed and implemented.

***Question 6: What Statutory Sector Partnerships need to be developed?***

The Interdepartmental Working Group is already in place, but information on its' make-up, role and function is not known. More information needs to be made available on the remit of this group in order to fully answer the question. We feel it is vital, however, that the DHSS, Department of Education, Trauma Advisory Panels and Local Area Partnerships are part of a co-ordinated statutory sector/partnership response to needs.

The issue of North-South relationships needs to be taken into account, as there are many people who have suffered as a result of the conflict who live in border areas where both the Irish Government and the Northern Ireland devolved administration may have input into issues of relevance for them.

***Question 7: How best can the statutory sector work in partnership with the voluntary/community sector?***

As stated in the response to Question 1, a mechanism for consultation should be agreed within the community/voluntary sector similar to the appointments made to the Civic Forum.

The role of Trauma Advisory Panels in this partnership needs to be developed, subject to the statement made above.

Another suggestion is that the two Civic Forum Representatives with responsibility for victim's issues have access to meeting of the IDWG and are



assisted in putting into place the mechanisms for communicating information to the community/voluntary sector.

The collaborative approach between the community/voluntary sector and the statutory agencies is to be welcomed, but both sectors must have a genuine respect for each other's field of work. This has not always been the case in the past and any future partnerships must be devoid of tokenism.

***Question 8: How best can those who carry out or commission research engage with victims to ensure that relevant research is carried out and followed up on?***

Past experience has shown that in many cases research that has been carried out has been ignored or not acted upon. We believe this is primarily because much of this work has been overly academic in nature.

It is our belief that the carrying out of research can be a tool for empowerment of grassroots organisations. By assisting groups working with victims to carry out research themselves, ownership of the outcomes is vested in those groups and recommendations arising from the research are more likely to be followed up upon.

These organisations are also more likely to know whom to include in their research and what type of issues need to be developed.

This again goes back to the issue of capacity building for groups which will enable them to commission and carry out this work.

Outcomes of research could be fed back to any IDWG/Community-Voluntary partnership set up as a result of this consultation for discussion and action.

***Question 9: What steps if any do OFMDFM and the NIO need to take to ensure that victims know the relevant part of government to access for help?***

As stated above, it would be beneficial if any future publications contained a breakdown of responsibilities for the devolved and reserved administration.

The view has been expressed within some of the community/voluntary groups that we have consulted with that the NIO should have no further role in providing victims services. There is no value added by their involvement and the dual administrative involvement only leads to further confusion.

Material on services available needs to be distributed in easily accessible places, for example Doctor's surgeries, schools, DHSS offices and shopping centres. The language used in these publications needs to be straightforward and non-patronising. It should also be made available in visual and oral format for people with disabilities. A website with a directory of services could be provided. An advice line is another option.



**Question 10:** *If such seminars or conferences were to be held, what subjects should they address?*

- The issue of truth needs to be put on the agenda and how we go about providing truth for those who seek it;
- The role and make-up of any consultative group with the IDWG;
- Capacity building for groups working with victims;
- Cross-border co-operation on victim's issues;
- Practical issues of service delivery and best practice;
- Inclusion of groups within the structure;
- Compensation/Reparation;
- Health care and alternative therapies;
- Remembrance;
- Education.

This is not an exhaustive list, but we believe these are the key areas where a start can be made.

**Question 11:** *If the Touchstone Group is to be replaced, what should replace it? Who would be on any new group and how would they be selected?*

Given the fact that we have a devolved administration with leaders who have an intrinsic understanding of the issues of relevance and the view expressed that the NIO should have no further role in victim's issues, any new group to be constituted should be done so under the auspices of the OFMDFM.

The make-up and selection of any such group could be decided by the same means as the Civic Forum victim's representatives were appointed. It should contain representation from all shades of political belief and experiences and should be constituted subject to the equality legislation.

This group and the group that will liaise with the IDWG should be one and the same.

**Question 12:** *Should a Victim's Commissioner be appointed? If yes, what should their role and remit be and how would a Commissioner fit with the other potential structures outlined in this chapter?*

Response on this issue was divided.



Amongst those opposed to the appointment of a commissioner, the key points raised were that there is nothing to suggest that the appointment of a commissioner would add value to services available to victims. It is more likely to add another layer of bureaucracy to what is already an entangled web. The appointment itself could be problematic and receiving broad support for any one individual would be almost impossible.

Of those who favoured the appointment, it was felt that the commissioner would allow access to a "higher authority" for individuals who do not belong to or work with any group. This person would act as an advocate for victims and survivors with government and assure that issues of importance are kept on the agenda. It was pointed out that any individual must have the trust and respect of both sides of the community, operate in a fair and impartial manner and base themselves in a physical location that would not provide any barriers to access, physically or psychologically.