



*We will  
Remember  
them*

Report of the Northern Ireland Victims Commissioner,  
Sir Kenneth Bloomfield KCB

April 1998

*We will*  
*Remember*  
*them*

Report of the Northern Ireland Victims Commissioner,  
Sir Kenneth Bloomfield KCB

April 1998



# Table of Contents

<b>Letter by the Commissioner to the Secretary of State</b>	<b>5</b>
<b>Chapter 1: The Origins and Remit of the Commission</b>	<b>8</b>
1.1 Initial Announcement	8
1.2 Terms of Reference	8
1.3 Ambit of the Review	8
1.4 Establishing the Commission	9
<b>Chapter 2: Who Are The Victims?</b>	<b>11</b>
2.1 Timescale of the Conflict	11
2.2 Analysis of the Dead	11
2.5 Scale of the Fatalities	12
2.6 Deaths in Great Britain	12
2.7 Deaths in the Irish Republic	12
2.8 Deaths in Continental Europe	12
2.9 Deaths of Other Nationalities	13
2.10 Effects of Deaths upon Survivors	13
2.11 Scale of the Injuries	13
2.13 Wider Effects of the Violence	14
2.14 Blame and Guilt	14
2.15 Victims of Other forms of Violence or Accident	14
<b>Chapter 3: Proceedings of the Commission</b>	<b>16</b>
3.1 Communication through the Media	16
3.2 Invitations to Submit Views	16
3.3 Special Consideration for those Killed or Injured in the Service of the Community	16

3.4	Contact with Public Agencies	16
3.5	Contact with Victims and Organisations representing them	17
3.6	Local Meetings of the Commission	17
3.7	Meetings in Great Britain and the Irish Republic	17
3.8	Submission of Views in Writing	18
3.9	Sensitivity of the Issues	18
3.10	Use of Research conducted by others	18
3.11	Study of Practical Problems already in progress	18
3.12	The Value of 'Telling the Story'	19
3.13	Remembrance and Memorial elsewhere	19
3.14	The USA	19
3.15	Spain	20
3.16	Israel	20
3.18	South Africa	20
<b>Chapter 4:</b>	<b>Timeliness: Whether and When?</b>	<b>23</b>
4.1	Opposition to the idea of 'A Memorial'	23
4.3	Arguments for a Memorial	23
4.4	Scepticism about an Acceptable Solution	24
4.5	Importance of the Wider Civic Environment	24
4.6	Need to address Three Dimensions: Practical help; A non-physical memorial scheme; a physical memorial project	24
<b>Chapter 5:</b>	<b>Recognition by way of Practical Help</b>	<b>26</b>
5.1	Priority for the Views of Victims	26
5.2	Emphasis on Practical Needs	26
5.3	Sources of Practical Help	26
5.4	Views of Victims that more should be done	26
5.5	Criminal Injuries Compensation	27
5.13	Role of the Concerned Employer	29
5.14	Need for Special Consideration of those who Served the Community	30
5.15	Distinctions between different Categories of Victim	30
5.16	Need for a Sympathetic and Understanding Approach by Public Agencies	30
5.17	A Public Expenditure Priority: Need for a 'Champion'	31
5.18	Advice and Counselling	31
5.19	Need for Support in immediate Aftermath	31
5.21	Need for Longer-term Support	32
5.22	Excellent Work in Progress	32
5.23	'Living with the Trauma of the Troubles'	32
5.24	Advice available but not force-fed	33
5.26	Need for a Powerful Voice for Victim Interests	33
5.27	A 'Standing Conference'	34
5.28	A 'Listening Ear': Case for a Standing Commission or Ombudsman for Victims	34
5.29	The Problem of Pain	34
5.30	Case for Higher Priority for Treatment of Pain and Trauma	35

5.31	A Victim's Perspective	35
5.32	'Truth and Justice'	36
5.34	Victims and Justice	37
5.35	Code of Practice for Victims of Crime	37
5.36	A Truth and Reconciliation Commission?	37
5.38	The 'Disappeared' and 'Exiles'	38
5.39	The Displaced	39
<b>Chapter 6:</b>	<b>Recognition by Way of Memorial Schemes</b>	<b>41</b>
6.1	Existing Memorial Schemes	41
6.3	An Archive	41
6.4	A Focus on Children and Young People	41
6.5	A Memorial Appeal	42
6.6	Support for 'Mutual Understanding' activity in Great Britain	42
6.7	Civic Recognition	42
6.8	The Role of Religion	43
6.9	A New Public Holiday: 'Memorial and Reconciliation Day'	43
<b>Chapter 7:</b>	<b>Possible Schemes of Physical Memorial</b>	<b>45</b>
7.2	Scope of Appendix I	45
7.3	A Memorial of Public Utility	45
7.4	A Memorial National Park	45
7.5	A Forest or Garden	46
7.6	Forms of Built Memorial	46
7.7	Nature of a Monument	46
7.12	Location	47
7.13	A Northern Ireland Memorial	47
7.17	Use of a Northern Ireland Memorial Building	48
<b>Chapter 8:</b>	<b>How to Proceed from Here</b>	<b>50</b>
8.1	Summary of Recommendations	50
8.2	Publication of the Report	51
8.3	Consultation on Recommendations	51
8.4	Association with wider Political Development	51
8.5	Timing and Appropriateness	51
8.7	A Commission to Develop a Project	52
8.8	Choice and Management of a Project	52
8.9	A Postscript	53
<b>Appendix 1</b>	<b>Summary of Suggestions made to the Commission</b>	<b>54</b>
<b>Appendix 2</b>	<b>Recommendations of 'Living with the Trauma of the Troubles'</b>	<b>66</b>

# Rt Hon Dr Marjorie Mowlam MP Secretary of State for Northern Ireland

## 29 April 1998

Dear Secretary of State

I have completed the task for which you commissioned me in November 1997, and now submit my report and recommendations.

In Chapter 1 of this report I discuss the remit of the Commission, and how it came about. I go on in Chapter 2 to consider the dimensions of the task, including a working definition of "those who have become victims in the last thirty years as a consequence of events in Northern Ireland".

Thereafter, in Chapter 3, I set out the basis upon which I conducted my review. I explain how I sought views and opinions and how I obtained them. I refer in particular to work already carried out or set in hand by others which has been of the greatest assistance to me. I reflect also upon lessons to be learned from the steps taken to acknowledge victims of violence at other times and in other places.

I go on, in Chapter 4, to address the question of timeliness, taking into account the views of those who have argued strongly that steps to recognise victims could be premature in advance of some final settlement and reconciliation.

The next three chapters are concerned with different possible forms of recognition, which are not mutually exclusive. In the first of these, Chapter 5, I argue that the most urgent and in some respects the most useful form of recognition would be to pursue areas of policy and service provision where, it can be argued, State and society have not yet adequately met the practical needs of victims. Chapter 6 looks at possible memorial schemes as distinct from physical projects, while Chapter 7 examines the case for some kind of physical memorial.

In all of this I have been guided by a simple yardstick: we have created victims through violence, and we have produced violence out of division. It follows, then, that any form of recognition likely to generate division rather than to foster reconciliation should be avoided.

On the basis of the foregoing, I go on in Chapter 8 to consider how best to proceed from here. You should, in my view, be guided not just by my recommendations but by the community's reaction to them. Nor should the many constructive ideas submitted to the Commission by others, but not featuring in my own recommendations, be overlooked. For that reason I have listed many such ideas in Appendix 1 to this Report. I make recommendations as to how to handle a

consultation stage, a detailed project-planning stage and the longer-term arrangements for funding, managing and monitoring any chosen project. I have noted with great satisfaction the positive references to the issue of "Reconciliation and Victims of Violence" in the comprehensive accord entered into by the two Governments and the several parties.

In more than forty-five years of public service, I have never been asked to undertake a task of such human sensitivity. The letters I have read and the stories I have heard in carrying out the work of the Commission will be burned into my memory forever. I could only describe the task you gave me as a painful privilege: painful, because I have encountered grief and human suffering on an enormous scale; a privilege, because I have encountered also such courage, such endurance and - often from those most gravely affected - such generosity of spirit.

Yours sincerely,

A handwritten signature in blue ink that reads "Ken. Bloomfield". The signature is written in a cursive style with a long, sweeping tail that loops back under the name.

Sir Kenneth Bloomfield KCB, Commissioner



*The origins &  
Remit of the  
commission*



# *The Origins and Remit of The Commission*

## Initial Announcement

- 1.1 The intention of establishing a Commission “to look at possible ways to recognise the pain and suffering felt by victims of violence arising from the troubles of the last 30 years, including those who have died or been injured in the service of the community” was announced by the Secretary of State for Northern Ireland in Belfast on 24 October, 1997. It was made clear that this initiative had been discussed with the Prime Minister who, “from his discussions and meetings with people across Northern Ireland, felt that not enough attention had been paid to those who had suffered”. In announcing that I had been asked to lead such a Commission, Dr Mowlam noted that I had been asked “to have particular regard to the possibility of establishing a new memorial reflecting both the sorrows of the past and hope for a stable future”.

## Terms of Reference

- 1.2 On 19 November 1997 the Secretary of State wrote to me with the following formal Terms of Reference:

*“To lead the Commission and to examine the feasibility of providing greater recognition for those who have become victims in the last thirty years as a consequence of events in Northern Ireland, recognising that those events have also had appalling repercussions for many people not living in Northern Ireland”*

and asking me to consult various organisations concerned with the welfare of the bereaved and disabled, as well as with community groups, churches and political parties, and to make recommendations to her.

## Ambit of the Review

- 1.3 In a subsequent lengthy discussion with the Secretary of State about the scope of the work, I was able to confirm that I could consider practical measures to deal with pain and suffering experienced by victims alongside the issue of a memorial project or scheme, and that I should of course acknowledge the special obligation owed by the State to people killed or injured in the course of protecting persons or property or in providing essential public services.

## Establishing the Commission

- 1.4 I also established that, in being asked to lead the Commission, it was not implied that further Commissioners should or would be appointed. My first task would be to oversee the provision of administrative support, and in this I was most fortunate to secure the services of Mary Butcher, whose previous work for the Northern Ireland Office had given her extensive contacts throughout the community. Mary has been a tower of strength throughout this work. I was clear from the outset that this must not be a “one man Commission”; I would rather seek to work with a very wide range of interests and people both inside and outside Northern Ireland, and in particular with those who had suffered in a very direct way from the violence of the last three decades. I hope that all of those whom I met or who wrote to me (many of whom had suffered themselves) will feel they have played a part in shaping this Report.

A blue-tinted photograph of a park scene. In the foreground, the dark silhouettes of large trees frame the view. In the middle ground, a person is sitting on a bench, and another person is walking towards them. In the background, two more people are walking together. The overall mood is serene and contemplative.

*Who are  
the Victims?*

# Who are the Victims?

## Time-scale of the Conflict

- 2.1 My first task was to consider the dimensions of the problem I had been asked to address. Who were “those who have become victims in the last thirty years as a consequence of events in Northern Ireland”? The definition of the length of what has been euphemistically described as “the troubles” is necessarily an arbitrary one. A period of thirty years up to the date of announcement would begin in October 1967, although many historians and others would identify the first stirrings of the current conflict in the clash of conflicting ideologies in 1966, at the time of commemoration of the Easter Rising and the Battle of the Somme respectively. The tragedies of that year are a part of this sad record. The events of 1966 are, perhaps, a timely reminder that in our society commemoration itself can too easily take on a confrontational quality.

## Analysis of the Dead

- 2.2 The easier part of the task of definition is to enumerate those who have died as a consequence of the conflict, both in Northern Ireland itself and elsewhere. Unhappily this list of the dead has grown in length even as this Commission has been deliberating. The taxi-meter of violent death has continued to tick over.
- 2.3 I shall deal more adequately in the next chapter with the debt I owe to much work of analysis and review carried out by others. In the specific area of identifying the victims, I have been able to draw not only upon useful Government statistics, but also upon the work of the Cost of the Troubles Study, directed by Marie Smyth, research fellow of INCORE.
- 2.4 I turn first to the question of deaths occurring in Northern Ireland. The Cost of the Troubles Study (COTT) calculated that by 3 December 1997, 3,585 people had been killed in Northern Ireland “since 1969”. Analysis of these deaths revealed some striking facts:
- (a) The dead were predominantly male (91%).
  - (b) The dead were predominantly within age groups with a considerable expectation of further life (37% under 24, 53% under 29, 74% under 39).
  - (c) COTT estimates that 53% of the dead were civilians with no affiliation to any security force or paramilitary organisation. A further 28.8% were serving members of the security forces (14.5% from outside Northern Ireland and 14.3% from locally-recruited RUC, UDR or RIR, including almost 300 police officers); COTT estimates that 12.5% of the dead were Republican paramilitaries, and just over 3% Loyalist paramilitaries.
  - (d) The death rate has been rather higher within the Catholic than the Protestant population (2.5 per 1,000 for Catholics and 1.9 per 1,000 for Protestants).
  - (e) COTT estimates that 87% of the total had been killed by paramilitaries (59% by Republicans and 28% by Loyalists) and about 11% by the security forces.

(f) The death toll has been particularly high in North and West Belfast, Londonderry and South Armagh.

There have, of course, been further victims since December 1997.

## Scale of the Fatalities

- 2.5 Some 3,600 deaths may not seem too calamitous when compared with the scale of the Holocaust, with the local fatalities in the First World War, or with the suffering in Bosnia or Rwanda or Cambodia. But all of this has to be considered against the small scale of Northern Ireland. If the UK as a whole, with its population of some 58 million people, had experienced death pro rata, as compared with 1.6 million population of Northern Ireland, there would have been a total of over 130,000 dead. The trauma of killing has been protracted, and particular communities have suffered disproportionately from it.

## Deaths in Great Britain

- 2.6 Unhappily, as my Terms of Reference acknowledge, events in Northern Ireland have also had “appalling repercussions” for people living today, or indeed living throughout, outside Northern Ireland. Many soldiers gravely wounded in our conflict cope with their disabilities in Great Britain or elsewhere, as do widows and other relatives of such soldiers. As compared with all the previous outbreaks of Republican violence, action on the mainland of Great Britain has been widespread and sustained. The long finger of violent death has extended into many areas of London, and to such places as Aldershot, Birmingham, Brighton, Coventry, Deal, Derby, Enfield, Guildford, Leeds, Lichfield, Pevensey, St Alban’s and Warrington. In some of these instances the security forces were deliberately targeted; in many other cases the victims were civilians, from distinguished Members of Parliament to young children. The total death toll in Great Britain amounted to 119.

## Deaths in the Irish Republic

- 2.7 Nor have the population of the Irish Republic been unaffected. Very serious terrorist outrages in Dublin and Monaghan killed or injured substantial numbers of Irish citizens; the Garda Síochána, like the RUC, came under attack; while the deaths in the Irish Republic included also one of the most famous of living Englishmen, Earl Mountbatten of Burma.

## Deaths in Continental Europe

- 2.8 Beyond these islands, activities in continental Europe have led to yet further deaths. These have often resulted from the organisation of, or the response to, attacks on British service personnel abroad.

## Deaths of Other Nationalities

- 2.9 A bomb as it explodes, or a bullet as it makes its mark, cannot distinguish between religion, nationality, race or political sympathy of those in its path. Some have died in grotesque 'mistakes', made all the more insufferable by subsequent 'apology'. Death has been visited not only upon British or Irish citizens, but also upon those from areas as widespread as Holland, Australia and USA. Two telling letters from a respondent to my request for views provided a salutary reminder that Asians as well as Europeans had lost their lives.

## Effects of Deaths upon Survivors

- 2.10 The dead cannot be restored to life, and the living victims of all these incidents are those - mothers, fathers, wives, husbands, children - whose lives have been marked and diminished by these events. Each fatality can be compared with a heavy stone dropped into a pool of water, with ripples extending far and wide. These "secondary effects" of violent death are serious, often involving a reduced standard of life for dependants, acute mental agony and in too many cases continuing trauma. It has to be appreciated, too, that in some cases the death of a loved one may only have been a part, albeit the worst part, of the adverse impact of being attacked, in that a home may be wrecked and/or a business premises destroyed at the same time.

## Scale of the Injuries

- 2.11 Those who mourn have to cope with the effects of violence over the long term. But there are a very large number of others who must face the continuing effects of serious injury, and these include both the injured themselves and those who care for them. For them, too, the consequences can be complex. They will often include not only physical and emotional trauma, but the adverse economic consequences of the injury for employability and earning-power.
- 2.12 There is no reliable central register of the injured, or measure of the long-term economic and other effects of their injuries. Statements issued immediately after a serious incident normally state the numbers of dead and/or injured. In some cases, after the initial trauma of an incident and effective treatment, individuals suffer no serious long-term consequences. In other cases the degree of enduring physical disability may be very severe, and in yet others the lasting psychological effect may be profound. Work by COTT and others would indicate between forty and fifty thousand injured. There is no room for doubt that this has involved much enduring suffering and disability:- blindness, loss of hearing, disfigurement, single or multiple amputation etc. The unknown but certainly large number of persons suffering long-term disability also translates to a much larger number of "secondary victims" in families permanently damaged by the injuries of a close relative. Again, as in the case of fatal casualties, an incident has all too often thrown up other traumatic consequences such as the loss of a house or a business.

## Wider Effects of the Violence

- 2.13 There is, in a sense, some substance in the argument that no-one living in Northern Ireland through this most unhappy period of its history will have escaped some degree of damage. Many who have happily escaped death or injury have nevertheless been exposed to threat and danger. Certain localities in particular have experienced an enduring atmosphere of tension and menace. Social life has been constrained. Economic progress has been impeded. Nevertheless, this Commission must aim its effort at a coherent and manageable target group. These I define as the surviving injured and those who care for them, together with those close relatives who mourn their dead.

## Blame and Guilt

- 2.14 One of the most sensitive issues I have been obliged to confront is that of blame. Many people feel strongly that any person engaged in unlawful activity who is killed or injured in pursuit of it is a victim only of his own criminality and deserves no recognition for it. It is, of course, the case that proven involvement in such activity can invalidate a claim for Criminal Injuries Compensation under Northern Ireland law. Having myself survived, some years ago, an attempted assassination, I can appreciate how strongly many people feel about this aspect. I would, however, make the point that any individual's involvement in unlawful activity does not lessen the grief and loss of close family who mourn him or her, many of whom may well have been unaware of the nature of involvement. We need to remember that our society does not attribute guilt by association. The degree of guilt to be borne by any individual is a matter, in the civil sphere, for courts of law, and in the moral sphere for a higher jurisdiction.

## Victims of other forms of Violence or Accident

- 2.15 One final point needs to be made in this Chapter. Although I have sought to give, in paragraph 2.13 above, a definition of "victims" for the purpose of the Commission's work, we shall see as we proceed that it is difficult in some cases to draw an absolutely clear line between categories. Does the State owe any lesser obligation of counselling and practical support to a woman who kisses her husband goodbye and learns he has been killed by a drunken motorist than it does if that husband has been killed by a random terrorist bomb? The answer may be in a distinction between two forms of recognition - the recognition of service and the recognition of remembrance?



*Proceedings of*  
*the commision*



# *Proceedings of The Commission*

## Communication through the Media

- 3.1 The first task of the Commission was to establish the necessary administrative support. Thereafter, the immediate priority was to inform the public in general about the establishment of the Commission and the ambit of its Terms of Reference, and to invite anyone with views to express or suggestions to make to communicate these to us. For that purpose, advertisements were placed in the principal local newspapers, and in addition I made myself available for various media and television interviews, designed to reach national as well as local audiences. On 25 November 1997 I held a Press Conference to outline the way in which I proposed to approach the Commission's work.

## Invitations to Submit Views

- 3.2 With the Commission formally launched, I began an extensive consultation exercise. This involved writing to political and Church leaders, and to a wide range of other statutory, voluntary or community-based organisations or agencies. Here it was easier to identify bodies whose principal or only concern was with the victims of violence than to be sure there was a comprehensive approach to other organisations which confronted relevant problems alongside other responsibilities. In this task, however, I was greatly assisted by such "umbrella organisations" as NICVA, the Northern Ireland Voluntary Trust and the Community Relations Council. In all, I invited a considerable number of voluntary or community organisations in writing to let me have their views.

## Special Consideration for those Killed or Injured in Serving the Community

- 3.3 I acknowledged also a special responsibility, which had been made explicit at the time of the original announcement by the Secretary of State in October 1997, to address the concerns of those who had been killed or injured in the service of the community. I therefore made contact with appropriate levels of senior management in the armed services, in the police, in the Prison, Ambulance and Fire services and elsewhere, drawing also on the experiences of serving or former officers employed in these services or organisations directly representing their interests.

## Contact with Public Agencies

- 3.4 In addition to this, I was anxious to draw upon the experience of those Government and public agencies whose responsibilities do or could impact upon the circumstances of victims. So it was that I arranged discussions with senior officials concerned with criminal justice, with the scheme of compensation for Criminal Injuries, and with the medical and social services delivered under the aegis of DHSS.

## Contact with Victims and Organisations representing them

- 3.5 Above all, though, I acknowledged the need to draw directly upon the experience of those who had themselves been victims of violence. At an early stage in the work, WAVE (an admirable organisation with a special concern for the bereaved) invited me to meet a group of widows. We sat in a circle and they discussed openly their harrowing experiences, and the gaps they saw in proper and adequate provision to sustain them. One of these ladies had earlier sat beside me in a BBC Radio Ulster studio as she discussed the circumstances in which, years ago, her son had become one of "the disappeared". I came to the conclusion that morning that above all else I must pay close attention to the views of those who have suffered most. The point has already been made that the fatalities have been predominantly amongst men; it follows that very often it has been women who have been left behind to "pick up the pieces".

## Local Meetings of the Commission

- 3.6 Some of the WAVE group had travelled a considerable distance to be with me that day. This realisation reinforced a view that I needed to get out and about around Northern Ireland, to make myself conveniently available to interested parties and groups. Such encounters could often best be set up by a respected local organisation. I therefore embarked on a series of meetings. These were not 'public meetings' in the absolute sense, but all known local groups associated with work for the victims were invited, as were individuals who, in writing to me, had expressed a wish to meet me. In all, I attended general meetings in the local government districts of Derry, Cookstown, Fermanagh and Armagh as well as a number in Belfast, and made visits directed specifically to widows and victims from a security forces background. In all I encountered face-to-face some hundreds of people who were directly affected and exchanged views in dialogue with many of them. It was most helpfully suggested to me that I might listen to the views of young people, and this led to a constructive discussion with senior pupils from six diverse schools, held at the Methodist College, Belfast.

## Meetings in Great Britain and the Irish Republic

- 3.7 I had to keep in mind, too, the "many people not living in Northern Ireland" referred to in the Commission's Terms of Reference. I therefore travelled to Warrington, (where I met the fathers of Tim Parry and Johnathan Ball), and Manchester and also Glenree in County Wicklow when I had the opportunity to exchange views with a group from the Irish Republic. I am deeply grateful to all of these people for helping me, inevitably at the cost to them of reviving unpleasant memories.

## Submission of Views in Writing

- 3.8 As a result of the advertising, a considerable number of individuals wrote to the Commission offering comments and suggestions. Again, many of these included the most moving accounts of harrowing personal experience. They exhibited an understandably wide range of emotions: universal grief, a sense of questions unanswered and of course - understandably - sometimes deeply-felt anger. Yet the overall tenor was helpful and constructive. Many people had reflected impressively upon the challenges facing the Commission.

## Sensitivity of the Issues

- 3.9 Not all the organisations I invited to comment chose to do so. Some have perhaps (and understandably) been pre-occupied by other concerns arising, for example, out of the ongoing political process. Because I was anxious to test the issue of whether people would prefer memorials in their own locality rather than some single project for the whole of Northern Ireland, I invited the 26 District Councils to let me have their views. Much the greater number of these replied in the sense that they knew I had contacted the various political parties and that they would prefer to leave any reaction to that source. I detected an implication in this reaction that Council debate on these issues in the current circumstances could too easily be divisive in character.

## Use of Research conducted by others

- 3.10 If I was to report within a realistic time-scale, I could not hope to complete a great deal of original research. I was, therefore, relieved and gratified to find that much useful work had already been done by various groups and individuals, and that those concerned were gracious enough to allow me to draw heavily upon it. I have already made reference to the Cost of the Troubles Study in Chapter 2. I was to find that Jane Leonard, in a report commissioned by the Community Relations Council and the Arts Council, had produced a most useful and interesting work ("Memorials to the Casualties of Conflict, Northern Ireland, 1969 to 1997") to which I shall make more detailed reference in Chapter 7. Alongside this, it was pointed out to me that the present Director of the Victoria and Albert Museum, London, had written a book on "War Memorials" published in 1991 when he was Director General of the Imperial War Museum. Dr Borg was kind enough to see me in London and to let me have a copy of this work.

## Study of Practical Problems already in progress

- 3.11 Others had been addressing in various ways the practical problems faced by victims in coping with the aftermath of violence. The Social Security Inspectorate had been involved since 1995 in a developmental project to examine and promote the further development of services to meet the social and psychological needs of individuals affected by civil unrest. Working with concerned and expert clinicians, the Disabled Police Officers Association had been working up a case for giving a higher priority to the treatment of the recurrent or constant physical pain from which so many

victims suffer. Several agencies had been collaborating in bringing forward proposals to develop a more comprehensive and effective counselling service.

## The Value of ‘Telling the Story’

- 3.12 As I received passionate letters of ten, a dozen or more pages, or listened to the first-hand account by survivors of their own trauma, I had a growing realisation that, for some at least, the cathartic effect of putting one’s experience on record is profound. I therefore listened with great interest and sympathy to the account by the distinguished poet, Damian Gorman, of his effort to build up a comprehensive archive

“ to gather and house individual experiences, feelings, testimonies relating to the ‘Troubles’ from as wide a range as possible. The process we are engaged in is open to absolutely anyone who wants to record - in words, images, or any creative podium - what they have been feeling during this time in all our lives.”

This project, called “ An Crann/The Tree” has interesting parallels with the determination of survivors of the Holocaust not to allow the sufferings of their lost relatives to be erased from history and the collective consciousness.

## Remembrance and Memorial elsewhere

- 3.13 I was fortunate indeed to be informed about, and to draw upon, the work of others. I also had to consider what useful lessons (if any) could be drawn from the efforts to afford recognition to victims at other times and in other places. As chance would have it, I have had the opportunity in recent years to visit a number of countries around the world who seek to remember the victims of violent conflict.

## The USA

- 3.14 Here I would like to refer in particular to the USA, Israel, Spain and South Africa. A visit to Washington these days commonly takes in the Korean and Vietnam Memorials as well as the great monuments to Thomas Jefferson and Abraham Lincoln. In the case of the Memorials those who are commemorated are the honoured dead of one side - the American side - in two great conflicts. Thus it is that although the Vietnam War was a source of grave domestic controversy within the United States, some of which spilled over on to the Memorial of that War, the ultimate form of that Memorial embodies the listing of names of “ our boys” common to War Memorials the world over. The American Civil War - a quarrel between brothers - had been a different matter. There are not, in practice, numerous memorials to all the dead American soldiers, be they Union or Confederate. It is much more common to find in the North monuments to the Union, and in the South monuments to the Confederate dead. The listing of former enemies side by side is highly unusual but not unknown. In the entrance to the beautiful chapel of New College, Oxford, two tablets face each other. One lists the very many names of alumni killed in the British forces during the First World War; the other lists the much smaller number of names of those

who also died fighting for their country, in this case Germany. This is likely to be possible only if there is some other basis for solidarity than national identity. The Lincoln Monument is inscribed with the magnanimous and memorable words used by the great President on the battlefield of Gettysburg; but such magnanimity, even from such a noble statesman as Lincoln, may only be possible in the aftermath of a comprehensive victory. As Churchill put it in his words introducing his vast history of the Second World War:- "In War: Resolution/ In Defeat: Defiance/ In Victory: Magnanimity/ In Peace: Goodwill." Perhaps the most relevant lesson from the Lincoln and Jefferson Memorials is that noble and healing words may have a part to play as one seeks to remember and understand the past.

## Spain

- 3.15 Spain also experienced a terrible Civil War. The vast and rather brutal monument at Valle de los Caídos (Valley of the Fallen) some 58 kilometres from Madrid purports to remember the hundreds of thousands of victims from both sides in the Spanish Civil War, but the fact that it is also the last resting place of the dictator General Franco, the victor of that war, diminishes its capacity to be a rallying-point in today's more pluralist Spain.

## Israel

- 3.16 One would need a heart of stone not to be moved by the remarkable Holocaust Museum at Yad Vashem in Jerusalem. Using a variety of techniques, and often making its point by understatement and simplicity, Yad Vashem is deeply rooted in the solidarity of the Jewish people, both inside Israel and outside it, in the face of their appalling experiences. I have referred elsewhere to An Crann/The Tree. A growing emphasis is now placed in Jerusalem on precisely that issue of record and remembrance which Damian Gorman and his colleagues have recognised as important. One remembers also in Jerusalem the remarkable stained-glass windows by Marc Chagall commissioned for the Hadassah Medical Centre, which illustrate the capacity of the graphic and other arts to create a space of refuge and tranquillity.
- 3.17 It is not only in Jerusalem that victims of the Holocaust are remembered. There is today a fine Museum for that purpose in Washington DC, and efforts taking over ten years to create such a facility in Berlin seem at last to be coming to a conclusion. It is no surprise to learn that the Berlin project has from beginning to end been difficult and controversial.

## South Africa

- 3.18 Then there is South Africa. Time and again my attention has been drawn to events in that country, so brutally divided in the past and seeking to find a way forward through a maze of difficulties. It has been a society riven by conflict: between black, white and coloured; between liberal and authoritarian; between English and Afrikaner traditions in Church and State; between tribes and competing political factions. It would be quite premature to conclude that the prospect or reality of violence has been eliminated through political development, but a number of those I met who had studied its role and work pointed to the model of the Truth and Reconciliation

Commission as one means of recognising victims of the conflict there, by seeking to establish the truth about the circumstances in which they suffered. It has to be remembered, though, that movement to establish such a Commission came out of the wider political process, and involved a 'trade' between the establishment of the truth and the possibility of amnesty at the Commission's discretion. This may be a useful indicator that action to recognise the victims of a conflict could be, and arguably should be, an element in the wider political process rather than an initiative isolated from it. South Africa is by no means the only country to have resorted to the device of a Commission with a role in establishing previously-obscure facts.

- 3.19 While it is useful to look at wider international experience, it would be a mistake to suppose that our current situation is on all fours with any of the examples I have considered above. The Korean, Vietnam, American Civil and Spanish Civil Wars had all been brought to a clear-cut end, through victory or some other means. In South Africa the parties had, happily, not 'fought to the finish'; but by mutual accommodation moved at least into a distinctive new phase, as pregnant with possibility as with difficulty. Here in Northern Ireland it remains to be seen whether we can reach an accommodation widely acceptable to parties and people, and whether such an accommodation itself can bring the cycle of violence to a definitive end.



*Timeliness*  
*Whether*  
*and When*

# *Timeliness: Whether and When?*

## Opposition to the idea of 'A Memorial'

- 4.1 Some of those who communicated their views to me (albeit a minority) were notably antipathetic to any action by way of remembrance either now or in foreseeable circumstances. There seemed to me to be a variety of motives for reaching such a negative conclusion. There were those who regarded any programme of 'recognition' as a distraction from issues they considered more important, including the establishment of the truth and the bringing to justice and the condign punishment of those responsible for various crimes and atrocities. There were others who considered the first priority should be to look for a spirit of apology and repentance from those, whether Governments, parties, organisations or individuals, who had done wrong. Critics felt that successive Governments had failed to get a proper grip on the political and security situation, and that 'recognition' would be no more than a sop to people who had suffered as a consequence. Still others took a different view. This was in essence that our society should close the book on those painful times, look to a more harmonious future and avoid the memorialisation of events which could only open old wounds and revive old divisions.
- 4.2 It became very clear to me that, while some would be very happy to receive special treatment and recognition as 'victims', others would abhor it. The reaction to trauma differs enormously from one individual to another. One remembers John Mortimer's biographical work 'Voyage round my Father', in which his barrister father, suddenly struck blind in adult life, refuses absolutely to acknowledge his changed state or to have it referred to within the family. The ability of some people to shrug off appalling disabilities, and to prefer self-reliance to dependence upon support, is simply astonishing.

## Arguments for A Memorial

- 4.3 While I considered all these views with the utmost respect, I found myself ultimately unable to support them. In some cases they may have been based upon a false premise that formal memorialisation is the only available form of 'recognition'. For the rest, it has to be emphasised that proper recognition of victims does not stand in the way of progress on other fronts but could indeed, in the right circumstances, contribute to it. Moreover there is nothing in the history of Ireland to give us any grounds for believing that such a traumatic period in the life of our community can be eliminated from the collective consciousness. We truly need to remember those who have suffered, to grieve at the side of this communal grave, to reflect upon the truth of what occurred and to move forward from there. Above all, we have to persuade our children how costly and counter-productive it would be to pursue the animosities of the past. Every Holocaust museum or exhibition around the world must revive the most painful memories for Jews, but few amongst them seem to doubt the need for the world and their own descendants to remember and reflect. Not least amongst the objectives is that the memory of dead individuals, of dead families, of dead communities should not fade into the mist of history as if they had never been. This is an aspect which will be considered further.



## Scepticism about an Acceptable Solution

- 4.4 Another minority might be described as the 'sceptics'; those who were not opposed to 'recognition' in principle, but who expressed extreme scepticism that any realistic means to achieve it could be identified in such a deeply-divided community. When my appointment to lead this Commission was announced, even close friends frequently used the expression 'a poisoned chalice'. Again, it became apparent as I proceeded that some of this scepticism flowed from the idea that my sole concern would be with some sort of formal memorial of traditional style, raising all kinds of obvious difficulties about categorisation and scope. As the next three Chapters show, I believe this is to take much too pessimistic a view - that it should be possible to look for means of recognition which are dignified, appropriate, reconciliatory rather than divisive, but above all timely.

## Importance of the Wider Civic Environment

- 4.5 On the question of formal memorials to the casualties of a conflict, it is often - though not always - the case that action is taken to mark the end of that conflict. This does not impede particular interests from listing their honoured dead on some plaque or other memorial while a conflict continues, and adding further names from time to time. There are not a few instances in Northern Ireland where this has, indeed, been happening. It could, however, seem odd and inappropriate to establish some central memorial to the dead of the whole conflict while it continued. A difficulty then is that our conflict may not have a tidy end, as may be achieved through an Armistice when nation states call a halt to military activity. The prospect of continuing action by irreconcilables, even in the face of a settlement widely acceptable to the population as a whole, cannot be ruled out. Nevertheless such a settlement would, as in South Africa, represent, if not an absolute end to violence at least a defining stage in the relationship between communities.

## Need to address Three Dimensions: Practical help; A non-physical memorial scheme; A physical memorial project

- 4.6 As I have explained, I have adopted - in what may be an apt echo of the wider political process - what might be called a "three strand approach", involving consideration of practical forms of recognition of victims, memorial schemes in honour of those who have suffered and died, and projects for physical memorials of various kinds. The yardstick of timeliness applies in a different way to each of these distinct strands of inquiry. It is in the case of the physical memorial that the issue of timing is most sensitive, as I shall discuss fully in Chapter 8. On the other hand, if victims can be recognised by action of positive economic, social, medical or psychological benefit to them there can be no good reason for delay; indeed, any evidence of a continuing conflict would underline the need to have the best possible arrangements for the support of victims, and even a total cessation of violence would leave thousands of people coping with bereavement, the burden of caring, and/or the effects of physical or psychological damage for many years to come. The timeliness of non-physical memorial schemes would depend upon their nature; but it would certainly be possible to develop ideas capable of introduction whatever the wider political and security situation might be.



*Recognition*

*by Way of*

*Practical Help*

# *Recognition by Way of Practical Help*

## Priority for the Views of Victims

- 5.1 I have emphasised in Chapter 3 the extent to which I made it a priority to invite and to consider with great care and sympathy the views of those who have experienced at first hand the direct or indirect consequences of violence attributable to the Northern Ireland situation; that is to say those affected to a material degree by the death or serious injury of others, together with those who continue to suffer themselves, physically, mentally, emotionally or economically as the result of violence from which they have sustained injuries.

## Emphasis on Practical Needs

- 5.2 Many of these argued that the only form of recognition of any value to them would be recognition of their continuing practical needs; most consider this form of recognition a higher priority and a more urgent necessity than the designation of some kind of memorial project or scheme.

## Sources of Practical Help

- 5.3 As a modern social democracy, the United Kingdom understandably takes pride in maintaining a comprehensive and multi-faceted network of support for those in greatest need. The problem of injury or death arising out of the political or other criminal violence has been specifically addressed by statutory provision for compensation, administered currently by the Compensation Agency. I was informed by the Agency that at 31 March 1998 it was estimated that £413 millions had been paid out under this code. There is an elaborate system of primary medical, hospital and social services intended to advise and to treat appropriately those who suffer. Many admirable voluntary and community agencies, often enjoying support from Government, European Union, IFI or other funding, dedicate themselves as a sole or significant objective to the relief of the sufferings of victims and/or their dependants. Political parties have every opportunity to be conscious of the extent of suffering. Churches, in the very nature of their calling, are a natural source of sympathy and support for the many adherents.

## Views of Victims that more should be done

- 5.4 Is it the case, then, that every need has been or can be met; that victims feel the State and society rate their concerns as a very high priority and offer as much advice and support as can reasonably be expected from them? With regret, I have to conclude that this question has to be answered in the negative. Too many people are carrying into the future, alongside their physical or emotional injuries or loss, a corroding sense of grievance. Too many victims who came to public meetings to

meet me expressed the view that in 15 or 20 or 25 years they had enjoyed no adequate opportunity to voice their feelings to any one representing, or close to, authority.

## Criminal Injuries Compensation

- 5.5 I heard many criticisms of the compensation process. Not surprisingly, many lay people do not understand the significant respects in which compensatory arrangements in Northern Ireland differ from those in Great Britain.
- 5.6 In brief, compensation from the State for the victims of crime in Great Britain is now made by virtue of the Criminal Injuries Compensation Act 1995 under a "tariff" scheme, under which a special "tariff" is laid down for each kind of personal injury and for death. In Northern Ireland, on the other hand, State compensation has continued to be governed by common law principles which seek to compensate the particular loss suffered by each individual victim and which are subject to interpretation and application by the courts accustomed to assessing the damages payable to ordinary accident victims in the context of the common law. The considered view of academic and other observers is that the Northern Ireland scheme, taken as a whole, is generous; not least because awards are not, as they are now in Great Britain, subject to a "cap" of £500,000. Of the total sum paid in compensation to all victims of criminal injuries (set out in para 5.3 above), it is very broadly estimated that £186 million has been paid to victims of terrorist violence; within this £26 million on awards upon the death of a victim, and a further £160 million on awards for injuries to a victim. In assessing these figures, account must be taken of the fact that many of these awards were made a considerable time ago.
- 5.7 It is important to note some circumstances in which payment of compensation can be withheld or reduced. Payments to compensate for pain and suffering and loss of amenities as a consequence of what may be described as 'nervous shock' can only be made where the nervous injury results in a serious and disabling mental disorder, when a victim sustained that injury by virtue of being present when the crime was committed, and when the injury merits a compensation award of at least £2,500. It can be readily understood that the State will wish to protect itself against false claims and to avoid a flood of applications relating to trivial and probably temporary conditions. A claimant who has experienced the death of her husband in her arms may nevertheless find it hard to understand that her subsequent trauma and disablement, whether evident at once or manifesting itself later, cannot be compensated because she was some little distance away at the time of the attack upon him.
- 5.8 The Northern Ireland code also requires the compensation authority to take into account in specific respects the conduct or character of the victim or claimant. It can be appreciated that the taxpayer would be loathe to see compensatory payments made to persons, or in respect of persons, whose own conduct had contributed very substantially to their exposure to death or injury. But the application of this principle can throw up some difficult issues. Should the compensation payment to an individual who has suffered from a "punishment beating" be limited or refused altogether because his own anti-social behaviour has been notorious? Limitation of awards in such cases might lend weight to a pernicious conclusion that it was "really his own fault". The law also provides that no compensation shall be paid in respect of the death of or

injury to any person who has **at any time** been a member of an 'unlawful association' or 'engaged in the commission, preparation or instigation of acts of terrorism'. There is a fall-back provision in that the Secretary of State may authorise such a payment "if (s)he considers it to be in the public interest to do so"; I understand that this discretion has been rarely exercised. Again, the reason for exclusion can be well understood. Yet we live in a society where, unhappily, very young men and women have sometimes been introduced into terrorism through peer pressure, yet in later life, after a considerable period of non-involvement, may marry and bring up a family. Are that wife and those children, who may well have been wholly innocent of any fault, to be exposed to long-term economic hardship as a consequence of such a person's later criminal injury or death?

- 5.9 I should add here that many of those victims to whom I spoke found the procedures complex, baffling, frustrating and on occasion humiliating. Some were very well satisfied by the quality of the legal advice they had received; others thought they could have been better advised. A critical moment comes when an applicant has to decide whether to accept an offer made to him/her. Some felt that they had faced an invidious choice between acceptance of an unsatisfactory award and the consequences of further delay, perhaps leading to a court appearance and the prospect of adversarial cross-examination. A number of victims felt they had endured an unreasonable struggle to secure advances of compensation, in circumstances where their tragically changed condition called for early expenditure, for example to adapt a family home in order to cope with physical handicap.
- 5.10 The subject of compensation is a complex and wide-ranging one. I am, however, persuaded that certain aspects of the law and procedure merit further serious review. In the course of my own earlier career, I have often had to come to the melancholy conclusion that schemes apparently well-matched to their purpose do not always deliver the goods. Overall the Northern Ireland Criminal Injuries scheme is judged to be generous whether in the British or the wider European context. Yet a scheme can be generous overall without being accepted as equitable by all those affected. Recipients of relatively modest awards inevitably draw unfavourable comparisons not only with awards in different categories - such as compensation for "tripping accidents" or awards for damage to reputation in libel cases - but also with awards to others under the Criminal Injuries scheme itself. Given that the underlying yardstick is the loss of "maintenance" to a family, the death of Mr A., a successful individual in the prime of life with realistic expectations of continuing high earnings, will be recognised by compensatory payments well in excess of those made available in the case of Mr B., an ailing older man with a long history of unemployment and poor job prospects. As a consequence, Widow B's perception is that her husband's life has been deemed by the State to be "worth less" than that of Husband A. The distinction is, of course, between compensation for what has been lost in the material sense and any attempt to achieve an essentially social objective. I received from Dr Uri Yanay of the Hebrew University of Jerusalem some interesting material about the progressive development in Israel of schemes of "assistance to civilian casualties of hostile actions". As these schemes have been updated and essentially made more generous, earlier cases have been re-visited. I read with interest an observation made by a member of the Knesset in tabling the Victims of Hostile Actions (Pensions) Law of 1970 to the effect that the objective should be to reflect "both ethical and social justice: It [the updated scheme] prevents discrimination of the indigent and bases the benefit on equal rights for every

casualty, regardless of income at the time of injury". This illustrates, I think, the reality that there are different ways of approaching the development of a policy for payment of compensation. No scheme will ever be universally acceptable; wherever a line is drawn, some applicants will find themselves on the wrong side of it.

- 5.11 In December 1987 Professor Desmond Greer of Queen's University Belfast wrote a paper on "Compensation and Support for Victims of Crime" which was published in the Fourteenth Report of the Standing Advisory Commission on Human Rights. This paper included the recommendation that:

*"Consideration should be given to the overall effectiveness of the various provisions to ensure that the payment of compensation to the victims of crime - and particularly the victims of terrorist crime - was adequate."*

In spite of this, no comprehensive review of this kind has been carried out. In England and Wales the Law Commission is currently engaged in a comprehensive review of the principles underlying the assessment of damages for accident victims and their operation in practice. I believe that the time has come to establish an objective, independent, and wide-ranging review of the "Fitness for Purpose" of the compensation system as it is operated in Northern Ireland. It should take evidence not only from those concerned in, or knowledgeable about, the operation of the current Northern Ireland scheme, but also from those familiar with compensation arrangements elsewhere.

## Other Economic Support

- 5.12 Of course direct or indirect victims of violence do not look to the statutory compensation arrangements alone for the economic support necessary to sustain them in their tragically altered circumstances. At this point it may be helpful to suggest the several levels of responsibility which it is reasonable to expect the State and society to acknowledge. A caring State will wish to assure itself that so far as is practicable within available resources, the victims of criminal violence do not suffer excessive economic disadvantage on top of the physical, mental, psychological or emotional burdens they have to bear. This does not mean that the State can ensure that no material loss whatever will be suffered. Nor does it mean that the State alone could or should accept the sole responsibility for the necessary support. Most victims enjoy the material as well as the psychological support of close family members.

## Role of the Concerned Employer

- 5.13 Next, I believe that in a situation such as ours all employers should do what they can to be good and caring employers, ready to make allowances for those who face special difficulties. This obligation should be accepted in particular by State employers, not least in a jurisdiction such as Northern Ireland where such a high proportion of those in employment work in the public sector. At a time when the universe of "equal opportunity" encompasses the fair treatment of the disabled, it needs to be borne in mind that the victims of violence and those close to them have special needs and circumstances. It was a matter of concern to me that a dedicated school teacher who wanted to continue work while adequately caring for a seriously disabled young husband felt that her head teacher had made virtually no allowance for her special circumstances.

## Need for Special Consideration of those who Serve the Community

- 5.14 In addition, special concern is appropriate for those who, in carrying out their public duties, were exposed to risks and dangers beyond the average. This includes not only the disciplined services who have been in the front line of protecting the community - regular servicemen, locally-recruited soldiers, regular and reserve policemen, members of the Prison Service and others - but also people such as firemen or ambulance personnel or public transport operatives, the nature of whose duties has often exposed them to dangerous locations and situations.

## Distinctions between Categories of Victim

- 5.15 My impression, from the evidence I received and from numerous discussions with those affected, is that the most vulnerable of all are those numerous victims who were not associated with any faction, cause or organisation; the many "little people" caught up in violence, often in relatively isolated incidents too soon forgotten outside the immediate family. Not surprisingly, those organisations whose members have been exposed to continuing risk of death or injury have learned a good deal from their experience, and nowadays look after their members and ex-members relatively well. It was clear to me from many conversations with victims from 20 or more years ago that this was not always the case. The RIR (concerned now with former members of the UDR) has today an effective and energetic network of Welfare Officers, and the generosity of donors over the years has built up a very substantial Benevolent Fund which is used to good effect. Regimental associations of the regular army are often in a position to lend material aid to ex-soldiers and their families, although some regiments are better placed than others in this respect. The RUC take good care of serving officers. As against this prospect of better support one has to set the sad fact that many victims from a security background, feeling themselves to be at continuing risk, remain circumspect in their choice of friends and associates and even in their use of external support services when they cannot feel sure of the motivation of all those with whom they may come into contact.

## Need for a Sympathetic and Understanding Approach by Public Agencies

- 5.16 It is hardly surprising that, amongst the wider circle of victims, one frequently encounters disappointment that access to one means of economic support can often mean reduction of another. It has to be understood here that the State will not wish to pay twice for alleviation of the same condition. Moreover some of the concerns expressed on this front are shared by other critics of the way in which social security, pensions and tax provision sometimes bear upon the most needy. This is a huge subject, and I do not think that in practice the question of the support of victims of violence in Northern Ireland can be separated from the wider debate. Whatever the system may be, it is important that the dealings of bureaucracy with these victims should be conducted with sympathy and understanding. Some of those who spoke to me, for example, expressed concern about being exposed to excessive medical re-examination for conditions already

confirmed as permanent by reputable consultants. Certainly the procedures for addressing these sad cases, while respecting the obvious requirements of public accountability, should be made as 'user friendly' as possible. I recommend that all the public authorities dealing in any way with the concerns of such victims should be asked to re-examine their procedures and practices, against the yardstick that the most senior officials should satisfy themselves that the approach would be acceptable if it had to be applied to members of their own family.

## A Public Expenditure Priority: Need for a 'Champion'

- 5.17 There is a wider point of public policy to be made here. In recent years "Targeting Social Need" has been a headline priority for public expenditure in Northern Ireland. On foot of this (and indeed to some extent preceding it) there has been comprehensive public action to address the special problems of areas of multiple deprivation. While it is true that a relatively high proportion of victims of the past 30 years live in just such areas, there are a considerable number who do not, and in many cases their material and other circumstances are just as bad. I believe that the victims, as an aggregation of individuals, need to be more specifically targeted by public policy. It is relevant here that all victims are recognised in precisely this way in the EU Special Support Programme for Peace and Reconciliation. I recommend that particular regard to the circumstances of victims should be made a specific sub-set of the TSN objective, to be acknowledged in the wider setting of the comprehensive spending review recently undertaken. In order for this to be done, this cause merits the designation of an immediate 'champion' within the Government machine and I recommend that this responsibility should be discharged by a designated senior officer in one of the central departments.

## Advice and Counselling

- 5.18 A very significant issue is the degree of advice and counselling available to victims, both in the immediate aftermath of a traumatic episode and over what may be a prolonged period during which the adverse effects continue to be experienced. I refer here to a very wide spectrum of activity from the availability of the most practical forms of advice and guidance to the provision of highly-professional clinical treatment for post traumatic stress and other disorders.

## Need for Support in Immediate Aftermath

- 5.19 Let us consider, then, the immediate aftermath of a violent incident leading to death or injury. Those concerned - not only the central victim but a considerable number of those close to him or her - will be shocked and traumatised. In addition to death or injury there may well be other serious and immediate problems, such as the loss or damage of a family home, or even security advice that it would be prudent to leave the area. In the case of physical damage to property the Northern Ireland Housing Executive has acquired a considerable reputation for swift practical advice and emergency aid. Those fortunate enough to be part of a caring family will rely heavily upon the support of family members or friends not directly affected. Not everyone will be so



fortunate, for some victims will be physically and personally isolated. The most likely first-line of contact in the immediate aftermath may well be the local police, who are likely to advise a victim to consider urgent access to a solicitor to prepare a claim for Criminal Injuries Compensation. Other contacts may well be with a General Medical Practitioner or a minister of religion.

- 5.20 In this instance the writer of this report can bring a degree of personal experience to bear, having suffered the impact of a terrorist attack upon his home in 1988, fortunately without injury to any member of the family. The situation presented almost immediately the urgent need to tackle a wide range of practical problems while adjusting to the shock and trauma of the situation. If this is the perception of a person long exposed to practical problems and bureaucratic processes, and fortunate enough to have escaped death or injury, it can be well imagined how daunting is the prospect for a person who has never faced similar problems and is trying to cope with suffering and grief.

## Need for Longer-term Support

- 5.21 For many, facing up to the immediate aftermath will be no more than the difficult first step along a life-long journey. The long-term effects of exposure to violence will not always be evident at the outset. Some of those who make an apparently complete recovery from physical injury may find deep emotional and psychological problems surfacing at a later stage. Not a few of my contacts told me painful stories of their recourse to drink or drugs in an effort to submerge deeply rooted feelings. Children showing little immediate ill-effect could prove later to be subject to serious behavioural or educational problems.

## Excellent Work in Progress

- 5.22 How well do the State and society cope with these problems? In some cases, advice or support will be available, accessible and widely known; in others available but only discovered by victims after much pain and effort; in yet others not available at all or available to a very limited extent constrained by resources. There is in place a very extensive but currently uncoordinated network of agencies offering practical advice and support. This includes a wide range of public authorities and many organisations in the voluntary sector, some of which, such as Victim Support or WAVE, focus directly upon the problems of victims while others encounter these in dealing with a wider range of issues. I was particularly grateful to NICVA for setting up a most useful meeting at which I encountered representatives of a number of such organisations. I also learned a very great deal from Mrs Marion Gibson of the South and East Belfast HSS Trust who has made such issues a special concern.

## ‘Living with the Trauma of the Troubles’

- 5.23 At the time of taking up my appointment, I was pleased to learn that the Social Services Inspectorate of DHSS had been leading a project to examine and promote the further development of services to meet the social and psychological needs of individuals affected by civil unrest in Northern Ireland. This project was facilitated by an experienced Reference Group

drawing upon the services of relevant officers from the public sector, academic and medical opinion and organisations familiar with the problems of victims. The subsequent report, "Living with the Trauma of the Troubles", published in April 1998, gives an impressive summary of key issues and makes a substantial number of constructive recommendations and proposals. For convenience I attach as Appendix 2 the recommendations of this report. The conclusions reached by the project review team sit very comfortably with my own findings from contact with those affected. I would echo in particular the recognition that 'there is now a discrete group of people who have been affected by civil unrest and who have common as well as differing needs arising from their individual experiences'. I recommend that the most serious and urgent consideration should be given to the recommendations of the review team whether directed to Government, to specific statutory agencies, to the legal and medical professions, or to others. I commend in particular the emphasis placed upon proper training and supervision of those who offer counselling, the arguments for a register/directory of available services and the availability to legal representatives of information on supportive services for use of those who seek compensation.

## Advice available but not force-fed

- 5.24 I would emphasise that no "counselling" in the widest sense should be forced upon anyone. One does not want to reinforce a culture of dependency. Some of those who suffer prefer to cope with problems in their own way and at their own pace; to shed as rapidly as possible the status of "victim". The aim should be to provide adequate information and support when it is needed and sought for. It should be made as simple as possible for victims to find out where they should turn for help, within their own locality, in dealing with specific types of problems. The victims, in my view, need signposts, champions and protectors.
- 5.25 All of those likely to be in early contact with victims in the immediate aftermath of an incident - and this certainly includes police, medical practitioners and clergy - should ideally be provided with a simply-written summary of "Points to think about and places to look for help". This would need to be localised. A victim in Strabane should not have to seek assistance from Belfast. He should be able to receive an answer to the question "Where can I get the most accessible help?"

## Need for a Powerful Voice for Victim interests

- 5.26 When we come to the need for champions, it is not so much a case of having no voices to speak for victims, but rather a cacophony of relatively uncoordinated voices. Many people made the point to me that there seems to be a stronger and more effective lobby operating in the interests of prisoners or ex-prisoners than there is in the interests of victims. I would not contest for a moment the desirability of ensuring that former prisoners are assisted to achieve a re-integration into normal society and in particular to resume gainful employment. It would, however, be quite unacceptable to provide services for the benefit of those convicted of serious offences which are not matched in dealing with the victims of such crimes, including in particular people placed in the path of danger by service to their community.

## A Standing Conference?

- 5.27 If the effective champion I believe the victims need and deserve is to be available, three things need to be addressed. First, sympathetic consideration should be given to the provision of funding which would allow excellent organisations such as WAVE to provide more comprehensive services throughout the Province. This would involve funding further capital development, employment of additional staff and - in line with the recommendations of the SSI Group - appropriate training and accreditation. Northern Ireland today is characterised by an exceptionally extensive network of community and voluntary groups, some of which are directed to single and others to multiple purposes. In the areas most severely affected by violence, it is to be hoped that multi-purpose groups will accept services to victims as a special concern and take advantage of opportunities to acquire the skills and knowledge required for that purpose. Second, the question of longer-term funding needs to be urgently addressed. Too many organisations and projects of demonstrable utility currently depend heavily on funding mechanisms which will not be available forever, eg through EU programmes or IFI. Yet the affected population will in many cases face considerable problems into the indefinite future. The domestic administration needs its own Peace and Reconciliation budget and room must be made for this in determining overall financial priorities. In this context, it will be important to establish objective methods of evaluating need, so that resources are directed at the communities and groups that have suffered most, and not merely at those who are good at obtaining resources. Third, I believe the interests of victims would be better served by the creation of a collective voice, in the form of a Standing Conference of Organisations Supporting the Victims of Violence. This may not be easy to achieve, given the sensitivities of particular categories of victim, but I believe some such step is required to raise the profile of the entire issue.

## A 'Listening Ear': Case for a Standing Commission or Ombudsman for Victims

- 5.28 But if the victims need a more clear voice, they also need a sharper listening ear. In the short term this need could be addressed in part by the designation of a senior officer in a central department as recommended in paragraph 5.17 above. In the longer run there is a strong case for creating an influential body or office to oversee the delivery of appropriate services and to be a focus for complaints, recommendations and requests from the relevant interests. This could take the form either of a 'Standing Commission for the Protection of Victims' (possibly with members nominated by other governments as well as that of the United Kingdom), or the creation of an office of Protector or Ombudsman for Victims. Such a commission or officer could be charged with responsibility for keeping under review the adequacy of services and the availability of advice.

## The Problem of Pain

- 5.29 Of course many victims face continuing problems of a clinical nature; pain, disability, mental disorder, psychological stress and so on. I have, for example, in the course of my work as Commissioner encountered a very substantial number of amputees, many of whom complain of

the well-established syndrome of “phantom pain”. In this area of my work, I encountered many indications that we have not yet matched adequate provision and resources to the widespread problem of pain relief. In the United States, where the tragic Vietnam conflict left many amputees and others facing continuing pain there followed a period of rapid development of research into and advanced treatment of pain. Here in Northern Ireland we take it for granted that special effort will be directed to medical conditions particularly prevalent in our society. The problem of physical pain is of large dimensions, with many tragic elements including the fate of so many young men left permanently maimed and often in continuing pain from the grotesquely-misnamed “punishment beatings” or “punishment shootings”. No doubt some of these attacks were mounted in what the perpetrators presented as a response to ‘anti-social behaviour’. Such brutal treatment of persons without trial and without mercy is unacceptable in any civilised society, and those who have suffered from it deserve help to re-build shattered lives. In addition, there are serious problems of continuing mental and emotional trauma, which often impact upon relatives, and in particular the children of victims.

## Case for Higher Priority for Treatment of Pain and Trauma

- 5.30 I was advised by a reputable senior consultant who has himself treated over 400 cases of acute pain since 1968 that, in the face of injuries to more than 40,000 people overall we have no more than seven ‘Pain Relief Centres’, each with a very substantial workload and with some patients having to wait up to two years for treatment. He informed me that a recent survey of family doctors had shown that 90% considered the present level of Pain Service inadequate. A higher funding priority for the relief of pain could permit the recruitment of specialist dedicated Pain Service nurses, the replacement or supplementation of old-fashioned equipment and a wider use of developing but still costly innovative techniques. I recommend that DHSS, the Management Executive, Health and Personal Services Boards and Trusts should give a substantially heightened priority to the treatment of pain, and should co-operate with the local Universities in creating a new focus of research excellence in this area. I have also been impressed by the argument that better provision may need to be made for a special category of victims; those requiring skilled psychotherapeutic treatment of conditions such as Post Traumatic Stress Disorder and the aftermath of torture. Consideration should be given to the establishment of a dedicated professional Trauma Centre drawing on the best international practice. Of particular concern is the number of children and adolescents, including those suffering as a consequence of violence in our society, who have to be based in adult in-patient psychiatric facilities. I understand that there are today no more than six residential psychiatric beds for young people in Northern Ireland. There should be better training of mental health and general practitioners in the recognition, referral and treatment of conditions they are all too likely to encounter.

## A Victim’s Perspective

- 5.31 The fact that so many people suffer from continuing pain reinforces the need stated earlier for greatly improved advisory arrangements. Someone who suffered serious injury wrote to me to say:

*“After the initial stages of recovery the main thing I needed was help and advice. Where do I live?; what adaptations do I require?; how do I get around?; who can provide answers to these and dozens of other questions? In fact, it was very difficult to find out where to go to get answers. Someone asked me recently who was in charge of my recuperation and, in all honesty I had to reply that I was.”*

The practical issues to be faced here include experimentation with and introduction of more satisfactory prostheses and of wheelchairs matched to the specific needs of disabled individuals.

## ‘Truth and Justice’

- 5.32 A further area for consideration in this Chapter is the emphasis laid by many victims on considerations of truth and justice. It will not surprise anyone familiar with the affairs of Northern Ireland to learn that such arguments came from widely differing interests. I received, for example, forceful and articulate representations from the group Relatives for Justice, representing relatives of persons killed in ‘Bloody Sunday’ in Derry, in the events in Gibraltar and in other controversial circumstances. They argued strongly that many of those they represented had been victims of “state terrorism”; in circumstances where the organs of the State up to the highest levels had been culpable, and where they believed clear evidence of that culpability was available and had been deliberately withheld. This group was frankly sceptical about my ability, as a retired servant of the State, to address such issues with the necessary objectivity. I am not sure that they accepted my assurance that, whatever my past position may have been, I was determined to approach my remit with complete independence. I had not been given any “steer” by Government about the conduct of this review, and would not have accepted it if it had been offered. Their views on this issue are, no doubt already well known to Government, but I promised to convey in this report their firm view that revelation of the full truth of controversial events was far more important for the victims they represented than any other consideration. This I now do. When I visited the Glenree Reconciliation Centre in County Wicklow, I met a substantial number of people who had suffered directly or indirectly from the bomb outrages in Dublin and Monaghan in 1974. Without exception they expressed great concern that no-one had ever been brought to trial for these crimes and that, as they saw it, so little effort had been made to establish or to admit the truth of what had occurred. Some of them gave voice to a passionate conviction that there had been collusion and cover-up. They asked me to register their firm view that all questions of memorialisation or compensation were secondary in their minds to the establishment of the full truth.
- 5.33 Others I saw expressed dissatisfaction with the events leading to attacks upon them. Some had felt inadequately protected in the face of a known risk, and suspected that on occasions the need to keep a useful informer in place had inhibited the authorities from giving a specific warning that could have saved them. I have no basis upon which to judge such allegations.

## Victims and Justice

5.34 I encountered a wide range of opinion that too often the victim seemed to be “out of the loop” when it came to dealing with the crime from which he or she had suffered. They felt that it should be possible periodically to find out whether the police were making progress in bringing perpetrators to book. Many argued that victims should be alerted to the release, either on completion of term or otherwise, of persons imprisoned for attacks upon them; it would be disconcerting to find oneself unexpectedly face-to-face with someone found guilty of a murderous attack. Others pointed to frequent situations when the involvement of individuals in attacks upon them was common knowledge, but the lack of evidence and/or of witnesses willing to come forward left the malefactors at liberty in close proximity to their victims or to survivors. Many, again, expressed great concern about their treatment in court. They found the robust approach adopted by many barristers in the context of our adversarial system of trial to be deeply disturbing when added to their other burdens.

## Code of Practice for Victims of Crime

5.35 Against this background I was pleased to learn of the development by the Northern Ireland Office of a Code of Practice for Victims of Crime. A Victims Steering Group which has assisted the NIO in its preparation will have expertise which will be invaluable to any wider forum established to afford a louder voice and a better hearing for victims. The emphasis in the new Code on the right to expect investigation and information, to have one's interests taken into account, to be afforded emotional and practical support, and to be treated with respect and sensitivity is altogether admirable. The Code is, of course, directed at victims of crime of every kind and not simply at victims of criminal violence, and it emphasises the key role of the charity Victim Support. The new Code goes a long way towards the provision of the kind of “route map” required by victims. I recommend that the NIO monitor carefully the observance of this Code of Practice, not least in terms of respect and sensitivity to be accorded to victims by all officers of the court.

## A Truth and Reconciliation Commission?

5.36 I have already touched, in paragraph 5.32 above, upon considerations of truth and justice. A number of those who were in contact with me argued strongly for the establishment of a Northern Ireland equivalent of the South African Truth and Reconciliation Commission. The South African Parliament set up the Truth and Reconciliation Commission, with its three Committees on Human Rights Violations, on Amnesty and on Reparation and Rehabilitation in 1995 “to uncover the truth about the political conflicts of the past”. The Commission, a terminable instrument, would deal with “gross human rights violations that took place between 1 March 1960 and 5 December 1993”. The objectives, as set out in a Promotion of National Unity and Reconciliation Act, aim to:

*“give as complete a picture as possible of the gross violations of human rights which took place during the conflicts of the past;  
restore to victims their human and civil dignity by letting them tell their stories and recommending*

*how they can be assisted; and*

*consider granting amnesty to those ‘perpetrators’ who carried out the abuses for political reasons, and who give full details of their actions to the Commission”.*

I was fortunate enough to be able to meet some of those who have been involved in the work of the Commission or have had an opportunity to study its operation in South Africa.

- 5.37 South Africa is not the only country to have established some such mechanism after prolonged violence, trauma and division. Broadly similar mechanisms have been used from time to time in countries as diverse as Uganda, Bolivia, Argentina, Uruguay, Zimbabwe, the Philippines, Chile, Chad, Germany, El Salvador, Rwanda and Ethiopia. It is also the case that some of the matters referred to the South African Commission have been close to the centre of recent political dialogue, while others have been raised in evidence given to me. It has to be appreciated that while some in our society are talking of amnesty and general gaol delivery, others are arguing that their sufferings can best be recognised by condign punishment visited upon the perpetrators. A clear approach to truth may demand the corollary of reconciliation. Unhappily, “truth” can be used as a weapon as well as a shield. If any such device were to have a place in the life of Northern Ireland, it could only be in the context of a wide-ranging political accord. If the political leaders of Northern Ireland at some stage wish to pursue this possibility, I have no doubt that senior figures from South Africa would be more than willing to speak from their experience.

## The ‘Disappeared’ and ‘Exiles’

- 5.38 I have explained in Chapter 2 why I have had to adopt a circumscribed “working definition” of the victims. There are, however, some particular categories whose special predicament has been brought to my notice. There is, first of all, the poignant category of the “disappeared”. While this report has been commissioned by and made to Government, I would voice a fervent appeal, on behalf of those whose loved ones have disappeared without trace, that those who can offer information about their fate and where bodies may lie should now do so. I realise that many of those in possession of such information may fear the risk of inculpating themselves, but I am sure cast-iron arrangements could be made, if necessary through trusted intermediaries, to report such information anonymously and in confidence. Many of the relatives have faced up long ago to the probability that a loved one has been killed, but it is one of the most fundamental of human instincts to seek certain knowledge of the fate of a husband or wife, son or daughter, brother or sister. Common humanity cries out for this modest act of mercy. Another poignant problem is that of what one might call the “exiles”; those who, under pressure and threat of one kind or another, have felt a necessity to move out of Northern Ireland but would wish to return to their native place. It would be a strange aspect of any society attempting reconciliation if convicted prisoners were able to return home while unconvicted people felt it unsafe to do so. This is another instance of the need for interests outside Government as well as within it to acknowledge the contribution they can make to a better society.

## The Displaced

5.39 When I visited Enniskillen, I was faced with evidence of the special burdens borne by certain families in the zone adjacent to the border. Here, in all too many cases, attacks on family members have been so sustained or threats so serious that families have decided, or been advised, to abandon family home and farmland. Not a few of these people came under particular pressure by reason of service in the UDR or police. Often the ownership of a farm which has been in a family for generations will still rest with a displaced landowner, with the land let in a conacre and a steady run down of the assets of the farm business. Some of these victims were as a consequence unable to take advantage of various farm improvement grants when these were more readily available. Those affected regard themselves as local victims of "ethnic cleansing" and have made representations to Government for some form of special help. I would hope that those representations are given sympathetic consideration.





*Recognition  
by Way of  
Memorial Schemes*

# Recognition by Way of Memorial Schemes

## Existing Memorial Schemes

- 6.1 I have earlier pointed out that the ends of honouring the memory of a victim or victims can be achieved by means other than construction or designation of some form of physical monument. Thus:
- the sufferings of the casualties of the Remembrance Day bombing in Enniskillen are acknowledged in the Spirit of Enniskillen Bursaries, which enable parties of young people from both communities to experience life and the conduct of community relations in other countries;
  - the life and death of the late Ian Gow MP is marked by a Trust which makes grants to various causes and individuals in Northern Ireland, including certain integrated schools;
  - the life and death of the late Christopher Ewart-Biggs, the murdered British Ambassador in Dublin, is commemorated by a Trust which generously assists various Irish causes directed at peace and reconciliation; and
  - the young victims in Warrington, Tim Parry and Johnathan Ball are to be remembered in efforts by the local trust to promote closer contacts between England and the two jurisdictions in Ireland.
- 6.2 It was not surprising to find that many of those I consulted were attracted by the idea of recognising victims solely or partly through some scheme of practical utility directed to the victims and their families or to the wider community.

## An Archive

- 6.3 A number of those who approached me stressed the importance of allowing people to tell their stories and to create a record or archive of these times. An Crann/The Tree has made substantial progress on this front, and I received with great interest from experienced journalists information on the one hand about a plan to create a definitive objective account of every individual death, and on the other hand about the idea of creating a chronological archive - to be a resource rather than a memorial - supervised by a responsible Board of Trustees. I recommend that creation of an appropriate record and archive should form part of any wider memorial plans, when the time is right.

## A Focus on Children and Young People

- 6.4 Some suggested the creation of specific funds to be directed to various medical purposes. Overall, though, there was a strong emphasis upon the need to address what one witness described as

“ processes and initiatives focusing on youth and communities” . People generally were anxious to look forward to a hopefully brighter future as well as backward to a painful and divisive past. It was pointed out that there were opportunities to assist and encourage children and young adults at every level of the education system, not excluding higher education when fear of debt may deter applicants from disadvantaged backgrounds.

## A Memorial Appeal

- 6.5 It is in this area that the wider public could be invited to report to a widely-supported Memorial Appeal, although contributions should also be sought from Government. I would recommend that the focus of any such appeal should be upon compensating the children of victims for social and/or educational disadvantage suffered by reason of the death or serious injury of a parent through violence. Such a Trust might subsume the present purposes of the Spirit of Enniskillen Trust. Its benefits should be available to assist developing young people whose educational or other prospects have been affected by the violence, whether they live in Northern Ireland or elsewhere (so that, for example, children of killed or injured soldiers would be eligible for support). Indeed, such a Trust might well be given an international charter, so that people in the Republic and elsewhere could benefit.

## Support for ‘Mutual Understanding’ activity in Great Britain

- 6.6 My visit to Warrington prompted concern about another issue. There are, within the Northern Ireland system, various sources of public funding for activities designed to promote a Northern Ireland contribution to the promotion of mutual understanding as between communities in Northern Ireland and as between those communities and people elsewhere in these islands. Communities such as Warrington, following their tragic experience, are seized of the need to break down barriers of misunderstanding and mistrust. They are confident of their ability to raise some funding from private sources, but make the point that the development of better understanding should be the concern, within the United Kingdom, of Great Britain as well as of Northern Ireland. I recommend that the Government consider the possibility of some appropriate support for such causes in Great Britain.

## Civic Recognition

- 6.7 I received suggestions for according to Northern Ireland, in recognition of the sufferings and endurance of its people, some sort of civic recognition. Several separate individuals recalled the example of the award of the George Cross to the island of Malta, in recognition of its endurance during the Second World War.

## The Role of Religion

- 6.8 In their response to my invitation to submit views, many of the churches emphasised the importance of a spirit of reconciliation as the best form of recognition of victims. There were suggestions that electronic media should be used in a regular call for reflection and remembrance; that Radio Ulster should produce a regular “minute of prayer” based upon a reflection and appropriate biblical text.

## A New Public Holiday: ‘Memorial and Reconciliation Day’

- 6.9 I was particularly attracted, however, by proposals for a new public holiday. Too often in our society holidays are an occasion of division, respected more by one tradition than another or by one tradition only. Associated with such events we often have the display of flags, emblems and symbols regarded as partisan. No-one could or should in a free society seek to prevent the expression in a controlled and inoffensive manner of essentially sectional views. Ours is, and will remain, a pluralist rather than a monolithic society. But it would be a step forward if, just for once, we could join periodically in a universal act of remembrance and reconciliation. This might be done by designating a particular Sunday in each year as Memorial and Reconciliation Day, to be recognised in religious services organised by all the main denominations. If held (say) on the Sunday immediately prior to the May Day holiday, the latter day might be made the occasion for events of a more communal or civic character. It might even be possible to think of a universal rather than a divisive emblem, such as a buttonhole based upon the flower of the gorse or whin-bush, so characteristic of our countryside, so prickly and menacing in winter and so beautiful in spring. However the idea of a Memorial and Reconciliation Day could only be profitably pursued in a more stable atmosphere, and with the approval and commitment of the churches.



*Possible*  
*Schemes*  
*of Physical Memorial*

# Possible Schemes of Physical Memorial

7.1 In the foregoing Chapters, I have argued that the first priority in providing greater recognition for victims should be to assure them of better social, economic, medical and other practical support. I have explored also the possibility of developing memorial schemes of a non-physical kind, which might themselves also be directed to causes supportive of the victims. In this Chapter I consider possible forms of physical memorial which could be considered and brought into being at an appropriate time.

## Scope of Appendix 1

7.2 Many helpful and constructive suggestions were made by those who were in contact with the Commission during its work. These suggestions are set out in full in Appendix 1 to the Report, so that the reader may judge whether other ideas than those I would favour have substantial merit.

## A Memorial of Public Utility

7.3 There is, first of all, the possibility of developing as a memorial some project of wide public utility. There is ample international precedent for this, exemplified in the naming of airports to honour the memory of some notable figure. This need not be a new facility erected for the purpose, but could be an existing project given a new name, as when New York's international airport at Idlewild was re-named John F Kennedy. If such an initiative were to be considered here, an appropriate title might be "Northern Ireland Memorial" airport or other project. Some of those who would wish to acknowledge the suffering of victims in the Republic as well as in Northern Ireland would see attraction in naming a greatly upgraded road between the two capital cities as the "Belfast-Dublin Memorial Highway". Clearly any project singled out for such a purpose would need to be striking, accessible and widely used.

## A Memorial National Park

7.4 Many of those who were in touch with me were attracted by the concept of a memorial characterised by peace and tranquillity. One way of achieving this might be by means of the public acquisition and future maintenance of some area of particular scenic beauty not currently enjoying such protection. This oasis of tranquillity could be maintained as a Northern Ireland Memorial Park.

## A Forest or Garden

- 7.5 I was struck by the way in which so many were attracted by the symbolism of natural decay, regeneration and growth. The return of Spring with the renewal of growth and colour has echoes for many Christian people of the cycle of death and resurrection, of that promise of “ everlasting life” which has been a stay and comfort for so many people in their darkest hour. So it is that suggested forms of memorial have included the dedication of a native forest or the planting of a new one, with the opportunity for those who mourn to plant a tree in honour of those they remember and mourn. Many, too, were much attracted by the idea of a beautiful garden either as a setting for a memorial or as the memorial itself.

## Forms of Built Memorial

- 7.6 I also received various suggestions that some form of physical monument should be constructed. Historically, remembrance by such means has taken many different forms: a statue or other piece of sculpture; an arch; an obelisk or plinth; a building dedicated to contemplation or specific religious use; a museum; an archive; a multi-media presentation of the events remembered and the lessons to be learned from them.

## Nature of a Monument

- 7.7 In considering options in this category, it has been necessary to address some important prior questions. What should be the tone and message of such a monument? How could it take a form which would recognise the suffering of victims from very diverse backgrounds in a way which would seem both acceptable and fitting to them? Where should any single memorial be located?
- 7.8 On the question of tone and message, it must be recognised that what we are considering here is not comparable with a war memorial. Such a memorial sanctifies the suffering of those who have become victims in fighting for a particular nation, community or cause. In spite of the widespread unpopularity of the Vietnam War amongst many younger people in the United States, it proved to be acceptable to memorialise by name “ our boys” . If there are memorials to the Viet Cong (as no doubt there are), they are located in Vietnam.
- 7.9 The wish to create an imperishable memory for those one has loved, for former comrades and shared causes, is deeply rooted in human instinct and practice. The understandable concern of relatives, friends and colleagues is not merely that the life and death of a victim should be remembered, but that it should be reflected in a memorial which can be treated with due respect by those who encounter it. It is a deeply shaming aspect of our recent history that animosity has sometimes been carried beyond the grave, with tombstones or other monuments desecrated and dishonoured. So it is that people will honour their own dead in their own way: in a family plot; in a graveyard dedicated to a particular section of society; or within the perimeter or the building of a particular organisation where colleagues can safely and respectfully honour and remember their own.

- 7.10 In Northern Ireland we have to face the brutal fact that we have lived in a deeply divided society and that the victims include those who have been actively involved in the conflict, those who have been particularly vulnerable by reason of their service or employment, many wholly uninvolved people caught in the cross-fire or targeted through random and brutally irresponsible violence, and of course all the many people outside Northern Ireland caught up by the consequences of the local situation.
- 7.11 In circumstances such as these, any memorial must avoid a note of triumphalism. For their selfless service and consequent suffering, many deserve to be amply honoured as well as remembered. One can be confident that their loved ones and colleagues will so honour them. In the current circumstances of Northern Ireland, any attempt to incorporate a catalogue of the names of victims in a central memorial would be certain to provide endless controversy and expose a subsequent memorial to a real danger of becoming a target for protest and demonstration; for the paint-thrower or the crude slogan. I was gratified that the unwisdom of such a course was so widely accepted by most of those I consulted during my inquiries. The rationale for an appropriate memorial is well encapsulated in the words "Remember and Change".

## Location

- 7.12 The question of location is not an easy one. A memorial should be in a place readily accessible to people from every part of Northern Ireland and from its ports or airports of entry. It should preferably be in an area of relatively undeveloped countryside rather than within an existing town or conurbation. There are, indeed, some arguments for a series of memorials, rather than a single central memorial, located in each of the historic counties or even in each of the local government districts. Inevitably, though, this would increase the capital and maintenance costs.

## A Northern Ireland Memorial

- 7.13 Having weighed most carefully the numerous suggestions I have received, and taken into account the factors discussed above, I would suggest for further consideration a central Northern Ireland memorial with the following characteristics:-
- set in a peaceful location, amidst beautifully-landscaped gardens;
  - in the form of a building which would be a striking work of modern architecture, and embodying within itself appropriate works of art contributed by communities or countries outside Northern Ireland in memory of those of their own citizens who have suffered;
  - this building to be dedicated to purposes of rest and reflection, care and counselling, and an appropriate archive of the troubles;
  - expressing the sorrow of Northern Ireland and the sufferings endured by so many, with dedication to reconciliation; and
  - incorporating inscriptions drawing upon appropriate words written by poets of this painful time.



- 7.14 I have already touched upon the symbolism of a garden. Northern Ireland can already boast some of the finest gardens in these islands; the climatic conditions are favourable to an effort to create a truly memorable memorial garden for the new millennium; and we have in rich measure the professional skills required to bring it about.
- 7.15 Such a garden could, of course, stand alone; but I believe it would be supplemented and enhanced by having at its centre a striking and appropriate building. In reviewing the published works about memorials in this or other countries, I am struck by how often they have been highly traditional or even imitative in form:- modelled, for example, after some triumphal arch of the classical period. Often, too, the style and purpose will be ecclesiastical, and one must take account of, and duly respect, the practising Christianity of great numbers of Northern Ireland people. However, we need in this case to acknowledge the sufferings of people of very different backgrounds. My own preference would be for a striking contemporary structure, to be built from a design chosen by competition, an aspect which will be discussed in the following Chapter.
- 7.16 I would hope that such a building could be associated in a very direct way with those who have suffered outside Northern Ireland and with their communities. This might be achieved by offering communities and countries outside Northern Ireland who wished to be associated in remembrance the opportunity to contribute some beautiful and symbolic artefact or work of art for incorporation and exhibition in the memorial building; perhaps a piece of stained glass or an appropriate piece of sculpture or a tapestry or wall-hanging or piece of furniture.

## Use of a Northern Ireland Memorial Building

- 7.17 It goes without saying that such a building should be beautiful. It should also be useful; not an empty mausoleum but a living place of tribute, recollection and reconciliation. It should be developed as a principal meeting-place for those who have suffered and those who seek to serve them. It should incorporate a place in which visitors could experience their recollection of loved ones in tranquillity; and here I reflect again on the place of reflection incorporated in the Hadassah Medical Centre in Jerusalem, with its extraordinary Chagall windows. It should also make provision for the safe custody of a comprehensive archive, which might draw upon the work of An Crann and others in ensuring that posterity could learn from the sad history of these times.
- 7.18 I would have it called simply "The Northern Ireland Memorial". It would not feature the names of individuals or of specific tragic events. Perhaps it would be best that the poets who have flourished during this most difficult of times should speak for all of us, in words which might be captured on stone like the words of Thomas Jefferson or Abraham Lincoln in Washington DC. Few have expressed a more powerful or hauntingly simple call to recollection than John Hewitt in "Neither an Elegy nor a Manifesto" :-

*"Bear in mind these dead:  
I can find no plainer words."*



*How to* **Proceed** *from Here*

# *How to Proceed from Here*

## Summary of Recommendations

- 8.1 My recommendations so far may be summarised as follows:
- (a) there should be a comprehensive review of the “fitness for purpose” of Criminal Injuries compensation in serving the needs of victims of violence (para 5.11);
  - (b) employers should be sensitive to the special circumstances of victims and their carers, and specific action should be taken by public sector employers to assure this (para 5.13);
  - (c) in dealing with victims within the social security and other systems officials should be sensitive and understanding in their approach (para 5.16);
  - (d) effective targeting of the special needs of victims should be a specific sub-set of the Targeting Social Need objective (para 5.17);
  - (e) a senior official should be designated to take immediate responsibility for a better co-ordinated approach to the problems of victims within Government (para 5.17);
  - (f) the recommendations of the SSI-led study on “Living with the Trauma of the Troubles” should be energetically implemented by those interests to which they are directed (para 5.23);
  - (g) victims should be given the best comprehensive advice, locally differentiated, on where to turn for support (para 5.25);
  - (h) victims must, as the barest minimum, be as well served as former prisoners in terms of their rehabilitation, future employment etc (para 5.26);
  - (i) in the interests of giving victims an effective ‘champion’, existing organisations meeting their needs require more and more secure funding, and there is a strong case for a powerful ‘umbrella’ organisation to give them a stronger voice in bidding for resources and urging changes in policy or practice (para 5.27);
  - (j) in the longer term, the interests of victims should be made the concern of a Standing Commission or a Protector or Ombudsman for Victims;
  - (k) a much higher priority should be given to treatment of and local research into chronic physical pain (para 5.30); the question of a Trauma Centre and the availability of residential psychiatric care for young people should also be addressed (para 5.30);
  - (l) the recent Code of Practice for Victims of Crime should be conscientiously observed and critically monitored (para 5.35);
  - (m) the possibility of benefiting from some form of Truth and Reconciliation Commission at some stage should not be overlooked (para 5.37);
  - (n) every effort should be made to persuade and enable those with information about the ‘disappeared’ to disclose it (para 5.38);

- (o) Government should not overlook the special claims of communities uprooted from their homes and farms (para 5.39);
- (p) consideration should be given to the creation of a fund to assist in particular children and young people affected by the death or injury of a parent (para 6.5);
- (q) the Government should consider the possibility of supporting efforts towards peace and reconciliation originating in Great Britain and not just in Northern Ireland (para 6.6);
- (r) consideration should be given, if and when the churches consider it appropriate, to the designation of a “Memorial and Reconciliation Day” (para 6.19);
- (s) at the appropriate time, consideration should be given to a Northern Ireland Memorial in the form of a beautiful and useful building within a peaceful and harmonious garden (para 7.13);
- (t) such a project should be called simply “the Northern Ireland Memorial” (para 7.18).

## Publication of the Report

- 8.2 There has been intense interest in the work of this Commission, and I hope and **recommend** that this Report should be published in its entirety and widely distributed. In particular, I would urge that it be provided gratis to all those who have taken the trouble to assist the Commission in its deliberations.

## Consultation on Recommendations

- 8.3 Thereafter, I **recommend** that a reasonable time (of up to three months) should be allowed for interested individuals to react to the Report and recommendations. As I have explained, I have tabled in Appendix 1 a list of all the suggestions made to me, in case wider opinion should favour some course I have not been disposed to recommend.

## Association with wider Political Development

- 8.4 As I write, the course of action beyond this will depend critically upon the progress of wider political development. If the basis for an accord is subsequently endorsed by referenda, with the prospect of significant early transfer of functions to locally-elected political leaders, then action within the ambit of a prospective new administration might have to be deferred; although even in that event, certain of the key areas may continue to be a concern of the Secretary of State for Northern Ireland. Subject to this, however, I would **recommend** the earliest possible identification of and action upon practical steps of the kind canvassed in Chapter 5 of the Report.

## Timing and Appropriateness

- 8.5 On the other hand, the development of ideas for a memorial project or scheme must be subject to sensitive considerations of timing and appropriateness. While no-one can guarantee that there will be no further victims, it could seem grotesque to contemplate a memorial if, unhappily, full-

scale violence were to resume. The question of memorialisation can only appropriately be addressed after the definitive entry into the new and more forward looking era in the life of Northern Ireland. It should be a matter for the representatives of the people of Northern Ireland after, but not before, they have found common ground. Even then, there are strong arguments that some seemingly interval should elapse.

- 8.6 It may nevertheless be worth considering now, rather than later, how projects of the kind canvassed in this Report might, at the appropriate time, be advanced. I would see a need for several stages of consideration.

## A Commission to Develop a Project

- 8.7 The first such stage would be the determination by the political administration of the general nature of the project they wished to pursue. This might then appropriately be remitted to a high-level appointed Commission, with membership representing the victims of violence, architecture and the fine arts, landscape gardening and/or arboriculture, archive skill and experience and so on. They would be charged to prepare a more detailed design brief, and to make proposals seeking the necessary capital and running costs. I would emphasise the prime importance of ensuring that any Memorial can be afforded and properly cared for over the long term. The wonderful work of the War Graves Commission shows that this can be done.

## Choice and Management of a Project

- 8.8 After a design brief is prepared, the project should be the subject of a prestigious international competition, and the Ad Hoc Commission should select appropriate persons of distinction in relevant fields to judge that competition. On approval of the project, the political administration would need to decide upon long-term responsibility for its management, which might be vested in a body of Trustees, with appropriate administrative support.

## A Postscript

8.9 With his permission, I conclude with one of the poems written by Michael Longley in his series "Wreaths" .

*"He was preparing an Ulster fry for breakfast  
When someone walked into the kitchen and shot him:  
A bullet entered his mouth and pierced his skull,  
The books he had read, the music he could play.*

*He lay in his dressing gown and pyjamas  
While they dusted the dresser for fingerprints  
And then shuffled backwards across the garden  
With notebooks, cameras and measuring tapes.*

*They rolled him up like a red carpet and left  
Only a bullet hole in the cutlery drawer:  
Later his widow took a hammer and chisel  
And removed the black keys from his piano."*

# Appendix 1

## Suggestions Submitted to The Commission

### Ideas for a Physical Memorial

#### A Monument

- A physical memorial, featuring a dove on a plinth, with no names but with the inscription:  
*"In memory of all those who lost their lives through acts of violence caused by a divided society"; and a line from Roger Courtney's "Pollen of Peace" song:*  
*"Let us spread the pollen of peace throughout our land."*
- A centrally-sited memorial, to be the subject of national or international competition and individual memorial markers to be fixed at the sites where each and every person fell.
- A memorial, with no names, which should remember all those killed and serve to remind us why they were killed with, perhaps, identical memorials in London and Belfast.
- The erection of a golden cross on one of the mountains in Northern Ireland, to symbolise the resurrection that we all would like here.
- A monument with the names of all the troubles' victims, whether RUC, UDR, UVF, UFF or IRA.
- A small unobtrusive stone cairn on Slemish, St Patrick's hill.
- A wall with a list of names carved on it of all those who have died in the Troubles regardless of place of origin. The names should be laid out in chronological order with no indication of cause, side, persuasion or affiliation. As at the Vietnam wall, books listing the names alphabetically could be made available, including personal details approved by the families.
- An Irish clock tower with bell.
- A monument to atonement, rather than to remembrance, which would enable us to acknowledge both the suffering and our collective and individual responsibilities.
- A monument made from wood which would eventually fade as would, hopefully, the memories of the troubles. The memorial's theme should be the biblical image from Isaiah and Micah of the people who literally beat their swords into plowshares and their spears into pruning hooks.
- A cenotaph.
- A monument with the name of every victim but stating simply their status, ie "child", "infant", "mother", "teacher".

- A memorial with no names in a neutral location which would symbolise hope for the future with a suitable quotation or verse.
- A memorial fountain or other appropriate non-inscribed memorial.
- A permanent memorial to remember the innocent victims of violence, ie members of the British Army, RUC, RUCR, UDR, RIR and all innocent civilians surrounded by a garden of remembrance.
- An anti-violence monument/sculpture based on recovered or surplus weaponry.
- Erect 4 large crosses in each corner of Northern Ireland, which would look back to and symbolise our period of common Christianity.
- In areas, like Claudy, which were completely devastated by bombs, one should erect a physical memorial as a formal expression of grief, which would encapsulate the area's sense of its own self-worth, help to focus on healing and help to break division.
- A clock.
- Unveil a stone to the innocents like that in Westminster Abbey.
- A physical memorial, but to the victims of terrorists and to the security forces only.
- A monument to the security forces at City Hall where the two World Wars are already commemorated (or in the grounds of Stormont).
- A memorial along the lines of the Vietnam memorial in Washington DC, listing names in alphabetical order.

## Planting Trees/Woodlands/Gardens or Parks

- Plant trees as a living memorial.
- A memorial forest.
- A "National Garden" which could fulfil the criteria of beauty, peace and relaxation with access for everyone in Northern Ireland, and which could be used for environmental and educational purposes for all ages, and for prestigious events such as open-air musical events and receptions.
- Establish a site where trees could be planted - one for each victim of the troubles and one for a shadow victim of trouble outside our land. Within the woodland, have a simple Mourne granite plinth with perhaps a sun-dial or compass or forget-me-not flower and the words "In memory" carved thereon. Provide other areas for recreation and leisure and a working area where young people could learn or study conservation, habitat and nature. It should be funded by a public appeal both nationally and internationally, and the project should be linked to, (and part of the proceeds should go to) children's charities.
- Plant a tree for each person killed in the violence and also beds of flowers representing the other countless victims.
- Each county should have a park with a centre piece where families could enjoy their own moments of reflection in tranquillity.



- A public place planted with native trees with a stone or bronze nameplate in sequence of time; and a walkway by a meandering stream flowing into a lake of tranquillity. Native shrubs should be planted to represent the wounded, and flowers for the season of hope surrounded by a great earth bank, a place for prayer and reflection.
- A garden of contemplation.
- An arboretum.
- A Japanese garden reflecting all of life's stages.
- A garden of remembrance with a simple eternal flame at its focus.
- Plant an approximately 3500 tree native hardwood forest to form a forest of reflection. It would be planted by the families of those who have died as a result of the conflict, but the trees would not be individually dedicated. There would be a small seated area at the centre. It could possibly be located adjacent to the River Lagan, near, and visible from, where it intersects with the M1 Motorway.
- A garden of remembrance.
- A garden of rest, with a cairn of stones or an eternal flame.
- A newly planted broadleaf woodland (or forest), containing species of trees native to Ireland, England, Wales and Scotland. It should have a section assigned for ceremonial plantings by visiting dignitaries from other nations who would, perhaps, plant species native to their land. It should have glades or viewpoints for contemplation and reflection and perhaps a relatively small formal garden.
- A park, on the scale of Mount Stewart, somewhere very serene and spiritual, including sculptures, poetry and a bandstand, possibly in more than one location.
- A national site in a significant place in the centre of the Province (on the scale of the Ulster/American Folk Park) which has spirituality and which tells the story of the troubles as an example of European Ethnic conflict and a story of how we have had a war within the context of normal democratic existence.

## A Memorial Building

- A place where the bereaved or injured could tell their stories.
- A place of remembrance where parades, flags, and emblems would be prohibited and which would provide a neutral environment, incorporating an inter-denominational chapel and a resource centre that might contain:
  - a library of books, videos and films about the troubles;
  - documentary records, including those of the Government (as and when they are released);
  - oral histories both of prominent personalities and ordinary persons whose experiences and views merit recording for posterity - and encompassing both perpetrator and victim;
  - a facility for public lectures, seminars etc and also, serious research;
  - a state of the art IT system to facilitate computer access, particularly by persons from outside Northern Ireland.

- A centre to which all those who believe they are victims could come for refreshment. This could be for a holiday, for respite or for counselling. It would be somewhere central in the Province and gracious with gardens and rooms for a variety of activities. It could contain:
  - a chapel;
  - a room dedicated to victims, including a wall of poetry chosen by them and their stories about what each finds most difficult;
  - a library.
- A building where people of all denominations could go to remember their loved ones who have been killed in the troubles. Poems should be inscribed on the internal walls. The building should be erected on high ground such as Cave Hill or Black Mountain and be illuminated so that it can be seen from afar.
- A hostel for young people in third level education.
- A memorial Hall.
- A memorial hospital or hospital wing.
- Use a redundant Belfast Jail and Crumlin Road Courthouse to house a permanent exhibition of Ulster's history.
- An adult education centre or a residential centre.
- A house which could be a place of tranquillity where people could have solitude or come together as they wished.
- Create a network of purpose-built spaces which could be used by the various organisations dealing with trauma and bereavement.
- An advice centre to help people deal with practical and emotional issues after a violent bereavement.
- A museum, like the holocaust museum, where we could work through our story and teach future generations what we have learned.
- Use buildings, which have been facilities of the troubles, like the Crumlin Road Prison, to tell our story.
- A library or a museum.
- A museum or an art gallery.
- Create a safe place in which people can come and tell their stories to someone who will listen.
- Establish an Interpretative Centre aimed at children - something set up in terms of conflict which could be used as an educational tool (ideally, one would use the old Crumlin Road Prison). One could link such a centre in Northern Ireland to other areas of conflict.
- A place of quietness, memory and tranquillity with an Interpretative Centre.
- A Trauma Centre where all the groups like WAVE, An Crann/The Tree and KAIROS could come together to provide a central resource where people could work in partnership to promote healing.

- A building in a quiet place where there could be representations of the pain, hurt and grief in various media.
- A chronological archive listing the name and personal background of each of the 3,000 plus victims who lost their lives, not only in Northern Ireland, but in Britain, the Republic and the European mainland. In addition, it would be open to interested parties, families etc, to file personal testimonies about the victim. The archive could be contained in a museum, academic institution or a building created for the purpose, as well as being computerised and placed on the Internet. Survivors of violence would also have an opportunity to file contributions.

## Other suggestions of a physical nature

- A book of names in an appropriate place.
- A 24-hour dispensing chemist should be built straddling the Peaceline between the Falls and Shankill roads with access from both sides.
- A memorial tribute naming the innocent people who died in the Troubles.
- Build multi-storey, and free, car parks at the Royal Victoria, City, Mater and Altnagelvin Hospitals; and extended car parks at the Ulster, Downpatrick and Erne Hospitals.
- Park benches.
- An eternal flame for the unnamed victims.
- Playgrounds throughout Northern Ireland.
- A bridge dedicated to peace and reconciliation.
- A mural painted by young people in a cross-community project.
- A compendium of stories should be compiled which could be published with the permission of the individuals or kept in archives. Other mechanisms for story-telling should be considered.
- The Vision of Peace at the beginning of Isaiah, Chapter 11 should be offered as a subject for interpretation to a variety of creative artists.
- A thanksgiving square possibly with an eternal flame of hope and possibly taken up by each District council.
- A stained glass window in a prominent building.
- Build on the work of An Crann/The Tree.
- A peace path.
- A peace square.
- A book of remembrance for children.
- Establish a "friendship" seat in each District Council area, overlooking a children's playground where people could be encouraged to meet and talk and build relationships.

# Ideas for a Non-Physical type of Memorial

## A Fund/Trust/Bursary

- A Memorial Fund, subscribed to by the Irish and British Governments which would be allocated proportionally to local communities and groups which have been directly affected. Each group would then decide, within certain guidelines, how they wish to spend it.
- A form of Trust, either for peace and reconciliation, such as the Spirit of Enniskillen, or to assist in medical care, such as the fund for the McMillan nurses.
- A Memorial fund to help students and families pay their fees.
- Set aside money for child victims, to be given to them when they reach the age of 18.
- Invest money in a fund for sport for young people because not all young people express themselves academically.
- A fund to financially benefit the widows and dependants of deceased security force members and injured former members.
- A bursary scheme for the families of people who have served in the forces.
- A fund to pay for work on conflict with children in schools.
- A bursary-type project, named "The Victims Fund", to give young people training on a cross-community basis.
- A straightforward one-off payment of £250,000 should be made to people who are bereaved as a result of the troubles, regardless of their economic circumstances.

## A Scholarship

- Scholarships for carefully-chosen youngsters to go to other places of apparently permanent conflict (eg South Africa) to see how an accommodation has been achieved.
- Educational awards should be made at all levels of our education system. Investment should be made in education, geared towards disadvantaged communities and children - something both vocational and academic; perhaps a civic programme in the curriculum or an educational Charity or Trust.
- An ongoing scholarship or prize scheme open to both traditions of young people.
- Grant-aid students from all backgrounds and traditions to study courses on conflict and then employ them within Northern Ireland as "bridge-builders" to help destroy sectarianism.
- A scheme to enable children to be better travelled/educated.
- A fund to establish the means of encouraging a new generation to travel abroad and thereby widen personal horizons, or a fund to encourage education through scholarships abroad.

## A Commemorative Medal

- NI should be honoured with the George Cross, with the citation and medal being kept at Stormont or Belfast City Hall.
- A commemorative medallion in the design of a dove should be presented to the individual as a tangible but personal recognition of their loss.
- Award a Northern Ireland George Cross, along the lines of Malta's George Cross.
- The ordinary long-suffering people of Northern Ireland should be awarded the George Cross and the occasion marked by a one-day holiday, and by a special commemorative gift to our children.
- A medal should be awarded to all members of the Security Forces who have been injured as a result of terrorism.

## A Day of Remembrance/Public Holiday

- A day of remembrance.
- A day of remembrance, other than a Sunday, incorporating a special service in all churches.
- A separate Remembrance Day or specific time within the course of current Remembrance Day ceremonies.
- A Northern Ireland Memorial Day supported by all churches.
- A new public holiday.

## Suggestions for Other types of non-physical memorial

- Those found guilty of events which have led to the death of a victim should serve their full term without remission.
- There should be proper sentencing for perpetrators.
- Investigation of past crimes should continue.
- Fund a well-documented piece of research to facilitate the dissemination of the expertise gathered in this Province as to how people are victimised and how victims can be supported.
- A help-line for victims.
- A police remembrance service.
- A chair of peace at QUB or UU.

# *Ideas for Practical action to assist victims*

## Financial Help/Pensions for Victims

- All those who have lost innocent family members as a result of the troubles should receive a 'war pension'.
- War Pensioner status should be afforded to injured police officers.
- Medical discharge pensions should be available to all members of the RUC and its Reserve Forces who are discharged from duty due to terrorist activity.
- Servicemen who have been medically retired, or the families of murdered servicemen, should be given some money to help them set themselves up.
- Assistance for surviving victims in the form of free electricity, fuel, local transport etc.
- Financial assistance to help widows raise their children.
- Set aside funds to help the families and dependants of innocent victims.

## The improvement of practical arrangements/advice for victims

- Encourage the long-term sustainability of voluntary organisations which provide counselling.
- Give a cash injection to organisations which care for the needs of victims.
- Provide support for carers of those with disabilities acquired as a result of the troubles.
- Give victims a "fast-track" in re-training and job-placement whilst guaranteeing their benefits if they do not get jobs.
- Rehabilitation, re-training, advice centres and the prospect of future employment must be made available to injured security force members in a secure setting.
- Offer education, training or re-training to young victims.
- Offer job rehabilitation and constructive help.
- Compile a register of victims.
- Give a lasting commitment to ongoing care, support, counselling and, where appropriate, compensation of those who will continue to be victims.
- Government should have a more systematic approach to ensuring that every person has the opportunity to have their needs assessed and addressed in a generous way.
- There should be continuing and active support for people who have suffered physical and psychological injury, and practical and financial support for organisations which are working with victims.

- Provide better support services for victims:
  - a map and audit of existing provision in the voluntary and statutory sectors;
  - a directory (with appropriate maintenance and dissemination mechanisms) would be useful for those engaged in supporting and providing services for victims.
- Establish a scheme or venture, including carers, as a focal point for the traumatised.
- The community should institute a formal process or set of activities that would address the needs, perspectives and interests of the victims of political violence, as part of the range of wider issues which need to be addressed to build peace. Three Forums or Commissions could be established to broaden the base of peace-building insofar as it relates to the needs and perspectives of the victims of violence.

These are:

- i) a forum for people afflicted through violence;
  - ii) a forum for declaration and acknowledgement (ie a forum for those who hold themselves accountable for violence);
  - iii) a commission to address prisoner issues and matters relating to those who have not been held to account for acts of violence.
- Set up a more formalised advice facility for victims where they can be directed for advice on matters such as:
    - i) disability compensation;
    - ii) disability benefits;
    - iii) disability pension.
  - Take the distress out of applying for benefits by setting up a register of victims which could be cross-referenced with information held by the DHSS when victims have to claim benefits.
  - Look at the difficulties there are for the injured to obtain mortgages and life assurance due to reduced life expectancy.
  - Support bereaved children.
  - Set up a Victims of the Northern Ireland Conflict Forum to be consulted by governments and political parties about the timing and extent of any future release of politically motivated prisoners; to advise on funding and the future development of victim support services; to produce reports on any matters concerning victims and to give victims a voice generally.
  - The current range of support services should be audited to produce a "map" of the range and depth of services available.
  - Create a directory of services for future users - something useful and easily understood which would be well-maintained and disseminated.
  - Consider some practical application of Damian Gorman's work with An Crann/ The Tree.

- Practical help should be given to children growing up in damaged communities, who often suffer the disadvantages of poor education and facilities.
- There should be a shift in resources and policy to enable social services to take account of the fact that there have been 30 plus years of conflict.
- Establish an umbrella organisation to look after the interests of victims.
- Set up schemes to help re-train and rehabilitate people who have serious injuries.
- Make better funding available to have peace and reconciliation projects available in GB as well as in NI - the East-West axis needs to be developed as well as the North-South axis.
- There should be a continuing commission for the victims of violence - to act as a "Yellow Pages" of relevant organisations.
- Protestants living in border areas should be helped to reclaim the farms out of which they have been intimidated.
- Provide a facility for advice/guidance to victims.
- Establish a consortium with the common purpose of looking after the victims which enables the best of all agencies to be harnessed.
- Establish an agency to help victims get through the minefield of social services.

## The improvement of the Compensation system

- In cases where victims have been poorly advised in respect of compensation by their solicitors, they should be able to seek redress at any time without being statute barred.
- Structured payments for criminal injuries claims should be afforded to injured members of the security forces.
- The State should provide compensation which is different from the present arrangements, and which compares with the cost to the state of dealing with and accommodating (in prison) those responsible for violence.
- There should be a detailed and stringent examination of the issues of financial compensation, which is often unevenly awarded.
- Give help to those whose original compensation was inadequate.
- The compensation system should be looked at and, if necessary, retrospective awards made in cases where advice was poor.
- The method of awarding compensation should be examined because it is completely inadequate - the whole process simply adds to the trauma of serious injury or bereavement.
- Efforts should be made to make the compensation system less painful and more equitable.
- Establish a register of solicitors who are experts in criminal injury compensation following terrorist incidents.



# Improved Medical care of victims and carers

- Establish a chronic pain clinic and conduct research into the treatment of pain.
- Focus on the practical needs of victims in respect of pain relief and pain management.
- Further research should be carried out into Post Traumatic Stress and related issues.
- There need to be developments in relation to:
  - pain relief;
  - addressing the problems of physical injury, including mobility and dexterity problems and the issue of proper wheelchairs;
  - respite provision for people caring for very disabled victims;
  - intervention and support in relation to bereavement and traumatisation for children and adults;
  - facilitation and mediation of ongoing concerns and problems.
- Introduce a process whereby victims get priority treatment in the NHS.
- After a violent incident, ensure the provision of immediate psychological/ counselling help.
- Provide better facilities for the treatment of pain.
- Give a donation to each of the main hospitals in the six counties, and the Royal Victoria Hospital, to enable them to purchase a piece of equipment they need to help them save life.
- Build a hospice for terminally-ill children to help them to die surrounded by love.
- Address the disadvantages of disablement, and expand on work being done with traumatised children.
- Schools in interface areas should be given counselling back-up to help with children who have witnessed atrocities on their streets.
- Better attention should be paid to the psychiatric needs of young people; support services for those who were traumatised; and the training needs of professionals such as doctors and the voluntary and statutory sectors.
- Time and money should be devoted to the research of pain and the establishment of a pain clinic.
- Provide funding for medical research for people who have lost limbs. There is an urgent need for serious research on prosthetics; there needs to be specialisation in one hospital to deal with the aftermath of terrorist incidents and post-incident recovery.
- Better attention should be paid to counselling and the prevention of trauma-related illnesses in children following violent bereavement; the current chronic lack of resources in this area should be addressed.
- More money should be spent on training teachers how to deal with the sensitivities, and in recognising the symptoms of violently bereaved children.

- Funding should be ring-fenced for those victims who may develop Post Traumatic Stress Disorder years down the line.
- Fund medical staff to specialise in dealing with physical and emotional pain.
- Provide specialist training for GPs so that they can deal better with patients suffering from troubles-related trauma.
- A pain clinic which would help people to heal and help others to understand the results of violence and terrorism.

## Assistance with the search for Truth and Justice

- Establish a Truth and Reconciliation Commission.
- Set up a Truth Commission.
- The truth should be made known about incidents involving killings by the security forces.
- The two Governments should examine the South Africa Truth Commission to see if a similar body could be useful in our situation.
- Create a situation in Northern Ireland where everyone can have truth and justice.
- Help families whose loved ones have been killed by the security forces to find truth and justice.
- Help the healing process by establishing a Truth and Justice Commission.

## Suggestions for Other types of practical help

- Customs and Excise staff, both living and dead, especially on the land boundary should be given (financial) recognition for their efforts in providing this public service.
- There should be integration at the earliest age pre-school.
- Victims should be allowed to have a say/representative in the official "Peace Talks".
- Where appropriate, it should be made publicly known that the victim is not to blame and that they do not belong to any political organisation.
- Attention should be given to dealing with the perpetrators of punishment beatings/shootings.
- Ban the use of plastic baton rounds.

# Appendix 2

## *“Living with the Trauma of The Troubles”*

### *Summary of Recommendations*

- The community developments which are taking place, often in the most troubled areas and often led by people who have themselves been severely traumatised, should be supported and encouraged by Boards, Trusts and other funding bodies as part of an overall co-ordinated response to the needs of affected individuals.
- The development of crisis support teams should be widened to ensure that this provision is available when needed throughout Northern Ireland. Support should be available to **all** traumatised individuals, regardless of the scale of the incident in which they were involved.
- The location of services must be carefully considered to ensure that they are easily accessible to those who need them.
- The manpower requirements of the psychology service should be examined to see how it can become more effectively involved in treating people at the time and point of need, and in reducing time spent on waiting lists.
- There are widespread concerns about the counselling of persons affected by the conflict, such as training, accreditation, supervision, co-ordination, quality and effectiveness. The Department of Health and Social Services should convene a Northern Ireland working group to address these concerns. This group should include those representing established and recognised counselling organisations such as Cruse Bereavement Care, and other interested bodies such as the British Association of Counselling, the Irish Association for Counselling and Therapy, the British Association of Psychology, the British Association of Social Workers, the relevant occupational standards bodies and local academic institutions. The group should consider:
  - the need for counselling of persons affected by the conflict;
  - minimum standards acceptable for counselling of such persons;
  - a review of training and supervision arrangements;
  - future accreditation of counsellors and organisations offering a counselling service;
  - the application of national standards for qualifications (eg National Vocational Qualifications (NVOs));
  - establishment of a Northern Ireland accreditation panel in the absence of another suitable body;
  - provision of a report with recommendations on the way ahead.
- Each community Trust should compile and maintain a register/directory of services recording all

voluntary and community organisations and professional agencies which offer help, in its various forms, to individuals affected by civil unrest. This register/ directory of services should be held by all voluntary organisations and professionals as a means of contributing to more effective co-ordination of the services available, improved liaison, referral of clients and communication of essential information. Compilation of a register/directory will require evaluation of the services provided by each organisation and services will need to be monitored to allow the register to be updated. This task would complement Trusts' responsibilities in connection with emergency community care planning, as outlined in the Departmental circular and planning manual.

- Services offered by each organisation should be recorded in the register/directory. Services may range from simple sympathetic listening, befriending, practical help, mutual support and advice through to counselling. Organisations which offer, or aspire to offer, a counselling service in addition to other services, should be accredited. An organisation's accreditation status should be shown in any future register/directory, as well as the range of other services they offer. It is important that all agencies are in receipt of this source of information to assist their own decisions in relation to referral of persons for further help and assistance.
- In the longer term it is recommended that no organisation should practice counselling unless they have received accreditation by the Northern Ireland panel or other body designated for this purpose.
- Each Trust should prepare suitable explanatory pamphlets on what services are available in its area with points of reference where help can be accessed. These should be made available to A and E departments, GP surgeries, health and social services premises, and other suitable outlets such as funeral directors, police stations, Northern Ireland Housing Executive offices, Social Security offices, Post Offices, public libraries, Citizens' Advice Bureaux, courts and solicitors' offices. Copies should also be available to all organisations offering help, to raise awareness of the full range of available assistance.
- Further funding for crisis support teams should be considered to allow them to offer follow-up support to individuals for up to 2 years.
- To improve co-ordination and liaison of services a small advisory panel should be established in each Health and Social Services Board's area, representative of the range of professionals and voluntary organisations working with those who have been affected by the conflict. The panel should include individuals who have encountered trauma and would be willing to advise the panel in the light of their own personal experience. The panel's tasks should include:
  - assisting the co-ordination of services in the Board's area;
  - enabling greater coherence and cohesion of the network which exists in the area;
  - improvement in the understanding of emerging needs and the shared development of methods for tackling them;
  - clarifying and promoting a better understanding of roles and role relationships on the continuum of provision.
- Boards should examine the adequacy of the current provision of child and adolescent psychiatry and their ability to offer a timely response to affected individuals.

- The DHSS should conduct a review of clinical psychology services, taking account of current demand and outstanding waiting lists. A priority should be to reduce the current backlog and shorten waiting lists. To improve understanding of the therapeutic options offered by psychology services, explanatory information should be prepared and included in local registers/directories of services.
- Education and Library Boards should examine the adequacy of educational psychology services for pupils affected by the civil unrest.
- Legal representatives should have access to information on services and should ensure that clients seeking compensation are informed of all support and treatment possibilities.
- Services for security personnel should examine the needs of their ex-personnel and their families to ensure that appropriate services are readily available to these groups.
- Social services need to address their perceived negative image and the lack of trust in them which exists in some communities. They need to explain their role and re-establish relationships with their local communities.
- Staff working in the statutory sector need awareness training to help them recognise that the problems of some of the individuals that they are trying to help may be rooted in undisclosed 'Troubles'-related trauma.
- Those currently engaged in providing services should explore the value of establishing a 24-hour confidential helpline. Discussion with Samaritans revealed that a striking proportion of their calls are from individuals who have been affected by the conflict. Samaritans suggested that their contribution in this area could be enhanced if their service was listed as one of the available sources of help in any publicity material targeted at affected individuals. They could provide a better information service and refer callers to appropriate helping agencies if they were in possession of any new registers/directories of service providers and other publicity material recommended in this project report. Given their current service, it would be appropriate to involve them in discussing this proposal.
- The literature identifies a number of core features of good practice for working with persons affected by the conflict. These features, and the examples of good practice identified by the project, suggest a basic set of standards for work in this area; they should be widely disseminated to encourage other organisations to adopt similar standards and initiatives.
- The pioneering training courses which have been positively evaluated should be expanded to raise awareness of the needs of traumatised individuals, to enhance the listening skills of individuals in the community and to provide training opportunities for organisations whose members are working with traumatised persons.
- An encouraging range of diverse services is developing in many areas. They offer a unique opportunity to evaluate each service, to discover if the service is achieving what it set out to do and to discover what works best. If these evaluations are collated, compared and disseminated, a valuable compendium of evidence-based practice can be built up, allowing future new developments to learn from the best practice of others. Lessons learnt in Northern Ireland may also be applicable in other parts of the world. Evaluation should be built into every project and a database of findings should be established and made easily accessible to those with an interest in this field.

