

Bill of Rights Forum  
Working Group on Criminal Justice and Victims  
Minutes of meeting held on Friday 7<sup>th</sup> December 2007  
Interpoint Centre, York St. Belfast

Convened by: The Very Reverend Dr Samuel Hutchinson.

Present: Eilis Haughey (SDLP), Barry Fitzpatrick (CoSo), Alex Maskey (Sinn Féin), Stephen Nicholl (UUP), Edel Quinn (Include Youth).

Apologies from: Marian Killen (ICTU), Mary O'Rawe (Human Rights Advisor).

In attendance: Lesley Macauley (Bill of Rights Forum Outreach Worker), Dr Linda Moore (Human Rights Advisor), Benjamin Lee (Bill of Rights Forum, Advisor to the Chairman).

Observed by: Mr Wilkinson (Families Acting for Innocent Relatives).

Minutes by: Ian Black (QUB).

1. The Convenor opened the meeting by introducing Ian Black who recorded minutes at this session. The intention was that the minutes recorded at the previous session would be adopted at the following meeting. Benjamin Lee kindly agreed to assist the working group at this session as Mary O'Rawe was unable to attend. Mr Wilkinson a representative of the group FAIR was invited to observe the proceedings at this meeting.
2. Matters arising from the previous session included the issue of vacancies which The Convenor had raised with the Chairman of Bill of Rights Forum. The addition of new members at this stage was not considered to be a beneficial exercise. The Chairman was willing to recommend reducing the quorum to around four, which was perceived as a preferential solution. The Convenor had raised the question of two official vacancies and two de facto vacancies with the Secretariat. The next issue for consideration was the progress report. The Convenor explained that the document consists of two parts. The first part of the document is a historical preamble composed by The Convenor and Edel Quinn with the second part being entirely the work of Dr Moore. The progress report was issued to the Chairman and it will be considered further at the meeting next week. The only correspondence The Convenor had to address was that concerning the arrangements for recording minutes at this meeting.
3. The Convenor invited working group members to comment on the previous week's minutes and requested that the group bear in mind that the minutes would not be officially adopted at this session.

Barry Fitzpatrick had a comment to make concerning paragraph 12 of the previous minutes. Rather than the inclusion of the phrase "Belly-up," the intention he intended to express was that there were concerns as to the relationship between the work of the working group and the consultation process. What was clear was that Barry Fitzpatrick was not trying to criticise the entire process, instead raising an issue with the timescale between the work of the working group and that of outreach feeding into the consultation process. Alex Maskey made a comment on paragraph 14 of the previous minutes stating he would like the positions filled but if that wasn't the case then he sought some formula reflecting the representation received so far. The Convenor again clarified what was mentioned (paragraph 1 above) that the issue of official vacancies and nominee vacancies was raised with the Secretariat and nothing materialised. The Chairman was willing to reduce the quorum. Edel Quinn raised an issue with paragraph 4 of the previous minutes. What was recorded did not reflect her intention.

4. Lesley Macauley updated the working group on the outreach process. She informed the group that she had been attempting to contact groups to ascertain who would be attending the next meeting of the 13<sup>th</sup> of December. Groups contacted and attending included HURT, Survivors of Trauma, Save Our Neighbour and FAIR. The Convenor revealed he had received an email from the Pat Finucane Centre stating their wish to attend. Lesley Macauley anticipated 5 groups attending the next session with a possibility of attendance from Shankill Stress and Trauma, Omagh Support and Self- Help, Relatives for Justice and Brendan Mackin. She suggested that three of these groups would attend to discuss and listen but would probably not make written submissions. Lesley Macauley commented that she had found all the groups supportive and willing to engage. Those perhaps less familiar with the Bill of Rights process were willing to learn. The 1400 start to the next meeting was apparently adequate. Barry Fitzpatrick had not been present for some of the meetings and sought clarification whether previous meetings at Stormont had been perceived as too formal. He was mindful of the need to be fair to all groups and the need to achieve the desired outcome of this process, expressing concern that the working group needs to be careful how the meeting is to be organised.
5. The Convenor proposed that the meeting start with those who have sent in formal submissions, inviting them to comment on and answer questions. Then invite those who wished to make a verbal comment. Each group would have its turn and there may be the situation where some groups simply wish to absorb what is being said without commenting. Edel Quinn suggested that what may have been the problem with previous meetings was a very formal structure. The austere formal environment of Stormont may have been daunting for participants. She suggested that procedure probably should follow what The Convenor had proposed giving the opportunity for all to participate. Barry Fitzpatrick stated that he

was content with an informal environment providing that there was a clear structure. The Convenor suggested that each group be allocated a maximum of 15 minutes which Edel Quinn commented that the allocation of 15 minutes may be counterproductive if certain groups have had to travel some distance to get to Belfast. The working group decided that the meeting would be at 1400 but it was preferable to meet in private first at 1330 to prepare and review documents. The suggested allocation of up to 15 minutes was adequate to allow for presentations or speeches. Setting-up the room at NICVA in a 'top table' format was not popular with a square-circle arrangement preferred. It was preferable that groups did not simply repeat what had been mentioned in their written submission if they chose to make a presentation. What was ideal was an introductory comment and then discussion. The working group then authorised Lesley Macauley to set the times for the participating groups.

6. Eilis Haughey questioned whether women's and children's groups were to be included or whether there was to be a separate session. There had been discussion at a previous session of the inclusion of these groups but there had not been a formal date. The working group was aware of the winding up of the working group process in mid-January. The working group discussed whether given the wide attention given to the issue of victim some groups may have already been represented. Lesley Macauley questioned which outreach worker was going to cover domestic violence and also who is going to address farmers. The Convenor made the suggestion to liaise with Gillian Preece. Barry Fitzpatrick alluded to the parallels of this working group process and the outreach process. The Convenor wished to address the use of the word 'consultation' and whether it was understood in the context of this process to be similar to what the Government would do when launching a proposal. It was clear that this working group was not consulting as the Government would (e.g. placing notices in legal section of newspaper or giving groups three months to come forward) and the importance of not raising expectations was stressed. This working group was fairly modest in its ambitions and it was recognised that not everything that was raised would make it into the Bill. Alex Maskey raised a point that his understanding was there had been a number of discussions and the working group was of the opinion that they did want to talk to people beyond victims of the conflict. The definition of victim had been parked for the moment and Alex Maskey was conscious that there were other sections of victims and questioned whether it was possible to fit in another event which would allow some sampling to be brought in representative of groupings. Edel Quinn referred to the approaching conclusion of the working group process and that there was still work to be done in tying up draft clauses. Barry Fitzpatrick suggested that the working group could still request submissions from these groups but not have a hearing, these sectors were quite sophisticated and well organised by their categories of victims and a range of organisations could be identified or there could be a more general invitation to these

groups to submit what their definition of victim would be. There remains good reasons for having public hearings because some groups are not represented and some dislike being compelled to make written submissions; however if this working group decide on a narrow definition it is going to be "between a rock and a hard place" because the working group only heard submissions from a few of these groups of victims but if the working group choose a wider definition then people will claim all the weight of evidence was received for the narrow definition and the group still went ahead and chose the wider one. There remains the need to get some wider evidential base if the working group is to consider a wider definition.

7. The Convenor then questioned what the opinion of the group was in inviting written submissions from the wider sector. This suggestion was deemed to be more realistic, material still existed from the last session. The Convenor mindful of the 15<sup>th</sup> of January asked what would be a realistic date for submissions from the wider sector. Dr Moore suggested obtaining a list of key organisations. OFMDFM suggested by Ellis Haughey was a possible source of finding the names of key organisations listed in annexes to their consultations. It had been raised that the Women's working group may have already attempted this. Dr Moore offered to write to the legal advisor of the Women's working group and The Convenor offered to write to Margaret Ward (The Convenor of the Woman's working group). It was then discussed which groups remained to be consulted with the conclusion of women's and CoSo/ Rainbow section. The disability section was mentioned. Barry Fitzpatrick suggested there would be people who were disabled as a result of the conflict and that there may be strong feelings within the disability section on distinguishing between different disabled people and depending on how they became disabled. The Convenor requested Barry Fitzpatrick to undertake some response from the CoSo sector which he responded by saying he would. Barry Fitzpatrick suggested The Convenor obtain a response from Monica Wilson (Disability Action) and Patrick Yu (NICEM) as well. The Convenor asked Edel Quinn to contact Children's Umbrella organisation. Monday 7<sup>th</sup> of January was proposed as a deadline. Dr Moore suggested prisoner's groups should be asked as well as there are opinions prisoners were victims of the conflict, however this may have been asked. Stephen Nicholl asked Lesley Macauley how many groups she had written to, which she replied approximately 100. Stephen Nicholl commented that despite contacting a large number of groups the response was quite low. The issue he raised was to try and target the key agencies that the working group know will respond and those which have some standing within their sectors. Lesley Macauley informed the working group that she was identifying the groups that the draft report will be going out to after the 15<sup>th</sup> of January 2008. Between mid-January and the end of February there will be consultation held on the draft report. Ellis Haughey informed the group that at the plenary session the issue of outreach was raised under any other business. The Chairman had

put it on the agenda for next Friday's all day meeting. She had made the general point that there was concern about outreach becoming 'consultation,' rather than the initial intention of issue awareness and engagement.

8. The group then turned its attention to Dr Moore's paper titled 'Draft Provisions on Rights in Detention.' Dr Moore informed the working group that the Civil and Political Rights working group will have a paragraph on harassment as a form of discrimination and in addition a paragraph in indirect discrimination. Their provisions include a right to life considering use of force, paragraphs on extradition and use of torture. The Civil and Political Rights group wanted to refer a draft on disappearances to this group. What the Civil and Political group had in mind was that "the state would by law prohibit all extra legal, arbitrary and summary executions. Law enforcement officials will use force only when absolutely necessary. The state should not commit, practice or tolerate enforced disappearances and should establish effective procedures to investigate thoroughly cases of missing or disappeared persons in circumstances which may involve violation of the right to life." The working group considered that this was a category of victim also involving a criminal offence and decided that this would be considered at a following meeting. Dr Moore continued to inform the group in relation to harassment that the other group had a paragraph on harassment as a form of discrimination and also included a paragraph on indirect discrimination. In terms of detention the other group had included Article 5 ECHR (liberty and security) and amended one section (not relevant to this group as it concerns detention to prevent the spreading of infectious diseases.) What the other group wanted to pass onto this group was the section concerning where people are arrested and detained, being informed promptly about communication with legal representatives. Dr Moore proposed that she would look at this section, making amendments and present them to the group by next week. The working group could review and consider this section over Christmas. Dr Moore suggested that she would email Mary O'Rawe and she asked Benjamin Lee to look at this section as well.
9. The Convenor invited discussion on Dr Moore's paper and Dr Moore informed the group that it considers rights in detention which mostly concerns rights of prisoners waiting to find out if a decision has been taken to remand them or not. The Convenor asked Dr Moore to guide the working group through this document. Regarding the first point the problem is there are numerous draft provisions and it is nearly impossible to whittle them all down without omitting substantive aspects. Dr Moore suggested that public authorities should fully implement the other standards which will be similar to the issue surrounding victims and other categories. Benjamin Lee informed the group that the forum had agreed that no international standards would be undercut. There appeared to be agreement in the working group that it would be left in for the moment.

10. The second point, 'remand in custody shall be a last resort.' Stephen Nicholl had a slight difficulty with this provision however Dr Moore was able to clarify the matter stating that this concerns remand. Remand prisoners are still innocent until proven guilty and that those persons have not been convicted of anything at this stage. One of the current problems in the prisons is that most prisoners are on remand, most prisoners have not been sentenced and this concerns the older, the young and women. Compared with other European countries this country has a higher rate of remand and a very lengthy rate of remand. Points 2 and 3 are aimed at addressing concerns over remand. The Convenor asked if point 2 was agreed but Stephen Nicholl still had a concern stating there was a view that some people pre-trial in the community continue to become engaged in crime. Elis Haughey asked if an attempt to find alternative language would address his concerns. Stephen Nicholl responded stating that he would be happy if there was a provision 'if all other practical alternatives had been considered.' When asked what his amendment would be Stephen Nicholl suggested 'practical,' the working group then discussed the wording 'appropriate.' Edel Quinn offered the view that putting people in jail will not in the long term make a community safer, for a short while a community may feel safer but the reality is when people are released the community is no closer to being safe than before that person went to prison. Dr Moore proposed the inclusion of 'where all appropriate alternatives have been considered taking into consideration the safety of the public. The Convenor acknowledged that amendment appeared to have support.
11. Regarding the third point, 'everyone remanded in custody pending trial for an indictable offence has the right to spend no more than 110 days in custody before the commencement of the trial and everyone remanded in custody pending trial for a summary (less serious) offence has the right to spend no more than 40 days in custody.' Working group members were advised that footnotes at the bottom of an earlier draft and this version may be mixed up. This is based on the NIHRC's draft based on the situation in Scotland. Dr Moore was not aware whether there was more rights compliance mechanisms in other European jurisdictions and Benjamin Lee suggested he could look into this for the working group. Stephen Nicholl requested information on what the current situation is, how long on average prisoners remain on remand. Dr Moore suggested it could literally be months on average and up to a year would not be abnormal. This matter may require deferring. The difficulty Stephen Nicholl had while acknowledging there should be a right to fair and expedient justice was the question whether or not the system can deliver. He continues to question what the best that can be achieved is and there has to be some realism. Dr Moore informed the group that the usual case for children was that they could spend months on remand and eventually they are not given a custodial sentence. In response to Alex Maskey's question whether there was a higher standard Dr Moore stated that the example

NIHRC had presented was the example found in Scotland. Stephen Nicholl wanted to see the system working as speedily as possible.

12. The fourth point concerns 'a person shall be given a custodial sentence as a last resort.' Stephen Nicholl could not commit to signing up to that proposal the way it was. He believed that there was too much concern in the community in relation to crime; he continued that until the community feels safe and is convinced those alternatives work there is not going to be a demand for a reduction in custodial sentences. Alex Maskey discussed 'seriousness of crime' or the need to be mindful of public safety and considered there was a genuine concern of public safety and to consider the relativity of the crime. Ellis Haughey proposed that concerns may be addressed if a comma was inserted after 'custodial sentence' in this section followed by a comment "consistent with the aim of reducing crime." Dr Moore was asked to look at the wording. Stephen Nicholl made the point that people generally feel that alternatives are not in place, the concern is with the absence of these structures. There was a massive amount of work to be done. Dr Moore agreed with Barry Fitzpatrick that these rights were programmatic but judges will have some discussion as well and there was a margin of appreciation. A judge looking at this today will say that a custodial sentence was a last resort because there was nothing else but in two years time may say no there were other alternatives and a particular scheme for example was not considered. Ellis Haughey suggested that reference to public safety may address some of the concerns. Dr Moore proposed that she would consider the suggested wording offered by the group and check if other international standards could be found. Edel Quinn had a comment to make on the realities of the system and the perception amongst the public, there was a need to educate the public as to what the alternatives were and how effective those alternatives are. Stephen Nicholl suggested to the working group that there is the need to point to the Bill of Rights and say to the community this is going to make things better for everyone rather than just a narrow section of the community. Ellis Haughey then considered that principles should not be compromised but there is a need for sensitivity or awareness of how the Bill is to be perceived. Edel Quinn suggested that the debate needs to take place in the public arena that alternatives can be beneficial to the community. Barry Fitzpatrick advised the group that the South African experience suggests that programmatic rights can be a lever for debate and it is possible that failure to address programmatic rights inspires a very public debate and there is pressure to create alternatives. Benjamin Lee suggested that it was useful for the working group to consider the use of custodial sentences as a last resort in other common law systems, where it is a principle of sentencing. The working group agreed that it would be useful for Benjamin Lee to look at this.

13. After a short coffee break the group returned to consider the fifth point. The Convenor acknowledged there was no disagreement with this proposed right.
14. Dr Moore commented that she had not included sexual orientation in the sixth point. Barry Fitzpatrick suggested that he was in favour of a non discrimination provision being explicitly mainstreamed throughout so that judges would be in no doubt. Barry Fitzpatrick would be in favour of introducing sexual orientation and gender identity. Dr Moore informed the group of an issue with the treatment of transgender individuals in prison. Barry Fitzpatrick was able to add information that there had been instances of transgender people opting for reversal because they were being held in solitary confinement and there was a whole different order of abuse of transgender persons in prisons. The working group appeared to agree to the adding of sexual orientation and gender identity.
15. There was no debate concerning points 7, 8 and 9. Dr Moore suggested this was likely to become law anyway.
16. Dr Moore and Barry Fitzpatrick suggested that gender should also be added to the tenth point. This proposal appeared to be agreed by the working group.
17. There was no debate concerning points 11 and 12. The Convenor invited any comment on point 13. Dr Moore was unsure as to the wording that had been used. She was unsure how it should be worded to make it consistent with the style of the remainder. The working group agreed to the principle behind this proposal and Dr Moore suggested she would revise the wording.
18. There was debate surrounding the fourteenth point. Stephen Nicholl suggested that there should be some requirement for those in custody to engage in those activities. Elis Haughey commented that to have a right then make it obligatory to take up your right may be counterproductive, there perhaps should be something on encouragement. Edel Quinn discussed an onus on public authorities to support uptake and perhaps the definition of appropriate provision. The Convenor asked the working group if they wanted to qualify or modify 'appropriate.' Benjamin Lee advised the group that if they liked they could always put qualifiers on these rights for example suggesting "for the principle of promoting reintegration etc." The group can add words to the text or simply add a footnote as this gives a clear idea of intention to the plenary. Elis Haughey agreed that the working group should give indication of their intention. There did not appear to be overwhelming consensus for changing this provision but the working group appeared to suggest a footnote to this fourteenth point should be added. Dr Moore commented that a provision on prisoners not knowing their rights may have been omitted and she may be able to look into this.

19. The Convenor asked if point 15 was agreed subject to correction of the spelling of healthcare. Barry Fitzpatrick made the general comment that language could always be arranged to make the rights more enforceable or programmatic by using wording such as "progressively." Stephen Nicholl raised a concern. He had no difficulty as to content but suggested that the general public may not necessarily be able to get access to healthcare at any time of the day and night. Dr Moore commented that generally members of the public can dial for an ambulance or take themselves to casualty. In Dr Moore's experience of prisons in Northern Ireland when she was doing research, in one facility there was no on call doctor at night. Stephen Nicholl commented that he had no difficulty that people should have access to a doctor but he questioned the inclusion of specialised healthcare and whether this could entail a whole range of services. Dr Moore suggested there were two big issues surrounding night time healthcare namely people coming in who are addicted to drugs/alcohol. Drugs and alcohol are removed from the person and they are not supervised. The other issue is mental health. Elis Haughey suggested that again a footnote may be useful. The difficulty remained for Stephen Nicholl that for teenagers in areas such as North Belfast who need access to the same sort mental health care cannot get access. The inclusion of 'appropriate healthcare' appeared to have consensus.
20. The amendment to point 16 was a consideration of 'reverse sentences.' As regards point 17 Stephen Nicholl wanted to ascertain the definition of exceptional circumstances. Dr Moore attempted to address this concern suggesting that the working group consider using the wording of the sentence below, (found in point 18) adding "exceptional circumstances on the basis of individual risk assessment." By using individual risk assessment it would place an obligation on prison authorities to assess the risk caused by that one person and to others. Dr Moore recalled the example of loyalist prisoners at Maghaberry Prison who were under threat from other prisoners, were held on the punishment block in isolation under 23 hour lockup between 4-5 months. The punishment blocks were not designed for this purpose; they were designed for short, sharp shocks which today may not be appropriate and certainly not for holding prisoners at months at a time. Dr Moore suggested she would look at the wording and a footnote.
21. Debate in relation to point 18 concerned Stephen Nicholl's concern as to protection of staff in addition to protection of prisoners. The working group discussed whether there would be a requirement for the inclusion of a clause addressing staff safety if wording covering individual risk assessment was used but concluded it would do no harm to include an address of staff safety and safety of others.
22. Regarding point 19 Barry Fitzpatrick sought clarification of the term 'reasonable suspicion.' Elis Haughey initially suggested this was replaced with "a reasonable suspicion of danger," eventually the term "reasonable risk of danger" was settled. Edel Quinn

commented on the gender of the medical professional conducting the search.

23. On point 20 Barry Fitzpatrick sought clarification if this provision overlapped with what had been discussed for youth justice. Dr Moore suggested this addressed young prisoners aged around 18-25 which may need to be made explicit.
24. On point 21 Dr Moore suggested the working group read “a diagnosable or any diagnosable,” instead of “all diagnosable.” Elis Haughey questioned on who decides compatibility. Dr Moore suggested the judge in sentencing. Barry Fitzpatrick referred to the subtle differences between the wording of ‘shall and should.’ Including the word ‘shall’ suggests it is mandatory and ‘should’ suggests if it is possible to do so. The working group agreed to change the word should to shall.
25. Elis Haughey sought clarification whether point 22 covered all that was needed to be covered questioning whether it covered issues such as personal care. Dr Moore suggested the inclusion of “health, personal and social care.” Barry Fitzpatrick commented that a lot of this may be covered under the Economic and Social Rights working group. Dr Moore referred to examples which she had been considering such as a consultant in specialised care. A number of women she had spoken to had drug dependency and depression problems and were receiving specialised care in the community. When these women went in to prison a GP was saying they did not agree with the consultant regarding care. Dr Moore was not suggesting that a GP always has to follow what the consultant has said but rather the GP should have some correspondence whether by telephone or letter with the consultant in order that there is some sort of continuity to check for example what prescription a patient was on. Barry Fitzpatrick made the comment that ‘ensure’ may be too strong and proposed perhaps ‘take into account.’ The working group decided to agree with the suggestion to include personal and social care.
26. Dr Moore informed the group that the Civil and Political working group had considered point 23 and suggested that it was referred to the Criminal Justice and Victims working group. Stephen Nicholl expressed concern that there may be those in society who would deliberately try to become pregnant to avoid prison. Stephen Nicholl was aware of instances where girls become pregnant to gain an advantage or avoid a disadvantage. Dr Moore explained that this point was not about women’s rights but instead about the rights of the child. The idea is that women are not being let off because they have a child; this paragraph concerns the impact on the child and the family. The issue of developing alternatives (see para 12 above) was revisited. There was no further debate on this point.
27. Concerning point 24 Barry Fitzpatrick informed the group that he had been approached on this issue being asked whether this

working group would be covering the issue of ex-prisoners' rights. There are issues in terms of non-discrimination and he questioned just how down the line this working group goes on this issue. Dr Moore offered to look at what the Civil and Political group had found. Alex Maskey questioned where voting rights would fit in. Dr Moore responded suggesting it should be found in the Civil and Political working group but she could cross-reference with that group. She continued to inform the working group that the European Court of Human Rights has held that the United Kingdom is way out of line with other European jurisdictions, breaching the ECHR by having a blanket ban on prisoners voting but they do allow some restrictions on the right of prisoners to vote.

28. The working group chose to omit point 25.

29. Dr Moore suggested that 'adequate and appropriate' should be added to point 26. Stephen Nicholl raised a point on who will define what adequate and appropriate is. Barry Fitzpatrick suggested this discussion reverts back to the above debate on programmatic rights he suggested that there was at least three approaches to drafting. First there are absolutely clearly enforceable rights, second there are purely programmatic rights and thirdly there are sufficiently loose rights to be interpreted. This whole process is a multi-faceted process which again was clear there was no criticism of the process. Stephen Nicholl made the comment of what would be adequate and appropriate support if someone considerably well off with a family was sent to prison compared with someone less so. He questioned whether there was an issue of scale. Dr Moore enquired whether the forum could advise the working groups on the issue of enforceable and programmatic rights. Dr Moore was under the impression that Chris Sidoti (Chair of the Bill of Rights Forum) had considered a meeting of convenors and human rights advisors where everyone got together. Benjamin Lee offered to follow up on this for the working group. There was no further debate on the twenty fifth point and The Convenor declared it agreed.

30. The Convenor reminded the working group that the intention was to meet at 1330 for next meeting at NICVA, Duncairn Gardens Belfast on Thursday 13<sup>th</sup> December 2007. The January dates had not been settled and the working group agreed to meet for those sessions at 1000 on the 10<sup>th</sup> and 11<sup>th</sup> of January 2008. These meetings would be all day sessions. This would be confirmed. There was no outstanding business.

31. The Convenor invited Mr Wilkinson from FAIR to make a comment on the work of the working group which he had observed. Mr Wilkinson stated that FAIR were mindful of the resources available to the Bill of Rights Forum and timescale was a primary concern. He acknowledged that the working group had made the effort to contract a great number of groups and noted the response. FAIR had concern over lack of representation and the exclusion of what FAIR see as the most particular circumstance of Northern Ireland,

namely the existence and impact of terrorism. As a representative of victims of terrorism this exclusion is perceived as the biggest obstacle. FAIR hope to make their views known and they wish the Forum well. They were aware of the difficulties inherited from the NIO and Mr Wilkinson stated that there were many issues to resolve. There was a willingness of victims to engage but the question was whether there was the facility or timescale to do so.

32. Alex Maskey in response picked up on a point made by Mr Wilkinson and wanted to make clear that members of this working group had been working hard for months on this process. There had been a lot of time spent talking through the issues. He would be dismayed if people thought there had been a flippancy attached to this discussion. Alex Maskey supports the opportunity of people invited to observe the meetings of the working group and he was anxious that someone would not extract one sentence when in fact there had been months of discussion. Alex Maskey stated that he was the working group member who had proposed the hearing for victims' groups.
33. Stephen Nicholl also responded by commenting that the more victims groups that the working group hears, the more able the working group can reasonably come to the view on what the needs are. The working group can only look to see what is needed to be done based on the response from victims. The problem as indicated by Mr Wilkinson is that if victims' groups had been properly represented on the Forum in the first place then the working group would not be in this difficulty.
34. Dr Moore also responded stating she would be the person in charge of drafting. She will look at international standards and literature but she will take what victims have told the working group at meetings and attempt to incorporate this.
35. The Convenor thanked everyone for their participation and this working group meeting was closed at 1700.