

FROM THE OFFICE OF THE JUSTICE MINISTER



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**To: Victims and Survivors of the Troubles**

30 June 2021

Dear Colleague,

### **TROUBLES PERMANENT DISABLEMENT PAYMENT SCHEME**

Last week the Northern Ireland Public Service Ombudsman (NIPSO) published a report recommending changes to how further evidence is used in assessing and awarding entitlement to Personal Independence Payments. Following publication of that report there has been media focus on the appointment of Capita to support administration of the Troubles Permanent Disablement Payment Scheme (TPDPS).

I deeply regret the potential for the media coverage to cause further trauma to victims who may have concerns about disablement assessments following an application to the TPDPS. I therefore thought it would be helpful to clarify the background to the appointment of Capita and the arrangements being put in place by Capita to support disablement assessments.

The Department of Justice was designated by The Executive Office to put in place the necessary administrative arrangements to support the Victims' Payments Board in delivering the TPDPS, after I volunteered to take on the task. I was agreeable to my

Department being designated as I was frustrated and concerned that victims and survivors of the Troubles had waited so long for this important scheme and was determined to do all in my power to have it delivered.

The purpose of the TPDPS is to acknowledge the harm suffered by those injured in the Troubles and to promote reconciliation between people in connection with Northern Ireland's troubled past. It is a novel scheme and so the assessment arrangements are unique to the TPDPS and based on different legislation which defines the processes for PIP assessments.

One of the key components of the TPDPS is an assessment of the level of permanent disablement experienced by applicants as a result of a Troubles-related incident. Detail on how those assessments should be arranged is set out in the Victims' Payments Regulations 2020, which were made by the Northern Ireland Office. Assessment of the level of permanent disablement of applicants to the scheme will enable the Victims' Payments Board, which is entirely independent of the Department of Justice, to make decisions on entitlement to payments under the scheme.

Capita was appointed by the Department of Justice, on behalf of the Victims' Payments Board, through a public procurement process to carry out those disablement assessments. That was on the basis of the Department's responsibilities to support the Board in administration of the TPDPS.

Great care and attention to detail has been taken regarding the application and assessment process to ensure it meets the bespoke needs of the TPDPS and in line with the underpinning Regulations. While that has taken longer than many of us would have liked, it has been important to take the time to ensure that the scheme best meets the needs of victims. In that context, intensive work has been ongoing over recent months to develop guidance on the arrangements for the disablement assessment process. I understand that the Victims' Payments Board plans to publish that guidance on its website today ([www.victimspaymentsboard.org.uk](http://www.victimspaymentsboard.org.uk)).

That assessment guidance has been informed by external input and also a literature review which is available on the Board's website. I know that the President and Victims' Payments Board have reviewed the guidance and that there has been considerable effort by everyone involved to ensure that the guidance fully meets the requirements of the scheme.

It is also important to note that the assessors supporting the TPDPS will be experienced health care professionals in strict compliance with the requirements of the Victims' Payments Regulations and will be required to successfully complete intensive training prior to commencing assessments. The suite of training is designed to place the very specific needs of victims and survivors at the heart of every decision made within the scheme.

In addition to trauma related modules, the training programme will involve theoretical and simulated assessments to ensure that assessors meet the competence and knowledge requirements. Following four weeks of intensive classroom-based training, the healthcare professionals must undergo a written and practical assessment to ensure that the required level of competence has been achieved.

Capita has also advised that 100% of assessment reports will be audited until each assessor has consistently met the quality standard required (a minimum of 6 months); after that period reports will be subject to audit under a rigorous quality assurance programme.

Assessors will remain subject to regular audit of their work and will have access to an expert clinical panel for complex cases. An Internal Clinical Audit Team within Capita will also audit the quality of disablement assessment reports and it is worth noting that the Victims' Payments Board will have the option of returning any disablement reports for review by Capita if they have concerns about the quality of the content of any reports.

While I hope this will provide reassurance on the audit arrangements for the completion of disablement assessment reports, applicants may also appeal to the Victims'

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Payments Board against a decision regarding their assessed degree of disablement. That will be an important consideration for those applicants who have concerns, for whatever reason, about the outcome of the assessment of their level of permanent disablement.

Importantly, Capita will also be adopting a flexible approach to how assessments are delivered for the scheme to ensure that the approach is victim-centric and the need for face-to-face assessments is minimised, where there is sufficient evidence to determine the level of permanent disablement without formal examination.

I trust this is helpful assurance around the role of Capita in completing disablement assessment reports to support the Victims' Payments Board in delivery of the TPDPS. The TPDPS is a novel but important scheme for victims and survivors who have suffered so much and for so long.

I am keen to see the scheme opening and payments commencing and I know that Mr Justice McAlinden, President of the Victims' Payments Board, and the wider Board, are equally committed to implementation of the scheme. In the meantime, if you would like to register an interest in the scheme please email your details to [vpb@justice-ni.gov.uk](mailto:vpb@justice-ni.gov.uk) and the administration team will ensure further information is provided when the scheme opens for applications.

Yours sincerely,



**NAOMI LONG MLA**  
**Minister of Justice**

*Please ensure that you quote our reference number in any future related correspondence.*