



Independent Commission for Reconciliation and Information Recovery

Consultation response: Operational
Design Framework

July 2024

Context

In this consultation response paper the Independent Commission for Reconciliation and Information Recovery (the Commission), sets out its response to the submissions received to its public consultation regarding its Operational Design Framework.

Audience

This paper will be of interest to victims, survivors and families who have been impacted directly or indirectly by the Troubles in Northern Ireland and the rest of the UK and Ireland. There may also be interest from victim and survivor representative bodies, both statutory and voluntary, and the wider population in Northern Ireland.

Promoting reconciliation is our principal objective

Promoting reconciliation is the principal objective of the Commission. The Commission published the Operational Design public consultation to seek views and comments on its design in order to help improve how the Commission delivers for all those across the community, thus helping to improve the basis for promoting reconciliation.

Reason for consultation response paper

The Commission has set out as a principle that it should focus on providing useful information to those affected by the Troubles/Conflict. While the legislation is fixed there is wide flexibility about how this Commission is designed. The Commission sought feedback from the public about key aspects and stages of the Commission's operational design. These final decisions paper highlights the responses received to the Operational Design consultation and, following analysis and reflection of these submissions, the final decisions the Commission has now taken.

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Executive Summary

The Independent Commission for Reconciliation and Information Recovery (the Commission) has been established to provide information to families, victims and survivors of those who have died or to those who have experienced serious injuries related to the Troubles/Conflict, and to assist the promotion of reconciliation.

On the 1 May 2024, the Commission began this work with an important focus and emphasis on those most deeply affected by the Troubles/Conflict; those who lost loved ones and those who have been seriously injured. A telephone and email service was opened to the public; giving families, victims and survivors the opportunity to come forward and express an interest in having their case investigated by the Commission.

The Commission published a consultation on the Operational Design Framework in March 2024. This document includes summaries of the responses received to that consultation and sets out how we will reflect these comments in the various operational design policies held by the Commission, which will be published alongside this document.

Overview of Operational Design Consultation

Consultation launch

The Commission launched a public consultation, '[Operational Design](#)'. When the Commission published this consultation, it was clear that it would listen to responses and use these experiences to reflect on the development of a suite of policies within the Commission. This is a complex area and we are always keen to improve our approach. Listening well to people coming forward, including through this consultation, is key.

On 14 March 2024, the Commission launched a formal eight-week consultation on its operational design framework.

The Consultation was actively promoted throughout, on radio adverts, bus shelter and phonebooth awareness raisers, through hundreds of stakeholder emails and during interviews and meetings given by Commissioners during the consultation period.

The powers and responsibilities of the Commission are set out in legislation. It is the Commission's responsibility to decide how to carry out investigations into deaths and serious injuries related to the Troubles/Conflict, in line with the legislation with a

focus on responding to the needs of requesting individuals. How the Commission operates to deliver the legislation with people at the heart of how it goes about its work, is set out in policies, guidance and standards documents.

For this reason, the Commission invited members of the public and interested organisations to respond to questions on the design of its key operational policies.

The Commission

The Commission now provides a single, dedicated mechanism for investigations into deaths and serious harm which occurred during the Troubles/Conflict. We are committed to complying with the European Convention on Human Rights (ECHR) and to delivering for all, no matter their background. The Commission will use its wide powers to investigate each request thoroughly.

We recognise that the significant changes to the way legacy cases are approached has caused concern and worry about the motives and about what will happen next. The context of the Legacy Act and the lack of public engagement and support make the situation more difficult. While we are not responsible for the Act or for how it came about, we have heard this challenge and understand why people would feel this. The Commission will work to gain the trust of victims and survivors, and wider society, not through its words but through demonstrating that it is doing what it says it will. The Design Framework outlines the standards and processes we have set and these allow individuals that engage with the Commission to know what to expect and to hold us to account against this. They also demonstrate how we consider that we are adhering to the requirements of the European Convention on Human Rights.

We have developed a process to support all those who request the Commission's services, focusing on a Trauma and Resiliency Informed Model (TRIM) approach which reflects that people are integral to our work. We will strive to provide an empathetic and individual point of contact from those requesting the Commission's services; this approach will be followed from the first contact until the conclusion of an investigation by the publication of the Commission's findings.

The journey that those seeking the services of the Commission (referred to as a requesting individual), can be found [here](#).

Consultation responses

The consultation received 11 responses from the following organisations:

- 1. Commission for Victims and Survivors (CVS);**

2. **Victims and Survivor Forum (part of the Commission for Victims and Survivors);**
3. **Co-operation Ireland (CI);**
4. **Methodist Church in Ireland (MCI);**
5. **Ministry of Defence (MoD);**
6. **Northern Ireland Retired Police Officers Association (NIRPOA);**
7. **Keough School of Global Affairs, University of Notre Dame (UND);**
8. **Ulster Human Rights Watch (UHRW);**
9. **Royal College of Psychiatrists in Northern Ireland (RCPNI);**
10. **Northern Ireland Veterans Movement (NIVM); and**
11. **The Law Society Northern Ireland.**

In addition to the above list of organisations, two individual members of the public took part in the consultation, one of whom chose to remain anonymous, referred to with the unrelated initials **DB**.

The consultation set out proposals on how the Commission will operate and invited participants to consider 16 questions on these proposals. The consultation document explained that responses to the specific questions will inform decisions on the approach the Commission will take.

The questions posed in the consultation and responses received are summarised in this paper.

Consultation questions regarding reconciliation

As part of the public consultation on the Operational Design the Commission asked a series of questions on how the Commission can contribute to promoting reconciliation. The consultation asked:

Do you think that the Commission should establish an Advisory Group on Reconciliation? and;

If the Commission, in light of this consultation, decides to establish an Advisory Group, do you agree with the draft statement of intent and remit? What other aspects should be considered? Are there any aspects that should not be within scope?

The Commission is grateful for the responses that it received. In discharging its functions, the Commission's principal statutory objective is to promote reconciliation. The Commission is conscientiously building its cross-cutting approach to this primary, overarching objective. The important views of consultees and other stakeholders on promoting reconciliation are therefore being considered in a further policy development process, including taking account of further engagement. A further publication setting out the Commission's response to those consultation questions and its wider approach to its principal objective of promoting reconciliation will be set out in due course.

1. Awareness

In Chapter 2 of its consultation, the Commission asked:

2.14 There will be a range of ways to find out about the Commission:

- *on the Commission's website, including downloadable fact-sheets*
- *Printed guidance available from our office*
- *Printed leaflets and fact-sheets available in other places*
- *General press/media coverage*
- *Via local democratically elected representatives (MP/MLA)*
- *Solicitor other legal representatives*
- *Existing law enforcement body*

How would you prefer to find out about the Commission? Are there any other ways?

2.15 Accessibility of information is important to meet a range of needs. Thinking about your own circumstances, what support would you want?

- *Languages – Irish, Ulster Scots, other?*
- *Braille / large print*
- *Audio / talking book A*

Are there other considerations?

Consultation responses

The Commission for Victims and Survivors (CVS) suggested events and leaflets, and also commented on the need for clear definitions of terms such as 'reconciliation'. They sought more detail on the Commission's awareness aims and objectives. The **CVS** and the **Victims and Survivors Forum (VSF)** said that language and definitions should be clear and accessible, in relation to this question and others.

The Commission for Victims and Survivors Forum (VSF) commented that many of the matters set out in the Commission's Design Framework are actually defined in the legislation but this fact is not conveyed by the Commission.

Co-operation Ireland (CI) commented on the need for buy-in and acceptance from victims and their families and suggested a more proactive approach to raise awareness of the Commission. They suggest this could be done effectively through civil society groups but point out that many victims and families are not engaged with any groups, and mass publicity campaigns will be important to reach these individuals. They also emphasised the need to reach victims and families who do not live in Northern Ireland. A number of other respondents highlighted that advocacy groups could have a role.

The Methodist Church in Ireland (MCI) stressed the importance of outreach work with the community voluntary sector, particularly victim support groups, to build trust and confidence. They considered the biggest issue of accessibility is reaching people who are traumatised and isolated with little support.

DB thought that media was the best option and requested that value for money should be a constant consideration.

More broadly, **Northern Ireland Retired Police Officers Association (NIRPOA)** stated that it would be helpful to have more information regarding how the Commission intends to deal with complaints about the conduct of the Commission or its officers.

Commission response

The responses support the need for the Commission to be proactive when engaging with the victim and survivor community and wider society in Northern Ireland and Great Britain and we agree with that. They support a varied range of mechanisms for doing this and we agree that it is important that any option must demonstrate value for money. Linked to this will be the need to set aims and objectives for such awareness work and to consider how the effectiveness is measured. These are matters that should be set out in the Commission's next Annual Work Plan.

The potential role for community and advocacy groups has been highlighted and these have been added to the list in the Operational Design Framework.

Responses highlighted the need for the Commission to ensure messaging is clear and accessible. The Commission agrees with this. Language is important and we will continue to listen to feedback to help us improve our communications.

The Commission recognises that due to the subject matter of its work, many of its publications to date have used legalistic language, required at this stage of building policy and process. It has sought to reduce this by avoiding references to statutory

provisions and instead trying to explain in plain language the requirements or meaning. The Commission will continue to consider how best to explain its work and use learning from interactions with those bringing requests to improve the contents of its publications. We will continue to expand the glossary of terms that is published on our website.

The Commission wishes to be inclusive to the broadest section of society as possible, we recognise that we must ensure our publications are accessible for those with additional needs. We will continue to offer a range of formats but as there has – as yet – been no uptake, we will maintain the capability to produce such documents and provide them on request.

The Commission will ensure compliance with the regulations and standards regarding accessibility protocols.

The Commission has a published complaints policy and has set out more information about how issues and concerns can be raised within investigations. All Commissioners and members of staff are expected to adhere to the Commission's Code of Conduct and failure to do so can lead to disciplinary proceedings, including potentially when a complaint is made by a member of the public.

2. Support

In Chapter 3, the Commission asked:

3.25 Do you agree that the Commission should begin work to identify wider family who would be entitled to receive a report at this initial [support] stage? What further reasonable steps should the Commission take to identify and communicate with family members?

3.30 At what level of formality should the agreed expectations between the requesting individual and the Commission be documented?

- *Formal contract signed by both parties*
- *Mutual contract agreed by both parties*
- *Personally drafted expectations and ways of working document, agreed by both parties*
- *Verbal discussion with summary of what was agreed provided in writing*
- *Discussion of topics in specific meeting*

Anything else?

3.31 What areas should the mutual expectations cover:

- *Regularity and frequency of contact*
- *How information each other provides should be treated*
- *How wider support and help will be provided or changed*
- *How the Commission's officers and the requesting individual will behave in interactions*

Anything else?

Consultation responses

The **CVS** welcomed proposals to be sensitive to families who need time to make decisions about their cases. They added that communication should be clear and

avoid vague phrases. They also pointed out the possible difficulties among family members who are not in agreement. The **VSF** suggested that mediation could be helpful.

The **MCI** said that along with the **CVS**, other groups such as churches could help to reach families and gain their confidence.

The Keogh School of Global Affairs, University of Notre Dame (UND) would like the Commission to engage with wider family members in order to understand individual preferences and circumstances. They add that the Commission should recognise victims' 'chosen family', not just blood relatives.

The **CVS** expressed the importance of managing expectations, not overpromising and communicating clearly in plain language. They also said the Commission should be aware that individuals will have unique triggers.

The Ministry of Defence (**MoD**) said when identifying and approaching potential witnesses, they would like military veterans to be contacted through the army so that they can offer suitable support. They added that if military veterans have already been interviewed about incidents, the Commission should begin their investigation with information in that record.

The **MCI** request that the Commission staff keep in mind the power differential between their staff and families, and that the trauma-informed approach is applied. They recommend following the example of Operation Kenova.

UND would like the Commission to provide a clear and succinct guide to how requesting individuals and groups can participate in all stages of its processes. The Commission should send the guide directly to people involved, and publish it on the website. **UND** emphasises the importance of support for families which takes account of individual needs.

The Royal College of Psychiatrists in Northern Ireland (RCPNI) welcome the role of case support workers and suggest liaising, if consent is given, with clinical professionals that requesting individuals are engaged with. They also recommend that Commission staff are trained in basic mental health first aid and awareness.

More broadly **Ulster Human Rights Watch (UHRW)** underlined the role that advocacy and support groups could have in the Commission's processes and that the Case Support Team should not seek to supplant these.

Commission response

The responses underline that family relationships can be complex and difficult to navigate. They highlighted the importance of consistency in how the Commission approaches the communication with families; all families should be treated in a similar and fair way. The Commission will endeavour to be respectful in all its communications with individuals and families who contact us.

We have updated the Operational Design Framework to improve clarity around those who are eligible to make a request, the steps that will be taken to engage with the wider family and the opportunities for other family members to receive the proposed report. We have also published a number of simpler leaflets and more information on our website setting out steps in the process.

In light of support for early identification of close family members, the Commission has updated its proposals in the Operational Design Framework to set out the range of ways it will seek to identify family members. This work will be led by the Case Support Worker, working closely with the requesting individual and will be carried out in accordance with the Commission's trauma and resiliency-informed approach. While it may support contact and connections between different family members, the Commission does not consider that it has a role to mediate between family members. The Commission's legislation requires that there is a single requesting individual – any family member who meets the criteria can make a request.

There was some support for ensuing expectations were understood at the outset. In light of this the Commission has decided to develop a Charter setting out what the requesting individual can expect from the Commission and what the Commission would ask of requesting individuals. This will be tested and open to further feedback from early interactions.

The Commission agrees with the point that many of the consultation responses make that it should carefully consider the role of requesting individuals and the additional support they may require whilst engaged in the investigations process. The development of the Trauma and Resiliency Informed Model, which is subject to further design work with input from stakeholders is a vital part of this. The Model will be published in the Autumn but early elements are already being followed and improved upon in the Commission's early work. There are important considerations around use of personal data when considering how to engage with third parties, such as GPs who may be able to provide help and support.

The Commission recognises that its staff must be trained to identify signs of trauma and seek appropriate support. Therefore, the Commission has developed a policy regarding its safeguarding of staff and requesting individuals and families, the policy, [ICRIR policy on safeguarding](#), can be found on the Commission's website.

The Commission recognises the role that advocacy groups can play. It also recognises the point made by **CI** that many people who might come to the Commission are not members of such groups and may not wish to become members. In providing a Case Support Worker the Commission is seeking to meet these different needs and circumstances. References to being supported by advocacy groups where individuals choose this have been added to the Operational Design Framework. The Commission nevertheless considers that the Case Support Worker role, as set out, is still important even where an advocacy group is also providing support services to a requesting individual.

3. Information Recovery

In Chapter 4, the Commission asked:

4.26 Investigations may be linked if a high degree of certainty can be established that they are considering the same event that led to the death or incident of other harmful conduct. Factors that will be considered by the Commissioner for Investigations in deciding whether to join a request to an existing open investigation include:

- The views of the existing requesting individual and any adverse consequences for them, including delay in answering a request, that may follow a decision to join requests.*
- The views of the subsequent requesting individual and any adverse consequences for them that may follow a decision to join requests.*
- The type and progress of the open investigation, and the potential impact of joining a request on progress - with those investigations which have progressed further being less likely to accommodate a subsequent request.*
- Whether a separate investigation would involve duplication of any on-going investigation, and whether that duplication is necessary.*
- The proximity of the relationship between the existing and subsequent requesting individual and the deceased (where they are the same family).*
- Any obligations on the Commission as a result of the engagement of Article 2 or 3 of the ECHR.*
- Whether the Commission's principal objective of promoting reconciliation would be assisted by the outcome of the decision.*

4.27 Should any criteria be added or removed from the proposed list and why? Should any criteria be given greater or lesser weight?

4.37 Whether duplication is considered necessary will need to be considered by the Commissioner for Investigations, or a senior officer on his behalf. The requirements will be explained to the requesting individual and their views, while not determinative, will be sought so that they can be given due regard in the decision. The main factor to be given significant weight is whether there are apparent defects in the previous investigation, for example due to lower historic standards or evidence of maladministration.

4.38 Are there any other factors that should be considered in the decision making for whether it is necessary to duplicate an aspect of a previous investigation? And why?

4.79 Factors that the Commissioner for Investigations may take into account when making a decision as to whether to allow the withdrawal or change of a request are set out in draft below. This is a non-exhaustive list.

- Whether Articles 2 and/or 3 of the ECHR are engaged;*
- There has been a significant change in the circumstances of the requesting individual or family (for example, bereavement or serious mental or physical harm);*
- The requesting individual is in possession of new, verified information and such a change is reasonable in terms of the efficient conduct of the investigation under way;*
- The Commissioner for Investigations is content that the requesting individual has not been coerced to change or withdraw the request;*
- The Commissioner for Investigations considers that to allow the change would assist in achieving the principal objective of promoting reconciliation;*
- Any other factors that the Commissioner for Investigations considers to be reasonable grounds for withdrawing or amending a request.*

4.82 Are there any additions you would make to this list of considerations? Are there any considerations on this list which you think should be removed?

4.87 The Commission also considers that a more formal means of review is also appropriate for key decisions. It has identified the following decision by reference to rights under the Victims Code.

4.88 The decisions in question relate to:

- Accepting or rejecting a request for investigation;*
- The type of investigation to be carried out*
- Making a referral to the prosecutor*
- Whether a request for an investigation may be changed or withdrawn.*

- *Whether a request is joined to an existing request*

4.98 Are there any other types of review we should consider in relation to the decisions identified as having an opportunity for the decision to be challenged?

4.99 Are there any other significant areas of decision that you consider should be included within the scope of reviews, when considered against similar rights in the Victims Code?

Consultation responses

There were no responses to any of these questions except for a general response from **NIRPOA** addressing the question about the criteria for changing or withdrawing a request. They made a general suggestion that those who may be subject to investigation and potential criticism should have their rights protected.

Commission response

As no responses were received in relation to proposed criteria or decision making approaches, the Commission has confirmed the criteria as proposed in each question. The Commission notes the general comment raised by a number of consultation respondents about a definition of reconciliation and that this has a read across to one of the criteria. The Commission will respond to the questions around reconciliation separately as is set out above.

We agree with **NIRPOA**'s point and our response in Chapter 5 sets out the representations process by which those subject to significant criticisms have the right to make representations.

The Commission's consultation also asked about the factors that should apply to the decision of the Commission as to which of the three types of investigation (Focused, Liability or Culpability) would be carried out:

4.52 The factors listed below are not exhaustive, and not all may be relevant in every case. The weight to be attached to each of the factors identified will also vary according to the facts of each case. It is quite possible that one factor alone may outweigh a number of other factors which tend in the opposite direction.

- *The nature of the request and any questions asked. Answering the questions asked by the requesting individual is at the core of the work of the Commission. The Commission will seek to conduct investigations that follow lines of inquiry that are necessary and proportionate in order to answer those questions.*

- *Whether Article 2 or 3 ECHR is engaged. An essential purpose of an investigation under Article 2 is to secure the effective implementation of the domestic laws safeguarding the right to life and, in those cases involving state agents or bodies, to ensure their accountability for deaths occurring under their responsibility. The state also has a duty under Article 2 and 3 to conduct an effective investigation into crimes which involve serious violence to an individual and this may involve an obligation to conduct a liability-focused investigation or a Culpability investigation.*
- *The views of the requesting individual. The Commission must take its own decisions independently of the views of any other person or body. If at the outset of the investigation requesting individuals were able to choose whether a case was capable of leading to prosecution, the Commission would be creating a significant risk to the requesting individuals. If suspects were aware that the decision to refer for prosecution rested with requesting individuals, those individuals could be placed under significant pressure to choose a particular type. The views of the requesting individuals may be a factor in deciding the type of investigation but is not a determinative one.*
- *There are reasonable grounds to suspect that an identifiable, living person/s has committed an offence and that an investigation may be capable of obtaining evidence that is reliable, credible and admissible. If it is likely that further evidence can be obtained to provide a reasonable/realistic prospect of conviction, Commission officers should consider the nature, extent and admissibility of any likely further evidence and the impact it will have on the case.*
- *There is a linked investigation assigned to an investigative type. Where the conduct that is the subject of an existing investigation by the Commission formed part of the same event as that death or other harmful conduct then investigations may need to be linked and in consequence may need to be the same investigation type.*
- *The principal objective of the ICRIR in exercising its functions is to promote reconciliation. If it is in the interests of promoting reconciliation for the case to be assigned to a particular investigative type, this is a factor that will tend in favour of that type.*

4.53 Are there other factors that the Commission should take into account when determining the investigation type? Are there any factors proposed above that should not be included? Please explain your answers

Consultation responses

The **MCI** thought the approach was reasonable but pointed out possible complications if different family members want different types of investigation.

The **MoD** expressed concern that ‘skewing unduly’ liability investigations towards cases involved police and armed forces would not aid reconciliation. They consider that some of the language used by the Commission risks presupposing culpability of the security services.

NIRPOA raised concerns about investigations being compromised by ‘an excessively close relationship between families and victims and those responsible for carrying out impartial investigations’. They query whether the range of powers available to the Commission will be exercised according to legislation and codes of conduct that apply to police powers, to ensure fairness. They point to ‘a notable absence of detail’ regarding protection of the rights of people who may be subject to investigation.

Referencing that the Commission has stated that after it has decided what type of investigation to carry out, the decision can only be changed in exceptional circumstances. **UHRW** proposes that if new information emerges that justifies changing the decision, this should be allowed.

More broadly, **The Northern Ireland Veterans Movement (NIVM)** oppose the release of secret or sensitive material to any person. They consider that such material will inevitably be released to the public and that the threat of penalties will not be a deterrent.

Commission response

It is at the heart of the Commission’s values that it will and must act impartially and with integrity. Its governance, its policies on declaration and management of outside interests and its openness and public scrutiny in its design process all underpin this approach. The Commission considers that the three types of investigation, which are all equally valid, provide the necessary way to recognise that there will be different types of request that come to the Commission, but that it should treat similar cases in the same way for fairness. The Commission does not agree with the concern that the MoD expresses and in particular considers that adherence to the ECHR is an important universal principle.

The Commission’s relationships with requesting individuals and witnesses are carefully managed, in line with its Code of Conduct and other policies. The role of the Case Support Worker in each case is there to help maintain appropriate support for requesting individuals while guarding against the risk raised by NIRPOA.

The Commission agrees that it should be possible to change the type of investigation if new evidence emerges which could support this and has amended the Operational Design Framework to set this out and explain the necessary circumstances.

4. Findings

In Chapter 5, the Commission asked:

What steps should the Commission take to ensure that individuals who are entitled to receive draft material or reports ahead of publication respect and maintain the confidentiality of the process?

What arrangements should the Commission consider putting in place to support a variety of approaches to publication of final reports with a view to allowing sufficient family and public involvement as appropriate?

Consultation responses

The **MCI** acknowledges there is some risk to sharing information and consider it essential to build trust with families, and clearly explain why confidentiality is important. They believe that the risk should be weighted in favour of being open as possible with families.

UND would like the Commission to consider carefully whether confidentiality can be ensured and suggest holding briefing meetings with requesting individuals and families would be the best way to share information before a final report is published. They suggest the Commission handles draft publications with as much transparency as possible and are clear about what elements will not be made public. For elements that are made public, the Commission should be open about changes made, and explain the reasons why, during the findings stage.

CI welcomes the fact the Commission recognises that publication of investigation reports may be particularly challenging for those affected, and also its commitment to involve families and offer support around publication.

CI would like the Commission to also consider the possible impact of publication on communities, which could lead to heightened tensions. They suggest the Commission should liaise with community groups, to support dialogue and help repair relationships. They add that in some cases, the Commission could work with appropriate organisations to facilitate dialogue between victims and perpetrators.

UND draw on their experience as monitors of the peace accord in Colombia to suggest a wide range of approaches to mark the publication of final reports. They emphasise the importance of respecting individual preferences and needs.

Commission response

The Commission agrees that confidentiality is important before the final report is published. However, the Commission also needs to share information with

individuals and organisations during the preparations to meet the legal requirements of the representations processes. The Commission will however strive to maintain confidentiality during work to prepare reports and in particular when seeking representations on draft material or reports, as required by the Act.

During the representations process the Commission and its staff will not make public the names or details of anybody it contacts for the purposes of providing representations, or details of any communications sent or received.

The Commission will draw the attention of all those it contacts to legal requirements (regulations made under section 34 of the Northern Ireland Troubles (Legacy & Reconciliation) Act 2023 which set out that any draft material provided is for the sole purpose of making representations and the importance of reciprocating the commitments that the Commission makes in respect of confidentiality.

The statutory representations process gives those who the Commission considers should be subject to significant criticism in the report an opportunity to understand this and challenge the basis of the Commission's proposals. These processes will need to be concluded before the report is shared in draft with families so that the Commission's final determination, based on any representations is reflected in the draft report provided to the family. This draft report will represent what the Commission proposes to publish, subject to any representations from close family members.

The Commission recognises and agrees that it will be important to consider the particular sensitivities for the requesting individual and communities more widely when preparing to publish final reports. The Commission will ensure that the publication of reports is done in accordance with the Commission's Trauma and Resiliency Informed Model, which includes standards and approaches appropriate to addressing the potential for people to experience activated trauma and stress responses.

Attention to how reports are published will be critical to ensure requesting individuals, families, and others are prepared for the information entering the public domain and for any ensuing public debate. The Commission will develop a range of potential options for the publication of the final report in each case and will work closely with the requesting individual to discuss and agree suitable arrangements.

The Commission supports the possibility advanced by **CI** that there might be wider dialogue around the report. The Commission does not consider that this is something that should be tied to the Design Framework but that the Commission should be sufficiently flexible that should the circumstances arise it would be able to facilitate such support and dialogue, recognising that there needs to be genuinely informed consent and agreement by the requesting individual and family for this to happen.