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Independent Commission for Reconciliation and Information Recovery

Final Decisions:
Disability Action Plan

July 2024

Context

In this Final Decisions 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 Disability Action Plan.

Audience

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

Promoting reconciliation as principal objective

Promoting reconciliation is the principal objective of the Commission. While a statutory obligation, the Disability Action Plan public consultation provided an opportunity to help improve how the Commission delivers for all those across the community, thus helping to improve the basis for promoting reconciliation.

Reason for Final Decisions Paper

This final decisions paper highlights the responses received to the Disability Action Plan consultation and, following analysis and reflection of these submissions, the final decisions the Commission has now taken, and submitted to the Equality Commission for Northern Ireland.



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1. Executive Summary

- 1.1 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.
- 1.2 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 were 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.
- 1.3 The Commission published a consultation on its Disability Action Plan in February 2024. This document includes summaries of the responses received to that consultation and sets out how we have reflected them in the final Disability Action Plan submitted to the Equality Commission for Northern Ireland.

About the Consultation on the Disability Action Plan

- 1.4 On 23 February 2024, the Independent Commission for Reconciliation and Information Recovery (ICRIR) launched a public consultation on its Draft Disability Action Plan. This consultation aimed to gather feedback from stakeholders on the proposed actions to support people with disabilities affected by the Troubles/Conflict. The consultation was published on the Commission's website, distribution plan was initiated this involved sending 196 bespoke emails to relevant organisations and alerting them to the consultation. This document sets out the responses to the consultation that we received as well as how the Commission has reflected on the feedback from those responses. On 14 March 2024, the Commission launched a formal eight-week consultation on its operational design framework.

Participation in the Consultation

- 1.5 Three stakeholders specifically responded to this consultation. The participating organisations and their assigned initials are as follows:
 - Commission for Victims and Survivors (CVS) - S1, [CVS Homepage](#)
 - Forum Members for the Commission for Victims and Survivors (FM-CVS) - S2, [FM-CVS Homepage](#)

- Equality Commission for Northern Ireland (ECNI) - S3, [ECNI Homepage](#)

- 1.6 The feedback responses provided were not in response to specific questions. Instead, the consultation allowed stakeholders and the public to give general feedback on the Disability Action Plan. Therefore, the review has been conducted using a thematic approach.
- 1.7 In its consultation on the Operating Design Framework the Commission also drew attention to this consultation (and its consultation about its Equality Scheme) and asked for any feedback. Responses to that consultation have therefore also been taken into account when considering this Disability Action Plan. The Commission will be publishing its response to that consultation in the near future.

2. Themes and Responses

- 2.1 We organised the feedback into key themes and provided a summary of the main points raised by stakeholders and our responses. This document reflects our dedication to making a difference while being open about what we can and cannot do.

You Said... We Did...

Theme: Terminology and Definitions

- 2.2 **You Said:** Stakeholders, including CVS and FM-CVS, recommended using "Troubles/Conflict" instead of "Troubles". Additionally, there was a suggestion from ECNI to acknowledge the number of people with disabilities who are victims/survivors of the Troubles/Conflict, including those with permanent disabilities, serious injuries, and long-term mental health issues.
- 2.3 **We Did:** We now consistently use "Troubles/Conflict" where appropriate in all documentation. There are some areas, such as references to legal instruments where for clarity we cannot do so. The Foreword and Overview sections acknowledge victims/survivors with disabilities and the ageing population's health issues.

Theme: Clarity and Consistency

- 2.4 **You Said:** Stakeholders CVS and ECNI requested the availability of the 'annual work plan' and clarification on the frequency of the 'annual progress report.' Feedback also included improving wording for inclusivity and updating outdated references.
- 2.5 **We Did:** Our first annual work plan for 2024 - 2025 was published following this consultation on 22nd of April 2024. It will be published once a year, for the financial year that it covers. The Commission's annual report will similarly be published once a year, with the first report (December 2023 to March 2024) to be published in the Autumn.
- 2.6 In relation to improvements to wording of the Disability Action Plan, our responses are grounded in our statutory principal objective of promoting reconciliation, which informs our approach. Section 2.3 is reworded to reflect greater inclusivity. Section 2.4g explains the promoting perspectives of people with disabilities. Regarding how a 'record of deaths' can promote reconciliation, the Commission recognises that there is more work to be undertaken in relation to this

statutory function. The Consultation on the Operating Design Framework included questions to help the Commission develop its approach in relation to the promotion of reconciliation, which in turn will help it consider its approach to the discharge of its function to create a record of deaths. The important views of consultees and other stakeholders about the promotion of Reconciliation are therefore being taken forward by the Commission in a dedicated policy development process, including taking account of further engagement. In light of feedback, references to audio cassettes have been removed.

Theme: Timeliness and Proactivity

- 2.7 **You Said:** ECNI and FM-CVS perceived that some elements of the plan were slow and reactionary. They asked for clarification on actions for barriers identified early in the plan and questioned the timeline for the audit of Disabled Groups.
- 2.8 **We Did:** The Commission has an overarching statutory duty to have due regard to the interests of people with protective characteristics. As it is a new organisation it is engaging widely to understand those who may interact with to gain detailed insight into the needs of all those with whom it will engage. These processes will be embedded into its approach – as shown in the Commission Design Framework – rather than just in separate, stand-alone plans. The Commission’s commitment to inclusivity must not be through a tick box exercise but through its overall culture and core approach.
- 2.9 In addition to the substantive detail set out in the Commission Design Framework, on which we have consulted, we have reviewed the timelines in our Disability Action Plan and amended them further, so they are realistic to ensure effective delivery. Our approach addresses identified barriers in a timely and comprehensive manner, so that the Commission’s approach to the substantive discharge of its functions proactively reflects these issues in its design, rather than in planned future modifications. The Commission considers that these timelines are thoughtfully set to deliver on commitments without overpromising, aiming for comprehensive and meaningful progress.

Theme: Legal and Framework Alignment

- 2.10 **You Said:** There were requests from ECNI and CVS to reference relevant legislation and ensure clear and measurable performance indicators.

- 2.11 **We Did:** References to Section 75 are included in Sections 2.3 and 2.4. Language has been clarified. The code of conduct is drawn from a number of existing codes of conduct including the Seven Principles of Public Life. Many organisations adopt their own specific codes of conduct, based on the Seven Principles of Public Life. Performance indicators are detailed in Sections 3 and 4. These measures reinforce our commitment to an open and accountable performance framework.

Theme: Training and Awareness

- 2.12 **You Said:** Stakeholders FM-CVS and CVS emphasised the need for awareness and training on disability equality legislation, promoting positive attitudes towards people with disabilities, and ensuring training includes all staff levels.
- 2.13 **We Did:** Training programmes cover disability equality legislation comprehensively and are essential for all staff, new joiners are expected to undertake initial training as part of their induction and there is required annual further training. The plan promotes positive attitudes and recognises both invisible and visible disabilities.

Theme: Public Life Participation

- 2.14 **You Said:** ECNI and CVS encouraged the participation of disabled people in public life, removing barriers to selection processes and creating opportunities for involvement in public policy decision-making.
- 2.15 **We Did:** Measures are in place to encourage participation in public life and create inclusive selection processes, as detailed in Sections 3.3 and 3.7. Actions under the Disability Action Plan are distinct and additional to Disability Duties.

Theme: Wider Participation

- 2.16 **You Said:** Stakeholders, including FM-CVS, suggested ensuring more involvement during the consultation and involving focus or advisory groups in decision-making.
- 2.17 **We Did:** We strive for wider participation during consultations. While not all decision-making processes can include focus groups, we will seek feedback from relevant groups on disability-specific topics where appropriate. This approach is part of our ongoing commitment to Reconciliation through active engagement. We actively contacted those organisations to whom this consultation would be relevant and

whose feedback we particularly sought. Any feedback received from these organisations has been included in this document.

Theme: Consistency and Proofreading

- 2.18 **You Said:** Stakeholders CVS and ECNI asked for consistency across all documents, avoiding overpromising and providing clear, realistic commitments.
- 2.19 **We Did:** Our initial language and aspects of approach were evolving at the start of this year in response to live feedback and we wanted to reflect that rather than remain static or inflexible. Our policy development work means that we focus on realistic commitments and open communication to build and maintain trust, adhering to the Trauma and Resiliency Informed Model (TRIM). The actions and commitments that we have made in all of our documents are made in good faith and with a basis for delivery. We expect people to be able to rely on what we have said and to challenge us where we fall short. Where we consider that we need to update our approach we will set this out openly.
- 2.20 The revised documents will address drafting errors and updated language.

3. Comments on the Consultation

3.1 The Commission welcomed broader feedback on any aspects of its Disability Action Plan.

3.2 General comments from participants are summarised as follows:

- **Clear and Accessible Communication:** Participants emphasised the need for clear, accessible, consistent language and definitions throughout the Disability Action Plan.
- **Public Engagement:** There were suggestions for the Commission to establish a public engagement program, ensuring outreach to those who may be hard to reach and are not involved with any support or advocacy groups.
- **Impartiality and Fairness:** Participants highlighted concerns about ensuring impartiality and fairness in the Commission's processes. They stressed the importance of treating all parties fairly and respectfully and sought clarification on the Commission's powers and remit.
- **Support for Victims, Survivors, and Families:** Responses emphasised the necessity to support victims, survivors, and families during the implementation of the Disability Action Plan, considering that many people involved have experienced significant trauma.

3.3 The Commission welcomed broader feedback on all aspects of its operating plans. However, it clarified that it prioritises responses addressing the Disability Action Plan to ensure focused and effective implementation. This approach allows us to allocate resources better and make meaningful progress on our commitments.

- **Definition of Reconciliation:** To define "Reconciliation" in ICRIR's context and to explain how a 'record of deaths' promotes reconciliation in 2.5.

In discharging its functions, the independent Commission's statutory principal 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 taken forward by the Commission in a dedicated policy development process, including taking account of further engagement.

We are committed to addressing this important concept through ongoing engagement and dedicated policy development, ensuring that all perspectives are thoughtfully incorporated into our broader initiatives.

- 3.4 This document reflects our commitment to listening, thoughtful consideration of feedback, and ongoing effort to promote reconciliation through practical and inclusive measures. We aim to make a meaningful difference while being open about the scope and limitations of our actions.