



# Historical Institutional Abuse (Northern Ireland) Act 2019

## 2019 CHAPTER 31

### PART 2

#### THE COMMISSIONER FOR SURVIVORS OF INSTITUTIONAL CHILDHOOD ABUSE

##### *Functions*

#### **24 General duties of the Commissioner**

- (1) The Commissioner must provide advice on matters concerning the interests of victims and survivors to the Executive Office or a person providing services to victims and survivors—
  - (a) as soon as reasonably practicable after receiving a request for advice, and
  - (b) on whatever other occasions the Commissioner thinks appropriate.
- (2) The Commissioner must take reasonable steps to ensure that victims and survivors are made aware of—
  - (a) the functions of the Commissioner,
  - (b) the location of the Commissioner, and
  - (c) the ways in which they may communicate with the Commissioner.

#### **25 Powers of the Commissioner**

- (1) The Commissioner may undertake or commission research into matters concerning the interests of victims and survivors.
- (2) The Commissioner may—
  - (a) compile information concerning the interests of victims and survivors;
  - (b) provide advice or information on matters concerning the interests of victims and survivors;

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- (c) publish anything concerning the interests of victims and survivors, including—
  - (i) the results of research undertaken or commissioned under subsection (1), and
  - (ii) advice provided by the Commissioner.
- (3) The Commissioner may make representations or recommendations to any person about matters concerning the interests of victims and survivors.

## **26 Co-ordination of service provision etc**

- (1) The Commissioner must encourage the provision, and the coordination of the provision, of relevant services in Northern Ireland to victims and survivors.
- (2) “Relevant service” means a service designed—
  - (a) to improve a person’s physical or mental health,
  - (b) to help a person to overcome an addiction,
  - (c) to provide a person with counselling,
  - (d) to improve a person’s literacy or numeracy,
  - (e) to provide a person with other education or training, or
  - (f) to enable a person to access opportunities for work.
- (3) In carrying out the duty under subsection (1), the Commissioner must take account of the current provision of relevant services to victims and survivors and must identify any gaps in the provision of those services.
- (4) The Commissioner must provide, or secure the provision of, advice and information to victims and survivors on—
  - (a) the relevant services that are available to them and the facilities that are available for the provision of those services, and
  - (b) how to obtain those services and access those facilities.
- (5) The Commissioner must, on becoming aware in the course of exercising the Commissioner’s functions of a matter which comes within the area of responsibility of the Commissioner for Children and Young People in Northern Ireland, consult that Commissioner.

## **27 Monitoring specialist facilities**

The Commissioner must monitor the operation of whatever facilities there are currently available in Northern Ireland which are solely for providing victims and survivors with—

- (a) counselling and supplementary information about how to access health services, housing services, education services or employment services,
- (b) help to improve literacy or numeracy, or
- (c) advice on opportunities for education or work or on entitlements to housing or social security benefits.

## **28 Functions relating to the Board, etc**

- (1) The Commissioner must make arrangements for publicising the role of the Board.

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- (2) Where a person is considering whether to make an application to the Board for compensation under Part 1, the Commissioner must provide the person with—
  - (a) such general advice and information on making the application as the person requests, and
  - (b) if the person wishes to obtain information relating to any period in which the person by or in respect of whom the application would be made was resident in an institution while under the age of 18, such assistance in obtaining that information as it is reasonable for the Commissioner to provide.
- (3) The Commissioner must monitor the operation of the Board.
- (4) The Commissioner may establish, or make arrangements for establishing, a panel of solicitors, the members of which the Commissioner is satisfied have the necessary expertise for providing legal advice and assistance on applications and appeals under Part 1.