

**Annual Report of
The Residential
Institutions
Redress Board
2009**

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FOREWORD

The Board sat throughout the year and completed the process in 1,234 applications making a total of 13,781 at the end of the year.

The Board continues to be assisted in discharging its duties by its civil servants and legal secretary who continue to perform a difficult task to the highest standards of the public service under the leadership of Mr Michael O'Beirne, Chief Executive Officer. The Board would also like to thank Ms. Sharon Moohan who acts as solicitor to the Board. Ms. Moohan, along with Mr. Henry Hickey S.C., Mr. Kevin Cross S.C., Mr. John McDonagh S.C., Ms. Lucy Scaife B.L. and Ms. Elma Sheahan B.L. continues to provide legal advice to the Board.

The Board enjoys a good relationship with the appropriate section of the Department of Education and Skills and notes that the independence of the Board in the making of awards continues to be respected in any necessary contact, as evidenced by the statement of the Minister for Education & Science, Batt O'Keefe, T.D. issued on 21st May, 2009, a copy of which is in the Appendices to this report.

The Board notes that, from time to time, it is subject to media comment. The Board welcomes scrutiny of its decisions and is mindful that, on occasion, its actions will attract critical comment. The Board is also mindful that inaccurate and/or misleading comment on the workings of the Board may be a cause of unnecessary distress and/or anxiety for those people who have attended or who have yet to attend the Board. Those involved in this process are reminded of their obligation to structure their reports and observations without identifying any party covered by the provisions of Section 28(6) of the Residential Institutions Redress Act 2002.

In 2009 the Board continued to hold callovers with the solicitors on record to ascertain the up to date position with their cases in an effort to ensure the prompt completion of applications which had not been progressed despite the Boards best efforts.

Pursuant to the provisions of section 8(2) and 8(3) of the 2002 Act the Board may, at its discretion and where it considers there are exceptional circumstances, extend the period for receipt of applications. Any applicant wishing to lodge an application after 15th December 2005 is asked to explain in writing to the Board why the application was not lodged in time. The Board considers each such submission individually. By the end of December 2009 the Board had received 651 such submissions which were dealt with as follows:

191 submissions were accepted by the Board

165 submissions were disallowed by the Board

11 submissions were withdrawn

20 applications were invalid

in 248 cases the Board is awaiting further information from the applicant

16 submissions remain to be considered by the Board

The Board's Mission

The Residential Institutions Redress Board was established under the Residential Institutions Redress Act 2002 to make financial awards to assist in the recovery of certain persons who as children were abused while resident in certain institutions in the State and who have or have had injuries that are consistent with that abuse.

Membership & Functions of the Board

The Redress Board, which was established on 16th December 2002 under the provisions of section 3 of the Residential Institutions Redress Act 2002 (The Act), consists of a Chairperson and 11 ordinary members appointed by the Minister for Education & Science. These are:

The Honourable Mr. Justice Esmond Smyth	appointed 3 rd January 2008
Professor Desmond Greer	appointed 16 th December 2002
Dr. Helen Cummiskey	appointed 16 th December 2002
Dr. Ruth Pilkington	appointed 16 th December 2002
Ms. Anne O'Brien B.L.	appointed 23 rd May 2003
Dr. Mary Bluett	appointed 25 th September 2003
Ms. Dariona Conlon, Solicitor	appointed 8 th January 2004
Dr. Fionnuala O'Loughlin	appointed 27 th April 2004
Mr. John A. Campbell, Solicitor	appointed 27 th April 2004
Dr. Harry Bugler	appointed 15 th December 2004
Ms. Samantha Cruess Callaghan B.L.	appointed 20 th October 2005
Dr. William Delaney	appointed 27 th February 2006

Since Establishment Day the number of Board members has increased from 4 to 12.

As provided in the Act, the Board and its members are wholly independent in the performance of their duties.

Section 5 of the Act sets out the Boards main functions. The first is to make all reasonable efforts, through public advertisement, direct correspondence and otherwise, to ensure that persons who were residents of an institution listed in the Act are made aware of the existence of the Board, so that they may consider making an application for redress.

It is then the Board's function in relation to each case in which an application is made to determine whether the applicant is entitled to an award, and, if so, to make an award in accordance with the Act which is fair and reasonable having regard to the unique circumstances of the applicant.

In the performance of these functions, the members of the Board are assisted by –

- (a) 28 administrative staff.
- (b) 1 full time and 4 part-time Counsel.
- (c) 1 full time solicitor.
- (d) the Board's panel of medical advisers.

The Work of the Board

In accordance with its remit under section 5 (b) of the Residential Institutions Redress Act 2002 to “make all reasonable efforts, through public advertisement, direct correspondence with persons who were residents of an institution and otherwise, to ensure that persons who were residents of an institution are made aware of the function.....of the Board” an extensive advertising campaign was undertaken by the Board up to the end of 2005.

Advertisements were placed in all the national broadsheet and tabloid newspapers as well as the main provincial newspapers. Advertisements have also been placed on RTE 1 television, Network 2, Sky 1, Sky News, TV3 and TG 4. The Board has also placed advertisements on all national and major local radio stations. The Board held 12 information days throughout England in 2004 as well as placing advertisements in Sunday newspapers, daily newspapers and publications aimed specifically at the Irish community in Britain. The Board also distributed 7,500 leaflets and 7,500 pamphlets to the network of Irish Societies. The Board placed advertisements in all Irish daily newspapers and selected newspapers in the United Kingdom highlighting each Ministerial Order which added institutions to the schedule to the Redress Act. In November 2005 the Board placed advertisements highlighting the closing date for receipt of applications in the main Irish newspapers, selected United Kingdom publications and Irish publications in the U.S.A. and Australia. In total the Board placed 1,492 advertisements since it was established. The closing date for applications being 15th December 2005, this campaign is now finished.

In addition the Department of Foreign Affairs, at the request of the Board, sent information on the role and functions of the Board, as well as highlighting the closing date for receipt of applications, to its embassies asking them to forward this information to all relevant Irish bodies with whom they have contact.

This campaign, the Board's newsletters, annual reports and subsequent media reports have ensured that the Board retains a high public profile. In addition the various public discussions concerning the redress scheme have further raised the profile of the process, as has the frequency

with which the Board is mentioned on talk and news programmes on both radio and television as well as in the Oireachtas. The Board is also aware that there was extensive advertising by third parties here in Ireland as well as abroad which served to inform people of its existence. This advertising was predominantly in the print media.

The Board's web-site (www.rirb.ie) is used as the conduit for newsletters and statements. The site contains detailed information on the work of the Board such as a lengthy guide to the redress scheme, statements relating to the Board's procedures and the Board's Annual Reports.

The procedure followed by the Board for the processing of applications is largely prescribed by the Residential Institutions Redress Act 2002, as amended by Part 4 of the Commission to Inquire into Child Abuse (Amendment) Act, 2005 and by Regulations made by the Minister for Education and Science in accordance with the Act. These Regulations and the Act are available from the Board's office free of charge or may be viewed on the Board's website.

Applications for redress are submitted on a standard application form and in order to facilitate applicants the Board has issued the following publications:

- "A Guide to the Redress Scheme under the Residential Institutions Redress Act 2002 ". A fully updated and revised third edition of the Guide, which incorporates changes necessitated by the Commission to Inquire into Child Abuse (Amendment) Act 2005, was issued by the Board in December 2005.
- "A Short Guide to the Redress Scheme under the Residential Institutions Redress Act 2002".
- "The Residential Institutions Redress Board Guide to Hearing Procedures".

- Newsletters and statements (in order to keep applicants and their legal advisers updated on procedures and developments). The 2009 newsletters and statements are attached as appendices (e) to (g) and may be viewed on the Board's website www.rirb.ie.
- A Board Decision on its procedures for dealing with applications from outside Ireland.

These publications may be viewed on the Board's website and are also available from the Board's office free of charge.

Number of Applications

The closing date for receipt of applications was the 15th December 2005 by which time the Board had received 14,448 applications.

The Residential Institutions Redress Act, 2002 sections 8(2) and 8(3) state;

“8 - (2) The Board may, at its discretion and where it considers there are exceptional circumstances, extend the period referred to in subsection (1).”

8 - (3) The Board shall extend the period referred to in subsection (1) where it is satisfied that an applicant was under a legal disability by reason of unsound mind at the time when such application should otherwise have been made and the applicant concerned makes an application to the Board within 3 years of the cessation of that disability.”

By 31st December 2009 the Board had received 651 such submissions. The Board has considered each such submission individually and has ruled as follows;

- 191 submissions were accepted by the Board
- 165 submissions were disallowed by the Board
- 11 submission were withdrawn
- 20 submissions were not valid
- In 248 cases the Board was awaiting further information from the applicant
- 16 submissions remained to be considered by the Board

Accordingly, the Board has now received a total of 14,639 applications (including 191 late applications accepted up 31st December 2009). This total will increase to the extent that the Board accepts late submissions.

Processing of Applications

Consideration of an application requires the obtaining of written information and reports from a variety of sources. The Board notifies applicants once it has received all necessary documentation in relation to their application. These notifications, known as completion letters, issue at a rate commensurate with the Board's ability to finalise applications. These letters now issue immediately after the Board has complied with its obligations in relation to the notification of relevant persons as outlined in the Residential Institutions Redress Act 2002 (Miscellaneous Provisions) Regulations 2002.

In an attempt to maximise the efficient processing of applications the Board has initiated a series of callovers with the legal representatives of those applicants where necessary documentation remains outstanding. 8 such callovers were held in 2009.

Number and Amounts of Awards

The Board commenced making awards in May 2003 and by 31st December 2009 had completed the process in 13,781 cases as detailed below:

- 10,169 offers/awards made following settlement.
- 2,401 awards made following hearings (11 awards rejected by applicant).
- 396 awards following Review.
- 815 applications withdrawn, refused or resulted in a nil or no award

The total awards made to 31st December 2009 amounts to €817.3million. The average value of awards is approximately €63,000, the largest award being €300,500.

- The average award following a successful settlement is €62,300
- The average award following a hearing by the Board is €65,200

- The average award following an unsuccessful attempt to settle which therefore went to hearing is €64,000

Mindful that this report is being published in 2011 the Board is publishing figures updated to 31st December 2010 in appendix (i).

Review Committee

The Residential Institutions Redress Review Committee (the Review Committee) was established pursuant to sections 13 and 14 of the Redress Act 2002. The Review Committee operates independently of the Board and is Chaired by The Honourable Mr Justice Francis D Murphy.

The Review Committee was established at the same time as the Board.

Financial Management of Awards

In accordance with Section 21 of the Residential Institutions Redress Act, 2002, the Board has established a free, confidential and independent financial management service which is available to all award recipients. Its purpose is to give advice which is general in nature, covering the options open to award recipients, but not directing them to named financial institutions or brokers.

The Board appointed the Money Advice and Budgeting Service (MABS) to operate this service in 2004. The MABS is a locally-based independent information and advice provider which has been in general operation since 1992 and more details about it are available on its website: www.mabs.ie.

The Redress Board scheme is separate from MABS usual advice services. The Board provides contact details for MABS to all applicants who accept their award.

A MABS Customer Survey completed in 2007 revealed a very high level of satisfaction with the scheme. Award recipients found the scheme helpful and thought the financial management advisors were courteous, professional in manner and prompt in returning their calls.

Payment of Awards by Instalment

Section 13 (8) of the Redress Act provides that, in certain circumstances, awards may be paid to applicants in instalments. The Board is of the view that this can best be done through the Courts Service which has considerable expertise in this area. The Courts Service has provided this service since 2005 and the necessary arrangements remain in place in accordance with the provisions of section 34 (e) (iv) of the Commission to Inquire into Child Abuse (Amendment) Act 2005. These arrangements can be summarised as follows:

Where the Board has made a direction that an award be paid in instalments or in some other manner than by way of a single payment, the Board will direct the Department of Education and Science to make any initial payment to the applicant and then apply to the High Court to lodge the balance of the award in Court. If the Court grants the application then the funds will be dealt with by the Accountant's Office. Once the money has been lodged, the Board has no further responsibility for the award.

The address of this office is The Accountant's Office, Courts Service, Phoenix House, Phoenix Street North, Dublin 7. The Accountant's Office will administer the award for the benefit of the applicant in accordance with the original direction of the Board and with rules of court.

Where an award has been paid into the Accountant's Office, an applicant may at any time apply to the High Court to vary the terms of the original direction by the Board on which the funds are

administered, and the Court may do so if it considers it appropriate having regard to the circumstances of the applicant at that time. Applicants should apply in writing to the Principal Registrar, High Court, Four Courts, Inns Quay, Dublin 7 stating the reason they are seeking a variation of the terms of the award. These applications will be heard by a judge of the High Court on the next available Monday. The Court will inform applicants of the date and time of the hearings.

In accordance with rules of court, interest will be paid on any sum which is being administered by the High Court.

Fraudulent Claims

Section 7 (6) of the Residential Institutions Redress Act 2002, as amended, provides: “A person who gives false evidence to the Board or the Review Committee in such circumstances that, if the person had given the evidence before a court, the person would be guilty of perjury, the person shall be guilty of an offence and shall be liable on conviction on indictment to the penalties applying to perjury”.

Section 28 (5) of the Act provides inter alia: “a person shall disclose information other than the information specified in subsection (4) that is provided to the Board or the Review Committee and obtained by that person in the course of the performance of the functions of the person under this Act to

(a) a member of the Garda Síochána if the person is acting in good faith and reasonably believes that such disclosure is necessary in order to prevent an act or omission constituting a serious offence”.....

Of the 13,781 cases completed, 6 have been referred to the Garda Síochána under section 7(6) of the Act. Investigations have been concluded in 2 matters and the Board has been informed that no criminal prosecution is to be pursued. In a number of other cases the Board has rejected an

application in whole or in part on the grounds that it is not satisfied as to the truth of the allegations of abuse made by an applicant.

Legal Costs

The issue of costs relating to an application to the Board is dealt with in section 27 (1) of the Residential Institutions Redress Act, 2002 which provides that the Board will pay to an applicant, to whom an award has been made, either by the Board or on Review, a reasonable amount for expenses incurred by the applicant in the preparation and presentation of the application to the Board. This section further provides that these expenses/costs should be agreed between the Board and the applicant (or the applicant's solicitors or other representative); however, if the costs cannot be agreed between the Board and the applicant, then the costs will be taxed before a Taxing Master of the High Court. Once the costs have been referred to the Taxing Master, submissions will be made to the Taxing Master on behalf of the Board and the applicant and the Taxing Master will ultimately decide what costs will be paid by the Board to the applicant and/or his or her solicitors/representatives. It should be noted that the costs will not be paid until an application has been finally determined and an award has been made. Costs are not paid by the Board in cases where an application has been rejected by the Board or where the award made by the Board has been rejected by the applicant.

In addition to the costs relating to an application to the Board it should also be noted that Section 27 (2) of the Act provides that the Board shall also pay to an applicant who accepts an award, the costs of any associated Court proceedings which were instituted by that applicant against a public body or a person who has made a contribution to the special account established under Section 23 of the Act, provided the applicant has signed the necessary Form of Waiver in respect of these proceedings. The Form of Waiver is, quite simply, written confirmation by the applicant that he/she will not pursue any right of action which the applicant may have against a public body or a person who has made a contribution to the special fund or in a case where proceedings have already issued (which is the situation in a large number of the applications), the applicant is agreeing not to go ahead with those proceedings.

As in the case of an application to the Board, the applicant costs of the Court Proceedings should be agreed between the Board and the applicant (or the applicant's solicitors or other representative); however, if the costs cannot be agreed between the Board and the applicant, the costs will be taxed before a Taxing Master of the High Court. Once the costs have been referred to the Taxing Master, submissions will be made to the Taxing Master on behalf of the Board and the applicant and the Taxing Master will ultimately decide what costs will be paid by the Board to the applicant and/or his or her solicitors/representatives.

The Board's position in relation to costs is outlined below in a letter received from Mr. Peter Fitzpatrick, Legal Costs Accountant, who is retained by the Board to advise on costs matters and to represent the Board at hearings before the Taxing Master of the High Court.

"There is no Cost precedent for this type of Application. In some cases the Solicitors have been involved in three sets of action. Firstly the Civil Proceedings, secondly bringing an Application to the Residential Institutions Redress Board, and thirdly, bringing an Application to the Commission to Inquire into Child Abuse.

In other cases the Solicitors are involved only in the Civil Proceedings and the Application to the Residential Institutions Redress Board. Lastly, there are cases where Solicitors are involved in an Application to the Redress Board only. Each of these circumstances gives rise to its own Costs problems.

Where Proceedings issued these are at different stages. Some have reached the Plenary Summons stage only. Some have reached the stage where Proceedings are closed and Discovery was being dealt with. While some of the Applications to the Residential Institutions Redress Board are reasonably straight forward, others are difficult and complex.

Where possible the Board has settled the Costs and I am satisfied great care has been taken to ensure that these are kept to a reasonable amount.

Where the Board considered Costs excessive, my firm has been consulted and if necessary these have been taxed by the Taxing Master of the High Court. Indeed, where the Board considered the

allowances made by the Taxing Master to be excessive, Objections were lodged pursuant to Order 99, Rule 38 of the Rules of the Superior Courts.

The final step is asking the High Court to review some of the allowances made by the Taxing Master and a number of such Applications are at present waiting Hearing before the High Court.

The Board is continuing with this business of assessing awards to Claimants and dealing with their Solicitors Costs. The Board only agree Costs and expenses when they are considered reasonable, those considered unreasonable are being referred for Taxation to the Taxing Master of the High Court but were appropriate to the High Court itself.”

To date costs have been finalised in 12,111 applications. €132,816,533.41 has been paid in respect of applications to the Board. In 2,184 of these applications a further €11,316,508.65 has been paid in respect of the costs of associated court proceedings. This makes a total of €144,133,042.06.

Further details are given in the following table.

Legal Costs			
	To end 2008	2009	Total
<i>Finalised Applications</i>	10,294*	1,817	12,111
<i>Costs of Applications to the Board</i>	€112,709,241.84	€20,107,291.57	€132,816,533.41
<i>Costs of Associated Court Proceedings</i>	€10,617,347.86 (2,052 cases)	€699,160.79 (132 cases)	€11,316,508.65 (2,184 cases)
<i>Total Costs</i>	€123,326,589.70	€20,806,452.36	€144,133,042.06

**This figure has been adjusted from the 2008 annual report to reflect instances where more than one firm of solicitors were involved in the application process, e.g. where the applicant chose to change legal representation during the course of their application.*

The average costs and expenses paid to applicants' solicitors to the end of 2009 in respect of applications to the Board amount to €10,967 per application, or 17.4% of the award.

Audit

During the year, the Board once again invited the Comptroller and Auditor General to conduct an audit and report to the Board on whether

- The processing and payment of awards and associated legal costs are duly effected on foot of determinations by the Board.
- The associated administrative systems, procedures and practices of the Board are adequate and applied in practice.

This audit was completed in August 2010 and the Comptroller's certificate of satisfaction dated December 2010 is attached in appendix (h).

Publications

The following publications have been issued by the Board.

- A Guide to the Redress Scheme under the Residential Institutions Redress Act 2002
(Revised and updated in December 2005)
- A Short Guide to the Redress Scheme under the Residential Institutions Redress Act 2002
- The Residential Institutions Redress Board Guide to Hearing Procedures.
- Newsletters. The newsletters and statements issued in 2009 are attached as appendices (e) to (g) and can also be viewed on the Board's website www.rirb.ie.

- A Board Decision on procedures for dealing with applications from outside Ireland.
- 7 Annual Reports of the Board's activities.

These publications may be viewed on the Board's website and are also available from the Board's office free of charge.

These publications are provided as an aid to applicants and their legal advisers who wish to know what is involved in making an application to the Board. They let the applicants know in some detail what is involved in the process and what options are available to them. They explain the difference between settlements and hearings and inform applicants of what to expect when they arrive at the Board's offices. Along with the Board's newsletters they provide information on such issues as costs and expenses as well as answering a range of questions applicants may have about such matters as: "What happens at a hearing?", or "Must I make up my mind immediately whether to accept or reject an offer?". Every effort has been made to use plain English in these publications so that they will benefit the personal applicant and solicitor alike.

The Annual Reports are submitted to the Minister for Education and Science and published pursuant to Section 26 (1) of the Residential Institutions Redress Act, 2002.

Statistics*

The charts and tables in this section, such as those showing the country of residence of applicants are, where indicated, based on the applications which were registered on the Board's case management system on the 31st of December 2009. In a small number of cases insufficient information has been provided to allow the application to be registered on the Board's case management system.

** Some figures may vary from those in the 2008 report. This is due to factors such as awards being changed on Review or personal applicants choosing to be legally represented after they have lodged an application.*

Applications Received

Pursuant to the provisions of section 8(2) and 8(3) of the 2002 Act the Board may, at its discretion and where it considers there are exceptional circumstances, extend the period for receipt of applications. Any applicant wishing to lodge an application after 15th December 2005 is asked to explain in writing to the Board why the application was not lodged in time. The Board considers each such submission individually. By the 31st December 2009 the Board had received 651 such submissions which were dealt with as follows.

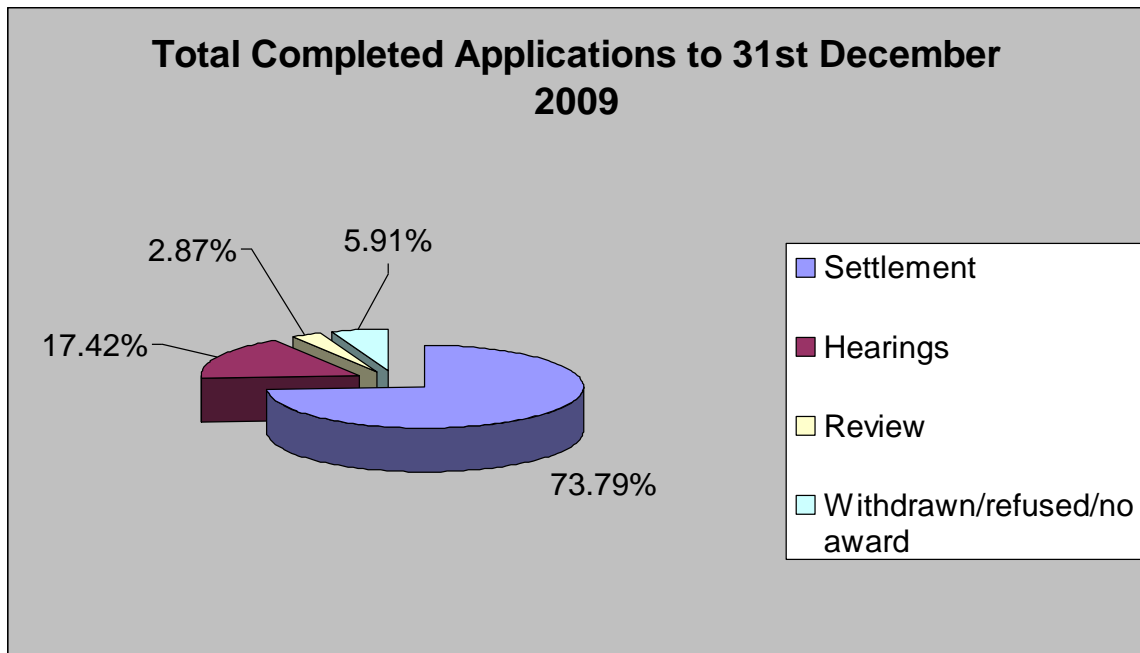
- 191 submissions were accepted by the Board
- 165 submissions were disallowed by the Board
- 11 submission were withdrawn
- 20 submissions were not valid
- In 248 cases the Board was awaiting further information from the applicant
- 16 submissions remained to be considered by the Board

The Board has now received a total of 14,639 applications (including 191 late applications accepted up 31st December 2009). This total may increase when all outstanding submissions have been finally considered by the Board.

Completed Applications

On the 31st December 2009 the Board had completed the process in 13,781 cases, as detailed below

• Offers made following settlement	-	10,169
• Awards made following hearings	-	2,401
• Awards following Review	-	396
• Applications withdrawn, refused or no award	-	815



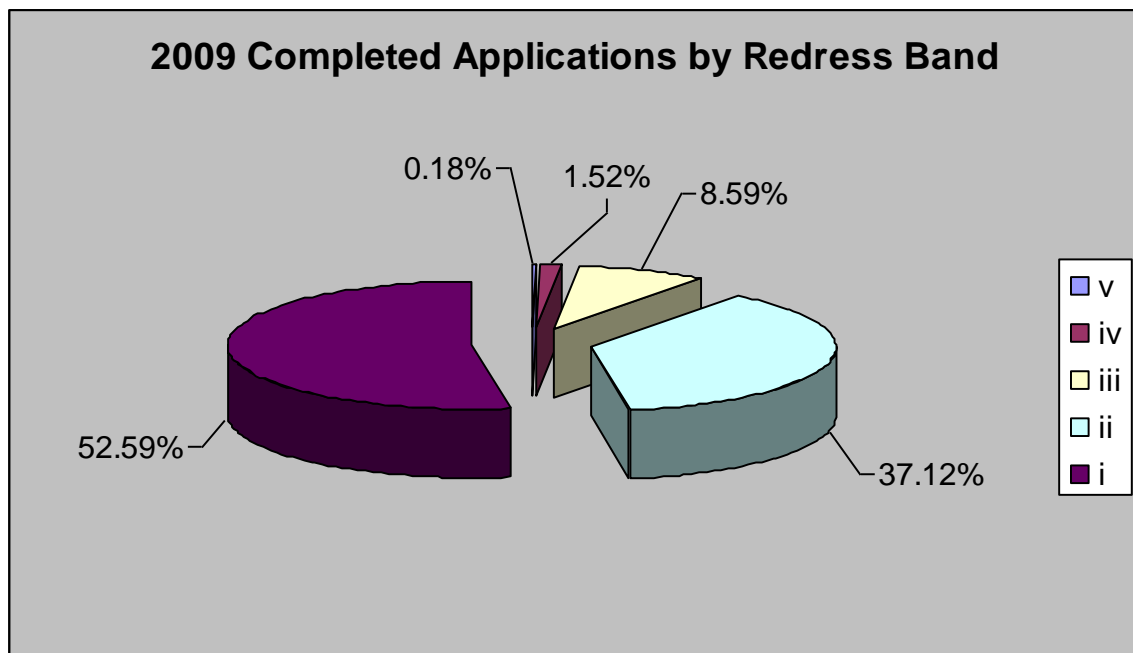
The breakdown of the completed cases to 31st December 2009 is detailed in the following table.

Completed Applications	To End 2008	2009	Total
Offers made following settlement	9,332	837	10,169
Awards made following hearings	2,183	218	2,401
Awards following Review	333	63	396
Applications withdrawn, refused or no award	699	116	815
Total Completed Cases	12,547	1,234	13,781

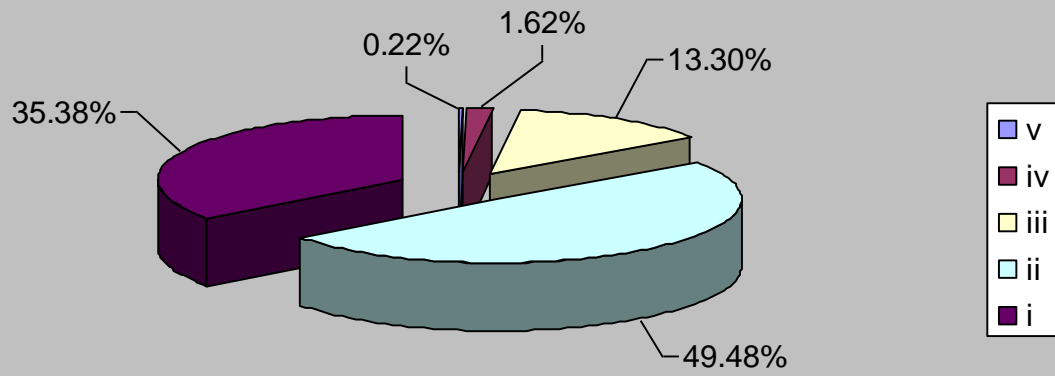
Number of Awards by Redress Band

The breakdown of awards by Redress Bands is as follows:

Redress Bands	Total Weighting	Award Payable	No. of Apps 2009	%	Total Apps to end 2009	%
v	70 or more	€200,000 - €300,000	2	0.18%	29	0.22%
iv	55-69	€150,000 - €200,000	17	1.52%	210	1.62%
iii	40-54	€100,000 - €150,000	96	8.59%	1724	13.30%
ii	25-39	€50,000 - €100,000	415	37.12%	6416	49.48%
i	less than 25	€0.00 - €50,000	588	52.59%	4587	35.38%
Total			1118	100.00%	12966	100.00%



Total Completed Applications by Redress Band

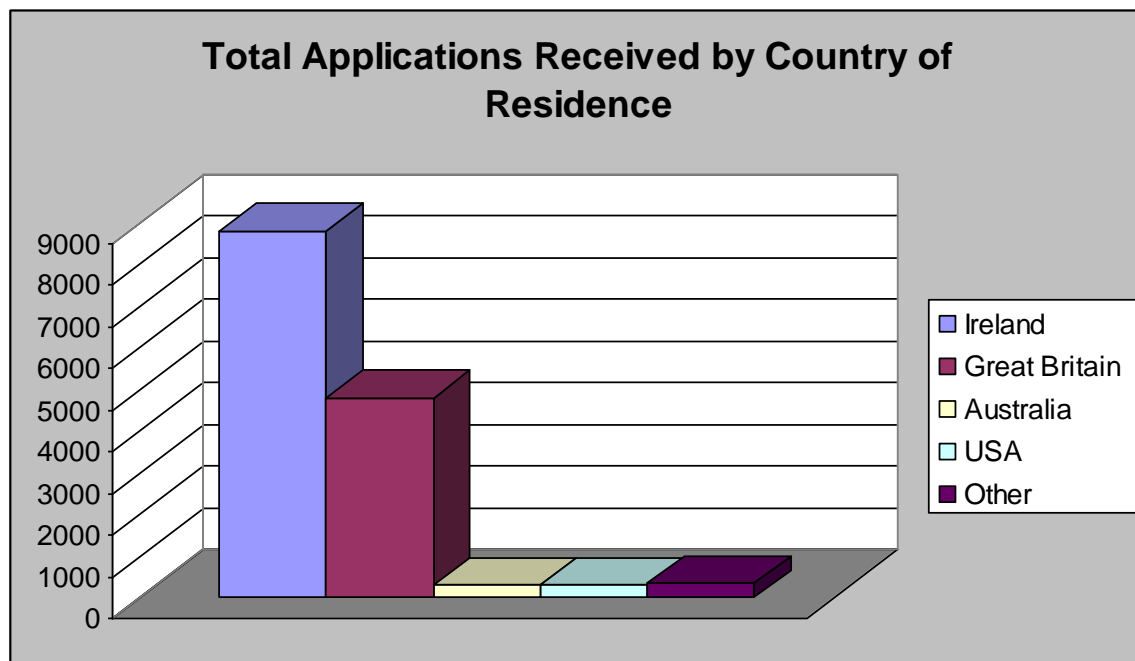


Country of Residence of Applicants

The figures below refer to the applications registered on the Board's case management system on the 31st December 2009.

Country of Residence	Total Applications Received	% of Total Applications Received
Ireland	8803	60.49%
Great Britain	4790	32.91%
Australia	309	2.12%
USA	307	2.11%
Northern Ireland	121	0.83%
Canada	96	0.66%
Spain	30	0.21%
New Zealand	21	0.14%
Germany	17	0.12%
The Netherlands	16	0.11%
France	8	0.05%
Sweden	6	0.04%
Denmark	5	0.03%
South Africa	4	0.03%
Channel Islands	3	0.02%
Belgium	2	0.01%
Italy	2	0.01%
Austria	1	0.01%
Finland	1	0.01%
Malta	1	0.01%
Morocco	1	0.01%
Nigeria	1	0.01%
Norway	1	0.01%
Portugal	1	0.01%
Republic of Panama	1	0.01%
Sri Lanka	1	0.01%
Thailand	1	0.01%
The Philippines	1	0.01%
United Arab Emirates	1	0.01%
West Indies	1	0.01%
Zimbabwe	1	0.01%
Total	14554	100.00%

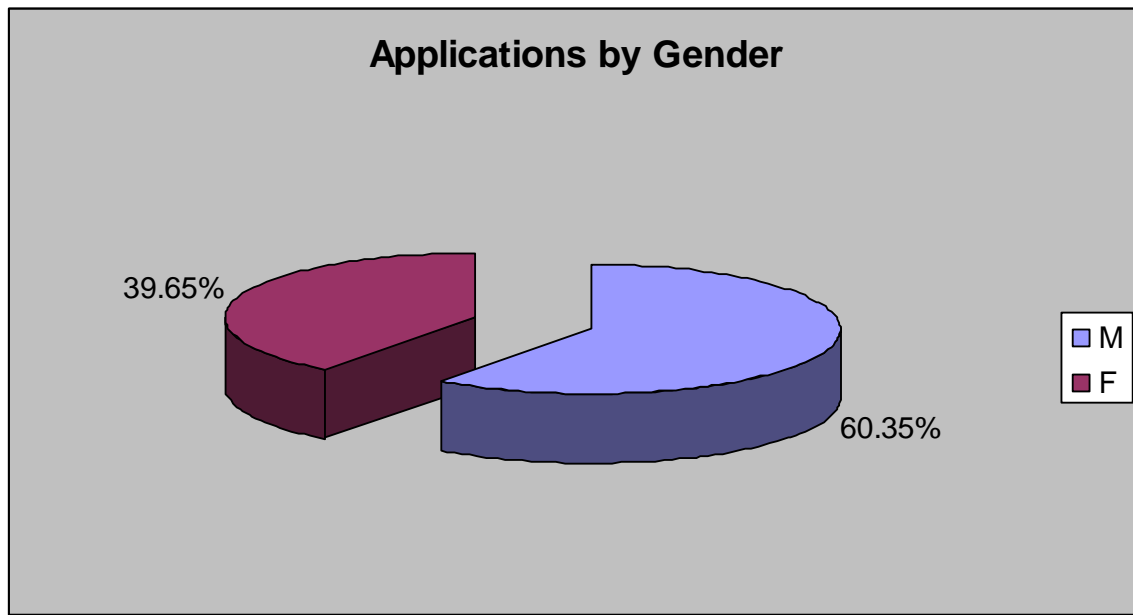
Ireland and Great Britain account for more than 93% of applications with Australia and the U.S.A. accounting for a further 4%.



Gender of Applicants

The figures below refer to the applications registered on the Board's case management system on the 31st December 2009. Of these applications, 8,784 are from men and 5,770 are from women.

The proportion of female applicants has increased from just over 31% at the end of 2003 to just under 40% at the end of 2009.



Applications on behalf of injured persons

The Redress Act provides that, where an applicant is an adult unable to manage his or her own affairs, an application may be made by a person properly authorised to do so. The Board has received 476 such applications up to 31st December 2009.

Applications on behalf of persons who died after 11th May 1999

The Redress Act provides that, where a person who is or may be entitled to redress has died since 11th May 1999 without making an application, the spouse or children of that person may make an application on his or her behalf. If an applicant dies after making an application, his/her spouse or children may continue to pursue the application. A “spouse” for this purpose includes a person with whom the deceased person is or was at a time cohabiting.

426 such applications have been made to the Board.

Priority Applications

In its consideration of applications, the Board, as the Act provides, gives priority to applicants –

- (i) who were born before 1st January 1939, or
- (ii) who are, at the time when the application is made, suffering from a medical illness or psychiatric condition which is life threatening, as confirmed in writing by a letter from their regular medical adviser.

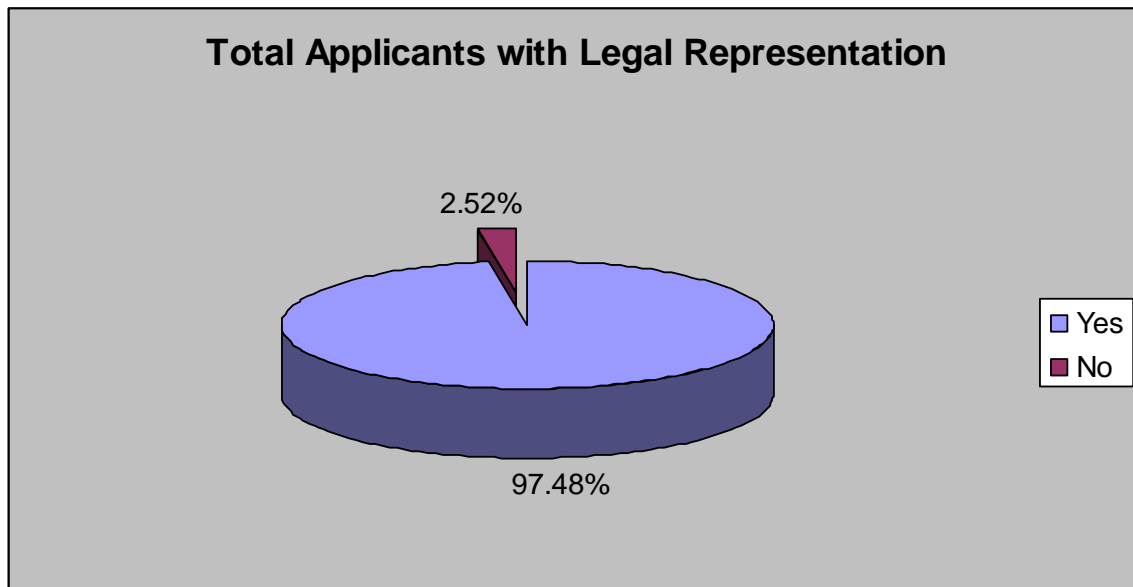
During the year 68 applicants born before 1st January 1939 were granted priority by the Board. No applicants were granted priority on the grounds of a medical or psychiatric condition. To date the Board has granted priority to a total of 3,039 applicants, 2,642 on the grounds of age and 397 on the grounds of a medical or psychiatric condition.

In 2010 the Board will give priority to applicants born before 1st January 1940.

Legal Representation

The chart below refers to the applications registered on the Board's case management system on the 31st December 2009.

The percentage of applications from applicants represented by a solicitor stands at 97.48%.



Applicants are represented by a total of 971 firms of solicitors and costs have been paid to date in respect of 12,111 applications. The 1,817 costs payments made by the Board in 2009 are listed below. It should be noted that the Board has not yet received bills in respect of all the applications it has determined.

These costs are divided into two categories

- (a) Costs in respect of the application to the Board.
- (b) Costs in respect of associated High Court proceedings.

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
A B O Reilly Dolan & Co Solicitors	0	€ 107.00	€ 0.00	€ 107.00
Aaron Kelly & Co Solicitors	7	€134,517.43	€ 0.00	€ 134,517.43
Abney Garsden McDonald Solicitors	8	€84,169.32	€ 0.00	€ 84,169.32
Adrian MacLynn	1	€8,930.70	€ 0.00	€ 8,930.70
Alan Donnelly and Co Solicitors	3	€31,849.68	€ 0.00	€ 31,849.68
Alexander and Partners Solicitors	1	€ 10,218.94	€ 0.00	€ 10,218.94
Augustus Cullen Law Solicitors	2	€12,280.95	€ 0.00	€ 12,280.95
B P O'Reilly & Co Solicitors	7	€66,806.33	€ 0.00	€ 66,806.33
Barry Healy & Co Solicitors	1	€12,295.50	€ 0.00	€ 12,295.50
Baynes & Co Solicitors	1	€11,880.15	€ 0.00	€ 11,880.15
Beauchamps Solicitors	1	€15,296.50	€ 0.00	€ 15,296.50
Bell & Carroll Solicitors	1	€ 13,178.55	€ 12,305.22	€ 25,483.77
Benen Fahy Associates Solicitors	2	€21,656.87	€ 0.00	€ 21,656.87
Bennetts Solicitors & Estate Agents	1	€10,959.25	€ 0.00	€ 10,959.25
Bernadette Burke & Co Solicitors	4	€46,806.39	€ 0.00	€ 46,806.39
Bernard P. Cunnane & Co	1	€12,655.85	€ 0.00	€ 12,655.85
Beston & Company Solicitors	1	€1,794.38	€ 0.00	€ 1,794.38
Birnberg Peirce & Partners	2	€17,495.17	€ 0.00	€ 17,495.17
Bolt Burdon Kemp Solicitors	2	€28,514.37	€ 0.00	€ 28,514.37
Bourke & Co Solicitors	1	€20,272.25	€ 0.00	€ 20,272.25

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
Branigan Berkery Solrs	2	€14,522.50	€ 0.00	€ 14,522.50
Brendan Maloney & Co Solicitors	2	€18,823.50	€ 0.00	€ 18,823.50
Brian D. Hughes & Co. Solicitors	2	€23,885.00	€ 0.00	€ 23,885.00
Brian J. Chesser & Co. Solicitors	3	€44,261.26	€ 0.00	€ 44,261.26
Brian Lynch & Associates Solicitors	1	€8,881.97	€ 0.00	€ 8,881.97
Brooks & Company Solicitors	2	€18,981.29	€ 0.00	€ 18,981.29
Brophy Solicitors	2	€21,805.00	€ 0.00	€ 21,805.00
Brown McComish Solicitors	1	€6,571.50	€ 0.00	€ 6,571.50
Burns Kelly Corrigan Solicitors	230	€1,993,750.34	€ 0.00	€ 1,993,750.34
Butler Solicitors	1	€14,909.25	€ 0.00	€ 14,909.25
Butler, Cunningham & Molony Solicitors	2	€17,977.04	€ 0.00	€ 17,977.04
Byrne Carolan Cunningham Solicitors	175	€ 2,081,133.69	€ 3,984.95	€ 2,085,118.64
C P Crowley & Co. Solicitors	3	€21,792.40	€ 0.00	€ 21,792.40
C.S. Kelly and Co.	1	€9,665.00	€ 0.00	€ 9,665.00
Callan Tansey Solicitors	1	€12,881.00	€ 0.00	€ 12,881.00
Carmody & Company Solicitors	1	€8,409.75	€ 0.00	€ 8,409.75
Carvill Rickard & Co Solicitors	1	€9,580.45	€ 0.00	€ 9,580.45
Charles Foley Solicitor	1	€8,861.38	€ 0.00	€ 8,861.38
Chris O'Shea Solicitors	1	€9,191.00	€ 0.00	€ 9,191.00
Chris Ryan Solicitor	1	€17,721.36	€ 0.00	€ 17,721.36

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
Clarksons Solicitors	1	€20,834.30	€ 0.00	€ 20,834.30
Cleary & Cleary Solicitors	1	€4,777.75	€ 0.00	€ 4,777.75
Cleary & Co Solicitors	1	€14,727.25	€ 0.00	€ 14,727.25
Colgan & Company Solicitors	1	€4,097.25	€ 0.00	€ 4,097.25
Collins Crowley Solicitors	3	€21,212.25	€ 0.00	€ 21,212.25
Connolly Sellors Geraghty Solicitors	1	€33,602.25	€ 0.00	€ 33,602.25
Conor O'Shaughnessy & Co.	2	€14,429.50	€ 0.00	€ 14,429.50
Crean O'Cleirigh & O Dwyer Solicitors	1	€10,889.96	€ 0.00	€ 10,889.96
Cullen & Co Solicitors	2	€31,757.59	€ 0.00	€ 31,757.59
Daly Derham Donnelly Solicitors	4	€45,719.53	€ 0.00	€ 45,719.53
Daniel J. Reilly & Co. Solicitors	1	€ 13,906.67	€ 2,205.46	€ 16,112.13
Daniel Spring & Co Solicitors	1	€4,448.33	€ 0.00	€ 4,448.33
David Kenny & Co, Solicitors	2	€20,973.65	€ 0.00	€ 20,973.65
David M O'Brien & Company Solicitors	1	€15,324.87	€ 0.00	€ 15,324.87
David Walley & Co Solicitors	3	€ 28,832.71	€ 4,473.61	€ 33,306.32
David Walsh & Co.	1	€ 7,168.50	€ 2,642.23	€ 9,810.73
Deirdre Mulligan Solicitor	1	€ 5,740.50	€ 0.00	€ 5,740.50
Delahunty, O'Connor & Co Solicitors	2	€ 22,016.67	€ 25,970.68	€ 47,987.35
Denis I. Finn Solicitors	1	€13,660.61	€ 0.00	€ 13,660.61
Dennison Solicitors	1	€11,083.18	€ 0.00	€ 11,083.18

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
DFMG Solicitors	1	€ 13,158.63	€ 0.00	€ 13,158.63
Dickins Hopgood Chidley LLP Solicitors	1	€ 22,251.99	€ 6,107.41	€ 28,359.40
Dillon Geraghty & Co Solicitors	1	€16,157.80	€ 0.00	€ 16,157.80
Donal Farrelly Solicitors	0	€270.00	€ 0.00	€ 270.00
Donal J. Corrigan & Co. Solicitors	1	€10,237.75	€ 0.00	€ 10,237.75
Donal Reilly & Collins Solicitors	0	€20.00	€ 0.00	€ 20.00
Doyle Associates Solicitors	2	€15,498.00	€ 0.00	€ 15,498.00
Dundon Callanan Solicitors	1	€ 34,552.68	€ 12,056.30	€ 46,608.98
E P Daly & Co Solicitors	1	€ 1,497.25	€ 0.00	€ 1,497.25
Eamon Murray & Co Solicitors	23	€239,808.94	€ 0.00	€ 239,808.94
Edward Fitzgerald & Son Solicitors	1	€10,494.32	€ 0.00	€ 10,494.32
Egan Daughter & Co	0	€400.00	€ 0.00	€ 400.00
Enda P. Moran Solicitor	1	€ 10,054.00	€ 0.00	€ 10,054.00
Ernest J Cantillon & Co Solicitors	2	€32,012.05	€ 0.00	€ 32,012.05
F B Keating & Co Solicitors	2	€ 13,295.50	€ 161.18	€ 13,456.68
F.M. Fitzgerald & Co. Solicitors	1	€9,684.50	€ 0.00	€ 9,684.50
Fair & Murtagh Solicitors	1	€4,470.25	€ 0.00	€ 4,470.25
Farrell & Partners Solicitors	1	€11,178.00	€ 0.00	€ 11,178.00
Ferrys Solicitors	9	€83,024.50	€ 0.00	€ 83,024.50
Finian Brannigan & Co Solicitors	1	€7,147.75	€ 0.00	€ 7,147.75

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
Fitzgerald Solicitors	2	€18,572.98	€ 0.00	€ 18,572.98
Fitzpatrick Gallagher Mc Evoy Solicitors	1	€21,158.17	€ 0.00	€ 21,158.17
Foley McNally Goldberg	1	€17,727.42	€ 0.00	€ 17,727.42
Francis J. O'Mahony & Co. Solicitors	1	€22,043.45	€ 0.00	€ 22,043.45
Frank Buttimer & Company Solicitors	1	€19,537.00	€ 0.00	€ 19,537.00
Frank Ward & Co Solicitors	37	€ 657,030.57	€ 31,087.86	€ 688,118.43
Frizelle O'Leary & Co Solicitors	6	€ 53,073.06	€ 10,063.22	€ 63,136.28
Gaffney Halligan & Co Solicitors	1	€11,583.25	€ 0.00	€ 11,583.25
Gallagher Shatter Solicitors	2	€26,987.86	€ 0.00	€ 26,987.86
Garrett J Fortune and Co Solicitors	1	€6,648.56	€ 0.00	€ 6,648.56
Gartlan Winters Solicitors	1	€4,481.00	€ 0.00	€ 4,481.00
Gary Daly & Co Solicitors	1	€9,326.25	€ 0.00	€ 9,326.25
Geraghty & Co. Solicitors	1	€9,766.07	€ 0.00	€ 9,766.07
Gerald Griffin Solicitors	1	€14,629.50	€ 0.00	€ 14,629.50
Gerald Kelly & Co Solicitors	3	€25,613.97	€ 0.00	€ 25,613.97
Gerard I Lambe Solicitor	4	€ 41,525.38	€ 2,134.46	€ 43,659.84
Gerard J. Meehan & Co. Solicitors	2	€15,082.50	€ 0.00	€ 15,082.50
Giles J Kennedy & Co.	1	€ 18,482.94	€ 3,659.50	€ 22,142.44
Gilvarry & Associates	1	€28,775.58	€ 0.00	€ 28,775.58
Good & Murray Smith Solicitors	6	€52,759.80	€ 0.00	€ 52,759.80

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
Greg O'Neill Solicitors	2	€21,159.00	€ 0.00	€ 21,159.00
H C Browne Solicitor	2	€ 44,897.88	€ 13,646.09	€ 58,543.97
H J Ward & Co	4	€ 43,584.63	€ 7,800.94	€ 51,385.57
Harewood Solicitors	2	€25,726.07	€ 0.00	€ 25,726.07
Hayes Solicitors	1	€9,307.00	€ 0.00	€ 9,307.00
Hodge Jones & Allen Solicitors	21	€246,914.82	€ 0.00	€ 246,914.82
Hugh O'Donnell & Co. Solicitors	1	€ 17,698.25	€ 2,345.93	€ 20,044.18
Hughes Kehoe & Co Solicitors	1	€19,657.56	€ 0.00	€ 19,657.56
Hughes Murphy Marcus Lynch Solicitors	8	€117,003.11	€ 0.00	€ 117,003.11
Hussey & Bates Solicitors	1	€ 15,537.87	€ 3,655.55	€ 19,193.42
Irwin Mitchell Solicitors	0	€4,600.37	€ 0.00	€ 4,600.37
Ivor Fitzpatrick & Company Solicitors	1	€14,082.52	€ 0.00	€ 14,082.52
J A Shaw & Co	1	€8,590.75	€ 0.00	€ 8,590.75
J D Scanlon & Co Solicitors	0	€550.00	€ 0.00	€ 550.00
James A. Connolly & Co Solicitors	1	€13,053.00	€ 0.00	€ 13,053.00
James B. Joyce & Company Solicitor	1	€ 8,659.36	€ 2,149.00	€ 10,808.36
James Cody & Sons Solicitors	0	€943.62	€ 0.00	€ 943.62
James J. Hally Solicitor	1	€45,798.49	€ 0.00	€ 45,798.49
James Lucey & Co. solicitors	1	€8,487.25	€ 0.00	€ 8,487.25
James McSweeney Solicitors	2	€16,009.00	€ 0.00	€ 16,009.00

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
James Wall Solicitors	1	€5,038.50	€ 0.00	€ 5,038.50
John Casey and Company	1	€4,870.50	€ 0.00	€ 4,870.50
John Devane Solicitors	3	€17,757.00	€ 0.00	€ 17,757.00
John F. Walsh & Co. Solicitors	7	€ 76,996.38	€ 23,593.02	€ 100,589.40
John Gaynor & Co Solicitors	1	€9,948.68	€ 0.00	€ 9,948.68
John Hussey & Co Solicitors	1	€17,410.76	€ 0.00	€ 17,410.76
John M. Joy & Co Solicitors	4	€ 49,523.69	€ 284.50	€ 49,808.19
John M. Spencer Solicitor	1	€5,857.25	€ 0.00	€ 5,857.25
John O'Leary & Co Solicitors	2	€11,428.00	€ 0.00	€ 11,428.00
John P. Prior & Co.	1	€11,218.00	€ 0.00	€ 11,218.00
Jordans Solicitors	1	€7,900.00	€ 0.00	€ 7,900.00
Joseph P Gordon & Co Solicitors	1	€8,667.75	€ 0.00	€ 8,667.75
Joseph S. Cuddigan & Co Solicitors	1	€8,967.74	€ 0.00	€ 8,967.74
Karen A O Malley & Co Solicitors	1	€24,387.22	€ 0.00	€ 24,387.22
Kelleher O'Doherty Solicitors	2	€24,853.00	€ 0.00	€ 24,853.00
Kennedy Fitzgerald	1	€6,814.00	€ 0.00	€ 6,814.00
Kent Carty Solicitors	5	€ 60,203.95	€ 3,285.36	€ 63,489.31
Kevin Tunney Solicitors	2	€25,654.25	€ 0.00	€ 25,654.25
Kieran McCarthy & Co Solicitors	3	€23,720.26	€ 0.00	€ 23,720.26
Kilfeather Keyes Solicitors	2	€20,168.75	€ 0.00	€ 20,168.75

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
Killilea Reynolds & Whelan	1	€16,796.88	€ 0.00	€ 16,796.88
Kirwan & Kirwan Solicitors	2	€ 21,455.69	€ 3,646.50	€ 25,102.19
Lavelle Coleman Solicitors	129	€ 1,284,163.61	€ 79,987.49	€ 1,364,151.10
Lawline Solicitors	2	€ 18,620.24	€ 3,667.68	€ 22,287.92
Lawlor O'Reilly & Co Solicitors	10	€ 153,310.70	€ 41,319.71	€ 194,630.41
Lees Solicitors	1	€ 5,678.25	€ 0.00	€ 5,678.25
Leo F. Branigan & Co. Solicitors	1	€13,931.45	€ 0.00	€ 13,931.45
Linder Myers Solicitors	11	€199,591.15	€ 0.00	€ 199,591.15
Liston & Co. Solicitors	2	€21,735.55	€ 0.00	€ 21,735.55
Louise Moloney & Co Solicitors	1	€7,772.25	€ 0.00	€ 7,772.25
M.E. Burke and Co.	1	€12,188.25	€ 0.00	€ 12,188.25
Mac Dermot & Allen	3	€16,434.20	€ 0.00	€ 16,434.20
MacBride Conaghan Solicitors	2	€27,862.35	€ 0.00	€ 27,862.35
MacGeehin Toale Solicitors	1	€13,019.17	€ 0.00	€ 13,019.17
MacGuill & Co Solicitors	20	€ 268,091.03	€ 19,803.59	€ 287,894.62
Madden & Associates Solicitors	2	€23,667.30	€ 0.00	€ 23,667.30
Mairéad Quigley Solicitors	6	€ 75,801.50	€ 14,275.66	€ 90,077.16
Malcomson Law	7	€69,850.94	€ 0.00	€ 69,850.94
Malone and Potter , Solicitors	2	€17,612.26	€ 0.00	€ 17,612.26
Margaret Campbell Solicitors	15	€ 141,694.92	€ 4,502.56	€146,197.48

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
Mark Murphy & Company Solicitors	1	€11,222.25	€ 0.00	€ 11,222.25
Martin Solicitors	1	€13,421.79	€ 0.00	€ 13,421.79
Martin A Harvey & Co Solicitors	0	€800.00	€ 0.00	€ 800.00
Matthew Gold & Co Solicitors	28	€434,394.21	€ 0.00	€ 434,394.21
Maura Hurley Solicitors	1	€14,975.25	€ 0.00	€ 14,975.25
Maurice Leahy Wade & Co	2	€42,392.33	€ 0.00	€ 42,392.33
Maxwell Mooney & Co. Solicitors	2	€ 20,463.19	€ 4,091.25	€24,554.44
McAllister O Connor Solicitors	1	€6,356.75	€ 0.00	€ 6,356.75
McArdle & Associates Solicitors	1	€18,970.25	€ 0.00	€ 18,970.25
McCabe Terrill Lawyers Pty Ltd	1	€8,235.87	€ 0.00	€ 8,235.87
McCartan & Burke Solicitors	4	€ 44,193.07	€ 48,734.27	€92,927.34
McGarry & Co	1	€13,145.10	€ 0.00	€ 13,145.10
McGonagle Solicitors	5	€59,035.05	€ 0.00	€ 59,035.05
McGovern Walsh & Co Solicitors	2	€32,671.75	€ 0.00	€ 32,671.75
McGuinn Solicitors	1	€9,149.18	€ 0.00	€ 9,149.18
McInerney Solicitors	13	€134,986.25	€ 0.00	€ 134,986.25
McKeever Rowan Sols.	1	€12,673.06	€ 0.00	€ 12,673.06
McKenna Sweeney McKeown	1	€7,108.54	€ 0.00	€ 7,108.54
McMahon & Co Solicitors	36	€402,156.66	€ 0.00	€ 402,156.66
McMahon and Williams	1	€6,327.35	€ 0.00	€ 6,327.35

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
McMahon O'Brien Solicitors	47	€443,935.61	€ 0.00	€ 443,935.61
Michael A O'Brien & Co Solicitors	1	€5,491.75	€ 0.00	€ 5,491.75
Michael E Hanahoe Solicitors	68	€ 1,178,170.90	€ 112,543.25	€1,290,714.15
Michael Finucane Solicitor	1	€16,950.25	€ 0.00	€ 16,950.25
Michael J. O'N. Quirk & Co. Solicitors	1	€12,685.23	€ 0.00	€ 12,685.23
Midland Legal Solicitors	1	€8,198.00	€ 0.00	€ 8,198.00
Moloney & McCourt	1	€13,650.38	€ 0.00	€ 13,650.38
Moroney Barron Solicitors	1	€30,501.25	€ 0.00	€ 30,501.25
Mullaney's Solicitors	1	€16,255.00	€ 0.00	€ 16,255.00
Murphy English & Co Solicitors	57	€ 944,576.35	€ 23,459.12	€968,035.47
Murphys Solicitors	1	€14,695.65	€ 0.00	€ 14,695.65
Nelson & Co Solicitors	1	€7,836.75	€ 0.00	€ 7,836.75
Nevan O'Shaughnessy & Co	1	€8,615.50	€ 0.00	€ 8,615.50
Niall Corr & Co Solicitors	2	€21,161.00	€ 0.00	€ 21,161.00
Niamh B Moran & Co Solicitors	0	€1,579.50	€ 0.00	€ 1,579.50
O'Carroll & Company	1	€6,407.25	€ 0.00	€ 6,407.25
O'Connell & Clarke Solicitors	3	€30,919.95	€ 0.00	€ 30,919.95
O'Connor & Dudley Solicitors	1	€15,749.30	€ 0.00	€ 15,749.30
O'Connor & Moriarty Solicitors	1	€17,406.45	€ 0.00	€ 17,406.45
O'Grady & O'Neill Solicitors	1	€12,686.00	€ 0.00	€ 12,686.00

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
O'Hanrahan & Co Solicitors	1	€8,585.25	€ 0.00	€ 8,585.25
O'Hanrahan Lally Solicitors	4	€49,591.31	€ 0.00	€ 49,591.31
O'Neill & Co Solicitors	3	€28,620.90	€ 0.00	€ 28,620.90
O'Neill Quinn & Co Solicitors	5	€49,070.04	€ 0.00	€ 49,070.04
Orla O Donnchadha & Co Solicitors	1	€ 11,731.25	€ 2,134.75	€13,866.00
O'Sullivan Barnicle Solicitors	1	€44,631.37	€ 0.00	€ 44,631.37
O'Scanail & Co Solicitors	1	€16,783.15	€ 0.00	€ 16,783.15
O'Sullivan Steen & Co Solicitors	0	€5,806.00	€ 0.00	€ 5,806.00
P J O'Driscoll & Sons Solicitors	1	€ 15,136.55	€ 8,613.58	€23,750.13
Padraig Foley & Co Solicitors	1	€ 42,004.04	€ 5,528.54	€47,532.58
Padraig O'Donovan & Company Solicitors	3	€28,276.50	€ 0.00	€ 28,276.50
Partners at Law	0	€1,386.50	€ 0.00	€ 1,386.50
Patrick Enright Solicitor	1	€12,818.99	€ 0.00	€ 12,818.99
Patrick J Morrissey & Co Solicitors	1	€7,625.75	€ 0.00	€ 7,625.75
Patrick J. Durcan & Co Solicitors	1	€7,850.25	€ 0.00	€ 7,850.25
Patrick J. O'Meara	1	€5,939.00	€ 0.00	€ 5,939.00
Patrick J.O'Shea & Co. Solicitors	1	€13,156.10	€ 0.00	€ 13,156.10
Patrick Mann & Co Solicitors	8	€ 77,827.28	€ 5,364.50	€83,191.78
Patrick McMahon Solicitor	1	€9,513.65	€ 0.00	€ 9,513.65
Paul W Tracey Solicitors	31	€227,594.52	€ 0.00	€ 227,594.52

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
Paula McHugh Solicitor	1	€12,367.00	€ 0.00	€ 12,367.00
Pauline Kennedy Solicitor	2	€41,910.45	€ 0.00	€ 41,910.45
Pauline O'Reilly & Co Solicitors	7	€ 88,714.50	€ 11,308.07	€100,022.57
Pearse Mehigan & Co Solicitors	10	€ 106,633.83	€ 2,918.91	€109,552.74
Peter McDonnell & Associates Solicitors	352	€ 2,837,791.03	€ 4,799.25	€2,842,590.28
Philip Hannon Solicitors	4	€55,611.79	€ 0.00	€ 55,611.79
Plunkett Kirwan & Co	1	€6,482.00	€ 0.00	€ 6,482.00
Poe Kiely Hogan Lanigan Solicitors	31	€ 330,265.46	€ 25,455.29	€355,720.75
Pol O Murchu	1	€30,858.13	€ 0.00	€ 30,858.13
Purcell Cullen Kennedy Solicitors	1	€16,980.76	€ 0.00	€ 16,980.76
Quinn & Reynolds Solicitors	2	€39,334.63	€ 0.00	€ 39,334.63
R T Ringrose & Co. Solicitors	4	€34,191.25	€ 0.00	€ 34,191.25
R.A. Osborne & Son	1	€6,829.25	€ 0.00	€ 6,829.25
Regan McEntee & Partners Solicitors	1	€11,872.25	€ 0.00	€ 11,872.25
Reid & Sweeney Solicitors	1	€4,385.00	€ 0.00	€ 4,385.00
Rochford Gallagher and Co Solicitors	1	€7,069.25	€ 0.00	€ 7,069.25
Romaine Scally & Co Solicitors	0	€1,275.00	€ 0.00	€ 1,275.00
Rory P Benville & Co	1	€7,423.50	€ 0.00	€ 7,423.50
Rory Quigley & Co	2	€16,036.50	€ 0.00	€ 16,036.50
Rosario Lee & Co Solicitors	26	€ 438,898.81	€ 10,239.75	€449,138.56

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
Ryan & Ryan Solicitors	1	€ 24,757.81	€ 18,305.96	€43,063.77
Ryan Smyth & Co Solicitors	1	€24,173.14	€ 0.00	€24,173.14
Samuel Roche & Co	1	€10,272.26	€ 0.00	€ 10,272.26
Sandra Hanrahan & Co. Solicitors	2	€16,587.12	€ 0.00	€ 16,587.12
Scott Ryan Solicitors	1	€9,677.00	€ 0.00	€ 9,677.00
Seamus F. Hughes & Co. Solicitors	1	€12,113.63	€ 0.00	€ 12,113.63
Sean Costello & Co Solicitors	12	€ 179,742.19	€ 31,207.90	€210,950.09
Sean Gallagher & Co Solicitors	1	€6,364.25	€ 0.00	€6,364.25
Sean Meaney & Co Solicitors	0	€700.00	€ 0.00	€ 700.00
Sean T.O'Reilly & Co. Solicitors	1	€8,369.00	€ 0.00	€ 8,369.00
Sheedy & Co Solicitors	1	€5,857.44	€ 0.00	€ 5,857.44
Sheridan Quinn	1	€ 24,287.35	€ 2,711.50	€26,998.85
Sherrys Solicitors	1	€10,900.85	€ 0.00	€ 10,900.85
Simon W Kennedy & Co Solicitors	0	€273.04	€ 0.00	€ 273.04
Sinead Bradley Solicitors	2	€21,616.75	€ 0.00	€ 21,616.75
Spelman Callaghan Solicitors	1	€12,103.57	€ 0.00	€ 12,103.57
Springfield Advice and Law Centre Limited	1	€20,463.42	€ 0.00	€ 20,463.42
Stacks / Goudkamp Solicitors	1	€7,639.73	€ 0.00	€ 7,639.73
Stone Solicitors	0	€3,280.50	€ 0.00	€ 3,280.50
T A O'Donoghue & Son Solicitors	3	€ 53,210.89	€ 37,425.12	€90,636.01

Name of Solicitor	Number of Applications in which Costs have been paid - 2009	Board Costs Paid in 2009	Related High Court Costs paid in 2009	2009 Total
T Dillon-Leetch & Sons Solicitors	1	€9,964.01	€ 0.00	€ 9,964.01
Tarrant & Tarrant Solicitors	1	€15,407.25	€ 0.00	€ 15,407.25
Terence Lyons & Co. Solicitors	2	€21,976.00	€ 0.00	€ 21,976.00
The Legal Aid Board	1	€15,546.75	€ 0.00	€ 15,546.75
Thomas Loomes & Company Solicitors	2	€19,489.42	€ 0.00	€ 19,489.42
Thomas Quigley & Co Solicitors	2	€27,814.25	€ 0.00	€ 27,814.25
Tormeys Solicitors	2	€20,790.20	€ 0.00	€ 20,790.20
Traynor Mallon & Co Solicitor	1	€24,646.98	€ 0.00	€ 24,646.98
Tully & Duffy Solicitors	5	€ 64,166.25	€ 2,208.00	€66,374.25
Tynan Murphy Yelverton Solicitors	2	€25,586.69	€ 0.00	€ 25,586.69
V P Shields Solicitors	1	€23,128.49	€ 0.00	€ 23,128.49
Victor Blake & Co. Solicitors	1	€20,717.25	€ 0.00	€ 20,717.25
Wells & O'Carroll	1	€12,099.50	€ 0.00	€ 12,099.50
William Bradshaw & Company Solicitors	2	€14,235.42	€ 0.00	€ 14,235.42
William Davis & Co Solicitors	1	€11,878.00	€ 0.00	€ 11,878.00
William Egan & Associates Solicitors	2	€18,453.50	€ 0.00	€ 18,453.50
William F. Semple & Co.	1	€ 17,096.00	€ 1,296.12	€18,392.12
Wolfe & Co Solicitors	2	€39,440.19	€ 0.00	€ 39,440.19
Total	1817	€20,107,291.57	€ 699,160.79	€20,806,452.36

Note: There are instances in the above table where the number of applications for a solicitor is showing as "nil" despite receiving costs in 2009. These refer to cost payments such as supplementary costs received by the solicitor for cases in which the main costs were paid in a previous year.

Comparative Analysis of Costs from Establishment to 31st December 2009

On average, costs and expenses paid to applicants' solicitors amount to €10,967* per successful application, or 17.4% of the award. By contrast, the average costs and expenses incurred by the Board in respect of an application amount to €2,662** or 4.2% of the award.

* This figure has been calculated by dividing the total amount of costs paid to date by the number of applications in which costs were paid. The figure does not include costs paid in respect of associated Court proceedings; these costs average €5,180 per case in which such costs have been paid.

** This figure has been calculated by dividing the total cost of running the Board (excluding awards and applicants' legal costs) by the total number of applications finalised at the end of 2009.

Appendices

Customer Service Plan

The national agreement “Sustaining Progress Social Partnership Agreement 2003-2005” placed an obligation on all public service organizations to commit publicly to service standards for their customers.

As part of this process, the administrative staff of the Redress Board undertake to commit themselves to serving their customers - applicants, solicitors, barristers, members of the public and Board members in the following manner:

1. Show courtesy and sensitivity and preserve confidentiality in all our dealings with our customers verbally, in writing or in person.
2. Give assistance to those applicants who request it to complete their application forms (in so far as permissible under the Act).
3. Ensure adequate staff are available to answer all queries during office hours (9.00am to 5.00pm Monday to Friday).
4. Issue statutory correspondence within 5 working days of the file's readiness to proceed to the next stage.
5. Schedule applications for settlement or hearing as soon as dates are available.
6. Greet applicants and their party cordially and give every reasonable assistance on the day of their attendance at the Redress Board offices.
7. Issue notice of award to the applicant within 5 working days of the decision of the Board.

8. Ensure appropriate facilities are available for people with disabilities or special needs.
9. Update information on our website to ensure that the fullest information possible is available to the public.
10. Post regular newsletters on the website in the interests of openness and transparency.
11. Periodically review this plan in accordance with section 20.13 of the Sustaining Progress Social Partnership Agreement 2003-2005.

EXPENDITURE DATA FOR THE YEAR 2009

CATEGORY	Amount €
ADVERTISING	2,010.83
STENOGRAPHY SERVICES	146,707.91
SIGN LANGUAGE SERVICES	8,996.18
PHONES (SERVICE)	22,577.03
PHONES (EQUIPMENT)	172.96
POSTAGE - COSTS	73,400.00
POSTAGE – RENTAL & SERVICES	3,375.88
COMPUTER HARDWARE/SOFTWARE	587.06
COMPUTER SUPPORT SERVICES	47,352.34
PHOTOCOPYING	9,244.06
OFFICE MACHINERY	0.00
HEAT, POWER & LIGHT	34,286.83
CONTRACT CLEANING	30,126.80
OFFICE SUPPLIES	33,305.03
PRINTING	2,029.06
FURNITURE & FITTINGS	180.00
TRAVEL & SUBSISTENCE	78,053.04
TAXI/COURIER SERVICE	25,239.10
VENDING MACHINE & WATER SUPPLIES	6,452.48
MAINTENANCE	11,394.48
HOTEL ROOM HIRE/ACCOMMODATION	5,323.36
MEDICAL FEES*	69,552.00
MEDICAL PAYMENTS**	282,183.32
LEGAL FEES ***	1,428,032.01
ADVICE AS TO FINANCIAL MANAGEMENT OF THE AWARD	126,283.00
ADMINISTRATIVE SALARIES	1,413,612.33

BOARD MEMBERS' FEES	1,498,899.23
TRAINING	11,088.20
PUBLICATIONS	0.00
SECURITY	244,624.39
BOARD CATERING	30,491.84
AGENCY STAFF	87,304.25
MISCELLANEOUS	81,944.47
TOTAL	5,814,829.47

*These fees are for medical reports prepared by doctors appointed by the Board under section 11 of The Residential Institutions Redress Act 2002

**These figures represent payments made by the Board for medical reports received prior to the completion of an application with respect to the injuries suffered by applicants.

*** These fees relate to Counsel employed by the Board and other legally related services.

AWARDS MADE FOR THE YEAR 2009*

AWARDS	AMOUNT
TOTAL	€56,145,163.46

* This figure reflects determinations by the Board and not actual disbursements from the Special Account.

SUMMARY COST OF REDRESS SCHEME*

	2009	2008
Awards made	€56,145,163.46	€126,191,763.94
Legal costs paid in respect of applications	€20,120,748.10**	€26,412,946.81
Related High Court costs	€699,160.79	€1,230,295.74
Board expenditure	€5,814,829.47	€6,735,689.37
Total	€82,779,901.82	€160,570,695.86

* The figures reflect payments approved by the Board and not actual disbursements from the Special Account.

** Includes costs of €13,456.53 paid to personal applicants who chose not to be legally represented

Newsletter May 2009

Wednesday, 20th May 2009

This is the 17th in a series of newsletters which the Board has decided to produce to keep applicants informed from time to time as to the procedures it follows and other developments. The Board's Guide to Hearing Procedures issued in April 2003 and in December of 2005 the Board issued the third edition of the guide.

Applications

The final date for receipt of applications has now passed and the Board has received a total of 14,584 applications.

The Board notifies applicants once it has received all necessary documentation in relation to their case. The Board is now in the process of finalising the remaining 1,394 applications before it and is hopeful of completing the greater majority of cases by the end of the year. In recent times the Board has held a number of callovers with the solicitors on record to ascertain the up to date position with their cases.

Applications Received after 15th December 2005

Pursuant to the provisions of section 8(2) and 8(3) of the 2002 Act the Board may, at its discretion and where it considers there are exceptional circumstances, extend the period for receipt of applications. Any applicant wishing to lodge an application after December 15th 2005 is asked to explain in writing to the Board why the application was not lodged in time. The Board considers each such submission individually. By the 18th May 2009 the Board had received 394 such submissions which were dealt with as follows;

101 submissions were accepted by the Board

177 submissions were disallowed by the Board

10 submissions were withdrawn

8 applications were invalid

In 87 cases the Board is awaiting further information from the applicant

11 submissions remain to be considered by the Board

Awards

To date the Board has completed the process in 13,190 cases and has made awards totaling €787.45 million. 9,833 offers have been made following settlement talks and 2,603 awards have been made following hearings. 6 applicants have rejected their awards. 754 applications were withdrawn, refused or resulted in no award. By and large applications have been refused as, on the face of the documentation, the application was outside the Board's terms of reference as laid down in the 2002 Act. In other words, the applications did not relate to residential institutions as defined in the Act. These applications are determined by the Board immediately on receipt so that the

applicant is informed at the earliest possible date that his/her application is outside the ambit of the redress scheme.

The average value of the 12,436 awards to date is €63,320, the largest award being €300,500.

Redress Board Bands

The breakdown of awards by Redress Band is as follows:

Redress Bands	Total Weightings for Severity of Abuse and Injury/Effects of Abuse	Award Payable by way of Redress	Number	Percentage
V	70 or more	€200,000 - €300,000	27	0.22%
IV	55 to 69	€150,000 - €200,000	197	1.58%
III	40 to 54	€100,000 - €150,000	1668	13.41%
II	25 to 39	€50,000 - €100,000	6221	50.02%
I	Less than 25	Up to €50,000	4323	34.76%
Total			12436	100.00%

Legal Costs

To date the Board has paid legal costs to 817 firms of solicitors in respect of 11,134 applications. A total of €138.5 million has been paid, of which €11 million was paid in respect of associated High Court proceedings in accordance with section 27(2) of the Redress Act.

Statement of Redress Board

Thursday, 21st May 2009

The Board wishes to acknowledge the statement below issued by the Minister for Education and Science, Batt O'Keeffe, T.D. in response to comments made on Morning Ireland today regarding a reduction in funding for the Board. The independence of the Board is enshrined in section 3(2) of the Residential Institutions Redress Act 2002 which states 'The Board and its members shall be independent in the performance of their function'. Since its establishment in 2002 the Board has, and will until it has completed its business, continue to make awards in accordance with the Redress Act which are fair and reasonable having regard to the unique circumstances of each applicant. It should be noted that the Board finalised 13,190 applications to 18th May 2009 leaving a total of 1,394 to be completed.

The Board notes in particular the confirmation by the Minister in his statement that the State will honour whatever awards are made by the Board.

Statement of the Minister for Education and Science, Batt O'Keeffe T.D. issued on 21st May 2009 to all TV, radio and print media;

'URGENT CLARIFICATION REGARDING BRIAN HAYES ASSERTION ON MORNING IRELAND CONCERNING CUTS TO REDRESS BOARD.

The Department of Education and Science has no control or influence over the Redress Board awards.

The Redress Board is totally independent in making awards and **whatever it awards the State pays**.

Every year, money is set aside based on an estimate of the level and number of awards being made.

If the awards exceed the amount set aside, more funding would be allocated to pay all awards.

The amount set aside this year was reduced because of reduced award patterns.

The Redress Board is not constrained by the amount set aside.

Neither the Minister nor Department could or would interfere with the level of awards made by the independent Redress Board.

Ends'

Newsletter December 2009

Thursday, 24th December 2009

This is the 18th in a series of newsletters which the Board has decided to produce to keep applicants informed from time to time as to the procedures it follows and other developments. The Board's Guide to Hearing Procedures issued in April 2003 and in December of 2005 the Board issued the third edition of the guide.

Applications

The final date for receipt of applications has now passed and the Board has received a total of 14,667 applications.

The Board notifies applicants once it has received all necessary documentation in relation to their case. The Board is now in the process of finalising the remaining applications before it. In recent times the Board has held a number of callovers with the solicitors on record to ascertain the up to date position with their cases. In its continuing efforts to ensure the expeditious completion of applications the Board will hold a further series of callovers in February 2010.

Applications Received after 15th December 2005

Pursuant to the provisions of section 8(2) and 8(3) of the 2002 Act the Board may, at its discretion and where it considers there are exceptional circumstances, extend the period for receipt of applications. Any applicant wishing to lodge an application after 15th December 2005 is asked to explain in writing to the Board why the application was not lodged in time. The Board considers each such submission individually. By the 15th December 2009 the Board had received 647 such submissions which were dealt with as follows;

184 submissions were accepted by the Board
165 submissions were disallowed by the Board
10 submissions were withdrawn
20 applications were invalid
in 247 cases the Board is awaiting further information from the applicant
21 submissions remain to be considered by the Board

Awards

To date the Board has completed the process in 13,743 cases. 10,188 offers have been made following settlement talks and 2,741 awards have been made following hearings. 11 applicants have rejected their awards. 814 applications were withdrawn, refused or resulted in no award. By and large applications have been refused as, on the face of the documentation, the application was outside the Board's terms of reference as laid down in the 2002 Act. In other words, the applications did not relate to residential institutions as defined in the Act. These applications are determined by the Board immediately on receipt so that the applicant is informed at the earliest possible date that his/her application is outside the ambit of the redress scheme.

The average value of awards to date is €63,210, the largest award being €300,000.

Redress Board Bands

The breakdown of awards by Redress Band is as follows:

Redress Bands	Total Weightings for Severity of Abuse and Injury/Effects of Abuse	Award Payable by way of Redress	Number	Percentage
V	70 or more	€200,000 - €300,000	29	0.22%
IV	55 to 69	€150,000 - €200,000	209	1.62%
III	40 to 54	€100,000 - €150,000	1,717	13.28%
II	25 to 39	€50,000 - €100,000	6,407	49.56%
I	Less than 25	Up to €50,000	4,567	35.32%
Total			12,929	100%

Legal Costs

To date the Board has paid legal costs to 856 firms of solicitors in respect of 12,034 applications. A total of €148.5 million has been paid, of which €11.3 million was paid in respect of associated High Court proceedings in accordance with section 27(2) of the Redress Act.

Christmas Opening Hours

The Board's offices will close on Christmas Eve and will re-open on Wednesday 30th December 2009.

The Board and staff would like to take this opportunity to wish all applicants a happy Christmas and a peaceful New Year. A special note of thanks is extended to all those who contributed to the establishment of the Board and who continue to help us in our attempt to provide the best possible service to all applicants.

Residential Institutions Redress Board

By agreement with the Residential Institutions Redress Board (the Board), I am reporting the results of my examination of the processing for payment of awards made by the Board and their payment from a Special Account established under the Residential Institutions Redress Act, 2002 (as amended by the Commission to Inquire into Child Abuse (Amendment) Act, 2005). The Special Account is maintained jointly by the Department of Education and Skills and the Department of Finance (the Departments).

The report covers the period 1 January to 31 December 2009.

Basis of Report

The report is based on the results of audit testing which formed part of my audit of the Special Account. The testing was carried out in accordance with auditing standards issued by the Auditing Practices Board.

I have obtained all the information and explanations I considered necessary for the purposes of my report.

Awards and Costs discharged by the Board

Awards made by the Board are notified to applicants, who are allowed up to 28 days to accept or decline the sum offered. If the initial award is declined, the applicant may seek a review, which may result in a variation in the award amount.

When an applicant accepts an award sum, the Board issues instructions to the Department of Education and Skills for payment of the award. The associated costs are paid following consideration of bills submitted. The award and costs payments are disbursed from the Special Account. The amounts paid out in 2008 and 2009 were as follows.

	2008	2009
	€	€
Awards paid	123,307,850	66,753,026
Costs paid	28,318,277	21,102,051
Total award related expenditure	151,626,127	87,855,077

Certain instructions for payment issued by the Board late in the year may not be processed before the year end, and are paid at the beginning of the following year.

The outstanding payments at the end of 2009 were costs to the value of €75,610. These were paid out of the Special Account in 2010.

In certain circumstances, the Board may decide that it is appropriate to pay some of the amount awarded to applicants in instalments. In these cases, the Board issues instructions to the Department of Education and Skills for the payment of the initial instalments to the applicants, and applies to the High Court under Section 34 (e) of the 2005 Act to lodge the balance of the award amounts with the Court, which oversees arrangements for managing such payments.

At the end of 2008, a total of €3,606,082 in outstanding instalments was awaiting transfer to the Court under Section 34 (e) orders. At the end of 2009, a total of €1,951,318 in outstanding instalments was awaiting transfer.

Opinion

In my opinion

proper records were maintained by the Board and by the Departments

payments made during 2009 were duly made on foot of valid awards

all awards that came in the course of payment were discharged

the system of internal control employed by the Board is adequate and operated effectively during the periods covered by the report.

Seamus McCarthy
for and on behalf of the
Comptroller and Auditor General

December 2010

Board Information Updated to 31st December 2010

Awards

By the 31st December 2010 the Board had completed the process in 14,388 cases. 10,547 offers have been made following settlement talks, 2,528 awards have been made following hearings and 413 awards have been made following review. 12 applicants have rejected their awards. 900 applications were withdrawn, refused or resulted in no award. By and large applications have been refused as, on the face of the documentation, the application was outside the Board's terms of reference as laid down in the 2002 Act. In other words, the applications did not relate to residential institutions as defined in the Act. These applications are determined by the Board immediately on receipt so that the applicant is informed at the earliest possible date that his/her application is outside the ambit of the redress scheme.

The average value of awards to date is €62,845 the largest award being €300,500.

Redress Board Bands

The breakdown of awards by Redress Band is as follows:

Redress Bands	Total Weightings for Severity of Abuse and Injury/Effects of Abuse	Award Payable by way of Redress	Number	Percentage
V	70 or more	€200,000 - €300,000	31	0.23%
IV	55 - 69	€150,000 - €200,000	224	1.66%
III	40 - 54	€100,000 - €150,000	1,798	13.33%
II	25 - 39	€50,000 - €100,000	6,611	49.01%
I	Less than 25	Up to €50,000	4,824	35.77%
Total			13,488	100.00%

Legal Costs

By the 31st December 2010 the Board had approved legal costs to 901 firms of solicitors in respect of 12,744 applications. A total of €157.6 million has been paid, of which €11.5 million was paid in respect of associated High Court proceedings in accordance with section 27(2) of the Redress Act.

Applications Received after 15th December 2005

Pursuant to the provisions of section 8(2) and 8(3) of the 2002 Act the Board may, at its discretion and where it considers there are exceptional circumstances, extend the period for receipt of applications. Any applicant wishing to lodge an application after December 15th 2005 is asked to explain in writing to the Board why the application was not lodged in time. The Board considers each such submission individually. Since the 15th December 2005 the Board had received 1,264 such submissions which were dealt with as follows;

- 487 submissions were accepted by the Board
- 173 submissions were disallowed by the Board
- 35 submissions were not valid
- 31 submissions were withdrawn or had their files closed
- In 487 cases the Board is awaiting further information from the applicant
- 51 submissions remain to be considered by the Board