

**Annual Report of
The Residential
Institutions
Redress Board
2010**

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FOREWORD

The Board sat throughout the year and completed the process in 607 applications making a total of 14,388 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 would like to acknowledge the contribution of Professor Desmond Greer who retired in December and to wish him a long and happy retirement. Professor Greer was a founding member of the Board and the author of the "Guide to the Redress Scheme". His erudite and insightful contributions to the business of the Board will be greatly missed.

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.

In 2010 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 has to satisfy the Board in writing as to why the application was not lodged in time. In order to satisfy the Board that the circumstances of their application are exceptional applicants may be required to submit

medical records, reports and other corroborative material in support of their application. In certain circumstances it is necessary for the Board to hold an oral hearing to clarify and verify matters arising in a late application. The Board considers each such submission individually.

By the 31st December 2010 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
- 31 submissions were withdrawn or had their files closed
- 35 submissions were not valid
- In 487 cases the Board was awaiting further information from the applicant
- 51 submissions remained to be considered by the Board

On the 5th of July 2011 The Minister for Education and Skills, Ruairí Quinn T.D. announced the Government's intention to introduce amending legislation to the effect that the Board will not consider late submissions received on or after the 17th of September 2011. The Board will continue its work thereafter until all submissions received prior to the 17th of September have been completed.

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 Skills 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 2010 newsletters and statements are attached as appendices (e) to (f) 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 2010 the Board had received 1,264 such submissions. The Board has considered each such submission individually and has ruled as follows;

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- 31 submission were withdrawn or had their files closed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

Accordingly, the Board has now received a total of 14,935 applications (including 487 late applications accepted up 31st December 2010). 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. 41 such callovers were held in 2010.

Number and Amounts of Awards

The Board commenced making awards in May 2003 and by 31st December 2010 had completed the process in 14,388 cases as detailed below:

- 10,547 offers/awards made following settlement.
- 2,528 awards made following hearings (12 awards rejected by applicant).
- 413 awards following Review.
- 900 applications withdrawn, refused or resulted in a nil or no award

The total awards made to 31st December 2010 amounts to €847.7million. The average value of awards is approximately €62,845, the largest award being €300,500.

- The average award following a successful settlement is €62,200
- The average award following a hearing by the Board is €64,700

- The average award following an unsuccessful attempt to settle which therefore went to hearing is €64,300

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 Skills 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 14,935 applications received, 8 have been referred to the Garda Síochána under section 7(6) of the Act. Investigations have been concluded in 4 matters and one such investigation has lead to a criminal conviction. 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 12,744 applications. €140,358,584.01 has been paid in respect of applications to the Board. In 2,217 of these applications a further €11,479,528.88 has been paid in respect of the costs of associated court proceedings. This makes a total of €151,838,112.89.

Further details are given in the following table.

Legal Costs			
	To end 2009*	2010	Total
<i>Finalised Applications</i>	12,083	661	12,744
<i>Costs of Applications to the Board</i>	€132,154,624.16	€8,203,959.85	€140,358,584.01
<i>Costs of Associated Court Proceedings</i>	€11,316,508.65 (2,184 cases)	€163,020.23 (33 cases)	€11,479,528.88 (2,217 cases)
<i>Total Costs</i>	€143,471,132.81	€8,366,980.08	€151,838,112.89

**These figures have been adjusted from the 2009 annual report to reflect instances such as 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 or such as where certain instructions for payment in one year were not processed until the beginning of the following year.*

These costs are net of any payments made by the Board for medical reports received prior to the completion of an application with respect to the injuries suffered by applicants.

The average costs and expenses paid to applicants' solicitors, including payments made for medical reports, to the end of 2010 in respect of applications to the Board amount to €11,528 per application, or 18.3% 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 April 2011 and the Comptroller's certificate of satisfaction dated May 2011 is attached in appendix (g).

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 2010 are attached as appendices (e) to (f) 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.
- 8 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 Skills 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 2010. 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 2009 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 2010 the Board had received 1,264 such submissions which were dealt with as follows.

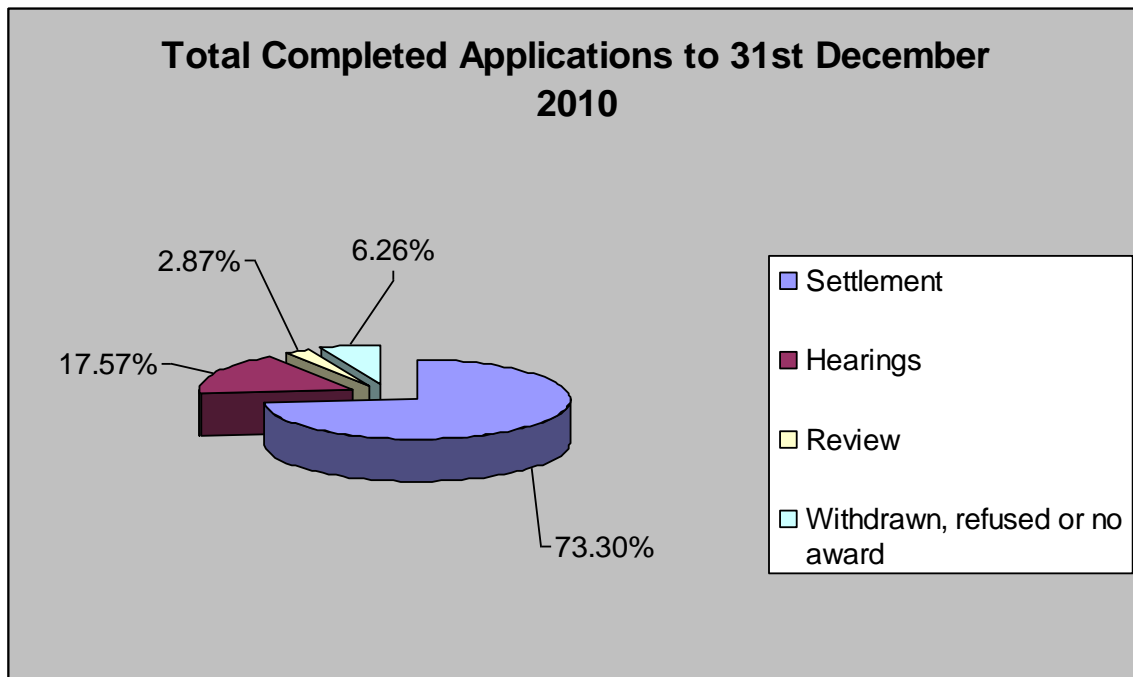
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- 173 submissions were disallowed by the Board
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- 35 submissions were not valid
- In 487 cases the Board was awaiting further information from the applicant
- 51 submissions remained to be considered by the Board

The Board has now received a total of 14,935 applications (including 487 late applications accepted up 31st December 2010). This total may increase when all outstanding submissions have been finally considered by the Board.

Completed Applications

On the 31st December 2010 the Board had completed the process in 14,388 cases, as detailed below

• Offers made following settlement	-	10,547
• Awards made following hearings	-	2,528
• Awards following Review	-	413
• Applications withdrawn, refused or no award	-	900



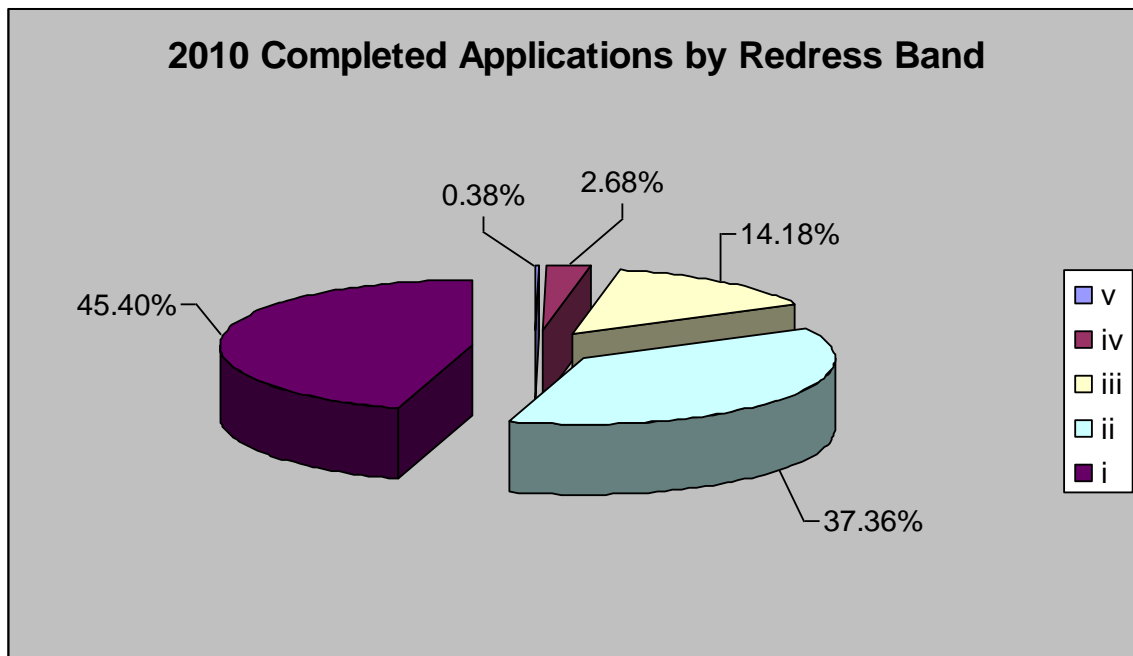
The breakdown of the completed cases to 31st December 2010 is detailed in the following table.

Completed Applications	To End 2009	2010	Total
Offers made following settlement	10,169	378	10,547
Awards made following hearings	2,401	127	2,528
Awards following Review	396	17	413
Applications withdrawn, refused or no award	815	85	900
Total Completed Cases	13,781	607	14,388

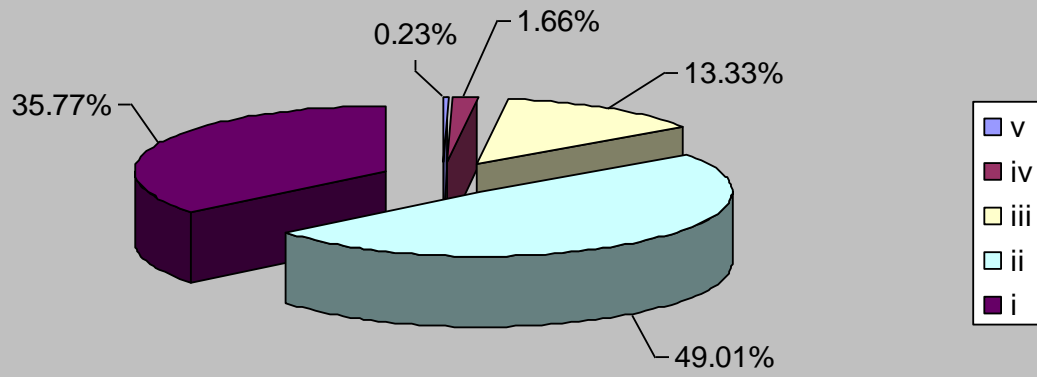
Number of Awards by Redress Band

The breakdown of awards by Redress Bands is as follows:

Redress Bands	Total Weighting	Award Payable	No. of Apps 2010	%	Total Apps to end 2010	%
v	70 or more	€200,000 - €300,000	2	0.38%	31	0.23%
iv	55-69	€150,000 - €200,000	14	2.68%	224	1.66%
iii	40-54	€100,000 - €150,000	74	14.18%	1,798	13.33%
ii	25-39	€50,000 - €100,000	195	37.36%	6,611	49.01%
i	less than 25	€0.00 - €50,000	237	45.40%	4,824	35.77%
Total			522	100.00%	13,488	100.00%



Total Completed Applications by Redress Band

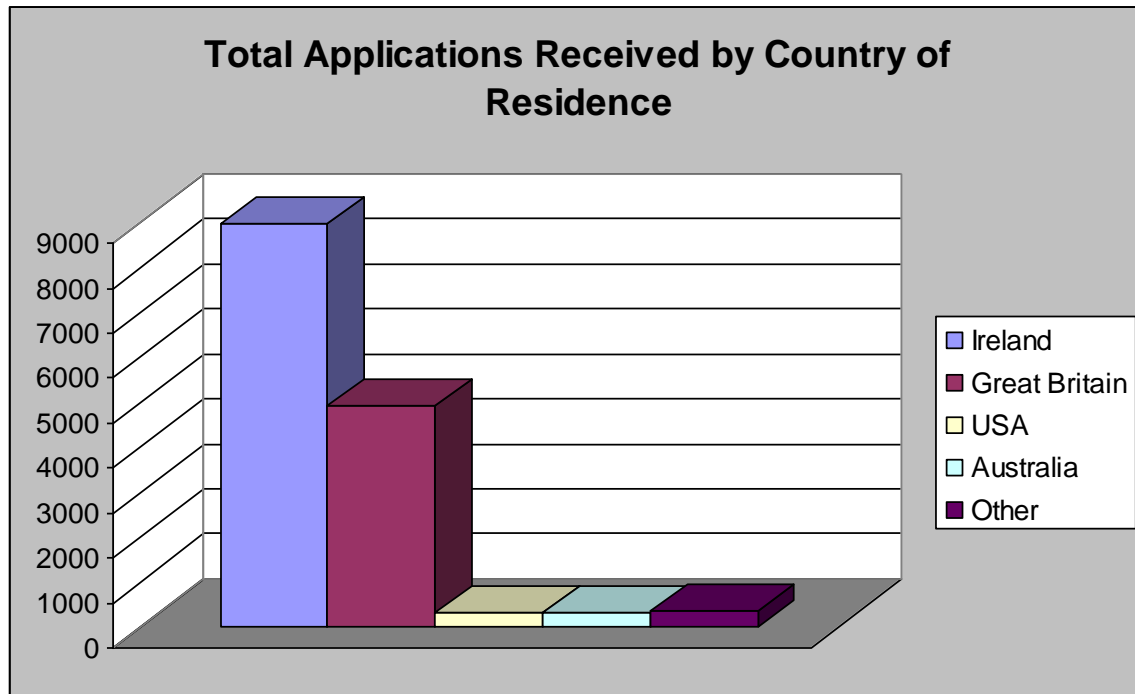


Country of Residence of Applicants

The figures below refer to the applications registered on the Board's case management system on the 31st December 2010.

Country of Residence	Total Applications Received	% of Total Received
Ireland	8959	60.29%
Great Britain	4915	33.08%
USA	315	2.12%
Australia	312	2.10%
Northern Ireland	128	0.86%
Canada	99	0.67%
Spain	31	0.21%
New Zealand	21	0.14%
Germany	18	0.12%
The Netherlands	15	0.10%
France	9	0.06%
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%
Portugal	2	0.01%
Austria	1	0.01%
Cyprus	1	0.01%
Finland	1	0.01%
Malta	1	0.01%
Morocco	1	0.01%
Nigeria	1	0.01%
Norway	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 (UAE)	1	0.01%
West Indies	1	0.01%
Zimbabwe	1	0.01%
Total	14860	100.00%

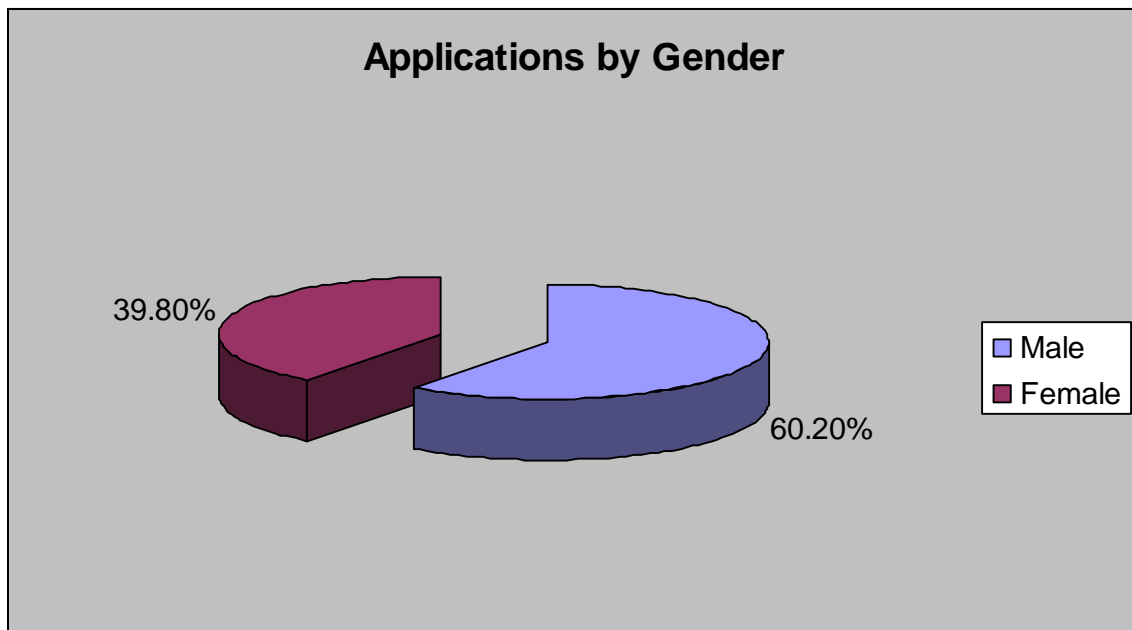
Ireland and Great Britain account for more than 93% of applications with Australia and the U.S.A. accounting for a further 4%.



Gender of Applicants

The figures below refer to the applications registered on the Board's case management system on the 31st December 2010. Of these applications, 8,945 are from men and 5,915 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 2010.



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 500 such applications up to 31st December 2010.

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.

437 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 1940, 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.

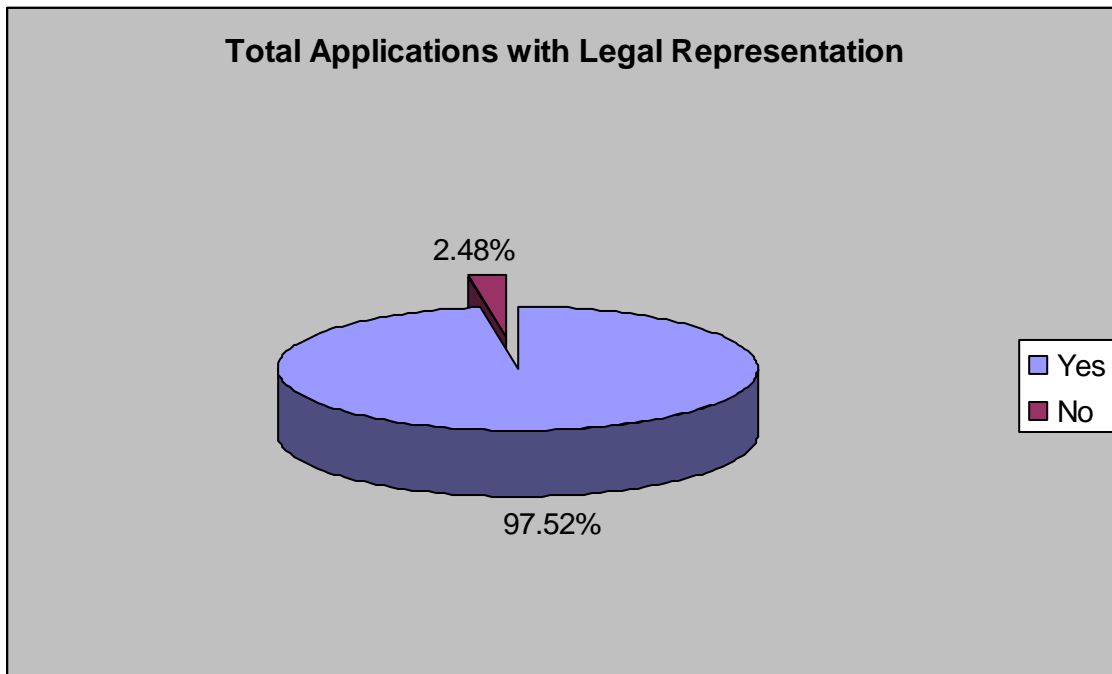
During the year 86 applicants born before 1st January 1940 were granted priority by the Board. 1 applicant was granted priority on the grounds of a medical or psychiatric condition. To date the Board has granted priority to a total of 3,126 applicants, 2,728 on the grounds of age and 398 on the grounds of a medical or psychiatric condition.

In 2011 the Board will give priority to applicants born before 1st January 1941.

Legal Representation

The chart below refers to the applications registered on the Board's case management system on the 31st December 2010.

The percentage of applications from applicants represented by a solicitor stands at 97.52%.



Applicants are represented by a total of 992 firms of solicitors and costs have been paid to date in respect of 12,744 applications. The 661 costs payments made by the Board in 2010 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 - 2010	Board Costs Paid in 2010	Related High Court Costs paid in 2010	2010 Total
Abney Garsden McDonald	1	€7,905.82	€ 0.00	€ 7,905.82
Ahern O'Shea	1	€8,954.00	€ 0.00	€ 8,954.00
Arthur P McLean & Co	1	€33,926.50	€ 0.00	€ 33,926.50
B P O'Reilly & Co	1	€16,045.50	€ 0.00	€ 16,045.50
B Vincent Hoey & Co	1	€8,290.93	€ 0.00	€ 8,290.93
BJ O' Beirne & Co	1	€11,854.50	€ 0.00	€ 11,854.50
Beauchamps	1	€36,311.00	€ 0.00	€ 36,311.00
Bernadette Burke & Co	1	€9,679.67	€ 0.00	€ 9,679.67
Birnberg Peirce & Partners	1	€12,678.00	€ 0.00	€ 12,678.00
Blake Horrigan	1	€6,413.50	€ 0.00	€ 6,413.50
Bolt Burdon Kemp	1	€15,955.78	€ 0.00	€ 15,955.78
Bourke Carrigg & Loftus	1	€10,882.75	€ 0.00	€ 10,882.75
Branigan Berkery	3	€32,072.25	€ 0.00	€ 32,072.25
Breen Geary McCarthy & Shee	1	€ 15,040.10	€ 930.00	€15,970.10
Brian Crowe & Co	1	€15,523.00	€ 0.00	€ 15,523.00
Brian J Chesser & Co	0	€300.00	€ 0.00	€ 300.00
Brian Lynch & Associates	1	€9,453.07	€ 0.00	€ 9,453.07
Brian M McMahon & Associates	1	€9,148.50	€ 0.00	€ 9,148.50
Bruce Lance & Co	0	€542.84	€ 0.00	€ 542.84
Bryan F Fox & Co	1	€10,151.00	€ 0.00	€ 10,151.00

Name of Solicitor	Number of Applications in which Costs have been paid - 2010	Board Costs Paid in 2010	Related High Court Costs paid in 2010	2010 Total
Burns Kelly Corrigan	60	€551,715.40	€ 0.00	€ 551,715.40
Byrne Carolan Cunningham	52	€ 701,502.43	€ 3,884.02	€705,386.45
Cahir & Co	1	€ 20,278.50	€ 3,630.00	€23,908.50
Canice M Egan & Co	3	€ 43,168.38	€ 5,579.54	€48,747.92
Carmody & Company	1	€22,430.08	€ 0.00	€ 22,430.08
Chris Ryan	2	€19,500.52	€ 0.00	€ 19,500.52
Cleary & Cleary	3	€ 77,178.86	€ 10,621.70	€87,800.56
Cleary & Co	2	€21,001.25	€ 0.00	€ 21,001.25
Coghlan Kelly	1	€12,240.57	€ 0.00	€ 12,240.57
D C Shaw & Co	2	€15,579.25	€ 0.00	€ 15,579.25
Daly Derham Donnelly	1	€21,116.00	€ 0.00	€ 21,116.00
David Burke & Co	3	€42,387.65	€ 0.00	€ 42,387.65
David Kenny & Co	1	€9,715.90	€ 0.00	€ 9,715.90
David Powderly	1	€4,582.06	€ 0.00	€ 4,582.06
David Walsh & Co	1	€13,772.72	€ 0.00	€ 13,772.72
Declan Duggan & Co	2	€37,192.50	€ 0.00	€ 37,192.50
Derivan Sexton & Co	2	€30,410.50	€ 0.00	€ 30,410.50
Dermot P Coyne	2	€25,901.00	€ 0.00	€ 25,901.00
Dobbyn & McCoy	1	€7,541.50	€ 0.00	€ 7,541.50
Doyle & Co	1	€10,665.25	€ 0.00	€ 10,665.25

Name of Solicitor	Number of Applications in which Costs have been paid - 2010	Board Costs Paid in 2010	Related High Court Costs paid in 2010	2010 Total
E A Ryan & Company	1	€4,956.00	€ 0.00	€ 4,956.00
Eames	1	€6,850.75	€ 0.00	€ 6,850.75
Eamon Murray & Co	22	€ 208,049.07	€ 1,969.00	€210,018.07
Eamonn Kelly	1	€8,780.25	€ 0.00	€ 8,780.25
Egan Daughter & Co	1	€10,674.50	€ 0.00	€ 10,674.50
Enda P Moran	1	€8,981.76	€ 0.00	€ 8,981.76
Ernest J Cantillon & Co	2	€ 25,739.22	€ 8,233.21	€33,972.43
Fair & Murtagh	1	€7,614.75	€ 0.00	€ 7,614.75
Ferrys	3	€ 27,593.56	€ 2,146.31	€29,739.87
Finian Brannigan & Co	2	€12,207.50	€ 0.00	€ 12,207.50
Fleming & Barrett	1	€9,536.25	€ 0.00	€ 9,536.25
Francis J O'Mahony & Co	1	€26,143.50	€ 0.00	€ 26,143.50
Frank Buttimer & Company	2	€32,510.79	€ 0.00	€ 32,510.79
Frank Ward & Co	47	€646,238.89	€ 0.00	€ 646,238.89
Frizelle O Leary & Co	0	€3,386.50	€ 0.00	€ 3,386.50
Gaffney Halligan & Co	1	€6,425.00	€ 0.00	€ 6,425.00
Gerard J Meehan & Co	1	€7,120.00	€ 0.00	€ 7,120.00
Giles J Kennedy & Co	1	€11,190.00	€ 0.00	€ 11,190.00
Gilmartin & Traynor	1	€5,242.50	€ 0.00	€ 5,242.50
Good & Murray Smith	0	€500.00	€ 0.00	€ 500.00

Name of Solicitor	Number of Applications in which Costs have been paid - 2010	Board Costs Paid in 2010	Related High Court Costs paid in 2010	2010 Total
Hennessy & Perrozzi	1	€8,751.50	€ 0.00	€ 8,751.50
Higgins Chambers & Flanagan	1	€11,871.60	€ 0.00	€ 11,871.60
Hodge Jones & Allen	9	€104,372.91	€ 0.00	€ 104,372.91
Holmes O' Malley Sexton	1	€40,477.35	€ 0.00	€ 40,477.35
Hugh J Campbell & Co	1	€10,941.65	€ 0.00	€ 10,941.65
Hughes Kehoe & Co	1	€17,364.16	€ 0.00	€ 17,364.16
Hughes Murphy and Co	4	€55,519.31	€ 0.00	€ 55,519.31
Ian Dodd	1	€9,671.10	€ 0.00	€ 9,671.10
Irwin Mitchell	0	€7,851.29	€ 0.00	€ 7,851.29
James A Connolly & Co	2	€12,137.29	€ 0.00	€ 12,137.29
James H Murphy & Son	1	€13,219.40	€ 0.00	€ 13,219.40
John Devane	1	€12,813.50	€ 0.00	€ 12,813.50
John F Walsh & Co	1	€ 12,757.50	€ 17,443.69	€30,201.19
John G Flynn	1	€5,893.95	€ 0.00	€ 5,893.95
John M Joy & Co	1	€12,488.61	€ 0.00	€ 12,488.61
John O'Leary & Co	1	€7,118.50	€ 0.00	€ 7,118.50
John S O' Sullivan	1	€20,139.00	€ 0.00	€ 20,139.00
John Synnott & Co	1	€8,063.16	€ 0.00	€ 8,063.16
Joseph M Jordan	1	€17,125.60	€ 0.00	€ 17,125.60
Karen A O'Malley & Co	1	€14,466.00	€ 0.00	€ 14,466.00

Name of Solicitor	Number of Applications in which Costs have been paid - 2010	Board Costs Paid in 2010	Related High Court Costs paid in 2010	2010 Total
Kaye Tesler & Co	0	€2,309.02	€ 0.00	€ 2,309.02
Kennard Wells	1	€5,274.98	€ 0.00	€ 5,274.98
Kent Carty	2	€46,576.00	€ 0.00	€ 46,576.00
Kevin Hegarty	1	€7,945.13	€ 0.00	€ 7,945.13
Kevin Tunney	1	€7,557.10	€ 0.00	€ 7,557.10
Kieran McCarthy & Co	2	€40,422.20	€ 0.00	€ 40,422.20
Kinsella Heffernan Foskin	1	€6,795.00	€ 0.00	€ 6,795.00
Lavelle Coleman	12	€ 131,786.94	€ 7,861.56	€139,648.50
Lee & Sherlock	1	€11,539.50	€ 0.00	€ 11,539.50
Leo F Branigan & Co	1	€13,576.80	€ 0.00	€ 13,576.80
Liam Keane & Co	1	€8,154.50	€ 0.00	€ 8,154.50
Liam M O'Brien	1	€12,628.00	€ 0.00	€ 12,628.00
Linder Myers	3	€35,721.96	€ 0.00	€ 35,721.96
MacBride Conaghan	1	€55,431.49	€ 0.00	€ 55,431.49
MacCarthy Baker & Co	1	€11,594.00	€ 0.00	€ 11,594.00
MacGuill & Co	11	€ 105,939.54	€ 2,139.92	€108,079.46
MacKenzie Jones	2	€17,723.26	€ 0.00	€ 17,723.26
Madden & Associates	1	€ 12,544.60	€ 3,079.20	€15,623.80
Mairéad Quigley	1	€ 20,847.00	€ 3,286.50	€24,133.50
Malcomson Law	7	€86,143.27	€ 0.00	€ 86,143.27

Name of Solicitor	Number of Applications in which Costs have been paid - 2010	Board Costs Paid in 2010	Related High Court Costs paid in 2010	2010 Total
Mannion Aird & Co	1	€10,133.30	€ 0.00	€ 10,133.30
Manus Sweeney & Co	1	€12,244.00	€ 0.00	€ 12,244.00
Margaret Campbell	5	€57,575.93	€ 0.00	€ 57,575.93
Martin A Harvey & Co	2	€17,405.70	€ 0.00	€ 17,405.70
Matthew Gold & Co	10	€172,038.30	€ 0.00	€ 172,038.30
McAlinden & Gallagher	3	€42,506.10	€ 0.00	€ 42,506.10
McCarthy Looby & Co	1	€9,768.75	€ 0.00	€ 9,768.75
McCullagh Higgins & Co	1	€9,100.00	€ 0.00	€ 9,100.00
McGuinn	1	€18,618.98	€ 0.00	€ 18,618.98
McHugh Lynam	1	€7,050.08	€ 0.00	€ 7,050.08
McInerney	20	€ 214,180.20	€ 3,072.50	€217,252.70
McMahon & Co	25	€317,497.80	€ 0.00	€ 317,497.80
McMahon O'Brien	18	€153,155.86	€ 0.00	€ 153,155.86
Melvyn Hanley	1	€24,058.32	€ 0.00	€ 24,058.32
Michael E Hanahoe	31	€ 615,883.63	€ 77,034.06	€692,917.69
Michael J Breen & Co	1	€31,895.73	€ 0.00	€ 31,895.73
Mooney O'Sullivan	3	€48,990.04	€ 0.00	€ 48,990.04
Murphy English & Co	17	€ 280,125.94	€ 2,312.77	€282,438.71
Murphy Ramsay Walsh	3	€71,297.50	€ 0.00	€ 71,297.50
Murphys	2	€23,780.31	€ 0.00	€ 23,780.31

Name of Solicitor	Number of Applications in which Costs have been paid - 2010	Board Costs Paid in 2010	Related High Court Costs paid in 2010	2010 Total
Murray Flynn Maguire	1	€18,617.00	€ 0.00	€ 18,617.00
Neil McNelis & Co	2	€31,811.00	€ 0.00	€ 31,811.00
O'Carroll & Company	1	€13,489.63	€ 0.00	€ 13,489.63
O'Connell & Clarke	1	€14,994.00	€ 0.00	€ 14,994.00
O'Flynn Exhams & Partners	1	€17,944.41	€ 0.00	€ 17,944.41
O'Gorman	2	€32,850.26	€ 0.00	€ 32,850.26
O'Neill & Co	3	€27,370.50	€ 0.00	€ 27,370.50
O'Neill Quinn & Co	1	€9,517.61	€ 0.00	€ 9,517.61
O'Riada	1	€19,396.00	€ 0.00	€ 19,396.00
Owen O'Mahony & Co	1	€15,656.70	€ 0.00	€ 15,656.70
P Desmond O'Connor & Son	1	€9,461.61	€ 0.00	€ 9,461.61
Padraig O'Donovan & Company	2	€21,207.89	€ 0.00	€ 21,207.89
Patrick M Goodwin & Co	1	€7,288.00	€ 0.00	€ 7,288.00
Patrick Mann & Co	3	€55,502.15	€ 0.00	€ 55,502.15
Paul Stack	1	€15,837.50	€ 0.00	€ 15,837.50
Paul W Tracey	12	€135,961.15	€ 0.00	€ 135,961.15
Paula McHugh	2	€27,260.64	€ 0.00	€ 27,260.64
Pauline O'Reilly & Co	3	€61,614.82	€ 0.00	€ 61,614.82
Pearse Mehigan & Co	6	€64,158.40	€ 0.00	€ 64,158.40
Peter G Crean & Co	0	€100.00	€ 0.00	€ 100.00

Name of Solicitor	Number of Applications in which Costs have been paid - 2010	Board Costs Paid in 2010	Related High Court Costs paid in 2010	2010 Total
Peter McDonnell & Associates	64	€530,892.94	€ 0.00	€ 530,892.94
Philip Hannon	1	€11,024.50	€ 0.00	€ 11,024.50
Poe Kiely Hogan Lanigan	8	€88,852.58	€ 0.00	€ 88,852.58
Rory Hayden & Company	1	€19,324.85	€ 0.00	€ 19,324.85
Rosario Lee & Co	15	€232,225.72	€ 0.00	€ 232,225.72
Ryan & Ryan	1	€10,555.00	€ 0.00	€ 10,555.00
S Donegan & Co	1	€14,333.40	€ 0.00	€ 14,333.40
Sandra Hanrahan & Co	1	€ 7,272.61	€ 2,200.00	€9,472.61
Seamus Maguire & Co	1	€5,616.00	€ 0.00	€ 5,616.00
Sean Costello & Co	22	€ 208,472.03	€ 7,596.25	€216,068.28
Sean Mulvihill & Co	1	€6,943.50	€ 0.00	€ 6,943.50
Sean T O'Reilly & Co	0	€1,275.75	€ 0.00	€ 1,275.75
Silke & Company	2	€31,555.00	€ 0.00	€ 31,555.00
Spelman Callaghan	4	€50,175.14	€ 0.00	€ 50,175.14
Taylor & Buchalter	2	€15,137.50	€ 0.00	€ 15,137.50
Thomas Coughlan & Co	1	€ 11,845.00	€ 0.00	€ 11,845.00
Thomas Loomes & Company	1	€11,063.65	€ 0.00	€ 11,063.65
Thornton	1	€5,807.00	€ 0.00	€ 5,807.00
Tormeys	2	€21,879.82	€ 0.00	€ 21,879.82
V P Shields & Son	1	€18,758.50	€ 0.00	€ 18,758.50

Name of Solicitor	Number of Applications in which Costs have been paid - 2010	Board Costs Paid in 2010	Related High Court Costs paid in 2010	2010 Total
Waller Legal	1	€10,686.27	€ 0.00	€ 10,686.27
Walsh & Associates	2	€36,087.30	€ 0.00	€ 36,087.30
Wolfe & Co	2	€44,526.56	€ 0.00	€ 44,526.56
Total	661	€8,203,959.85	€163,020.23	€8,366,980.08

Note: There are instances in the above table where the number of applications for a solicitor is showing as “nil” despite receiving costs in 2010. 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 2010

On average, costs and expenses paid to applicants’ solicitors amount to €11,528* per successful application, or 18.3% of the award. By contrast, the average costs and expenses incurred by the Board in respect of an application amount to €2,850** or 4.5% 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 2010.

Appendices

Customer Service Plan

The national agreement “Sustaining Progress Social Partnership Agreement 2003-2005” placed an obligation on all public service organisations 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 2010

CATEGORY	Amount €
ADVERTISING	2,115.98
STENOGRAPHY SERVICES	123,602.89
SIGN LANGUAGE SERVICES	7,374.00
PHONES (SERVICE)	18,896.73
PHONES (EQUIPMENT)	0.00
POSTAGE - COSTS	50,400.00
POSTAGE – RENTAL & SERVICES	3,082.77
COMPUTER HARDWARE/SOFTWARE	891.87
COMPUTER SUPPORT SERVICES	23,890.03
PHOTOCOPYING	8,234.77
OFFICE MACHINERY	0.00
HEAT, POWER & LIGHT	21,543.71
CONTRACT CLEANING	33,493.33
OFFICE SUPPLIES	27,201.07
PRINTING	0.00
FURNITURE & FITTINGS	200.26
TRAVEL & SUBSISTENCE	73,689.12
TAXI/COURIER SERVICE	19,291.68
VENDING MACHINE & WATER SUPPLIES	5,919.26
MAINTENANCE	15,459.38
HOTEL ROOM HIRE/ACCOMMODATION	18,870.17
MEDICAL FEES*	40,848.00
MEDICAL PAYMENTS**	184,641.27
LEGAL FEES ***	1,144,815.11
ADVICE AS TO FINANCIAL MANAGEMENT OF THE AWARD	87,443.00
ADMINISTRATIVE SALARIES	985,069.78

BOARD MEMBERS' FEES	1,201,711.95
TRAINING	12,691.85
PUBLICATIONS	592.20
SECURITY	259,914.20
BOARD CATERING	25,115.47
AGENCY STAFF	51,404.94
MISCELLANEOUS	11,449.03
TOTAL	4,459,853.82

*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 2010*

AWARDS	AMOUNT
TOTAL	€30,833,453.51

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

SUMMARY COST OF REDRESS SCHEME*

	2010	2009
Awards made	€30,833,453.51	€56,145,163.46
Legal costs paid in respect of applications	€8,211,832.63**	€20,120,748.10
Related High Court costs	€163,020.23	€699,160.79
Board expenditure	€4,459,853.82	€5,814,829.47
Total	€43,668,160.19	€82,779,901.82

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

** Includes costs of €7,872.78 paid to personal applicants who chose not to be legally represented

Newsletter July 2010

Friday, 16th July 2010

This is the 19th 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 14,753 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. The Board continues to hold callovers to ensure the expeditious completion of applications.

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, 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 30th June 2010 the Board had received 936 such submissions which were dealt with as follows;

305 submissions were accepted by the Board

164 submissions were disallowed by the Board

15 submissions were withdrawn

27 applications were invalid

in 407 cases the Board is awaiting further information from the applicant

18 submissions remain to be considered by the Board

Awards

To date the Board has completed the process in 14,143 cases. 10,418 offers have been made following settlement talks and 2,842 awards have been made following hearings. 12 applicants have rejected their awards. 883 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 €62,860, 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	29	0.22%
IV	55 to 69	€150,000 - €200,000	216	1.63%
III	40 to 54	€100,000 - €150,000	1,762	13.29%
II	25 to 39	€50,000 - €100,000	6,516	49.14%
I	Less than 25	Up to €50,000	4,737	35.72%
Total			13,260	100%

Legal Costs

To date the Board has paid legal costs to 874 firms of solicitors in respect of 12,384 applications. A total of €152.4 million has been paid, of which €11.4 million was paid in respect of associated High Court proceedings in accordance with section 27(2) of the Redress Act.

Newsletter December 2010

Thursday, 23rd December 2010

This is the 20th 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 14,935 applications.

The Board continues to process the remaining applications before it. In the course of the year the Board held a number of callovers with the solicitors on record to ascertain the up to date position with their cases. The Board will continue to hold callovers to ensure the expeditious completion of applications.

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 22nd December 2010 the Board had received 1,260 such submissions which were dealt with as follows;

487 submissions were accepted by the Board

173 submissions were disallowed by the Board

30 submissions were either withdrawn or had their files closed

35 applications were invalid

In 481 cases the Board is awaiting further information from the applicant

54 submissions remain to be considered by the Board

Awards

To date the Board has completed the process in 14,386 cases. 10,584 offers have been made following settlement talks and 2,902 awards have been made following hearings. 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 to 69	€150,000 - €200,000	224	1.66%
III	40 to 54	€100,000 - €150,000	1797	13.32%
II	25 to 39	€50,000 - €100,000	6610	49.01%
I	Less than 25	Up to €50,000	4824	35.77%
Total			13486	100.00%

Legal Costs

To date the Board has paid legal costs to 902 firms of solicitors in respect of 12,759 applications. A total of €157.4 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.

Christmas Opening Hours

The Board's offices will close on Christmas Eve and will re-open on Thursday 30th December 2010.

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 2010.

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 that I consider 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 disbursed in 2009 and 2010 were as follows.

	2009	2010
	€	€
Awards paid	66,753,026	31,750,049
Costs paid	21,102,051	8,577,226
Total award related expenditure	87,855,077	40,327,275

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 2010 were awards to the value of €80,080 and costs to the value of €31,611. These were paid in 2011.

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. (The Board does not issue payment instructions for such balances until transfers are agreed.)

At the end of 2009, a total of €1,951,318 in outstanding instalments was awaiting transfer to the Court under Section 34 (e) orders. At the end of 2010, a total of €1,969,489 in outstanding instalments was awaiting transfer.

Opinion

In my opinion

proper records were maintained by the Board and by the Departments

payments made during 2010 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

May 2011