



Historical Institutional Abuse
Redress Board

Guidance for applicants required to attend an oral hearing

Purpose

The Historical Institutional Abuse (HIA) Redress Board is responsible for receiving and processing applications for compensation from those who experienced abuse in residential institutions in Northern Ireland between 1922 and 1995. The purpose of this guidance is to assist applicants, and witnesses, who are required to attend an oral hearing.

Who will be required to attend an oral hearing?

Applications will normally be considered by paper determination by a three person panel consisting of a judicial member and two non-judicial members from a health and social care background. However, the panel may, where it considers it necessary to do so, direct that an oral hearing takes place.

An applicant, or person named in that applicants statement of evidence, may be required to attend an oral hearing and to give evidence on oath. Expert witness may also be called to attend an oral hearing.

How will I be notified that I am required to attend?

The HIA Redress Board will notify you, and your legal representative, in writing at least 21 days before the oral hearing is scheduled to take place (unless it has been agreed in advance that this notice is not required).

Where will the oral hearing take place?

The oral hearing will normally be in Redress Boards premises at Headline Building in Belfast. However, in circumstances where the applicant lives more than 50 miles from Belfast, the panel may consider using an alternative venue.

What happens if I cannot attend?

If you are unable to attend you must notify the Redress Board, in writing, detailing the reasons why, at least 14 days before the date of the hearing. The address to write to will be included on the notification letter you receive. The panel will consider the reasons you have provided and may insist the person attends, agree that attendance is not required, or vary the original notice which issued. You should note that failure to comply with a notice to attend an oral hearing may be considered a criminal offence.

Can I be accompanied at the hearing?

If you are legally represented your solicitor will accompany you and may speak on your behalf. If you are not legally represented a family member or friend may sit with you during the hearing. You may also want to contact the Interim Advocate on 028

90893977 (email: info@hiaadvocate.org.uk) or the Commissioner for Survivors of Institutional Childhood Abuse (when appointed) who can provide general advice and information.

What will happen at the hearing?

Please arrive at the oral hearing venue at least 15 minutes before your hearing is due to start. The hearing clerk will welcome you and deal with any queries you may have. When you arrive at the oral hearing venue, you will be asked to sit in a waiting area with any representative, relative or friend who has accompanied you. When the Redress Board panel is ready to hear your case you will be shown into the hearing room by the hearing clerk. The oral hearing will be held in private, unless the panel considers it is in the interests of justice for the hearing to be held in public.

When you enter the oral hearing room you will be asked to sit at a table with your legal representative or companion. A member of the panel will explain what will happen during the hearing. To ensure that no relevant evidence is missed the oral hearing will be recorded using a digital audio recording system.

Should the panel wish to hear oral evidence from a person other than a person giving evidence in support of your application for compensation this will, save for exceptional circumstance, be scheduled for hearing on a different occasion.

Will I have to give evidence on oath?

If you are asked to give oral evidence you will be required to take a religious oath or 'affirm' that you will tell the truth. The hearing clerk will ask you which you would prefer and invite you to repeat after them the appropriate words. A religious oath is a sworn promise to tell the truth and is made on a holy book (appropriate to your faith). An affirmation is a declaration to tell the truth but it is not sworn on a holy book.

When will be I be notified of the outcome?

When all of the evidence has been heard the judicial member of the panel will ask you if you have any final comments or questions. If the panel is in a position to do so, it may, at the end of the hearing, indicate if it is satisfied that the evidence is now complete and/or if there is a timeframe within which a determination is likely to be made. You, and your legal representative, will be notified of the panel's decision in writing.

Can I claim travel expenses to attend a hearing?

Yes, you can ask the Redress Board to reimburse reasonably incurred costs associated with attending an oral hearing including, travel expenses, child care costs and loss of earnings.

Disabled applicants

If you have a disability or difficulties with mobility your hearing notification letter will advise you of the steps you need to take. The Redress Board will consider and make all reasonable adjustments to ensure that you are enabled to participate in the oral hearing.

What assistance can I get if am not an applicant?

If you are not an applicant and are notified that you are required to attend an oral hearing to give evidence in respect of an application for compensation, and you are not legally represented, you can seek help and advice from the Interim Advocate on 028 90893977 (email: info@hiaadvocate.org.uk) or the Commissioner for Survivors of Institutional Childhood Abuse (when appointed) who can provide general advice and information.

Whether you are an applicant or not, the Redress Board will be happy to answer any questions you may have in relation to the way in which an oral hearing will be conducted.

Location of Headline Building

Headline Building
10-14 Victoria Street
Belfast
BT13GG



For further information please email the HIA Redress Board admin@hiadressni.uk

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