



Historical Institutional Abuse
Redress Board

Annual Report 2022-23

This Annual Report is submitted to the Executive Office pursuant to paragraph 11(1) of Schedule 1 of the Historical Institutional Abuse (Northern Ireland) Act 2019. This provision requires the Historical Institutional Abuse Redress Board to report, as soon as practicable after the end of each financial year and send to the Executive Office a report on the exercise of the Redress Board's function during that year.

FOREWORD

In presenting this third Annual Report I wish to acknowledge the continuing efforts of victims and survivors of Historical Institutional Abuse to ensure the implementation of all of the wider outstanding redress scheme recommendations and services detailed in the Hart Report.

In our two previous Annual Reports we have comprehensively reported not only on the discharge of our statutory functions but also highlighted the realities and dependencies in operating our statutory functions. I do not intend in this third, and my first, Annual Report to repeat those realities and dependencies.

Once again I would like to recognise the continued commitment of Redress Board panel members, administrative staff, Executive Office (TEO) officials, Department of Justice (DoJ) officials, the Victims & Survivors Service (VSS), the Commissioner for Survivors of Institutional Childhood Abuse (COSICA), Department of Health (DoH), the Public Records Office NI (PRONI), the institutions, solicitors representing applicants and, most importantly of all, the victims and survivors.

As of the **31 March 2023**, the Redress Board had received a total of **3,611** applications relating to **6,289** residential placements covering approximately **150** different institutions in Northern Ireland. On average, each application names approximately **1.74** institutions. As advised in our previous Annual Reports a continuous factor operating against even greater efficiency is that, of the **1,055 applications** received during our third year of operation, **396 (36%)** were **non-compliant** with the basic mandatory information requirements of the legislation. At the end of this third year of operation, **28** applications remain **non-compliant**, which can be attributed to the more robust rules based approach implemented in **April 2022**, which the Redress Board had committed to introduce in our last Annual Report.

Effectively, **96%** of all applications have been considered by a panel, **3%** are under progress and **1%** remain non-compliant.

As President, I am committed to the effective and efficient discharge of the functions of the Redress Board in accordance with the legislative framework, which governs the operation of the Redress Board, and by which we are bound but, subject to that, I like my predecessor Mr Justice Huddleston, remain determined to continually improving those services for which the Redress Board is solely accountable.

I look forward to the complete and full delivery of all of the wider redress scheme support services from all of the other responsible bodies, as set out in Hart Report and required in legislation, to effectively support applicants to the Redress Board.

We will also continue to take the opportunity to promote the statutory role provided by the Commissioner for Survivors of Institutional Childhood Abuse, the Executive Office and the non-statutory support role provided by the Victims & Survivors Service (VSS), as we understand them, in all our communications with unrepresented

applicants and solicitors. We have done so to date on the basis that we have always considered it important to signpost help and assistance where we can.

Finally, in this third Annual Report we set out our performance measures and data, which I consider demonstrates our commitment to continuous learning and improvement.

A handwritten signature in black ink, appearing to read 'Mr Justice Fowler', written in a cursive style.

Mr Justice Fowler
President of the Historical Institutional Redress Board
17 July 2023

FUNCTIONS OF THE REDRESS BOARD

1. In our previous Annual Reports, we have provided detailed and comprehensive commentaries on the establishment of the Redress Board, the underpinning legislation, the application process, the role of panels, the determination of awards and challenges.

2. For ease of reference the Redress Board responsibilities and functions, within the wider end to end redress scheme, are limited to the receipt and processing of applications, determining applications, issuing instructions to make payments of compensation to victims and survivors and the compelling of evidence where it is considered necessary in the interests of justice to do so.

NON-COMPLIANT APPLICATIONS

3. In our last Annual Report, we set out our frustration at the number of **non-compliant applications** received, despite **97%** of applicants being represented by solicitors, the failure of solicitors to comply with Rule 8 & 9 panel directions, despite the efforts the Redress Board to educate solicitors and escalating this issue with other relevant stakeholders.

4. As committed to in our last Annual Report we introduced a more robust rules-based approach to ensure that solicitors fully complied with the Rule 4, 8 and 9 statutory requirements, and updated the Solicitor On-line Application portal, with a series of Rule 4 confirmatory declarations. While it is disappointing that **36%** of applications received during this reporting period were not compliant with the Rule 4 statutory requirements we are encouraged that the time to provide the missing information, and the timely compliance with Rule 8 & 9 directions have improved significantly. At the end of this reporting period only **28 applications** remain non-compliant in comparison to **192 applications** in the previous year a reduction of **85%**.

SUPPORTING JUSTICE REVIEW

5. In July 2021, the NI Assembly passed a motion to undertake a review of all the constituent parts of the redress scheme and processes, including the respective roles of TEO, COSICA, VSS, the legal profession and the Redress Board. The First & deputy First Ministers tasked TEO officials to lead on the development of the Terms of Reference with Victims & Survivors groups.

6. During this reporting period, we have participated in key agency meetings, to clarify and prioritise those statutorily compliant recommendations, which TEO officials consider can be implemented, and those, which the First & deputy First Ministers must fully assess and consider for any possible future implementation.

7. Convention precludes the Redress Board from making any further comments on the Supporting Justice Review Recommendations at this stage other than we wish to re-enforce our position that the recommendations must be fully and carefully assessed from both an evidential and legislative basis.

PROGRESS AGAINST REDRESS BOARD BUSINESS PLAN 2022/23

8. The purpose of the Redress Board Business Plan 2022/23 is to define a challenging set of indicators to ensure the effective discharge of Redress Board functions. These performance standards are reviewed on an annual basis to ensure relevance against known behaviours, compliance rates, and other business priorities as agreed with the Executive Office (TEO).

9. The performance standards reflect the Redress Board's and TEO evidence based understanding of the realities and challenges of-

- verifying the attendance of applicants at over 100 institutions not investigated during the Historical Institutional Abuse Inquiry;
- the additional investigatory steps undertaken by the Redress Board to verify attendance in the absence of detailed institutional records through other channels – such as PRONI;
- the number of applicants that have attended multiple institutions;
- the number of incomplete and non-compliant applications;
- the behaviours and rate of compliance of all of the various stakeholders with the legislative timescales and underpinning policies and procedures of the Redress Board.

10. The Redress Board Business Plan for 2022-23 set out 19 key business objectives for delivery during the year in support of our four strategic aims, which are to:

- deliver efficient and effective Redress Board services;
- deliver high quality services that support Redress Board Panel members and meet the needs of applicants;
- develop and lead our people to achieve our business objectives; and
- deliver a controlled financial and commercial environment achieving value for money and good corporate governance.

11. As at 31 March 2023, all **19 the business objectives were exceeded**. All six of the administrative Performance Standards agreed with the Management Board and Executive Office in respect of service delivery by the Redress Board administration were achieved.

Performance Standard	
90% of applications for compensation received by post will be registered within 4 working days of receipt.	100%
80% of Rule 7 Notices will be issued within five days of an application for compensation having been registered on the Redress Board online application portal.	99%
80% of applications for redress will be listed before a panel within 8 weeks of validation of the application;	92%
90% of Determination Notices will be issued within five working days of receipt of the panel's Summary of Reasons.	98%
90% of Payment of Award Instructions for Final Determinations will be issued to the designated NICS Department within three working days of receipt of the award acceptance slip.	99%
Panel files will be prepared to a sufficient standard to ensure an annual adjournment rate of no greater than 9%	4%

12. The Redress Board has an aspiration to have **compliant applications** listed before a panel within **20 weeks of receipt of the application**. However, this aspiration cannot be categorised a Performance Target due to the complexities of the verification process under Rules 4 & 7 and the compliance with necessary Rule 8 & 9 information requests made by Redress Board during the validation process. These are outside the direct operational control of the Redress Board administration. The average time to process a compliant application during 2022-23 was **17 weeks**.

STATUS OF APPLICATIONS RECEIVED

13. As at **31 March 2023**, Redress Board panels have made award determinations totalling **£67,498,250** including Section 14 awards. Following section 13 actuarial adjustments, **£66,427,146** is payable to applicants. **£63,693,646** has been paid directly into the applicant or applicant's solicitor's account on receipt of an Acceptance of Award from the applicant.

14. During the **third year of operation** the Redress Board received **1,055** applications, a reduction of **228** applications on the **1,283** received during the second year of operation. The total number of **non-compliant** applications received during the second year of operation was **396** equating to **36%** of the applications, a **6% reduction** in the number of **non-compliant applications** received in the second year of operation.

15. Of the **3,583 compliant applications** received as of 31 March 2022, **3,484** have been considered by a panel. The outcome of those considerations are detailed in Table 1 below:-

Table 1 - Panel Consideration Outcomes

Redress Board Panel	
Section 14 Initial Payment Order made and still in place	12
Adjourned by panel for further information	16
Final Determination	3,189
Final Determination - Appeal Outstanding	26
Withdrawn before a panel	241
Total	3,484

16. The position with the remaining **99 compliant applications** is set out in Table 2 below:-

Table 2 - Status of Current Applications

Redress Board Administration	
Received yet to be processed	0
Waiting for information - Rule 7 response	59
Rule 7 response requires further investigatory steps	1
Rule 9 – Outstanding Panel requests	8
Validated - to be allocated for listing review	6
Validated - Scheduled for listing in April	25
Overall Total	99

17. There are 28 non-compliant applications as set out in Table below, which are being managed in accordance with Rules 8 & 9.

Table 3 - Current Number of Incomplete Applications – Unable to Progress

Solicitor/Applicant	
Incomplete applications	28

18. A detailed breakdown of the performance of the Redress Board during our third year of operations is provided at paragraphs 19-28.

FUNCTIONS OVERVIEW

Applications Received

19. Table 4, provides a quarterly breakdown of applications received by Quarter and Table 5 provides a breakdown of Priority Applications received by Quarter. It is noted that there was an **18% reduction** in the number of applications received during the reporting year in comparison to 2021-22 reporting year.

Table 4 – Applications Received by Quarter

	Q1	Q2	Q3	Q4	Total
Applications Received 2020-21	245	334	380	314	1,273
Applications Received 2021-22	368	365	261	289	1,283
Applications Received 2022-23	369	266	180	240	1,055
Total Applications Received	3,611*				

** 28 of these applications did not comply with the Rule 4 statutory requirements and remain incomplete and cannot be progressed until the outstanding information is provided.*

Table 5 – Priority Applications Received by Quarter

	Q1	Q2	Q3	Q4	Total
Priority applications 2020/21	58	64	79	35	236 (19%)
Priority applications 2021/22	38	32	31	28	129 (10%)
Priority applications 2022/23	30	21	23	23	97 (9%)

Age and jurisdiction of applicants

20. The average age of applicants continues to reduce and during the reporting year was **57.75**. This is in comparison to **58.58** in 2021-22 and **61.38** in 2020-21. The percentage of applications received from outside of Northern Ireland also continues to reduce. **9.6%** of applications during 2022-23 were received from outside of Northern Ireland compared to **10.6%** in 2021-22 and **20.1%** in 2020-21.

Payments Summary

21. As at **31 March 2023**, Redress Board panels have made award determinations totalling **£67,498,250** including Section 14 awards. Following section 13 actuarial adjustments, **£66,427,146** is payable to applicants.

22. The sum of **£63,693,646** has been paid directly into the applicant or applicant's solicitor's account on receipt of an Acceptance of Award from the applicant. The annual quarterly breakdown of payments made is set out in the Table 5 below.

Table 6 – Payments by Quarter

	Q1	Q2	Q3	Q4	Total
Payments 2020-21	429,500	2,120,987	3,209,970	4,706,548	10,467,005
Payments 2021-22	6,189,035	7,453,637	6,438,078	6,700,474	26,781,225
Payments 2022-23	6,157,093	5,943,250	7,359,073	6,986,000	26,445,416
Total Payments					63,693,646

Panel Sessions Summary

23. Redress Board panels have met on **1,021** occasions considering **3,927 applications**. It should be noted that the same application may have been before a panel more than once during this period. Table 7 below, details the number of panel sessions each quarter, which has increased or decreased in line with the number of **compliant and validated** applications that are ready to proceed for consideration before a panel. The Redress Board regularly reviews the number of panel sessions to ensure that there are sufficient panels to match the number of **compliant and validated applications**. The number of panel sessions reduced by **12%** during this reporting period as a consequence of the **18% reduction in the number of applications received** during this reporting period.

Table 7 –Number of panel sessions by Quarter

	Q1	Q2	Q3	Q4	Total
Number of panel sessions 2020-21	15	37	61	82	195
Number of panel sessions 2021-22	95	109	113	122	439
Number of panel sessions 2022-23	111	103	93	80	387
Total Panel sessions					1,021

Panel Outcome Summary

24. Table 8 below shows the **3,927** applications considered at a panel session per quarter. It should be noted that the same application may have been before a panel more than once during this period.

Table 8 –Number of applications considered by panel by Quarter

	Q1	Q2	Q3	Q4	Total
Number of cases considered in 2020-21	47	149	198	319	713
Number of cases considered in 2021-22	378	457	421	406	1,662
Number of cases considered in 2022-23	372	451	402	327	1,552
Total number of cases considered					3,927

25. Table 9 below shows a breakdown of the **3,927** applications considered at panel sessions. It should be noted that the same application may have been before a panel more than once during this period. Panels considered **1,552** applications during the period, which is reflective of the **18% reduction in the number of applications received** during the reporting year in comparison to 2021-22 reporting year. Table 10 shows that for nine consecutive quarters' panels have considered more applications than have been received.

Table 9 – Panel outcomes by Quarter

	2020-21	2021-22	2022-23	Total
Adjourned by panel	110	143	64	317
Section 14 Order	76	48	30	154
Withdrawn	22	72	147	241
Full Determination – no award	39	304	266	609
Full Determination - award	466	1,095	1,045	2,606
Total	713	1,662	1,552	3,927

26. Table 9 highlights an increase in the number of applications withdrawn in 2022-23. The increase in the number of withdrawals is due to requests from solicitors to enable the applicant to obtain and provide further evidence that was not submitted with the original application. In addition, a significant number of applications are withdrawn as the applicant was over the age of 17 or were resident in an institution after 1995.

Table 10 – Applications received vs applications consider by panel by quarter

	2020-21				2021-22				2022-23			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Applications received	245	334	380	314	368	365	261	289	369	266	180	240
Applications considered	47	149	198	319	378	457	421	406	372	451	402	327

Appeal Summary

27. A single judicial member has sat on 179 days dealing with the work associated with appeals.

Table 11 – Appeal Sitting Days by Quarter

	Q1	Q2	Q3	Q4	Total
Appeal sitting days 2020-21	0	0	13	22	35
Appeal sitting days 2021-22	28	33	41	47	149
Appeal sitting days 2022-23	50	44	46	39	179
Total Appeal sitting days					363

28. As at 31 March 2023, the Redress Board has received **570** Notices of Appeal of which **544** appeals have been considered. Of these **544** reconsidered appeals by a single judicial member, **164 were upheld**, and **362 dismissed** confirming the panel decision. The remaining **18 were withdrawn** and **26** appeals are currently being processed.

Summary of average processing timescale

29. The Redress Board has an aspiration to have **compliant applications** listed before a panel within **20 weeks of receipt of the application**. However, this cannot be a Performance Target due to the complexities of the Rule 7 verification process and the compliance with necessary Rule 8 & 9 information requests made by Redress Board during the validation process, which are outside the operational control of the Redress Board administration. The average processing time achieved for a **compliant application for 2022/23 was 17 weeks as 15% improvement on last years performance of 20 weeks**.

30. The Redress Board has an aspiration to have **applications for redress listed before a panel within 8 weeks of validation of the application**. For clarity an application is recoded as validated when the applicant or solicitor has provided all of the relevant Rule 4 statutory required documents, all the evidence they wish a panel to consider and that the attendance as reported by an applicant at an institution(s) has been sufficiently verified in accordance with the legislation. **The average listing time achieved for validated applications for 2022/23 was 4 weeks a 38% improvement on last years performance of 6.5 weeks**.

31. The reconsideration of appeals, which do not raise preliminary matters, took on average 5.5 weeks in 2022/23 compared to 6.5 weeks in 2021/22. However, there were a number of appeals in which the solicitor sought to introduce fresh evidence or request an oral hearing. In many of these “preliminary matter appeals” the instructing solicitor has failed to detail the exceptional circumstances as part of the Notice of Appeal which delays the progression of the appeal by up to eight weeks due to delay in responding to the provisions of Rule 9. On average “preliminary matter appeals” took 14 weeks to progress in 2022/23 compared to 17 weeks in 2021/22.

GOVERNANCE

32. The Redress Board is a body corporate and operates independently and at arms' length from the Executive Office under a Partnership Agreement, which explains the overall governance framework within which the Redress Board operates and provides the necessary governance assurances. The partnership is based on a mutual understanding of strategic aims and objectives, clear accountability and a recognition of the distinct roles each party plays.

33. The President has established a Management Board to provide effective leadership and strategic direction of the Redress Board, and to ensure that the policies and priorities set by the President and the Executive Office Ministers are implemented. The Management Board is responsible for ensuring that effective and proportionate governance arrangements are in place and that there is an internal control framework, which allow risks to be effectively identified and managed. The Management Board also sets the culture and values of the Redress Board and reviews business performance against the Redress Board Annual Business Plan and Risk Register.

34. The Redress Board has also established a Panel Members' Training & Insight Committee to meet the training needs of panel members – particularly important given the complexities and sensitivities involved, as well as the continuous aspiration towards consistency. It should be noted that panel members are wholly independent in the performance of their decision making duties.

35. TEO has established an Accountability & Liaison Group, attended by senior Executive Office and Redress Board officials where key governance and operational matters are discussed in accordance with the Partnership Agreement and Financial Services Level Agreement. DoJ officials are also invited to attend for particular agenda items.

36. The Redress Board wishes to acknowledge the support provided by TEO and DoJ in providing services to the Redress Board in accordance with the Partnership Agreement and under Schedule 1 of the Act.

FINANCIAL SUMMARY

37. Tables 12 to 15 provide a breakdown of the **£30,986,177** Redress Board expenditure for 2022-23 financial year. **Please note as at 17 July 2023 these figures are provisional subject to NIAO audit of TEO accounts.**

38. Table 12 below details the value of awards accepted by applicants during the period and paid directly into an appropriate bank account.

Table 12

Redress payments made	Amount (£k)
Redress Payments made	26,445,416

39. Table 13 details the amount of legal cost paid by the Redress Board to legal representatives during the period in accordance with the Table of Costs detailed in

the Historical Institutional Abuse Redress Board (applications & Appeals) Rules (NI) 2019 and expenses in connection with obtaining expert reports.

Table 13

Application Legal Costs & Outlay	Amount (£)
Legal costs paid to solicitors	761,298
Solicitor/applicant outlay & expenses	166,337
Total	927,635

40. Table 14 details the amount of panel fees paid to panel members during the period.

Table 14

Panel Fees	Amount (£)
Total	1,673,200

41. Table 15 provided a breakdown of the administrative and operational running costs of the Redress Board during the period.

Table 15

Administration costs	Amount (£)
Staffing	1,566,416
Accommodation	176,335
IT Costs	83,581
Miscellaneous	33,548
NICTS Management Fee	80,046
Total	1,939,926

COMPLAINTS

42. The Redress Board is committed to providing a high-quality service. One of the key aspects of demonstrating this commitment is a robust and effective complaints procedure, which addresses any customer dissatisfaction fairly, comprehensively and with a view to early resolution.

43. The complaints procedure allows customers to report when they are unhappy with the quality of service provided and receive resolution where appropriate. The policy is available on the Redress Board website at <https://www.hiredressni.uk/publications/complaints-procedure> .

44. The Redress Board complaints policy is reviewed annually, with the next review to be undertaken in March 2024. The Complaints Procedure reflects the NI Civil Service approach to managing complaints and is a two-stage process. Initial complaints are dealt with by the Deputy Secretary to the Redress Board with any complaints escalated to stage two overseen by the Secretary of to the Redress Board. Should the complainant remain dissatisfied with the response following this second stage, they can raise the complaint with the Northern Ireland Public Services Ombudsman.

45. The Management Board monitors the progress of all complaints to ensure compliance with procedures, including adherence to the timescales contained within the policy, potential improvements to service and to ensure the Redress Board operates a transparent and consistent complaints system, with all complaints being treated fairly.

46. Table 16 below sets out the number of complaints received by the Redress Board since it was established and the outcomes.

Table 16

Year	Number of Complaints received by type	Outcome of Complaints
2020-21	Delay – 2 Communications – 1 Total - 3	Delay – 2 dismissed Communications – 1 dismissed
2021-22	0	0
2022-23	Delay - 2 Outcome -2 Total - 4	Delay – 2 dismissed Outcome – 2 outside scope of Complaints Procedure