



Historical Institutional Abuse  
**Redress Board**

Date: 1 September 2022

**To: All Online Application Portal Solicitors**

**Re: Updates to the Solicitor Online Application Portal**

The purpose of this communication is to advise solicitors of a number of changes that have been made to the Solicitor Online Application Portal. The changes described below will come into effect from **9am on Monday 5 September 2022**.

These changes have been implemented following constructive feedback from solicitors and to facilitate the effective and efficient discharge of the functions of the Redress Board as directed by the President and communicated to the legal profession at a recent CPD Solicitor Information Session in relation to the operations of the Historical Institutional Abuse Redress Board.

#### **Additional Portal Statuses**

The current “Waiting for Information” portal status will now be divided into three separate statuses to assist solicitors in better understanding the current position of an application. The table below sets out the name and description of the new statuses.

<b>Waiting Institution Rule 7 Response</b>	<p>Details of the application have been sent to the relevant institutions to verify the accuracy of the relevant detail of the application.</p> <p>We aim to issue a Rule 7 Notice of Application to the relevant institutions within 5 working days of receipt of the application.</p> <p>The application status will remain as ‘Waiting Institution Rule 7 Response’ until the institution has responded to the Rule 7 Notice of Application in accordance with the legislation.</p> <p>If the institution does not respond within a reasonable time frame the Redress Board will use its legislative powers to further request or compel the provision of this information.</p>
<b>Rule 7 response – further investigation</b>	<p>The application is with the Redress Board to undertake further investigations on behalf of the applicant.</p> <p>If the institution is unable to confirm attendance, the Redress Board will carry out further investigations including requesting information from PRONI records, court files, social services records, education records, and other public and voluntary body archives in an attempt to verify the</p>

	<p>accuracy of the relevant detail of the application.</p> <p>The application will remain at the status of 'Rule 7 response – further investigation' until the Redress Board has exhausted all avenues to verify the relevant detail of the application.</p>
<b>Rule 9 – Outstanding Panel Requests</b>	<p>The Redress Board has asked the applicant to comment on records or to provide further information.</p> <p>For example, if there are significant discrepancies between the dates provided by the applicant and the institution(s), we will issue a Date Enquiry Letter seeking comment from the applicant.</p> <p>For example, if the panel considers that the applicant should have sight of documentation received from the institutions(s), we will issue a Sharing of Material letter seeking comment from the applicant.</p> <p>The Redress Board cannot progress the application until a response is received from the applicant or their solicitor.</p>

Any application that holds a **“Waiting for Information”** status on Monday 5 September 2022 will automatically move to a transient **“Waiting Institution Rule 7 Response”** at 9am. The application status will then be updated to reflect the more informed current position by close of play on Monday 5 September 2022.

Please be reminded that a list and description of all portal statuses are available on our website at - <https://www.hiaredressni.uk/publications/online-application-portal-overview-portal-status>

You are reminded to ensure you check the current status of the application and check for any outstanding messages that have not been responded to before contacting the Redress Board for an update on a specific application.

The purpose of these status changes, alongside previous additional status changes, is to enable you to discharge your responsibility to provide your clients with accurate and timely information as to the status of their application within the Redress Board process.

### **Upfront Declarations**

Before you can now commence submitting an application to the Redress Board, using the Solicitor Online Application Portal, you now must confirm three statements before you will be permitted to progress the submission of an application.

You must now read and confirm each of the statements below by ticking the associated checkbox before you will be presented with the option to start an application.

To start your application for compensation, you MUST confirm the following:	
* I can confirm that I have read the <a href="#">Redress Board Privacy Notice</a> and I have fully informed my client that the information contained within this application may be provided to the police in accordance with the Criminal Law Act (NI) 1967.	
<p>* The President of the Redress Board has directed that applications submitted to the Redress Board must be thoroughly prepared and accompanied by all of the supporting information, required under Rule 4, including any medical notes or expert reports that you wish the panel to consider. It is the expectation of the Redress Board that no further evidence or information will be permitted, unless requested by a panel under Rule 9.</p> <p>You are advised not to continue to submit this application if you are not in a position to provide all of the statutory proofs set out in the checklist and all of supporting evidence you wish to be considered by a panel.</p> <p>I confirm that I understand by submitting this application that it is complete and that no other information or evidence is to be submitted to the panel.</p>	
<p>* A well completed Statement of Experience is critical to any application for redress. Solicitors must use the <a href="#">Redress Board Template</a> as it is instructive and directive and sets out the abuse headings as defined under the Act. The Statement of Experience must be structured and detailed and should set out the nature, severity, duration, frequency and impact of the abuse. A vague Statement of Experience claiming physical abuse without detail is unlikely to succeed.</p> <p>I confirm that the information provided in the Statement of Experience meets the above conditions and has been shared and agreed with the applicant.</p>	

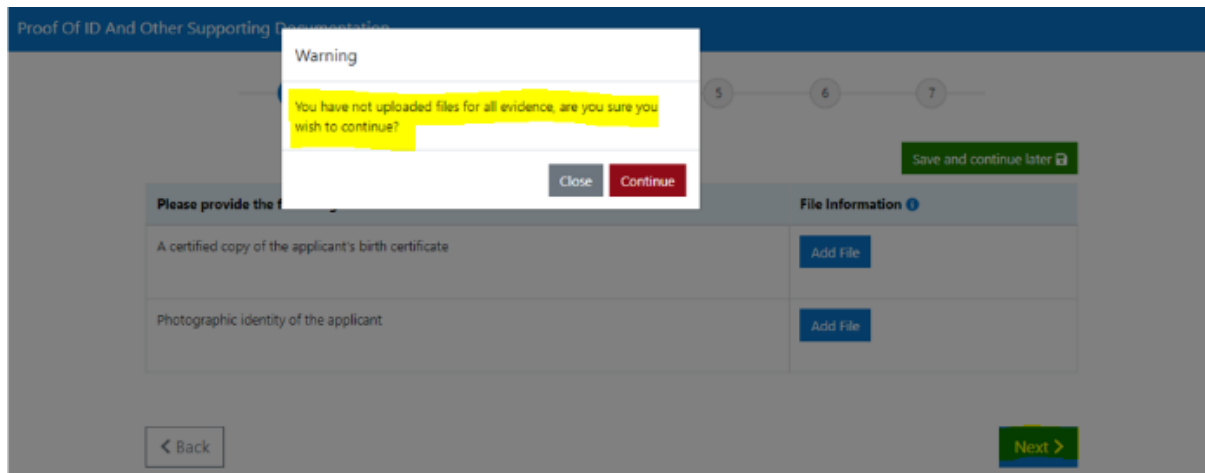
Firstly, you are now being asked that before you start completing the application that you confirm that you have advised the applicant that the matters set out in the application may be referred to the police in accordance with the Criminal Law Act (NI) 1967.

Secondly, you are also being reminded and directed that an application **must only** be submitted to the Redress Board when it has been thoroughly prepared and accompanied **by all** of the supporting information required under Rule 4, and in the expectation that no further evidence or information will be permitted, unless requested by a panel under Rule 9.

Thirdly, you are being reminded that you must provide the Redress Board with a Statement of Experience describing what happened to the applicant while resident in an institution. The Statement of Experience must be structured and detailed and must describe the nature, the severity and the duration of the abuse and the impact this has had on the applicant. A vague Statement of Experience claiming physical abuse without detail is unlikely to succeed. You are encouraged to use the Redress Board Template as it is instructive and directive and sets out the abuse headings as defined under the Act <https://www.hiaredressni.uk/publications/statement-experience-template> .

### **Screen Changes - Proof of ID and Other Supporting Documentation**

If you now do not upload all the relevant statutory proofs when completing the 'Proof of ID and Other Supporting Documentation' and proceed to click the Next button the warning message below will be displayed.



Please note that this is just a warning message and will not stop you from proceeding.

- clicking the **Close** button will dismiss the message
- clicking the **Continue** button will dismiss the message and navigate you to the next step.

This feature has been introduced due to the unacceptable number of applications that are submitted to the Redress Board without statutory ID documents. The use of this feature will be kept under review and the option to make this a mandatory feature will be considered if this continues to be a matter of concern. You are reminded to ensure you have the requisite documents available from the applicant before starting the online application process. If you are unsure as to what documents are required you can review the checklists available on our website at - <https://www.hiaredressni.uk/publications/checklists-submitting-application>

### **Screen Changes - Add Institution**

The 'Add Institution' drop down list on the 'Statement of Experience' screen have been expanded to reflect those qualifying institutions from which the Redress Board has received applications. The dropdown list of Institutions has been updated in line with those published on our website - <https://www.hiaredressni.uk/publications/list-institutions-june-2022> .

In addition The “Resident From – Year” dropdown list has been restricted to years prior to 1996.

### **Future Changes**

Future changes to the Solicitor Online Application Portal are being planned for the coming months including:

- the ability for solicitors to create a secure message (and not just the ability to respond to a message from the Redress Board);
- the ability for the Redress Board administration to transfer an application to another solicitor firm online, if the applicant has changed solicitor; and

- the ability for the Redress Board administration to update errors or changes of circumstances on an application submitted by a solicitor (such as spelling mistakes, change of address, incorrect date of birth).

Following recent feedback from some solicitor firms, we are working with our technical providers to develop a function that may allow solicitor firms to either opt in or out of receiving auto-generated emails when the Redress Board administration issues a secure message through the Solicitor Online Application Portal. We will keep you updated on these developments.

### **Procedural Update Reminder**

You will be aware from the recent CPD Solicitor Information Session on the procedures of the Redress Board the President again highlighted his concern at the number of non-compliant applications submitted to the Redress Board, and also the high level of non-compliance with panel requests to provide further information to panels under rule 8 or 9. At this event, the President signalled the Redress Board's intention to take a more robust approach to non-compliance with rule 8 and 9 case management directions and requests or notices for further materials.

The Redress Board understands that after the issuing of a Listing Letter there may be exceptional occasions, when an applicant may wish to provide further supporting evidence. In that unusual circumstance, an applicant may submit a request to the Redress Board to provide further supporting evidence together with a timeline in which the additional information will be submitted. This request **must be made in writing by accurately and fully completing the template annexed to the Listing Letter**. You are reminded that any such request must be submitted **within seven days of the issue date of the Listing Letter**, otherwise the application will proceed to consideration by a panel on the information currently submitted by the applicant.

All requests to submit further information will be considered by a panel chair. You will be put on Notice of the outcome. If the request is approved and the information is not provided by the date directed by the panel chair, the application will proceed to be listed before a panel based on the information currently submitted by the applicant.

If, having had such a request granted and timescale directed, you later advise that the information can no longer be provided in the timescale directed you will have the option of requesting that the application be withdrawn, and to be later resubmitted when all of the information on which the applicant is reliant is available. **In such circumstances it is important to note that the request to withdraw the application must be made within the timescale originally directed by the panel chair expires.**

### **Summary**

In this communication we hope to have explained the motivation for the changes to the Solicitor Online Application Portal and have confirmed the necessity to comply with Redress Board procedures, which I hope you will find beneficial to you and your clients.

The Redress Board would like to take this opportunity to thank the legal profession for their continued support in progressing these most sensitive of applications.

Finally, I would like to take this opportunity to remind you of the services provided by the Victims & Survivors Service as set in their letter dated 16 September 2021 setting out their remit to help survivors record their lived experience in a way that is both therapeutic and healing and at the same time meets the needs of the Redress Board application. We know that re-telling and re-living these experiences can be distressing and re-traumatising for survivors and that health and wellbeing caseworkers are available to assist with this and a referral can be made either through VSS or directly to the WAVE Trauma Centre.

Kind regards

**Jim Coffey**  
**Secretary to the Redress Board**