



Northern Ireland
Assembly

Committee for The Executive Office

OFFICIAL REPORT (Hansard)

Strategic Policy, Equality and Good
Relations Directorate: Briefing

12 February 2020

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Colin McGrath (Chairperson)
Mr Trevor Clarke
Mr Trevor Lunn
Mr Fra McCann
Mr George Robinson
Mr Pat Sheehan
Ms Emma Sheerin
Mr Christopher Stalford

Witnesses:

Dr Mark Browne	The Executive Office
Mr Andy Cole	The Executive Office
Mr Gareth Johnston	The Executive Office
Mr Peter Toogood	The Executive Office

The Chairperson (Mr McGrath): I welcome our guests. Hello. How are you? Thank you very much indeed. You are very welcome to the Committee. I will give you an opportunity, when you have settled in, to introduce yourselves. Very quickly, we will introduce ourselves while you take your seats and get your papers. My name is Colin McGrath. I am the Committee Chairman. I will pass over to Pat.

Mr Sheehan: I am Pat Sheehan, Sinn Féin MLA for West Belfast.

Mr McCann: I am Fra McCann, Sinn Féin MLA for West Belfast.

Mr Lunn: I am Trevor Lunn, Alliance Party MLA for Lagan Valley.

Miss Sheerin: I am Emma Sheerin, Sinn Féin MLA for Mid Ulster.

Mr Stalford: I am Christopher Stalford, DUP MLA for South Belfast.

Mr Robinson: I am George Robinson, DUP MLA for East Londonderry.

Mr Clarke: I am Trevor Clarke, DUP MLA for South Antrim.

The Chairperson (Mr McGrath): Please, introduce yourselves.

Dr Mark Browne (The Executive Office): Chair, it is a pleasure to be with the Committee for the first time. I begin with an apology for the late arrival of one of the papers we provided to the Committee. I appreciate that is not in line with expectations, and in future we hope to get papers cleared and up to the Committee in sufficient time to be considered. I apologise for that.

With me is Andy Cole, head of Together: Building a United Community (T:BUC) and good relations division; Gareth Johnston, head of equality, Delivering Social Change and victims; and Peter Toogood, finance director. I am responsible for the strategic policy, equality and good relations directorate. Today, we want to cover with the Committee about half of my responsibilities, as there is a lot to cover and we have another session later.

The Chairperson (Mr McGrath): Thank you, Mark. Thank you for your apology about the lateness of the paper. In as polite a way as we can put it, we will not be discussing that paper today because the cut-off time for papers is Thursday at noon, and an hour and a half before a Committee meeting is not acceptable. We will not be taking the T:BUC, good relations or the victims elements today.

In the paper, you had several pages on the budget, and we will take that element because the presentation to the Assembly is on Monday week. Therefore, we need to have information to be able to discuss the budget. In the paper you have provided, there are about three and a half pages on the budget. I am sure the Department has much more complex information available than three pages about the budgetary and financial issues.

First, will you commit to coming back next week, and we can discuss the overview presentation that was suggested for today. We have the paper. As I said, we got it at 12.30 pm. It has been tabled to members so they can have a week to reflect on it, and we can provide scrutiny at that stage. We will look at the paper that was tabled for today and the budgetary and financial information. Do you need change the officials at the table?

Dr Browne: No. I am happy to take it forward on this basis.

The Chairperson (Mr McGrath): If you present on that element of the paper, but before we get into it, I suspect that the Department has much more detailed information on the budgetary process. Is there? Can we have that in advance of noon on Thursday so we can discuss it with you next week, if required?

Dr Browne: I am happy to do that, Chair. The paper that we provided covered what we were asked to focus on, which was the Budget Bill and the Estimates briefing. This is why the paper is quite tightly focused on that particular part. That is not the overall budgeting process, and that is why you have a focused paper. Certainly, there is more that we can provide about the finance in the Department. In fact, there is actually some additional information about the budget in the paper that we will not be discussing today, and I appreciate the reasons you have described. I am happy to talk through this general paper and to pick up, in questions, any issues that members want to raise.

The Chairperson (Mr McGrath): For clarity, we did request a budgetary briefing, but we were told by the Department that it was not appropriate. Again, all these exchanges are meant politely, because we are at our beginning session. I do not want any offence to be taken. We will decide, as a Committee, what is appropriate to be briefed on, or not. There was certainly a sense from members that, if we are going to scrutinise the Department's budget, seeing the budgetary submission would be a start and allow us to look at it and decide what questions we have on it. We did request it, but the request was denied. This three-page paper is where we are at the minute. We can certainly look at that paper, but there was an expectation from the Committee that it would have been much more substantial than that.

Dr Browne: I think, Chair, that there has been a little bit of miscommunication. We were asked for a paper on the specific issue of the Budget Bill and Estimates. That is a fairly technical aspect; it would make more sense to have a discussion around the budget. However, the difficulty is that our budget has not yet been set, so we are not yet in a position to look at next year's pressures and advise the Committee of them. We can certainly do it for the current year and give all the information around that, but our understanding was that we were being asked for the paper that we provided and something around next year's budget.

The Executive have an awayday today. They will be discussing finance, among other things. We do not yet know what our budget is, so we are not in a position — that is what we were trying to convey

— to talk to the Committee in detail about the pressures because, until we have the budget, we do not know what the budget pressures are going to be. However, we can talk in general terms about the sorts of things that the Department faces, and I can certainly provide you with all the detail that you have asked for. That is not a difficulty. Perhaps we were talking at cross purposes. We were certainly not intending to deny the Committee any papers. It was maybe a miscommunication of what was required.

The Chairperson (Mr McGrath): If I am picking up what you are saying correctly, it is that, if we were to look at a budget paper, it would tell us what the Department has after the budget process. What we are actually looking at is what you are submitting to the Department of Finance and asking for. The Committee will then understand the Department's pressures and priorities. From a Committee perspective, the scrutiny role is about looking at whether you are selecting the right priorities, which does not work if we only find out afterwards what has actually been allocated money. Part of a scrutiny role is looking at the decision-making that leads to what you actually get. The Committee would like to be part of that process. That was behind the request for the information.

If I am correct, the process on Monday and Tuesday week will effectively set 45%, or a substantial allocation, of your budget for the year ahead and give you permission to spend money. If you are spending that sort of public money, the Committee would like to be part of the process to understand where you are going with it.

Dr Browne: I think that we covered that in the paper that we provided to the Committee. That, essentially, is a Vote on Account; it is to allow services to continue so that services do not come to an abrupt end without any funding being provided. That allows us to run on with the normal services while the decisions around the final budget are determined. It is to keep the lights on and ensure that the various services continue to be delivered. That is why, to some extent, this part is technical. That is the point that we were trying to make. That is what we provided in the paper. We are happy to provide all the information that you want and to have a full and open discussion around it. We want to be helpful to the Committee. I hope that you did not get any sense that we were trying not to provide material. It was maybe a misunderstanding as to what was required.

The Chairperson (Mr McGrath): We did get that sense, but we are glad to get the explanation from you that it was incorrect. We will let you present the paper, and then members can discuss some questions with you afterwards.

Dr Browne: Thanks, Chair. I will briefly go through the paper. Budget Acts, which are supported by the Estimates, set out the detail of planned spend. They are, as it says in the paper:

"the cornerstone of the arrangements under which the Assembly authorises spending by departments and holds them accountable for managing and controlling that spending".

The Budget Bill that is under consideration will provide the formal legal authority for Departments to incur expenditure and to use resources as set out in the 2019-2020 spring Supplementary Estimates. It enables the Assembly to hold Departments accountable for managing and controlling resources within the limits authorised. It also, as we have just discussed, authorises the Vote on Account for 2020-21.

The introduction of the Bill is a routine requirement at this stage. It is needed to give legislative authority for additional spending, both for additional resources and associated cash requirements, and to pick up any in-year monitoring changes that have occurred. It also provides interim funding for the first few months of the year. The Budget Bills follow a regular pattern, and the financial figures that they contain mirror the corresponding Estimates.

The Department's ambit sets out the areas and functions in which TEO is seeking authority to incur expenditure and consume resources. The ambit is updated every year to take account of any new responsibilities that come on board. This year, we have updated the ambit to take account of the fact that TEO has responsibility for preparing and implementing a victims' payment scheme; for actions related to the historical institutional abuse (HIA) redress board and the establishment of a commissioner for survivors of institutional childhood abuse; and to take account of actions associated with the implementation of the New Decade, New Approach deal. Those are new responsibilities that have come in. Therefore, we extend the ambit to take account of those and make sure we have the authority to spend in those areas.

In our Estimates, to take account of those additional responsibilities, there is an increase of some £537.4 million to our net resource requirement and an increase of £9.7 million on the cash requirement. This is due primarily to an increase in the provisions that we have set aside for taking forward the historical institutional abuse implementation and victims' payments. For both of those programmes, there is a high degree of uncertainty as to what the actual cost will be or, indeed, the timing of those costs. In each of them, it is not clear how many victims there are, how many will come forward or the extent of any payments to individual victims, because they have to be considered on the basis of the evidence provided.

Those two areas are significant areas of spend, which are difficult to predict in their total or in the profile as to how they will emerge this year, next year and in future years. It presents a high degree of uncertainty and risk to the Executive and to TEO. From our perspective, we would make the point that we are including these in our Estimates, but any resource to fund this will have to come centrally, from the block grant, because our budget could not possibly manage to stretch to cover those costs.

There are also sole authority disclosures in the Estimates, where the Department is relying on the sole authority of the Budget Act rather than on any other independent legislation to incur expenditure and consume resources. For this Budget Bill, we are making sole authority disclosures in relation to good relations, specifically the ongoing expenditure on the social investment fund.

The HIA legislation is there but has not all been commenced, so, pending commencement, we need to have the appropriate cover in the Budget Bill for any expenditure that we incur at that point.

The Vote on Account has been set at 45% of the 2019-2020 resource and cash limits.

That is a run-through of the paper and a bit of an explanation about the Budget Bill and the Estimates briefing. I am happy to take questions on those and, more generally, on finance.

The Chairperson (Mr McGrath): Thank you very much. I am sure that members will have questions.

As part of the process, you will have already provided the central expenditure division with details of the Department's resource requirements for 2020-21. What are the headline resource requirements, if there are any beyond what you have already explained? Given that that is a submission, is that something that we could have before the end of the week to look at?

Dr Browne: We can certainly look at making that available to the Committee. We just need to check the detailed processes around that, but hopefully we can make that available.

A number of baseline pressures arise from additional responsibilities that the Department has taken on over the past number of years in relation, for example, to some of the overseas offices, the Beijing office, and the expansion of the international relations division. There is also the establishment of a full division and a directorate taking forward work on an outcomes-focused Programme for Government. All that happened over the past three years and it was not something that TEO received additional funding for but has to take on as the central coordinating Department.

We have been able to manage that because, in the absence of Ministers and special advisers and the other costs that are associated with that, there has been resource there to enable us to meet those costs, but, with the return of the Executive and so forth, obviously that resource is not there, and that has now become a pressure. So, there is a baseline pressure emerging from that.

The other aspect that is important to note is that there is significant funding that comes to the Department to take forward the good relations programme, Together: Building a United Community. That funding comprises a small amount in our baseline, but the main amount of funding to support that programme came from the Shared Future agreement. It was £12 million a year for five years. That ends in the year that we are coming into. Those five years are up, so we need to ensure that the funding will be available going forward to meet that cost. There is also the issue of meeting the costs of historical institutional abuse, which I referred to, and victims' payments.

One further area, obviously, is all the work that is being done in relation to Brexit and preparation for Brexit. Other Departments have to respond in their own areas, but TEO has a key coordinating role. To date, that has been met with additional funding outside the normal baseline. It has been coming from the Department of Finance specifically to meet those costs, and we need to make sure that that funding is maintained going forward because that resource is still required. We may have left the

European Union, but there is a lot of work to be done on all the arrangements and implications of that, so that is a pressure for us going forward.

I suppose the third area is looking at some of the pressures that will emerge from commitments in the New Decade, New Approach agreement. Specifically for TEO, that really picks up on a range of areas that include the new office of identity and cultural expression. TEO has to establish that and provide the funding for it. It includes the appointment and funding of an Irish language commissioner and the appointment and funding of an Ulster-Scots/Ulster-British commissioner.

There are a number of other commitments that fall to TEO: establishing the commissioners for ministerial standards, establishing the compact civic advisory panel and consideration of the establishment of a bill of rights. An Assembly subcommittee will consider a bill of rights, and there is a requirement for five bill of rights experts to be appointed to advise that Committee, the appointment of whom falls to the Executive Office. So, there are a range of pressures that fall to TEO. Some of those are very difficult to cost at this time, and that is true of a number of these areas where we are not sure exactly what the cost will be.

I do not want to intrude into next week's discussion, but there are a number of areas where there is the potential to extend existing programmes. For example, if there was any appetite to expand some of our existing initiatives such as Urban Villages into additional areas, that could be a potential cost. Again, that depends on resources and ministerial decisions. There is the potential in the Delivering Social Change programme. Again, we can go to the detail of that, but that was an innovative programme designed to pilot new approaches in cross-departmental working and then mainstream them into Departments. That programme was coming to an end, and, with a new outcome-focused Programme for Government, there is an opportunity to consider whether there should be another programme like that to help Departments to work together to come up with these innovative approaches that can help to transform the delivery of services across those Departments.

Those are some of the additional considerations. They are not pressures as such. They are some things that might potentially be funded if Ministers supported those and if there was the funding available to do them.

The Chairperson (Mr McGrath): I am going to bring members in, but, before I do, you mentioned that we had requested a document, and you suggested that you would go back and look at whether that can be provided to us. I will read from that that you need to bring that into the Department and check with the Department whether it can come up. I certainly think that the Committee will look very dimly at the situation if one set of civil servants can pass a document to another set of civil servants and the Committee that is to hold the Department to account cannot see that document. If there are documents in there requesting money, I think that this Committee should be given permission to have sight of them so that we can offer our guidance, support and scrutiny. I appreciate that you need to go back, so it is not about shooting the messenger, as long as that message goes back.

Dr Browne: Yes, certainly, Chair.

Mr Sheehan: Thanks for that, Mark. On the victims' payment scheme, or the pension, as it is more commonly called, you said that calculating the cost of that would be difficult, but what costings have been done?

Dr Browne: It is tricky to know the numbers that will come forward because the payments can be made on the basis of permanent physical or psychological damage. While we have a reasonable sense of those who suffered physical disability, it is less clear for psychological damage. In broad terms, our estimate is that it could be just over £100 million. Again, we expect that to come in a spike initially and then through regular payments over a number of years. Those are just broad estimates.

Mr Sheehan: What did you use as a yardstick to arrive at £100 million? Are you making a comparative assessment with similar claims?

Dr Browne: Again, that is why I say that it is extremely difficult. Under the regulations that have been agreed, a range of payments can be made depending on the extent of the disability that is identified. So, we do not know how many people are in each category and, therefore, we do not know how much they will be awarded.

Mr Sheehan: So, you just plucked the £100 million out of the air, is that what you are saying?

Dr Browne: We have to ensure that there is some provision made so, in all these cases, we identify to the Department of Finance that there is a potential pressure and that we are not sure exactly what it might be. We then present a range, but when we get to —.

Mr Sheehan: Sorry, Mark, I do not want to interrupt you, but how did you arrive at the £100 million figure?

Mr Gareth Johnston (The Executive Office): We got some information from the Victims and Survivors Service about the number of victims that are known to it. It has a clearer picture of people who have been physically injured. When it comes to psychological injury, it is more likely that there is a significant number of people who have not been in contact with the Victims and Survivors Service. We got some figures that brought us to a very rough figure of 2,000 people receiving the payment, although there could be rather more who would apply for it. We took the average figure between the £2,000 and the £10,000, which is the range of rates per year, and then multiplied that to reflect backdating to the time of the Stormont House Agreement. We also made a very rough assumption of how many people might take a lump sum. There are all kinds of caveats around that. Now that we have seen the final regulations, we will need to revisit that.

Mr Sheehan: Do you know how much the PSNI hearing loss claims cost?

Mr Johnston: There is a figure around £150 million or £180 million, something like that.

Mr Sheehan: It is around that. I cannot imagine that this will cost any less, so you should up your figure.

What role did officials in the Department have in developing these regulations or developing the scheme in general.

Dr Browne: The responsibility for developing the regulations fell to the NIO because the commitment to take forward the victims' payments was made as an amendment to the Northern Ireland (Executive Formation and Exercise of Functions) Act in Westminster. The NIO has taken the lead on developing the policy and the Secretary of State has made the decisions on the regulations that it has brought into play. Our role is to implement those, and, as Gareth said, we are trying to estimate the potential costs and look at the practicalities.

Mr Sheehan: Were departmental officials involved in any engagement with the NIO in developing the scheme?

Dr Browne: As we knew that this was coming to us, we have kept in touch with the NIO, but the lead on the policy development fell to the NIO, the consultation that was carried out fell to the NIO and the decisions fell to the Secretary of State to make.

Mr Sheehan: Was the Department involved in discussions with the NIO while it was developing the scheme.

Dr Browne: We were in contact in order to understand what was in the consultation document and understand its potential implications in order to make sensible preparations prior to the implementation. Any final decisions on the payment scheme fell to the NIO and the SOS.

Mr Sheehan: I did not ask you about decisions; I asked you about engagement. Were departmental officials involved in engagement with the NIO or —?

Dr Browne: What do you mean by engagement?

Mr Sheehan: What do you think I mean?

Dr Browne: I interpret that as: have we met with NIO officials? Yes, we have, because we were aware that they were taking this forward. Were we involved in the decision-making or in the final decision? Absolutely not, that was a matter exclusively for the NIO and the Secretary of State.

Mr Sheehan: OK. Have discussions taken place with the Department of Finance or the NIO about who will carry the burden of the cost of the scheme?

Dr Browne: Yes, they have. From the outset, we have highlighted that this is not a cost that can fall to TEO. We have highlighted to the Department of Finance that there is going to be a pressure on the Northern Ireland block on this. The Department of Finance has written to the NIO on that issue to state that it believes that the cost should be met elsewhere, but it has not, as yet, received a reply. As far as we are concerned, the cost of taking the scheme forward will be met from the block. The issue is whether any additional resource will come into the block, and that is something for the Department of Finance and Ministers to discuss with the British Government.

Mr Sheehan: The scheme was developed — and decisions were made about it by the NIO and the Secretary of State — for injuries that occurred at a time when this jurisdiction was under the control of the NIO and Westminster. Yet, the Assembly is now going to be tasked with implementing and administering the scheme and paying for it as well?

Dr Browne: The administration of the scheme is a devolved matter, which is why it falls to this Department to implement it. In my previous answer, I explained the issues around the cost and where the potential funding might come from. That is going to be a matter for discussion between the Executive and the British Government.

Mr Sheehan: There is just one last thing. In your discussions with the NIO during the development of the scheme, to what extent did you talk about how the scheme would be consistent with the 2006 Order on the definition of a victim?

Dr Browne: The initial consultation document and the initial discussion at Westminster set out the scheme's intent fairly clearly. It set out that it would have a different application from that of a definition of a victim. That emanated from Westminster and has been built into the regulations from the outset.

Mr Sheehan: Did discussions take place with the NIO around the 2006 Order when the scheme was being developed?

Dr Browne: We did not have any specific discussions around the detail of that.

Mr Johnston: The NIO was certainly aware that it was different from the 2006 Order.

Mr Sheehan: What you are really saying is that the scheme is not consistent with the 2006 Order.

Dr Browne: The scheme has a different eligibility range from the 2006 Order. It says who will be eligible for the payments and, in doing that, it is different from the definition in the Order.

Mr Sheehan: OK. Thanks for that.

The Chairperson (Mr McGrath): OK. Trevor?

Mr Clarke: No, I will pass, Chairperson.

The Chairperson (Mr McGrath): Trevor? I suddenly realised there are two. *[Laughter.]* The other Trevor.

Mr Lunn: I am still on the same tack, unfortunately. Will you refresh my memory? What is the timescale? How many years are we talking about within which range victims can apply for the scheme?

Dr Browne: It is for anyone from 1966 to 2014.

Mr Johnston: Up to 2010.

Dr Browne: 2010; I apologise.

Mr Johnston: There is a discretion on the board outside of those timescales.

Mr Lunn: It covers 45 years of the Troubles. The mind boggles at how many people could possibly apply to the scheme. You are talking about pensions rather than block payments. I appreciate that some people may well take a final payment rather than a pension depending on their age, but pensions are open-ended. I wonder how much research has been done to establish the cost of that. You could almost do an actuarial calculation and not just an informed guess. The numbers that you are talking about — between 2,000 and 10,000 people — sound optimistic, frankly, over that timescale. Also, how would you quantify, without starting the process, what level of payment would be appropriate to each one, particularly when you come to psychological damage rather than physical damage?

Mr Clarke: Chairman, can I interject?

The Chairperson (Mr McGrath): OK. I am going to make this point: we are talking about the budget, the money and the figures here. Next week, we will have the conversation about the victims and the actual programming. Some of those questions might be better then. I appreciate that our guests might say that this is not what they are here to discuss today.

Mr Clarke: Notwithstanding that, can I make an additional point?

Mr Lunn: Can I make my point first?

Mr Clarke: You have strayed into this area, so can I make an additional point?

The Chairperson (Mr McGrath): Order. Trevor, make your point, and then we will go back to Trevor Lunn.

Mr Clarke: It may not be a budgetary issue. As we have heard today, the scheme has been drawn up by the NIO, so it really has nothing to do with the Executive Office, albeit it was handed the NIO scheme to implement. I am not sure of the merits or otherwise. Of course, if we did not have victims, we would not be having this conversation. A lot of people have suffered. The NIO brought this forward, so I am not sure that Executive Office officials are the ones who should be answering questions about it.

The Chairperson (Mr McGrath): The presentation included that there has been engagement and conversations between the Department and the NIO. That is what some of the questions were drawing out, so it is legitimate to have those questions. We will go back to you, Trevor.

Mr Lunn: I accept both reprimands. The only reason you came up with that figure of £105 million is that you had to provide the Minister of Finance with some sort of baseline. It could be three or four times that; we really do not know. I do not envy you your job. There is not really a question there. It just seems unrealistic.

Dr Browne: I predicated my remarks by saying that it is very difficult to assess what the costs will be for a number of schemes. That applies to the HIA and this one. However, for planning purposes, it is incumbent on us to try to put some estimate in and to keep refining that as we get better information. We have put that in so that there can be some planning for it and to draw it to the attention of Ministers, as we have done, because these are major issues that will have cost pressures for the Executive going forward. They are large sums, and the actual profile and the timing of the costs are not entirely clear.

Mr Lunn: It is not often that the Departments overestimate potential pressures; it is normally the other way round. I cannot help thinking that those figures will inevitably rise. I am just not sure how on earth the block grant, if it does fall to the block grant, could sustain the types of amounts that we are possibly talking about here.

Dr Browne: The biggest area of uncertainty is permanent disability from the psychological impact. On the physical side, we probably have clearer information because many of the victims have already come forward and are receiving some sort of support at the moment. They are known to us, but some others may come forward. The main area is the psychological aspect. You are right: it is very difficult

to determine just precisely how many there might be and how many might come forward and, within that, to determine just what kind of award they would get within the £2,000 to £10,000 scale that is provided for.

Mr Lunn: Sorry, that was the financial scale, not the number of people?

Dr Browne: Yes, it is the financial scale.

Mr Stalford: Given that it was the Secretary of State who made the commitment, it should be the Secretary of State who gets his chequebook out. We should be very clear on that. It is one thing for a Secretary of State to say, "We will do this" and then to pass the ball to a devolved Assembly. I think that he has to be prevailed upon in that regard.

I want to talk about the budgetary pressures. I see in the paper that, in 2020-21, it is estimated that £25 million to £60 million will be needed to cover the historical institutional abuse payments. What is your upper estimate for what it is likely to come to over the entirety of the programme?

Dr Browne: Again, all the things that I said about victims' payments apply really to HIA. We have had quite considerable difficulty, given the span of this from 1922. We are looking at how many people are still alive; how many will come forward; how many of those who come forward will be able to demonstrate abuse, because they have to be able to demonstrate abuse, on the balance of probabilities, in order to receive an award; and how much will be awarded to them, from the minimum of £10,000 up to the max of £80,000. You can see all the parameters around that. It is impossible to come up with a precise figure. What we have done is try to work out a matrix of what might happen, if certain things happen, and to try to get some sense of where, within that continuum, it might lie. The reason why there is a figure in the paper, which says £434 million, is that — Peter can keep me right — I understand, for the Estimates, that we have to have a single figure to put in, whereas, in practice, we would be talking about —.

Mr Stalford: Is that the upper estimate?

Dr Browne: That is not necessarily the upper estimate. That is probably our middle estimate of what we think is the most likely. We think, potentially, if all the assumptions —.

Mr Stalford: So you have a range.

Dr Browne: Yes, we have a range. That range could go up to over £600 million, depending on the rate of awards, the rate of people coming forward and all the things that I just described. We think that is unlikely, but it is not beyond the bounds of possibility. The figure in the paper is currently our best estimate. This is, again, very difficult, because we know how many people came forward to the inquiry, but we do not know how many people beyond that, who have never spoken of it, might come forward when things change and the redress board is in place. So, it is a very, very difficult one to work out.

Mr Stalford: I appreciate and accept that it is extremely sensitive. Just arising out of that, are the processes whereby you verify a claim being worked up or do we have something in mind about that?

Dr Browne: Gareth can come in with the detail of the process, and we will probably come to it in the HIA bit afterwards —

Mr Stalford: Yes, I understand that.

Dr Browne: — in more detail, but there is an application process. There will be verification that someone was actually in a home at the times they state. There might be some corroborating medical evidence or something else on their record, and then there may be potential evidence from other residents at that time, which can give a sense of whether the conditions being described have been described by others and there is corroboration around that. All of that will help the redress board to arrive at a decision.

Mr Stalford: When we are pulling those processes together, I think that it is really important that it should be light touch. People know what it is like to go through the personal independence payment process: it is degrading, dehumanising and it is not nice, but that is for later.

Given that the range could be from £424 million or below to more than £600 million, where is the money coming from? Where do we anticipate that it is coming from? I will be more specific. Have we been in touch with the institutions responsible to say that they need to pay in?

Dr Browne: There are a number of points to make in relation to that. The first point is that this is a publicly funded scheme. That is important because it gives certainty to the victims that, if they come forward and establish a claim, and if abuse is proven, they will get paid. They are not reliant on anything coming from institutions or any other source. It is a publicly funded scheme up front. That is what Hart recommended, and that gives them that guarantee.

We have been in touch with the institutions a number of times. Gareth has more detail on that. Initially, what we are looking at is making sure that the institutions are ready to comply with the request that we will have about records, for example, of who was there and to make those records available. That is important in enabling victims to be able to establish their claims and to get an award. The head of the Civil Service wrote to the main institutions, putting them on notice that, first of all, information contained in their records is compellable but also indicating that it is expected that they will make a contribution to the cost of redress. I know that Ministers want to get engaged with that. It is more appropriate for Ministers to take that forward with institutions, and I expect that they will take that forward in the near future.

Mr Stalford: There is precedent. When the Presbyterian Mutual Society (PMS) collapsed, the Presbyterian Church in Ireland paid into the fund in Northern Ireland.

Dr Browne: £1 million, I think.

Mr Stalford: Yes, £1 million. I am a member of the Presbyterian Church in Ireland. I remember being told by some people in Church House, "We didn't encourage people to invest in PMS". Every single month, on the back cover of the 'Presbyterian Herald', there was an advert for PMS, but that is a different issue.

Given that that precedent is there, that principle has been applied and the institutions have been put on notice, are you in a position to tell us what the response has been from those institutions?

Dr Browne: When we first contacted the institutions, they wanted to wait to see what the shape of the public scheme was before they responded. We have to make a more formal engagement, so I am not really in a position to do that. They have been cooperative about making information available. They have worked with us, and that has been important to make sure that we can get all the claims considered and paid. However, we are really at the very early stages of discussing the financial contribution. As I say, we want to talk through with the Ministers how exactly they want to handle that, but I know that they want to be involved.

Mr Stalford: When the First Minister and the deputy First Minister were in front of the Committee, I said — and I say again — that these institutions should be pursued and prevailed upon to make a substantive contribution. Mr Justice Hart was right to say that there needs to be a guarantee that, if people apply to this fund with legitimate claims, they will be paid. The state, of course, was responsible. The state handed children over to people who abused them, and there is no doubt that the state must make a contribution. However, the institutions must also be prevailed upon. The full weight of public opinion should be brought upon them to make sure that they do too.

Mr Lunn: I know that we are talking about a range of institutions here, but is it likely that any of them had any form of insurance that would still apply in some sort of professional negligence sense?

Mr Johnston: That has not been mentioned by any of them in the conversations that we have had so far, but that is not to say that it is not in place.

Mr Lunn: Their insurers would tell them categorically not to mention it until they are asked. It is possible. It depends on the institution, but it is worth asking.

Dr Browne: We can raise it with them; yes.

The Chairperson (Mr McGrath): I appreciate that there is a bit of a crossover to the next session, so I have allowed a bit of latitude. Some of the questions have talked about process rather than numbers

Dr Browne: That's OK; happy to be flexible.

The Chairperson (Mr McGrath): — but I know that the numbers are impacted on by the process. So, I have allowed that latitude. However, a reflection of the lack of information that we have had today might be the fact that there are only two members to ask questions. I hope that, if we get that information from you, we will have much more questioning if we have you back next week.

George, do you have a question?

Mr Robinson: Yes. Thanks very much for your presentation. Could you elaborate a wee bit on what has taken place on the Long Kesh and Ebrington sites? Are those schemes, particularly Ebrington, nearly finished?

Dr Browne: George, we will give you more detail in the session that is coming in a wee while. Ministers are looking at what the potential is for the Maze/Long Kesh site, but there is still not agreement on precisely how to take that forward. Most of the work there is around the Royal Ulster Agricultural Society, which has developed its facilities with the Eikon Exhibition Centre. Its shows have been getting bigger every year and have been extended for additional days. We also have the Air Ambulance and the Ulster Aviation Society there.

There has been very significant development up in Ebrington. Again, we can give you more detail on that. All the buildings there have either a lease on them or an expression of interest from somebody who wants to take forward some sort of enterprise in that building. A new road and entrance has been opened at the back, as you may have seen. We hope to have an official opening of that fairly soon. Work has started on new grade-A office accommodation. It is very significant office accommodation: 45,000 to 50,000 ft and 400 to 450 potential employees. That is on one part of the platform that sits over the underground car park. There is potential for a further building there, depending on how that first one goes, whether they can get it rented and so forth. There is also significant potential for a four-star hotel at the clock tower. That is in the final stages. A range of aspects of the site are coming to fruition.

There has been a lot of investment. A lot of investment has had to go into utilities such as water and drainage and all the things you have to do for environmental heritage-type buildings. There are a lot of restrictions on the work that can be done on them, and it is costly, but the site is getting to the point where it is going to blossom, because a lot of the things that have been working in the background for a long time are starting to come through. I am encouraged around it.

Mr Robinson: Who will have overall control of it when it is complete?

Dr Browne: At the minute, its development sits with this Department. Some years ago, Ministers agreed that it should pass over to Derry City and Strabane District Council at an appropriate juncture. We have been in discussions with it about that. It is a question of when it feels able, and when the time is appropriate, to take on the ownership of the site.

Mr Robinson: I have one bread-and-butter issue. Just the other day in the Chamber, in response to a question from a colleague of mine on the street-lighting situation in Northern Ireland, the Infrastructure Minister said that she had been allocated somewhere in the region of £1 million but needs somewhere in the region of £2 million, £2.5 million or £3 million. Can you envisage her getting more money?

Dr Browne: I have no idea, George. That is a matter for the Department of Finance. It is not something that I am able to take a view on.

The Chairperson (Mr McGrath): It is a different Department.

Mr Robinson: Yes.

The Chairperson (Mr McGrath): Once again highlighting the important point.

Mr Robinson: Exactly.

The Chairperson (Mr McGrath): With questions ending there, there will be a change of witnesses. We will take our ease for 30 seconds.