



Northern Ireland
Assembly

Committee for The Executive Office

OFFICIAL REPORT (Hansard)

Historical Institutional Abuse — Engagement
with the Institutions: The Executive Office

20 January 2021

NORTHERN IRELAND ASSEMBLY

Committee for The Executive Office

Historical Institutional Abuse — Engagement with the Institutions: The Executive Office

20 January 2021

Members present for all or part of the proceedings:

Mr Colin McGrath (Chairperson)
Mr Doug Beattie (Deputy Chairperson)
Ms Martina Anderson
Mr Trevor Clarke
Mr Trevor Lunn
Mr George Robinson
Mr Pat Sheehan
Ms Emma Sheerin
Mr Christopher Stalford

Witnesses:

Dr Mark Browne	The Executive Office
Mr Gareth Johnston	The Executive Office

The Chairperson (Mr McGrath): I welcome Mark Browne, deputy secretary of strategic policy, equality and good relations, and Gareth Johnston, from the victims and survivors division in the Executive Office. Hello to Gareth and Mark. You are very welcome. Good to see you again, albeit remotely. As always, we are being broadcast live, and Hansard will publish a transcript of the meeting. I will pass over to you to give us an update on historical institutional abuse (HIA) work with the institutions.

Dr Mark Browne (The Executive Office): Thank you very much, Chair. I will go through the brief that was provided to the Committee.

One of the Hart recommendations was:

"We recommend that any voluntary institution found by the Inquiry to have been guilty of systemic failings should be asked to make an appropriate financial contribution to the overall cost of the HIA Redress Board and any specialist support services recommended by the Inquiry.

The amount, and how it would be paid, should be negotiated between government and the institution(s) concerned in the first instance ... the payments or other outlay ... should be taken into account and set off against any contribution to which they — "

that is, the institution —

" — may be asked to make so that they do not pay twice over for their failings."

Hart went on to say that, if agreement could not be reached, all parties should submit to mediation, and if that was not successful, to binding arbitration.

Payment of compensation to victims and survivors of historical institutional abuse began in May last year. As of 31 December, redress panels had made 261 determinations, totalling £7,382,000. Of that, £5,763,000 has been paid into applicants' bank accounts or their solicitors' bank accounts.

Officials have been engaging with the relevant institutions, with ministerial agreement, for some time, on a fact-finding basis initially, in the run-up to the publication of the Hart report, and to outline a more formal approach regarding contributions after publication. The suspension of the Executive intervened and put a pause to that contact. A series of engagement meetings resumed in early 2020 on foot of a letter from the former head of the Civil Service, David Sterling, to the institutions in November 2019.

On the issues dealt with, we picked up on prompt access to records that were required by the redress board and put the institutions on notice about formal negotiations about the contributions to the overall cost of redress. We undertook a further round of contact in the autumn.

Ministers are keen that the engagement moves forward at pace. They will front up that engagement, and have set out a clear plan for the next steps. They have written to the Association of Leaders of Missionaries and Religious of Ireland. That is the successor to the Conference of Religious of Ireland, and is the umbrella group for all the religious institutions.

They have written to Archbishop Martin, Archbishop McDowell, and to Barnardo's, inviting them to meet before the end of the first week of February. The purpose of that meeting will be to update on progress on HIA, including the work of the redress board and the HIA support service for victims and survivors; to update on engagement on an official apology; and to set out plans for negotiations with the institutions to secure support for a fair and proportionate outcome.

Following that initial meeting, the First Minister and deputy First Minister will host a round-table meeting with the six relevant institutions to emphasise the moral imperative behind the negotiations, the need to make progress and to agree fundamental principles that would govern the negotiations.

After those two initial meetings, junior Ministers will host further meetings with officials and will undertake more detailed negotiations as appropriate. That is the overall process that has been established by Ministers. Ultimately, it will be important to have a clear sense of what awards the board has made relating to each institution before agreements and total contributions are finalised. That was a learning point from the Ryan inquiry in the South. However, that does not prevent instigation of the work nor, indeed, seeking initial payments on account from the institutions.

As previously advised to the Committee, it is envisaged that a number of principles should underpin the negotiations, and should include such matters as, first, acceptance of responsibility; secondly, fairness and equity; thirdly, transparency and open-book accounting; fourthly, how the starting point for negotiations will be calculated; fifthly, the valuation of contributions that have already been made by the institutions through awards and services that they have provided; sixthly, the management of negotiations; seventhly, the authority of negotiators to actually commit to an outcome; eighthly, timelines; and, finally, reporting of outcomes. Those principles and key issues have been set out to be taken forward in the negotiations.

The institutions that were investigated included some in the justice sector, such as Rathgael Training School, and in the health and social care sector, such as Kincora Boys' Home. Since the funding for HIA is ring-fenced, it is not proposed to seek to recover costs from other Departments, because that would simply displace other funding and divert attention from sources that actually can bolster public funds.

Chair, that sets out in broad terms the approach that has been agreed with the institutions and gives some background on some of the early work that had been done prior to that. Gareth and I are happy to take any questions that the Committee might have.

The Chairperson (Mr McGrath): Thank you very much, indeed, Mark. I appreciate that presentation. I will start off with a few questions. Mark, given that it is a very sensitive issue, albeit one that we need to deal with, there will be considerable spend throughout this and that money needs to be identified. It is important that as much as possible of that which is required and deemed to be appropriate is recouped.

Could the Department stand accused, in some respects, of applying a light touch to the issue? The Assembly has been back for more than a year at this stage. The report refers to some meetings in early 2020, further engagement in the autumn, and, then, to some engagement that will take place next month. How intense is that ongoing work? Is it just sporadic checks to see where people are? Are you actually working to a definitive timeline and road map to get everybody round the table to have those discussions?

Dr Browne: The key focus, when there were no Ministers and, subsequently, when Ministers came back, was on ensuring that the needs of victims were met. The key focus around that was to ensure that the arrangements for redress were in place, applications could be made and considered, and payments could start to flow in that area. That was our prime focus. That is what victims and survivors had identified as the key issue for them. Therefore, by necessity, it is where we have focused our efforts. I believe that we have been very successful in launching that scheme and receiving applications in the middle of a pandemic. I mentioned that we now have over 900 applications. We have made payments of £5.8 million and determinations worth £7.4 million. Very significant progress has therefore been made. That does not mean that we were not doing work on the other things, but it does mean that that consumed the majority of our effort.

In terms of priority, it was important to get the publicly funded scheme in place. The reason for having a publicly funded scheme was to make sure that none of the victims was reliant on the outcome of any negotiations with the institutions, because that would have been unfair. The publicly funded scheme was always going to lead and be first. The important thing now is the engagement that we are having with the institutions to ensure that they make an appropriate contribution to defray that cost. Regardless of the outcome of those negotiations, victims will still get the redress identified in the legislation that they are entitled to, and that is what we have been focusing on. We have set out a broad plan. Ministers are very keen to push that on, and we are now at the stage where it can be progressed more quickly.

The Chairperson (Mr McGrath): OK. Thank you, Mark. I was being incredibly sensitive and was careful not to intertwine the two, but you did so in your reply, so I will try to disentangle them again. The establishment of the scheme and the payment to survivors is critical, and it is correct that that is the priority. Alongside that is the recouping of money from the institutions. Am I to take it from your answer that the individuals involved in recouping that money are also involved in the delivery of the scheme and were, therefore, busy for the first period in setting up that scheme and that, once it is up and running, they can move their attention to getting back the money that is owed by the institution?

Dr Browne: The work in that area is taken forward by the same branch in the Department that Gareth leads. I do not want to give the impression that it is all entirely sequential. We have been doing some parallel work, but it is just that the key focus of what we have been doing has been on the top priority, and the top priority has been getting the redress arrangements in place and ensuring that payments can start to flow. Now that we are satisfied that that process has settled down fairly well — we have got over any teething problems, and we can see the flow of applications, although there is still a lot more work to be done to make sure that this happens — we can increase our attention on the other elements. Those include, of course, an apology; a memorial, which the new Commissioner for Survivors of Institutional Childhood Abuse, Fiona Ryan, is looking at; and the negotiation with the institutions. While that is important in defraying the overall cost to the public purse, it is also important that victims see that the institutions are making a contribution. It is important for that reason also. As I say, the first priority had to be getting the redress board up. We are now able to push on and make further progress on the engagement with the institutions.

The Chairperson (Mr McGrath): Again, I take those points, Mark, but we are specifically looking at one angle, and one angle only, today. Given that you have put all those additional issues in the mix, I want to make sure that you have the resource to be able to pursue the finance and that you have the people in place. I take it from your remarks that you can now divert your attention to that and that, moving forward, it will take place.

Mark, we know from the report that six institutions are involved in the process. Are you getting full and proper engagement from all six institutions, or are any of the institutions more difficult to engage with or include in any of the meetings or engagements?

Dr Browne: I will let Gareth take the lead in responding to that because he has been involved quite directly in those discussions. Gareth, do you want to respond to that one?

Mr Gareth Johnston (The Executive Office): Yes. On the engagement, there has not been any difficulty in contacting the institutions or their representatives. Sometimes, that is with the members of the institutions themselves and, sometimes, it is with legal representatives or a mixture of the two. Certainly, all the institutions have been willing to come forward and to engage. All have recognised that this is a critical issue, and all have said that they will continue to engage with us as we enter into discussions and negotiations.

In those discussions, we have been keen to emphasise the critical role that the institutions have in putting forward information to the redress board. Every application that comes in is sent to the relevant institution, and commitments have been made on that. Alongside that, the institutions are starting to raise a number of issues from their perspective, as one would expect. For example, one is the contributions that they have already made in awards and services. Hart's comment that it would be inappropriate if institutions were asked to pay twice has been raised. Some have also raised the question about where their money and assets are. For example, it may have been invested in nursing homes. You will see that one of the principles that we want to adopt for these negotiations is open-book accounting. A number of the institutions have already acknowledged that. We will be drawing in legal and financial expertise to help us, as appropriate. So we are certainly getting engagement, but issues are being raised, and they will need to be drawn out, explored in detail and, at times, challenged as we go through the negotiations.

The Chairperson (Mr McGrath): I appreciate that it is early days, so the engagement might be good at the start but have the potential, later, to be more difficult, and that may impact.

Finally, a certain percentage of the cases will have gone through the redress board and awards made. Is there any impact on the overall projected budget, as you see a pattern emerging of the awards, the amount of money and the number of cases? Looking forward at how many cases are going to come in, are any patterns emerging that might directly correlate to the budget?

Dr Browne: We have been looking at some of the figures emerging from the redress board and tracking that against our business case projections. It is still relatively early days. For example, there were more than 190 applications in December. It takes a while for awareness of the scheme to percolate more widely. It then takes time for the solicitors to draw the information together and make the applications. Sometimes, the applications are pooled together by a particular firm and submitted in bulk, so the pattern is not necessarily smooth. As I said earlier, we have had over 900 applications to date. That is probably a little lower than we would have envisaged in the business case, but it is difficult to see a clear pattern because we have not yet got into a regular rhythm. We know that other applications are being held by the solicitors and so forth.

Given that we launched at the start of the pandemic, and we had to let the processes bed down, we knew that there would be sufficient applications and awareness initially from the redress board's opening. We have not yet put substantial advertising in place to raise awareness. We will be looking at that over the coming period to broaden awareness and to raise awareness internationally and beyond. That will increase the number of applications. The flow of applications has not settled down yet; we are still in the early stages. They are, possibly, a little bit behind what we envisaged but that will change with the advertising.

The other factor is the level of awards. Again, we were not sure what those were going to be. At the moment, the average level of award, which is in the region of about £30,000, is probably slightly higher than the figure that we had been using as our central estimate. Based on the Lambeth redress scheme, we have been using a figure somewhere in the region of £26,000 or £27,000. At the moment, then, those two factors balance each other out a little bit.

Mr Johnston: Perhaps I could add to that briefly, Chairperson? One of Fiona Ryan's key areas of interest, as the new commissioner, is how best to reach people who are survivors of institutional abuse or of a harsh environment — hidden victims may not be the right phrase — but are not in contact with survivors' groups or are not on mailing lists and so on, so that we can make sure that they are aware of the scheme.

The Chairperson (Mr McGrath): OK, that is grand; thank you very much. I see that Doug Beattie has his hand up; do you have a question, Doug?

Mr Beattie: Thank you very much, Mark and Gareth, for the information so far. This is a very narrow conversation; we are talking about talking to the various institutions, but there are many other issues in

this regard. As the Chairperson said, we have met different victims and survivors groups that have identified multiple issues, certainly around redress. Today's conversation is a narrow one. It is worth noting that, for anyone who is watching, we are not dealing with all the issues that exist at this time.

Judith Gillespie, the chairwoman of the interdepartmental working group on mother-and-baby homes, has said that well in excess of 7,500 people could have been affected by that issue. We know that there is a serious crossover between that and the HIA. My question — it is my only question — is twofold: where we have identified six institutions, are we looking to see whether there are any more that we may need to engage with when we get Judith Gillespie's report, and, secondly, if she is right, and far more than 7,500 people are affected, are we looking at how we deal with the budget issues when she publishes her report and her recommendations?

Dr Browne: I will make a couple of points, and Gareth might want to come in further. The first point to make is that we are not covering exactly the same institutions and, therefore, the figures will not be exactly the same. It was very difficult to get clear figures for our calculations in the business case, and not just for the six institutions. Those are the six main institutions that cover the bulk of those who would have been affected, but they are not all of them. We sought to use data across all the institutions in arriving at our best estimate. In the business case, we were looking at, potentially, 13,000 victims coming forward, which is a substantial number. As Gareth said, we want to work to raise awareness of the scheme in order to ensure that all those who are entitled to come forward are aware that they are eligible and that they feel able to come forward. Our figure is in excess of the figures that Judith Gillespie is talking about for the area that she is involved in. Gareth has been engaging with Judith Gillespie and he may wish to say a little bit more about the interaction between the two.

Mr Johnston: Certainly, there is some substantial interaction, and there are victims and survivors who have been affected by experiences of mother-and-baby homes and, then, institutional care as children. The six institutions that we are focusing on for the particular purposes of recovery of contributions are the six that were identified in the Hart report as having systemic failings or where systemic abuse took place. We are talking about six institutions, albeit a larger number of homes were run by those institutions. We are focusing on them following the finding from Hart. Some of the mother-and-baby homes were run under the same institutions, but, as Mark said, we are dealing with a different group, and it will need to be considered separately. Colleagues in the Department of Health have the lead on issues relating to the mother-and-baby homes and Magdalene laundries, but, given the cross-cutting issues, the Executive Office and Ministers are taking a keen interest in the issues.

Any decision on consideration of what might happen in response to the report on mother-and-baby homes, which is due to be published before the end of the month, would need to come to the Executive separately. Therefore, separate questions about budget and so on might come further down the line. Since we have the interdepartmental working group on mother-and-baby homes, Magdalene laundries and historical clerical child abuse, there has been a lot of contact between the two Departments. Hopefully, we have been able to pass on something of our experience on HIA that has been helpful. We are certainly learning some new things. There has not been a day in recent weeks when I have not been on the phone, at least once, with my opposite number in the Department of Health to make sure that our responses to all of this are joined up and that we are learning from each other.

Mr Beattie: Thank you for that. I asked that question because there will be crossover by individuals who have been involved in the mother-and-baby homes and clerical historical abuse, for instance. I do not want to see one of those survivors having to go through two separate processes. If there is a crossover, there needs to be a system in which the individual can go through a single process that addresses all their issues. Do you understand what I mean? That might be a small or large number of people, but there is crossover between the two.

Gareth, I applaud the fact that you are talking at length to the Department of Health. That is great. The outworkings of that should be to make sure that we are not doing two background checks on a survivor where there is a clear crossover between the two issues. Does that make sense?

Mr Johnston: It does. Those are questions that will need to be explored down the line, in light of the research report that is published and the Executive's decisions on foot of it. Our conversations are about how we can provide the kind of support that victims and survivors need and how we can take an approach that is engaged with victims and survivors and responds to their needs.

Dr Browne: The other area of crossover relates to the under-18s who were in the mother-and-baby homes. They are already eligible to apply under the Hart scheme, if you want to call it that. They can come forward and have their case dealt with under that scheme.

The Chairperson (Mr McGrath): Before I bring in Pat, I have an instruction on the next presentation. There will be a panel of four people, so there will, probably, be an issue that we do not have now. The first question will, probably, go to whoever is leading, but, following that, will members direct their question to one person to answer it? Otherwise, there could be three or four people jumping to answer a question at the same time.

Mr Sheehan: Thanks, Mark and Gareth, for your presentation. I have a couple of quick questions. First, is there any indicative timeline for the discussions with the institutions? Secondly, has there been any calculation as to what percentage of the redress fund should be picked up by the institutions and what percentage should be picked up by the taxpayer?

Dr Browne: Ministers have set out the timeline for the initial engagements. We hope to have those completed by the end of February, and then we will want to get into more intensive discussions around that. No firm time frame has been set for those. It will be dictated by the sort of response that we get in the initial meetings, and we will have to work through those initial issues. Ministers are very keen that this is progressed as quickly as possible, and it is in everyone's interests that that is the case, so we will be trying to progress the negotiations as quickly as we can.

The relative liability between the different elements will be a key part of the discussions, and we will have to look at what the methodology will be for determining that. However, at this point, we have not come to a particular conclusion on what that apportionment ought to be. Gareth, do you want to add anything to that?

Mr Johnston: It is a point that is brought out in the paper before the Committee. Clearly, we want to get this process started urgently, and we want to get some commitments as soon as we can. One of the learning points from the Ryan redress scheme in the South was that the settlements were reached with the institutions before the full impact and cost of the redress scheme was known. So, bearing in mind that this is a scheme where applications are open for five years, there is something about not finally closing down the negotiations too soon. That has been a learning point, but that is not to say, as we have said in the paper, that you could not be looking at payments on account or part payments or annual contributions or something that would demonstrate the commitment of the institutions at this point in time. I reassure you that the redress board has committed that it will provide us with information broken down on an institution-by-institution basis with numbers of cases and amounts that have been paid so that that gives us some starting point in the negotiations.

Mr Sheehan: OK. Thanks for that. Given the nature of the scheme, I understand that it is impossible to be precise about how much it will cost, but what ballpark figures are being discussed?

Dr Browne: You will remember some very long discussions that we had at previous Committee meetings where I set out some uncertainties and the fact that we had to have a range of costs that goes from somewhere in the region of just over £100 million to well in excess of £400 million, but our central estimate that we included in our business case is that it would be somewhere in the region of £400 million or just over it. However, we will not know until we see the numbers that come forward and the average rate of settlement.

Again, that was an issue in the South. My understanding of what happened there was that the numbers were much more than the Government had anticipated but perhaps not much more than the religious institutions had anticipated. That whole point that Gareth made about the early decision being made about the contribution was very problematic because the numbers turned out to be much greater than the Government down there had anticipated.

Mr Sheehan: I understand that, given the difficulties in estimating what the final figure would be, and estimating the liability for each of the organisations is also going to be difficult. Is there, roughly, any idea of what the percentage contribution would be of the institutions collectively?

Dr Browne: We have not got to that point, Pat, in looking at this. Part of what we will have to look at is, as Gareth said, trying to get information on the extent of the issues relating to each institution. We will have that information from the redress board on an ongoing basis. It will change over time. Getting

some sense of the amount of cost to the state that has arisen from an institution will be helpful. Then the issue becomes about culpability and how much of that cost ought to be attributed to the institution or to other factors, including the state at the time and what the state's responsibilities were. I envisage that being a fairly interesting discussion with the institutions when we get into that.

Mr Sheehan: Thanks for that.

Mr Lunn: Thank you, Mark and Gareth, for your information. I have concerns about the level of cooperation or potential cooperation with the institutions as this thing unrolls. At the moment, you are talking about determinations made for payments of £7.3 million but a potential cost, according to whatever estimate you look at, of between £100 million and £400 million. I think that I picked up from one of your statements that perhaps some of the institutions were already doubting their capacity to pay in the longer term. If we do get to that situation, is there a compulsion involved? Can the Government compel, even by legal action, these institutions to come forward with the money or is it just a case of mediation or binding arbitration, if they agree to it?

Dr Browne: Initially, Trevor, we will be following what the recommendation was in Hart, which is to have the negotiation to see whether we can reach agreement. If that is not possible, we can move to mediation, and then Hart had recommended binding arbitration. We will also be seeking to get as clear a picture as we can of the institution's reserves and of what its financial position is. Gareth mentioned that we will be seeking to get legal expertise in that area and have an open-book accounting approach to this.

In some cases, these things are not straightforward. The experience in the South was that land was handed over in part payment, and, of course, the value of land then plummeted at that particular point. I think that some old people's homes were handed over, and then the state found that it was really expensive to run them and handed at least one of them back. So, we have to be careful about what assets we count, how we count them and how that would contribute towards the overall cost. We will want to discuss and consider further what would happen if there were not an agreement to binding arbitration and agreement could not be reached. I hope that we will not get to that point, and the early indications from the institutions have been positive. As Gareth mentioned, they have been cooperative in providing information. They have engaged, and, at this point, we want to proceed in hope that we will be able to achieve an agreed outcome.

Mr Lunn: I have two small points to make. You mentioned what happened in the South over the transfer of assets as opposed to cash. I am sure that the South will agree in hindsight that it would have been a better idea to get them to sell the assets and hand over the money.

Dr Browne: That is certainly one approach to this. Again, that all has to be part of our considerations in the negotiations and some assessment of how best to realise the contribution from the institutions.

Mr Lunn: My last question is one that I may have asked you before. Is it possible to know whether some of these institutions may have insurance cover to deal with these situations? Has that been explored?

Dr Browne: I think that you did ask that question before and that Gareth answered it. I will let Gareth give the answer again.

Mr Lunn: He can refresh my memory.

Mr Johnston: It is a question that I have asked, not of all the institutions but I certainly asked one or two, who told me that no, there was not insurance cover that would cover these types of contributions. We will certainly take it up again in the course of further discussions with the institutions, but the initial signal seemed to be that that was not necessarily going to be a fruitful line of enquiry, unfortunately.

Mr Lunn: I think that you may find in other jurisdictions around the world that, in fact, insurance may have existed. It does not really matter how long ago the abuse may have happened; it could still apply. I think that you should not forget about that aspect of it. It would certainly make it a lot easier for them to come up with what is required, if necessary.

Mr Johnston: Certainly, we will take it up again. As I said, the initial questions were being answered in the negative, but we certainly have not lost sight of it as a possibility.

Mr Lunn: Sorry, Chair.

The Chairperson (Mr McGrath): OK.

Mr Lunn: One of the principles of liability insurance, going by my days in the business, would be that, if somebody made a liability claim against you, whether for straightforward injury or professional negligence or whatever, you never admitted immediately that you accepted liability or even that you had insurance cover for it, because it is an open invitation, in terms of the insurance company's attitude, to provoke a claim. If they said, "No, absolutely not", that is one thing, but, if they said, "We don't think so", that is a different thing. They may need to search their archives a bit.

Dr Browne: Again, that is something that we will follow through, Trevor.

Mr Lunn: All right, thank you.

The Chairperson (Mr McGrath): Some insider information there on the mechanisms of the insurance trade, Trevor.

Mr Lunn: Even in my retirement, yes.

Mr Stalford: Thank you, and thank you for your answers thus far. It is patently obvious that the reason why the churches settled quicker in the Republic of Ireland was that they were equipped with the knowledge of the scale of the abuse that was going on, to a much greater degree than the state was. Therefore, they were keen to basically settle quickly before the true scale of the problems emerged. I would submit that the institutions are in a better position to know the scale of the abuse and the scale of the number of complaints that were submitted about the conduct of clergy or staff who were in their employ. In your experience of that information being forthcoming, have they been cooperative?

Mr Johnston: I think that —. Sorry, Mark.

Dr Browne: You go ahead, Gareth, and I will come in afterwards if there is anything left to say.

Mr Johnston: The sequencing of how this has all come about has been different here than in the Republic. They were dealing with the Ryan inquiry and dealing with the redress. Some of that happened in parallel. Some of the negotiations with the institutions happened in parallel. We have the advantage that we have the Hart report. That was an inquiry that had powers to compel and to require the production of evidence. We are going in with our eyes open, but I do not disagree that this is something that we need to keep in mind and to be very careful of. As I said, it feeds into the bit in the paper about the final settlement. The final instalment is not likely to be until further down the line when we have a pretty firm idea of what is coming in to the redress board.

One of the things that you sometimes find with these schemes is that there is a bit of a rush towards the end. That has been the experience elsewhere, so that is something that we will want to have in mind, too.

Mr Stalford: The report that was produced recently about mother-and-baby homes demonstrated a scale of callous cruelty that is unimaginable — or it would have been unimaginable before that report was produced. There was a 15% infant mortality rate in those homes. That is a worse infant mortality rate than in some of the poorest parts of the world, and it demonstrates the scale of the problem. It was revealed in the Republic that the bodies of dead babies were being stored in a tank. The sheer scale of cruelty is unbelievable.

Those institutions operate regardless of the border between Northern Ireland and the Republic, so, when the investigation has been concluded here, I expect that we will find similar levels of cruelty and barbarism. That being the case, have you witnessed any evidence, as has happened in other parts of the world — the United States is a good example — of those institutions attempting to shield their assets? I can direct you to an article in 'Bloomberg', this time last year, which estimated that the Catholic Church in the United States of America had moved to shield almost \$2 billion worth of assets to prevent victims from getting access to that money. Have you seen any evidence of, say, assets being transferred to trusts or things like that to prevent people from getting access to them?

Dr Browne: It is a bit early for us to have identified that at this stage, Christopher. We have started the process of negotiating with the institutions. Part of that has involved a principle of transparency and the use of open-book accounting. We mentioned that we are seeking to acquire expertise and to bring that into the negotiations. That will help us with that open-book accounting. Through that process, we will get a better sense of the extent of assets and so forth and of any of the things that you have described. It is a little early for us to be aware of any of those particular issues.

The other point that I would make is that we will have to deal with all the institutions separately. They are all separate and independent institutions. In the Catholic sector certainly, all the institutions have their own identity and legal identity. There is also the diocesan aspect that is looked after by the bishops. We also have the Church of Ireland and Barnardo's. It will be very complex, but we will certainly try to make sure that we have the expertise that will enable us to investigate the kind of things that you have described and to get the best sense of what assets are available to be put towards any agreed contributions.

Mr Stalford: Frankly, I do not care about the strictures of diocesan boundaries or canon law. If we see evidence that attempts are being made to shield assets, we should not hesitate to use whatever legal powers are open to us to prevent that. The niceties of Church structures or what have you are utterly irrelevant to me in my considerations.

This is my final question. You indicated that the numbers that have come forward are slightly lower than you had expected at this point. What steps will be taken to make people aware of the scheme being open and what have you?

Dr Browne: What I said was that, when we looked at it, we were very uncertain about what numbers were out there and how many would come forward. As we know, not all victims or survivors will want to come forward and make it known that they have suffered in that way. Our estimates varied. We had three different variants of around 5,000, just over 13,000, which is our central estimate and the one that we have been using, and up to 16,000. We were not able to establish a clear profile of how many will come forward in years 1, 2, 3, 4 and 5, so it is hard to know whether we are on track or slightly behind track. We have had just over 900 applications; it is 959 or something like that. That is almost 1,000 in the first year. Applications are open for five years, and the whole process, including payments, for 10 years.

It has been a little slow at the outset. That is probably not surprising, as people and solicitors get used to the system. As they start processing and gathering information and all those systems start to get put in place, I would expect that those systems will get smoother, people will become more familiar with them and applications will start to come through a bit more quickly.

You spoke about raising awareness, and I will let Gareth say a little bit about our plans for that.

Mr Johnston: We had some experience of that with regard to the inquiry, when we were raising awareness about the existence of the inquiry and encouraging people who wanted to come forward to it or to the acknowledgement forum to come forward. There was publicity across a range of media for that, so we have that experience to draw on. Since then, there has been an explosion of social media, and that will be another area of potential for us to reach people.

I am interested to see the results of the commissioner's work on identifying where victims are and how best to reach them. That will very much guide us on where we should be targeting the publicity. We have tools at our disposal within TEO, and our Washington office has said that it would be happy to help to get word out to groups in the States.

You mentioned the cross-border nature of a number of institutions. I am looking ahead, particularly to work on mother-and-baby homes. The First Minister and deputy First Minister had a meeting with Minister O'Gorman in the South earlier today. That was an opportunity to explore continued liaison between the two jurisdictions on some of the issues, and that has regard to the cross-border nature of where records are held, adoptions and so on.

You, rightly, put victims and survivors at the centre of this. It is all very easy to speak about numbers and institutions. It is very telling when any of us are in meetings with victims and survivors and hear some of the experiences that are shared. They, along with the likes of the mother-and-baby homes report and the experiences that are shared there, bring home to us all why this work is important and why we need to keep going at it.

Mr Stalford: Thank you.

The Chairperson (Mr McGrath): Gentlemen, thank you very much for your presentation. This is an incredibly difficult area. In some ways, talking about it in terms of the financial side is a different type of difficulty. We certainly appreciate the work that is ongoing and look forward to future engagement with and updates from you.