

12th December 2019

Ref: PAC32-I-1718

Ms Éilis Fallon
Committee Secretariat
Committee of Public Accounts
Leinster House
Dublin 2

CC: Department of Education

Dear Ms Fallon,

The Residential Institutions Statutory Fund Act 2012 provided for the establishment of the Residential Institutions Statutory Fund Board, operating as Caranua to support the needs of former residents, to define its functions and to provide for the making of contributions to certain persons.

Section 3(1) and 3(2) of the Residential Institutions Statutory Fund Act 2012, included below provides the criteria for identifying a person eligible to apply to the Residential Institutions Statutory Fund Board, operating as Caranua.

15 3.—(1) This Act shall apply to the following person (in this Act referred to as a “former resident”) whether or not he or she is resident in the State:

- (a) a person who has received an award (other than an award referred to in *subsection (2)*) under the Act of 2002;
- 20 (b) a person who has received an award or settlement referred to in section 7(2) of the Act of 2002.

(2) The following shall not be an award for the purposes of *subsection (1)(a)*:

- (a) an award made under section 9 of the Act of 2002, or
- (b) an award of a nil amount made under the Act of 2002.

The legislation sets out that for a person to be eligible to apply for funding supports from Caranua, that person must be confirmed as a 'former resident' of a residential institution by providing evidence of an award from the Residential Institutions Redress Board, or by an award or settlement from a court.

Caranua has great sympathy for the circumstances of any person(s) who endured abuse during their time in a Residential Institution and have not received redress. Caranua cannot, however, contravene the legislation and therefore, we are unable to accept an application without evidence of an award from the Residential Institutions Redress Board or by an award or settlement from a court.

The person has the right to appeal Caranua's decision on their eligibility to the Independent Appeals Officer appointed under Section 22 of the Residential Institutions Statutory Fund Act 2012. However, in all instances of similar appeals, the Independent Appeals Officer has upheld Caranua's decision on eligibility as they are bound to adhere to the same legislation as Caranua in this regard.

In response to the committee's query about which audit controls are in place to ensure the cost of works carried out by suppliers on behalf of individuals is appropriate. The contract for services is between the Survivor and the service provider. Caranua's role in the arrangement is to provide a funding support payment.

Caranua carries out its role of providing funding supports whilst being mindful of the Survivors rights to privacy, dignity and the autonomy to select their own service provider. When a Survivor makes an application for funding supports where the cost of the support is less than €1,000 we require one quote, where the cost of the support is between €1,000 and €5,000 we require two quotations and for supports costing above €5,000, we require three quotations, where the cost of the support is over €10,000 the supplier must also provide a tax clearance certificate. Funding support cheques are provided from a third-party company so Caranua is not identified as the funding provider, again to protect the confidentiality and dignity of Survivors.

Caranua requests multiple quotations so that we might assess whether the price being quoted to the Survivor is in line with the market rate. Caranua has to strike a balance between working with Survivors in a person-centred and compassionate way and our obligations as a public body with regards to our fiduciary responsibilities, including responding to the findings of the Comptroller and Auditor General.

Some Survivors find the process of obtaining multiple quotations for supports as too bureaucratic and for some, it is difficult to get the required number of quotations. Where Caranua is aware that a Survivor is suffering duress because of this process we will accept less than the prescribed number of quotations to ensure that they can still avail of funding supports.

Caranua makes every effort to make sure that the service provider and supplier quotations we receive are from reputable organisations that are registered with the relevant professional or accrediting body and are compliant with tax, other laws and regulations before approving funding.

I would appreciate if any member of the Oireachtas receives information about a Survivor having difficulties in their engagement with Caranua that they contact us as soon as possible so that we might review the matter.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely,



Rachel Downes

Chief Executive Officer