

**Residential Institutions Statutory Fund: Motion  
[Private Members] 24<sup>th</sup> May 2017**

**Deputy Catherine Connolly:** I move:

That Dáil Éireann:

recognises:

— that the statutory body Caranua has, to date, failed a large number of applicants in providing adequate access to the Residential Institutions Statutory Fund;

— the high number of complaints and reports of dissatisfaction and negative experiences from applicants to that fund;

— the poor delivery of service and information to survivors based in the United Kingdom;

— the poor delivery of service and information to survivors in the deaf community in the State;

— that inadequate strategic planning, lengthy delays in the application process and poor communication practices have severely impacted on the experience of survivors accessing the fund;

— that there has been an unacceptable level of turnover in staff personnel;

— that there have been a number of serious and unacceptable breaches of the legislation relating to the fund;

— that the failure of previous Ministers for Education and Skills to carry out an undertaking to review the operation of the fund two years after its establishment has added extra pain to survivors; and

— that there has been no operating board since March 2017; and

calls on the Minister for Education and Skills to:

— initiate a review of operations without further delay, to be concluded within a three month timeframe, and to consider the following recommendations:

- review of the eligibility criteria;

- review and expand the range of services available to applicants;

- review the inclusion of section 43 of the Residential Institutions Statutory Fund Act 2012 to set up a special account in the name of the Minister for Health;

- streamline the application process giving clear timescales for processing and communicating decisions; and

- provide face to face appointments with applicants who wish to avail of them in order to breakdown communications barriers and reconcile with survivors who have had a negative experience during the application process;

— open up negotiations between the Office of Public Works and the Department of Education and Skills to provide office facilities for the day-to-day functions of Caranua, with no cost to be incurred by the survivors' fund;

— draw up a new survivor-led customer charter to be adhered to, without exception,

by all Caranua staff; and

— establish and clarify a system of appropriate oversight for the operations of Caranua and to provide immediate and appropriate oversight in the current absence of a sitting board.

I very much welcome the visitors in the Gallery. This is a straightforward motion which arose organically from the upset, heartbreak and anger that survivors and survivors' groups brought to our attention following their interaction with Caranua. That the Fianna Fáil Party proposes to undermine the importance and impact of the motion by tabling an amendment that upholds the *status quo* is disingenuous to say the least. I ask Fianna Fáil not to proceed with the amendment and instead stand in solidarity with survivors who are, to a person, asking for our support in dealing with an organisation that is simply not fit for purpose.

By way of background, Caranua was established in 2013 pursuant to the 2012 Act with a specific purpose for a specific period, namely, to disburse €110 million provided by a number of religious organisations for those who qualified for payments. Applicants were required to provide simple proof that they had been to the redress board or received a court award or settlement and show they were in need. The service provided by Caranua was intended to be straightforward and effective, with minimum bureaucracy. In the words of its chief executive officer, its purpose "was, and is, to put survivors at the heart of everything that we did". She continued, "Our application process is values-based, needs-led and person-centred." Unfortunately, nothing could be further from the truth. This is a classic example in the 21st century of an institution becoming more important than the people it is meant to serve. Survivors have confirmed that Caranua's mode of service delivery has added to the abuse they have experienced.

The inaugural meeting of the Caranua board, which took place on 27 March 2013, was attended by a CEO-designate and the then Minister for Education and Skills. The Minister committed to holding a review of Caranua within two years of its establishment. Since then, we have had two more Ministers for Education and Skills and a review has still not been carried out of an organisation that has lurched from crisis to crisis.

Among the issues identified at the inaugural meeting was the need for smooth and uncomplicated access to the fund. The first chairwoman of Caranua expressed a desire to have the fund depleted and spent within the four-year term of the board. She also asked that a common-sense approach be taken. At that point, the well-respected Institute of Public Administration made a presentation on governance, authority, decision-making and accountability. The institute was never heard from or invited back again when Caranua opted to take the route of becoming a private company, an issue to which I will return.

The new board had nine months to get its house in order. However, during that time a number of members resigned. The chairwoman tendered her resignation towards the end of 2013 and two survivors also left. This, in itself, should have raised alarm bells, even if the individuals in question ostensibly left for health reasons.

It is worth highlighting that the first chairwoman of the board placed a premium on good governance, openness, accountability and a transparent decision-making process.

At the meeting of 9 July 2013, she stressed the importance of any action outlined in the policy being capable of implementation and that the rule of "what a reasonable person would think and do" would be followed. The board and the CEO have gone

so far from that common rule that it is unbelievable. After the situation worsened that year and the next, we had the most serious breach of legislation. An apology was given after the Department made a complaint. Significantly, that apology was only given by a majority of the board.

In 2013, an insidious process of paying private companies out of the limited available funding began. The second chairperson took up his position in March 2014 and had no hesitation in telling the Committee of Public Accounts that the organisation was a shambles. Unfortunately, the shambles continued, worsened and intensified under his watch. Ironically, this happened at the same time that a communications and engagement person was employed.

Applications began arriving in January. This organisation, which had nine months to prepare, was overwhelmed by just 2,134 applications even though it knew from the start that the potential number of people would be 15,500. It is also worth highlighting that no appeals officer was appointed until March.

There were delays and complaints throughout 2014 and more private companies were paid out of the fund. Imagine a private company being paid for a corporate brand. Imagine employing companies to tell Caranua about governance and financial issues, case management and staff recruitment, to conduct an external review and to run a bonding exercise for staff in Carlingford at a cost of €1,967.

We have minutes that, to say the least, do not inspire confidence in their being a true reflection of decisions and discussions. The Minister might check an example - two sets of minutes for 22 April 2016 say different things. There are no minutes at all for 17 September 2015. In November of that year, a reference to a July meeting was seconded by a board member who was not even at the meeting. The minutes of 18 February 2016 were seconded on the very day that the meeting took place. To add to the mystery and confusion, there is a reference in those minutes to a special meeting on 17 December 2015, but there are no minutes of same because we were told on inquiring that it was a workshop.

Throughout the various meetings were constant references to the high rate of expenditure. Those references would be welcome if the expenditure in question was on the bonding exercises and private companies, but no. They were references to the payout to the survivors who were coming forward. The board was worried about the level of payout. It was also worried about the stress that staff were experiencing because of the rate of phone calls, the very reason for Caranua's establishment. Then there was the discussion on whether there would be money left to give to the children's hospital.

A board member distanced himself repeatedly from appallingly punitive language in documents. He has allowed me to say that, even though he reapplied to be on the board, he has not been accepted. It is significant that, throughout the minutes, he stood with a number of other survivors in attempting to say that what was happening was wrong.

Two years after the inaugural meeting, the minutes indicate that the case management system was still not complete and may contain inaccuracies. Rather than deal with the delays in consultation with survivor groups, Caranua changed the goalposts numerous times in flagrant breach of the legislation. It imposed a limit and a priority system. It built in inequity, injustice and inconsistency. It blamed survivors. It sent letters telling them that their cases had been completed but failed to tell them that they could appeal the decisions. In a Kafkaesque scenario, the appeals officer would not hear an appeal on the grounds that no determination had been made

notwithstanding the fact that the survivor had received a letter asserting that the case had been completed.

There was no provision for interview facilities. There was a constant changing of staff. There was a memorandum of understanding with the Towards Healing service. In its own accounts, Towards Healing envisaged getting €800,000 from Caranua. To date, it has received €100,000 on the basis of a memorandum of understanding about which the Minister has no idea and seemingly has not approved.

Then there was the rent scenario. The Minister told the House yesterday that he had no say in the matter, but his Secretary General stated that the Minister did have a say. More importantly, under section 7(7) of the legislation, the Minister must give permission for a contract. He has not done that. At this point, €60 million remains in the fund and there is no chance of it running out. Will Members stand over this continuing abuse of survivors who have already been appallingly treated by the State? Now is our opportunity. We in this Chamber are the voice of the survivors. I say to Fianna Fáil, let us stand together and show solidarity.

**Deputy Eugene Murphy:** We are standing together.

**Deputy Catherine Connolly:** Let us not perpetuate abuse that this time is being carried out in our name.

**Deputy Thomas Pringle:** I congratulate Deputy Connolly on tabling this motion. It is important that we try to right some of the wrongs within the Caranua organisation.

We have a problem with the truth in this country, but we also have a problem with addressing the truth once it has been revealed. That is obvious in the way we deal with victims of abuse, in this case those who suffered gravely under religious institutions. From the outset, the Government's attempt to take responsibility for the abuse suffered by victims of institutions was woeful. The work carried out by Caranua, established under the Residential Institutions Statutory Fund Act 2012, has not only failed to deliver for survivors of abuse but has been the source of even more pain and abuse for them. Among the legitimate complaints made against the organisation, victims have experienced disrespectful and poor treatment. Of the total, 61% found their experiences with the organisation to be extremely negative while 21% had a negative experience. This faceless body has made people feel that the State has abandoned them yet again and left them to pick up the pieces of the past while trying desperately to defend their cases for retribution. These experiences resulted from the fact that so little attention was paid to the establishment of the organisation and how it could best represent and address victims of institutional abuse.

There was a litany of Government failures in the establishment of Caranua. For example, an inadequate strategic plan has resulted in progressive deterioration of the services over time. There is now a waiting time of more than seven months before new applicants to the scheme are allocated advisers. There have been cases where some applicants have had their applications rejected or put on hold for indefinite periods, many for more than two years. Applicants have had to go to court to force Caranua to make decisions on their cases.

There are no interview facilities, making it difficult for survivors to present their cases. Many survivors have poor levels of literacy, are older and are not computer literate. When interviews are carried out, some last for longer than three hours with no attention paid to preserving applicants' privacy and confidentiality.

Caranua's response to potential minor levels of fraud is an overreaction similarly seen in the so-called welfare cheats campaign of the Minister for Social Protection, Deputy Varadkar. It compromises the integrity and dignity of all other applicants, as each is held under suspicion and must prove to the organisation that he or she is compliant rather than Caranua showing accountability in its decision making on applications.

It became apparent that Caranua was an organisation hell bent on protecting the funds at the expense of the survivors. From 2015 on, Caranua refused to process outstanding applications. This meant that hundreds of applicants were cut off from the fund overnight. In July 2016, Caranua set the cap amount at €15,000 per applicant, meaning that applicants who legitimately and urgently needed assistance above this limit were refused outright. To add insult to injury, Caranua carried out this action without consulting survivor groups contrary to section 7(2)(c) of the Act and has refused to release a copy of the internal guidelines that it uses when making decisions. We still have not seen the review of Caranua's operations that was due in April 2015.

If I was cynical about this, and sometimes I am, I would think there was a reason behind Caranua's tight grip on access to these funds.

Could it be that a cap was imposed so as to ensure that millions will be left behind by the time Caranua is wound down, which could then be diverted to the national children's hospital? Given the apathy presented by the Government towards the needs of survivors so far, I think this is likely to be the reason. However, it is completely hypocritical given the amount of funds put towards the salaries of agency staff. More than €2 million was spent on agency staff after the Government only appointed ten people to divide the €110 million between tens of thousands of victims. According to documents supplied to the Committee of Public Accounts, Caranua also gave €94,000 from compensation paid by religious congregations to a counselling service run by the Catholic Church and unilaterally changed the terms under which people could apply for that funding. It will also spend over €10,000 a year from the fund on parking spaces for its staff.

Deputies across the House have been in contact with a number of survivors and know all too well of the experience of elderly survivors with severe health problems being obliged to validate past abuse in front of the faceless body that is Caranua, only to be treated with contempt and suspicion. This body has not become the needs-based organisation it was set up to be and has in fact compounded the already negative experience of survivors in a country that took nearly a century to accept responsibility for the abuse incurred by them. I want to end on what a survivor said to me recently, when he wrote to my office. He asked me to ask the Government today in the Dáil: why is it provided for some but not for all?

**Deputy Maureen O'Sullivan:** I must state that as my engagement and the engagement of my staff with the Caranua office was efficient and courteous, it was very disconcerting and disturbing to learn that was not the norm. Thanks to Deputy Connolly, Members have the opportunity to address those concerns here.

I want to focus on my engagement with a particular group, that is, the mixed race Irish and their involvement with Caranua. They tell me a number of them were not even made aware of the redress scheme because they were excluded from Irish networks in the UK and as a result did not hear of the scheme. A few of them consequently were denied access to Caranua. There is a fixed cap of £12,000 for UK survivors versus the €15,000 cap for Irish survivors. Allowance was never made

for exchange rate to be built in so some of the UK survivors are at a disadvantage of more than £900.

On the cost of education, when Caranua was set up UK university fees were £5,000 but the majority of UK universities are now charging £9,000 in fees. I am told that Caranua will not pay the increased fees because it states the legislation does not permit this. The legislation was designed to be flexible to the needs of the survivors but it is being made difficult for survivors who want to pursue third level education.

Some of the other comments were that survivors find it difficult to deal with the many different advisers because each adviser is giving different advice. They found the organisation not consistent, particularly with regard to the category of outdoor work. For example, one member reported that she had received approval for outdoor work and due to the fact the contractor decided he was not going to go ahead with it, the cheque was returned to Caranua. When she contacted her adviser for a new cheque for a new contractor, she was told she might not get approval for the work again. Her comment was, "I was upset as I didn't feel understood". Agreed services were then postponed midway because of the changing priorities of Caranua. Another lady said that, suddenly, she could not get her dental treatment completed because Caranua decided it was time to allow services for other new applicants. Her comment was, "I am still waiting".

There was also confusion as to when quotes from service providers were accepted. There was a push to get quotes in to Caranua, only for people then to be told that because the backlog of applicants awaiting assessment calls from Caranua, it was likely that these quotes would be out of date. That was very hard and embarrassing for those clients in terms of going back for the exact same quotes or having to justify the quotes in the first place.

There was no knowledge of the UK business environment. For example, small businesses in the UK with a gross income of £83,000 do not have to be VAT registered. These are the small businesses that are likely to do the small jobs around the house, such as installing occupational therapist-recommended showers. However, Caranua insists that survivors get VAT-registered companies. The requested work is too small for VAT-registered companies and Caranua will not accept small business companies. Hence, the work is not done and the needs are unmet.

Another lady told me she received only £1,000 approximately from Caranua over two years. This lady does not own anything and she cannot afford to buy a property or a car or have a holiday. When she came back to Caranua on the second round application, she was told that somebody would get back to her but she is not a priority as she has already received money, although that was a paltry amount. She has also been given different information from different people within Caranua. This lady's educational attainment and language skills would be low, so accessing services and dealing with people is an issue. It is horrifying to learn that Caranua appears to be taking advantage of her.

These survivors have all found it very stressful to engage with Caranua. They have the sense that getting services is a fight. There is a feeling they are being treated like a 16-year-old leaving care, not as a grown adult. Again, it is appalling to learn about them receiving a frosty reception to their inquiries and being treated as a nuisance rather than as a client. These are people who have suffered psychological abuse already, so it is no wonder that some of them are turning to solicitors for help. Maidir leis an ainm "Caranua", ní dóigh liom go bhfuil na daoine atá ag obair i gCaranua

róchairdiúil in aon chor. The point is that these clients have suffered enough already. They should not be suffering still.

**Minister for Education and Skills (Deputy Richard Bruton):** I move amendment No. 1:

To delete all words after “Dáil Éireann” and substitute the following:

“recognises that:

— many individuals suffered horrific abuse when, as children, they were placed in industrial schools and other residential settings;

— successive Governments have put strategies in place to support former residents, through the provision of services including counselling, educational supports, etc.;

— many former residents continue to have ongoing needs; and

— Caranua (the Residential Institutions Statutory Fund Board) is an independent statutory body, established for the purpose of utilising contributions totalling €110 million from religious congregations being made available to Caranua to enable it to meet the needs of former residents;

acknowledges:

— the work being undertaken by Caranua to support former residents;

— that, to date, some €60 million has been spent by Caranua on supports to former residents and that some 4,000 individuals have received such support;

— that Caranua has expended some £8 million on supports to former residents residing in the United Kingdom;

— that decisions of Caranua may be appealed to the independent appeals officer appointed under section 21 of the Residential Institutions Statutory Fund Act 2012;

— that the outcome of a consultative process, inviting submissions on the draft terms of reference for a review of eligibility to apply to Caranua, will be published shortly;

— that in 2016 Caranua, in response to calls to do so from former residents, expanded the range of approved services it could support, simplified the applications process and introduced personal limits; and

— that under the provisions of section 30(1) of the Residential Institutions Statutory Fund Act 2012, Caranua’s costs, including all administrative costs, are charged on the National Treasury Management Agency investment account into which funds contributed by religious congregations are placed;

notes that:

— the Government has recently noted the Minister for Education and Skills’ intention to appoint a new board for Caranua, and that letters of appointment will be issuing this week;

— the provisions of section 43 of the Residential Institutions Statutory Fund Act 2012, which relate to the funding of the proposed National Children’s Hospital, will only apply if the fund receives more funding over and above the €110 million which has been committed;

— to engage in negotiations between the Office of Public Works (OPW) and the

Department of Education and Skills is not possible under current legislation; and

— the building previously occupied by Caranua and the building that will shortly be occupied by Caranua are not owned by the OPW, meaning that rent is payable and that Caranua, in accordance with its legislation, must meet these accommodation costs; and

calls on the Government to:

— complete the review of eligibility in summer 2017;

— require that Caranua provides regular statistics to the Department of Education and Skills and the public on waiting times for processing and communicating decisions;

— request Caranua to provide a greater level of face to face engagement with survivors-applicants, particularly after the organisation moves into new office accommodation which will be more suitable for this activity;

— require Caranua to review the current customer charter, in consultation with survivors, ensuring that the principles of equity, consistency and transparency are at the heart of its activities; and

— endeavour to ensure that Caranua will have the full €110 million in funding made available to it at the earliest opportunity.”

I thank Deputies for raising this issue. I know it is an issue of continuing concern and that Deputy Clare Daly recently had a Bill before the House. There is no doubt the backdrop to how Caranua came to be established is the appalling experience of Irish citizens at the hands of residential institutions. The findings of the Ryan tribunal are chilling when one re-reads them in regard to some of the experiences, in particular the sexual abuse that was endemic in some institutions, as well as the physical and emotional abuse and the failures of the Department of Education itself. No one diminishes the hurt and damage that many people have experienced and which led to the establishment of Caranua.

That said, we have to recognise that Caranua was established by this House and the legislative framework under which it operates is one set by this House. I think it has been pursuing in good faith the efforts under that mandate to support people who had been made awards under the residential institutions procedures. That legislation obviously classified the areas within which services were to be provided, including mental health counselling, psychological support services, health and personal social services, educational services and housing support services. There is an obligation on Caranua to ensure that applications comply with the purposes for which the legislation was established and that it uses its resources in a fair way to try to accommodate all those who may yet apply to it. As Deputy Maureen O'Sullivan said, some people may still not have applied and it is important the resources are used in such a way that it meets all of those needs as best it can.

I am the first to recognise there have been many bad experiences among people who have gone to Caranua. When it was first established, there were a lot of teething problems given it was an organisation getting up and running. While Deputy Catherine Connolly said the number of applications, which was 2,500, should not have created problems, it did undoubtedly create problems as Caranua was trying to get itself established and get a team in place that could deal with those applications in an effective way. Nonetheless, while mistakes have been made, I think the board

has continued to try to improve and it has tried to extend services. There is an appeals mechanism in place and being used and 165 appeals were received in 2016. That appeals mechanism has delivered good outcomes for some of those who made an appeal. There is also redress to the Ombudsman for those who are not satisfied with the treatment they received.

Like other Deputies, I have met some of the victims involved and I have heard the complaints that have been set out. In the process of deciding to have a review, we have had a response to the terms of reference and we will shortly initiate that review.

There are genuine concerns that need to be addressed. We need to move to having a stronger charter. The support available to people needs to be clearer and the procedures need to be the best that they can be. Eligibility should be extended if that is deemed appropriate. It is right to continually look at this organisation to ensure it steps up to good practice.

The Deputies portrayed Caranua as if it was trying to protect its money for some selfish reason, to prevent money becoming available and to put obstacles in the way of people. I do not think that represents what it was trying to do. There have been individual experiences and undoubtedly the Deputies have heard of individual experiences where people came away very dissatisfied. Deputies have acknowledged that some people may not have the ease of dealing with bureaucracy and as a result of their experience they feel they have been abused again by the way in which a bureaucracy deals.

Nonetheless we have established requirements on how money is spent and that has to be observed by any board that is dealing with public money. For example, one of the Deputies adverted to the requirement to use tax-registered providers. That is a pretty general provision to ensure that where we are expending public money, those who would be providing the service would meet certain minimum requirements in terms of compliance with tax rules and so on.

A number of Deputies raised the question of rent. Yesterday in the House I made the point that Caranua's board is independent and has to arrange its own accommodation and it must meet the costs for that accommodation from its own resources. That is in accordance with the legislation that was established.

I apologise to Deputy Connolly if I inadvertently did not refer to the fact that if it enters into a contract, it will need ministerial approval. That is the case. Many people felt it was unfair that the board would meet its expenses for accommodation from within its own resources but that is what the House provided for. That is how the board must conduct its affairs. It has to provide that resource; it is not a separate resource. That is under the legislation.

A number of Deputies spoke about clients who applied from the UK. While there may be issues in this regard, Caranua has published guidelines for former residents living in the UK. It has had meetings and outreach events in the UK. In 2016 it held an outreach event in Manchester and two meetings with Irish welfare organisations and survivor support groups there. I recognise, as Deputy Maureen O'Sullivan said, that some groups may not have been reached. If there are access points that we should bring to the attention of Caranua, I am sure it will pursue those opportunities. I will draw Caranua's attention to the debate that we have had here and some of the issues that have been raised. I think there is a genuine attempt to improve and respond to these needs.

We opened applications for a new board back in January. It was organised under the Public Appointments Service, PAS. This week I received Government approval for the final appointment. There were some delays. Some of those offered positions did not accept them initially even though they had applied and that caused a delay. I am now in a position to appoint a full board. It is a mixture of people with experience on the board and new applicants who went through the PAS process, as Deputies would expect.

Clearly the legislation places a cap on the money. Based on the exchanges, it is clear that people felt it was unfair of Caranua to put a cap on amounts paid out to individuals at a stage when people had continuing needs. However, at this stage more than €60 million has been expended and more than 4,000 people have been supported. That is from a total application number of 5,800. There is an expectation that considerably more applications may yet come and will fall to be met from the funds. Caranua is making an effort to ensure that people who apply later than others will not be disadvantaged in getting support. That requires the board to try to balance the needs of those who have come forward already and made applications to it and those who may not yet have come forward to make their applications. The review will need to be mindful of that.

I thank the Deputies. I acknowledge this is an issue of continuing concern and always will be. The Deputies' motion, however, is unduly negative in its tone. I accept there is need for improvement and I will be demanding such improvement from the organisation as it sets out its new strategic plan for the years ahead. That is what will undoubtedly emerge from the review. There have been bad experiences and mistakes have been made. We want this organisation to support people. It needs to be recognised that it is providing very valuable support to many people.

**Deputy Thomas Byrne:** I propose to share my time with Deputies O'Loughlin and Eugene Murphy.

**An Leas-Cheann Comhairle:** Agreed.

**Deputy Thomas Byrne:** We welcome this opportunity to debate again what is a very important issue. I thank Deputy Connolly - despite her comments - for bringing this issue forward. It is welcome and needed. As the Minister said, it is being kept on the agenda by various Deputies. He is right that Deputy Clare Daly introduced a Bill and we had a useful debate then. Representatives of Caranua will appear before the Oireachtas Joint Committee on Education and Skills, which is chaired by Deputy O'Loughlin, to discuss the review. The issue is being addressed. I hope representatives of Caranua are listening to the dissatisfaction expressed here. Notwithstanding that we could not sign up to the Deputies' motion in its entirety, our amendment acknowledges there is dissatisfaction and calls on Caranua to address that and to deal with people fairly, expeditiously and efficiently. Clearly, that has not been happening in a large number of cases.

There are very serious issues, some of which are detailed in the text of the motion and have been outlined by speakers. In a debate such as this, it is important to stand by facts. Deputy Pringle's reference to money going to the national children's hospital is not helpful to the debate. As he said himself, it is not something he cannot back up. Sometimes in these debates there is a rush in to slag everybody off because it is seen as the right thing to do politically.

There is a recognition across the House that there is immense dissatisfaction with Caranua. We are all getting that from people dealing with that agency. As I think nearly every speaker has acknowledged and remembered, these are not simply

"customers" as described by Caranua; these are victims of serious abuse. The system, the State and the church have failed them dramatically, devastatingly and disastrously over many years. This is part of the response of the State - mainly - and the church to compensating people and to making right a wrong, which I do not think could ever really be possible. Sometimes that is not the perception Caranua gives when dealing with people. It is not the perception even when it is dealing with Oireachtas Members, as we often do with State bodies. We do not get the perception from it that this is a different or a special type of organisation.

The Independents 4 Change motion mentions getting free office space from the Office of Public Works, OPW.

I understand the intent behind that, which is obviously to preserve the fund for the residents, but there is no doubt that any fund of this type should be considered a project for a period to do a particular job given to it by the Oireachtas. There will be administrative costs. It is inevitable that there will be some administration. I assume everybody accepts that is the case. It is a question of, first, minimising those costs and, second, trying to make sure that the money is spent as expeditiously as possible.

We are prepared to wait a little longer for the review. We want to see it happen on schedule. A number of items concerning the Department of Education and Skills have not happened on schedule but this must happen because we are dealing with victims and we must keep repeating that. We are prepared to do that and to meet Caranua at the Joint Committee on Education and Skills. Anyone can attend the committee; it is not just for the members. We will examine the review when it comes before the committee and ensure that the recommendations of the Oireachtas are implemented and there is some scrutiny by the Department in that regard. We are prepared to wait for July. Our countermotion calls on the Oireachtas Joint Committee on Education and Skills to scrutinise the recommendations and engage with stakeholders including survivors. Deputy Fiona O'Loughlin can speak for herself but she has put that on the agenda of the committee recently and arrangements are being made in that regard. Our countermotion calls on Caranua to address the operational failures that have been identified in some of its service provision and administration. We make an explicit commitment to facilitating the passage of any legislative changes that are required to implement changes to eligibility or Caranua functions that are recommended by the review and approved by the stakeholders.

We want to be as constructive as possible in recognition of the suffering that has been caused. The assumption is that, generally speaking, the people who work in State bodies want to do a good job and look after the citizens of the country. A law should be introduced to ban the word "customer" from State bodies, local authorities and other such bodies. The assumption is that when people are dealing with citizens that they will try to do a good job. If they fail in that it is up to us to hold them to account. That is what this motion should be about and that is what we should be doing while, first and foremost, remembering the victims and keeping their needs as the highest priority.

I am sure the people in Caranua are listening to this debate. They need to redouble their efforts to make sure the money is spent on the victims and to bring this project to an end when the money is spent. As a secondary matter, Caranua must redouble its efforts when dealing with Members of the Oireachtas who may be representing victims who might not be in a position to represent themselves fully or ably due to their circumstances or for whatever reason. Members of the Oireachtas are entitled to do that. Our countermotion is not proposed out of any major disagreement with Independents 4 Change: we just felt that some of the emphasis in the motion was not supportable but we certainly welcome the opportunity to have the debate.

**Deputy Fiona O'Loughlin:** I commend the Deputy for tabling this motion and Deputy Clare Daly for her prior motion because we can never scrutinise such situations sufficiently. I say that despite the cynical comments of Deputy Connolly about my party, Fianna Fáil. I remind her and others that they do not have a monopoly on care and compassion. Fianna Fáil as a party is very compassionate and concerned about some of the unfolding stories in relation to Caranua.

This motion again sheds a light on a very shameful part of this country's history. The Ryan report of 2009 laid bare the full extent of the horrific treatment that was meted out to children who were placed in religious institutions. We cannot and should not ever forget that. The €110 million that was given to Caranua by religious congregations was supposed to enhance the lives of abuse survivors. The money was supposed to be spent on health and well-being, housing support, education, learning and development and in some small way to try to address the profound damage done to people who were placed in those institutions. We know that some 5,000 survivors of the possible 15,000, one third of eligible applicants, have applied to the scheme since January 2014.

I contend that issues became apparent as soon as clients began to make calls to avail of the support on offer. I and other Members have heard of significant communication issues, namely, calls unanswered and not responded to, application forms delayed for months, non-allocation of case managers and case managers being changed frequently and a lack of clarity on entitlements. They are just some of the issues of concern that have been raised. It became apparent quite quickly that the organisation had commenced dealing with survivors without sufficient processes and procedures in place.

I have spoken to many survivors and heard that old feelings were then triggered such as not having a voice, not being worthy, not being deserving of help and respect and feeling fearful and intimidated. Caranua rightly provided counselling for survivors and one of the issues the counsellors are dealing with relate to the experiences of survivors with the agency that was established to support them. It is shocking to think that the fund established to support individuals has in many cases resulted in further trauma to an already vulnerable group of individuals.

Serious concerns have been raised regarding the administration of the fund. We know that some people have been left waiting up to 18 months for cheques to be paid. Survivors of institutional child abuse have rightfully queried why the administration costs are being paid out of the general compensation fund. They feel that money set aside for them is being unnecessarily squandered on administration costs. There are serious concerns that the increasing administrative costs will reduce the dwindling redress funds available to survivors. The introduction of new, complicated and confusing guidelines for survivors and the seemingly arbitrary €15,000 limit on payments have caused significant problems and that should be acknowledged. Survivors describe themselves as being re-traumatised by the body because of the issues I have outlined and many survivors feel that Caranua has failed in its core duty to assist them in living full and dignified lives.

Survivors have spoken to me about feeling intimidated, not respected, upset and traumatised. One of my constituents, a man whom I know for many years, is a survivor of an industrial school. He put his past behind him, worked hard and raised a family all the while keeping the trauma of his childhood to himself so as not to burden his family. He phoned a helpline having watched a documentary on the redress scheme and now considers it the worst thing he ever did. Engaging with the

redress system felt like abuse all over again because of the manner in which he was treated and he felt re-traumatised by the whole experience.

The ongoing review of eligibility and of approved services for Caranua needs to be completed and then considered by the Joint Committee on Education and Skills, which I chair, together with the views of stakeholders. I cannot over-emphasise the importance of getting the views of the stakeholders. Full consultation with the survivors is required. The review must address the operational failure in its service provision and administration. Survivors should be consulted in a meaningful way and the process should be survivor-led and survivor-centred. Only in that way can we help to restore the dignity of survivors in a fair, compassionate and respectful way.

As my colleague, Deputy Thomas Byrne, outlined, Fianna Fáil's countermotion calls on the Joint Committee on Education and Skills to examine the recommendations of the review carefully and to engage with all stakeholders. Caranua must fairly and efficiently provide support and services to all survivors of institutional abuse and acknowledge and address the dissatisfaction with some of its operations. I will hand over to my colleague, Deputy Eugene Murphy.

**Deputy Eugene Murphy:** I want to acknowledge the motion that has been brought forward and the work of Deputies Connolly and Daly and of Deputy O'Loughlin from Fianna Fáil. I am not going to go bashing anybody but this issue is discussed quite a lot by our party and we have dealt with people who have been victims of such abuse. No Deputy in the House has a monopoly on these issues, so to portray Fianna Fáil as a party that does not care about this issue or does not do any work in the area compared to others is just not fair.

While Fianna Fáil has submitted an amendment on this motion we also have our own counter motion, as Deputies O'Loughlin and Byrne have said. I believe there are elements of the motion that have real merit and there are many positives to it, especially the proposals to consider streamlining the process, to provide face-to-face appointments with applicants, to draw up a new survivor-led customer charter and to establish and clarify a system of appropriate oversight of the operations of Caranua. All of these recommendations are welcome, but it is important that we await the review of Caranua's eligibility criteria. This is ongoing and due in a very short time, hopefully in July. Yes, there may be a need to expand the eligibility criteria for Caranua and its services but we should wait to hear the recommendations of the statutory review, in conjunction with the stakeholders' views, before supporting specific proposals to expand eligibility.

We all know that reviews cost money and we should at least wait to see the outcome of the current review process before establishing another overlapping, duplicative review. It is very important in the process in which we are now engaged to get this right because there are situations and difficulties. I recall a recent article in *The Irish Times* about Caranua. The article specifically referred to what Caranua's guidelines said: "We will listen to you ... we will treat you courteously [and] fairly ... and [will] apologise if we get something wrong and do our best to put it right." These are the guidelines that are set out by Caranua.

Fianna Fáil's counter motion makes an explicit commitment to facilitate the passage of any legislative changes required to implement any reforms to eligibility and Caranua functions, which may be recommended by the review or as part of the stakeholder engagement. We must remember that the function of Caranua is to provide support to people who, as children, experienced abuse in residential institutions. Those institutions, many of which were run by religious orders, were funded and regulated by the State. Of the €110 million that has been pledged to the

scheme €56 million has been expended in the support of more than 4,000 eligible former institution residents. It is imperative that we do nothing that could jeopardise or impact the 4,000 former residents who are in receipt of funding or services, or to deplete the funding pool for the approximately 15,000 people who are eligible.

Let us not forget that we are talking about not just numbers and figures. These are real people who have been left with a huge heartbroken void in their lives. These are people who suffered horrific abuse by the very institutions that were supposed to protect, nurture and take care of them. I would be fearful that some of the proposals in the motion today could have unintended consequences and need, therefore, to be scrutinised very, very carefully. For example, one proposal seeks to expand eligibility for the fund to include former residents who have not previously sought a settlement. The Department states that this amendment would mean that anybody who had attended a residential institution would, technically, be able to apply to the fund. There is no way of knowing how many potential recipients this could include. This could overload the scheme. It could also deplete resources that are earmarked for existing survivors and services provided by Caranua. Everybody agrees and accepts that something needs to be done, but whatever we do, we need to get it right.

**Deputy Carol Nolan:** Gabhaim buíochas leis an Leas-Cheann Comhairle as ucht an deis seo a thabhairt dom labhairt ar an topaic seo. I confirm that Sinn Féin will be supporting the motion proposed by Independents 4 Change and I commend them for raising this issue for debate. It is an important issue that details the harrowing experiences of too many people in the State.

I attended a briefing today. One of the speakers was a co-founder of the Aislinn Centre and is a survivor of institutional abuse, Carmel McDonnell-Byrne. She pointed out that regression was evident in the people after dealing with Caranua and very often many of these survivors reported that they felt suicidal. Serious questions must be asked of Caranua, an organisation that is supposed to support these people, for what it has done to them. We must challenge the wrongs and put them right.

I am extremely disappointed that the review of the terms of eligibility for the redress scheme has been delayed. This review was to take place within two years of the establishment of the fund and it is a crucially important issue for survivors. Many survivors have been excluded from making a claim under the redress scheme as it stands. I see absolutely no reason why categories of survivors are excluded. These people have suffered shocking abuse and neglect from seeking this redress, which they should be able to seek. This must be addressed immediately and the eligibility criteria broadened to include survivors of other institutions. Sinn Féin fully supports the calls for this review to be established and to report within a three month timeframe.

We need to tackle the bureaucracy and red tape that is proving to be a barrier for many survivors in accessing supports under the fund. The difficulties encountered by survivors in seeking redress cannot continue and need to be addressed urgently. These brave, strong and courageous people have been failed by the State on too many occasions and it cannot continue. They should not have to battle now to access redress under the scheme.

I also echo the sentiments of colleagues on the National Children's Hospital. While Sinn Féin fully supports the development of the National Children's Hospital and hopes it will be completed without delay, we strongly believe that it should be funded by the State. There should be no question of using survivors' funds to build the National Children's Hospital. While it is likely that the fund will be exhausted, the provision that any remaining funds would be put towards the National Children's Hospital should be removed from the legislation, for the purposes of clarity.

It was reported in this week's media that Caranua has allegedly used a significant sum to provide for office premises. It is my understanding that the legislation requires the body to seek the approval of the Minister prior to entering into any contract. We need clarity as to whether the Minister is aware of the details of any agreement and if he has given approval for such an agreement.

Sinn Féin supports this motion, which seeks to ensure that funding for the day-to-day operations of Caranua will not be taken from redress funding for survivors. Many survivors of residential institutional abuse have such difficulties in accessing redress funds to help them move on with their lives and it is an absolute insult for them to know that this money is being spent on operations for Caranua. There is a clear need for oversight of the operation of this fund. The fact that Caranua has been allowed to operate in the absence of a governing board is simply not good enough. A new board must be appointed immediately and clear accountability arrangements put in place to ensure that the funding is being used for its intended purpose. The abuse survivors who sit on the board should be listened to on this new board.

It is my understanding that this has not been happening to date. We must learn from the mistakes of the past and put in place the right supports to help survivors move on with their lives. I hope this motion will send a clear message to survivors that they are not alone and that we will stand with them. I encourage all Deputies to support this motion.

**Deputy Kathleen Funchion:** I commend Deputy Connolly and her colleagues in Independents 4 Change on bringing this motion to the House. This is an important issue of concern to many of us. As stated by Deputy Nolan, Sinn Féin supports the call for measures to include an immediate review of the operations of Caranua and for negotiations between the Department and the OPW on an appropriate solution that will not incur a cost to the survivors' fund, the latter being absolutely crucial. It is important to emphasise that Caranua is an organisation set up to serve and address the needs of those affected by atrocious crimes and abuses in this State. It exists to provide a service and to administer State funds and there should be no confusion about that.

During my time as a councillor prior to my election to this House and during my time since as a Deputy, I have often questioned the role of Caranua. My experience with the organisation on behalf of constituents has been extremely negative. Frequently the response from the organisation is that survivors are not eligible for this or that. Regardless of what a person is applying for he or she seems to fall outside the criteria. No appeals process is evident and it is not possible to meet with anyone to discuss an issue. Only last week, in response to representations on behalf of a constituent, I received a lengthy form to be completed by the constituent to confirm it was okay for me to deal with the matter on behalf of that constituent, with no consideration having been given to whether the person concerned had a difficulty with reading and writing. I am delighted that Deputy Connolly has brought forward this motion. It is time we started discussing this issue.

Given the manner in which people are being treated by the system, it is not appropriate to refer to it as part of a healing process. The overall attitude of Caranua needs to change dramatically. The tone and language used by the CEO in the past epitomises the ethos of the organisation. The message that comes across is one of "get over it and move on", which, unfortunately, is the way we deal with everything in this country. How many times have we debated mother and baby homes, the Magdalen laundries and so on in this House, all of us using words such as "terrible" and "horrible" in that regard yet we are allowing similar things to happen. This is

happening under our watch. We need to ensure change is brought about. This can be done if Deputies support this motion tonight.

I fear that Caranua to date has become a self-regulating system with little accountability. Unless the recommendations in this motion are acted on, the overall reputation and operations of Caranua will remain questionable. I urge all Deputies to support this motion.

**Deputy Donnchadh Ó Laoghaire:** Caranua was established to manage €110 million pledged by religious congregations to support survivors for the remainder of their lives. It has emerged in recent days that there are a few discrepancies in how this money has been spent, with funding allocated to provide services to survivors having been spent on rent of a premises by Caranua. It is my understanding that the Committee of Public Accounts received a letter stating that Caranua had paid €50,000 to the OPW in the past year towards rent for office space and that it owes a further €56,000 in that regard. Despite this, there have been claims that Caranua has spent nothing in the past year on rent for office space. This has created some confusion. I understand from reports that the CEO wrote to the Committee of Public Accounts on Monday of this week asking that the record of the Committee of Public Accounts meeting of 13 April last be corrected. The CEO stated in that letter that she had stated Caranua had rent-free accommodation from 2013 to May of this year. She noted this should have been stated as May of last year and was a mistake in her delivery of the information. Members will make of that what they will but the Committee of Public Accounts was presented with false information.

The CEO has clarified the conflicting remarks and has confirmed that Caranua has paid €50,000 to date and arrears of €56,000 are outstanding to the OPW. We need clarity on this issue. Will the Minister provide clarity on what was and was not paid from 2013 onwards, as this is central to the wider debate on why rent payments are made from the fund allocated to supporting survivors? Does the Minister believe that he and his Department have been sufficiently robust in the oversight of the organisation or have they been asleep at the wheel? Why is Caranua paying rent to the OPW? It is wrong that the Departments are unable to work out a deal given the enormous estate they own in terms of properties. The fund is specifically for survivors. It is important to point out that Caranua is no ordinary public body. Many public bodies provide essential services that are funded from resources provided to them by the State. The fund about which we are speaking is intended for survivors and the manner in which it is being spent is wrong.

I note the amendment presented by the Minister contains a commitment to carry out a review of the eligibility criteria. We need a timeline in that regard and clarity on whether further survivors are to be included. I share many of the reservations and concerns expressed. I have heard many stories from constituents on their frustration at the service they have received from Caranua, the arbitrary cap being a significant issue. In common with the mother and baby home inquiry, there is a lack of opportunity for people to have their voices heard by Caranua. It is wrong that survivors are being forced to deal with paper-only bureaucracy and that they do not have the opportunity to discuss their cases and needs.

**Deputy Gino Kenny:** I welcome the motion brought forward by the Independents 4 Change in regard to the operations of Caranua. I knew little about this organisation up to six months ago. I now have a lot of information about it, including in relation to the recent briefing. In my view, Caranua is not fit for purpose at this point in time. The survivors for whom the organisation was set up to assist have been met with belligerence and confusion in terms of its operations. Caranua was set up to financially compensate survivors for the grotesque violence meted out to them at a

particular time and to give them justice but in my view, it is being run like a business. The inner workings not of Caranua but the board are bizarre. As stated by Deputy Funchion, the CEO of Caranua made an extraordinary statement recently that was very demeaning. While she has since retracted that statement, it is indicative of the inner workings of Caranua.

The survivors were systematically abused in the past and are now trying to get justice. Hopefully they will get it. I welcome this debate, which throws up many questions about the organisation. Hopefully, people will get some sort of justice, as well as clarity on Caranua.

**Deputy Mick Barry:** I will start my contribution with a simple question to the Minister. In regard to the €110 million fund, what interest has built up on it in the intervening years since it was established and is that interest being added to the fund for the survivors? If not, why not? I would appreciate an answer to that question.

Why does Caranua not pay people a lump sum, similar to a pension? As far as I am aware, a person has to jump through many hoops to qualify for a payment.

My understanding is that, in order for funds to be disbursed, they must be for health or well-being, housing support, education, learning or development and cannot be for something that has already been bought, for something which is not recommended by a professional or for ongoing costs such as rent, mortgages and so on. There seems to be a presumption of irresponsibility and this is wrong. There almost appears to be a presumption of criminality. Why not give these people a lump sum? Why not give an annual lump sum - something like a pension - payable twice a year? We might not know how many people will be involved in the scheme but the scheme will only last for a number of years and the numbers should be easy to calculate - one could even err on the side of caution. The criteria are very narrow and often rigidly applied. For somebody who suffered in a Magdalen laundry, the act of washing clothes and putting them on the line brings back all kinds of memories. It would be a positive thing to be able to buy a washing machine but it would not be easy to do so under the rigid criteria that have been set out.

Major questions have to be asked about the way survivors who apply are being treated. Deputy Gino Kenny referred to the comments of the chief executive, who called them "these people" and said they were damaged and would never be happy. I welcome the fact that those comments were withdrawn at a meeting of the Committee of Public Accounts. Her comment about funeral arrangements, however, was of more concern to me. Caranua can apparently give up to €5,000 to a funeral director to provide a decent burial for survivors when their time comes but it was revealed that some - very few - had approached funeral directors to ask for the €5,000 to be released to them for weekly or monthly expenditure. Why was that revealed? Was there an attempt to make out that the survivors are feckless and undeserving? It is completely understandable that survivors would have approached funeral directors in that way. If people live in conditions of hardship and poverty it is entirely understandable and I cannot understand why the information was made public. It was wrong to do so. There is no privity of contract and I do not think that, if €5,000 is given to a funeral director and the funeral director goes out of business, the family of a survivor who has passed away has a claim over the money. Perhaps the Minister will clarify that.

I know of two survivors who did not have the skills of reading and writing and who went to another survivor who did have those skills. The latter went to Caranua and asked to fill in the form on behalf of the former but he was laughed at, which is a disgrace. I understand that a U-turn was announced at the Committee of Public

Accounts meeting and that, in future, a third party will be able to fill in a form in this way. I welcome that but it should not have happened in the first instance.

Under section 10, the Government can instruct the board of Caranua as to things that should or should not be done. Given everything that has happened, the idea that the new board, which I welcome, should report to a committee of the House is progressive and positive and serious consideration should be given to it.

**Deputy Michael Healy-Rae:** I thank Deputies Connolly, Broughan, Joan Collins, Clare Daly, Maureen O'Sullivan, Pringle and Wallace because this is one of the most important Private Members' motions to come before the Dáil. The motion hits the nail on the head. I have had personal experience of dealing with individuals who had made contact with this organisation. I wondered if the bad experiences I had were just one-off instances or whether the reason I did not get on so well with my cases was down to me. When I saw the motion, however, I realised that it is a real problem so I was very glad the Deputies brought it forward.

An individual I knew in County Kerry made an application for funding for necessary works to a house, the condition of which was unimaginable. I was contacted to deal with the matter and intervened but the obstacles I met were frightening. The person in question was living in conditions in which one would not allow an animal to live. I thought Caranua would be responsible, proactive and workmanlike. All I want from people, whether a politician or someone in any other job, is that they work. However, the people with whom I spoke on the other end of the telephone had a hopeless and pathetic work ethic. If they were working for me, I would sack them and I would not pay them their wages for the following week. We are all paid to do a job but I found myself waiting and waiting. I tried dozens of times to get through to the relevant persons in Caranua but I often failed to do so. As the motion points out, there was a significant turnover of staff. In the case to which I refer and which upset me greatly, the person responsible for dealing with it changed on two or three occasions. When there was a change of staff, I was back to square one and there was no such thing as a file at which they could look, to see the pictures and the case history that we had carefully provided. We did our side of the job perfectly well and they just had to get off their backsides and deal with it. Instead, there was obstacle after obstacle. If my case is an exemplar of the general issues, then there is a serious problem with this organisation.

The survivors went through enough hardship and they should not be faced with such poor delivery of service from an organisation that is there to assist them and bring some ease to their lives. People who are vulnerable and have gone through these awful situations may have complicating factors in their lives. It is similar to a car going off course. When that happens, it is difficult to get it back on track. These people had a very tough beginning and now they are being let down by the very organisation that was set up to help and support them. I support the motion and I thank the Deputies for bringing it forward.

**Deputy Mattie McGrath:** I compliment the proposers of this motion. I, too, have had many constituents who were shabbily treated.

This redress process is intended to help people who suffered in the past. This organisation, like so many other quangos in quangoland, has a chief executive and a plethora of offices. It is renting new offices and suites of offices. We have to stop this. I discussed the issue of the different advocacy agencies and the CEOs and chairmen with the Minister of State, Deputy Finian McGrath. We are sick and tired of this. The redress process must be about the victims. I fully support the motion.

The Minister said earlier that he would pass on the comments, sentiments and emotions expressed to Caranua. He should take charge and instruct it to spend the money on services for the unfortunate people who have suffered enough, rather than renting offices or setting up suites of offices or paying a CEO and so on. This country is contaminated; it is like a disease. There is an epidemic of CEOs and chairmen and boards and so on. We need a bit of humanity to deliver a service to people who deserve it. Funding for Caranua comes from many places, including the redress board, the Catholic Church and elsewhere. Let it be given to the people. People are in tears because they ring up and get a case officer and then the case officer cannot or will not take a call from them. It is a bureaucratic jungle and it must be changed. I want the Minister to take charge and wrest back control from these career people who are looking out for jobs to set up whatever new organisation or quango comes into being. I am talking about the chiefs, not the ordinary people answering the phones or the dinner people. They become chiefs overnight, get aloof, go for the fancy offices and think they are untouchable and can spend money whatever way they like. They rent nice fancy offices with fancy furniture, they travel and they have meetings, conferences and so on. It should be about the victims. For too long, the victims have suffered. We must get rid of this and stop it and get some kind of a mechanism to stop the spread of quangoland that has become an epidemic in this country. This is one place it should not be.

**Deputy Seamus Healy:** I welcome this debate and confirm my support for the motion. I thank Independents 4 Change, and Deputy Connolly in particular, for bringing forward the motion and I commend them on it. I fully support the motion, in particular the call for a root-and-branch review not just of the criteria and policies of Caranua but also its operation. Based on what we know of the conduct of Caranua and its interaction with survivors, that is absolutely required.

The motion says that Dáil Éireann recognises that "the statutory body Caranua has, to date, failed a large number of applicants in providing adequate access to the Residential Institutions Statutory Fund" and "the high number of complaints and reports of dissatisfaction and negative experiences from applicants to that fund". That is the nub of the issue. Survivors with whom I have been in contact have had universally negative experiences in their contact with Caranua. They have encountered a particular attitude, hostility and been subjected to confrontational questioning. They feel that they are treated as a nuisance. In many cases, their contact with Caranua has led to further trauma for them. A significant number of complaints have been made, most of which relate to disrespectful behaviour, poor treatment and dissatisfactory communications with survivors. A survey indicates that 61% of survivors have rated their experience with Caranua as extremely negative and 21% as negative. One survivor commented that dealing with Caranua was like being back in an institution and that at least in the institution one knew who the enemy was, whereas with Caranua the enemy is faceless. That is the type of reaction of survivors who have contacted me regarding their communication and contact with Caranua. There have also been significant delays. Survivors say that the level of service was always poor but has become more negative and stressful. Communication with survivors has been less than adequate. There has been a lack of confidentiality and privacy in that regard. Survivors feel they have been re-abused through their contacts with Caranua.

Clarification is needed on the issue of rent and whether it has been paid. There was some confusion in that regard, although things were somewhat clarified when representatives from Caranua appeared before the Committee of Public Accounts. Was the Minister's approval sought in respect of the rental contract and the payment of that rent? If approval was sought, was it granted? What were the surrounding circumstances?

There have been several serious and unacceptable breaches of the legislation. That needs to be urgently reviewed. The failure to review Caranua after two years of operation was a missed opportunity which survivors have paid for in recent years. Survivors who contacted me regarding this issue gave the impression that there is attitude and hostility in dealing with survivors and also an element of chaos in the operation of Caranua.

There is currently no board, oversight or governance of the organisation. Even when the board was in existence, there was a lack of oversight and governance of the operation of Caranua. The board is supposed to comprise nine members, four of whom are survivors. In the context of the operation of an organisation of this nature and in light of the funds available to it, I am of the view that survivors should be in a majority on the board.

I confirm my support for the motion. I call for an urgent review of the operation of Caranua and the criteria relating to its governance. I ask the Minister to clarify the situation in respect of the rent payment and whether approval was sought and received for that rent.

**Deputy Clare Daly:** I salute the efforts of Deputy Connolly in strongly and determinedly pushing this issue. It is quite incredible that Deputy Bruton is the third Minister for Education and Skills to whom we have had to highlight the shortcomings of Caranua.

The scheme as it presently operates is re-traumatising people. We have to put a stop to this tonight. When we raise issues and concerns in here, there should be corrective action as a result. I find it shocking that when we discussed this in March when my Bill was before the House, everybody on every side - including the Minister - agreed that there were problems with the operation of the scheme and that the message had to go out loud and clear that this needed to be corrected. What happened after that? It was after this that the CEO of Caranua went on the airwaves and caused such trauma and offence to people, lacking empathy and displaying an incredibly negative attitude to survivors. I reject the point made by other Deputies that the point was corrected afterwards. It was not really retracted. The views demonstrated the continued entrenchment of the poor attitudes that other Deputies have articulated so well.

I am quite sure that Rhona in my office, who deals with many of these cases, would have great sympathy for the case outlined by Deputy Michael Healy-Rae because those types of stories are ones with which she deals on a regular basis. There are long delays, people are denied access and there are issues with the offices, among other problems. So bad is the operation of this scheme that there were reports in the media this week of William Gorry, who has said that he will take out a loan to repay the money he got from Caranua because he is so traumatised by the treatment he received and the public comments of the CEO. William rang my office this morning. He is very down. His entire life has been adversely affected by the abuse he has suffered. He has trust issues, and he says that his quality of life is so poor that he wonders why he is still alive. Imagine picking up the phone and saying that to some stranger in an office? He finished the phone call and took the opportunity to write down his story and asked me to inform the Minister about it here tonight. He sent in an email after the chat this morning. He said:

I am a 51 year old gay man, visually impaired. As a child in Mount Carmel Industrial School, Moate, County Westmeath, I suffered horrendous abuse, verbally, physically, sexually and emotionally. The institution and the State

failed me in not receiving love, care, nurture and education. I wasn't equipped with the tools for the outside world. As an adult on a blind pension I am restricted in having any type of a life. On leaving care I have been through hell. Carrying the horrendous abuse of my childhood, I have been plagued by the memories of what happened to me as a child and the humiliation of failures and lost opportunities in adulthood. I haven't been able to live up to my full potential, to form or maintain friendships or relationships. This has caused me huge sadness and embarrassment. On leaving care I should have been able to enjoy happiness, good health, lots of friends, safe in the knowledge that there was a good path ahead of me - love, care, a good job, a partner, maybe a marriage - but this was sadly not to be. I have been treated harshly, abruptly by Caranua, and the remarks of its CEO, Mary Higgins, have devastated and hurt me emotionally and caused me huge pain. Minister, [William says] at this moment and for quite some time my life is lonely, miserable, restricted, fearful and painful. I seem to carry and wear all my life sufferings, not being able to move forward. It seems the State lives my life and not me. The last while I really wonder is it best that I didn't exist at all. I wish I never had to describe myself or my life like this. Minister, maybe you could consider meeting me and allowing me to express how broken I am and how empty my life is. William Gorry, survivor.

We have had so many stories like that and so many people have called our office in tears, talking about their abuse and what happened to them when they contacted Caranua. Comments such as "Couldn't you have got a cheaper Hoover? You could build a mansion for that price. This isn't a sweet shop, you know". We have heard stories of people being physically questioned in department stores as to what institution they were in. This was supposed to be a process that was a straightforward way of helping people who were hurt by our State and church. It was supposed to be part of an acknowledgement and an apology for what was inflicted on them. Let us remember that every time these people fill in a form or speak to a stranger on the phone or send letters or emails they have to relive and remember the abuse, the violence, the fear, their own lack of power, the lack of protection and how badly let down they felt. They actually have no obligation to explain themselves to anybody and we should not be putting them in that position.

There are a couple of specific issues that I want to raise. The problems in many cases are caused by the decision to limit face-to-face meetings. The Government's amendment has partially addressed this but it is not enough. The main method of communication, via phone and email, is hugely problematic. It is very impersonal. It keeps survivors at arm's length. There are long periods when there is no communication at all and if one is not meeting another person, it is hard to read their body language or really get to know them and help them properly. There is a better way of doing things, and I argue that at least 70% of Caranua's staff application advisers should be deployed on a face-to-face appointment basis four days a week, seeing on average four clients a day. On the fifth day of the week could be a follow-up on paperwork. The face-to-face visit could be a home visit or an appointment to an outreach surgery if the person was vulnerable. If ten Caranua advisers were deployed in this way, 40 people a day and 160 per week would receive proper face-to-face support. In ten weeks it could see 1,600 survivors, whose issues would have been dealt with via a serious level of contact on a level that the person could appreciate. This would go a long way to breaking down communication barriers that are hindering the interactions with survivors and would in that way assist in the reconciliation process. It would enable swift and clear responses and explanations being given directly to the survivors. It would be an important point of contact where

they could get advice and support on other services specific to their needs. It would enable it to act as a gateway to other mainstream services. It could allow families and other representatives of survivors to accompany them to the appointment, to help with the explanation and de-stress some of the experience. It would certainly enable Caranua staff to develop an awareness and understanding of what some of these people have gone through. In that sense, face to face is a key part of this motion, and it would compensate for the imbalance of power that survivors often experience when they communicate with professionals. They are called professionals but in the real meaning of the word have not been professional at all.

Certain groups of people have raised particular concerns about the quality of information being provided by Caranua. One of these is the deaf community. The Irish Deaf Society feel that deaf people are at a disadvantage in this process. The clinic held by Caranua at the Deaf Village in Dublin is held once a month on a weekday and during working hours. This obviously limits the ability of people to interact. It is inadequate in terms of its frequency. They cannot pick up the phone and talk to somebody and get the information afterwards. They require face-to-face meetings. On balance that should have been addressed before now. The Irish Deaf Society first made contact with Caranua in 2012 and stressed the importance of making Irish Sign Language translations available. It has taken almost four years for the videos to appear online so that people can get the information. That is four years were people have missed out on a chance to get involved. As mentioned by other Deputies the group of survivors in the UK are also at a significant advantage. It is worrying that less than 20% of applicants are from the UK when we know that over 32% of applications to the redress board were based in the UK.

The scheme is three and a half years old. There are people who applied in January 2014 who have received no payment. That is utterly shocking. It has a staffing bill that has risen to €1.5 million per year. Some €2 million is being spent on agency staff. God only knows what is going on. The office has consultancy bills for Capita and Mazars for over €180,000. This is happening while survivors are struggling. The review is long past its date and it needs to be carried out with absolute urgency.

A strong message needs to be sent on this issue. It has gone on for far too long.

**Minister of State at the Department of Health (Deputy Helen McEntee):** I am pleased to respond on behalf of the Government and in support of my colleague, the Minister for Education and Skills, Deputy Bruton, and to speak about Caranua, the services it provides and the concerns that have been raised. Many individuals suffered horrific abuse when, as children, they were placed in industrial schools and other residential settings. Successive Governments have put in place strategies to support former residents through the provision of services including counselling and educational supports. I have heard many of the contributions to this debate on the motion. I appreciate the sincere and genuine interest of all contributors in the need to ensure those who suffered abuse as children in residential institutions receive the support that they require.

I am aware that concerns regarding Caranua have been raised in the media and in this House. The Minister, Deputy Bruton, has met survivors himself and I know he appreciates their concerns. I believe it is vital that the State, in all its dealings with victims of abuse, ensures survivors are always dealt with in a sensitive, fair and compassionate manner. While there have been difficulties which we all recognise, Caranua has got many things right. It started virtually from scratch in 2013 and began to design a scheme that would support individuals who have complex needs

and who live in every part of the country and overseas. Caranua began to accept applications in early 2014 and has to date received more than 5,800 applications. It has paid €60 million in supports to more than 4,000 former residents. Due to reasons of confidentiality, it was restricted in directly contacting eligible former residents and was required to rely on advertising and marketing, including through the good offices of many bodies and organisations.

Caranua's aim is to provide a responsive, friendly and professional service. It drew up criteria and guidelines and amended those in 2016 in the light of experience and feedback from applicants. It expanded the range of approved services it could support last year to include funeral costs and certain other areas of support, indicating a willingness to take on board the views of applicants. The organisation welcomes feedback and has addressed complaints through its customer service charter and its feedback and complaints policy which may be accessed via its website. However, it would be helpful for Caranua to review its current customer charter, in consultation with survivors, ensuring that the principles of equity, consistency and transparency are at the heart of all its activities.

There are a number of avenues available to individuals who are dissatisfied with the service they receive from Caranua, including a complaints and feedback process, an appeal to an independent appeals officer and review by the Ombudsman. It is, of course, also important that Caranua seeks to improve the level of engagement with and service to those whom it is there to help. The Minister has recently approved a proposal whereby two new appeals officers have been appointed to replace the outgoing appeals officer. It is hoped that this will lead to speedier decisions and will clear the backlog of appeals that has built up.

Caranua was set up as an independent body under law. The 2012 Act sets out the respective powers and function of both Caranua itself and the Minister. The motion appears to call on the Minister for Education and Skills to use Exchequer funds to meet costs associated with Caranua's office accommodation. That is not allowed under the provisions of the 2012 Act. The motion also seems to suggest that section 43 of the 2012 Act should be removed. That provision has nothing to do with Caranua. The 2012 Act caps Caranua's funding at €110 million. Section 43 provides that any additional contributions, that is, contributions other than those that form the €110 million, will go towards the cost of the new national children's hospital. I understand there is at least one commitment by a congregation to make such a contribution and the Minister remains hopeful that other congregations will augment their cash contributions. The retention of section 43 is therefore very important. As I said, it has no bearing on the funding available for Caranua or for the survivors. The Minister, Deputy Bruton, has also announced a consultation on proposed draft terms of reference for a review of eligibility for Caranua. The outcome of that consultative process will be published shortly. The review of eligibility will be completed this summer.

The Government's amendment to the motion represents a balanced approach. It acknowledges the suffering of those who were abused and the steps taken already by the State to support them. It acknowledges also that many former residents have ongoing needs. It notes the progress being made by Caranua, including the support it has provided to survivors residing in the United Kingdom. Various meetings and outreach events have been held in that respect. Granted, the message has not reached everybody, so those efforts will continue. It notes various developments in respect of Caranua, including the fact the range of approved services was extended in 2016 and that progress is being made in regard to the eligibility review. It also notes that section 43 of the 2012 Act must be retained as it is an important provision

that will facilitate additional contributions over and above the €110 million earmarked for Caranua, going towards the new national children's hospital.

As the Government amendment to the motion states, it would also be helpful to survivors if Caranua could provide a greater level of face-to-face engagement with survivors and applicants, particularly after the organisation moves into the new office accommodation which will be more suitable for this kind of activity. Caranua should continue to provide regular statistics to the Department of Education and Skills and the public on waiting times for processing and communicating decisions. To date, €97 million has been received into the fund. I am informed that the balance of the €110 million is expected to be received by 2018.

The Government amendment to the motion is a fair statement of the current position in respect of Caranua and it addresses in an appropriate manner a number of important matters. To touch on one or two issues that have been raised in respect of rent, the legislation is very clear that the administration costs must come from the fund. The Minister will consider the rent agreement when it is submitted to him. The policy regarding accommodation is, of course, a matter for the board and the new board will be announced later this week. In respect of the review, the terms of reference have been published. I know that Deputies Daly, Nolan, Byrne and many others have submitted comments on it. The terms will be finalised shortly and the review will proceed without delay.

I commend the Government amendment to this motion to the House.

**Deputy Joan Collins:** I welcome the motion proposed by my colleague, Deputy Catherine Connolly. I am glad that Independents 4 Change and other Deputies are supporting it. The motion should probably have come sooner. When these matters were being debated in 2012, there was disagreement about how the €110 million should be utilised to support survivors who were subjected to abuse over the years in State and religious institutions. There was a suggestion that the money should be administered directly to people rather than setting up a body that creates administration costs and that sets down criteria and makes people go through processes. It was argued that it would have been much better just to pay the survivors directly out of that fund. Deputy Barry has raised some of these issues.

However, the Government's view in its wisdom was that Caranua should be set up. About three people have come to me over recent years because of difficulties accessing services through Caranua. While we supported them as much as we could, we were never really able to get to the bottom of it. I spoke today to Carmel McDonnell-Byrne, the director of the Aislinn Education and Support Centre Dublin and herself a survivor of institutional abuse. She said that people coming to her are traumatised by the process of applying for and accessing services, explaining about themselves, why they needed the services and so on, only to be told that they could not access them. I also want to mention Fionna Fox, a solicitor and advocate for survivors since 2015. She originally worked for the Aislinn centre. Everyone should read the report she wrote on survivors' dealings with Caranua.

From 2015, Caranua refused to process outstanding applications and overnight hundreds of applicants were cut off from the fund. This policy is still in force. Caranua had no legal right to authorise the board to refuse to process applications from eligible applicants. Certain applications are being put on indefinite hold due to the prioritisation policy. The board does not have the authority to refuse to process applications from eligible applicants as its primary function is to accept, process and determine applications by applying the criteria set out in the guidelines. This is a clear example of Caranua exercising its discretion in an unlawful manner. In respect

of the cap, no reasons were given for the setting of the limit at €15,000, nor was any more information provided as to the reasons for the internal audits concerned.

It is not clear if the internal auditor had read the legislation governing the operation of the scheme. Otherwise, the auditor might not have made the recommendations that defeat the primary objective of the scheme and that are *ultra vires*.

It is understood that Caranua commissioned an actuarial report that placed the likely number of eligible survivors who are still alive at closer to 7,000 rather than 15,000. The number of applicants to the fund has now reached 5,500. Only 545 applied in 2016. No limit is allowed in the Act even if a limit were to be considered necessary. However, given the slowdown in awards and the deadline in the number of new applicants, it is not understood why this policy is being implemented aside from a general concern that the money would run out. This fact was known since the inception of the scheme. In a nutshell, Ms Fox has pointed out that once the money runs out, the scheme will close. That is a fact.

A total of €55 million has been handed out already. A total of €5 million has gone on administration costs, contracts and so on. Will the Minister confirm whether he cleared the contract with Mazars and other private contractors as well as the rent? That happened last March. We need clarification on that.

A key point in our motion is that there needs to be face-to-face contact. I note that the Minister referred to face-to-face engagement but he referred to a greater level of face-to-face engagement. We are saying there has to be face-to-face engagement. There is no other way around this.

I hope Members will support the motion. It is important that our motion goes through because it really deals with the issue.

**Deputy Catherine Connolly:** I thank the Deputies who have passionately supported the motion. The Minister suggested this was an unduly negative motion. My reaction is to point out that is a continuation of the terrible attitude that has always in applied in this country. It is a patronising attitude that immediately seeks to isolate the group or person who have highlighted complaints. I have endeavoured, as have my colleagues, to make this as positive as possible. There were calls for the resignation of the chief executive. We endeavoured not to go down that route for the moment and rather to make it as applicable to as many people in the Dáil as we could.

Fianna Fáil has failed in this regard. I have supported many Fianna Fáil motions. I do not think the Fianna Fáil Members have read my motion or the Independents 4 Change motion, which is a general motion calling for a review not only of the criteria but of the operations of the scheme.

The negativity attributed to me by the Minister does not arise from me. It arises from complaints from the survivors who are enduring abuse in our name in the Dáil. The Minister referred to teething problems. This organisation is old enough to have molars and it still cannot cope. It has put a stop on processing of applications from 15. Those involved cannot answer the telephone or meet clients directly. The organisation is acting in contravention of the legislation. Section 7 of the relevant Act puts an onus on the board to act in accordance with the principles of equity, consistency and transparency. I have outlined in detail how the board is failing to do that. The board has introduced contradictory schemes. It is treating survivors in a manner that is discriminatory. Some are confined to a limit while others are not. Some are confined by way of priority while others are not.

The Minister and his Department have been at the least disingenuous in their responses to questions on whether they have given permission for rent. The Minister of State at the Department of Health, who is sitting beside the Minister, has come to the House and backed up the Minister. I do not want to go down the route of personalising anything but the Minister has an obligation under the legislation to give consent to every contract, including a lease. Will the Minister confirm whether he has given it? Will the Minister confirm whether he gave it for the extension of the lease entered into by the Office of Public Works?

Caranua appeared before the Committee of Public Accounts. Arising from what I heard there and from what survivors told me, my colleagues and I tabled this motion. The purpose was not to be negative but to ensure oversight of the board primarily on the part of the Minister and his Department. We need a proper board. I have pointed out that the most outspoken member of the board has not been reappointed. Since then, it has been pointed out to me that the diversity of the board has not been considered and that a person of mixed race has not been re-appointed.

Numerous issues have not been addressed by either the Minister for Education and Skills, Deputy Bruton, or the Minister of State, Deputy McEntee. It appals me. This is why we end up with inquiries. The Minister has a responsibility. He should assume that responsibility. Deputy Mattie McGrath put it in a nutshell when he asked the Minister to take control. Control amounts to having oversight and giving crystal clear answers. Did the Minister give permission for all the contracts? I know the Minister did not give permission for the fitting out of new premises. They were fitted out without consent and paid for out of the funds. Is the Minister standing over that situation? The organisation is going into premises at a rent of €272,000 approximately per year from a fund that is in place for survivors.

Reference was made to a mix-up over the hospitals. Deputy Byrne from Fianna Fáil might read the legislation. He might also read the minutes that noted the serious concern of the board in respect of whether money would be left for the hospital. The matter was to be clarified by the Minister. I am glad the Minister is clarifying today that the money will not be going to the hospital. The amount will be anything up to €110 million. What has the Minister not clarified? What about the interest that he was asked about by other Deputies? Is that going into a fund for the hospital? Will it go into this fund? Even at this late stage, I appeal to Fianna Fáil Members to read the motion and withdraw their amendment. For once, let us stand together for those who need our voice to be heard in this Chamber.

Amendment put.

**Acting Chairman (Deputy Jim Daly):** In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 25 May 2017.