

[REDACTED]

2 August 2016

Re: FOI request 2016/257

Dear [REDACTED]

I refer to the request which you made under the Freedom of Information Act 2014 for records held by this Department:

1. *WHERE ARE THE FUNDS OF CARA NUA HELD.*
2. *WHO DECIDES WHEN TO RELEASE THEM.*
3. *WHO DECIDED NOT TO INVEST THE FUNDS ANY WHY.*
4. *HOW MUCH HAS BEEN PAID IN INTEREST TO DATE AND WHAT HAS HAPPENED TO THIS MONEY.[WHAT BANK]*
5. *ACCORDING TO CARA NUA YOUR DEPT.HAS FULL CONTROL OVER THE FUNDS,CAN YOU CONFIRM THIS.*
6. *WHAT HAS HAPPENED TO THE 22OMILLON THAT WAS ALSO GIVEN TO THE SURVIVORS OF ABUSE.*
7. *UNDER WHAT ACT.ARE SURVIVORS BEING TOLD THAT THEY HAVE REACHED THEIR CUT OFF POINT.IS THIS A DECISION MADE BY THE DEPT.*

I, Aongus Ó hAonghusa, Assistant Principal Officer, have now made a final decision. You will be aware from an email dated 12 July 2016 from this Department's Freedom of Information Unit to you, that a number of the questions set out in your request are proper to Caranua (the Residential Institutions Statutory Fund) and that those parts of your requests have been transferred to Caranua. Accordingly, my decision refers only to those parts of your request that relate to matters for which the Minister for Education and Skills has responsibility.

You have sought access to specific information rather than to particular records. The information sought by you is set out in the appendix to this letter.

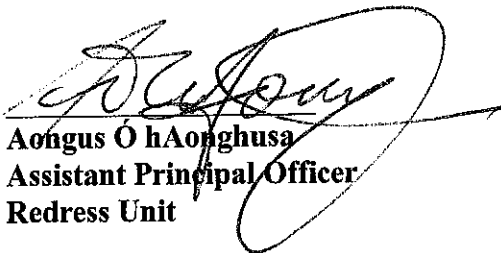
Right of appeal

You may appeal this decision. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, Department of Education and Skills, Marlborough Street, Dublin 1. Your correspondence should include a fee of €30 (€10 for medical card holders) for processing the appeal. Payment should be made by way of personal cheque or postal money order made payable to the accountant in the Department of Education and Skills. Please note the Department of Education and Skills no longer accept cheque payments from business users. For further information regarding payment methods for business users, please email foi@education.gov.ie

You should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

Should you have any questions or concerns regarding the above, please contact the [REDACTED] telephone on 01-8892014.

Yours sincerely,


Aongus Ó hAonghusa
Assistant Principal Officer
Redress Unit

Information provided by the Department of Education and Skills

Introduction

Part 3 (sections 29 and 30) of the Residential Institutions Statutory Fund Act 2012 (the "2012 Act") makes provision for the management of moneys relating to the Board of the Residential Institutions Statutory Fund (which now uses the name Caranua).

The 2012 Act may be accessed via the following link.

<http://www.irishstatutebook.ie/eli/2012/en/act/pub/0035/index.html>

WHERE ARE THE FUNDS OF CARA NUA HELD.

Sub-section 29(3) of the 2012 Act provides that the National Treasury Management Agency (the "NTMA") shall establish an investment account into which contributions received under sub-sections 29(1) and 29(2) are deposited. Sub-section 29(5) provides that the NTMA shall invest the moneys in the investment account.

WHO DECIDES WHEN TO RELEASE THEM.

Section 30 of the 2012 Act provides for advances out of the Fund. Sub-section 30(3) provides that the NTMA shall advance to the Minister for Education and Skills sums required to make a payment to the independent Appeals Officer.

The advancing of funds to defray expenditure incurred by Caranua is a matter for that organisation and the Minister for Education and Skills has no role in the process.

WHO DECIDED NOT TO INVEST THE FUNDS ANY WHY.

The Minister for Education and Skills has no role in relation to decisions regarding the investment of funds by the NTMA.

HOW MUCH HAS BEEN PAID IN INTEREST TO DATE.AND WHAT HAS HAPPENED TO THIS MONEY.[WHAT BANK]

This is a matter for Caranua.

ACCORDING TO CARA NUA YOUR DEPT.HAS FULL CONTROL OVER THE FUNDS,CAN YOU CONFIRM THIS.

The Minister for Education and Skills' statutory role in relation the funds of Caranua is as set out in Part 3 of the 2012 Act. That role is confined to accepting payments of moneys made by relevant trusts (as defined in section 2 of the Act) and paying the moneys received into the investment account operated by the NTMA.

WHAT HAS HAPPENED TO THE 220MILLION THAT WAS ALSO GIVEN TO THE SURVIVORS OF ABUSE.

To date a total of €150.5m in cash has been received from religious congregations by way of contributions towards the cost of the response to residential institutional child abuse. Of this amount €54.42m was contributed in accordance with the provisions of the 2002 Indemnity Agreement and, together with accrued interest, was utilised to fund the Redress Scheme (€42.3m) and education services for former residents including the now dissolved Education Finance Board (€12.7m).

Further cash contributions amounting to €96.1m (including interest) have been received from religious congregations in the aftermath of the publication of the Report of the Commission to Inquire into Child Abuse (the Ryan Report). These moneys have been paid into the investment account operated by the NTMA (as provided for in section 29 of the 2012 Act).

UNDER WHAT ACT ARE SURVIVORS BEING TOLD THAT THEY HAVE REACHED THEIR CUT OFF POINT. IS THIS A DECISION MADE BY THE DEPT.

Section 9 of the 2012 Act provides that the Board of Caranua shall determine the criteria by reference to which the Board shall make decisions in respect of applications to it from former residents. The Minister for Education and Skills has no role in the determination of Caranua's criteria or any related matters.