



Healing Through Remembering

Paper on Dealing with the Past: Costs to Date and for 2010 – 2014

September 2010

Collation of Costs and Paper Prepared by Deloitte MCS Limited

## CONTENTS

<b>1. Findings and analysis.....</b>	<b>1</b>
1.1 Introduction .....	1
1.2 Background.....	1
1.3 Our Process.....	1
1.4 Data Availability.....	2
1.5 Services and Initiatives .....	3
1.6 Next Steps and Outstanding Information Requests .....	28

### Appendix I: Comparator Cost of Inquiries

## **DISCLAIMER**

**This paper is confidential to Healing through Remembering and prepared solely for the purpose(s) set out in the Terms of Reference.**

## **1. FINDINGS AND ANALYSIS**

### **1.1 Introduction**

Deloitte was appointed to assist HTR in the collation of the costs of the principal services and initiatives associated with dealing with past in Northern Ireland. The research covers the costs incurred to date and the future costs for the period 2010-2014.

The initial Terms of Reference of the engagement were altered in consultation with HTR and the scope revised to reflect a more limited assignment, due to timing and resourcing constraints within HTR.

This version of the report has been updated following initial review and comments from HTR.

### **1.2 Background**

In dealing with the past many issues continue to impact on the efforts for reconciliation in Northern Ireland. Communities and individuals have different experiences, understanding and opinion. The issue of the costs of dealing with the past are an added dimension and one that often appears in parliamentary questions and freedom of information requests.

On the 22<sup>nd</sup> June 2007 Peter Hain, the then Secretary of State for Northern Ireland announced the formation of an Independent Consultative Group on the Past. This group was tasked with consulting across the community and making recommendations in supporting Northern Ireland to build a shared future not overshadowed by the events of the past. The group produced its report in January 2009 outlining more than 30 recommendations for dealing with past, at an indicative cost of £300 million.

This report is currently out for public consultation with various organisations preparing responses to the various aspects included in the report. HTR are therefore in the process of collating their organisation response to the reports recommendations and are planning to use the cost analysis and research from this paper to help inform their response.

### **1.3 Our Process**

The section below provides an overview of the methodology we used to undertake the research. We completed the following tasks:

- Desk Based Research – we completed detailed desk based research on each of the key services/initiatives outlined in the Terms of Reference including searching parliamentary questions, Freedom of Information requests, corporate plans, financial statements etc;
- Telephone Consultations – we identified key individuals within organisations and completed telephone consultations to supplement the desk based research and understand key issues more clearly;

- Formal Information Requests – we initiated a number of formal information requests to organisations including NI Courts Service, PSNI Command Secretariat and Independent Commission for Location of Victims Remains;
- Workshop with HTR Sub Group– we completed a workshop with the HTR Sub Group on 18<sup>th</sup> September to discuss the developing discussion paper and identify areas where the sub group could provide additional assistance.

#### 1.4 Data Availability

Table 1.1 below provides an overview of the cost information that was collected through desk based research and key stakeholder consultation. The table identifies the cost information collected up to 2009, references anticipated costs for the period 2010-2014 and highlights pending information requests (and expected date of receiving information) and outstanding issues (as per information gaps in Tables 1.2-1.16).

Table 1.1  
**Overview of Data Availability**

Service/Initiative	Costs up to 2009	Anticipated Costs 2010-2014	Information Gaps	
			Info Request	Issues
Historical Enquiries Team	Yes	Yes	No	No
Retrospective Murder Unit	Yes	No	No	No
Office of the Police Ombudsman	Yes	Yes	No	Yes
Assistant Chief Constable	Yes	No	No	Yes
Bloody Sunday Inquiry	Yes	Yes	No	No
Ongoing Inquiries	Yes	Yes	No	No
Inquests	No	No	No	No
Location of Victims Remains	No	No	No	No
Legacy Commission	No	Yes	No	Yes
Recognitions Payment Scheme	No	Yes	No	Yes
Bursary Costs	No	Yes	No	Yes
Civil Litigation	Yes	No	No	No

## 1.5 Services and Initiatives

The following sections provide cost information on each of the current and proposed services/initiatives identified in dealing with the past. Each section identifies any information gaps, if an information request has been made and if there are any outstanding issues

### 1.5.1 Historical Enquiries Team

Table 1.2

#### Summary of Historical Enquiries Team

<p><b>Description</b></p>	<p>The Historical Enquires Team (HET) project is a NIO funded project which the PSNI Historical Enquires Team are undertaking. HET was established in 2005 to examine all deaths attributed to ‘The Troubles’ from January 1969 to the Good Friday Agreement in 1998. The HET is re-examining the circumstances and investigations of 3,259 deaths which occurred in 2,540 incidents. <i>(Source: HET Press Office)</i></p> <p>The Historical Enquiries Team has developed a structure that has separate investigative units, with some teams composed exclusively of staff with no previous connection to the former RUC or the PSNI. This has stood the test of time and has been accepted by the Secretariat to the Council of Ministers in Strasbourg as “well-structured,” “independent” and “capable of finalising its task.” <i>(Source: HET Press Office)</i></p> <p>In March 2009 the total staff in the HET was 92. Staff had been cut from 192 to 122 and then a further 30 staff cut to 92 in a de-selection process in January 2009.</p>
<p><b>Outputs</b></p>	<p>By May 2010, 1058 families had engaged with the HET and had raised more than 6200 issues. HET had completed reviews in 753 cases, concerning the deaths of 982 victims. A realistic estimate based on recent performance trends, is that by the end of its original time scale of April 2011, HET will have completed work in 1100 cases. This would leave 1440 cases to be finished. <i>(Source: HET Press Office)</i></p>
<p><b>Costs up to 2009</b></p>	<p>NIO have ring fenced funding of £34 million for the Historical Enquiries Team for the period 2005 – 2011. This equates to approximately £5.6 million per annum. This funding is divided between all the</p>

	<p>participants; PSNI Historical Enquiries Team, Office of the Police Ombudsman for Northern Ireland, Forensic Science Northern Ireland and the Public Prosecution Service.</p> <p>The overall budget for PSNI HET work is £24.2 million over six years. This equates to approximately £4 million per annum. HET PSNI Budget costs are listed below for 2007/08-2008/09. There were no budget figures available for earlier years in the PSNI Annual Reports/Accounts.</p> <p>2007/08 - £4.8 million</p> <p>2008/09 - £3.9 million</p> <p>The remaining budget of £9.8 million (£34million-£24.2million) for 2005-2011 is to be divided between each of the other agencies (Office of the Police Ombudsman for Northern Ireland, Forensic Science Northern Ireland and the Public Prosecution Service). This results in a budget of approximately £1.6 million per annum.</p>
<p><b>Anticipated Costs 2010-2014</b></p>	<p>Using the above information - there will be approximately £5.6 million available for 2010/11. This will potentially consist of £4 million of PSNI funding and £1.6 million of additional agency funding. There is no cost information available for period 2011-2014.</p>
<p><b>Source of Information</b></p>	<p>Daily Hansard Written Answers- 23 July 2007: Column 768W</p> <p>Daily Hansard Written Answers 25 Feb 2008: Column 1143W</p> <p>Northern Ireland Affairs Committee – Policing and Justice – Oral Evidence by Chief Constable – 15<sup>th</sup> July 2009</p> <p>PSNI Freedom of Information Request - F-2009-00016</p> <p>PSNI Annual Budget Plan 2007/08</p> <p>PSNI Annual Budget Plan 2008/09</p> <p>Formal request to Command Secretariat at Brooklyn for detailed cost information. (Response received – The Command Secretariat stated that after consultation with the ACC they could not provide the requested information as PSNI will be</p>

	using this information to provide a response to the Consultative Group on the Past report)
<b>Information Gaps</b>	<p>What is the breakdown of HET annual costs 2005-2010 e.g. staff costs, IT, rent, set up costs?</p> <p>What is the forecast of annual predicted costs for 2010-2014?</p>

## 1.5.2 Retrospective Murder Investigation Unit

Table 1.3

### Summary of Retrospective Murder Investigation Unit

<b>Description</b>	The Retrospective Murder Investigation Unit (RMIU) is tasked to re-examine unsolved murders that occurred between the signing of the Good Friday Agreement on 10 April 1998 and the establishment of PSNI's Crime Operations Branch on 1 March 2004; and to re-examine unsolved murders not attributable to "The Troubles" that occurred between 1968 and the signing of the Good Friday Agreement on 10 April 1998. The work of the RMIU involves a detailed reconsideration of the investigation to identify any investigative opportunities. The RMIU has 44 staff and became operational in October 2007. ( <i>Source: Chief Constable Annual Report 2007/08</i> )
<b>Outputs</b>	Up to 2009 the RMIU has investigated 107 cases, of this there have been 13 arrests, 5 individuals charged and no cases have proceeded to trial. The RMIU expects to investigate a total of 693 cases. ( <i>Source: PSNI Freedom of Information - F-2009-01088</i> )
<b>Costs up to 2009</b>	<p>The annual budget for RMIU is approximately £1.87 million.</p> <p>For the period 2007-2010 - this equates to approximately £5.6 million.</p>
<b>Anticipated Costs 2010-2014</b>	<p>No Future Cost information available.</p> <p>Only information is £1.871 million from Daily Hansard Written Answers: 29 Oct 2007 Column WA142</p>
<b>Source of Information</b>	<p>Daily Hansard Written Answers: 29 Oct 2007 Column WA142</p> <p>PSNI Freedom of Information - F-2009-01088</p>



	Formal request for detailed cost breakdown has been made to Sgt in the Serious Crime Unit, but the request has now been passed to Command Secretariat at Brooklyn. (Response received – The Command Secretariat stated that after consultation with the ACC they could not provide the requested information as PSNI will be using this information to provide a response to the Consultative Group on the Past report)
<b>Information Gaps</b>	<p>What are the annual costs of the RMIU from 2007 – present day?</p> <p>What is the detailed breakdown of the annual costs of the RMIU e.g. staff costs, IT, rent, set up costs</p> <p>Forecast of annual predicted costs for 2010-2014?</p>

### 1.5.3 Office of the Police Ombudsman

Table 1.4

#### Summary of Office of Police Ombudsman

<b>Description</b>	The Police Ombudsman for NI investigates matters referred to it by the PSNI HET. It also investigates complaints from members of the public about issues from the past (more than one year ago) if it believes the matter to be ‘grave and exceptional’ and not have been previously investigated. The Police Ombudsman is funded for 13 staff for the HET work. (Source: <i>Finance Manager, Police Ombudsman NI</i> )
<b>Costs up to 2009</b>	<p>Annual budget for HET work:</p> <ul style="list-style-type: none"> <li>- 2005/06 £93,000</li> <li>- 2006/07 £497,000</li> <li>- 2007/08 £895,000</li> <li>- 2008/09 £913,000</li> <li>- 2009/10 £931,000</li> </ul> <p>The entire HET budget for 05/06 &amp; 06/07 was spent on salary costs. The HET budgets for 07/08 – 10/11 relate mainly to salary costs (approx 90-95%), with the remaining 5-10% balance relating to travel/subsistence costs associated with staff allocated to HET – as included in the HET team is</p>

	<p>ex policemen from UK forces.</p> <p>The Office does not apportion any central overhead costs for e.g. rent/rates, utilities, computer maintenance etc to HET as there is no budget cover. (<i>Source: Finance Manager, Police Ombudsman NI</i>) However, from analysing the Ombudsman accounts 2008-09 approximately 25% of total operating costs for the organisation are attributed to support costs including travel, subsistence, rates, electricity and accommodation costs. This could be used a rough guide to what percentage of overhead costs could be attributed to the HET unit (i.e. the costs listed above very likely underestimate total cost if full overheads were to be considered).</p> <p>The cost associated with retrospective troubles related investigations prior to the establishment of HET in 05/06 and the ring-fenced funding is not available.</p>
<b>Anticipated Costs 2010-2014</b>	The forecast budget for 10/11 is £950,000 beyond this the Office has not been made aware if HET money will be available.
<b>Source of Information</b>	Finance Manager (Police Ombudsman for NI)  Police Ombudsman Corporate Plan 2009-2011 (pg17)
<b>Information Gaps</b>	<p>What are the costs associated with retrospective troubles related investigations prior to the establishment of the HET?</p> <p>What are the future costs beyond 2010/11 of investigating matters referred to it by the PSNI HET?</p>

## 1.5.4 Assistant Chief Constable

Table 1.5  
**Summary of Assistant Chief Constable**

<b>Description</b>	<p>The PSNI Crime Support department is the main interface with the three public inquiries in Northern Ireland - the Rosemary Nelson, Robert Hamill and Billy Wright Inquiries - through the Public Inquiry Liaison Unit (PILU). The Crime Support Department was headed up by ACC Alistair Finlay between 2006/08 and then by ACC Dave Jones in 2008/09.</p> <p>The PILU is responsible for meeting the Police Service's legal obligations to provide information and other material to the public inquiries. This involves a substantial undertaking to search for archive material within the organisation. In addition it has a dedicated legal team representing the interests of the Service and many serving and retired colleagues who are providing evidence. (Source: Chief Constable Annual Report 2007/08)</p>
<b>Costs up to 2009</b>	<p>2006/07 – Alistair Finlay - £95,000 – 100,000</p> <p>2007/08 – Alistair Finlay - £95,000 – 100,000</p> <p>No ACC salary information available for 2008/09.</p>
<b>Anticipated Costs 2010-2014</b>	<p>Based on the information provided above estimate that annual salary will be approximately £95,000-100,000</p> <p>No ACC salary information available for 2008/09 and onwards.</p>
<b>Source of Information</b>	<p>2006/07 Annual Reports and Accounts Pg 15</p> <p>2007/08 Annual Reports and Accounts Pg 15</p> <p>Formal request to Command Secretariat at Brooklyn for detailed cost information. Breakdown to include additional costs of Staff Officers, Legal costs associated with ACC post. (Response received – The Command Secretariat stated that after consultation with the ACC they could not provide the requested information as PSNI would be using this information to provide a response to the Consultative Group on the Past report)</p>
<b>Information Gaps</b>	<p>What percentage of ACC time spent on inquiries?          Percentage of ACC salary that can be attributed to</p>

inquiries?

### 1.5.5 Bloody Sunday Inquiry

Table 1.6

#### Summary of Bloody Sunday Inquiry

<b>Description</b>	<p>The Bloody Sunday Inquiry was announced by the Prime Minister Tony Blair in a statement to the House of Commons on 29 January 1998. The inquiry is set to be concluded in Autumn 2009. The basis for the current Inquiry was new evidence that was not available to Lord Widgery. The weight of new material available was such that the events of 30 January 1972 required re-examination.</p> <p>The Inquiry sat in the Guildhall, Londonderry (hereafter referred to as Derry). The opening statement from Lord Saville was made on 3 April 1998. Oral hearings commenced on 27 March 2000. The first witness to give oral evidence was heard on 28 November 2000 and the Inquiry finished hearing the main body of witnesses on 13 February 2004. In June 2004 two additional witnesses were heard and there were further hearings regarding written submissions from the interested parties. Counsel to the Inquiry gave a two-day closing speech beginning on the 22 November 2004. One further witness was heard in January 2005.</p> <p>In December 2001 the Court of Appeal ruled that the evidence of the soldier witnesses should not be taken in Derry. On 14 March 2002 the Inquiry announced that the venue for the hearings would be Central Hall, Westminster. The Inquiry then sat in London between Tuesday 24<sup>th</sup> September 2002 (Day 237/Witness 572) and 21<sup>st</sup> October 2003 (Day 386/Witness 842).</p> <p>The Inquiry returned to the Guildhall, Derry on 29 October 2003 to hear the remaining oral evidence.</p> <p><i>(Source: www.bloody-sunday-inquiry.org.uk)</i></p>
<b>Costs up to 2009</b>	Until 30 <sup>th</sup> July 2009 costs were £188 million. It is envisaged that the inquiry will be concluded in the autumn 2009 – with remaining cost being £2 million. The final cost of the inquiry therefore is

	likely to be in region of £190 million.  Breakdown of costs at February 2009 Legal £98 million, IT infrastructure £31.7 million, security £3.4 million, accommodation £26 million, IT consultants £2 million. These costs have been verified by the Head of the Legacy and Policy Unit.
<b>Anticipated Costs 2010-2014</b>	NIO has agreed a package of measures with the inquiry to reduce running costs during the remaining stages by around 20 per cent. These measures include closure of the inquiry's Derry office and renegotiation of IT contracts and rents.  The total cost of the inquiry is expected to be around £190 million. Estimated £2 million for period July 2009-Autumn 2009. <sup>1</sup>
<b>Source of Information</b>	NIO Head of Legacy Policy Unit - provided additional financial information  Daily Hansard - 9 July 2009 : Column WA163  Daily Hansard - 27 February 2009: Column 1111W
<b>Information Gaps</b>	What is the breakdown of costs per category from February – Autumn 2009? e.g. IT, security etc  What is the breakdown of costs per annum? Are the costs high at beginning and then drop off, uniform throughout etc

## 1.5.6 Ongoing Inquiries

### (1) Robert Hamill Inquiry

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<sup>1</sup> The Bloody Sunday Report was published on 15<sup>th</sup> June 2010. The final cost of the Inquiry reported on release of the findings was estimated at £195m ([www.bbc.co.uk/news](http://www.bbc.co.uk/news))

Table 1.7  
**Summary of Robert Hamill Inquiry**

<b>Description</b>	<p>On the 16 November 2004 the Secretary of State for Northern Ireland, Paul Murphy, announced the terms of reference for the inquiry into the death of Robert Hamill following an incident in Portadown, County Armagh on 27 April 1997. The inquiry is due to finish in Autumn 2010.</p> <p>The Terms of Reference are to inquire into the death of Robert Hamill with a view to determining whether any wrongful act or omission by or within the Royal Ulster Constabulary facilitated his death or obstructed the investigation of it, or whether attempts were made to do so; whether any such act or omission was intentional or negligent; whether the investigation of his death was carried out with due diligence; and to make recommendations.</p> <p><i>(Source: www.roberthamillinquiry.org)</i></p>
<b>Costs up to 2009</b>	<p>The cost of the Robert Hamill inquiry to the end of July 2009 is £26.5 million. The expected cost to completion is £35 million. Completion is Autumn 2010.</p> <p>Breakdown of costs at February 2009 Legal £9 million, IT infrastructure £3.7 million, security £641,000, accommodation £3.5 million, IT consultants £707,000. This breakdown totals £17.5 million. These categories are the major ones listed in Daily Hansard - 27 February 2009: Column 1111W – the remaining cost not listed in the question/answer may include categories such as staff costs, panel costs, travel costs etc.</p> <p>The explanation given for the significant spend over the later stages of the inquiries (e.g. Feb 09 (£17.5million) – Autumn 2010 (£35million)) is due to the legal costs associated with the inquiry being in session over the remaining years. These costs have been verified by the Head of Legacy and Policy Unit.</p>
<b>Anticipated Costs 2010-2014</b>	<p>Based on costs above estimated £8.5 million between July 2009 – Autumn 2010</p>
<b>Source of Information</b>	<p>NIO Head of Legacy Policy Unit - provided additional financial information</p>

	Daily Hansard - 13 July 2009 : Column 41W Daily Hansard - 27 February 2009: Column 1111W
<b>Information Gaps</b>	What is the breakdown of costs per category from February – Autumn 2010? e.g. IT, security etc  What is the breakdown of costs per annum? Are the costs high at beginning and then drop off, uniform throughout etc

## (2) Rosemary Nelson Inquiry

Table 1.8  
**Summary of Rosemary Nelson Inquiry**

<b>Description</b>	<p>The Inquiry was announced by the Secretary of State for Northern Ireland, the Rt Hon Paul Murphy MP, on 16 November 2004. The inquiry is due to be concluded Autumn 2010.</p> <p>The terms of reference for the inquiry are “to inquire into the death of Rosemary Nelson with a view to determining whether any wrongful act or omission by or within the Royal Ulster Constabulary, Northern Ireland Office, Army or other state agency facilitated her death or obstructed the investigation of it, or whether attempts were made to do so; whether any such act or omission was intentional or negligent; whether the investigation of her death was carried out with due diligence; and to make recommendations.”</p> <p>The venue for the Full Hearings will be the Interpoint Centre, Belfast.</p> <p><i>(Source: www.rosemarynelsoninquiry.org)</i></p>
<b>Costs up to 2009</b>	<p>The cost of the Rosemary Nelson inquiry to the end of July 2009 is £42.6 million. The expected cost to completion is £47 million. Completion is Autumn 2010.</p> <p>Breakdown of costs at February 2009 Legal £13 million, IT infrastructure £6 million, security £957,000, accommodation £4.5 million, IT consultants £1 million. This breakdown totals £25 million. These categories are the major ones listed in Daily Hansard - 27 February 2009: Column 1111W – the remaining cost not listed in the</p>

	<p>question/answer may include categories such as staff costs, panel costs, travel costs etc.</p> <p>The explanation given for the significant spend over the later stages of the inquiries (e.g. Feb 09 (£25million) – Autumn 2010 (£47million) is due to the legal costs associated with the inquiry being in session over the remaining years. These costs have been verified by the Head of Legacy and Policy Unit.</p>
<b>Anticipated Costs 2010-2014</b>	Based on above cost estimated £4.5 million between July 2009 – Autumn 2010
<b>Source of Information</b>	<p>NIO Head of Legacy Policy Unit – provided additional financial information</p> <p>Daily Hansard - 13 July 2009 : Column 41W</p> <p>Daily Hansard - 27 February 2009: Column 1111W</p>
<b>Information Gaps</b>	<p>What is the breakdown of costs per category from February – Autumn 2010? e.g. IT, security etc</p> <p>What is the breakdown of costs per annum? Are the costs high at beginning and then drop off, or uniform throughout?</p>

### (3) Billy Wright Inquiry

Table 1.9  
**Summary of Billy Wright Inquiry**

<b>Description</b>	<p>The Billy Wright inquiry was announced by the Secretary of State for Northern Ireland, The Right Hon Mr Paul Murphy MP, on 16th November 2004. The terms of reference of the inquiry are “To inquire into the death of Billy Wright with a view to determining whether any wrongful act or omission by or within the prison authorities or other state agencies facilitated his death, or whether attempts were made to do so; whether any such act or omission was intentional or negligent; and to make recommendations.” The inquiry is due to conclude Autumn 2010.</p> <p><i>(Source: www.billywrightinquiry.org)</i></p>
<b>Costs up to 2009</b>	The cost of the Billy Wright inquiry to the end of end of July 2009 is £27 million. The expected cost



	<p>to completion is £32 million. Completion is Autumn 2010.</p> <p>Breakdown of costs at February 2009 Legal £7.5 million, IT infrastructure £5.5 million, security £577,000, accommodation £1.7 million, IT consultants £611,000. This breakdown totals £16 million. These categories are the major ones listed in Daily Hansard - 27 February 2009: Column 1111W – the remaining cost not listed in the question/answer may include categories such as staff costs, panel costs, travel costs etc.</p> <p>The explanation given for the significant spend over the later stages of the inquiries (e.g. Feb 09 (£16million) – Autumn 2010 (£32million)) is due to the legal costs associated with the inquiry being in session over the remaining years. These costs have been verified by the Head of Legacy and Policy Unit.</p>
<b>Anticipated Costs 2010-2014</b>	Based on the above cost estimated remaining costs of £5 million between July 2009 – Autumn 2010. <sup>2</sup>
<b>Source of Information</b>	<p>NIO Head of Legacy Policy Unit – provided additional financial information</p> <p>Daily Hansard - 13 July 2009 : Column 38W</p> <p>Daily Hansard - 27 February 2009: Column 1111W</p>
<b>Information Gaps</b>	<p>What is the breakdown of costs per category from February – Autumn 2010? e.g. IT, security etc</p> <p>What is the breakdown of costs per annum? Are the costs high at beginning and then drop off, or uniform throughout?</p>

### 1.5.7 Stand Alone Inquiry

Table 1.10  
**Summary of Stand Alone Inquiry**

<sup>2</sup> The Billy Wright Inquiry was published on 14<sup>th</sup> September 2010. The estimated final costs of the inquiry are £30m. ([www.bbc.co.uk/news](http://www.bbc.co.uk/news)).

<b>Description</b>	<p>A stand alone inquiry is likely to be a single inquiry into a single incident e.g. Bloody Sunday Inquiry, Rosemary Nelson, Billy Wright and Robert Hamill</p> <p>Between 2010-2014 incidents that could be treated as a single inquiry could include; an inquiry into Omagh Bombing, an inquiry into Loughinisland Massacre and an inquiry into Pat Finucane murder.</p>
<b>Costs up to 2009</b>	No Costs
<b>Anticipated Costs 2010-2014</b>	<p>From the existing research contained in the earlier sections of this paper – we can use examples of standalone inquiries to provide a spread of costs e.g. Bloody Sunday £190 million over 11 years, Rosemary Nelson £47 million over 5 years, Billy Wright £32 million over 5 years, Robert Hamill £35 million over 5 years.</p> <p>To provide a guide to indicative costs of Stand Alone Inquiries we have included a summary table detailing costs of inquiries and indicators including deaths, witness statements, oral evidence and duration in Appendix I. These indicators could potentially be analysed to provide indicative unit costs.</p>
<b>Source of Information</b>	See Table 1.7,1.8, 1.9 and Appendix 1.
<b>Information Gaps</b>	What is the breakdown of forecasted stand alone inquiries?

### 1.5.8 Linked Case Inquiry

Table 1.11  
**Summary of Linked Case Inquiry**

<b>Description</b>	<p>A linked inquiry is likely to be a multi faceted inquiry with several different aspects and cases. A linked inquiry is likely to have the potential to realise economies of scale and costs savings in certain areas (e.g. IT infrastructure, accommodation, administration)</p> <p>There is also the potential for costs to be higher in certain areas as the inquiries will have to investigate into a wider range of issues.</p>
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<b>Costs up to 2009</b>	No Costs
<b>Anticipated Costs 2010-2014</b>	<p>From the existing research contained in the paper – we can combine examples of standalone inquiries such as Rosemary Nelson, Billy Wright and Robert Hamill to provide estimates of cost e.g. Rosemary Nelson £47 million, Billy Wright £32 million and Robert Hamill £35 million – combined cost of £114 million over 5 years. Using the information as a guide – approximate per annum costs of a linked case inquiry could be in region of £23 million.</p> <p>We would expect efficiency savings to be focused in the areas of IT infrastructure and accommodation. These costs typically make up approximately 20-30% of the inquiries total cost. Further financial analysis would be required to quantify potential economies of scales any further.</p>
<b>Source of Information</b>	See Tables 1.7, 1.8 and 1.9
<b>Information Gaps</b>	Breakdown of future linked cases inquiries

### 1.5.9 Inquests

Table 1.12  
**Summary of Inquests**

<b>Description</b>	<p>An inquest is defined as an inquiry into the circumstances surrounding a death. The purpose of the inquest is to find out who the deceased person was and, how, when and where they died, and to establish the details the Registrar of Deaths needs to register the death.</p> <p>The inquest system in Northern Ireland has been the subject of controversy. A number of inquests into contentious deaths occurring during the Troubles have been the subject of significant cases before both the domestic courts and the European Court of Human Rights. This has resulted in multiple adjournments and suspensions of these inquests, the majority of which remain to be heard. The PSNI state that approximately 100 historic inquests remain outstanding and that 48 of these deaths are classed as contentions because they involved allegations of collusion or involvement of</p>
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	<p>the security forces in the death</p> <p>Northern Ireland has its own Coroners Service that is administered and funded by the Northern Ireland Court Service. The Coroners Service is headed by a High Court Judge. There is one Senior Coroner and two other full-time Coroners. These Coroners cover the whole of Northern Ireland there are no Coroners districts as in England and Wales.</p> <p>Some of the inquests into contentious deaths that remain outstanding are; Jordan v UK, Kelly and Others v UK, McKerr v UK and Shanaghan v UK.</p> <p><i>(Source: www.coronersni.gov.uk, www.cabinetoffice.gov.uk)</i></p> <p>There are currently 26 cases awaiting inquests in respect of 36 deaths. The oldest cases date from 1972 with a further 3 in the 1980's, 15 in the 1990's, 6 in the 2000's with the most recent being 2005.</p> <p><i>(Source: FOI 84/9)</i></p>
<b>Costs up to 2009</b>	<p>The initial costs associated with the cases described above relate to the appointment of an additional coroner on a 3 year fixed term contract for 2008-2011 and two additional administrative support staff. In addition there will be a principal cost for independent counsel to the coroner who will prepare and present evidence at the inquest.</p> <p>The initial costs therefore currently total £393,845 and are broken down as follows:</p> <p>Coroner annual salary: £147,897</p> <p>Executive Officer salary: £27,552</p> <p>Administrative Officer salary: £18,396</p> <p>Legal Representation: £200,000</p>
<b>Anticipated Costs 2010-2014</b>	<p>The NI Courts Service is currently working on preparing projections for forecast of annual costs for inquests 2011-2014 as part of the next spending review. The Courts Service is reviewing the balance of public interest in relation to the figures we have requested. Therefore, the Head of Customer Services Group has said that they will respond by the 30<sup>th</sup> October 2009 with any further available information. The Courts Service responded on 11<sup>th</sup> November 2009 stating that they</p>

	<p>did not wish to disclose the information requested. They stated that on the balance, the public interest is better served by withholding this information under Section 35 (Policy Formulation) of FOI.</p> <p>Sub Group requested on 18<sup>th</sup> September to source publically available cost information on contentious inquests. We made contact with NI Courts Service and was informed that no information was publically available.</p> <p>The work of the HET is to investigate historical cases and therefore may have an impact on the number of new inquests sought. It is understood that once an investigation is closed an inquest can begin. Currently it is estimated that there are 1440 investigations outstanding by the HET. It is not possible to predict precisely how many of these investigations would be taken forward as inquests in the future.</p> <p>In terms of financial costs that could arise from inquests in the future it is difficult to predict. The research shown above indicates that costs would be required to cover staff (coroner, executive officer and administrative officer) and legal representation. However, these costs are listed as initial costs and should only be used as an indicative guideline.</p>
<p><b>Source of Information</b></p>	<p>Freedom of Information Request 84/09</p>
<p><b>Information Gaps</b></p>	<p>What inquests have been identified for the years 2010-2014? What agencies are involved in providing funding for the inquests?</p> <p>What is breakdown of costs e.g. judge costs, set up costs, IT support, staff costs etc</p>

**1.5.10 Location of Victims Remains**

Table 1.13  
**Summary of Location of Victims Remains**

<p><b>Description</b></p>	<p>The Independent Commission for the Location of Victims' Remains (ICLVR) was established by treaty between the United Kingdom Government and the Government of Ireland, made on 27 April 1999 in connection with the affairs of Northern Ireland. The purpose of the Commission is to obtain information, in strict confidence, which may lead to the location of the remains of "the Disappeared" (those killed and buried in secret by proscribed organisations prior to 10 April 1998 as a result of the Northern Ireland conflict). There were fourteen people who 'disappeared' during 'the troubles' in Northern Ireland. To date, five bodies have been recovered, but the burial sites of the remaining nine are unknown.</p> <p>The Department of Justice, Equality and Law Reform, in conjunction with the Northern Ireland Office, provides financial support for the Commission.</p> <p><i>(Source: www.justice.ie, www.iclvr.ie)</i></p> <p>The Commission works with a small project team headed up by a forensic expert and including seconded police officers from AGS and PSNI. Their task is to carry out forensic work and analysis on the various known gravesites of the disappeared. This involves exploration of all known grave sites and the employment of specialist forensic and archaeological techniques to maximise the chances of locating further remains.</p> <p><i>(Source: ICLVR Information Request)</i></p>
<p><b>Costs up to 2009</b></p>	<p>No cost information available through desk based research</p> <p>The ICLVR is currently undertaking a programme of work to examine the cases of each of the 'disappeared' and exhaust all avenues of finding any remains. This work was anticipated to last around two years with a cost of £1.1 million, to be shared between the two governments. It is not possible to provide a further breakdown of these costs. <i>(Source: ICLVR Information Request)</i></p>
<p><b>Anticipated Costs 2010-2014</b></p>	<p>No cost information available through desk based research</p> <p>Given the nature of the work of the ICLVR, it is unclear what the future will hold. The Commission can only act upon information</p>

	received; if no information is available there will be no work to be undertaken. It is therefore not possible to provide a meaningful projection of future costs. ( <i>Source: ICLVR Information Request</i> )
<b>Source of Information</b>	Completed internet search – ICLVR website, NIO website, Ministry of Justice website, Hansard  Secretary to the ICLVR, NIO.
<b>Information Gaps</b>	What are the costs to date of the ICLVR?  What is the breakdown of the costs?  What are the forward looking costs of ICLVR 2010 – 2014?

### 1.5.11 Legacy Commission

Table 1.14  
**Summary of Legacy Commission**

<b>Description</b>	<p>An independent Legacy Commission would be established to deal with the legacy of the past by combining processes of reconciliation, justice and information recovery. The Commission would have a mandate for a period of 5 years. The commission would be chaired by an international commissioner who would have responsibility for the strategic direction of the Commission. There would also be two further commissioners responsible for Review and Investigation and Information Recovery and Thematic Cases. The Commission would be supported by a secretariat.</p> <p>The commission would have four strands of work including:</p> <ol style="list-style-type: none"> <li>(1) Help society towards a shared and reconciled future, through a process of engagement with community issues arising from the conflict e.g. reconciliation forum, collaboration with HTR, administration of bursary, work with partners;</li> <li>(2) Review and investigate historical cases e.g. set up Review and Investigation Unit to replace HET and review historical cases (See Table 1.2 and 1.3);</li> <li>(3) Conduct a process of information recovery e.g. establishment of Information Recovery Unit to deal</li> </ol>
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	<p>with individual cases (See Tables 1.2 and 1.3); and</p> <p>(4) Examine linked or thematic cases emerging from the conflict e.g. establishment of the Thematic Examination Unit to deal with linked cases (See Tables 1.2, 1.3, 1.4, 1.6, 1.7, 1.8, 1.9)</p> <p><i>(Source: Consultative Group on the Past Report, Jan 09)</i></p>
<b>Costs up to 2009</b>	<p>The Commission is due to become effective from 2010 – therefore there is no cost information up to 2009.</p>
<b>Anticipated Costs 2010-2014</b>	<p>Pg 131 from Consultative Group on the Past. Cost of setting up the Commission will be £3million and annual costs of £33.5million.</p> <p>(1) Help society towards a shared and reconciled future, through a process of engagement with community issues arising from the conflict e.g. reconciliation forum, collaboration with HTR, administration of bursary, work with partners;</p> <p><b>Cost Information:</b> To provide an indication of a potential figure on set up and running costs of the Commission, we have researched costs into the establishment the Northern Ireland Civic Forum. The cost of establishing the Northern Ireland Civic Forum was approximately £75,000. That covered the cost of filling the post of Civic Forum Chairman and costs to the nominating sectors, which placed advertisements in local newspapers to ensure the widest possible membership of the Forum. In addition, some of the nominating bodies used the services of external consultants to manage their selection processes. The Forum's running costs, since its establishment in October 1999, have been approximately £110,000. These include the secretariat staff costs and the costs of plenary and other Forum meetings. <i>(Northern Ireland Assembly – Oral Answers to Questions – 5<sup>th</sup> February 2001)</i> We note these figures are approximately ten years old and would be higher allowing for inflation during that period. (For example the total set-up and running costs of £185,000 in 2000 would equate to approximately £240,000 in 2009 based on historic inflation rates.)</p> <p>(2) Review and investigate historical cases e.g. set up Review and Investigation Unit to replace HET and review historical cases (See Table 1.2 HET</p>



	<p>Data);</p> <p><b>Cost Information:</b> Annual Cost of HET (£6 million including Police Ombudsman, FSNI and PPS) RMIU (£1.8 million) is approximately £7.8 million per annum.</p> <p>Based on the HET approach estimated annual output is 95 cases being reviewed and 50 cases being completed.</p> <p>Based on RMIU approach estimated annual output is 55 cases reviewed.</p> <p>(3) Conduct a process of information recovery e.g. establishment of Information Recovery Unit to deal with individual cases (See Table 1.2)</p> <p><b>Cost Information:</b> Cost of HET approximately £6 million per annum with approximately 95 cases being reviewed and 50 cases being completed per annum.</p> <p>(4) Examine linked or thematic cases emerging from the conflict e.g. establishment of the Thematic Examination Unit to deal with linked cases (See Table 1.11).</p> <p><b>Cost Information:</b> Cost of HET approximately £6 million per annum (including Police Ombudsman, FSNI and PPS) plus legal costs of approximately £2 million per annum (based on annual average legal costs of Robert Hamill, Rosemary Nelson, Billy Wright inquiries). Using these figures an overall approximate cost per annum is £8 million.</p>
<b>Source of Information</b>	<p>Cost information is contained in the Report of Consultative Group on the Past pg 131.</p> <p>Northern Ireland Assembly – Oral Answers to Questions – 5<sup>th</sup> February 2001</p> <p>Follow up discussions and written requests with NIO Head of Legacy and Policy Unit.</p> <p>Attempted to make contact with Consultative Group Secretary for additional information – but no response received.</p>
<b>Information Gaps</b>	<p>Discussions identified the following issues:</p> <p>(1) The detailed breakdown of workings behind the costs have not been made available;</p> <p>(2) It is hard to say if the cost is accurate or not</p>

	<p>without knowing the finer details of the commission e.g. where it will be based, what facilities required, organisation structure etc;</p> <p>(3) Initial thoughts are that set up cost is too low e.g. building costs, equipment etc and the annual costs are too high;</p> <p>(4) Operating costs are likely to be low in the first number of years similar to HET as they are basically doing similar job – but after that they take on more responsibilities including looking at more complicated cases that could incur legal costs so annual cost should increase – it is not possible to see this breakdown; and</p> <p>(5) It would be useful to review similar post conflict societies and try and provide further benchmarks e.g. South African Truth and Reconciliation Commission.</p> <p>(6) What is an appropriate comparator for Strand 1 work of the Legacy Commission e.g. Reconciliation Forum Etc</p>
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### 1.5.12 Recognitions Payments Scheme

Table 1.15  
**Summary of Recognitions Payments Scheme**

<b>Description</b>	<p>The Recognitions Payments Scheme aims to make a one off payment of £12,000 to nearest relative of someone who died as a result of the conflict in and about Northern Ireland from 1966. The Recognitions Payments Scheme will be funded by the UK Government and the administering of the payments should be taken on by an existing organisation.</p> <p>The Recognitions Payment Scheme does not provide a definition of a victim – the payments scheme is allocated to the nearest relative of someone who died as a result of the conflict in and about Northern Ireland. The nearest relative is defined as follows: Husband/Wife, Son/daughter, Father/Mother, Brother/Sister, Grandparent, Grandchild, Uncle/Aunt, Nephew/Niece.</p>
<b>Costs up to 2009</b>	<p>The Recognitions Payments Scheme is not due to be implemented and so there is no cost</p>

	information.  <i>(Source: Consultative Group on the Past Report, Jan 09)</i>
<b>Anticipated Costs 2010-2014</b>	<p>Pg 131 from Report of the Consultative Group on the Past. The Group anticipates that the cost of the Recognition payments would be in the region of £40million.</p> <p>If the book 'Lost Lives' is used to provide total numbers on those killed during the troubles - the total Recognitions Payment would equal £45 million based on 3,720 killed to 1998 receiving £12,000 each.</p>
<b>Source of Information</b>	<p>Pg 131 from Report of Consultative Group on the Past.</p> <p>Follow up discussions and written requests with NIO Head of Legacy and Policy Unit</p> <p>Contacted director in Community Foundation Northern Ireland regarding administration costs involved with administering payments (response expected W/c 12<sup>th</sup> October)</p>
<b>Information Gaps</b>	<p>Discussions identified the following issues:</p> <p>(1) There is no information on administration costs, service costs, costs of chasing the correct family member etc.</p> <p>(2) Who will administer the recognitions payments? If it is the Legacy Commission are these costs to form part of the annual operating costs of £33.5 million?</p> <p>(3) What is the per annum breakdown of assessment, administration, processing costs?</p> <p>(4) How will victims of the troubles who died after 1998 be treated e.g. Omagh bombing. The report is not definitive on this matter. Will the payments scheme become open ended?</p>

### 1.5.13 Bursary Costs

Table 1.16  
**Summary of Bursary Costs**

<b>Description</b>	<p>The Legacy Commission is to be given a bursary payment to make positive impact on society. The bursary would be administered by the Chair of the Commission with advice from the Reconciliation Forum.</p> <p>The Bursary will focus on areas of priority including healthcare legacy of the conflict, tackling sectarianism and the role played by young people in society.</p> <p><i>(Source: Consultative Group on the Past Report, Jan 09)</i></p>
<b>Costs up to 2009</b>	<p>The Bursary Costs is due to become effective from 2010 – therefore there is no cost information up to 2009.</p>
<b>Anticipated Costs 2010-2014</b>	<p>Pg 131 from Report on the Consultative Group on the Past. Cost of the bursary to be administered will be £100million.</p> <p>To provide an estimate on the administration overhead costs associated with the Bursary Payments we have considered our previous research into funding programmes (e.g. Lottery, European, council) as a base case. This research showed that a standard apportionment of overhead costs for a grant making programme of approximately 10% is a reasonable benchmark. This can however vary depending on a range of factors – not least the number and scale of payments to be awarded, but also the application process, monitoring process, accommodation etc. Given that the Commission is a new body and incur set up costs we would estimate that the percentage overhead may be higher during initial phases. However this would require further detailed analysis.</p> <p>Based on feedback from CFNI - costs of managing a fund are generally set at some 9-10% of the grants - but would depend on the level of capital involved; the level of financial verification required and whether development support is envisaged. It also depends on the phasing of the payments - is it 100% up front or in three tranches, for example. Again, this would require further detailed analysis.</p>
<b>Source of Information</b>	<p>Pg 131 from Consultative Group on the Past.</p> <p>Follow up discussions and written requests with</p>

	<p>NIO Head of Legacy and Policy Unit</p> <p>Contacted director in Community Foundation Northern Ireland regarding administration costs involved with administering payments (response expected W/c 12<sup>th</sup> October)</p>
<b>Information Gaps</b>	<p>Discussions identified the following issues:</p> <p>(1) No calculations or workings out have been provided to demonstrate the rationale behind the figure</p> <p>(2) Potential duplication between what the bursary is being used for and the agendas of local government departments - who may have allocated funding for similar areas</p> <p>(3) There is no specific breakdown of what the bursary will be used for e.g. healthcare etc</p>

#### 1.5.14 Civil Litigation Costs

Table 1.17  
**Summary of Civil Litigation Costs**

<b>Description</b>	<p>On the 15th of August 1998, the Real IRA (RIRA) detonated a 500LB car bomb in Omagh, Co. Tyrone. It killed 31 people and injured 220.</p> <p>The families decided to pursue justice through the civil courts. On the 11th of August 2001 several families of the victims commenced a landmark civil action against those they believe to be responsible. Trial of this civil action commenced on the 7th of April 2008. Judgement was delivered at the High Court in Northern Ireland on the 8<sup>th</sup> June 2009.</p>
<b>Costs up to 2009</b>	<p>(1) The court costs associated with the Omagh relative's civil litigation case are outlined below. These include the staff costs of conducting the case.</p> <p>- <b>Total Staff Costs</b> (including 114 AO days and 84 EO days): £11,073</p> <p>- <b>Total Judicial Costs</b> (including 84 days): £94,188</p>

	<p>It is acknowledged that there are other costs associated with this case such as overheads and travel and accommodation for the court hearings conducted in Dublin. However, it has not been possible to disaggregate these to case level or to identify the specific apportionment to this particular case.</p> <p>In terms of IT costs for the civil litigation case – the information held is only for the cost of the court as a whole, it was not possible to disaggregate this to case level or to identify the specific apportionment to the particular case.</p> <p><i>(Source: NI Courts and Tribunals Service-Freedom of Information Request 067/10)</i></p> <p>(2) The legal fees associated with the Omagh relatives civil litigation case are outlined below:</p> <ul style="list-style-type: none"> <li>- <b>Government donations:</b> £800,000 given by the government to the Omagh Victims Legal Fund;</li> <li>- <b>Legal aid:</b> £1,277,194 in legal aid paid to the solicitor firm for those relatives in 2008-9;</li> <li>- <b>Solicitor Fees:</b> Approximately £600,000 paid to the Solicitor firm by the Omagh Victims Legal Fund.</li> </ul> <p><i>(Source: Freelance Journalist in Omagh)</i></p>
<p><b>Anticipated Costs 2010-2014</b></p>	<p>The freelance journalist mentioned that Lawrence Rush - one of the Omagh families is currently pursuing a civil litigation case against the Chief Constable and the Secretary of State for failures in the apprehension, detection and pre-emptive arrest of the members of the Real IRA who planted the bomb. The case was thrown out at the end of June 2010 and is currently undergoing an appeal process.</p> <p>It is difficult to make projections on the costs of handling civil litigation cases in the future. There are a number of variables which impact on the overall costs of handling civil litigation that make this process difficult.</p>
<p><b>Source of Information</b></p>	<p>NI Courts and Tribunals Service Freedom of Information Request 067/10</p> <p>Freelance journalist in Omagh who is close to the Omagh families and to the civil litigation case. The</p>

	journalist was referred to this research by Northern Ireland Centre for Trauma and Transformation.
<b>Information Gaps</b>	(1) What civil litigation cases are scheduled within Northern Ireland in the future?

## 1.6 Next Steps and Outstanding Information Requests

Having provided the paper to HTR any further information received will be forwarded onto HTR. The further information we expect to receive is highlighted in Table 1.1 and specified throughout the document within the relevant tables.

**APPENDIX I**  
**Comparator Costs of Inquiries**



Inquiry	Costs February 2009					Predicted Costs on Completion	Indicators				
	Legal (£m)	IT Infrastructure (£m)	IT Consultants (£m)	Security (£m)	Accommodation (£m)	Total (£m)	No. of Deaths	No. of Witness Statements	No. Oral Evidence	Duration (Months)	Duration (Days) *
Bloody Sunday	98	31.7	2	3.4	26	190	13	2,500	922	142	2,620
Billy Wright	7.5	5.5	0.6	0.6	1.7	32	1	200	179	69	1,280
Rosemary Nelson	13	6	1	1	4.5	47	1	430	132	68	1,260
Robert Hamill	9	3.7	0.7	0.6	3.5	35	1	260	164	72	1,320

\*Duration is an approximation based on 220 working days per year. This includes an estimate of annual leave and statutory holidays and is worked out to the predicted completion of cases (Bloody Sunday Jan 1998 – Oct 2009, Billy Wright Feb 2005 – Oct 2010, Rosemary Nelson March 2005 – Oct 2010, Robert Hamill Nov 2004 – Oct 2010)

N.B. Information has been provided from representatives within the Bloody Sunday, Billy Wright, Rosemary Nelson and Robert Hamill inquiries teams.