

Commission of Investigation into Mother and Baby Homes

In responding to the Final Report of the Commission of Investigation into Mother and Baby Homes, the Irish Government committed to a suite of 22 specific measures aimed at responding to its recommendations and addressing the priority needs and concerns of survivors as follows:

Theme 1: A Survivor-Centred Approach

1. Development of a Strategic Action Plan and Engagement with Former Residents:

In responding to the Final Report of the Commission of Investigation and to the concerns of former residents, the government will prepare a Strategic Action Plan encompassing the suite of actions set out below. The Action Plan will also consider the need for any potential liaison support in relation to local authority services and other State services, as well as support for smaller survivor support groups. We will take a survivor-centred approach, characterised by continuous engagement with former residents and their representative groups, including the survivor diaspora, on the development and implementation of the strategic plan and associated policy responses. An enhanced model of engagement will be established, following consultation with the Collaborative Forum.

2. Immediate Counselling Support:

Counselling support is available through the National Counselling Service, ensuring former residents have access to this support at the time of publication of the report and thereafter (see action 19 below for information on the full package of planned health supports).

Theme 2: Apology

3. Apology:

An Taoiseach issued a formal apology on behalf of the State for the hurt experienced by many former residents of Mother and Baby Institutions and County Homes (13 January 2021).

Theme 3: Access to Personal Information

4. Information and Tracing Legislation:

We will advance Information and Tracing Legislation to pre-legislative scrutiny in 2021 in respect of birth and early life information for those who seek it, including adopted and boarded out individuals. To supplement access to historic information contained in records, we will provide a legislative basis to support the exchange of contemporaneous information, on a consent basis, between individuals and their birth families, including in relation to medical information.

5. GDPR Right of Access to Commission Records:

We will ensure that people can access personal information contained within the Commission's records in line with GDPR. We have already provided in law for the Commission's database and related records on former residents, to be transferred to Tusla. We will also ensure that resources are in place to deal with Subject Access Requests in respect of the records which will be deposited with the Minister on 28 February 2021. The Minister for Children, Equality, Disability, Integration and Youth and his department are engaging with the Office of the Attorney General and the Data Protection Commission on this matter, and have also met with independent experts in the area of GDPR.

6. Central repository of institutional records:

We will bring together institutional records (or digitised copies of records) relating to Mother and Baby Homes, County Homes and Adoption Societies in a single, central repository to which individuals can apply for their personal information. We will consider expansion of this repository over time to encompass other relevant institutional records. There will be strong engagement with survivors so that there is clarity on how information will be accessed and reassurance regarding the protection of survivors' private information. In recognition of the significant survivor diaspora, the opportunities of a digital repository which can be accessed from anywhere in the world will be explored.

Theme 4: Archives and Databases

7. National Memorial and Records Centre:

The government will work to establish, on a formal, national basis, a national memorial and records centre related to institutional trauma during the 20th century. This will build on the commitment to a central repository

of institutional records and would envisage archiving and presenting relevant records and witness testimony by victims and survivors as well as the historical and social context. It will be developed at a suitable site and operated in accordance with the highest international standards. It will be designed in cooperation with professional archivists and historians, as well as with victims, survivors and their advocates. There will be strong engagement with survivors so that there is clarity on how information will be presented and reassurance regarding the protection of survivors' private information. In order to progress this commitment, officials will undertake a rapid scoping exercise and, following this, Government will appoint a wide-ranging, cross sectoral group comprising experts and survivors to examine and recommend to Government the most appropriate means of developing and maintaining a national centre.

8. Public Access to Original State Files:

The government will require that relevant government departments and State bodies prioritise ensuring that relevant original files are made publicly available in the National Archives of Ireland (NAI) in accordance with the terms of the National Archives Act 1986. As part of this, it will consider legislation requiring the HSE and other State bodies (including, for example, the Child and Family Agency) to maintain records in broadly the same way as local authorities.

9. Expansion of the database:

Government will consider a plan for further expansion of the Commission database through the creation of linked databases on boarded out children and children who transferred from mother and baby homes to industrial schools. This will be with a view to supporting both increased access to personal information and the development of a rich resource for future research on the longer-term outcomes for children born in mother and baby homes.

10. Appointment of an archivist:

To lead work on preservation of, and public access to, the records which it holds, the Department of Children, Equality, Disability, Integration and Youth will appoint a qualified archivist. This appointment will also lead and support work on a plan for further expansion of the Commission database, in consultation with Tusla and others.

Theme 5: Education and Research

11. Second-level Curriculum:

We will ask the NCCA to consider how the Commission's short video on the experiences of women and children who spent time in the institutions can be incorporated into the second-level curriculum.

12. Research Scholarships:

We will create and fund a number of scholarships in memory of all the children who died in institutions. The scholarships will cover research in the area of childhood disadvantage.

13. Research on Terminology:

We will advance the Research on Terminology, Representation and Misrepresentation with NUIG and will ensure that this informs projects in the areas of memorialisation and the development of archives.

14. Further Research on Death Registration Records:

Government will commission further research on the death registration records of the children who were born in mother and baby homes in the 1920s and 1930s and who subsequently lived in the community or in institutions with a view to establishing their age at death and causes of death.

Theme 6: Memorialisation

15. National Memorial:

We will develop an all-Ireland memorial in consultation with former residents and other key stakeholders. (Please see action 7 above in relation to the commitment to establishing a National Memorial and Records Centre.)

16. Local Memorials:

We will support local memorialisation projects, funded by local authorities, in line with the wishes of former residents.

17. Survivor-led annual Commemoration:

We will continue the Commemoration Grant Scheme established in December 2019 to support survivor centred advocacy organisations in commemorating their experiences in a manner of their choosing which fits their own specific needs and wants.

18. Children's Fund:

We will honour the memory of the children who died in Mother and Baby Homes through the creation of a specific fund which supports children who experience disadvantage in the present day.

Theme 7: Restorative Recognition

19. Health Supports:

We are committed to a suite of supports as outlined below.

We will provide all former residents with access to counselling support through the National Counselling Service in the HSE. This will include telephone and face-to-face counselling through an established nationwide network of counselling locations. Additional resources will be made available to the National Counselling Service to support this commitment (see action 2 above).

All former residents will also have access to a Patient Advocacy Liaison Support service. Delivered via an expansion of HSE Live, this service will help ensure that individuals can have an appropriate point of contact within the health system and can be signposted and supported to access necessary health services.

A targeted programme of health research is being undertaken to assist and inform the development of future service provision for former residents. Preparatory work on this research study has already commenced.

In addition, through the restorative recognition scheme, a form of enhanced medical card will be provided to all former residents of Mother and Baby Homes and County Homes (where they were resident for a period of more than six months).

20. Financial Recognition:

Government is committed to providing a bespoke ex-gratia Restorative Recognition Scheme to provide financial recognition to specific groups identified by the Commission of Investigation. An Inter Departmental Group will design proposals to be brought back to Government.

21. Inheritance Tax:

The Commission has noted that some children who were boarded out inherited farms from their foster parents but had to pay taxes for which birth and adopted children are not liable. It raises the possibility of an ex-gratia payment to compensate for this. The Department of Finance will engage directly with the Department of Children, Equality, Disability, Integration and Youth to explore the issues raised and consider the recommendation of the Commission.

Theme 8: Dignified Burial

22. Burials Legislation:

We will advance burials legislation to support the excavation, exhumation and, where possible, identification of remains, and their dignified reburial. This legislation will support intervention at the Tuam site and any other site where intervention is reasonably required by virtue of the manifestly inappropriate nature of the interments. Separately, we will engage with former residents and their advocacy groups on the question of appropriate, dignified local memorialisation of known or agreed burial sites where this is not already the case.