



A message from Minister Roderic O’Gorman TD

I published Government’s *Action Plan for Survivors and Former Residents of Mother and Baby and County Home Institutions* in November 2021. At that time, I promised that we would continue to communicate with survivors in a transparent and accessible way as we work to implement the 22 Actions within it. Developing the Action Plan was an acknowledgment by the State of the enduring and deep impact of past institutional failures on those who spent time in these institutions, and their families. In working to deliver on these commitments, the Government’s ambition is to address survivors’ needs and concerns and rebuild a relationship of trust between the State and those who have been so profoundly wronged.



My intention with this first quarterly update is to highlight the significant progress we have made since November on a number of key Actions. Of the 22 Actions, 6 have already been substantively completed while another 13 are currently in progress. My Department and other state authorities are working to ensure that survivors see tangible results across all thematic areas as early as possible.

Inside this update, you will find information about two landmark pieces of legislation we have published recently. The first is the Birth Information and Tracing Bill 2022, which aims to enshrine in law the right of a person to know about his or her origins.

The second is the Institutional Burials Bill 2022, which is needed to facilitate a lawful excavation of the site at Tuam, and any other location where similar circumstances arise. This is so that we can try to recover and identify those who are buried there, return them to their families if possible, and ensure that they are interred with dignity and respect. I am also sharing an update on our work on developing the Mother and Baby Institutions Payment Scheme. I will continue to keep you informed on how these, as well as the many other commitments within the Action Plan, are progressing through these updates.

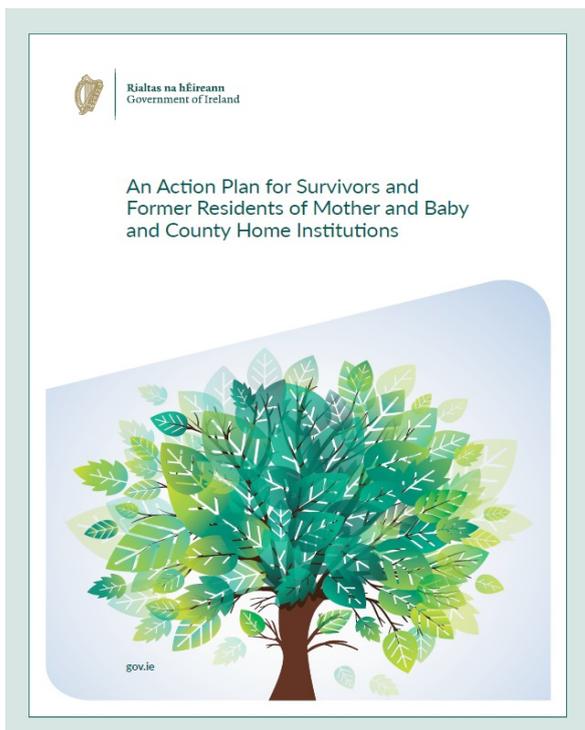
I am aware of the urgency and sensitivity of this work and it is an absolute priority for myself and the Government. I hope you find this update useful, and we would appreciate any feedback you may have on it.

Best Wishes,
Roderic

Click here to read the Action Plan for Survivors and Former Residents of Mother and Baby and County Home Institutions.

If you know anyone who does not have access to email, but would be interested in receiving a copy of this update, please ask them to contact us at the number below and we can arrange to send it to them by post.

01 6473200



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The Action Plan for Survivors and Former Residents of Mother and Baby and County Home Institutions

Themes and 22 Actions

A Survivor-Centred Approach	1. Development of a Strategic Action Plan and Engagement with Former Residents 2. Immediate Counselling Support
Apology	3. Apology by An Taoiseach
Access to Personal Information	4. Information and Tracing Legislation 5. GDPR Right of Access to Commission Records 6. Central Repository of Institutional Records
Archives and Databases	7. National Memorial and Records Centre 8. Public Access to Original State Files 9. Expansion of the Database 10. Appointment of an Archivist
Education and Research	11. Second Level Curriculum 12. Research Scholarships 13. Research on Terminology 14. Further Research on Death Registration Records
Memorialisation	15. National Memorial 16. Local Memorials 17. Survivor-led Annual Commemoration 18. Children's Fund
Restorative Recognition	19. Health Supports 20. Financial Support 21. Inheritance Tax
Dignified Burial	22. Burials Legislation

Update on the Birth Information and Tracing Bill 2022

The Birth Information and Tracing Bill 2022 was published on 12 January 2022, after it had been approved by Government. Both Houses of the Oireachtas (Dáil Éireann and Seanad Éireann) must now pass the Bill before it can be signed into law. The diagram below shows the steps the Bill must go through before becoming law, and where in the process the Bill is now.

The intention and purpose of the Bill is to enshrine in law the importance and right of a person to know his or her origins. It provides for the full release of birth certificates, and birth, early life, care, and medical information for adopted persons, people who were boarded out, nursed out or who spent time in a mother and baby home or county home.

The Bill aims to create a formal legal basis for both a robust tracing service and a Contact Preference Register. It also provides for the safeguarding of adoption and related records. It addresses the difficulties adopted people have faced when trying to access birth and early life information through a fresh approach, guaranteeing the full and un-redacted release of such information to persons 16 years and older.

It also makes changes to the Civil Registration Act 2004 to address key issues which arise for people who are affected by illegal birth registration by:

- providing a strong legal basis for the transfer of

information from Tusla to the GRO. This will ensure that the right of individuals to an accurate birth registration is upheld; and

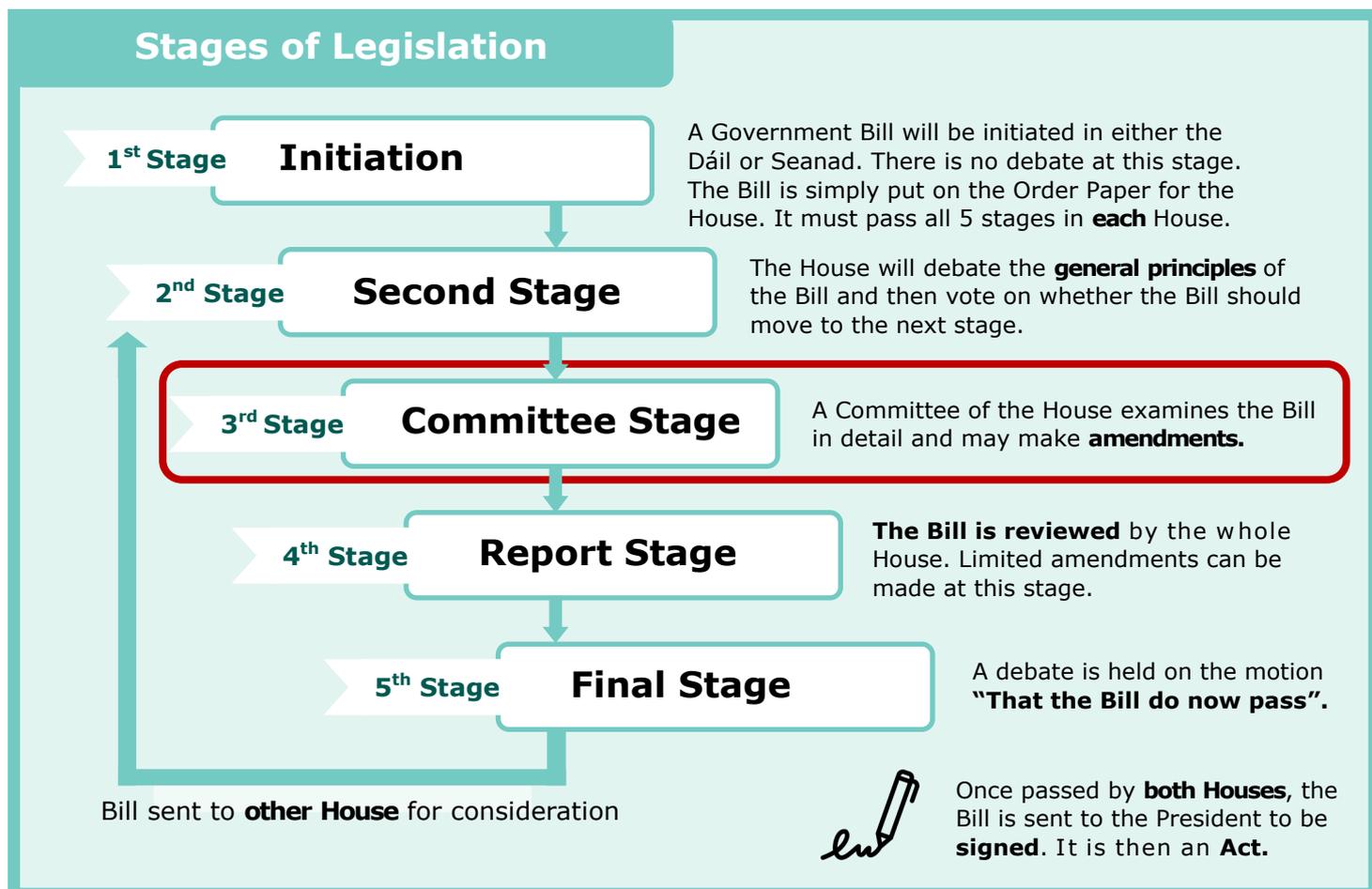
- ensuring that relevant individuals are entitled to live under whichever identity they prefer (i.e. their accurate birth identity or the 'social' identity by which they have lived their whole lives) and to have their social parents recognised in law.

The Bill also contains two additional ways for Next of Kin to access information:

- If a person died in an institution, their Next of Kin, be that a mother, a sibling or other specified relative, will be able to apply for that person's records, and
- The right to access information will pass to the child of an adopted person (nursed out or boarded out, subject to an illegal birth registration, or resided as a child in a Mother and Baby Home or County Home Institution) where their parent and grandparent are deceased.

The Government is committed to progressing the Bill urgently so that it can be signed into law as quickly as possible.

Further, more detailed, information on the Birth and Information Tracing Bill can be found [here](#).



Update on the Institutional Burials Bill 2022

On the 22 February 2022 Government approved the Institutional Burials Bill 2022. The purpose of the Bill is to make sure that people who died in residential institutions, and who were buried in a wholly inappropriate way, can be re-buried with dignity and respect. It also ensures that, where possible, people who were buried in this way can be identified and returned to their family members.

The immediate need for this legislation is to allow us to begin an excavation of the site in Tuam, but this legislation will also apply to any other sites where it becomes clear that there were inappropriate burials.

The Bill does several main things.

1. It allows Government to order an intervention at a site, and appoint a Director to manage the process.
2. It says that there will be an Advisory Board to help the Director. That Board will include people with scientific expertise, but also people who lived in the institution or family members of people who may be buried there.
3. It sets out the step-by-step approach to an intervention at a site which must be undertaken to forensic-standard and in line with international standards and best practice. This will include excavating the

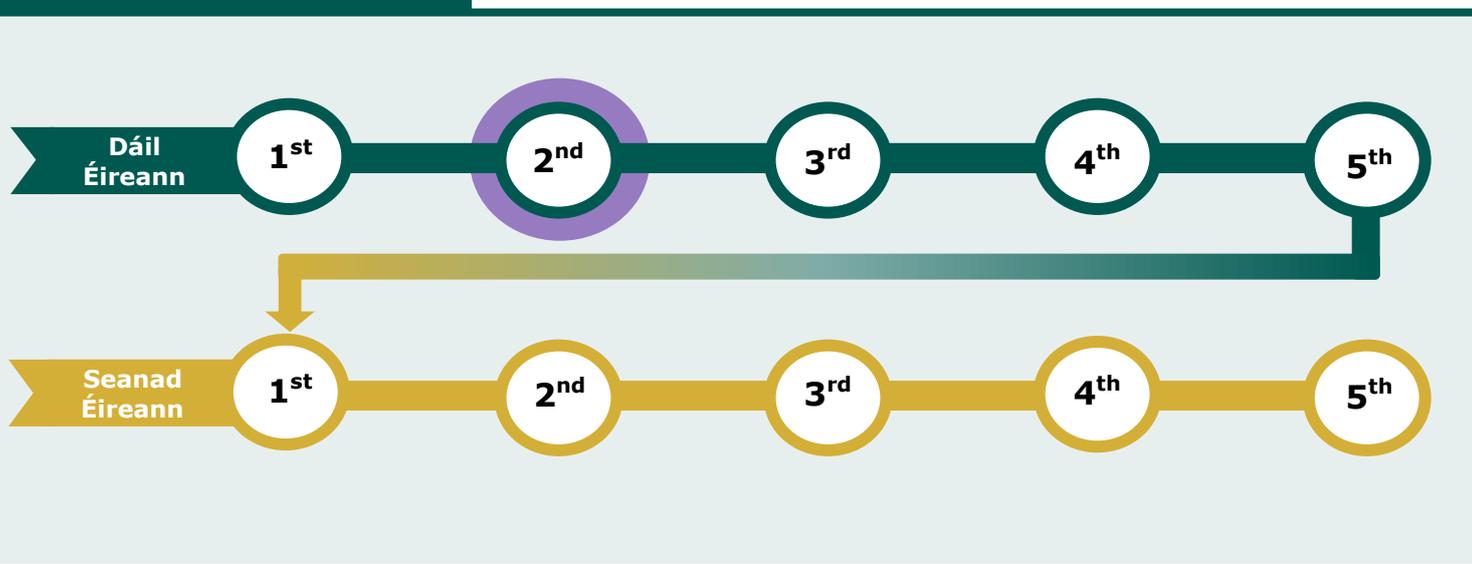
site, recovering any human remains, analysing those remains, using DNA to identify them if possible, and either returning the remains to family members (if they have been identified) or burying them in a dignified way.

A draft version of the Bill was examined by the Joint Oireachtas Committee on Children, Equality, Disability, Integration and Youth in 2021. The Minister has listened to the feedback and recommendations from the Committee, and from affected survivors and family members, and has made changes to the Bill to improve it. In particular any restriction on the role of the coroner under the legislation has been removed, and changes have been made to increase transparency and accountability.

The Bill will begin debate at Second Stage in the Houses of the Oireachtas on 2 March. It must be passed by both Dáil Éireann and Seanad Éireann before it can be signed into law. You will find information about the different stages of the legislative process in a diagram at page 3 of this update. The Minister will give updates on how the legislation is progressing in these quarterly updates. If you would like to read the Bill, or any of the material published with it, you can find it [here](#).

Bill Tracker

Institutional Burials Bill 2022



Update on the Mother and Baby Institutions Payment Scheme

On 16th November 2021, the Government agreed to establish the Mother and Baby Institutions Payment Scheme. This Scheme, when established, will include a financial payment and a form of enhanced medical card. You can find out more information about what the Scheme will look like on our [website](#). You can also contact us by email at MBIpaymentscheme@equality.gov.ie or by phone at 016473200 and we will post an information pack to you.

Since last November we have been focused on the work necessary to set up the Scheme. We are aiming to have the Scheme open for applications by the end of this year, so there is a lot to do to make sure that happens. Firstly, we will need legislation for the Scheme and are currently writing this legislation. The legislation will establish the Scheme in law, set out how it will work and make sure it operates in the best possible way.

The graphic below shows the steps involved in the completion of the legislation. At the moment we are in the **pre-legislative stage** which means we are working on writing a **General Scheme** that our Minister will then ask the Government to approve. A General Scheme is a first draft of the legislation. The Minister hopes to bring a General Scheme for the Mother and Baby Institutions Payment Scheme to Government for approval before Easter.

After that the legislation will be sent to the Joint Oireachtas Committee on Children, Equality, Disability, Integration and Youth for **Pre-Legislative Scrutiny (PLS)**. They will examine the draft legislation and there may be an opportunity, as part of this PLS process, for survivors and their representatives to tell the Joint Oireachtas Committee what they think about the draft legislation.

We will continue to provide updates on how the legislation is progressing.

As well as preparing the legislation we are also working on setting up the Executive Office to look after the applications for the Scheme. Taking account of what survivors said during the consultation, we want to do everything we can to make sure that the application process is as simple as possible and that every applicant is treated with kindness and sensitivity. We plan to provide support and guidance to survivors to help them to make an application for the Scheme when it is open.

For now, there is nothing you need to do if you think you are eligible for the Scheme. The Department will provide you with all of the information and support you need to apply when the Scheme is open for applications. In the meantime, if you have any questions, please contact us at: MBIpaymentscheme@equality.gov.ie or at 016473200.

Engagement with the Religious Congregations in relation to the Scheme

Minister O’Gorman gave a commitment that he would meet with all of the Religious Congregations involved in the operation of Mother and Baby and County Home Institutions in order to seek a contribution from them towards the cost of the Payment Scheme. The Minister believes all relevant parties have a shared moral obligation in this regard.

These meetings started in early December 2021 and are ongoing. A full report on the outcome of these meetings will be made available when the process is complete. The Minister is keen to conclude this process as quickly as possible but it is expected to take a number of months.

What is Pre-Legislative Scrutiny?

1 General Scheme published

A draft Bill, called a **General Scheme** will be written by the Department and, if Government approves, it will be published.



2 General Scheme sent to Joint Committee

The General Scheme will be sent to the Joint Oireachtas Committee on Children, Equality, Disability, Integration and Youth.



3 Committee conducts Pre-Legislative Scrutiny

The Committee can conduct Pre-Legislative Scrutiny (PLS). It will decide whether to hold hearings and/or invite submissions from the public.

4 Committee reports

The Committee may prepare a report, possibly with recommendations, and send it to the Minister.



5 Minister considers report

The Minister will consider any recommendations the Committee has made, and will arrange for the Bill to be drafted.

6 Bill published and introduced

Once drafted, the Bill will be published by the Bills Office in the Houses of the Oireachtas. The Minister will then introduce it in Dáil or Seanad Éireann. There are 5 stages a Bill must pass through in the Oireachtas.

Access to Personal Information

Would you like to know if there is information about you in the Commission's archive?

When the Commission of Investigation ended its work, it gave all the records it had collected to the Department. You can make a request to get a copy of any information about you that might be in those records. This is called a **Subject Access Request (SAR)**.

So far, we have received **516 SARs** for information from the archive, and **we have issued replies to 459** of these requests, with the remainder in progress.

How do I make a Subject Access Request?

If you would like to make a Subject Access Request, you can fill out an application form and send it to sar@equality.gov.ie. This will help us to process your request more efficiently.

You can find the application form by clicking on [this link](#). If you have any questions about this process, please get in touch with us and we can help:



sar@equality.gov.ie



01-2376001 (9am to 5pm, Monday to Friday)

Memorialisation

Local Memorialisation

In September 2021, the Minister for Housing, Local Government and Heritage set up a Working Group of Department and Local Authority officials to work on progressing the actions involving local authorities identified in the *Action Plan for Survivors and Former Residents of Mother and Baby and County Home Institutions*. These actions relate to the issues of

- access to local government services by survivors and former residents and
- local memorialisation.

In addition, the Working Group aims to provide guidance for best practice in ongoing engagement and liaison support between former residents or their support groups, and local authorities on both matters.

The Working Group has met regularly since September 2021. Its terms of reference and meeting minutes are available [here](#).

In November 2021, the Working Group issued a detailed survey to local authorities. All 31 local authorities responded to that survey. The Working Group is also examining good practice case studies, locally and internationally. A vital process of consultation with survivor support groups will begin shortly. The Working Group intends to complete its work in the second quarter of 2022.

Is your group organising a commemorative event?

The Department of Children, Equality, Disability, Integration and Youth funds a **Commemorative Grant Scheme**. The aim of the Scheme is to help survivor-centred advocacy groups to organise commemorative events. These events might have a focus on remembering or commemorating experiences in Mother and Baby Institutions, or they might focus on honouring those who are alive today.

If you are part of a group which wants to organise this type of event, it may be eligible for funding under the Scheme. You can find more information on the Scheme and how to apply [here](#).

If you have any questions, or would like some help with your application, please contact us:

 01 6473200

 commemorativegrantscheme@dcya.gov.ie

 Block 12, Miesian Plaza, 50-58 Baggot Street Lower, Dublin 2, D02 XW14, Freepost F5055

Research on Language and Terminology

An invitation to participate in public consultation on the research project on Language, Terminology and Representation in Ireland's "Mother and Baby Homes", "County Homes" and Related Institutions issued on 25 January. The consultations were scheduled to run until the end of Feb 2022.

The aim of this project, which is being undertaken by NUI Galway, is to examine and highlight the stigmatising and labelling language that has been used in the past and to suggest a set of alternative terms for future use. This project is sponsored by the Department of Children, Equality, Disability, Integration and Youth, and is funded through the Irish Research Council COALESCE fund. The Steering Committee, overseeing the project, has 4 survivor representatives. The Steering Committee will meet in March to review the findings of the consultations, and to discuss the production of the various outputs of the project. You can find more information on the project on the NUIG website [here](#).

Useful contacts

HSE Information Line

The HSE operates a dedicated Freephone information line for former residents of Mother and Baby and County Home Institutions.

 **1800 817 517**

Counselling Support

If you feel that you need to talk to a counsellor, you can contact the HSE National Counselling Service. If you decide to call, please identify yourself as a former resident of the institutions and you will be prioritised for the next available counselling place. Information about the service and contact details are available on the HSE website [here](#). You can also call:

 **1800 817 517**
 **Monday to Friday 8am-8pm**
Saturday 9am-5pm

Outside of these hours, you can also contact the CONNECT free telephone counselling and support service at 1800 477 477 (6pm-10pm Mon-Sun). For more support options, including phone, text or online, visit yourmentalhealth.ie or call 1800 111 888.



Join our mailing list

The Department maintains a mailing list for people with an interest in these issues. If you would like your email address to be added to this list to receive future updates, please send an email to motherandbabyhomes@equality.gov.ie requesting that your details be included.

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