Mother and Baby Institutions, Magdalene Laundries and Workhouses in Northern Ireland

Truth, Acknowledgement and Accountability

EXECUTIVE SUMMARY

Deirdre Mahon, Maeve O’Rourke and Phil Scraton
Truth Recovery Design Panel

Report for the Northern Ireland Executive

October 2021
The independent Truth Recovery Design Panel was established in March 2021 following all-Party agreement within the Northern Ireland Executive, on the advice of an independently chaired Inter-Departmental Working Group (IDWG) jointly sponsored by the Department of Health and Executive Office. The Panel’s formal start date was 4th April and the completion date for its work was 30th September 2021.

The Panel members and authors of this Report are: Deirdre Mahon (seconded from her post as Director of Women and Children’s Services and the Executive Director of Social Work in the Western Trust), Dr Maeve O’Rourke (National University of Ireland, Galway) and Professor Phil Scraton (Queen’s University, Belfast).

The Panel’s Project Brief required it to work closely with victims-survivors to make recommendations to the Northern Ireland Executive via the IDWG, co-designing a preferred option for the promised independent investigation/inquiry into Mother and Baby Institutions and Magdalene Laundries in Northern Ireland. Following representations from victims-survivors, the Panel added Workhouses to its scope.

In the development of the Panel’s research, victims-survivors co-designed the international call for participation in the research, the focus of the research questions and, via online meetings and telephone consultations, the development of the Panel’s work. Throughout the process, victims-survivors were in regular contact with the Panel and regular on-line meetings were held. The Panel carried out documentary and legal analyses while progressing the research with victims-survivors.

The Panel was required by the Project Brief ‘to establish the Terms of Reference of the investigation’. Central to the Panel’s recommendations is the proposal for an integrated investigation by an Independent Panel and statutory Public Inquiry. The Panel’s recommendations also include supporting measures that, in the view of victims-survivors and the Panel, are essential for the success of the forthcoming investigation.

Victims-survivors are clear in prioritising access to information, both personal and regarding the institutions’ operation, and to redress and reparation. These measures are vital to enabling their full participation in the investigation. Full recognition of victims-survivors’ rights is necessary to ensure that the investigation does not waver from meeting the range of their justice needs.

The Panel recommends the following supporting measures, each of which requires urgent implementation:

- Measures to ensure access to records: a statutory preservation requirement; data protection law implementation guidance; and legislation to establish a permanent, dedicated, independent truth-telling archive; and

- Measures to secure redress, reparation and compensation, including: automatic redress payments; assistance to access the courts, criminal investigations and inquests; health and well-being services; support for researching personal and family history; restoration of citizenship; and memorialisation and apologies.

Context

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An Integrated Investigation

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"my mother gave birth to a beautiful daughter who she probably only caught a glimpse of. Two days later, my mother is lying on a thin mattress in the workhouse surrounded by the destitute and mentally ill. She is distraught and bereft.

Meanwhile, just a ten-minute walk away, a happy, decent family has gathered in the church and they are cooing over my mother’s baby, who looks lovely in her white christening gown. The baby strains to hear her mother’s voice amongst the babbling strangers but she cannot pick her out. She screams in distress.

When the ceremony is over the name of the person baptised is entered into the register. The baby is given two surnames. Her mother’s surname is in brackets and a stranger’s surname is elevated to prime position. The process of stripping the baby of her identity has begun........"
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Recommendations and Actions Required

The independent Truth Recovery Design Panel (‘the Panel’) was appointed to make recommendations to the Northern Ireland Executive, with the aim of progressing an independent investigation/inquiry into Northern Ireland’s Mother and Baby Institutions and Magdalene Laundries. Following consultation with victims-survivors, the Panel’s remit was expanded to include Workhouses. Its Project Brief stated that its recommendations should identify a preferred option for an investigative framework, supported by a robust rationale and developed through a ‘co-design’ process with victims-survivors of the institutions.

The Panel’s recommendations have been developed following extensive consultations and interviews with victims-survivors, and written submissions by victims-survivors and other stakeholders. They are contextualised by consideration of the State’s human rights law obligations and by international research regarding the effectiveness of previous investigation and reparation frameworks.

The Northern Ireland Executive is to be commended for its insight and conviction in placing victims-survivors at the centre of designing the forthcoming independent investigation. This demonstrates sincere commitment to respecting and fulfilling human rights following many decades in which victims-survivors have suffered and been silenced.

The Panel’s recommendations include measures that, in the view of victims-survivors, are required for the forthcoming investigation to be a success. The Panel acknowledges that its Project Brief required it to focus specifically on the forthcoming investigation’s Terms of Reference. However, victims-survivors are clear that they must have access to information and to redress and reparation to enable their participation in the investigation.

Further, human rights law is clear that an investigation is only part, albeit a crucial part, of the response required in circumstances of grave and systematic abuse. Comprehensive recognition of victims-survivors’ rights is essential, otherwise the investigation process risks being misinterpreted as a deflection from the full range of victims-survivors’ justice needs.

The Panel’s five core recommendations focus on:

1. **Adoption of Guiding Principles**
2. **Responsibilities of the Executive Office**
3. **An Integrated Truth Investigation**
4. **Access to Records**
5. **Redress, Reparation and Compensation**

What follows is a detailed framework for implementing the recommendations and a summary of the Panel’s rationale.

A note on terminology: These recommendations and the accompanying report refer to ‘victims-survivors’; however, the Panel acknowledges that not everyone affected identifies with the same terminology. While recognising the limitations of such a term, the Panel intends ‘victims-survivors’ to be inclusive of all those personally affected by the institutions in question, their related practices and the adoption system.

### RECOMMENDATION 1:

#### Adoption of Guiding Principles

Key priorities raised by victims-survivors amount to six integrated Guiding Principles:

a. Funding and resources should be sufficient to ensure effective and sustainable implementation of all recommendations;

b. The human rights of victims-survivors and relatives should be central to all recommendations and their realisation;

c. Securing full access for victims-survivors and inter-generational relatives of the deceased to information regarding their personal and family histories and the work of future investigations is a fundamental priority;

d. In progressing implementation and ensuring accountability, policies and practices should be trauma-informed, identifying and responding to the needs and preferences of victims-survivors;

e. Future investigations should be accessible to all victims-survivors and relatives, particularly ensuring participation by those with disabilities;

f. Inclusion of victims-survivors and relatives affected by cross-border practices and in the Diaspora, and relatives of the deceased, is essential.

### RECOMMENDATION 2:

#### Responsibilities of the Executive Office

- a. The Executive Office should take responsibility to ensure the implementation and sustainable funding of all of the Panel’s recommendations.
- b. The Executive Office should cooperate with the Government of Ireland to achieve maximum possible access to information regarding the operation of cross-border practices: to vindicate victims-survivors’ rights to identity and accountability, and to facilitate future investigations.

### RECOMMENDATION 3:

#### An Integrated Truth Investigation

An integrated truth investigation should be prioritised, comprising an expert Independent Panel and a statutory Public Inquiry. An Independent Panel should be established without delay, bearing in mind the advanced age of many victims-survivors and relatives. Its appointment and operation is not dependent upon dedicated legislation. However, legislation will be required to establish the Public Inquiry including its Rules of Procedure and this should be progressed urgently.
Why is an integrated process necessary?

The need for an Independent Panel arises from:

- the potential of a non-adversarial, truth-telling first phase to gather documentary and other primary evidence, as an end in itself and informing a statutory Public Inquiry of the issues raised in victims-survivors’ testimonies;
- the stated desire of many victims-survivors and relatives to present their testimonies in a non-adversarial forum, with confidentiality as an option;
- the potential of the testimonies to educate and inform the general public;
- the priority of immediate gathering and cataloguing of records accessible under existing legislation, pending the Public Inquiry’s use of powers of compulsion;
- the need for a coordinated, fully resourced, expert mechanism to assist victims-survivors and relatives in accessing personal information enabling their participation in the investigation and identifying barriers to access.

A statutory Public Inquiry, informed by the periodic findings and recommendations of an Independent Panel and by its archival work, is required because:

- independent panels do not have statutory powers to compel the production of evidence; given the extent and diversity of involvement of state and non-state actors, statutory powers will be necessary;
- holding identifiable individuals, institutions and organisations to account is an essential function of any truth-telling investigation into serious and widespread human rights violations; an independent panel can investigate and hear testimonies regarding systemic abuses but only a statutory public inquiry has the powers to establish individual and institutional responsibility.

Independent Panel: Terms of Reference

An Independent Panel will be guided by the following principles:

- respect for the human rights of victims-survivors and relatives and a commitment to protecting and fulfilling human rights;
- full access to information for victims-survivors and relatives of the deceased;
- central involvement of, and accountability to, victims-survivors and relatives;
- accessibility, particularly to persons with disabilities;
- inclusion of victims-survivors and relatives affected by cross-border practices and in the Diaspora, and relatives of the deceased.

An Independent Panel will:

- gather, preserve, catalogue, and digitise relevant records and archives, engaging with authorities and institutions, organisations and individuals in Ireland North and South and across jurisdictions;
- provide archival, genealogical, advocacy, and any other necessary assistance, to victims-survivors and relatives to seek and obtain information from records and archives relating to the institutions and practices under investigation, including information about the fate and whereabouts of deceased children and women;
- commission geophysical surveys and archaeological investigations at former institutional sites to ascertain the presence or otherwise of unmarked graves;
- record testimony through a non-adversarial, disability-aware and trauma-sensitive process, ensuring informed choice in giving testimonies (confidential/ in public; oral/ written) and how testimonies are used (restricted to the Independent Panel/ forwarded to the Inquiry/ preserved in a permanent independent archive);
- ensure personal support enabling participation in the Independent Panel’s investigation, including psychological services, independent advocacy, disability-related support services, and access to a legal information service;
- investigate and publish findings regarding human rights violations experienced by individuals and families in Mother and Baby Institutions, Magdalene Laundries, Workhouses and their pathways and practices (including the adoption system, related institutions such as ‘baby homes’ and private nursing homes, and cross-border and international transfers of children and women). The investigation should include in its examination:
  i. the harms suffered at the time of the institutions’ operation and those continuing to the present, including gender-based harms and harms recognised in international human rights law;
  ii. how violations were inflicted and persisted;
  iii. the institutional and societal causes of the violations;
  iv. the impact and consequences of the violations and harms experienced;
  v. the responses of involved institutions, organisations and agencies to individuals and families affected.
- make recommendations regarding measures necessary to respond to, and prevent recurrence of, the human rights violations experienced, including periodic recommendations to the Public Inquiry, Ministers or any other state authority;
- secure the maximum possible publication of records and documentary material while protecting human rights, including the publication of personal testimonies with informed consent;
- establish and publish a protocol for discharging its duty to disclose certain information for criminal investigation;
- preserve its archive in full to be deposited in a permanent independent repository, ensuring informed consent for the deposit of witness testimony and compliance with data protection law;
- contribute to the drafting of legislation to establish a permanent independent archive of historical institutional and adoption records, and other records relating to children in state care (see Recommendation 4);
- review and analyse: implementation of the Truth Recovery Design Panel’s recommendations; victims-survivors’ and relatives’ access to civil proceedings, criminal justice investigation and inquests; and implementation of data protection and freedom of information laws;
- publicise its work widely to encourage participation, including of people with disabilities and those across the Diaspora;
- initiate events to encourage public engagement in its work.

Independent Panel: Timeframe, Membership and Consultation

An Independent Panel should be appointed as soon as possible after the publication of this Report, within a maximum of six months. Given the complexity of accessing and analysing documents, hearing testimonies and receiving written accounts from victims-survivors the Independent Panel’s main report on its evidence-gathering process should be completed within two years from its appointment (with periodic
The purposes of the Public Inquiry will be:

- to exercise powers of investigation equivalent to those of a Public Inquiry under the Inquiries Act 2005;
- to gather, preserve, catalogue and digitise relevant records and archives that the Independent Panel was unable to access, including records concerning personal and family histories and information regarding the whereabouts of deceased relatives;
- to commission geophysical surveys and archaeological investigations at former institutional sites with the aim of ascertaining the presence or otherwise of unmarked graves;
- to consider the recommendations of the Independent Panel regarding issues requiring investigation;
- to investigate issues of individual, institutional, organisational and state departmental/agent responsibility concerning human rights violations experienced in Mother and Baby Institutions, Magdalene Laundries, Workhouses and their pathways and practices (including the adoption system, related institutions such as ‘baby homes’ and private nursing homes, and cross-border and international transfers of children and women);
- to investigate the financial operations of the institutional, forced labour and family separation system;
- to include in its investigation such additional institutions, organisations, agencies or practices as the Independent Panel recommends;
- through its procedures to seek to enable maximum possible participation in its investigation by victims-survivors and relatives;
- to establish and publish a protocol for discharging its duty to disclose certain information for criminal investigation;
- to provide comprehensive reports on the operation of each of the institutions specified by the Independent Panel;
- to publish interim reports and make interim findings and/or recommendations as necessary and appropriate, including, if warranted, in relation to the functioning of other justice mechanisms and to Ministers regarding the need for amendment of its Terms of Reference;
- to publish an overarching, comprehensive report on its findings making recommendations in accordance with its findings.

Rules of Procedure

The Public Inquiry will:

- establish a presumption that a victim-survivor or relative of a person affected by an institution or practice under investigation has a significant interest in the entirety of the Inquiry and should be given core participant status accordingly;
- allow for the admission of anonymised evidence and of evidence submitted in writing, providing assistance for swearing a witness statement;
- provide support for victims-survivors including those with particular healthcare needs, such as facilitation of oral evidence by live-link and other special measures;
- ensure that in location, facilities and counselling support the venue will be sensitive to the physical and psychological needs of victims-survivors and relatives;
- safeguard the welfare of victims-survivors by questioning their oral testimonies through the chair or counsel to the inquiry;
- ensure that victims-survivors and their lawyers are provided with access to all relevant evidence gathered by the inquiry well in advance of giving evidence.

The Inquiry Panel

- the Chairperson should be appointed from outside the jurisdiction and should have established expertise in institutional and/or gender-based human rights abuses;
- the Chairperson should work with an Inquiry panel that includes a victim-survivor representative and others with specialist expertise in institutional, gender, class or ethnicity-based human rights abuse and intergenerational trauma;
- the Executive Office should seek nominations from victims-survivors for a list of potential Chairperson and Inquiry panel members, from which appointments will be made;
- the Chairperson and Inquiry panel should be assisted by independent researchers with all necessary expertise to enable the Public Inquiry to achieve its purposes; expertise acquired in the Independent Panel’s work should be shared with the Public Inquiry;
- the Solicitor to the Public Inquiry should be an independent appointment.
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RECOMMENDATION 4:

Access to Records

For those who have suffered abuse, the denial of information about their experiences and their identity is an ongoing injustice. The secrecy imposed by a range of State and non-State organisations and personnel violates victims-survivors’ and relatives’ rights to truth, identity, non-discrimination and freedom of expression. A rights-based approach to information disclosure is imperative.

Without access to information, victims-survivors and relatives would be unable to participate fully in the truth investigation. Further, without a permanent repository to gather, preserve and provide long-term access to information the truth investigation’s impact would be temporary and insufficient.

Statutory Preservation Requirement

The Truth Recovery Panel recommends immediate action by the Northern Ireland Executive, supported by the Northern Ireland Assembly, to create a statutory requirement on all relevant records holders to preserve and not destroy any information relating to Mother and Baby Institutions, Magdalene Laundries, Workhouses, adoption-related institutions and ‘baby homes’, and their policies and practices, including personal records. This requirement should extend to all State and non-State institutions and agencies, officials, representatives and professionals that serviced them.

Data Protection Guidance

Guidance is necessary to instruct personal data controllers on how to implement their obligations under the Data Protection Act 2018 and the UK General Data Protection Regulation, paying due regard to the rights to identity, freedom of expression, non-discrimination and truth of victims-survivors of serious human rights violations in the construction of such Guidance. In particular:

- The Department of Health (DOH) should continue its support for the Data Protection Impact Assessment (DPIA) currently proceeding with the involvement of victims-survivors who participated in the Truth Recovery Design process. The aim of this DPIA is to develop non-statutory Guidance for both state and voluntary adoption agencies responding to adoption-related subject access requests. The Guidance should be implemented immediately upon its completion;

- Following publication and implementation of the DOH Guidance, the Executive Office should take responsibility for overseeing the development of a statutory form of guidance binding all personal data controllers regarding the administration of historical institutional and adoption records. This statutory guidance should be created in consultation with victims-survivors;

- Communication should be established with the Government of Ireland regarding the similar need in that jurisdiction for data protection law implementation guidance.

Archive Legislation

In consultation with the Independent Panel, the Executive Office should take responsibility for progressing legislation to establish a dedicated permanent independent repository of all personal and administrative records relating to historical practices within a range of social care institutions and the adoption system. A similar independent repository has been promised by the Taoiseach and Government in the Republic of Ireland. Further, the potential for cooperation in the establishment and operation of these repositories should be explored.

It is envisaged that the legislation would, at a minimum:

- Create a permanent, comprehensive independent repository of historical institutional and adoption records, and other records relating to children in state care;

- Guarantee sufficient resourcing and technical expertise to enable the effective functioning of the permanent repository, which could be housed in the Public Records Office of Northern Ireland;

- Institutionalise cooperation between the permanent independent repository and a parallel repository in the Republic of Ireland;

- Establish a dedicated advisory committee, including victim-survivor representatives, to provide ongoing guidance on all matters affecting the repository and its use by victims-survivors and the public;

- Require the preservation and production of all relevant records, including administrative as well as personal information, whether currently held by state or non-state personnel, and including the archives of truth-telling investigations;

- Permit the voluntary deposit of additional testamentary and other relevant evidence;

- Provide the maximum possible access to information for those personally affected, including relatives of the deceased, thus protecting and vindicating their human rights, including their rights to identity and to truth;

- Establish procedures to enable victims-survivors to exercise their personal data protection rights, including their right to rectify inaccurate personal data by way of annotation;

- Establish rules and procedures for access by the general public in a manner that protects the privacy and other human rights of those personally affected;

- Require the provision of research, genealogy, family tracing and personal advocacy and support services to those personally affected by the repository’s holdings;

- Require the independent repository to provide support for education and ongoing and active memorialisation initiatives.

RECOMMENDATION 5:

Redress, Reparation and Compensation

In their interviews and submissions to the Panel, victims-survivors were clear that human rights-based redress is required urgently. Formal apologies, compensation payments and access to rehabilitation services before and during the truth investigation would enable participation in the Independent Panel and Public Inquiry. Victims-survivors of institutionalised forced labour and family separation have been denied their right to redress. Further delay would prolong the violation of their human rights. It is neither humane nor necessary to delay compensation payments until completion of an investigation.

The Panel welcomes the DOH’s support for the commissioning of services from the Victims and Survivors Service (VSS). This has resulted in an initiative, co-designed with victims-survivors of Mother and Baby Institutions, Magdalene Laundries and Workhouses, to provide health and wellbeing and ancillary services. The planned services, however, do not extend to the provision of a financial redress scheme.

The Executive Office should ensure that the following measures are implemented to meet victims-survivors’ and their relatives’ right to redress and reparation:

- VSS should be adequately resourced to fund comprehensive services as recommended by victims-survivors and relatives, for the duration of the truth investigation and the longer-term;

- Funding should be available for voluntary DNA testing, voluntary support services to assist family reunification, the establishment and maintenance of gravestones and markers, and victim-survivor-led artistic and other forms of memorialisation;
• Funding is required to enable victims-survivors and relatives to seek and obtain free legal advice and representation for the purpose of exercising their rights to access the civil courts, criminal justice investigation procedures, and inquests;

• A financial redress scheme should be prioritised, comprising an automatic standardised payment and the entitlement to a further individually assessed payment. The scheme should include all women who spent time or gave birth in a Mother and Baby Institution, Magdalene Laundry, Workhouse or other related institutions such as private nursing homes, and all those born to girls and women while institutionalised;

• The financial redress scheme should not be means-tested, should not compromise existing social welfare supports, and should not require waiver of legal rights;

• A dedicated consultation with victims-survivors is required as a priority to establish the procedures for the financial redress scheme’s administration and the content of any legislation that may be required. The Executive Office should engage with non-state institutions, organisations and agencies implicated in the institutional practices of forced labour and family separation to establish their contributions to the scheme;

• Citizenship should be granted to those who lost their entitlement due to removal from Northern Ireland as a child;

• State authorities in collaboration with the churches and other involved institutions should establish a prominent memorial, following a dedicated consultation.

Apology
The Truth Recovery Strategy Panel together with victims and survivors urge all state, religious and other institutions, agencies, organisations and individuals complicit in the processes of institutionalisation and forced labour, family separation and adoption to act without delay in issuing unqualified apologies. These should clearly: specify their role in the institutional, forced labour and family separation system; accept responsibility for harms done; demonstrate sincerity in their apology; and demonstrate the safeguards now in place to ensure there will be no repetition of the inhumanity and suffering to which they contributed.

Deirdre Mahon: MA, MBA, DipY&CW, CQSW, DipASS, PQCCP, DipPCC is a Director of Women and Children’s Services and the Executive Director of Social Work in Health and Social Care in Northern Ireland, managing both hospital and community services. She has always been a passionate advocate for the unheard and vulnerable.

Throughout her 35 years career in public services, Deirdre has maintained her practice in both Social Work and community frontline services. Deirdre has had extensive experience in both direct work with service users, and management and development of staff. She has developed and led on many innovative practices and leadership initiatives including leading on the development and implementation of the ‘Signs of Safety’, framework in Northern Ireland, which emphasises, ‘Nothing about Families, without Families’. This model addresses the power imbalance between families and statutory social services. She has trained judges, barristers, social workers, teachers and social care staff in this approach. Her expertise and guidance is much sought after, regionally/nationally and internationally, including, England, Scotland, Republic of Ireland, Europe, North America, Gibraltar, Australia and the Middle East.

Deirdre has been a driving force in ensuring trauma informed practice is rolled out in N. Ireland, creating awareness of the impact that Adverse Childhood Experiences can have on children and adults. She chairs a North/South, European funded, MACE (Multiple Adverse Childhood Experiences) project, which is working with local communities to identify need and development of services.

She is a qualified and experienced Social Worker/Youth and Community worker and is a practice assessor for the post graduate child care award and is a guest lecturer at Queens University Belfast and the University of Ulster. She is also a fellow of the Institute of Management.

Dr Maeve O’Rourke: PhD (Birmingham), LLM (Harvard), BCL (University College Dublin) is Lecturer in Human Rights at the Irish Centre for Human Rights, School of Law, National University of Ireland Galway.

Dr O’Rourke is also barrister at 33 Bedford Row, London, and a registered Attorney at Law (NY). Prior to joining NUI Galway in 2019, Dr O’Rourke was Senior Research and Policy Officer for the Irish Council for Civil Liberties and previously an employed barrister at Leigh Day Solicitors (International and Group Claims Department). She has worked as a researcher for Just for Kids Law, Harvard Law School Human Rights Program, the University of Minnesota Law School Human Rights Center, Equality Now, and the UN Special Rapporteur on Torture.

Dr O’Rourke’s academic research and writing focuses on the role against torture and ill-treatment, and on accountability and reparation for gross and systematic human rights violations in social ‘care’ contexts. Since 2010, Dr O’Rourke has provided pro bono legal research and advocacy assistance to the ‘Justice for Magdalenes’ group (now JFM Research, www.jfmresearch.com), playing an instrumental role in bringing about the Irish State’s apology to and redress scheme for Magdalene Laundries survivors. Dr O’Rourke continues to work with Magdalene Laundries survivors towards obtaining all elements of the promised redress scheme.
Author Profiles

In 2015 with Claire McGettrick, co-founder of JFM Research and Adoption Rights Alliance, Dr O’Rourke established an initiative with global law firm, Hogan Lovells International LLP, entitled the ‘Clann Project’ (www.clannproject.org). The ‘Clann Project’ assisted over 80 people to provide full witness statements to the Mother and Baby Homes Commission of Investigation; published extensive legal analysis of the human rights issues raised by Ireland’s 20th century system of family separation and its continuing effects; and continues to build a publicly accessible archive for accountability, education and memorialisation purposes.

Dr O’Rourke has received national and international recognition for her pro bono human rights lawyering, including being named UK Family Law Pro Bono Lawyer of the Year in 2013 and receiving the University College Dublin inaugural Alumni Achievement Award in Law in 2014 and the Public Interest Law Network’s Local Pro Bono Impact award in 2018.

Phil Scraton: PhD, DLaws (Hon), DPhil (Hon), MA, AdvDipd, BA(hons) is Professor Emeritus, School of Law, Queen’s University Belfast. He has held several international visiting professorships. Widely published on critical theory, incarceration and children/young people his books include: Law, Order and the Authoritarian State; In the Arms of the Law - Coroners’ Inquests and Deaths in Custody; Prisons Under Protest; ‘Childhood’ in ‘Crisis’?: Hillsborough The Truth; Power, Conflict and Criminalisation; The Incarceration of Women; Women’s Imprisonment and the Case for Abolition.

Co-author of reports for the NI Commissioner for Children and Young People (Children’s Rights) and the NI Human Rights Commission (Women in Prison) he was a member of the Liberty Advisory Committee on deaths in custody. He led the Hillsborough Independent Panel’s research team, was principal author of its 2012 Report, Hillsborough and was seconded to the families’ legal teams throughout the 2014-2016 inquests.

Consultant on, and contributor to, the 2017 BAFTA winning ESPN/BBC documentary Hillsborough, he holds a Leverhulme Fellowship addressing the unique work of the Panel and the legal processes that followed. In 2018 he co-convened a community-based international research programme at Sydney University deaths in custody and during arrest.


Darcy Rollins: LLB, BL is a pupil barrister at the Bar of Northern Ireland who graduated from the University of Bristol in 2016 where she was Vice-President of the Pro Bono Society and a member of Young Legal Aid Lawyers. Since then she has provided representation and advice in social security tribunals with the Law Centre Ni in 2016 and 2018 acting in appeals challenging the Department of Work and Pension’s failure to award individuals with physical and mental health problems their correct entitlement.

Darcy worked as a paralegal at a human rights firm, from February 2019 to September 2020 before leaving to train to become a barrister at the Institute of Professional Legal Studies. While working as a paralegal, Darcy primarily worked in the civil litigation department assisting partners. She consulted with survivors of historical institutional abuse and clerical abuse on a regular basis taking detailed statements of their story to build their case. She also provided legal advice regarding the Historical Institutional Abuse redress scheme or the alternative route of a civil case. She assisted with establishing over 300 redress claims and setting up cases prior to the opening of the redress scheme and lodged many applications before leaving in September 2020.

Darcy also continued to provide support and advice to individuals challenging their PIP entitlement, particularly HIAI clients who suffered serious mental health issues and had been denied their entitlement. She also consulted on a range of other matters including individuals who required injunctions, individuals challenging the state via judicial review and families whose relatives suffered in institutional care.

Acknowledgements

Appointed in late March 2021, the Truth Recovery Panel was scheduled to deliver its findings in six months following close collaboration with victims-survivors of Northern Ireland’s Mother and Baby Institutions, Magdalene Laundries and Workhouses.

The Panel’s work could not have been conceived of or completed without the dedicated participation of the many victims, survivors and relatives who were directly involved in developing, spreading awareness of and co-designing the research, the findings of which are at the centre of this Report. Their persistence in seeking access to information that is their right, their resilience, and their determination to realise a lifelong commitment to truth has challenged powerful institutions and revealed realities of violence, discrimination and ongoing injustice. Their commitment to truth serves a society whose State must now act to uphold human rights by initiating a comprehensive investigation supported by information access and redress measures.

The Panel’s research was commissioned by the Northern Ireland Executive. We acknowledge the previous work of the Inter-Departmental Working Group and the extensive research by the University of Ulster/Queen’s University Belfast team, whose Report informed our work and who offered advice to us in the early stages. We thank Eilis McDaniel, Director of Family and Children’s Policy at the Department of Health who has been a constant support throughout our work. We are grateful to Marion Coyle, the project’s Administrator; to Darcy Rollins, the project’s Researcher; and to Chris Curran, our Communications and Media Manager. Thank you to Professor Patricia Lundy at the University of Ulster and Patrick Corrigan of Amnesty International for convening the Learning the Lessons seminar series and for the ensuing report. Additional thanks are due to the legal representatives who made submissions on behalf of their clients, to the other interested groups and individuals who provided information, and to the numerous state and public representatives who showed interest in the Panel’s work and offered their insights.
Four Voices, Multiple Lives

‘I have lived with this silently all my life and have felt like I have carried a heavy guilty burden.’

‘The lasting damage done to my mental health has overshadowed my life and the lives of my family.’

‘It has to end with us as we do not want to pass this horrible legacy on to the next generation.’

‘It is time for truth, and I welcome it.’