



Oifig an Stiúrthóra um Idirghabháil Údaraithe,
Tuaim

**Office of the Director of
Authorised Intervention, Tuam**

ANNUAL REPORT

2023



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Introduction

This is the first Annual Report produced by the Office of the Director of Authorised Intervention, Tuam (ODAIT), to be submitted to the Minister for Children, Equality, Disability, Integration and Youth (the Minister) pursuant to Section 23 of the Institutional Burials Act, 2022.

The report covers the period 22 May 2023 to 31 December 2023.

Mr Daniel MacSweeney was appointed in May 2023 by the Minister as the Director of the Office of Authorised Intervention, Tuam (DAIT). Since May 2023, the Office has been in a set-up phase. This report details the activities of the Director during this stage of the set-up phase.

Message

from the Director of Authorised Intervention, Tuam



“I want to give the children buried at Tuam their dignity and, if we can, an identity.”

*Daniel MacSweeney, Irish Times Article;
14 March 2024*

I am pleased to introduce the inaugural Annual Report of the Director of Authorised Intervention, Tuam, for the reporting period 22 May to 31 December 2023.

The Office of the Director of Authorised Intervention, Tuam (ODAIT) was established under the Institutional Burials Act 2022 (the Act) in March 2023 and I was appointed as Tuam Director by Minister Roderic O’Gorman on 22 May 2023 to perform functions as assigned under the Government Order ([S.I. No. 518/2022](#)) for the Tuam site. See the map of the Tuam site at appendix 1.

In directing the establishment of ODAIT and appointing the Tuam Director, the Government has created the potential for Ireland to deliver a degree of solace to families, survivors and to the wider community for a dark chapter in the state’s past. The Government also created an opportunity for greater clarity about the fate and whereabouts of children believed to be inappropriately buried at the Tuam Mother and Baby Institution and whose remains will be recovered during the excavation. However, there are many forensic **challenges** to be faced in this endeavour, as discussed below in this message. Nothing quite like this has been done in Ireland or indeed globally.

My overarching objective in my first 18 months is to establish an independent, respected Office supported and understood by families, survivors and their advocates; an Office capable of delivering a process that meets international forensic standards and best practice, with good governance, and positioned to begin appropriate excavation and forensic analysis as soon as possible.



During this reporting period, I was building the foundations of the Office.

Starting as the first employee, then with a growing number of colleagues, we have been planning and developing a new state agency with all of the required systems, policies and procedures with respect to the Code of Practice for the Governance of State Bodies. As ODAIT is an independent body under the auspices of the Department of Children, Equality, Disability, Integration and Youth (DCEDIY), DCEDIY supported me in the establishment of the Office.

The Tuam intervention is a highly sensitive, publicised and closely monitored element of the state's response to the scandals that have reverberated in recent decades, continuing to attract interest at local, national and international levels. The history of the 'Tuam babies' scandal brings high expectations from families, survivors and their advocates, as well as significant and understandable anxiety, attention and support from the general public.

Communicating ODAIT's approach, process and work is of the utmost importance. I have kept local newspapers and radio updated on progress, as well as speaking regularly to national and indeed international media. This is also part of the remit of the Director.

Going back to late May 2023, my first priority was to meet families, survivors and their advocates.

I met Catherine Corless, whose tireless work led directly to the creation of this Office, at the Tuam site on 30 May 2023. Over the following weeks, I met various family members and survivors, groups and individuals to hear their perspective on the Tuam intervention, what they wanted and how they wanted to interact with me and my Office. Since the beginning, I have remained in regular contact with this community and they remain at the centre of our work. They are informed, consulted and valued.

The Tuam community is also of great importance to our work and I have made significant efforts to meet with their representatives, beginning with an invitation to TDs and county councillors to meet in Tuam on 25 July 2023. I have met regularly with these representatives since then, as well as with officials of Galway County Council and other community leaders. Again, they are informed, consulted and valued. I intend to consult more directly with local residents once we have greater clarity on plans for the works at the site and the excavation.

I was informed of the need for elderly and/or vulnerable ‘eligible family members’^[1] to provide family DNA reference samples as a matter of urgency. I approached DCEDIY and as a result, the Minister created the Administrative Scheme that allows officials of the Department to take samples from elderly and/or vulnerable ‘eligible family members’ under certain conditions where there are serious concerns about their age or health status and their ability to wait until the Identification Programme commences. The first DNA sample was taken on 26 October 2023. This scheme is a precursor to the Identification Programme which will take place at a later date in accordance with the staged approach foreseen by the Act.

My second priority in the first 18 months is to understand the complexity of this tragic situation and the context in which I have to deliver the Tuam intervention.

The 2017 Expert Technical Group (ETG) assessment of the Tuam site is a detailed and high-quality examination of the forensic challenges that ODAIT faces. It is the starting point for ODAIT’s analysis and planning. A number of challenges are highlighted in the ETG report:

- The unique and complex nature of the site
 - The expected large volume of highly commingled infant skeletal human remains in the sub-surface chambered tank in the Memorial Garden
 - The potential for further sets of human remains to be located elsewhere on the site
- The complex nature of infant skeletal remains
 - The difficulties in individualising comingled infant remains
 - The difficulties in identifying comingled infant remains
 - The limitations of DNA technology

The work to be carried out by ODAIT is a forensic rather than an archaeological operation, in both the recovery and the analysis of all artefacts and evidence recovered. ODAIT must apply the same methodologies as would be applied at a crime scene, as is underlined by the obligation to inform An Garda Síochána and the Coroner if ODAIT discovers evidence of a violent or unnatural death.

[1] In the Act, “eligible family member” is defined as “a person who believes on reasonable grounds that– (a) he or she is, in relation to a deceased person, a child, parent, sibling, half-sibling, grandparent, grandchild, aunt, uncle, niece or nephew (whether of the whole blood or the half-blood), grandniece or grandnephew of the person, and (b) the deceased person is buried in the principal burial land or ancillary burial land in respect of which an Identification Programme is undertaken.”

My background is with the International Committee of the Red Cross (ICRC), where I worked from 2007 to 2023. I was involved in humanitarian programmes around the world, many with the objective of clarifying the fate and whereabouts of people who were missing in relation to armed conflict and violence. There are many parallels between the Tuam Intervention and the ICRC's work for missing persons. Both involve the forensic recovery and identification of human remains through the multidisciplinary reconciliation of data from three sources, at all times done with regular communication and consultation with families. The three sources of data are:

- Research: information found in historical sources such as archives
- Families: DNA and other information collected from family members
- Gravesite: human remains and artefacts recovered from a gravesite

See appendix 2 where a diagram shows the process that ODAIT will follow.

Based on my experience with the ICRC (a neutral, independent, impartial humanitarian actor), I understand the importance of dignity and respect especially when it comes to families, survivors and their advocates; of communication, and of the dignity of the dead. It is welcome that the Director and the Office are independent, and must respect international forensic standards and best practice. I also understand the importance of good corporate governance. This experience is reflected in the Core Values of ODAIT, as set out in the Overview part of this report.

I acknowledge the supportive attitude of the various state agencies from whom I have sought assistance, advice and support in 2023. In 2024, we continue in our set-up phase, focusing on the overarching objective. I am committed, as soon as possible, to begin the excavation and all the steps that flow from it.

Overview

Our Statutory Responsibilities

Following the making of the Institutional Burials Act 2022 (Director of Authorised Intervention, Tuam) Order 2022 ([S.I. No. 518/2022](#)), the Minister for Children, Equality, Disability, Integration and Youth established the Office of the Director of Authorised Intervention Tuam (‘the Office of the Director’) by Institutional Burials Act 2022 (Establishment of Office of Director of Authorised Intervention, Tuam) Order 2023 ([S.I. No. 87/2023](#)) in accordance with Section 9(1) of the Institutional Burials Act 2022 (“the 2022 Act”).

The Government Order ([S.I. No. 518/2022](#)) directed the Minister to establish an independent Office of the Director to perform the functions set out in section 10(a)-(k) and additional functions set out in 10(l)ii of the 2022 Act.

Accordingly, the key functions of the Director of Authorised Intervention, Tuam are as follows:

- *Manage and control generally the staff, administration and business of the Office*
- *Identify and engage the expertise required to assist him or her in performing his or her functions*
- *Obtain any necessary consents for the carrying out of works*
- *Arrange for the forensic excavation and recovery of human remains buried in a manifestly inappropriate manner on principal burial land*
- *Arrange for the post-recovery analysis of human remains after forensic excavation and recovery of those remains*
- *Arrange for the carrying out of remedial works to the land on completion of the recovery of human remains from the land*
- *Undertake an Identification Programme*
- *Make final arrangements for human remains recovered from principal burial land*
- *Provide regular updates to relatives of the deceased, other stakeholders and the public*
- *Consult with an Advisory Board at regular intervals*



Historic map with overlay outline of principal burial land

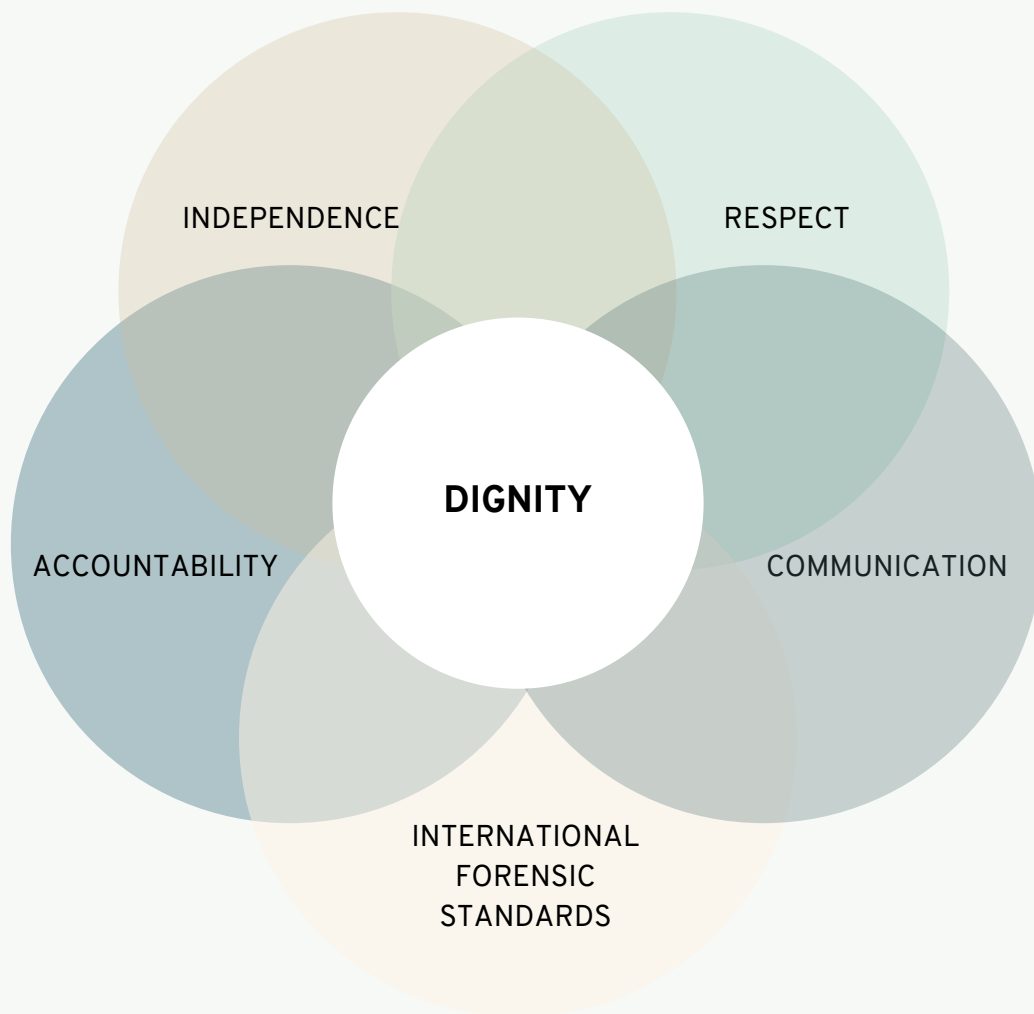
As per the Legislation the Director's powers include:

- *Hiring staff and entering into contracts to deliver the objectives*
- *Accessing land to recover human remains buried in a manifestly inappropriate manner*
- *Conducting an Identification Programme that will, (after the satisfaction of certain legislative preconditions) as part of a multidisciplinary approach, involve taking DNA samples from 'eligible family members'*
- *Carry out works on land*
- *Cooperate with the Director of Forensic Science Ireland (FSI) to enable the Director of FSI to perform his or her functions under the Act*



Existing south-eastern boundary wall of former Tuam Workhouse onto Tober Jarlath Road

ODAIT Core Values



Mission Statement

To restore dignity in death and, where possible, an identity to those inappropriately buried between 1925 and 1961 at the site of the former Mother and Baby Institution in Tuam.



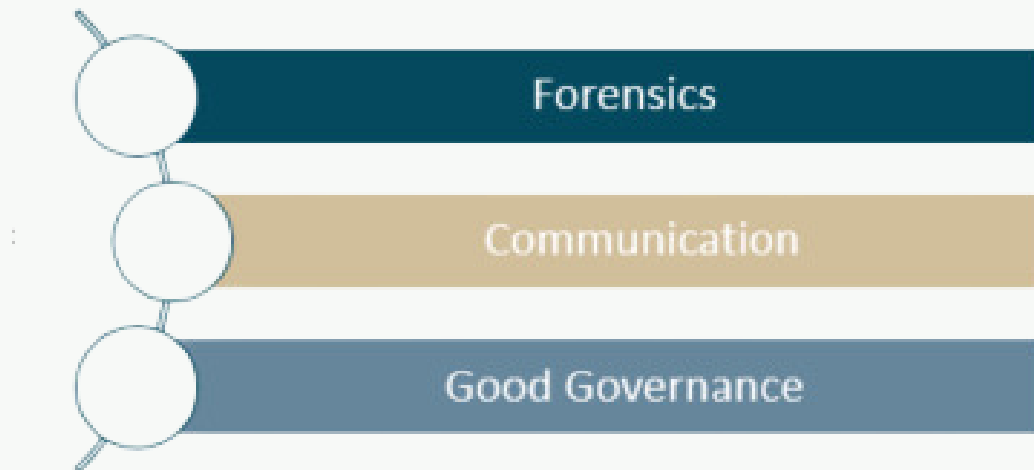
Southern boundary wall of memorial garden

Statement of Strategy

Having developed the capacity, ODAIT will forensically excavate the Tuam site, recover and analyse human remains in accordance with international forensic standards and best practice. Acknowledging the high complexity and difficulty, ODAIT will endeavour to individualise and identify those human remains and establish the cause and circumstances of death. Identified human remains will be returned to their families, and unidentified human remains will be buried appropriately and with dignity. All will be memorialised after a consultative process informed by ODAIT's core values. We will communicate with families and other stakeholders and respect good governance.

Our Strategic Approach

There are three pillars that are fundamental to ODAIT's strategy:



The Director has developed a strategic approach to address the complexity faced in this context, and to build the foundations of an independent Office with the capacity to deliver the Tuam intervention. There are three pillars: **Forensics** is the core business of ODAIT, **Communications** is the key external enabler and **Good Governance**, the key internal enabler.

The **Forensic** approach is to build a multi-disciplinary site and laboratory team, a functioning laboratory, a general system of work (protocols and procedures), a data management system and clear systems of cooperation with FSI which is responsible for the DNA aspects of the Tuam intervention. After preparation, the forensic excavation of the Tuam site will start.

The forensic analysis of the human remains recovered will begin in the ODAIT laboratory, and subsequently as part of this multidisciplinary process, selected samples from the recovered human remains will be analysed in the laboratory of FSI. When the excavation ends, the forensic analysis will continue until all human remains recovered from the era of the Mother and Baby Institution in Tuam (1925-1961) have been forensically analysed.

The following preconditions must be met before the forensic excavation of the Tuam site can begin:

1. Enabling groundworks are planned by a consultant engineering company and commenced by a construction company, taking into account all of the relevant forensic, legal, health and safety, site and consultation factors. ODAIT is progressing this work in conjunction with OPW, and it is governed by the legislative requirements of EU and national procurement rules.
2. ODAIT secures an adequate premises in the Tuam area and it is repurposed for laboratory purposes. ODAIT is progressing this work in conjunction with OPW, and it is governed by the legislative requirements of EU and national procurement rules. At a minimum, the excavation can begin if there is a temporary facility where human remains can be stored appropriately while the laboratory is being completed.
3. Recruitment of staff with sufficient qualifications and experience for site archaeology team and for other key forensic roles.
4. Secure an adequate IT/data management system.
5. Adequate administration and good governance systems are in place to manage all of the above.

Once there is sufficient progress on these five points, we will communicate and consult with the local residents.



Communication must be approached strategically and with care and sensitivity. The support of families, survivors and their advocates as well as the Tuam community and the general public is important. We will explain the process, listen to concerns and to the extent possible (while still pursuing the objectives under the legislation), adjust ODAIT's approach to take these legitimate concerns into account. Providing insight and supporting understanding of the complex forensic operation is key.

Concerning **Good Governance**, ODAIT is an independent public body, under the management and control of the Director and under the auspices of DCEDIY. As a new agency of DCEDIY, the Department has supported its establishment in line with good governance, and an Oversight Agreement is in place between ODAIT and the Department.

The functioning of ODAIT is governed by the Institutional Burials Act 2022 and the general law. Under the Act, the Director is accountable to the Public Accounts Committee and other Oireachtas committees. This Good Governance pillar is intended to contain all of the necessary elements to run the Office in accordance with the relevant administrative, legal and governance standards in line with the Code of Practice for the Governance of State Bodies 2016.



Organisational Development

Building Our Team



(L-R): Oran Finegan, Forensic Programme Manager; Bláithín Kennedy, Deputy Director; Daniel MacSweeney, Director; and Dr Niamh McCullagh, Senior Forensic Consultant .

The development of a new state agency is invariably more difficult and complex seen from an internal perspective than it appears externally. Much of the focus in 2023 was on hiring the right people with the right skills and establishing appropriate values and culture. Organisational development is fundamental to the success of this Office.

The commitment of all our staff to work for the dignity of those believed to be buried at the Tuam site and their families is strong. We are developing clear and high standards in engaging with families, survivors and their advocates, and in seeking to explain what we do, why and when.

Minister O’Gorman appointed Mr Daniel MacSweeney as Director in May 2023 subsequent to an open recruitment process. Three highly motivated administrative staff who applied for secondment to the Office were appointed in the summer of 2023. We also secured the services of:

- Oran Finegan, former head of forensics in the International Committee of the Red Cross (ICRC) with vast experience in large scale post conflict programmes with the ICRC and UN. Oran is our Forensic Programme Manager.
- Dr Niamh McCullagh, a forensic archaeologist, who directed the Mother and Baby Home Commission of Investigation forensic investigation of the Tuam site in 2016, led the Expert Technical Group that did the first forensic investigation of the Tuam site in 2017, and whose work and report ODAIT is building on. Niamh is our Senior Forensic Consultant.

In line with the requirements under s.12 of the Institutional Burial Act 2022, the Office received sanction from the Department of Public Expenditure, NDP Delivery & Reform for the recruitment of posts to support the building of our team. Support was received in this regard from HR DCEDIY.

May 2024 - Staff of ODAIT



Sitting (L-R): Bláithín Kennedy, Deputy Director; Daniel MacSweeney, Director; Oran Finegan, Forensic Programme Manager. Standing: Selina Brogan, Operations Manager; Emer O’Donnell, Clerical Officer; Patricia Donnelly, Finance Manager and Tara Jennings, Executive Officer.

Forensics Team

The Forensics Programme Manager (a forensic expert in the planning and implementation of missing persons programmes) is a contractor leading the forensic side of the process and working with our Senior Forensic Consultant (a forensic archaeologist), also a contractor. They are working on the delivery of the forensic approach including recruitment of a forensic team. A visit to the highly regarded United Nations Committee on Missing Persons Project in Cyprus gave ODAIT the opportunity to see at first hand a programme with many similar challenges to those that ODAIT will face, and to foster relations in view of future collaborations.

ODAIT and FSI have met regularly to discuss cooperation and delivery on the relevant aspects of the intervention.

Communications Team

The Head of Communications, a key role in the Office, unfortunately was not filled during 2023 despite multiple efforts to secure a secondment within the public or civil services. An external recruitment competition to recruit a Head of Communications is ongoing in June 2024. The communications approach will be delivered by the successful applicant.

Good Governance & Administration Team

The governance and administrative work is led by the Deputy Director, a key post that was filled in January 2024. The work of this team is primarily delivered by seconded civil servants. Three highly motivated administrative staff including our Operations Manager, applied for secondment to the Office and were appointed in the summer of 2023 to begin the set-up phase of our new state agency. Subsequently, our Finance Manager was appointed also by secondment in April 2024. The team focused a significant amount of time on building the foundations necessary for the day to day operation of the Office to support the strategic objectives of the Director. We have commenced the implementation of The Code of Practice for the Governance of State Bodies 2016 and the relevant provisions of the Act.

Governance

Financial Information

The budget for ODAIT is allocated through Vote 40, Subhead CO8 of the Department of Children, Equality, Disability, Integration and Youth (DCEDIY). The Minister secured an allocation of almost €7m for ODAIT in 2023. However, as the Director was only appointed in May 2023 and the work of the Office was in the preparatory phase, the allocation was revised downwards to €432,000 later in the year. ODAIT is funded up to the approved level of allocation or expenditure, whichever is the lesser. The expenditure in 2023 was just over €257,000. Higher expenditure is expected in 2024 in line with the strategic approach and a detailed budget submission by the Office.

As set out under s.22 of the Institutional Burials Act, 2022, there is a requirement of ODAIT to prepare and submit annual accounts. The Financial Statements for year ended 31 December 2023 have been prepared in accordance with the financial reporting standard FRS102, the financial reporting standard applicable in the UK and Ireland issued by the Financial Reporting Council. The Financial Statements were submitted to the Comptroller & Auditor General (C&AG) by the specified timeline of 01 April, 2024.

Following establishment, an arrangement was put in place whereby payroll processing for the Office is carried out by DCEDIY through the National Shared Services Office. In addition, in light of the time-bound nature of the Office, a special arrangement was put in place regarding payment of suppliers of the Office through the Department's Finance Unit with ODAIT mirroring the DCEDIY accountability structures. Procedures for all key financial control processes are in place and are being reviewed and updated as the Office develops in compliance with the Public Spending Code.

Owen McDonough & Associates Ltd. assisted ODAIT in the preparation of the financial statement and reports for year ended 2023.

Contractors

Section 23 (5)(b) of the Institutional Burials Act, 2022 requires the Director to name in the annual report each person that the Director has entered into contracts or arrangements with, and any person appointed as a consultant or adviser. The Director has appointed the following two consultants in 2023:

- a. Forensic Programme Manager – Preliminary Stage – Forensic Action International
- b. Senior Forensic Consultant – Preliminary Stage – Dr Niamh McCullagh

Internal Audit

ODAIT has ensured that an effective system of internal controls has been introduced since its recent establishment. The Office's monitoring and review of this system will be informed by the work of DCEDIY as part of their internal audit functions.

Data Protection

ODAIT is committed to protecting the rights and privacy of individuals in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act, 2018. The Data Protection and Data Privacy policies have been drafted upon the establishment of the Office and will be available on our website, once live. Requests for either policy can be made in the interim to info@dait.ie.

Protected Disclosures

Under Section 22 of the Protected Disclosures Act, 2014, ODAIT is obliged to prepare and publish, no later than 30 June in each year, a report detailing the number of protected disclosures made during the preceding year and the action (if any) taken in response to those protected disclosures. Pursuant to this requirement, no protected disclosures were received in 2023 and the annual report on protected disclosures has been submitted to our parent Department and will be published on our website.

Premises

The Office of the Director of Authorised Intervention, Tuam operates from Custom House, Flood Street, Galway. This office space was provided by the Office of Public Works. The Director is working in conjunction with OPW to secure an adequate laboratory premises in or around the Tuam area.

Advisory Board

In September 2023, the Minister appointed members to the Tuam Advisory Board to provide support and guidance to the Director in undertaking his role. In line with the provisions of the Institutional Burials Act 2022, the Advisory Board consists of: a chairperson who is a former coroner; two members with scientific expertise; a representative of Galway County Council; a former resident of the Tuam institution; and a family member of a person believed to be buried at the Tuam site. The first meeting of the board took place in January 2024.

First meeting of the Advisory Board to the Director of Authorised Intervention, Tuam

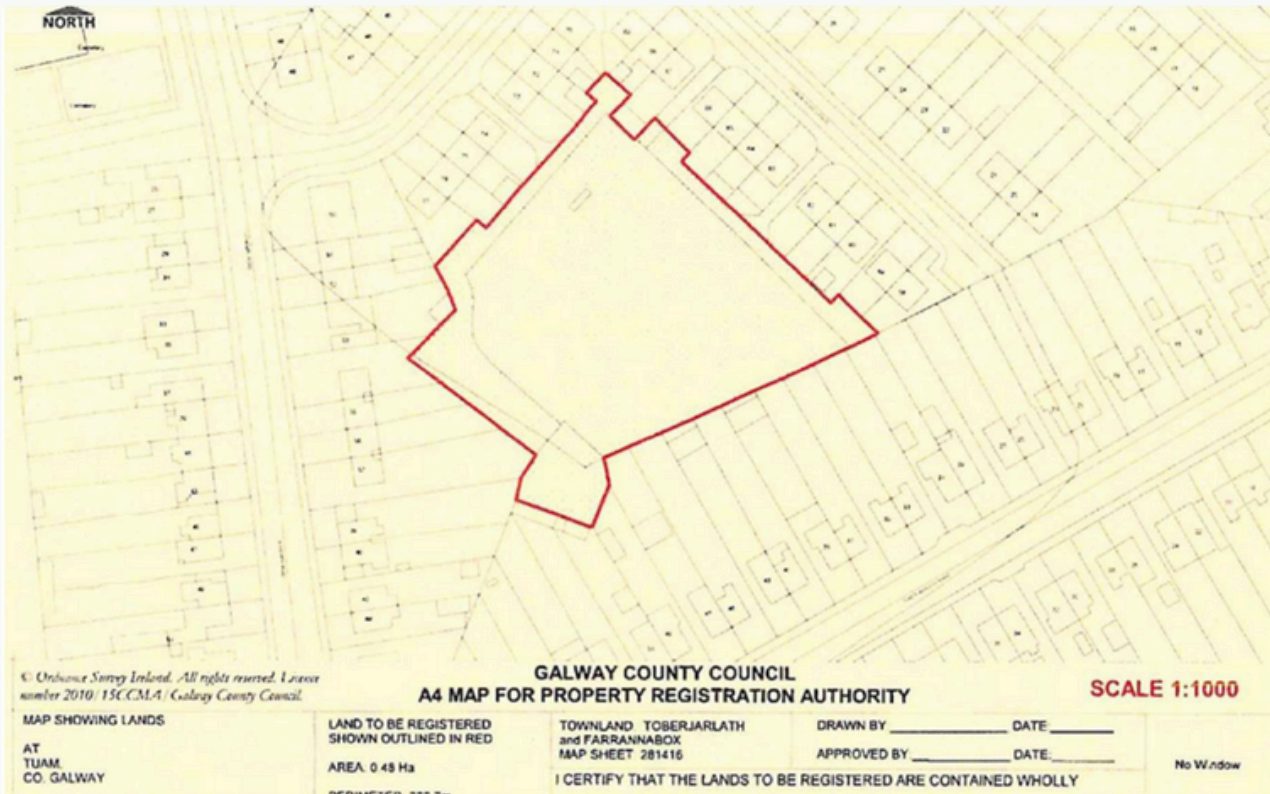


Sitting (L-R): Laura McGarrigle, DCEDIY; Daniel MacSweeney, Director of Authorised Intervention, Tuam; Annette McKay, member of Tuam Advisory Board; Dr Denise Keating, member of Tuam Advisory Board. Standing (L-R): Péter Szlovak, DCEDIY; Gráinne Morrissey, DCEDIY; Selina Brogan, Office of the Director; Oran Finegan, Forensic Programme Manager; Dr Niamh McCullagh, Senior Forensic Consultant; Bláithín Kennedy, Deputy Director, Office of the Director; Peter Mulryan, member of the Tuam Advisory Board; Dr Brian Farrell, Chairperson of the Tuam Advisory Board. On the screen: Dr Barra O'Donnabháin, member of the Tuam Advisory Board.

Appendices

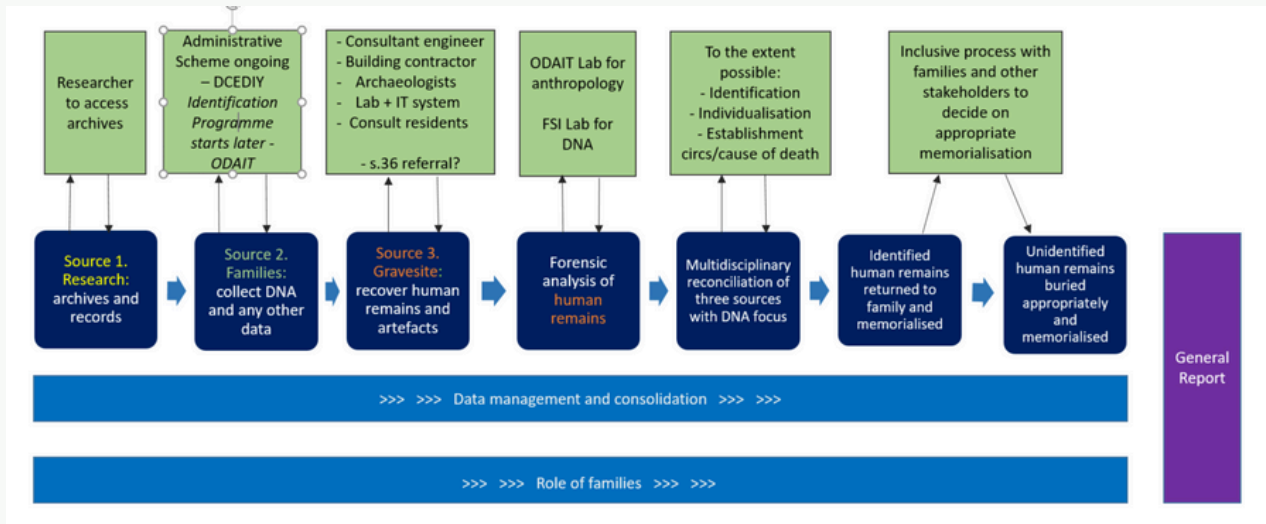
Appendix 1

Map of the Tuam site from [S.I. No. 518/2022](#)



Appendix 2

Overview of Process*



*this is a living document and is updated as the process for the Tuam intervention develops and is clarified

Appendix 3

Glossary of Terms

DAIT	Director of Authorised Intervention, Tuam
ODAIT	Office of the Director of Authorised Intervention, Tuam
DCEDIY	Department of Children, Equality, Disability, Integration & Youth
HR	Human Resources
OPW	Office of Public Works
ETG	Expert Technical Group
MBHCOI	Mother and Baby Home Commission of Investigation
FSI	Forensic Science Ireland

