

# MOTHER AND BABY HOMES COMMISSION OF INVESTIGATION

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12<sup>th</sup> June 2016

Dr Katherine Zappone TD  
Minister for Children and Youth Affairs  
43 – 49 Mespil Road  
Dublin 4



**Re: Interim Report in accordance with Section 6(6) of the Commissions of Investigation Act 2004.**

Dear Minister,

Please find enclosed Interim Report of the Commission in accordance with Section 6(6) of the Commissions of Investigation Act 2004.

We look forward to your response in due course.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Judge Yvonne Murphy', written over a horizontal line.

**Judge Yvonne Murphy**  
Chairperson

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# **Interim Report**

**July 2016**

## **A request for the revision of the timeframe for submitting two final reports under Section 6(6) of the Commissions of Investigation Act 2004**

### **1. Introduction**

1.1 The Commission of Investigation into Mother and Baby Homes and Certain Related Matters was established on 17 February 2015. Its Terms of Reference are set out in Statutory Instrument 57/2015.

1.2 The Minister for Children and Youth Affairs appointed Judge Yvonne Murphy as Chairperson of the Commission and Professor Mary Daly and Dr William Duncan as members of the Commission.

1.3 The Terms of Reference of the Commission require it to produce three final reports:

- Confidential Committee report: to be submitted by 17 August 2016
- Social History report: to be submitted by 17 August 2016
- Report of the investigation into the 14 named Mother and Baby Homes and a representative sample of county homes: to be submitted by 17 February 2018

1.4 The purpose of this interim report is to request the revision of the timeframe for submitting the first two final reports. Under Section 6(6) of the Commissions of Investigation Act 2004, the Commission requests that the timeframe for submitting these reports be the same as for the submission of the third report.

1.5 The Commission does not consider that this change will require any change to the statement of costs which accompanied the Terms of Reference.

### **2. The Work of the Commission to date**

2.1 The Commission has been working on all three reports in tandem. As this work has progressed, it has become clear that these reports cannot be treated as if they were totally separate and distinct. The work of the Confidential Committee has been informing the investigation and the investigation work has been informing the Commission's understanding of social history. The Commission is of the view that

- more time is needed to hear the many people who wish to give evidence to the Confidential Committee
- the social history report, if completed on the basis of published sources, would not “establish an objective and comprehensive historical analysis”.

### **3. Confidential Committee**

3.1 The role of the Confidential Committee is to “provide a forum for persons who were formally resident in the homes [listed in the Terms of Reference] or who worked in these institutions ... to provide accounts of their experiences...as informally as is possible in the circumstances”. The Commission used its power to appoint appropriately qualified people to be members of this committee. The establishment of the Committee and the putting in place of arrangements for its operation took some considerable time. Staff had to be recruited; procurement processes had to be put in place for services such as advertising and IT and arrangements had to be made for the payment of expenses to witnesses while maintaining strict confidentiality.

3.2 On 15 May 2015, the Commission appointed Mr Kevin Healy and Ms Lucy Scaife as Members of the Confidential Committee. On 15 June 2015, a researcher was appointed to work primarily with the Confidential Committee. A member of staff was delegated to be the Confidential Committee Liaison Officer. Training was organised for the committee members and for all staff who would interact with witnesses.

#### **Advertising the Confidential Committee**

3.3 After a tendering process, an advertising campaign was conducted in June/July 2015 in national and local press and local radio. A commission representative gave a number of interviews on local radio stations encouraging relevant people to come forward. Further advertising and related interviews took place in June 2016 after the Commission had chosen the representative sample of county homes.

#### **Operation of Confidential Committee**

3.4 A dedicated Freephone number to call the Confidential Committee team was installed. A database to record the information provided by witnesses to the Confidential Committee was set up.



3.5 Arrangements were put in place to enable the Commission pay expenses to witnesses who came to the Confidential Committee. The officially preferred method of payment – electronic funds transfer – was not suitable for many of the people for a number of reasons, the most important of which was the need to maintain their confidentiality. It took some considerable time to get approval to open a bank account in the Commission’s name and to get a cheque book. This was eventually issued in September 2015.

3.6 The Confidential Committee became fully operational in September 2015.

3.7 The number of people who wish to give evidence to the Confidential Committee is larger than was expected. To date, just over 500 people have expressed an interest in meeting the committee. There has been a steady stream of contacts since June 2015 and a significant number contacted the Commission after its advertising campaign in early June 2016 in relation to the chosen county homes. (These contacts were in relation to all the homes being investigated).

3.8 Over 150 hearings have been held in the Commission’s offices in Dublin, in private homes outside the Commission’s premises and also in Galway, Cork, Donegal, Limerick and London. Plans are in place for hearings in a number of other locations including further locations in the UK.

3.9 The work of the Confidential Committee is continuing and the Commission estimates that it will take at least another year to meet all the people who wish to speak to the Committee. A report will then have to be compiled.

## **4. Social history report**

4.1 The Commission is required to compile a literature based social history report.

4.2 The Commission, having reviewed the existing literature on this topic has come to the conclusion that it would not be possible “to establish an objective and comprehensive historical analysis” based on the existing published literature. While books, articles and reports have been published on single mothers, Mother and Baby Homes and related issues, this research is patchy, and much of it relates to recent years. There is very little published information on the early or mid-twentieth century. The Commission is determined to rectify these shortcomings, and it is committed to producing a comprehensive historical analysis, that will cover the period 1922-1999.

4.3 The investigation being conducted by the Commission into the named Mother and Baby homes and the chosen county homes has unearthed information which is particularly relevant to a social history report. The Commission has engaged in extensive work to identify archival records that are relevant – the files of government departments, local authorities, Catholic dioceses and the surviving records of the institutions listed in the terms of reference. A very large volume of new information is coming to light and this research is not yet complete.

4.4 This information will significantly enhance understanding of the topics to be covered in the social history report. The Commission believes that it will form the basis for a comprehensive social history.

4.5 The Commission is satisfied that any social history module compiled on the basis of published literature would not constitute a comprehensive historical analysis. Such a report would have no long-term value, given that it would be superseded and significantly modified by the Commission's current research.

## **5. Further Interim report**

5.1 This interim report is exclusively concerned with the request for the revision of the timeframe for submitting the first two final reports. The Commission recognises that this request, if granted, has repercussions for the requirements of Article (6) of the Terms of Reference.

5.2 Article (6) of the Commission's Terms of Reference provides that "The Commission may include in its reports any recommendation that it considers appropriate, including recommendations in relation to relevant matters identified in the course of its investigation which it considers may warrant further investigation in the public interest. In any event, on the completion of the Report on the wider social and historical context required under Article (11) the Commission shall report to the Minister on whether it considers specific matters not included in the existing scope may warrant further investigation as part of the Commission's work in the public interest."

5.3 The Commission appreciates that the Minister for Children and Youth Affairs, the Government and the people who are affected by the issues being investigated expected that further clarity would be brought to the scope of the investigation by the requirement set out in

Article (6). The request for the revision of the timeframe for the production of the social history report, if granted, will mean that any further clarity would not be provided in the timeframe originally set out. Accordingly, the Minister for Children and Youth Affairs has asked the Commission to issue an Interim Report under Section 33 of the Commissions of Investigation Act 2004 on the issues raised in Article (6). The Commission is happy to accede to this request and will provide this Interim Report in September 2016.