



THE COMMISSIONER FOR SURVIVORS OF INSTITUTIONAL CHILDHOOD ABUSE

To:
Committee for the Executive Office
Room 375a
Parliament Buildings
Ballymiscaw
Stormont
Belfast BT4 3XX

31 January 2022

COMMISSIONER'S VIEW ON MEMORIAL – HISTORICAL INSTITUTIONAL CHILDHOOD ABUSE

Overview

The Committee of the Executive Office has asked the Commissioner for Survivors of Institutional Childhood Abuse to provide her view on a memorial dedicated to acknowledging and remembering the experiences of victims and survivors who suffered abuse as children in a range of residential institutions in Northern Ireland. The memorial is a recommendation of the 2017 Historical Institutional Abuse (HIA) Inquiry Report, also known as the Hart Report.

The Commissioner has previously given her views to the Committee on Historical Institutional Abuse related issues, including but not confined to, the Redress process and Apology, the latter another outstanding recommendation of the 2017 Historical Institutional Abuse Inquiry Report.

At the Commissioner's most recent appearance before the Committee in December 2021, she urged the Executive to take due consideration of the symbolic importance of 20th January 2022, the fifth anniversary of the publication of the HIA Inquiry Report. The Executive subsequently announced on that date that the Apology will be taking place on 11th March.

The Commissioner also urged that the proposed review of the Redress process, recommended by the Committee of the Executive Office in June 2021 having previously heard from victims and survivors group representatives and the Commissioner, then passed by the Assembly in July and announced by the Executive in December 2021, should take place in parallel to the preparation for the Apology.

Commissioner for Survivors of Institutional Childhood Abuse, 5th Floor South, Queen's Court,
56-66 Upper Queen St, Belfast BT1 6FD

Tel: 028 9054 4983

Email: Commissioner@cosica-ni.org

At this point in time, preparation for the Apology to victims and survivors of institutional childhood abuse and the review of the Redress process are currently happening in parallel.

Memorial Recommendation from Historical Institutional Abuse Inquiry Report

“Memorials

[12] Physical structures such as sculptures or plaques are valued as visible reminders of past events or individuals whose memory should be commemorated. As in the case of an apology, there were differing views expressed by applicants, many of whom were very strongly of the opinion that a memorial was not appropriate because they did not want to be reminded of their experiences as children in residential institutions. Whilst we respect that view, we are of the opinion that a memorial should be erected to remind legislators and others of what many children experienced in residential homes.

We recommend that a suitable physical memorial should be erected in Parliament Buildings, or in the grounds of the Stormont Estate.

[13] The design of such a memorial should be chosen by a competition conducted by the Arts Council of Northern Ireland. The Arts Council should invite representatives of those who were abused as children in residential institutions in Northern Ireland to help in the selection of the successful design. The memorial should be paid for by the Northern Ireland Executive.”

The following provides:

- 1 A summary of the Commissioner’s Views on a Proposed Memorial**
- 2 Context: Role of Memorial**
- 3 Engagement with Survivors**
- 4 Timing and Progress to Date**
- 5 Related Issues**

1 Summary of Commissioner’s Views in relation to Memorial

1.1 In the context of historical institutional childhood abuse, a memorial forms part of the State’s symbolic reparation to victims and survivors; it should therefore be viewed as part of the State’s formal acknowledgement of its failure to prevent abuse and/or a direct cause of that abuse.

1.2 As the Inquiry noted, victims and survivors of historical institutional abuse expressed a range of views in relation to the proposal for a physical memorial. Some queried the value and relevance of a memorial and / or the appropriateness of such memorial. The Inquiry acknowledged this spectrum of opinion but stated that it was its view such a memorial should proceed in order to remind legislators and others what many children experienced i.e. abuse in these residential institutions.

1.3 The view expressed by the Inquiry reflects a motivation that is primarily focused on acknowledging the abuse of victims and survivors when they were children in these

institutions. Although not explicitly stated, it could be inferred from the Inquiry's statement that the Inquiry also wanted to remind legislators of the ongoing needs of victims and survivors, now adult, and the need to prevent such abuses from happening again to children.

1.4 The recommendation for memorial was in the Inquiry's report in January 2017. It is understood that the Executive Office had preliminary engagement with the Department for Communities and the Arts Council of Northern Ireland in relation to a memorial as well as with victims and survivors and that the process ceased in the same year with the suspension of the Assembly.

1.5 The Commissioner's views are as follows:

1. The recommendation for memorial as outlined in the HIA Inquiry report to be implemented, proceed without additional delay and at a pace appropriate with the level and quality of engagement with victims and survivors required in order to guarantee a satisfactory process and outcome.
2. The views of victims and survivors should be central to the process and contribute in helping to select the successful design, as per the HIA Inquiry's recommendation. The views of victims and survivors could further be sought in relation to a potential memorial *programme* as set out below.
3. Active consideration be given by to a memorial *programme* in recognition of the diversity of views among victims and survivors in relation to remembering and acknowledging historical institutional abuse with due reference to successful memorial programmes in other jurisdictions.

1.6 The Commissioner will continue to increase her knowledge in relation to memorial to ensure she is reflecting expert advice. To that end, she is engaging with academics from both Queen's University Belfast and Ulster University, in order to ensure that such advice takes into account international best practice and the most current academic thinking and research on memorial and related issues.

2 Context: Role of Memorial

2.1 In the context of historical institutional childhood abuse, a memorial forms part of symbolic reparation to victims and survivors; it could therefore be viewed as part of the State's expression of recognition, justice and accountability for the historical abuse of children in residential institutions.

2.2 Academics have also suggested that memorials can contribute to the stimulation of debate with the aim of ensuring the abuse is remembered in order to avoid or prevent repetitionⁱ. Memorials therefore also serve a need for wider society and potentially for future generations.

2.3 In Australia the Royal Commission's report in 2017 into the Institutional Response to Child Sexual Abuseⁱⁱ provided the following about the role of memorials:

“Memorials honour those who have suffered and provide opportunities to remember the past and think about the future. They provide a specific place for families and wider society to reflect on the trauma of survivors and mourn the victims lost. They may also serve to educate future generations about what occurred in a society's history and provide a space for public awareness and remembrance. We heard in private sessions that some survivors felt that remembering was one way to help prevent child sexual abuse and protect children in the future.”

3 Engagement with Survivors

3.1 For a memorial to meet its objectives, it must be informed at all stages by the views of victims and survivors of abuse. Without the views of victims and survivors being core to the process, it is likely to fail to represent or symbolise their experience, and therefore may be less likely to be acceptable survivors as an appropriate memorial to their experiences.

3.2 The memorial process must be taken forward through meaningful engagement with a wide group of survivors. Regard must also be given to survivors outside of Northern Ireland and how engagement proceeds with them, if they so choose to engage. The agency of victims and survivors is a paramount consideration in any engagement and it is always their choice if they choose to engage, the extent of that engagement and if they choose to withdraw from that engagement at any stage.

3.3 As can be seen from the original HIA Inquiry report, there is a spectrum of opinions among victims and survivors related to memorial; in the case of the memorial under discussion, a physical memorial located in Parliament Buildings or in the grounds of Stormont Castle. It could be useful to explore through engagement if memorial can also be viewed in a broader context, and whether, as well as the physical memorial recommended by the Inquiry Report, other forms of memorial could be explored. This diversity of approach considering more than one form of memorial with a view to developing a programme may serve to strengthen the impact and legacy of the memorial.

3.4 It may be helpful to consider the comments and commentary from engagement with survivors by the Panel of Experts on Redress in relation to memorial – extract below (“Historical Institutional Abuse: What Survivors Want From Redress, Professor Patricia Lundy, Ulster University, Commissioned by the Panel of Experts on Redress (March 2016).”ⁱⁱⁱ):

“12. Memorials and Memory Projects

Initially, there was opposition to a memorial in a number of workshops. However, as the discussion progressed and different ideas and possibilities were explored participants began to link a memorial to acknowledgement, recognition and to generating public awareness. Ideas were put forward that a memorial could be a space

or monument created for reflection; a physical object or space that would stand as a reminder to this part of Northern Ireland's history:

"I think a statue would be lovely, they are very beautiful, all that it brings is a space for reflection." (Female Survivor)

"A stained glass window in the Guild Hall or City Hall; a window would always be there. Tour guides go there, it would remind, educate ..." (Male Survivor)

"I think a statue would be lovely, very powerful The Vietnam one that's in America, the wall, I think it's just amazing and all the names, who died; I'm not saying put all our names up, but something that people can go and look at." (Female Survivor)

"I think that there has to be something where the people who are responsible for the situation will be and once they look at it, it will remind them of what their institution has done; that they will never be able to forget or never be able to do it again on others." (Male Survivor)

"The institutions have to be permanently reminded. This society has to be permanently reminded of its failings. Most of the people responsible for the institutions are dead. But there are children who will ask the question, what's that about? And somebody will have to say, this is a legacy that the state failed." (Male Survivor)

The key concerns were that a monument could be forgotten and ignored in a number of years; and where would a monument be located? Belfast, Derry/Londonderry or both? Not all participants agreed with the idea of a monument. Many expressed the view that it would be a depressing reminder about a period in their lives they were trying to forget and they did not wish it to be memorialised: "I would never want to go to a monument, it would bring me down." (Male Survivor)

"We don't need memorials, what we need is for people to understand." (Male Survivor)

The idea of a living memorial was put forward. It was suggested this could be in the form of an educational bursary for their children and children's children to support access to education and university. This fund would be in addition to the funds set out for the common experience or the individual assessment fund. As the following quotes indicate, this idea of a bursary was extended to those in care generally and even wider society:

"A memorial fund set up to help kids coming out of care." (Male Survivor)

"Our children are disadvantaged. Our grandchildren are still going to be disadvantaged by the experience that we went through. An educational bursary initially aimed at our children and grandchildren and then broader society. A grammar school or university scholarship, a training scholarship that's paid for, that they don't get into debt for." (Male Survivor)

Another proposal was that an International Rights of the Child Prize with a similar status to the Nobel Peace Prize could be awarded to those who make a significant contribution to the rights of children. Discussion then turned to establishing a living memorial or research centre that would include, among other things, an archive of survivors' stories. This type of initiative would offer survivors the opportunity to tell their

story in their own way. It would be a narrative of their experiences. The following are a number of comments made by the participants:

“An opportunity to tell who we are.” (Female Survivor)

“A future record; that would be a good idea.” (Male Survivor)

*“(If anonymised) I don’t care who actually reads what happened to me or to anybody else in those institutions which were a part of this society. This society literally closed the gates on us, pulled a blanket over, and said that’s got nothing to do with us. Closed their eye... and the only people who got beyond that veil were unfortunately people who knew how to work a system and that would give them access to some of the most vulnerable people in this society and that’s [***] unforgiveable.” (Male Survivor)*

It was made clear that this must be a voluntary, personal choice that individuals could opt in to. There were concerns about the safeguards that could be put in place and finding a balance between the need to raise public awareness and the need to keep individuals anonymised. The concept of educating the public led to further discussion about raising awareness in schools. This could be done with an advocacy book that included a number of survivors’ anonymised stories which could act as an educational tool and a reminder of the principle ‘never again’. Having the history of the institutionalisation of children mandatorily included in school curricula would be another approach to achieve this goal. This discussion repeatedly emphasised that memory projects were a symbol of acknowledgement. Such projects would serve to remind, educate and validate their experiences of abuse which had been silenced for decades.”

3.5 The issue of a Memorial for Historical Institutional Childhood Abuse has been raised at various points since the Inquiry Report in 2017. As noted then, there is a spectrum of views about memorial, and it is understood from discussions with survivor representatives that there is a divergence regarding the form of memorial, but this divergence could be explored to ascertain where not only the points of divergence are but also the where points of convergence lie to offer a way forward.

4 Timing and Progress to Date

4.1 Memorial is one of the last outstanding recommendations of the HIA Inquiry to be implemented. While not wishing to repeat previous advice or observations, the need to act without additional delay is underlined by the age of many survivors, and by the knowledge that many have passed away without seeing the recommendations completed.

4.2 Memorial and an official public Apology are related aspects of symbolic reparation and are complementary. It would be the view of the Commissioner, that it would be advisable that in parallel to the Apology, that an acknowledgement in the delay of implementing the memorial recommendation is made with a commitment to undertaking the memorial process as early as possible.

4.3 The Executive Office contacted Department for Communities in **early 2017**. The Arts Council indicated their willingness to engage, however, work was halted in

the absence of Ministers between January 2017 and January 2020 due to the collapse of the Assembly.

4.4 The Office of the Commissioner has engaged with the Arts Council in November 2021; to discuss how the Arts Council might consider proceeding to develop the project and there has been follow-up correspondence. COSICA has also engaged with TEO HIA Implementation Branch in relation to memorial.

5 Related Issues

5.1 It should also be considered that some individuals will have been victims and survivors of two of these areas as we know there was some cross-over between institutions with girls and women who had been resident in institutions as children also later having been in Mother and Baby Homes; and then their children, being brought to institutions. Similarly, victims and survivors of institutional childhood abuse who grew up in the era of the Troubles may also have experienced personal trauma or injury as a result of Troubles related experiences.

5.2 It should be noted that there may be simultaneous public discourse on memorials and commemorations related to the Mother and Baby Homes/Magdalene Laundries report and the Legacy/NI Troubles. While the purposes for memorials in each area are distinct, there may be an opportunity for liaison and co-operation to share processes and expertise.

ⁱ Adrienne Reilly, part-time Doctoral student in the Faculty of Humanities and Social Sciences at the University of Strathclyde, Scotland [Symbolic Reparation: Memorialisation and symbolic justice – Thoughts on the impending Mother and Baby Homes & Magdalen Laundries Inquiry in Northern Ireland – RightsNI](#)

ⁱⁱ Royal Commission's report into the Institutional Response to Child Sexual Abuse 2017, Volume 17, page 65 [Final Report - Volume 17, Beyond the Royal Commission](#)

ⁱⁱⁱ <https://core.ac.uk/download/pdf/287020757.pdf> Historical Institutional Abuse: What Survivors Want From Redress, Professor Patricia Lundy, Ulster University, Commissioned by the Panel of Experts on Redress March 2016