

A. **WORKHOUSES**

My mother-in-law was admitted to the workhouse as an [REDACTED] a location which inherently carried gender-specific and systemic condemnatory societal judgment associated with shame and stigma. Her baby was placed with her adoptive parents within two days of birth. My mother was [REDACTED] when she first met her daughter, who was [REDACTED] when she first met her mother.

TEO's Equality Impact Assessment states:

"TEO has given careful consideration to including workhouses in the Standardised Payment Scheme but singling out women in Workhouses for Redress may not be considered a proportionate means of achieving a legitimate aim as there is, as yet no conclusive evidence that women suffered mistreatment and discrimination wholly distinct from other residents admitted to a Workhouse"

I wish to challenge TEO's grounds for excluding women who gave birth in workhouses from eligibility under the Standardised Payment Scheme for the following reasons

(1) Misrepresentation of evidence of mistreatment

The assertion about there is "no conclusive evidence" of distinct treatment seems to be based on a desire for administrative simplicity rather than historic reality. Available testimony such as that in the attached document (received from [REDACTED] [REDACTED] and the 2021 O'Connell and McCormack report shows clearly that unmarried mothers and their children in workhouses were regarded as quite distinct from and treated differently to other residents. Babies labelled "illegitimate" were stigmatised, while their mothers endured harsh labour, neglect, and forced separation. Such evidence confirms that they suffered distinct, gendered harm comparable to if not worse than that experienced in Mother and Baby Institutions.

It is therefore a matter of simple justice that the Bill recognises the experience of these women and children, rather than erasing their suffering.

(2) Misapplication of equalities legislation

Section 31 of the Equality Impact Statement states in response to the question 'Why not include Workhouses in the (Standardised Payment Scheme) now?

The Standardised Payment focuses on institutions established specifically for women and girls admitted a range of residents, including men, children, the elderly and disabled, and there are potential equality issues in singling out a specific group for a standardised payment based on admission (as outlined in the draft EQIA as part of the consultation process).

The approach taken in the equality impact assessment that explicitly gendered institutionalization is required for redress under the scheme is mistaken. It seems to be based on an assumption that redress for unmarried women and girls results in an 'arbitrary difference' in treatment for the purposes of the Northern Ireland Act in section 75 and therefore eligibility for redress must be based on institutions that were solely dedicated to the admission of unmarried women and girls to avoid the risk of an arbitrary distinction between them and other residents in the institution. However as indicated above it is clear unmarried mothers in workhouses were subjected to different treatment to other workhouse residents. There is therefore a well-founded difference between them and other workhouse residents, not an

arbitrary one. Their exclusion from Standardised Payments on this ground is therefore unjustified.

Far from the inclusion in redress of unmarried mothers and their children who were in Workhouses before 1948 giving rise to inequality considerations, it would be unfair and discriminatory to exclude them from redress. They were subjected to the same stigma, discrimination, and hardship as those in mother and baby homes. The government's own equality obligations and prior commitments mean they should be treated equally and included both in the inquiry and the redress scheme

3. Non-compliance with the terms of reference of the Inquiry and denial of legitimate expectations

The terms of reference of the Inquiry quite clearly and intentionally included workhouses. Accordingly, a commitment to investigate through the inquiry a particular cohort of non-recent abuse raises a legitimate expectation on the part of survivors of their equal treatment for the purposes of redress. So in addition to the other objections to the exclusion from Standardised Payments of unmarried mothers and their children who were in workhouses before 1948, there is an important gap in justice and a strong argument that they too should be eligible for recognition and compensation.

4. Other considerations - (i) posthumous IAP redress for families (ii) memorialisation

Even if workhouses are eventually included in the Individual Assessed Payment (IAP) scheme, it appears there will be no scope for posthumous IAP redress for families in the position of my late mother-in-law's, because my mother-in-law is excluded from standardised redress to which you have linked eligibility for posthumous IAP redress. Such an exclusion would be discriminatory and without legitimate justification.

As for memorialisation, it appears it will be focused within Northern Ireland. In common with many other families of unmarried mothers in workhouses, none of my late mother-in-law's immediate family now live there. She was compelled, probably by social and economic pressures to leave the province. There would therefore seem to be no meaningful acknowledgement for workhouse victims and their families now living elsewhere.

The exclusion of the families of unmarried mothers and their children who were incarcerated in Workhouses from redress, from ready access to the type of memorialisation proposed in the legislation constitutes a real detriment to families like ours. I hope you will consider how this exclusion continues to harm, and what can be done to make acknowledgement real. The government's own equality obligations and prior commitments mean they should be treated equally and included both in the inquiry and the redress scheme. Moreover, WAVE, Adopt NI, Human Rights experts and the Forum all support giving standardised redress to workhouse victims and there seems to be no legal impediment to doing so.

B. POSTHUMOUS REDRESS

There are two key points I wish to make about the proposals in the draft Bill concerning posthumous redress. One is about the process for the posthumous distribution of unclaimed entitlement. The other is about the nature of the redress to be given.

If an unmarried mother is alive when awarded redress, the payment will legally belong to her. But if the mother dies before receiving the redress, the key issue becomes what happens to that

unclaimed entitlement. The proposal in the draft bill is that the unclaimed entitlement will always and invariably be given to the adopted child if living by TEO. This seems to me entirely wrong because it takes no account of the wishes of the mother. If there is a valid Will, then, as with any other asset, the deceased mother's estate should be distributed according to **her wishes, not TEOs**. So, it is the wishes of **the mother which should determine** who inherits unclaimed entitlement, whether that is her adopted child, her kept children, or someone else entirely.

Of course, should the mother die intestate, the laws of intestacy should apply, just as for any other asset.

I turn now to the nature of the redress.

My view is that everyone who was impacted by the experience of the birth of a child born out of wedlock in Northern Ireland between 1922 and 1995 and taken away from their mother for adoption should be recognised within the posthumous redress scheme. But redress should not necessarily take the form of a monetary award.

Posthumous monetary redress should, I think, be restricted to families who narrowly miss out on receiving redress. That is, those families whose loved ones (birth mothers and/or adoptees) died within a prescribed period before financial redress payments to the families of living birth mothers began. But my main point about redress is that there are equally if not more inclusive and meaningful ways to honour all those who are no longer with us, ways that leave no one out.

I therefore propose the creation of an **individual memorial item** — such as a piece of jewellery, a symbolic object, or a commemorative token — designed collaboratively by victims, survivors, and families, with the support of local artists.

This would be a **tangible symbol of remembrance**, something that preserves the memory of each person affected and provides an emotional connection for their relatives. Such an object could aid the healing process and serve as a lasting tribute — a focal point for reflection and remembrance.

It would also be suitable for members of the diaspora, many of whom continue to carry these stories and losses far from home.

Each memorial item should be **presented in a box and accompanied by a formal letter of apology**, ensuring that the acknowledgment is both symbolic and official.

Other countries have adopted similar approaches — for example, in Canada, where keepsakes were created as part of reconciliation efforts. These gestures have great emotional significance. They are not about monetary value, but about dignity, connection, and the recognition of lives that mattered.

In that spirit, I believe a symbolic object of remembrance could complement financial redress and extend the reach of recognition to everyone touched by these injustices — both the living and the deceased.

C. INTER-GENERATIONAL IMPACT

I would like to record my concern that there is no reference in the draft bill to Intergenerational Impact. This is an issue linked to more inclusive posthumous redress, not necessarily financial redress

- The Truth, Acknowledgement and Accountability Report recommended an Inquiry Panel with expertise in intergenerational trauma, yet nowhere does the Bill mention intergenerational impact.
- This omission matters because:
 - Harm reverberated across generations: not only adopted children, but also those who remained with their mothers, and children later born into survivor families, carry psychological, relational, and social impacts.
 - Comprehensive understanding: Issues such as PTSD, attachment disorders, identity struggles, substance abuse, and difficulties with trust and relationships are common across survivor families.
 - Policy relevance: Without acknowledging intergenerational trauma, future support services may fail to meet real needs.
 - Truth and reconciliation: The full “cost” of the institutions can only be understood across generations.
 - International precedent: Other inquiries (e.g. Ireland) have been criticised for failing to address intergenerational harm.

The Inquiry should therefore explicitly recognise, record, and factor in intergenerational trauma for all survivors' families - both adopted and non-adopted.

ANNEX

We mostly visited the nursery in the workhouse. It had a big turf fire in the middle of the room with a fireguard. A [REDACTED] looked after the children. She was very good to them, she wore an nurses uniform, and sometimes brought them sweets from town. Their mothers had to work scrubbing floors and washing clothes. A lot of the children at that time were illegitimate and their mothers were treated badly.

I had [REDACTED] children born in the workhouse after it closed. The old hospital was turned into a maternity ward, because of lack of space in the old County Hospital.

My second son [REDACTED] was the first baby born in this ward. The workmen were still moving in wardrobes and lockers, and the place was a bit of a shambles. [REDACTED]

[REDACTED] at the time visited me and brought me flowers. I was a VIP for the day, but couldn't help thinking of the poor girls who had gone before me. They hadn't been shown much kindness when their babies were born.