NI Assembly Inquiry (Mother and Baby Institutions, Magdalene Laundries and Workhouses) and Redress Scheme Bill

Response from Fermanagh and Omagh District Council

September 2025

Introduction

Fermanagh and Omagh District Council (the Council) welcomes the opportunity to respond to The Executive Office's Inquiry (Mother and Baby Institutions, Magdalene Laundries and Workhouses) and Redress Scheme Bill.

The purpose of the consultation is to seek views from stakeholders on the objectives, proposals and potential consequences of the Bill.

In September 2024, the Council responded to The Executive Office's Consultation on the Truth Recovery – a statutory Public Inquiry and Financial Redress Scheme. The purpose of the consultation was to seek views on the policy proposals.

To assist the Council in the development of these responses, women from the Fermanagh and Omagh District area, who have been impacted by the institutions, have been consulted.

Whilst there were no Mother and Baby Institutions or Magdalene Laundries in the Fermanagh and Omagh District area, women and girls from the District were sent to the institutions across Northern Ireland. However, there were five workhouses in the Fermanagh and Omagh District, located in Enniskillen, Omagh, Gortin, Lisnaskea, and Lowtherstown (now Irvinestown). Across Northern Ireland, over 13,500 women were admitted into mother and baby homes and Magdalene laundries.[1] Not only did many of these institutions treat women unlawfully but they also contributed to stigmas and had an influence on the treatment of women in society. Women should never have been secluded from society, and they should never have been punished or looked down upon for being pregnant. Women should never have been forced into these institutions or had their children taken from them.

[1] Dr Leanne McCormick and Professor Sean O'Connell, with Dr Olivia Dee and Dr John Privilege, 'January 2021', *Mother and baby homes and Magdalene laundries in Northern Ireland: report prepared for the inter-departmental working group*, Ulster University and Queen's University Belfast.

1. **Clause 1 (4) – The Bill intends the Inquiry to cover the timespan 1 January 1922 – 31 December 1995. Is this timespan appropriate, and if not, what are your suggested dates?**

   The proposed time of Inquiry is from 1922 to 1995, and the Council is content with this as it is consistent with the Preservation of Documents and extending the time period to 1995 allows for flexibility should further research identify any other institutions were operating after the last known institution closed in 1990.

2. **Should someone who may have been affected after 1995 be included in the Inquiry if their experiences are relevant?**

   Yes, the Council agrees that someone who may have been affected after 1995 should be included in the Inquiry if their experiences are relevant.

3. **The Bill intends for the Inquiry to find out if, and to what extent, there were failings in the system (also referred to as systemic failings) by an agreed list of organisations and public bodies (these are organisations that are funded with public money to deliver a public or government service). Is it sufficiently clear what is meant by 'systemic failings', or do you believe this term requires further definition? Would you include other organisation in this clause?**

   The Council understands that the Inquiry will investigate if, and to what extent there were systemic failings by an agreed list of organisations and public bodies. The Council agrees that looking into whether there were systemic failings in the identified areas will provide the Inquiry with sufficient scope to examine what happened in these institutions:

   - The treatment of relevant persons while they were admitted to the prescribed institution, while they were under its care, and when they were departing;
   - The placement of children, now adults, (other than with a birth mother), born while their mothers were in an institution for the purposes of adoption, fostering or other care arrangements;
   - The placement of children, now adults, for the purposes of care arrangement whose mother was under the care of the prescribed institution until immediately before birth of children
   - The registration, regulation or inspection of the institutions

The Council believes that the term ‘systemic failings’ requires further definition. The fundamental problem encompasses more than just the failures of a system.

The Council also requests that factors which led women and girls to be admitted to such institutions should also be considered.

This was discrimination against a gender. The term systemic failings avoids individual culpability. By placing the sole focus on the failings of a system the misdoings of an individual or institution within these systems may be overlooked.

4. **Clause 2 (3). The Bill gives the First Minister and deputy First Minister the power to amend the ‘terms of reference’ of the Inquiry (after consulting with the Chairperson of the Inquiry and considering relevant documents). Do you agree with this provision? If not, please explain your reasons.**

The Council agrees that the First Minister and deputy First Minister should have the power to amend the ‘terms of reference’ of the Inquiry (after consulting with the Chairperson of the Inquiry and considering relevant documents). Any amendments should also be consulted on with those affected and legal input where appropriate.

5. **Have all ‘relevant persons’ (people on whom the Inquiry will focus) been included in this clause? If not, who else should be included?**

The Council is content that the Inquiry into Mother and Baby Institutions or a prescribed Magdalene laundry will centre on;

- Any person admitted to the institution;
- Any person born while their mother was under the care of the institution;
- Any person, whose mother was under the care of the institution until immediately before the person’s birth.

In relation to a prescribed workhouse;

- Pregnant women and pregnant girls admitted to the Workhouse;
- Women and girls who gave birth while they were in the Workhouse;
- A person born while their mothers were in the Workhouse;
- A person whose mother was under the care of the workhouse until immediately before the person’s birth.

In addition to this, during the second stage debate of the bill process, which took place on 24th June, Ms Bradshaw (The Chairperson of Committee for

The Executive Office) made key points in relation to the definition of 'relevant persons' which the Council agrees with, and feel warrant further attention:

"*Those who entered mother-and-baby institutions having been raped and impregnated while residing in a workhouse. They should have been there and should have been cared for, yet they were groomed and then led a further traumatised life. Again, we need to find a way to ensure that those "relevant persons" also include the babies and children who died whilst staying in one of the institutions*".

The Council agrees with Ms Bradshaw's observations and recognises these as valid. Recognition needs to be given to the fact that there were women who faced sexual abuse after being admitted into the confines of these institutions. A facility which was meant to offer support and security did the very opposite. Woman were left to endure the trauma of their abuse, which was in no way their fault, and the resulting judgement. The Council also agrees that measures should also be taken to acknowledge the children and babies who died while in one of these institutions. It should be noted that the Republic of Ireland's investigation into mother and baby homes found that around 9,000 children died across the 18 institutions being investigated.[2] This is an extremely high infant mortality rate which was also undoubtedly experienced in the institutions in the North. These individuals must also receive recognition and memorialisation for the future they were deprived of.

6. **Clause 6(4)(b). The Bill gives the power to appoint the Inquiry Panel to the First Minister and deputy First Minister. Do you agree that this power should rest with the First Minister and deputy First Minister? If not, how should the panel be appointed and by whom?**

The Council agrees that the power to appoint the Inquiry Panel should rest with the First Minister and deputy First Minister. The panel must serve as an objective and representative body, elected through a careful and transparent appointment process. Panel Members should exemplify the upmost levels of integrity, sound judgement, honesty and trustworthiness to secure full assurance in their judgement. Additionally, they must fully understand the importance of upholding and maintaining confidentiality in all areas of their role.

7. **Clause 7(1). The Bill states that panel members must not have a direct interest in the subject of the Inquiry or a close association to someone who has. Has the term 'close association' been clearly defined under the**

[2] BBC News

requirement of impartiality? If not, what should be included in a definition?

The Council understands that panel members must not have a direct interest in the subject of the Inquiry or a close association meaning that a panel member should not have links with someone with a direct interest in the subject. The Council agrees with Clause 7 subsection 2 which gives the First Minister and deputy First Minister the power to appoint members to the panel even if they have a direct interest or close association as long as they do not diminish the impartiality of the panel. It is suggested that more clarification is needed on groups that fit into close association categories.

8. **Clause 10(1). Has the term 'advisory panel' been clearly defined? If not, what should be included in a definition?**

   The Council agrees that the term 'advisory panel' has been clearly defined. The Council understands that this is a panel of persons positioned to act as advisors to the Inquiry panel. Ultimately, in order to be purposeful this must be a victim and survivor centred inquiry. Therefore, it is beneficial to have advisors with the relevant knowledge and comprehension of the subject.

9. **Clause 13(5). The Bill allows for the Inquiry to able to take evidence from people who are not physically present in the Inquiry room (via 'live links'). Do you agree with this power? And if not, why not?**

   The Council agrees with the Inquiry having the power to take evidence from people who are not physically present in the Inquiry room (via 'live links'). It is important that those who have moved away or are perhaps unable to travel are given the same opportunity to have their voices heard. In addition, it makes the scheduling of evidence-gathering sessions more flexible and can create a more comfortable environment for those being interviewed. It is important to acknowledge that the majority of individuals providing evidence will have been left with emotional trauma as a result of their experiences. Facing an unfamiliar environment can be overwhelming and intimidating, therefore access to alternative arrangements is crucial.

10. **Clause 14. The Bill allows the Chairperson to decide who can and cannot be present to watch the Inquiry in the room? (have the power to determine public access to the inquiry proceedings and information (including media)). What is your view on who should or should not be given access to the Inquiry?**

The Council agrees that the Chairperson should be able to decide who can and cannot be present to watch the Inquiry in the room. This is an incredibly personal inquiry, therefore, victims who wish to maintain confidentiality must be respected. However, it is essential that, requisite permissions on inquiry proceedings and information are sought to share approved information with the public to help reduce stigma and educate.

11. **Clause 31: Does this clause adequately identify all those who should be entitled to payments? If not, who else should be included and why?**

The Council does not agree that all those who should be entitled to payments have been identified and included. Anyone impacted by institutions between 1922-1995, who died before the 29 September 2011 also need to be included. To exclude these individuals is to erase their experiences and diminish the recognition owed to them. These individuals endured the same neglect and abuses as other individuals who are entitled to payment and the detrimental effects of trauma can be passed down from one generation of survivors to their children and grandchildren through a phenomenon called intergenerational trauma[3]. Therefore, their next of kin should be entitled to the redress they are owed. Invoking the cut-off date of 29 September 2011, disregards both the individual who passed away before this date and their relatives.

12. **Clause 31(5)(b) – The Bill states that a relative of an person who died before 29 September 2011 (and if alive would have been eligible for payment) will not be entitled to a payment. Do you agree with this date being used? If you disagree, what date (if any) should be used and why**

The Council strongly opposes using the date of 29 September 2011 and instead suggests that it is just to impose no fixed date. There does not seem to be any substantial rationale as to why this specific cut-off date was chosen. Anyone impacted by institutions between 1922-1995 must be acknowledged regardless of date. To invoke this date is to diminish the recognition owed to them. These individuals endured the same experiences of trauma as other eligible individuals. Therefore, their next of kin should be entitled to the redress owed to them. Justice must be available to all, an individual's date of death should not be a barrier.

At this point, the impact of intergenerational trauma must also be taken into consideration. The lasting ramifications of suffering not only have the potential to adversely affect the individual who directly experienced trauma but also their succeeding generations. The abuse experienced by women in these

[3] BMC Psychology 2025: Impact of intergenerational trauma on second-generation descendants: a systematic review

institutions extends far beyond an isolated place, time or individual it also impacts the larger family circle. For this reason, posthumous claims should be granted for both the standardised and individually assessed payments and paid on a next of kin basis.

13. **Clause 31(9). The Bill sets the standard payment amounts at £10,000 (if the person is eligible under subsection (2) or (4) *inc link and £2,000 if the person is eligible under subsection (5) *inc link. What are your views on these amounts? What alternative amounts would you use, and why?**

The Council firmly requests that the proposed amount of £10,000 is reassessed to confirm if it is realistic in relation to the level of discrimination, abuse, neglect and trauma women and children experienced as a result of these institutions and also in relation the current rate of inflation. Additionally, some people due to the level of trauma they are still going through daily as result of the institutions and their practices, may only have the strength to cope with going through one redress application process as it will bring back many hurtful memories, which should also be considered in the reassessment of the proposed standardised payment amount.

14. **Do you have any suggestion for methods of redress other than a financial payment? For example this could include a memorial, official apologies, or other symbolic actions etc**

Remembrance, memorialisation and acknowledgement

The Council has consulted with a number of individuals who have been impacted by the institutions. The individuals do not feel a monument, statue or similar is effective as it has a risk of becoming vandalised, run down or discoloured. These individuals would prefer a retreat with a variety of wellbeing therapies that all victims can travel to, to spend time and help them heal. They would also like a colourful art gallery to share information on what women went through in such institutions along with adding this history to the school curriculum to educate people and increase awareness, so it never happens again.

An apology and acknowledgement of what happened these women and children was wrong and should never have happened is needed, from government and the organisations who ran these institutions. As well as comments about what should have happened, admitting that pregnant women should have been supported and should have had the right to give birth to and care for their baby. The stigma and shame for these women needs to be removed and they need to receive the care and love they should have received.

15. **Clause 32(1)(a) sets a time limit of three years to make an application, starting from when the application process opens. Do you think three years is the right time frame? If not, what time limit would you suggest, and why?**
16. **Clause 32(2) Should the Executive Office be able to extend this time period to 5 years?**

The Council believes the timeframe of three years to submit an application is inadequate. The Bill covers a 73 year timespan from 1922-1995 yet it is proposed that there will only be a three year window in which applications can be submitted. This appears inconsistent. Due to the traumatic experiences and stigma, it may take individuals, who are very much entitled to this payment, time to come forward and apply. Individuals impacted by the traumatic practices and stigma of such institutions should be given as long as they need to feel ready to apply. Therefore, the Council requests that no time limit for applications is imposed.

Again during the second stage debate of the bill process, Ms Bradshaw (The Chairperson for the Committee of The Executive Office) highlighted some areas of concern:

> "*What happens if, God forbid, we have another pandemic? What happens if communication and promotion of the scheme is slow to permeate beyond these shores and those people who are eligible who live in, for example, Australia or Canada do not hear about the scheme for a couple of years? It is unnecessary to specify the maximum time for the extension of the scheme, considering that it is purported that these provisions will go into regulations*".

The Council agrees with Ms Bradshaw's points. This process should be guided by empathy and a desire to see those who are much entitled to redress receiving this. No one should hear that the opportunity has passed for them to be recognised. The redress process must take a victim and survivor-centred approach which no one should be factored out of on the basis of timing.

Ultimately, the Council is disappointed it has taken so long for this Inquiry and Redress Scheme to take place. 35 years have passed since the last Mother and Baby Home closed and 4 years have passed since the research report by Queen's University Belfast and Ulster University was published. Considering how long it has taken to reach this point, an extended application timeframe would be appropriate. Women and children impacted by these institutions must receive fair, generous and sincere justice promptly and effectively, reaching women in very rural areas like those in Fermanagh and Omagh. The application process must be accessible to all those who have been affected and part of this is providing sufficient time to complete it while also ensuring there is a diverse, extensive communication plan.

17. **Clause 35. The Bill gives the Redress Service the power to compel relevant evidence from relevant organisations to support an application. Do you agree with the Redress Service having this power? Are there other powers to compel you would give the Redress Service?**

The Council agrees with the Redress Service having the power to compel relevant evidence from relevant organisations to support an application. Taking into account the difficulty often associated with obtaining records, this is a necessary action which will help to support and improve the accuracy of evidence provided. This power will also provide significant support to the applicant who may be uncertain how to go about acquiring information independently. Granting the Redress Service the power to compel relevant evidence also reinforces accountability among those potentially involved in misdoings.

18. **Clause 37. The Bill states any eligible payments should be made in one lump sum and not impact a person's eligibility for social security benefits, legal aid or residential care costs. What are your views on this clause? Would you include further exclusions of impact from a payment (such as exclusion from future payments/redress under this or different schemes)?**

The Redress Scheme should not count towards any assessment for means-tested benefits, Legal Aid or residential care home costs. The Council agrees that a previous award from the Historical Institutional Abuse Redress Board or civil proceedings will have no impact on the Standardised Payment and acceptance of a payment will not prevent an applicant making a civil claim.

19. **Clause 38. Is 30 days a sufficient time period to appeal against a decision to refuse an application? If not, what time period would be sufficient?**

The Council believes that 30 days to appeal against a decision to refuse an application is unreasonably short. We therefore request that the appeal window is open for a longer duration. The intricacies and individual struggle ingrained in the majority of these cases need to be taken into consideration. The reliving of trauma and suffering makes this an incredibly emotional process for those involved. Therefore, if an application is refused the applicant deserves adequate time to process this and reevaluate it. Furthermore, should additional evidence, from a relevant institution, need to be obtained this may involve a time delay that goes beyond the 30 days. Importantly, during both the application and appeal process if no records are found, the Redress Service should work with the applicant to try and identify other avenues of verification.