

9 July 2025

Birth Mothers and Their Children Together represent a group of Birth Mothers and Adopted or Fostered Children now Adults. We also have Birth Mothers who were able to get their children back from Foster Care and some descendants of Birth Mothers now deceased. We may have very different lived experiences but we have a common goal and that is to achieve Truth, Justice and acknowledgement of what happened to us and our loved ones.

1. The prosed Draft Bill falls far short of these expectations and the recommendations of the Truth, Acknowledgement and Accountability Report of October 2021. The recommendations were accepted in full by the then First and deputy First Ministers Paul Givan and Mechelle O'Neill at the Stormont Hotel where we were present. We have endured months of meetings and questionnaires. We have bared our souls giving our testimonies to the Independent Panel and engaged with the Public Consultation only to be herded into a meeting and dealt one body blow after another when the Draft Bill was introduced to us as it appeared that we had not been listened to and the Draft Bill seemed instead to be more based on cost cutting than implementing the hard fought for recommendations of the Truth, Acknowledgement and Accountability Report. We have not been listened to throughout this process and there is no acknowledgement of the State sanctioned hurt and abuse that we all suffered.
2. I will start with the Posthumous Claim date of 29<sup>th</sup> September 2011. This is an arbitrary date tied to completely unrelated inquiry into historical institutional child abuse. An Inquiry that we were excluded from due to age e.g.: the under-five yrs and over eighteens. This date has no bearing on the proposed Inquiry into Mother and Baby Homes, Magdalene Laundries and Workhouses and there is no rational justification for restriction based on this date. We view this as callous cost cutting and totally goes against the recommendations for redress for all victims/survivors. This is one of the actions that has caused the most hurt and trauma as it clearly indicates that our loved one's pain and suffering counts for nothing. If 1922 is not an acceptable date then look instead at the Ministry of Home Affairs Voluntary Homes Act (1952). In the Mother and Baby Homes, Magdalene Laundries in Northern Ireland 1922-1990 Report of January 2021 it was pointed out that it had come to light in 1984 that Marianville (Belfast) did not have in place the mandatory system of monthly visiting inspections in place. Once it was flagged up the Mother Superior of the Good Shepherd Convent appointed herself as the designated visitor. A case of the fox looking after the hen house springs to mind. The HIAI admonished the Good Shepherd Sisters, Ministry of Home Affairs, Dept of Health and Social Services and the Social Work Advisory Group for what it identified as a systemic failure on their behalf and a clear dereliction of their duty of care. Exclusions based on a 2011 posthumous date is unjustified and could be challenged on equality grounds through litigation.
3. The proposed payment of £2,000 to the spouse and ALL children of an eligible mother who is now deceased for a Posthumous Claim is unworkable and poorly thought out. Many children of a deceased parent are unaware of a sibling born while their Mother was in a Mother and Baby Institution, Magdalene Laundry or Workhouse. The effect of this is a claim for redress will not be made by them. In a lot of cases the only person with full knowledge is the now adult adoptee. This proposal is already causing family descension and friction amongst adopted children and children born from a subsequent marriage or partnership. A payment of a single amount equal to that paid to living claimants or perhaps 50% could provide a meaningful recompense. One Posthumous Claim. One Payment.

4. The Draft Bill provides for “other institutions” which will be investigated but this will not be known until the Chair of the Inquiry has considered the list and thereafter, they will be included in Regulations. This will then be subject to approval of the Assembly. It should be made clear at this stage which other institutions” will be included as prescribed institutions. In the HIA Baby Homes and those in Mother and Baby Homes (other than those under 18Yrs) were excluded with the stroke of a pen. This must not happen again.

5. Clause 4 of the Bill should be used to include those who otherwise would be excluded on a case-by-case basis. Those children now adults whose Birth Mothers were not in a Mother and Baby Institution and were moved to a separate establishment after their birth. These children experienced the same loss and trauma as those born in an Institution. Those pathways need to be included. Currently the Draft Bill does not include those mothers and babies that underwent forced separation outside of the Mother and Baby Institutions.

6. 54% of those that responded to the Public Consultation disagreed with the proposal of £10,000 Standardised Payment. As stated in the Public Consultation most agreed that a sum of £15,000 more accurately reflected the cost of living, inflation and even the loss of the Winter Fuel Payments which a lot of V/S were entitled to previously. It has been argued that the HIA was a harm-based scheme and that the Standardised Payment Scheme is admission based. While we understand this rational the Ministers and Officials do not seem to have grasped the profound psychological damage that has been done. We are not the HIA. I do not wish to compare or belittle the trauma suffered by the V/s with HIA V/S. Many of us suffer from Complex PTSD, physical and mental illnesses following the separation of mother and child. A very different trauma and we continue to be retraumatised by this process.

7. According to this Draft Bill people who have been through the HIA and received redress can also claim under this Redress Scheme. When asked if they could also apply for the Individually Assessed Scheme, we received no answer. This needs to be clarified.

8. Clause 31(8) states that “a person who was admitted to more than one relevant institution or who is eligible under both subsection (2) (admitted to an institution) and subsection (4) (born while their mother was in the care of an institution) is eligible for one payment. Why has this decision been taken as such people have had their lives traumatised twice and by two very different experiences. Yes, we have been told that they will be allowed to apply for the Individually Assessed Payment but given the age of these individuals that is unlikely to be an option due to health and age and the effects of the trauma that has blighted their entire lives.

9. The Bill is very light on the Cross Border dimensions of institutionalisation and abuse. The North South Ministerial Council seems an appropriate mechanism to discuss with the Irish Government data sharing. This needs to be rigorously followed up to address the cross-border dimension of the institutions practice of moving women/girls and babies across jurisdictions with impunity.

10. The absence of any mention of Fahan in the Bill as well as the other Baby Institutions, St Joseph’s Belfast, Nazareth (Portadown), Connywarren Omagh is a cause for concern for our members. The exclusion of unmarried Mothers and their now adult children from the Workhouse is concerning. They are possibly the smallest cohort of survivors but they equally deserve recognition and justice.

11. Access to records is still an ongoing issue. The Practice Guidance is not being adhered to and very much depends on who you speak to on the day. We were promised further legislation but this has not happened. Ministers agreed to codify this into law. We need Statutory Rights to gain access to all our records. The lack of provision on access to records in the Bill is a significant gap in implementing the Truth Recovery Panel 's recommendations. There has been a willingness to legislate as shown by the Preservation of Documents (Historical Institutions) Act Northern Ireland 2022, therefore the question is in aligning the access with a holistic wrap around service for survivors that will support them and family members in accessing records from a range of sources both public and private. International best practice appears to be Australia's Find and Connect Service where direct descendants and close family members have the right to access the records of a relative but only after their death. The records that we are unable to access are our own. We are entitled to see these records and if denied, further Legislation will be required. Nothing in the Bill mentions our legal right to access our records. There are also issues about getting access to birth parent medical records to gain an insight into genetic predispositions.

12. Moving into the Inquiry we need to be given Core Participation Status to protect our rights and interests in light of the foreseeable risks that we may face. Early disclosure of documents to survivors well in advance of the day of the oral hearing is essential. A wrap around support service needs to be provided before during and after the giving of oral testimony to the Inquiry. This needs to be built into the Inquiry Budget.

13. We would like to see some mechanism in law to compel, not ask the Institutions and other Agencies to contribute to the Redress Bill and to provide for the services required by the V/S. The appalling treatment of our women, girls and their babies during the most shameful period of our country's history needs to be acknowledged and never to happen again.

14. In Clause 31 (2) (b) it states "the primary purpose of admission was for the person to receive shelter or maintenance (or both) For many who were in these Institutions they were places of coercion, punishment, slavery, cruel inhuman degrading treatment, forced servitude and arbitrary detention. We find this wording inappropriate

This completes our submission. We thank you for your consideration in advance



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