WPG NI Submission to the Committee for the Executive Office on the Inquiry (Mother and Baby Institutions, Magdalene Laundries and Workhouses) and Redress Scheme Bill

September 2025

Contact:

[redacted]

1. Introduction:

The Women's Policy Group (WPG) is a group of policy experts and practitioners who advocate collectively for women and girls by promoting gender equality through an intersectional feminist lens. We challenge systemic injustice and discrimination affecting women and girls by informing society and influencing policy and law. Our work is informed by women and girls' lived experiences and rooted in international human rights law.

The WPG is made up of women from trade unions, grassroots women's organisations, women's networks, feminist campaigning organisations, LGBTQ+ organisations, migrant groups, support service providers, NGOs, human rights and equality organisations and individuals. Over the years this important network has ensured there is good communication between politicians, policy makers and women's organisations on the ground. The WPG is endorsed as a coalition of expert voices that advocates for women in Northern Ireland on a policy level.

If you have any questions or queries about this response, or would like to discuss this evidence further with the WPG, please contact [redacted] Women's Sector Lobbyist at [redacted]

This response was prepared by the following WPG members:

- [redacted] – Women's Resource and Development Agency
- [redacted] - Women's Resource and Development Agency
- [redacted] Women's Platform

Please note that this response also includes evidence from other WPG work, compiled by a range of WPG members, and not all member organisations have specific policy positions on all the areas covered in this response.

2. Past Consultations Responses, Evidence Submissions and Briefings:

WRDA statement on the publication of the Truth, Acknowledgement and Accountability Report

In October 2021, upon the publication of the report, we wrote:

WRDA welcomes the publication of the report on the institutions, including Mother & Baby Homes and Magdalene Laundries in Northern Ireland, to which over 13,000 women, referred to as 'unmarried mothers', were sent over a period of many decades.

A panel of three experts known as the Truth Recovery Design Panel have highlighted three central issues; that the women were held there against their will, that they were forced to give their babies up for adoption, and that they were used as unpaid labour by the institutions themselves. These grim realities were told by survivors for many years but there has as yet been no official recognition of these facts, or any redress offered.

Survivors and their relatives have highlighted the fact that this system was not run entirely or exclusively by the various churches involved; the state was a part of this system and social workers were regularly involved in enforcing family separation. They have also shown how in many cases the system worked on a cross-border basis, linking the issue very clearly with the similar system operating in the Republic of Ireland.

The report states unequivocally that there is "clear evidence of gross and systematic human rights abuses, with panellist Professor Phil Scraton describing it as "one of the great scandals of our time".

Acknowledging that it may take years to uncover the truth, but stressing how important it is to persist nonetheless, the panel have made a number of recommendations as to the way forward. **Most importantly, these are endorsed by the survivors and relatives of those subjected to the abuse**:

1. The immediate appointment of a non-statutory panel of experts. Crucially, this will include those with lived experience of these institutions who can speak directly to how they suffered there.

2. To use the findings from this to appoint a statutory public enquiry – this will require legislation to be passed, and should be expedited.

3. Access to records for survivors and their families – this will also require legislation.

4. Immediate redress payments for survivors and families.

They also call on "all state, religious and other institutions, agencies, organisations and individuals complicit in the processes of institutionalisation and forced labour, family separation and adoption to act without delay in issuing unqualified apologies".

WRDA urges action on all of the recommendations immediately and encourages an examination of the misogyny that allowed this system to operate for so long to begin. Most of all, we extend our support and solidarity to all survivors and families.

3. General Comments on the Truth Recovery Bill and the Inquiry

As a feminist group, the Women's Policy Group sees the existence and persistence of these Institutions in all their forms as a form of state violence and spiritual violence which victimised thousands of women and their babies, and harmed society at large - existing, as they did, as a warning to women across the island as a whole about what would happen to them if they became pregnant outside of marriage.

All the while these institutions were operating, women had no or very little access to contraception, marital rape was not recognised, domestic abuse was rife and the laws to properly prosecute it did not exist, and of course abortion was illegal. For much of this period, women did not have financial independence, discrimination against them was unrecognised, many who worked in public jobs were required to leave them when they married. There was no meaningful social security support for a mother who had children outside of marriage. Tellingly, there was no punishment, no banishment, no consequences whatsoever for the men that made these women pregnant.

The practices of these institutions cannot be extracted from the deep misogyny and the institutional inequality of the state in which they occurred. North and South of the border, we are still working to extricate ourselves from the shadow of these Institutions, and from the laws, culture and history that perpetuated them.

3.1 International human rights framework

In the context of this Inquiry, it is essential to note that Northern Ireland is bound by the international human rights obligations of the UK, as State Party to all key human rights conventions, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In short, States Parties to human rights conventions accept obligations to put in place legislation and policy implementing provisions in the conventions, and are monitored by the relevant UN expert committees on a regular basis. A common thread throughout the nine core Conventions is that States Parties commit to take action to promote equality across population groups, and this is clearly stated in the International Bill of Rights, which includes the Universal Declaration of Human Rights, as well as the International Covenant on Civil and Political Rights (ICCPR)[1] and the International Covenant on Economic, Social and Cultural Rights (ICESCR[2]). Together, this Bill provides the overarching framework for international human rights law. ICCPR includes provisions such as the right to peaceful assembly and free speech, the right to vote and stand for election, while ICESCR focuses on socioeconomic issues,

[1] International Covenant on Civil and Political Rights 1966
[2] International Covenant on Economic, Social and Cultural Rights 1966

including the right to equal pay for equal work and safe working conditions, including protections for pregnancy and disability adjustments.

It is welcome that the consultation document clearly refers to human rights as a cornerstone of the Inquiry. A legal framework based in clear human rights standards is a cornerstone of a modern society committed to equality and rights based decision making. It is therefore important to note that human rights principles are universal, and concern a country and its population as a whole; therefore, it is entirely appropriate and indeed vital that human rights are reflected in the terms of reference of the Inquiry. It is clear that the Inquiry does not have the role of a court, but international human rights have application outside the legal system as a framework of obligations and recommendations for governments; the assertion in the consultation document that human rights are individual is somewhat misleading and risks disconnecting the Inquiry from its wider context in international law.

Similarly, while it is understood that institutions relevant to the Inquiry existed before the international human rights framework based on the Universal Declaration of Human Rights was signed in 1948 and the European Convention on Human Rights established in 1950, the Inquiry is investigating events in a context where the UK is State Party to all nine core human rights instruments. These instruments set the international framework for rights based legislation, and are binding on the UK at present, including in relation to setting Terms of Reference for an Inquiry of this nature. Moreover, many of these frameworks were ratified by the UK long before institutions relevant to this Inquiry closed, and to this extent, events and experiences of women and girls and children, now adults, can and need to be investigated within this context. The role of the Inquiry is to identify breaches and violations against these groups; any criminal proceedings will follow a strict legal process subsequent to the Inquiry. In short, this is to state that clearly setting the Inquiry within a human rights framework is not prejudicial, and does not create a situation where adjudication on individual cases is expected.

The CEDAW Committee in its Concluding Observations on the 7th periodic report of the UK in 2013[3] explicitly includes a recommendation to '(a) extend the mandate of the Historical Institutional Abuse Inquiry to include women who entered the Magdalene laundries at the age of 18 years and above' and '(b) To provide adequate redress to all victims of abuse who were detained in the Magdalene laundries and similar institutions'. This provides a clear rationale, if not an explicit requirement, to relate the Inquiry to CEDAW as the international framework of women's rights[4]]. The UK signed CEDAW in 1981 and ratified it in 1986, at a time when a small number of institutions remained in operation, and therefore there was a clear onus on the government, which at that time of course had direct rule in Northern Ireland, to

[3] CEDAW Committee (July 2013) Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland
[4] Convention on the Elimination of All Forms of Discrimination against Women 1979

take action to protect and promote women's rights, including the right to choose when to have children, and how many.

CEDAW General Recommendation 35[5] emphasises that governments are responsible for violence against women and girls committed not only by state actors, but also non state actors, in specific situations. Specifically, the recommendation states that 'The acts or omissions of private actors empowered by the law of that State to exercise elements of governmental authority, including private bodies providing public services, such as health care or education, or operating places of detention, are considered acts attributable to the State itself, as are the acts or omissions of private agents acting on the instruction or under the direction or control of that State, including when operating abroad'. In addition, this Recommendation states that the due diligence obligation imposed through CEDAW holds States Parties responsible where they 'fail to take all appropriate measures to prevent, as well as to investigate, prosecute, punish and provide reparations for, acts or omissions by non-State actors that result in gender-based violence against women, including actions taken by corporations operating extraterritorially'. This includes a requirement to have laws, institutions and mechanisms in place to address such violence, and extends to taking action to eradicate prejudices and stereotypes. These provisions have extensive and direct relevance to this Inquiry, and underline the need to connect the Inquiry to overarching human rights provisions.

It should be noted that GR35 also requires States Parties to allocate 'adequate funding' to judicial structures. The General Recommendation requires States parties to CEDAW to 'have an effective and accessible legal and legal services framework in place to address all forms of gender-based violence against women committed by State agents, whether on their territory or extraterritorially.'[6] The Recommendation also requires State parties to ensure that state actors have appropriate training to effectively implement legislation and policy, including prosecuting offences.

There is also a common thread across the Conventions that States Parties accept obligations to take specific action to promote equality for groups experiencing discrimination. The specific Conventions focused on the latter include:

- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- Convention on the Elimination of All Forms of Racial Discrimination (CERD[7])
- Convention on the Rights of People with Disabilities (CRPD)[8]

[5] CEDAW Committee (67th session, 2017) General Recommendation 35 on gender based violence against women
[6] CEDAW General Recommendation 35, paragraph 22.
[7] International Convention on the Elimination of All Forms of Racial Discrimination 1965
[8] Convention on the Rights of Persons with Disabilities 2006

- Convention on the Rights of the Child (UNCRC)[9]
- Convention against Torture and other inhuman, cruel or degrading treatment or punishment (CAT)[10]
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[11]
- International Convention for the Protection of All Persons from Enforced Disappearance[12]

Each of these Conventions sets out specific requirements for States Parties to protect and promote the equality of the focus group in the Convention. In addition to CEDAW, the Convention on the Rights of the Child also clearly establishes the duties of States Parties to protect children and afford children special care by reason of their immaturity. Specifically. UNCRC states that 'States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.[13] It would be very helpful to relate the Inquiry to these key provisions, as well as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which both hold that everyone has the right to self determination, which fundamentally curtails the ability for the state and/or other institutions to incarcerate individuals.

In addition to the UN human rights framework, the European Convention on Human Rights (ECHR)[14][xiv] is also a relevant and essential framework for equality law. The ECHR is incorporated in domestic law through the Human Rights Act 1998, which covers Northern Ireland and provides a clear framework of legal remedies for breaches and violations of rights.[15] It is important that the Inquiry is aligned with the ECHR and the Human Rights Act, as the cornerstones of a rights based legislative system. In this regard, it is again relevant to emphasise that the Convention is focused on setting requirements for states and governments, rather than adjudicating individual cases. While this provision exists through the European Court of Human Rights, this is a separate process, and it is notable that cases relating to institutions relevant to the Inquiry could have been taken through this process for some considerable time, as a mechanism exists for taking cases where a government has not taken required action.

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[9] Convention on the Rights of the Child 1989
[10] Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984
[11] International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families 1990
[12] International Convention for the Protection of All Persons from Enforced Disappearance 2006
[13] Convention on the Rights of the Child 1989 Article 3.3
[14] European Convention on Human Rights 1950
[15] Human Rights Act 1998

The ECHR also provides the framework for the European Convention on action against violence against women[16], known as the Istanbul Convention, signed in 2011 and ratified by the UK in 2022[17].

GREVIO, the Group of Experts on Action against Violence against Women and Domestic Violence, is an independent human rights monitoring body mandated to monitor the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) by the Parties. The Istanbul Convention is the most far-reaching international treaty to tackle violence against women and domestic violence. Its comprehensive set of provisions spans far-ranging preventive and protective measures as well as a number of obligations to ensure an adequate criminal justice response to such serious violations of human rights.

The Baseline Evaluation Report for the UK's Istanbul Convention Implementation was published on 18th June 2025[18].

This reports on an overall analysis of the implementation of the provisions of the Istanbul Convention. It highlights positive initiatives in preventing and combating all forms of violence against women at national level and provides suggestions and proposals to improve the situation of women facing such violence.

Recommendations relevant to Truth and Recovery include:

- "GREVIO is mindful of the fact that the absence of a government from 2022 to 2024 delayed important measures pertaining to the implementation of the Istanbul Convention from being taken. It also caused the under-resourcing of crucial general and specialist services, including the police and women's rights NGOs, the effects of which continue to be felt."
- It "notes with concern that the widespread institutional abuse of women and their children previously perpetrated in Magdalene Laundries, Mother and Baby Homes and similar institutions has yet to be addressed in comprehensive policies that would allow victims to recover holistically, including through trauma care and psychological counselling. Efforts must be stepped up in Northern Ireland to assess the full extent of victimisation, to address its long-term impact on victims and to facilitate their full recovery".
- It stresses that any measures should "should ensure the provision of necessary support services, including specialist and long-term psychological support to facilitate victims' recovery, by enshrining their rights in law and

[16] Council of Europe (2011). Convention on preventing and combating violence against women and domestic violence
[17] Council of Europe press release 21 July 2022 'The United Kingdom ratifies the Istanbul Convention'
[18] GREVIO Baseline Evaluation Report, United Kingdom (2025) Available at: 1680b66579

raising their awareness of the existence of such rights and services. Last, victims' access to justice should be facilitated."

- "Recalling the importance of addressing the long-term consequences of the widespread institutional violence perpetrated against women in Mother and Baby Homes, Magdalene Laundries and similar institutions in Northern Ireland, GREVIO emphasises that adequate support to women and their children who suffered from violent and degrading treatment, including involuntary separation, must form a central element in such an undertaking."
- "Because the terrible legacies of such institutional abuse are endured to this day by those victims who are still alive, GREVIO cannot but examine some of these aspects, which require, in its view, decisive and comprehensive measures to be taken in the area of support services."

The report recommendations also conclude as follows: "GREVIO strongly encourages the relevant authorities in the United Kingdom, in particular in Northern Ireland, to take measures to address the long-term consequences of the widespread institutional violence perpetrated against women in Magdalene Homes and similar institutions in the past."

4. Response to Select Consultation Questions

Clause 1

Ideally, anyone affected after 1995 should be included where relevant. This may include, for example, the siblings of a child born in an institution who was not themselves born there. This approach recognises the reality that trauma impacts on a wider family circle in unknown ways as well as the very apparent fact that this person may not have grown up with their sibling.

Clause 2

Q: 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?

It is vital, for the purposes of understanding the full context that contributed to the systemic failings, that we look wider than the system itself, which, in the strictest sense of the word, was not failing but operating exactly as designed. Stafford Beer's axiom, that "the purpose of a system is what it does" is a principle that explains what is at stake here; that the true function of a system—its observable behaviour

and outcomes—defines its purpose, rather than its stated goals, intentions, or design.

As such, the only way it makes sense to describe the operation of these institutions across almost a century as displaying "systemic failings" is when pointing out occasions in which the mothers and their babies entered of their own will, were treated well and left together at a time of their choosing; an exception rather than the opposite experience, which was baked into their very design. These institutions did what they were designed to do, and they did so effectively; they were intended to punish women and girls who became pregnant outside of marriage, to serve as a warning to the women and girls who saw their operation, and to separate the mothers from their babies once they were born.

Therefore, the WPG argues that this grave and systemic violation of human rights instead be reframed as systemic misogyny on an industrial scale, that the state itself be included within the understanding of this phenomenon. Put simply, religious orders were not taking control of these women and girls, numbering around 10,000, without the knowledge and tacit approval of the state. The same holds true for other states, including the Republic of Ireland, where this system operated. In any Bill and indeed in any memorial, apology etc that follows the passing of the Bill, it is vital that this responsibility is recognised. The state, both the Northern Ireland government (when operational) and the Westminster government, created the situation in which these institutions operated and made them a feasible option for families by virtue of their policies.

These laws and policies include, but are not limited to:

- A lack of support from the state for lone parents
- A failure to seek support from the men who impregnated the women and girls who were institutionalised
- A failure to seek criminal prosecution of these men for rape, where applicable
- The fact that rape within marriage was not criminalised until the 1990s
- The failure, until very recently, to take domestic abuse seriously
- The criminalisation of abortion - particularly as this situation persisted in Northern Ireland long after the 1967 Abortion Act
- The assorted laws that made it difficult for women to live in a way that allowed for their financial independence, from laws around the ownership of property, to the freedom to open a bank account or apply for a bank loan, the 'marriage bar' and more. These are burdens from which we are still struggling to free ourselves in 2025, with a significant gap in earnings, pension savings, personal wealth and employment opportunities persisting despite the fact that girls outperform boys at school and university.

All of these legal and structural realities created the situation in which these institutions operated. It is erroneous to suggest that they operated without the

knowledge and consent of the state; in fact they existed to deal with the state's unwanted daughters. To the extent that an apology is offered and has been made - insufficient for the purposes, but nonetheless given - the state recognises this. However, in this Bill and specifically this clause, the ordinary operation of these institutions is framed as a systemic failure - it is not. The treatment the women and girls and their babies received in these institutions was intentional. The outputs of the system were created by the misogynistic inputs.

The language in this clause should be amended, and the scope expanded to examine the state's role in creating the conditions in which these institutions thrived. This is not just a feminist argument; it is essential to ensuring that nothing like this happens again. We know that progress is not necessarily linear and inevitable, and that states have regressed in the past.

More broadly, there is a need for a broader examination of the social conditions in which these institutions operated, in order to understand how bodies outside of the institutions, and indeed society as a whole, contributed to the way that the institutions operated.

This includes the wider churches, including those not directly involved in the running of the institutions, GPs and social workers who were involved in the care of those sent to these institutions, and indeed the attitudes among families and the wider society that led to so many women being confined to these institutions, and the treatment of the children they birthed there. In addition, there is a need to look at state policies during the period that the institutions operated, in order to understand how the state played a role in perpetuating these institutions and treated lone or unmarried mothers specifically.

More broadly examined, this will have the effect of opening the conversation beyond the role of the institutions and to the roles played by all parts of society in this system and the attitudes that perpetuated them.

Clause 4

Q: Have all 'relevant persons' (people on whom the Inquiry will focus) been included in this clause? If not, who else should be included?

The WPG welcomes the fact that the drafted legislation includes "other institutions" in Clause 3 within the range of institutions that can be considered, and as such includes in Clause 4 a wider range of "relevant persons" to include everyone who experienced the traumas associated with these institutions. In our response to the earlier call for evidence, we outlined our view that this Inquiry must also include those who were institutionalised in the various private nursing homes and clinics that were operated at the time.

The fact that all of these institutions may not yet be identified, and indeed that some families paid to send their family member to these institutions, does not excuse the fact that the women and girls sent there and the children that they birthed experienced the same toxic mix of state policy and patriarchal attitudes, before during and after their time in these places.

With that said it would be valuable to signify here an intention also to look at the cases of individuals who crossed the border, in both directions, to these institutions; seeking to gather as much information as possible in the spirit of seeking truth and fully understanding what happened.

Clause 13

It is important that the Inquiry can take evidence from people via live links. For practical reasons alone - due to the witness no longer living in Northern Ireland, being unwell or hospitalised, etc - it is a sensible approach.

In addition, there are reasons to consider the mental health and wellbeing of witnesses who will be giving evidence about a traumatic time in their lives; any small adjustments that can be made to make them comfortable while doing so are worth making.

Clause 31

We have concerns about some of the language used in this section of the Bill, specifically the clause 31.2.b and subsequent clauses 31.3.b which uses the phrasing "for the person to receive shelter or maintenance (or both) from the institution". Our concerns in this regard reflect the points we made above with regards to Clause 2; these institutions may have presented themselves as spaces that provided shelter and maintenance, but as we have argued above, an institution's purpose is what it does, not what it says it does or intends to do. It is absolutely vital that this language is adjusted in the final Bill.

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

While we are content that the lump sum should not impact on any social security benefits, we are concerned that the sum is congruent with a scheme set up in 2015, and that a full decade later inflation and the cost of living crisis generally mean that the same sum no longer carries the same value as it did then. It should be considered in light of changes since then and adjusted upwards accordingly.

In addition, as well as not impacting social security benefits as per the legislation, it should be guaranteed tax free. The same considerations apply to both standardised payments proposed here.

Q: 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

Any memorial or official apology while welcome, cannot be a replacement for compensation to individuals who suffered in the institutions. Such a memorial should be co-designed with survivors as much as possible, with regards to location, appearance and any signage that would accompany it.

A full apology should also be made, and it should be made in the Assembly Chamber and recorded by Hansard.

Clause 34

The WPG welcomes that the service will prioritise those who are terminally ill and endeavour to consider the age and health of applicants. Applicants will, in many cases, be elderly and/or in poor health, and as such it is important that the service is adequately staffed and resourced to consider applications in a timely manner.

Long delays have followed a lengthy period of collective denial, which itself followed decades of state-sanctioned trauma; the very least that the state can do now is to move at pace to make amends in what way it can.

ENDS

For any questions or queries relating to this submission, please contact:

- [redacted]