



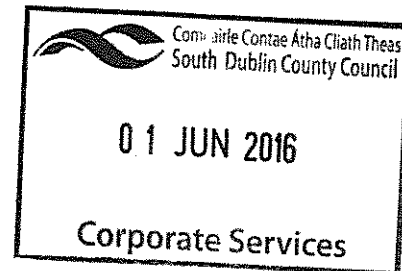
An Roinn Leanaí  
agus Gnóthaí Óige  
Department of  
Children and Youth Affairs

Oifig an Aire  
Office of the  
Minister



27 May 2016

Mr Tom O'Neill  
South Dublin County Council  
County Hall  
Tallaght  
Dublin 24



Dear Mr O'Neill

Thank you for your letter concerning the motion agreed at the meeting of South Dublin County Council held on the 11th April 2016.

The Commission of Investigation into Mother and Baby Homes and certain related matters was formally established by Government on the 17th February 2015.

The approach taken in establishing this Commission of Investigation was to provide a clear and deliberate emphasis on the experiences of women and children who spent time in Mother and Baby Homes over the period 1922-1998 as these institutions had not been the central focus of any previous investigations. Clear criteria were used to identify Mother and Baby Homes for the purpose of the investigation, including having the main function of providing sheltered and supervised ante and post-natal facilities to mothers and their children. However, the Commissions Terms of Reference were explicitly formulated with a view to also allow for the examination of the much wider network of organisations and institutions that were often closely connected with these Mother and Baby Homes.

In addition, mechanisms within the Terms of Reference are designed to take maximum advantage of the investigative powers, resources and expertise of the Commission to ensure that any additional matter which the Commission may deem to warrant further investigation can be brought to the attention of Government. This is not limited to matters within the direct scope of its investigations, but may also include issues which it considers to warrant investigation in the public interest. I enclose for your reference a copy of the Statutory Instrument setting up the Commission of Investigation and would draw your attention to Section 6 of the Schedule of the Terms of Reference which allows for the Commission to make any recommendations to the Minister which it considers appropriate.

The Government is satisfied that the Commission has sufficient powers and scope to examine a broad range of issues and to make a determination on their relevance

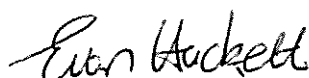
to the central issues of public concern but it must be noted that the Commission is completely independent in deciding the precise timing, methodology and conduct of its investigations. The Commission must now be given the opportunity to advance its investigations to establish the facts of what happened as it sees fit and it would be entirely inappropriate for the Minister to interfere with this process at this stage.

The Commission has publicised its contact details and its intentions with regard to arrangements for gathering evidence (see [www.mbhcoi.ie](http://www.mbhcoi.ie)) and you may wish to consider contacting the Commission directly with a view to informing them of the Motions referred to in your letter.

The Adoption Information and Tracing Bill, drafting of which was approved by Government in December 2015, provides for the first time a statutory entitlement to identity information for adopted persons. It provides for a structured and regulated access to information and tracing services for those affected by adoption or informal care arrangements. A key provision in the Bill provides that an adopted person aged 18 years or over who was adopted, or subject of an informal care arrangement prior to commencement of the Bill will be provided with the information required to apply for his or her birth certificate, subject to certain conditions. It is intended that the Bill will be published as soon as possible this year.

I hope that this information is helpful to you.

Yours sincerely



Evan Hackett

Private Secretary to Minister Katherine Zappone TD