

Dear Ms. Somers,

In responding to the Final Report of the Commission of Investigation, you may wish to note the Government's response to the Report in which it approved the development of a Strategic Action Plan encompassing a suite of 22 specific measures. The Action Plan centres on distinct themes including: access to personal information; archiving and databases; education and research; memorialisation; dignified burial, and restorative recognition. These themes take account of the Commission's recommendations and are intended to respond to the priority needs and concerns of former residents and their families.

Many of these measures are complex and require considerable coordination across Government to implement but Minister O'Gorman is committed to ensuring that survivors see tangible results as early as possible.

It is important to say that counselling supports were immediately available to survivors and relevant details are available on the Department's website. These telephone based and face-to-face services continue to be available to any person who may require support through the established nationwide network of HSE counselling supports.

Most importantly, Minister O'Gorman recognises the importance of implementing these measures in a survivor-centred way. Notably, several hundred survivors have contacted the Department since the Commission's report was published. In responding to this increased demand for direct engagement, we are developing new structures for an enhanced model of survivor engagement. The aim is to create a model capable of supporting sustained communication with survivors and their representative groups in Ireland and abroad.

Minister O'Gorman is welcoming of input from all stakeholders on the progression of the Action Plan. Some of the progress made on the Action plan so far are outlined below.

Minister O’Gorman tasked an Interdepartmental Group (IDG) with developing detailed proposals for a Restorative Recognition Scheme to provide a financial payment and a form of enhanced medical card. While the IDG must take account of the specific recommendations made by the Commission, its considerations are not limited to those recommendations. The approach of the IDG is underpinned by a human rights focus and informed by an extensive consultation process. The consultation process was undertaken during March and April with almost 450 written submissions received and 159 participants in 17 online meetings. The IDG is working hard to deliver its report to me. Minister O’Gorman will then be in a position to bring recommendations to Government for its decision on the parameters of the scheme.

Minister O’Gorman recently published the Heads and General Scheme of the Birth Information and Tracing Bill. This legislation will provide a full and clear right of access for adopted people and others with questions on their origins to birth certificates, birth and early life information. The purpose of the legislation is to recognise the importance of a person knowing their origins, and to achieve this through the full release of the birth certificate, birth information, early life information, care information and medical information for all persons who were adopted, boarded out, the subject of an illegal birth registration or who otherwise have questions in relation to their origins. In addition, the legislation will provide for a robust tracing service underpinned by statute. This service will facilitate tracing of relatives for the purpose of contact, or for seeking or sharing information.

The legislation will also provide for the establishment of a statutory Contact Preference Register. This register will replace the existing administrative National Adoption Contact Preference Register (NACPR) which is currently run by the Adoption Authority of Ireland. It will allow individuals to lodge their preferences in relation to contact with relatives, and indicate if they are willing to provide information. It will also enable the lodging of contemporaneous information, including medical information.

Finally, the legislation will provide for the safeguarding of relevant records and will create offences for destroying, falsifying or mutilating those records. Further information on this legislation can be found here: <https://www.gov.ie/en/press-release/14c5c-minister-ogorman-publishes-proposed-birth-information-and-tracing-legislation/>.

In giving effect to the Government’s commitment to a survivor centred approach, Minister O’Gorman has hosted virtual meetings with interested parties in relation to the legislative proposals. Minister O’Gorman continues to listen carefully to stakeholders on this issue to ensure we can balance personal rights in a fair and compassionate way and right an historic wrong by providing access to birth certificates and early life information.

Related to this legislative work, the Department has recruited an archivist who is leading the work on the preservation of, and public access to, relevant records within the Department. The archivist is part of a new Information Management Unit established to manage the Commission’s archive of records and support compliance with GDPR, including providing access for individuals to their personal information. The archivist will also support expert consideration of future work on the creation of a central repository of records.

In addition, the Certain Institutional Burials (Authorised Interventions) Bill is currently undergoing pre-legislative scrutiny by the Joint Oireachtas Committee on Children, Equality, Disability and Integration. This legislation is required to support the proposed interventions at the Tuam site. It will also enable

intervention at any other institutional sites where manifestly inappropriate burials have taken place. Minister O’Gorman welcomes the priority which the Committee has afforded this pre-legislative scrutiny and he looks forward to its report contributing to the development of this legislation.

The Department, in collaboration with the Irish Research Council, has commissioned NUI Galway to undertake a research project on language and terminology. The aim of this project is to highlight the stigmatising and labelling language that has been used in the past and to provide guidance as to how to address this issue. The method used will be a 'history of the present' approach which aims to critically analyse the past to help inform the present and the future. Further information can be found here: <https://www.gov.ie/en/press-release/e7d5a-minister-ogorman-announces-joint-research-project-with-nui-galway-into-language-terminology-and-representations-in-institutions-known-as-mother-and-baby-homes/>

The Department is also advancing separate proposals with the Irish Research Council for a new scholarship programme on childhood disadvantage. Minister O’Gorman expect further details on this programme to be announced over the summer.

Along with the Commemorative Grant Scheme, established to support survivors in commemorating their experiences in a manner which fits their own specific needs, the Department is scoping the approach to memorialisation initiatives to enable these important measures to be advanced with relevant agencies.

Implementing the Government’s Action Plan is a hugely important process for all connected to these institutions and Minister O’Gorman will continue to work with Government colleagues and survivors to advance related measures.

Should you have any further questions or concerns please do not hesitate to contact the Department.

Yours sincerely

Lisa Hughes
Private Secretary to Minister Roderic O’Gorman TD