



REPORT ON NEGOTIATIONS WITH RELIGIOUS ORGANISATIONS ASSOCIATED WITH THE MOTHER AND BABY INSTITUTIONS PAYMENT SCHEME PART I

Submitted to Minister Norma Foley (Department of
Children, Disability and Equality) on the 31st of March 2025

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31st of March 2025

Mother and Baby Institutions Payment Scheme Negotiations

Dear Minister Foley,

I attach for your attention a Report on the negotiations seeking a voluntary contribution from relevant religious organisations to the Mother and Baby Institutions Payment Scheme. This work was carried out in accordance with the Terms of Reference agreed with the previous Minister for Children, Equality, Disability, Integration and Youth, Mr Roderic O'Gorman, TD;

"i. To negotiate with each organisation on behalf of the Minister, with a view to securing the best outcome for the Minister, the Government and survivors.

ii. To oversee and manage an independent financial assessment process which will seek to provide an informed basis for any contributions provided as part of the negotiations. (The Department will procure financial expertise to undertake this work.)

iii. To identify and recommend to the Minister a best final offer arising from the negotiations. The Minister will then bring this offer to Government to secure approval for its acceptance.

iv. To conclude the process within 6 months of appointment, subject to review and extension as circumstances may require and as may be agreed with the Minister."

The Report covers a summary of the engagement between Minister O'Gorman and the relevant religious organisations and their responses to his request for a voluntary contribution to the Payment Scheme. The Report also outlines the subsequent work carried out by the Negotiator, including any recommendations. The relevant appendices and the EY Financial Assessment Report are also included.

If you have any queries please do not hesitate to contact me.

Kind regards,

Sheila Nunan
Negotiator

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Chapter 1

Executive Summary

1.1 [The Final Report of the Commission of Investigation into Mother and Baby Homes and certain related matters](#) (Commission of Investigation's Report), was published on the 12th of January 2021. The Government published, on the 16th of November 2021, [An Action Plan for Survivors and Former Residents of Mother and Baby and County Home Institutions](#) (the Action Plan), which included the establishment of a Payment Scheme. The Government sought a voluntary contribution towards the cost of this Payment Scheme for survivors from religious organisations and commenced a process of engagement with those organisations. The religious organisations are as follows:

- Sisters of Bon Secours
- Daughters of Charity of St Vincent de Paul
- Congregation of the Sisters of St John of God
- Congregation of Our Lady of Charity of the Good Shepherd
- Congregation of the Sacred Hearts of Jesus and Mary
- Legion of Mary
- Church of Ireland
- Congregation of the Sisters of Mercy

1.2 The Minister appointed a Negotiator to continue seeking a voluntary contribution from eight organisations, and to identify and recommend to the Minister a best final offer arising from the negotiations. The Negotiator also oversaw a financial assessment exercise and developed a methodology to provide a figure against which any offers of contributions could be assessed for the purposes of a recommendation. This methodology was based on the number of residents of each of the relevant religious institutions in the Commission of Investigation's Report and the overall estimated cost of the Mother and Baby Institutions Payment Scheme (the Payment Scheme).

1.3 Engagement with the religious organisations varied. Some of the organisations disputed their inclusion in the negotiation process and had indicated prior to the appointment of the Negotiator that they would not be making a contribution. Certain organisations rejected any assertion that they might have a legal and/or moral responsibility for the running of the institutions.

1.4 Two organisations offered to make a contribution to the Payment Scheme. The Sisters of Bon Secours made a final offer of €12,974,720. The Daughters of Charity of St Vincent de Paul proposed the transfer of a property to the State, without encumbrance. One further organisation, the Congregation of the Sisters of St John of God, confirmed their offer of a donation of €75,000 to a charitable purpose associated with survivors, but unrelated to the Payment Scheme. No contribution was offered from the other five religious organisations.

1.5 The Negotiator has recommended that the offer of a financial contribution from the Sisters of Bon Secours be accepted, and that the offer of a transfer of property by the Daughters of Charity of St Vincent de Paul be actively considered at the earliest opportunity. The offer from the Congregation of the Sisters of St John of God, due to the terms in which it is expressed, falls outside of the remit of the Negotiator.

Chapter 2

Introduction

2.1 [The Final Report of the Commission of Investigation into Mother and Baby Homes and certain related matters](#) (Commission of Investigation's Report) was published on the 12th of January 2021. In response to the Report, the Government committed to a range of actions including the establishment of a Payment Scheme. Mr Roderic O'Gorman, Minister for Children, Equality, Disability, Integration and Youth (DCEDIY), initiated engagement with relevant religious organisations on the 12th of January 2021. As part of that engagement, Minister O'Gorman (DCEDIY) sought a voluntary contribution from the religious organisations towards a Payment Scheme.

2.2 On the 23rd of May 2023, Minister O'Gorman (DCEDIY) appointed the Negotiator and requested that she continue the process of negotiation with relevant religious organisations on his behalf; seek a financial contribution to the Mother and Baby Institutions Payment Scheme (the Payment Scheme) from those organisations on a voluntary basis, and make recommendations to the Minister on the outcome.

2.3 This Report covers a summary of the engagement by Minister O'Gorman (DCEDIY) with the relevant religious organisations and their initial responses to the request for contributions to the Payment Scheme. The Report sets out the subsequent work carried out by the Negotiator. There was a spectrum of responses, from decisions not to contribute to the Scheme, to remain engaged in the process or to contribute to the Scheme. Certain organisations disputed the basis of their inclusion in the process. The various positions adopted by the organisations are outlined in each individual chapter.

2.4 While some religious organisations had indicated to Minister O'Gorman (DCEDIY) that they would not be contributing to the Payment Scheme, the Negotiator, nonetheless, continued to seek the engagement of these religious organisations and continued to communicate with them throughout the process.

2.5 This Report outlines the formal communication between the Negotiator and the religious organisations, and sets out the position of each religious organisation and the recommendation of the Negotiator. Outside of this Report, and as is the

nature of negotiations, there was also considerable informal engagement between the Negotiator and some of the religious organisations and their representatives. All engagement, formal and informal was on a voluntary basis. The Negotiator was deeply appreciative of the support provided by officials in the Department of Children, Equality, Disability, Integration and Youth.

Chapter 3

Background Information and Terms of Reference

3.1 The Commission of Investigation into Mother and Baby Homes and certain related matters (the Commission of Investigation) was established on the 17th of February 2015 to provide a full account of what happened to mothers and children in Mother and Baby and County Home Institutions from 1922-1998. The Commission was tasked with investigating the practices and procedures regarding the care and welfare of residents in these institutions and the entry arrangements and exit pathways for mothers and their children. This was a statutory investigation, and the terms of reference were set out in the Order establishing the Commission, S.I. No. 57/2015.

3.2 On the 12th of January 2021, the Commission of Investigation's Report was published by the Government. On the 13th of January 2021, An Taoiseach Micheál Martin apologised on behalf of the Irish Government to those who spent time in a Mother and Baby Home or County Home Institution. The Government published [An Action Plan for Survivors and Former Residents of Mother and Baby and County Home Institutions](#) on the 16th of November 2021.

3.3 The aim of the Action Plan was to support the implementation of the commitments made by Government in January 2021, to respond to the priority needs and concerns of those who spent time in Mother and Baby and County Home Institutions. The Action Plan encompassed the following themes:

- A Survivor Centred Approach,
- Apology,
- Access to Personal Information,
- Archives and Databases,
- Education and Research,
- Memorialisation,
- Restorative Recognition,
- Dignified Burial.

3.4 Under the theme of Restorative Recognition, and in response to the Commission of Investigation's Report, the Government committed to the establishment of a Payment Scheme. A detailed and costed proposal was

developed and approved by Government on the 16th of November 2021, at an estimated cost of €800 million.

3.5 On the 12th of January 2021, following the publication of the Commission of Investigation's Report, Minister O'Gorman (DCEDIY) wrote to eight religious organisations. In his letter, Minister O'Gorman (DCEDIY) stated the following:

"...I believe that all relevant parties, including the State and others who were involved in the management or delivery of these services, have a shared moral and ethical obligation to support appropriate actions in response to this Report."

3.6 Minister O'Gorman (DCEDIY) also wrote to Catholic Archbishops, Archbishop Eamon Martin, Archbishop of Armagh, Primate of All Ireland (1.2) and Archbishop Diarmuid Martin, Archbishop of Dublin, Primate of Ireland (1.3) following the publication of the Commission of Investigation's Report. Archbishop Eamon Martin responded to say that while he was

"...unable to speak on behalf of the various Church bodies which had some involvement in the institutions examined by the Commission, nor do I have the authority to determine a particular response by these bodies, I would be prepared to help in any way I can." (1.5)

3.7 Between December 2021 and February 2022, which was during the period of Covid-19 restrictions, Minister O'Gorman (DCEDIY) held online meetings with representatives of the following eight religious organisations associated with the named institutions in the Commission of Investigation's Report:

Religious Organisations	Named Institutions
Sisters of Bon Secours	Children's Home, Tuam (originally Glenamaddy)
Daughters of Charity of St Vincent de Paul	Pelletstown (St Patrick's) Belmont Flatlets, Dublin

Congregation of the Sisters of St John of God	St Columba's (Thomastown) County Home
Congregation of Our Lady of Charity of the Good Shepherd	Dunboyne (Árd Mhuire)
Congregation of the Sacred Hearts of Jesus and Mary	Bessborough Sean Ross Abbey Manor House, Castlepollard
Legion of Mary	Regina Coeli Hostel
Church of Ireland	Bethany Home Miss Carr's Flatlets Denny House
Congregation of the Sisters of Mercy	Kilrush Nursery Cork County Home Stranorlar County Home

3.8 At online meetings Minister O’Gorman (DCEDIY) “...reiterated the expectation on his part, on the part of Government, the public and most importantly survivors that all those involved would contribute to this Scheme.”

3.9 Minister O’Gorman (DCEDIY) stressed the importance of a collective response from the religious organisations and Government. The Minister drew attention to a response in November 2018 ([1.1](#)) from His Holiness Pope Francis to Minister Katharine Zappone (Department of Children and Youth Affairs), regarding the work of the Commission in which he stated “...I wish also to assure you of my prayerful solidarity and concern for this sad situation, and I pray in particular that efforts made by the government and by the local Churches and religious congregations will help face responsibly this tragic chapter in Ireland’s history.”

3.10 Throughout 2022 and early 2023, the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) proceeded with the drafting of legislation to support the establishment of the Payment Scheme. The legislation underpinning the Payment Scheme, the [Mother and Baby Institutions Payment Scheme Act 2023](#),

was enacted on the 11th of July 2023. The Act sets out the criteria for the payments and services available under the Payment Scheme, including, a General Payment, a Work-Related Payment and Health Supports. Regulations were then developed to allow the Payment Scheme to operate. The Payment Scheme opened for applications on the 20th of March 2024.

Appointment of the Negotiator

3.11 On the 23rd of May 2023, following Government approval, Minister O’Gorman (DCEDIY) appointed a Negotiator to undertake on his behalf the ongoing negotiations with relevant religious organisations, with a view to securing a voluntary financial contribution towards the cost of the Payment Scheme.

3.12 On the 23rd of May 2023, Minister O’Gorman (DCEDIY) also wrote to the following eight religious organisations to inform them of the appointment by him of Ms Sheila Nunan as Negotiator.

- Sisters of Bon Secours
- Daughters of Charity of St Vincent de Paul
- Congregation of the Sisters of St John of God
- Congregation of Our Lady of Charity of the Good Shepherd
- Congregation of the Sacred Hearts of Jesus and Mary
- Legion of Mary
- Congregation of the Sisters of Mercy
- Church of Ireland

3.13 Minister O’Gorman (DCEDIY) also indicated in the letter that he was requesting that a financial assessment would take place in cooperation with the eight religious organisations as identified above. The Minister asked the religious organisations to engage with the Negotiator and with the financial assessment exercise.

Terms of Reference of the Negotiator

3.14 The specific terms of reference for the Negotiator included the following:

“i. *To negotiate with each organisation on behalf of the Minister, with a view to securing the best outcome for the Minister, the Government and survivors.*

- ii. To oversee and manage an independent financial assessment process which will seek to provide an informed basis for any contributions provided as part of the negotiations. (The Department will procure financial expertise to undertake this work.)*
- iii. To identify and recommend to the Minister a best final offer arising from the negotiations. The Minister will then bring this offer to Government to secure approval for its acceptance.*
- iv. To conclude the process within 6 months of appointment, subject to review and extension as circumstances may require and as may be agreed with the Minister.”*

3.15 In June 2023, the Negotiator was briefed by DCEDIY officials. The Negotiator then contacted all relevant religious organisations to introduce herself and her role and requested an opportunity to meet. The details of the formal engagement with each organisation are set out in separate chapters in this Report.

3.16 Following the previous engagement between Minister O’Gorman and the Catholic Archbishops, the Negotiator also sought a meeting with representatives of the Catholic Church hierarchy. A meeting took place with Archbishop Eamon Martin and Archbishop Dermot Farrell on the 6th of March 2024 where the Negotiator updated the Archbishops on the Action Plan, including the Payment Scheme, and requested their support for the ongoing negotiation process. This engagement took place in parallel with ongoing meetings with the individual religious organisations.

3.17 The Negotiator, with the support of DCEDIY officials, procured services for a financial assessment exercise and oversaw the process. This process is set out in a separate chapter in the Report.

Chapter 4

Financial Assessment Process

4.1 The Negotiator was required, as part of her Terms of Reference, to oversee and manage an independent financial assessment exercise. The purpose of the financial assessment exercise was to inform the Negotiator of the capacity of each religious organisation to make a meaningful contribution to the Payment Scheme and to provide the Negotiator with a basis for making an informed decision in the context of the negotiations. The first stage of this process involved the engagement of a Financial Advisory Services firm, following a tendering process. The Negotiator worked with DCEDIY officials on a request for tender.

The Tender Process

4.2 On the 3rd of August 2023, a Supplementary Request for Tenders (SRFT) was issued under the Office of Government Procurement for Financial Advisory Services. The competition closing deadline was listed as the 24th of August 2023.

4.3 EY (Ernst & Young Business Advisory Services) was selected and a contract was agreed between EY and DCEDIY on the 15th of November 2023. This contract was extended on two occasions for a period of 6 months in August 2024 and February 2025.

Role of EY

4.4 In accordance with the SRFT, the role of EY included:

- Formulating a request for submissions from each organisation in consultation with the Independent Negotiator;
- Assessing all publicly available material in respect of the financial position of each organisation, including any Trusts or other legal vehicles which may have been established by the organisation or be otherwise closely connected to the organisation;
- Formal and informal engagement as necessary with representatives of each organisation in consultation with the Independent Negotiator;
- Assessing the reasonableness of any submission provided by each organisation;

- Reporting to the Independent Negotiator as to their view on the resources of the organisation, taking into account all of the available information;
- Providing advice and support to the Independent Negotiator as appropriate.

4.5 The financial information sought by EY from each of the relevant religious organisations was requested on a voluntary basis. EY was not expected to carry out audits or valuations or to consider the merits of such organisations' activities or the prioritisation of their resources.

4.6 The project deliverables were as follows:

- Financial Report for each of the organisations;
- Provision of advice, particularly in relation to the broader corporate structure of the organisations and related Trusts and the potential requirement for further financial assessment of these entities in order to fully inform the deliberations of the Independent Negotiator;
- Ongoing advice in verbal and written form to the Independent Negotiator.

4.7 Meetings were held between the Negotiator and EY on a frequent and ongoing basis from the 29th of November 2023, to discuss the proposed format and content of letters requesting financial information for the financial assessment exercise.

4.8 On the 16th of January 2024 and the 23rd of January 2024, EY commenced engagement with the relevant religious organisations, requesting that they provide contact details concerning their financial advisors. On the 30th of January 2024, EY issued their request for detailed and specific financial information to each of the relevant religious organisations.

4.9 Meetings continued on an ongoing basis between EY and the Negotiator. EY provided updates to the Negotiator of their engagement with the relevant religious organisations concerning the financial assessment exercise.

4.10 Two of the relevant religious organisations provided financial information to EY, namely, the Congregation of the Sacred Hearts of Jesus and Mary and the Congregation of Our Lady of Charity of the Good Shepherd. The Sisters of Bon

Secours informed EY that, as they would be contributing to the Payment Scheme, they did not consider it necessary to participate in the financial assessment exercise.

4.11 The responses of the relevant religious organisations to the request for financial information are outlined in the individual chapters of this Report.

4.12 In the case of religious organisations that declined to participate in the financial assessment exercise, EY utilised publicly available information.

4.13 Below outlines a summary of the assets of each religious organisation as per the EY Report.

Table 2: Summary of net assets and cash			
Organisation	FS date	Net assets	Cash in hand and at bank
Congregation of Our Lady of Charity of the Good Shepherd	31 Dec 2023	€75,746,408	€2,352,247
Good Shepherd Sisters St. Mary's Sheltered Housing	31 Dec 2023	€45,691	€99,804
Congregation of the Sacred Hearts of Jesus and Mary	31 Mar 2023	€5,763,132	€209,737
Sisters of the Sacred Hearts of Jesus and Mary CIO (UK charity)	31 Mar 2023	£27,762,686	£1,508,919
Sisters of Bon Secours	31 Dec 2023	€106,821,420	€1,329,750
Daughters of Charity of Saint Vincent De Paul	31 Dec 2023	€88,864,022	€3,944,617
Daughters of Charity Child and Family Service	31 Dec 2023	€1,356,433	€2,605,620
Daughters of Charity Community Services	31 Dec 2023	€283,329	€801,911
Sisters of St. John of God	31 Dec 2023	€50,477,758	€6,503,167
Sisters of St John of God Congregational Centre	31 Dec 2023	€5,257,575	€307,704
The Congregational Leadership of Sisters of Mercy	31 Dec 2023	€35,405,198	€741,914
Congregation of Sisters of Mercy - Northern Province	31 Dec 2023	€35,762,587	€3,141,569
Congregation of Sisters of Mercy - Southern Province	31 Dec 2023	€32,426,730	€2,200,458
Congregation of Sisters of Mercy - South Central Province	31 Dec 2023	€125,383,096	€12,366,261
Congregation of Sisters of Mercy - Western Province	31 Dec 2023	€90,850,015	€5,521,469
The Legion of Mary	31 Dec 2023	€1,839,595	€1,556,521
Representative Church Body (Church of Ireland)	31 Dec 2023	€632,517,000	€ 40,616,000

Source: [EY Report](#)

Chapter 5

Methodology Used for Assessing Voluntary Contributions

5.1 When the Commission of Investigation's Report was published in January 2021, the Government set out its clear expectation that all organisations involved in the relevant institutions would make a significant and practical contribution to the Payment Scheme, based on the principle of shared responsibility and the overall legacy of the Mother and Baby Institutions. In his initial meetings with the relevant religious organisations Minister O'Gorman (DCEDIY) reiterated this expectation.

5.2 In continuing the work commenced by Minister O'Gorman (DCEDIY), the Negotiator engaged with each of the relevant religious organisations. In the course of these engagements, some organisations sought an indication of the level of contribution requested from them towards the cost of the Payment Scheme. In this regard, the Negotiator devised a methodology to assist and support the negotiation process.

5.3 The purpose of this methodology was to establish an amount against which the Negotiator might properly and fairly assess any voluntary contributions forthcoming, on an informed basis. The methodology was based on the principle of shared responsibility between the State and religious organisations, the legacy of the Mother and Baby Institutions and a fair and equitable distribution across relevant religious organisations. Figures were used from the Commission of Investigation's Report in respect of the total number of former residents of each institution, rather than the number of former residents expected to apply to the Payment Scheme. This decision was made to reflect the legacy of the institutions.

5.4 Below sets out how the methodology was arrived at:

The baseline figure of **168,763** constitutes the total number of mothers and children who were resident in both the Mother and Baby and County Home Institutions combined in the period covered by the Commission of Investigation's Report. The figure is made up of 81,700 mothers and 87,063 children.

Table 1: Number of residents across the Institutions

Organisation	Institution name	Total Mothers admitted	Total Children (born and admitted)	Total
Church of Ireland	Bethany Home	1584	1376	2960
	Miss Carr's	180	200	380
	Denny House, formerly Magdalen A	1416	1134	2550
Congregation of the Sacred Hearts of Jesus and Mary	Bessborough	9768	8938	18706
	Castlepollard	4972	4559	9531
	Sean Ross	6414	6079	12493
Good Shepherd Sisters	Dunboyne (Árd Mhuire)	3205	1213	4418
Legion of Mary	Regina Coeli			
		5631	5434	11065
Sisters of Bon Secours	The Tuam Children's Home	2219	3251	5470
Sisters of Mercy	Cork County Home	2318	2408	4726
	Stranorlar county home	1646	1777	3423
	The County Clare Nursery, Kilrush	400	330	730
Sisters of St John of God	Thomastown county home	970	1241	2211
Daughters of Charity	Belmont Flatlets	0	0	0
	Dublin Union/Pelletstown/St Patrick's, Navan Road/Eglinton House			
		15382	18829	34211
Subtotal		56105	56769	112874
	The Castle	395	94	489
	County Homes	25000	30000	55000
	St Gerard's	200	200	400
Subtotal		25595	30294	55889
Grand total		81,700	87,063	168,763

5.5 This baseline figure of **168,763** was arrived at by adding together the figures of:

- (i) **112,874** (which is generated from figures taken from the Commission of Investigation's Report and comprises the total number of residents of named institutions investigated by the Commission)
- (ii) **25,000** (which is a Commission generated figure relating to mothers stated to have been resident in the remaining County Homes)
- (iii) **30,000** (which is a DCEDIY generated figure representing the number of children estimated by DCEDIY as being resident in the remaining County Homes. This figure is based on the Commission having stated that there were more than 25,000 children who were resident in the remaining County Homes. The DCEDIY assumption being that if the Commission said that there were 25,000 mothers and "...a larger amount of children...", this would mean that there were at least 25,000 children and DCEDIY used a figure of 5000 to represent this "...larger amount..." of children above the figure of **25,000**.)

- (iv) **889** represents the number of residents of other institutions.

5.6 168,763 constitutes the total number of mothers and children who were resident in both the Mother and Baby Home and County Home Institutions combined. Of this **168,763**, there were **112,874** residents in the relevant religious institutions investigated by the Commission, which represents **66.88%** of the entire group of people who were resident in all institutions. **66.88%** of the DCEDIY estimated **€800,000,000** overall cost of the Payment Scheme is **€535,040,000**.

5.7 In responding to the Commission of Investigation's Report in 2021, it was the position of Government that the legacy of the Mother and Baby Homes is a shared responsibility of Government and relevant religious organisations. In that context, a figure of **50%** was applied to the overall figure of **€535,040,000**. This gives a figure of **€267,520,000**.

5.8 The Commission of Investigation identified a total number of residents in each of the relevant religious institutions. These figures are set out as a percentage of the overall number of residents of the relevant religious institutions (**112,874**) and applied to the figure of **€267,520,000** (see Table 2 below).

Table 2: Figures against which any voluntary contributions may be assessed.

	Col	DCSVP	CSSJG	CSM	COLCGS	CSSHJM	SBS	LoM	Total
Survivors and former Residents	5,890	34,211	2,211	8,879	4,418	40,730	5,470	11,065	112,874
The above figures as a % of 112,874	5.22%	30.31%	1.96%	7.87%	3.91%	36.08%	4.85%	9.80%	100.0%
The above % applied to €267,520,000	€13,964,544	€81,085,312	€5,243,392	€21,053,824	€10,460,032	€96,521,216	€12,974,720	€26,216,960	€267,520,000

Sharing the Methodology

5.9 On the 15th of July 2024, the Negotiator wrote to the relevant organisations offering them the opportunity to examine the methodology and the resultant figures arrived at, and to consider any views they may wish to make. Six of the relevant religious organisations sought the methodology. Meetings were held with organisations between September and November 2024. In the course of these meetings the Negotiator sought a decision from the relevant religious organisations regarding a contribution to the Scheme.

5.10 A number of issues were raised at these meetings. Certain organisations rejected any assertion that they might have a legal and/or moral responsibility for the running of the institutions. Other issues raised included contributions made to previous Schemes such as the Residential Institutions Redress Board, capacity to pay, the aging membership of the organisations and the attendant caring needs. Certain organisations also cited their obligations and commitments to current charitable work undertaken by the organisations. The constraints on the use of restricted funds was also raised.

5.11 Responses in relation to the requests for voluntary contributions to the Payment Scheme are outlined in the individual chapters of this Report.

Chapter 6

Sisters of Bon Secours

Relevant Institution	The Tuam Children's Home
Number of Mothers who were resident in the Institution	2219
Number of Children who were resident in the Institution	3251
Total number of residents	5470
Religious Organisation	Sisters of Bon Secours
Commission of Investigation's Report	Chapter 15

Initial engagement with Minister O'Gorman (DCEDIY)

6.1 Following the publication of the Commission of Investigation's Report, Minister O'Gorman (DCEDIY) wrote to the Sisters of Bon Secours (SBS) on the 12th of January 2021 ([2.1](#)). The Minister informed the Order of the Government's Action Plan, stating that the SBS may wish to consider a number of measures including making a contribution to the financial cost of a Payment Scheme and requesting an opportunity to meet with the SBS representatives.

6.2 In his letter, Minister O'Gorman (DCEDIY) stated:

"...I believe that all relevant parties, including the State and others who were involved in the management or delivery of these services, have a shared moral and ethical obligation to support appropriate actions in response to this Report. By taking

the appropriate actions now we can collectively demonstrate our compassion and commitment to work towards justice, truth and healing for what happened in our past. In the context of the role of the Sisters of Bon Secours, it is my firm view that the Order should make a significant and practical contribution to this process."

6.3 In their response of the 28th of January 2021, the SBS

- Drew attention to their apology
- Asked for clarification on the Payment Scheme
- Expressed their belief that all records had been transferred ([2.2](#))

6.4 On the 13th of January 2022, Minister O’Gorman (DCEDIY) met with the SBS online and outlined the Government’s Action Plan to respond to the priority needs and concerns of those who spent time in Mother and Baby and County Home Institutions. He also outlined the parameters of the proposed Payment Scheme and reiterated the expectation on his part and on the part of Government, the public and most importantly survivors that all those involved would contribute to the Payment Scheme. The Minister also referred to his intention to have an independent financial assessment undertaken.

6.5 The SBS responded seeking clarification on aspects of the Payment Scheme, and emphasising they would be contributing to the Payment Scheme and that they had publicly stated so.

6.6 The Minister acknowledged and appreciated the undertaking to contribute to the Scheme.

6.7 Minister O’Gorman (DCEDIY) wrote to the SBS on the 23rd of May 2023, advising them of the appointment of the Negotiator and the proposal to conduct a financial assessment, and requesting that they would engage with the process ([2.3](#)).

Engagement with the Negotiator

6.8 On the 16th of June of 2023, the Negotiator made contact with the SBS requesting a meeting ([2.4](#)). The SBS responded on the 22nd of June 2023, that they are reviewing all matters and they would be in touch in the near future.

6.9 On the 29th of August 2023, another email was sent from the Negotiator, updating the SBS on the progress of the Payment Scheme ([2.5](#)). The Negotiator met with the SBS on the 6th of October 2023.

6.10 The Negotiator updated the SBS on the progress made on the Mother and Baby Institutions Payment Scheme Act 2023. She also outlined the plan to conduct a financial assessment exercise with the religious organisations.

6.11 The Negotiator emphasised that the Minister was seeking a meaningful contribution to the Payment Scheme and acknowledged the previous commitment of the SBS to engage in the negotiation process and to contribute to the Payment Scheme. The SBS confirmed that they would be making a contribution to the Payment Scheme. The SBS also sought information regarding the number of potential applicants to the Scheme. This information was provided.

6.12 Following this meeting, the Negotiator maintained ongoing engagement with the SBS with a view to finalising the final contribution from the Order.

Financial Assessment

6.13 In January 2024, EY wrote to the SBS requesting information/documentation to assist them in carrying out the financial assessment exercise as part of their role in advising the Negotiator.

6.14 On the 28th of February 2024, the SBS wrote directly to Minister O’Gorman (DCEDIY), confirming their intention to contribute towards the Payment Scheme and offering a specified contribution ([2.6](#)). They indicated to the Minister that they viewed the EY assessment as an unnecessary delay, given that the SBS would not be relying on inability to pay to limit their contribution.

6.15 The Minister referred the matter to the Negotiator ([2.7](#)). The Negotiator continued discussions with the representative of the SBS about increasing the contribution offered.

Sharing the Methodology

6.16 On the 15th of July 2024, the Negotiator wrote to the SBS informing them that she had devised a methodology to support the negotiation process ([2.9](#)). The purpose of the methodology was to establish an amount against which the Negotiator might properly and fairly assess any voluntary contributions forthcoming,

on an informed basis. The methodology was based on the principle of shared responsibility, the legacy of the Mother and Baby Institutions and a fair and equitable distribution across the organisations. The Negotiator offered the Order the opportunity to meet with a view to outlining both the methodology used and the figures arrived at to inform negotiations and to consider any views the Order may wish to make. The Order was informed that information in respect of their organisation in the EY Report had been drawn from publicly available information. The Order was also informed that the methodology used and the resultant figure would form part of the Final Report to the Minister.

6.17 On the 19th of July 2024, the SBS wrote directly to the Minister looking to agree a contribution and Minister O’Gorman (DCEDIY) replied stating that he would forward their letter on to the Negotiator ([2.10](#)).

6.18 On the 30th of August 2024, the Negotiator shared the methodology with the SBS who agreed to increase their contribution toward the Payment Scheme in line with the methodology ([2.11](#)). The Negotiator also indicated that she would be recommending this figure to the Minister.

Recommendation

6.19 The methodology developed by the Negotiator provided a figure against which any contribution from the Sisters of Bon Secours would be measured. The Sisters of Bon Secours have agreed this figure of **€12,974,720**. The Negotiator is recommending acceptance of this as a final offer.

Chapter 7

Daughters of Charity of St Vincent de Paul

Relevant Institutions	Dublin Union/Pelletstown/St Patrick's, Navan Road/Eglinton House Belmont Flatlets
Number of Mothers who were resident in the Institutions	Dublin Union/Pelletstown/St Patrick's, Navan Road/Eglinton House - 15382 Belmont Flatlets – Unknown
Number of Children who were resident in the Institutions	Dublin Union/Pelletstown/St Patrick's, Navan Road/Eglinton House - 18829 Belmont Flatlets – Unknown
Total number of residents	34211
Religious Organisation	Daughters of Charity of St Vincent de Paul
Commission of Investigation's Report	Chapters 13 and 14

Engagement with Minister O'Gorman (DCEDIY)

7.1 Following the publication of the Commission of Investigation's Report, Minister O'Gorman (DCEDIY) wrote to the Daughters of Charity of St Vincent de Paul (DCSVP) on the 12th of January 2021 ([3.1](#)). The Minister informed the Order of the Government's Action Plan, stating that the DCSVP may wish to consider a number of measures including making a contribution to the financial cost of a Payment Scheme and requesting an opportunity to meet with the DCSVP representatives.

7.2 In his letter, Minister O’Gorman (DCEDIY) stated:

“...I believe that all relevant parties, including the State and others who were involved in the management or delivery of these services, have a shared moral and ethical obligation to support appropriate actions in response to this Report. By taking the appropriate actions now we can collectively demonstrate our compassion and commitment to work towards justice, truth and healing for what happened in our past. In the context of the role of the Daughters of Charity of St Vincent de Paul, it is my firm view that the Order should make a significant and practical contribution to this process.”

7.3 On the 8th of December 2021, Minister O’Gorman (DCEDIY) met the DCSVP representatives online and outlined the Government’s Action Plan to respond to the priority needs and concerns of those who spent time in Mother and Baby and County Home Institutions. He also outlined the parameters of the proposed Payment Scheme and reiterated the expectation on his part and on the part of Government, the public and most importantly survivors that all those involved would contribute to the Payment Scheme. The Minister invited the DCSVP to respond in terms of how they might contribute.

7.4 During the course of the meeting the representatives of the DCSVP made the following points:

- The DCSVP indicated that they were reluctant to make a contribution as they had provided €19 million to the Residential Institutions Redress Scheme (RIRS) in respect of St Patrick’s/Pelletstown.
- The Order also stated that they were employees and not trustees, and that the Home was owned by the State.
- The Order asked what the Minister had in mind and stated that their duty was to their elderly members and they are in a different position to when they were responding to the Ryan Report. They also stated that they were prepared to listen.

7.5 Minister O’Gorman (DCEDIY) wrote to the DCSVP on the 23rd of May 2023 advising them of the appointment of the Negotiator and the proposal to conduct a financial assessment, and requesting that they would engage with the process [\(3.2\)](#).

7.6 The DCSVP responded on the 13th of June 2023 by stating:

“...if you could please explain the legal basis for the request to provide information to Ms Nunan and the proposed timing of this. I would also like to understand the basis for the request for further contribution by us to the new scheme, in circumstances where we have already made a very substantial contribution to the Residential Institutions Redress Scheme.” (3.3)

7.7 Minister O’Gorman (DCEDIY) responded on the 31st of July 2023 (3.4).

Engagement with the Negotiator

7.8 On the 16th of June 2023, the Negotiator contacted the DCSVP requesting a meeting. On the 29th of August 2023, another email was sent from the Negotiator, updating the DCSVP on the progress of the Payment Scheme (3.5).

7.9 On the 20th of September 2023, the Negotiator received a letter from the DCSVP requesting that she “...explain the legal basis for the requested submissions and the legal basis for seeking financial contributions from our Order so that I might fully understand the request in your email.” (3.6)

7.10 On the 17th of November 2023, the Negotiator responded to the DCSVP, confirming that the role of the Negotiator was to continue the process of engagement initiated by Minister O’Gorman (DCEDIY) (3.7). The Negotiator expressed the wish that the DCSVP would be in a position to engage with the process.

7.11 On the 15th of January 2024, a meeting was held with representatives of the DCSVP, in which the Negotiator outlined her role and gave an update on the Payment Scheme. The Negotiator also outlined the process for the financial assessment exercise. The Negotiator stated that there was a need for a collective gesture of healing towards survivors.

7.12 The DCSVP referred to Chapter 13 of the Commission of Investigation’s Report and stated that they were paid employees and had no governance responsibility in the homes. They stated that the homes in question were different in this regard to other institutions for which they were responsible.

7.13 The Order also stated that they are responsible for taking care of their elderly members and maintaining the good name of the organisation. The DCSVP stated that they also have a responsibility towards their current work, and they needed to be in a position to fund and develop such projects.

Financial Assessment

7.14 In January 2024, EY wrote to the DCSVP requesting information/documentation to assist them in carrying out the financial assessment exercise as part of their role in advising the Negotiator. On the 1st of February 2024, the DCSVP requested information around EY's legal basis to send the information request.

7.15 On the 12th of February 2024, EY responded outlining their engagement to carry out a financial assessment and that although the DCSVP were not obliged to engage, it was the wish and expectation of the Government that they would. The DCSVP responded to EY on the 1st of March 2024 to confirm that the financial information requested would not be provided.

7.16 In a letter to the Negotiator, also dated the 1st of March 2024, the DCSVP outlined their reasons for declining to participate, including:

- Previous contributions to the Residential Institutions Redress Scheme.
- Care of their aging membership.
- Commitments to ongoing projects abroad in Kenya ([3.8](#)).

A copy of this letter was also sent to Minister O'Gorman (DCEDIY).

Sharing the Methodology

7.17 On the 15th of July 2024, the Negotiator wrote to the DCSVP informing them that she had devised a methodology to support the negotiation process ([3.9](#)). The purpose of the methodology was to establish an amount against which the Negotiator might properly and fairly assess any voluntary contributions forthcoming, on an informed basis. The methodology was based on the principle of shared responsibility, the legacy of the Mother and Baby Institutions and a fair and equitable distribution across the organisations.

7.18 The Negotiator offered the DCSVP the opportunity to meet her with a view to outlining both the methodology used and the figures arrived at to inform negotiations

and to consider any views the DCSVP may wish to make. The DCSVP were informed that information in respect of their organisation in the EY Report had been drawn from publicly available information. The DCSVP were also informed that the methodology used and the resultant figure would form part of the Final Report to the Minister.

7.19 On the 11th of September 2024, a meeting was held between the Negotiator and the DCSVP, in which the methodology was explained. The DCSVP outlined the challenging financial future facing the organisation. They also reiterated their previously stated reasons for not contributing to the Payment Scheme. At the meeting, the DCSVP raised the possible option of repurposing the use of, or gifting an interest in, one of their remaining properties. The Negotiator undertook to continue discussions on this matter with the Order.

7.20 Discussions continued with the Order to progress this matter and a formal proposal was received on the 23rd of December 2024. The proposal from the DCSVP was to transfer by way of voluntary contribution, its title to a property.

Recommendation

7.21 On the 23rd of December 2024, a formal proposal was received from the Daughters of Charity of St Vincent de Paul, to transfer by way of voluntary contribution, its title to a property to the Department (DCEDIY), permanently and without encumbrance. The Property is currently in use by the Department of Education and subject to an informal leasing arrangement for the purposes of running a community based high-support school for children considered “at risk”.

7.22 While the Order did not make the above proposal conditional on the use of the property, the Order has requested that the property continue to be used for educational purposes, to the greatest extent possible. The Order has confirmed that it will be responsible for the discharge of its own legal fees and adjacent costs in respect of the transfer of the property. The Order has also confirmed that any payment of rent or other costs by the Department of Education to the Order will cease from the date on which the title is transferred, or beforehand, if so agreed by the parties and their advisors.

7.23 The Negotiator recommends that the above proposal from the Daughters of Charity of St Vincent de Paul should be actively considered at the earliest opportunity. The concerns surrounding the current use of the building as expressed by the Order in the proposal of the 23rd of December 2024, should be borne in mind in any consideration.

7.24 In this regard the Negotiator recommends that the appropriate representatives for and on behalf of the Department and/or the State establish contact with the representatives of the Order with a view to exploring and advancing this proposal without delay.

Chapter 8

Congregation of the Sisters of St John of God

Relevant Institution	Thomastown County Home
Number of Mothers who were resident in the Institution	970
Number of Children who were resident in the Institution	1241
Total number of residents	2211
Religious Organisation	Congregation of the Sisters of St John of God
Commission of Investigation's Report	Chapter 30

Engagement with Minister O’Gorman (DCEDIY)

8.1 Following the publication of the Commission of Investigation’s Report Minister O’Gorman (DCEDIY) wrote to the Congregation of the Sisters of St John of God (CSSJG) on the 12th of January 2021 ([4.1](#)). The Minister informed the Congregation of the Government’s Action Plan, stating that the CSSJG may wish to consider a number of measures including making a contribution to the financial cost of a Payment Scheme and requesting an opportunity to meet with the CSSJG representatives.

8.2 In his letter, Minister O’Gorman (DCEDIY) stated:

“...I believe that all relevant parties, including the State and others who were involved in the management or delivery of these services, have a shared moral and ethical obligation to support appropriate actions in response to this Report. By taking the appropriate actions now we can collectively demonstrate our compassion and commitment to work towards justice, truth and healing for what happened in our past. In the context of the role of the Congregation of the Sisters of St John of God, it is my firm view that the Congregation should make a significant and practical contribution to this process.”

8.3 On the 9th of December 2021, Minister O’Gorman (DCEDIY) met with the CSSJG online and outlined the Government’s Action Plan to respond to the priority needs and concerns of those who spent time in Mother and Baby and County Home Institutions. He also outlined the parameters of the Payment Scheme and reiterated the expectation on his part and on the part of Government, the public and most importantly survivors that all those involved would contribute to the Payment Scheme. Minister O’Gorman (DCEDIY) acknowledged the statement of the CSSJG published on their website shortly after the publication of the Commission of Investigation’s Report.

8.4 The CSSJG made the following points:

- The Congregation acknowledge fully the awfulness of some of the stories that have come out of the Mother and Baby Homes and the awfulness of how Irish society dealt with unmarried women and their children.
- The Congregation emphasised that the CSSJG were not governors or managers of this County Home. The Sisters were employees responsible for the provision of nursing duties in the home, and this was the case throughout the period in question.
- The CSSJG pointed out that Thomastown County Home was not a Mother and Baby Home and spoke about the catch-all nature of support provided in County Homes for a range of people eligible for care, not just single mothers and their children
- That the CSSJG are a very small Congregation of 98 Sisters with an average age of 81, and that they have a responsibility to the future care and welfare of these Sisters.

- That the Order is currently spending more than they bring in and operating at a loss.
- In a spirit of solidarity with the women and children who suffered in Mother and Baby Homes and County Homes across the country, the CSSJG would be willing to make a donation of €75,000, subject to certain conditions.

8.5 These conditions were laid out formally in a letter of the 13th of January 2022, which stated that the CSSJG were offering “...to donate a sum of €75,000 towards a charitable purpose associated with survivors of mother and baby homes and county homes. This offer is made in continuation of our spirit of solidarity with all the women and children who suffered in such Homes across the country. Although the offer is made voluntarily, it is important that there be no ambiguity as to its meaning in the public mind. It is not borne of a moral, ethical or legal obligation. We were not the initiator, founder, governor, or owner of Thomastown County Home.” (4.2)

8.6 Minister O’Gorman (DCEDIY) wrote to the CSSJG on the 23rd of May 2023, advising them of the appointment of the Negotiator and the proposal to conduct a financial assessment, and requesting that they would engage with the process (4.3).

Engagement with the Negotiator

8.7 On the 16th of June 2023, the Negotiator made contact with the CSSJG requesting a meeting (4.4). On the 29th of August 2023, another email was sent from the Negotiator, updating the Congregation on the progress of the Payment Scheme (4.5).

8.8 On 1st of November 2023, the CSSJG wrote to the Negotiator summarising the position previously set out to Minister O’Gorman (DCEDIY) as to why they would not be making a contribution to the Payment Scheme and confirming their conditional offer of €75,000 towards a charitable purpose associated with survivors (4.6). The Congregation was clear that the conditional offer should not be represented as a fulfilment, wholly or in part, of a moral or ethical obligation towards the survivors.

“...We were not the initiator, founder, governor, or owner of Thomastown County Home. Our sisters worked there, alongside others, in the provision of service and care to all those whose circumstances caused them to reside in Thomastown. Their work was as employees of local/public health/authorities. Our Sisters had no

function in the formation of the State's public policy regarding county homes, or in the public administration consequent upon such policy."

"...by seeking to apportion responsibility and blame for the regime and the conditions in Thomastown during the period in question to the Sisters who worked there would be unjust in the extreme. The righting of wrongs done to one group of women and children in past generations cannot be at the expense of another group, our Sisters, who sought at the time to ameliorate those wrongs."

Financial Assessment

8.9 In January 2024, EY wrote to the CSSJG requesting information/documentation to assist them in carrying out the financial assessment exercise as part of their role in advising the Negotiator.

8.10 On the 7th of February 2024 a letter was received from the CSSJG stating that they *"...believe it is not appropriate or necessary..."* for EY to conduct an analysis of the Congregation's financial position and that the CSSJG *"...will not, therefore, be furnishing the very detailed information that you have requested"*. The CSSJG also restated the conditional offer made by the Congregation to donate a sum of *"...€75,000 towards a charitable purpose associated with survivors of mother and baby homes and county homes"*.

Sharing the Methodology

8.11 On the 15th of July 2024, the Negotiator wrote to the CSSJG informing them that she had devised a methodology to support the negotiation process (4.7). The purpose of the methodology was to establish an amount against which the Negotiator might properly and fairly assess any voluntary contributions forthcoming, on an informed basis. The methodology was based on the principle of shared responsibility, the legacy of the Mother and Baby Institutions and a fair and equitable distribution across the organisations.

8.12 The Negotiator offered the CSSJG the opportunity to meet with a view to outlining both the methodology used and the figures arrived at to inform negotiations and to consider any views the CSSJG may wish to make. The CSSJG were also informed that the methodology used and the resultant figure would form part of the

Final Report to the Minister. The CSSJG were informed that information in respect of their organisation in the EY Report had been drawn from publicly available information.

8.13 On the 25th of July 2024, the CSSJG wrote to the Negotiator stating:

- *“...Neither the SSJG nor any of its members were the initiator, founder, governor, or owner of Thomastown County Home.”*
- *“...The Commission's report made no criticism of the work of our sisters at Thomastown and offered no evidence that our sisters there acted in any untoward manner.”*
- *“...The proposition therefore that SSJG would be required to contribute to a reparation fund is ill-informed, unwise and would be unjust in the extreme.”*
- *“...Given that there is no basis, legal or moral, on which it is reasonable to demand that the SSJG participate in the Payment Scheme, there is nothing to be served by us meeting or in us considering the financial assessment process that was conducted by EY which, in fairness, should have no relevance for us.”*
- *“...the SSJG has offered to make a donation of €75,000 towards a charitable purpose associated with survivors, in a spirit of solidarity with all the women and children who suffered in Mother & Baby Homes and County Homes across the country. That offer stands, but on the basis that it is not, and will not, be represented by you, the Minister, or any Government Minister or Department, as a contribution to the Payment Scheme or as the fulfilment, wholly or in part, of a moral or ethical obligation towards those survivors.”*

(4.8)

8.14 The Negotiator responded to the CSSJG, acknowledging the offer of a “... donation of €75,000 towards a charitable purpose associated with survivors...” and noting that it has been made “...on the basis that it is not, and will not, be represented...” as “...a contribution to the Payment Scheme or as the fulfilment, wholly or in part, of a moral or ethical obligation towards those survivors.” **(4.9)**

8.15 The Negotiator stated that she would draw the concerns as set out by the CSSJG to the attention of the Minister.

Recommendation

8.16 The Congregation of the Sisters of St John of God have declined to make a contribution to the Payment Scheme. A conditional offer of a “... *donation of €75,000 towards a charitable purpose associated with survivors...*” was made by the Congregation, and may wish to be considered. However, the Negotiator makes no recommendation in this regard, as it is not a contribution to the Payment Scheme and therefore falls outside the remit of the Negotiator.

Chapter 9

Congregation of Our Lady of Charity of the Good Shepherd

Relevant Institution	Dunboyne (Árd Mhuire)
Number of Mothers who were resident in the Institution	3205
Number of Children who were resident in the Institution	1213
Total number of residents	4418
Religious Organisation	The Good Shepherd Sisters
Commission of Investigation's Report	Chapter 24

Engagement with Minister Roderic O'Gorman (DCEDIY)

9.1 Following the publication of the Commission of Investigation's Report Minister O'Gorman (DCEDIY) wrote to the Congregation of Our Lady of Charity of the Good Shepherd (COLCGS) on the 12th of January 2021 ([5.1](#)). The Minister informed the Congregation of the Government's Action Plan, stating that the Congregation may wish to consider a number of measures including making a contribution to the financial cost of a Payment Scheme, and requesting an opportunity to meet with the COLCGS representatives.

9.2 In his letter, Minister O'Gorman (DCEDIY) stated:

“...I believe that all relevant parties, including the State and others who were involved in the management or delivery of these services, have a shared moral and ethical obligation to support appropriate actions in response to this Report. By taking the appropriate actions now we can collectively demonstrate our compassion and commitment to work towards justice, truth and healing for what happened in our past. In the context of the role of the Congregation of Our Lady of Charity of the Good Shepherd, it is my firm view that the Congregation should make a significant and practical contribution to this process.”

9.3 On the 16th of December 2021, Minister O’Gorman (DCEDIY) met representatives of the COLCGS online and outlined the Government’s Action Plan to respond to the priority needs and concerns of those who spent time in Mother and Baby and County Home Institutions. He also outlined the parameters of the Payment Scheme and reiterated the expectation on his part and on the part of Government, the public and most importantly survivors that all those involved would contribute to the Payment Scheme.

9.4 The COLCGS made the following points:

- The Congregation outlined the history of the establishment of Dunboyne Mother and Baby Institution and the operation of the institution.
- The COLCGS stated the Order approached the Eastern Health Board in the 1960s about their concerns that women wanted to keep their children but there were no facilities to allow them to do this.
- The Congregation also stated that they made arrangements for educational supports which were assisted and supported by the Department of Education, so that the residents could sit their State Examinations.
- The Congregation stated that the Commission of Investigation’s Report sets out that the facility was very well-equipped and the residents were well cared for physically.
- The COLCGS outlined concerns about the future sustainability of the Congregation.

9.5 Minister O’Gorman (DCEDIY) responded reiterating that there must be a collective response and that the payment is a recognition of the stigma and trauma, and long-lasting negative impacts that the system had on the women and children.

9.6 Minister O’Gorman (DCEDIY) wrote to the COLCGS on the 23rd of May 2023, advising them of the appointment of the Negotiator and the proposal to conduct a financial assessment, and requesting that they would engage with the process ([5.2](#)).

Engagement with the Negotiator

9.7 On the 16th of June 2023, the Negotiator sought a meeting with the COLCGS ([5.4](#)). On the 19th of July 2023, the Negotiator met with a representative of the COLCGS, outlining her role and her mandate from the Government. The Congregation outlined the background to their involvement in Dunboyne Mother and Baby Institution.

9.8 On the 29th of August 2023, the Negotiator updated the Congregation on the progress of the Mother and Baby Institutions Payment Scheme and the proposal to conduct a financial assessment exercise ([5.5](#)). The COLCGS indicated their willingness to continue engaging with the process.

Financial Assessment

9.9 In January 2024, EY wrote to the COLCGS requesting information/documentation to assist them in carrying out the financial assessment exercise as part of their role in advising the Negotiator.

9.10 The COLCGS participated fully with the EY financial assessment exercise. The information provided by them forms part of the EY Report.

Sharing the Methodology

9.11 On the 15th of July 2024, the Negotiator wrote to the COLCGS informing them that she had devised a methodology to support the negotiation process ([5.6](#)). The purpose of the methodology was to establish an amount against which the Negotiator might properly and fairly assess any voluntary contributions forthcoming, on an informed basis. The methodology was based on the principle of shared responsibility, the legacy of the Mother and Baby Institutions and a fair and equitable distribution across the organisations.

9.12 The Negotiator offered the Congregation the opportunity to meet with a view to outlining both the methodology used and the figures arrived at to inform negotiations and to consider any views the Congregation may wish to make. The Congregation was also informed that the methodology used and the resultant figure would form part of the Final Report to the Minister.

9.13 A meeting took place on the 19th of September 2024 with the COLCGS representatives. The Negotiator outlined the methodology and asked for the Congregation's position on making a contribution. The representatives informed the Negotiator that they would not be making a contribution to the Payment Scheme. They set out their final position, and referred to the Commission of Investigation's Report which they believed gave a positive view of the organisation in respect of Dunboyne. COLCGS queried the methodology and the division of cost between the State and the religious organisations. In particular, COLCGS felt that the conditions in Árd Mhuire (Dunboyne) were different and that this should be reflected in the methodology. The COLCGS stated that they would not be making a contribution to the Payment Scheme as they could not afford to and they did not believe they had an ethical or moral reason to do so.

9.14 Following the meeting, on the 4th of October 2024, the COLCGS set out in writing their reasons for declining to contribute to the Payment Scheme. This included the financial risks in relation to sustainability and future funding requirements for its ongoing work, including caring for its aging community.

Recommendation

9.15 The Congregation of Our Lady of Charity of the Good Shepherd have declined to make a contribution, therefore the Negotiator makes no recommendation.

Chapter 10

Congregation of the Sacred Hearts of Jesus and Mary

Relevant Institutions	Bessborough Sean Ross Castlepollard
Number of Mothers who were resident in the Institutions	Bessborough – 9768 Sean Ross – 6414 Castlepollard - 4972
Number of Children who were resident in the Institutions	Bessborough – 8938 Sean Ross – 6079 Castlepollard - 4559
Total number of residents	40,730
Religious Organisation	Congregation of the Sacred Hearts of Jesus and Mary
Commission of Investigation's Report	Chapters 17, 18, 19 and 20

Engagement with the Minister O'Gorman (DCEDIY)

10.1 Following the publication of the Commission of Investigation's Report Minister O'Gorman (DCEDIY) wrote to the Congregation of the Sacred Hearts of Jesus and Mary (CSHJM) on the 12th of January 2021 ([6.1](#)). The Minister informed the Congregation of the Government's Action Plan, stating that the CSHJM may wish to consider a number of measures including making a contribution to the financial cost of a Payment Scheme and requesting an opportunity to meet with the CSHJM representatives.

10.2 In his letter, Minister O’Gorman (DCEDIY) stated:

“...I believe that all relevant parties, including the State and others who were involved in the management or delivery of these services, have a shared moral and ethical obligation to support appropriate actions in response to this Report. By taking the appropriate actions now we can collectively demonstrate our compassion and commitment to work towards justice, truth and healing for what happened in our past. In the context of the role of the Congregation of the Sacred Hearts of Jesus and Mary, it is my firm view that the Congregation should make a significant and practical contribution to this process.”

10.3 On the 16th of December 2021, Minister O’Gorman (DCEDIY) met the CSHJM representatives online and outlined the Government’s Action Plan to respond to the priority needs and concerns of those who spent time in Mother and Baby and County Home Institutions. He also outlined the parameters of the proposed Payment Scheme and reiterated the expectation on his part and on the part of Government, the public and most importantly survivors that all those involved would contribute to the Payment Scheme. Minister O’Gorman (DCEDIY) welcomed the Congregation’s apology, and stated there is a need to come in behind any apology with actions.

10.4 The CSHJM made the following points:

- That the Congregation is based in the UK.
- The Congregation was troubled that burial plots could not be established and that they could not assist with this. They acknowledge that this is very troubling for the families also. The Congregation engaged professionals to assist in the possible identification of burial plots but regrettably it was not possible to establish where they are.
- The CSHJM wished it to be noted that they bought these homes from their own funds and provided in the region of €25 million in unpaid work to the homes through their Sisters, so they have made a contribution already as a Congregation. They regard this as more than substantial and therefore find it difficult to understand why they are being asked to make a further contribution.
- The CSHJM stated that they have apologised to the women for the hurt that they endured.

- The CSHJM stated that they have commitments overseas and also in Ireland in respect of their elderly Sisters.

10.5 Minister O’Gorman (DCEDIY) wrote to the Congregation of the Sacred Hearts of Jesus and Mary on the 23rd of May 2023 advising them of the appointment of the Negotiator and the proposal to conduct a financial assessment, and requesting that they would engage with the process ([6.2](#)).

10.6 On the 8th of June 2023, the Congregation responded stating,

“...Apart from the two properties in which our retired sisters reside in Cork, we own just one other property and a small holding of surrounding lands. We are currently in the process of transferring/gifting this entire property to the Bessborough Centre CLG, to continue in its ownership in perpetuity, provided it would continue to be used for social/public benefit.”

“...We should clarify at this point that we see no basis for us to provide additional funds to support a service in Ireland, to which we have already provided significant support.” ([6.3](#))

Engagement with the Negotiator

10.7 On the 16th of June 2023, the Negotiator sought a meeting with the Congregation of the Sacred Heart of Jesus and Mary ([6.4](#)). On the 29th of August 2023, the Negotiator updated the Congregation on the progress of the Payment Scheme ([6.5](#)).

10.8 On the 14th of November 2023, a meeting was held with representatives of the CSHJM, in which the Negotiator outlined her role and gave an update on the Payment Scheme. The Negotiator also outlined the process for the financial assessment exercise.

10.9 The Congregation said that they were there to listen. They outlined a brief history of their involvement in Ireland and reiterated the position set out previously for Minister O’Gorman (DCEDIY). The Congregation stated that they were a very small congregation in Ireland of 24 Sisters, most of whom were in their 80’s and 90’s.

10.10 The Congregation also stated that the Sisters were waiting for the Charities Regulatory Authority (CRA) to revert to them in order for the Sisters to be in a

position to transfer the property in Bessborough to the HSE.

10.11 The Negotiator urged the Congregation to continue to cooperate with her in the ongoing process. The Congregation stated that they would continue to cooperate.

Financial Assessment

10.12 In January 2024, EY wrote to the CSHJM requesting information/documentation to assist them in carrying out the financial assessment exercise as part of their role in advising the Negotiator.

10.13 The CSHJM participated fully with the EY financial assessment exercise. The information provided by them forms part of the EY Report.

Sharing the Methodology

10.14 On the 15th of July 2024, the Negotiator wrote to the CSHJM informing them that she had devised a methodology to support the negotiation process ([6.6](#)). The purpose of the methodology was to establish an amount against which the Negotiator might properly and fairly assess any voluntary contributions forthcoming, on an informed basis. The methodology was based on the principle of shared responsibility, the legacy of the Mother and Baby Institutions and a fair and equitable distribution across the organisations. The Negotiator offered the Congregation the opportunity to meet with a view to outlining both the methodology used and the figures arrived at to inform negotiations and to consider any views the Congregation may wish to make. The Congregation was also informed that the methodology used and the resultant figure would form part of the Final Report to the Minister.

10.15 A meeting took place on the 29th of October 2024 with the representatives of the CSHJM. The methodology was outlined and the Negotiator asked for the Congregation's position on making a contribution. The representatives stated that they were not in a position to make a contribution to the Mother and Baby Institutions Payment Scheme. However, by donating the property that is currently occupied by the Services to the Bessborough Centre CLG, and then transferring the company to lay members, they stated that they were ensuring the continuation of valuable services. The CSHJM confirmed that it would donate the property to the Bessborough Centre CLG. In this regard, the Negotiator was informed that the

Congregation have sought the approval of the CRA to the transfer of the property and are awaiting a decision from the CRA. The Congregation also highlighted their financial constraints and their responsibilities to their elderly members.

10.16 On the 12th of November 2024, the CSHJM set out in writing their reasons for declining to contribute to the Payment Scheme including the age profile and care needs of the Congregation and the planned transfer of property ([6.7](#)).

Recommendation

10.17 The Congregation of the Sacred Hearts of Jesus and Mary have declined to make a contribution, therefore the Negotiator makes no recommendation.

Chapter 11

Legion of Mary

Relevant Institutions	Regina Coeli
Number of Mothers who were resident in the Institution	Regina Coeli: 5,631
Number of Children who were resident in the Institution	Regina Coeli: 5,434
Total number of residents	11,065
Religious Organisation	Legion of Mary
Commission of Investigation's Report	Chapter 21

Engagement with Minister O'Gorman (DCEDIY)

11.1 Following the publication of the Commission of Investigation's Report, Minister O'Gorman (DCEDIY) wrote to the Legion of Mary (LoM) on the 12th of January 2021 (7.1). The Minister informed the LoM of the Government's Action Plan, stating that the LoM may wish to consider a number of measures including making a contribution to the financial cost of a Payment Scheme and requesting an opportunity to meet with LoM representatives.

11.2 In his letter, Minister O'Gorman (DCEDIY) stated:

"...I believe that all relevant parties, including the State and others who were involved in the management or delivery of these services, have a shared moral

and ethical obligation to support appropriate actions in response to this Report. By taking the appropriate actions now we can collectively demonstrate our compassion and commitment to work towards justice, truth and healing for what happened in our past. In the context of the role of the Legion of Mary, it is my firm view that the Legion should make a significant and practical contribution to this process."

11.3 On the 15th of December 2021, the LoM replied to Minister O’Gorman (DCEDIY) setting out their views in relation to the matters raised in his letter (7.2). Referring to the Commission of Investigation’s Report, the Legion stated that “...*The suggestion that redress arises is to be seen in light of the terms of recommendation 23 which expressly states that in respect of Regina Coeli, the question of ‘redress does not arise’.*”

11.4 The LoM stated that Regina Coeli was effectively operating outside of ‘the system’ and doing so in recognition of the failures of Irish society, State authorities, elements within the church, and indeed Irish families, to acknowledge the importance of seeking to maintain mothers and babies together in a unit. The LoM pointed out that “...*this was done without State funding.*”

11.5 On the 23rd of February 2022, Minister O’Gorman (DCEDIY) met with the LoM online and outlined the Government’s Action Plan, to respond to the priority needs and concerns of those who spent time in Mother and Baby and County Home Institutions. He also outlined the parameters of the Payment Scheme and reiterated the expectation on his part and on the part of Government, the public and most importantly, survivors, that all those involved would contribute to the Payment Scheme.

11.6 The LoM indicated that they had already provided a comprehensive response in writing, making the following points:

- that Regina Coeli Hostel offered the only alternative in Irish society and perhaps they should not have engaged with the Commission as it was never a mother and baby home, but a homeless hostel.
- that the Hostel has and continues to be self-financing with no contribution from the State and with work undertaken by volunteers.

11.7 Minister O’Gorman (DCEDIY) responded to an issue raised by the LoM referring to paragraph 23 of the [Recommendations Chapter of the Commission of Investigation’s Report](#), which states the following:

“...The Commission assessment in respect of each institution under its remit is as follows: (...)

Regina Coeli: children were not resident without their mothers so the question of redress does not arise.” (page 6, paragraph 23)

11.8 Minister O’Gorman (DCEDIY) stated that the terms of the Payment Scheme was a matter for Government. The Payment Scheme being developed proposes not to discriminate between those children who were accompanied by their mothers and those who were not. It was not considered equitable to exclude children for the reason of being accompanied.

11.9 Minister O’Gorman (DCEDIY) wrote to the LoM on the 23rd of May 2023, advising them of the appointment of the Negotiator and the proposal to conduct a financial assessment and requesting that they would engage with the process ([7.3](#)).

11.10 The Minister also responded to a number of points raised by the LoM in their letter of the 15th of December 2021 and at the meeting on the 23rd of February 2022. Minister O’Gorman (DCEDIY) acknowledged *“...that anyone who read the Commission’s report could not be left in any doubt that there were differences in terms of ethos and treatment of women between the Regina Coeli Hostel and other institutions.”*

11.11 Minister O’Gorman (DCEDIY) further stated that *“...the Payment Scheme will apply to all institutions investigated by the Commission, as the Government does not feel it is appropriate to exclude any one of these institutions from the Scheme, if it is to be genuine in its intention to address this terrible legacy.”*

11.12 On the 25th of August 2023, the LoM responded to the Minister’s letter, and reiterated their arguments as to why they should not be requested to make a contribution to the Payment Scheme ([7.5](#)). The LoM stated that they *“...are a homeless hostel run by lay volunteers...”* and that they *“...were not a religious congregation involved in Mother and Baby Homes.”* The LoM repeated that they *“...receive no State funding, no volunteer is paid and we have no paid staff.”*

11.13 The LoM also stated that they will “...*not be in a position to advance your request to our members for financial compensation, as our charitable funds are required solely for charitable purposes in compliance with the Charities Act and our substantial construction contracts*”.

11.14 On the 22nd of December 2023, Minister O’Gorman (DCEDIY) responded to the letter from the LoM addressing their points (7.8).

Engagement with the Negotiator

11.15 On the 16th of June 2023, the Negotiator made contact with the LoM requesting a meeting (7.4). On the 29th of August 2023, another email was sent from the Negotiator, updating the organisation on the progress of the Payment Scheme (7.6).

11.16 On the 20th of October 2023, the LoM replied to the emails from the Negotiator of the 16th of June 2023 and the 29th of August 2023 stating “...*We are responding to you as a matter of courtesy to say that unfortunately we are not in a position to engage with you*”. The LoM also drew attention to the fact that “...*The Mother and Baby investigation report clearly states that ‘Paragraph 23 Regina Coeli Hostel Redress does not arise’*”. (7.7)

11.17 Following further communication, on the 15th of March 2024 the Negotiator met with representatives of the LoM. The representatives restated their objection to the request for a contribution to the Payment Scheme on the grounds that the Regina Coeli Hostel was never a Mother and Baby Home, that the mothers resident there had the opportunity to keep and mind their children, and that they were free to come and go from the Hostel. They also highlighted the fact that they received no funding as a Mother and Baby Home and were treated as a homeless hostel by the State authorities. They stated that they were not involved in adoptions, but that their ethos was to try to keep the family together.

11.18 The representatives restated that they would not be participating in the financial exercise or contributing to the Payment Scheme.

Financial Assessment

11.19 In January 2024, EY wrote to the LoM requesting information/documentation to assist them in carrying out the financial assessment exercise as part of their role in advising the Negotiator.

11.20 On the 26th of April 2024, the LoM informed EY that they would not be providing the information requested. On the same date, the LoM wrote to EY explaining why they would not be participating in the financial assessment exercise.

Sharing the Methodology

11.21 On the 15th of July 2024, the Negotiator wrote to the LoM informing them that she had devised a methodology to support the negotiation process ([7.9](#)). The purpose of the methodology was to establish an amount against which the Negotiator might properly and fairly assess any voluntary contributions forthcoming, on an informed basis. The methodology was based on the principle of shared responsibility, the legacy of the Mother and Baby Institutions and a fair and equitable distribution across the organisations.

11.22 The Negotiator offered the LoM the opportunity to meet with a view to outlining both the methodology used and the figures arrived at to inform negotiations and to consider any views the LoM may wish to make. The LoM were also informed that the methodology used and the resultant figure would form part of the Final Report to the Minister. The LoM were informed that information in respect of their organisation in the EY Report had been drawn from publicly available information.

11.23 The Negotiator offered the LoM an opportunity to reconsider their previously expressed position and to request and strongly encourage the organisation to make a meaningful contribution to the Payment Scheme.

11.24 On the 22nd of August 2024, the LoM responded. In their letter they reiterated their position as set out in previous meetings and correspondence ([7.10](#)).

11.25 In September 2024, the Negotiator shared the methodology for assessing a voluntary contribution towards the Payment Scheme with the LoM. The LoM set out their position once again in relation to a request for a contribution towards the Payment Scheme.

11.26 On the 15th of December 2024, the LoM confirmed this decision in writing, objecting once again to their inclusion in the negotiation process ([7.11](#)). They stated that the issues as outlined in their previous letters had not been fully addressed and determined that it would be inappropriate to engage further on the issue.

Recommendation

11.27 The Legion of Mary have declined to make a contribution, therefore the Negotiator makes no recommendation.

Chapter 12

Church of Ireland

Relevant Institutions	Bethany Home Miss Carr's Flatlets Denny House
Number of Mothers who were resident in the Institutions	Bethany Home: 1584 Miss Carr's Flatlets: 180 Denny House: 1416
Number of Children who were resident in the Institutions	Bethany Home: 1376 Miss Carr's Flatlets: 200 Denny House: 1134
Total number of residents	5890
Religious Organisation	Church of Ireland
Commission of Investigation's Report	Chapters 22, 23 and 25

Engagement with Minister O'Gorman (DCEDIY)

12.1 Following the publication of the Commission of Investigation's Report, Minister O'Gorman (DCEDIY) wrote to the Church of Ireland (Col) on the 12th of January 2021 ([8.1](#), [8.2](#)). Minister O'Gorman (DCEDIY) informed the Col of the Government's Action Plan, stating that the Col may wish to consider a number of measures including making a contribution to the financial cost of a Payment Scheme and requesting an opportunity to meet with Col representatives.

12.2 In his letter of the 12th of January 2021, Minister O'Gorman (DCEDIY) stated:

“...I believe that all relevant parties, including the State and others who were involved in the management or delivery of these services, have a shared moral and ethical obligation to support appropriate actions in response to this Report. By taking the appropriate actions now we can collectively demonstrate our compassion and commitment to work towards justice, truth and healing for what happened in our past. In the context of the role of the Church of Ireland it is my firm view that the Church should make a significant and practical contribution to this process.”

12.3 On the 8th of February 2021, a response was received from the Col stating that *“...The Church is open to engagement in schemes aimed at healing the harms caused to survivors of the homes...”* and assuring the Minister of the Col’s *“...willingness to participate in the forthcoming meeting that you intend to convene”* (8.3).

12.4 On the 27th of January 2022, Minister O’Gorman (DCEDIY) wrote to the Col, updating them on the progress of the Action Plan and the Payment Scheme and seeking to arrange a meeting (8.5).

12.5 The Col responded to Minister O’Gorman’s letter on the 4th of February 2022, noting the Minister’s reference to *“...the moral and ethical responsibility of those running these institutions...”* and requesting further information from Minister O’Gorman (DCEDIY), including *“...the names of the institutions for which you consider the Church of Ireland to have had such responsibility as it is not obvious from our reading of the report which institutions would be so described”* (8.6). The letter also restated the hope *“...that we can begin to discuss how the Church of Ireland may be positively involved in what is now an essential work for the whole of Irish society. The Church fully appreciates the life-long impact of the experiences of women and their children who were born in these institutions and the need for apology within the context of a survivor-focused approach with full access to records and archiving and databases. Issues around dignified burial, memorialisation and healing are also areas where the Church can make a positive contribution. Please be assured once more of our willingness to engage positively with you in this matter.”*

12.6 There was an exchange of briefing papers between Minister O’Gorman (DCEDIY) and the Col for the proposed meeting on the 14th of February 2022. The purpose of the Col briefing paper was *“to explain some less understood aspects of*

Protestant philanthropic engagement in Ireland and the relationship of this work to the governance structures of the Church of Ireland” (8.7). The paper stated that none of the institutions, Bethany Home, Denny House or Miss Carr’s Flatlets, was owned, managed by or reported to the Col.

12.7 A briefing note was provided to the Col by the Department, outlining the reasons for the inclusion of the Col in reference to Bethany Home, Denny House and Miss Carr’s Flatlets (8.8).

12.8 On the 14th of February 2022, Minister O’Gorman (DCEDIY) met with the Col online and outlined the Government’s Action Plan to respond to the priority needs and concerns of those who spent time in Mother and Baby and County Home Institutions. He also outlined the parameters of the Payment Scheme and reiterated the expectation on his part and on the part of Government, the public and most importantly survivors that all those involved would contribute to the Payment Scheme.

12.9 In the course of the meeting, the Col made the following points:

- The Col asked if the Minister could expand on the basis for concluding that the Col could be held responsible for the three homes specified, as in their view, it is hard to see any governance responsibility.
- The Col stated that the individuals serving on the committees associated with these homes were not appointed by the Church of Ireland and a lot of the work relating to these homes was undertaken by women, who did not have positions within Church governance structures.
- The Col also stated that it was useful to have the Minister’s clarification in respect of his expectations.
- The Col stated that there was discreet and quiet engagement going on across the Col for many years and that they were very committed to a healing and restoration process.

12.10 Minister O’Gorman (DCEDIY) referred to the institutional chapters in the Commission of Investigation’s Report, where the association of the clergy of the Col in respect of these institutions is outlined.

12.11 Minister O’Gorman (DCEDIY) wrote to the Col on the 23rd of May 2023, advising them of the appointment of the Negotiator and the proposal to conduct a financial assessment, and requesting that they would engage with the process (8.9).

Engagement with the Negotiator

12.12 On the 16th of June 2023, the Negotiator made contact with the Col requesting a meeting (8.10). On the 29th of August 2023, another email was sent from the Negotiator, updating the Col on the progress of the Payment Scheme (8.11).

12.13 On the 17th of January 2024, the Negotiator met with representatives of the Col and updated them on the Payment Scheme and the proposed financial assessment exercise. The Negotiator reiterated the request for cooperation with the financial assessment exercise and a contribution to the Payment Scheme.

12.14 The Col representatives sought clarification on the following:

- The breakdown of the €800M estimated cost of the Payment Scheme, specifically whether that sum was inclusive of both payments to survivors and the costs of enhanced medical card benefits.
- The eligibility requirements for the proposed Payment Scheme.

12.15 It was confirmed that the cost of enhanced medical cards was included in the €800M figure.

12.16 The Col representatives also made the following points:

- That the Col as an organisation did not have ownership of or administrative responsibility for the three institutions mentioned in the Report.
- If it was the case that the Church had a moral case to answer, then it was difficult legally for the Col to justify a contribution being made in circumstances where they were not owners and or operators of the three homes mentioned in the Report.
- That the Trustees must apply the assets as per their obligations under the Charities Acts.

Financial Assessment

12.17 In January 2024, EY wrote to the Col requesting information/documentation to assist them in carrying out the financial assessment exercise as part of their role in advising the Negotiator.

12.18 On the 25th of March 2024, a letter was sent from the Col Representative Church Body (RCB) to EY. This letter stated that “...*The RCB acknowledges that the establishment of the Scheme is, of course, the prerogative of the Government itself...*” and it reiterated that “...*the Church of Ireland did not own, operate or manage any of the Mother and Baby Institutions covered by the Scheme. Any homes referred to by the Government as 'protestant-ethos homes' were in fact independent charities.*”

12.19 The letter also stated that “...*it is unclear as to the basis on which it could be said that the Church of Ireland has any legal, or even any moral, responsibility for contributing to the cost of the Scheme. Furthermore, it is highly questionable as to how the RCB, as a registered charity, could lawfully expend its funds in contributing to a scheme for which it has no legal responsibility as opposed to applying those funds towards the furtherance of its charitable purposes*”.

12.20 The Col expressed the view that the information requested was “...*extensive and wide-ranging and is more akin to the conduct of a forensic accounting exercise in a litigation context.*” The Col stated that it “...*will not be furnishing the information requested at A2 to A-7 and A-9 of the Appendix to your letter, since it goes well beyond anything to which the members of the Church itself would be entitled*”.

12.21 The Col enclosed the audited financial statements filed with the Charities Regulator, and provided a link to the Col constitution. The Col also stated that they could provide accounts for the year ended 31 December 2023 after they have been presented to the General Synod in May 2024.

Sharing the Methodology

12.22 On the 15th of July 2024, the Negotiator wrote to the Col informing them that she had devised a methodology to support the negotiation process ([8.12](#)). The purpose of the methodology was to establish an amount against which the Negotiator might properly and fairly assess any voluntary contributions forthcoming, on an informed basis. The methodology was based on the principle of shared responsibility, the legacy of the Mother and Baby Institutions and a fair and

equitable distribution across the organisations.

12.23 The Negotiator offered the Col the opportunity to meet with a view to outlining both the methodology used and the figures arrived at to inform negotiations and to consider any views the Col may wish to make. The Col were also informed that the methodology used and the resultant figure would form part of the Final Report to the Minister. The Col were informed that information in respect of their organisation in the EY Report had been drawn from publicly available information.

12.24 The Negotiator requested and encouraged the organisation to make a meaningful contribution to the Payment Scheme.

12.25 On the 25th of July 2024, the Col wrote to the Negotiator confirming their willingness to meet and requested the following information:

- The breakdown of the €800 million estimate, as between
 - (i) payments to qualifying applicants and
 - (ii) the cost of funding enhanced medical card benefits.
- How many of the 34,000 potential applicants are persons whose claims arise from homes or institutions which are perceived by the Department to have some form of association with the Col ([8.13](#)).

12.26 This information was provided on the 13th of September 2024. A further meeting took place on the 12th of November 2024.

12.27 At that meeting, the Col representatives

- Sought clarification on the methodology and the figures contained therein.
- Emphasised the difference between acting as a private individual who is a member of the Col as opposed to conducting work representing the organisation.
- Stated that children were baptised in their own religious traditions in Bethany Home.
- Queried the appropriateness of Col contributing to the Payment Scheme where they “...*could see no legal responsibility...*” on the part of Col in relation

to these matters. The Col also asked for “...*an explanation of how it would be appropriate for Church of Ireland to give funds to the Scheme*”.

- Stated that a definitive response would be forthcoming, however, the decision would need to be considered by the various committees within the Col structure.

12.28 Issues raised at the meeting of the 12th of November 2024 about the appropriateness of a contribution from the Col were addressed over subsequent exchanges of correspondence between the Negotiator and the Col.

Recommendation

12.29 No contribution has been offered by the Church of Ireland and therefore the Negotiator makes no recommendation.

Chapter 13

Congregation of the Sisters of Mercy

Relevant Institutions	The County Clare Nursery, Kilrush Cork County Home Stranorlar County Home
Number of Mothers who were resident in the Institutions	The County Clare Nursery, Kilrush: 400 Cork County Home: 2318 Stranorlar County Home: 1646
Number of Children who were resident in the Institutions	The County Clare Nursery, Kilrush: 330 Cork County Home: 2408 Stranorlar County Home: 1777
Total number of residents	8879
Religious Organisation	The Congregation of the Sisters of Mercy
Commission of Investigation's Report	Chapters 16, 28 and 29

Engagement with Minister O'Gorman (DCEDIY)

13.1 Following the publication of the Commission of Investigation's Report, Minister O'Gorman (DCEDIY) wrote to the Congregation of the Sisters of Mercy (CSM) on the 12th of January 2021 ([9.1](#)). The Minister informed the Congregation of the Government's Action Plan, stating that the CSM may wish to consider a number of measures including making a contribution to the financial cost of a Payment Scheme and requesting an opportunity to meet with the CSM representatives.

13.2 In his letter, Minister O'Gorman (DCEDIY) stated:

“...I believe that all relevant parties, including the State and others who were involved in the management or delivery of these services, have a shared moral and ethical obligation to support appropriate actions in response to this Report. By taking the appropriate actions now we can collectively demonstrate our compassion and commitment to work towards justice, truth and healing for what happened in our past. In the context of the role of the Congregation of the Sisters of Mercy, it is my firm view that the Congregation should make a significant and practical contribution to this process.”

13.3 On the 13th of December 2021, Minister O’Gorman (DCEDIY) met with the CSM online and outlined the Government’s Action Plan to respond to the priority needs and concerns of those who spent time in Mother and Baby and County Home Institutions. He also outlined the parameters of the Payment Scheme and reiterated the expectation on his part and on the part of Government, the public and most importantly survivors that all those involved would contribute to the Payment Scheme.

13.4 In the course of the meeting, the CSM made the following points:

- The Congregation welcomed the Payment Scheme.
- The Congregation stated that the County Homes were public bodies that were never owned or governed by the CSM. The Congregation also stated that County Homes were owned, controlled, governed and supervised by the Local Authorities.
- The Congregation also emphasised that the CSM never were and should not now be misrepresented as having legal responsibility for County Homes.
- The Congregation stated that they accept their responsibilities when they are found wanting. The Congregation also stated that they did so in relation to industrial schools through their very substantial contribution to the State in relation to the Residential Institutions Redress Scheme.

13.5 Minister O’Gorman (DCEDIY) responded that both institutions were fully within the remit and scope of the Commission’s investigation. The Minister then outlined that he was engaging with all the congregations that were involved with these institutions in any way.

13.6 Minister O’Gorman (DCEDIY) wrote to the CSM on the 23rd of May 2023 advising them of the appointment of the Negotiator and the proposal to conduct a financial assessment, and requesting that they would engage with the process [\(9.2\)](#).

13.7 The CSM responded in writing to the Minister’s letter on the 3rd of July 2023, stating that “...*the Congregation has decided that it does not intend to contribute to the cost of the Mother and Baby Institutions Payment Scheme.*” [\(9.5\)](#)

13.8 The CSM also repeated a number of concerns that they had previously raised with Minister O’Gorman (DCEDIY) in his initial meeting with them on the 13th of December 2021.

13.9 On the 31st of July 2023, Minister O’Gorman (DCEDIY) responded to the CSM making the following points:

“...In seeking a contribution from your congregation I am not doing so in respect of specific findings or references to specific paragraphs in the Commission’s Report but rather, as indicated to you previously, in response to a collective experience over time.” [\(9.6\)](#)

13.10 Minister O’Gorman (DCEDIY) restated his request to the CSM to engage with the Negotiator with a view to putting forward a meaningful contribution.

13.11 On the 16th of August 2023, the CSM responded to Minister O’Gorman (DCEDIY) stating that the Congregation’s position remains as set out in their previous letter [\(9.7\)](#).

Engagement with the Negotiator

13.12 On the 16th of June 2023, the Negotiator made contact with the CSM requesting a meeting [\(9.3\)](#). On the 29th of August 2023, another email was sent from the Negotiator, updating the Congregation on the progress of the Payment Scheme [\(9.8\)](#).

13.13 On the 1st of September 2023, the Negotiator received a response from the CSM stating that “...*As previously advised to the Minister for Children, Equality, Disability, Integration and Youth, the Congregation does not intend to contribute to the cost of the above Scheme.*” [\(9.9\)](#)

Financial Assessment

13.14 In January 2024, EY wrote to the CSM requesting information/documentation to assist them in carrying out the financial assessment exercise as part of their role in advising the Negotiator.

13.15 However, the Congregation declined to engage with EY stating that they would not be contributing to the Payment Scheme and therefore saw no basis for EY to carry out a financial assessment in respect of the Congregation.

Sharing the Methodology

13.16 On the 15th of July 2024, the Negotiator wrote to the CSM informing them that she had devised a methodology to support the negotiation process (9.10). The purpose of the methodology was to establish an amount against which the Negotiator might properly and fairly assess any voluntary contributions forthcoming, on an informed basis. The methodology was based on the principle of shared responsibility, the legacy of the Mother and Baby Institutions and a fair and equitable distribution across the organisations.

13.17 The Negotiator offered the CSM the opportunity to meet with a view to outlining both the methodology used and the figures arrived at to inform negotiations and to consider any views the CSM may wish to make. The CSM were also informed that the methodology used and the resultant figure would form part of the Final Report to the Minister. The CSM were informed that information in respect of their organisation in the EY Report had been drawn from publicly available information.

13.18 The Negotiator offered the Congregation an opportunity to reconsider their previously expressed position and to request the organisation to make a meaningful contribution to the Payment Scheme.

13.19 On the 24th of July 2024, the CSM responded, reiterating their decision not to contribute to the cost of the Payment Scheme and stated that “...*It is important that reference to the Congregation’s decision not to participate in the financial assessment exercise takes account of previous representations by the Congregation regarding the appropriateness of its inclusion in the Scheme in its entirety*” (9.11).

13.20 The CSM also raised concerns about the financial assessment exercise, and questioned “...*the accuracy and fairness of any such assessment where it has been completed based on publicly available information, which is likely to be incomplete.*”

13.21 On the 31st of January 2025, the Negotiator responded to the CSM stating that according to her Terms of Reference she is required “...*to oversee and manage an independent financial assessment process...*” and that it is a voluntary process ([9.12](#)). The Negotiator also noted that the CSM stated they “...*will not be contributing to the cost of the Scheme*”.

Recommendation

13.22 The Congregation of the Sisters of Mercy have declined to make a contribution, therefore the Negotiator makes no recommendation.