



Comhairle Contae **Lú**
Louth County Council

**Commission of Investigation into
Mother & Baby Homes
October 2020**

Report Prepared for Louth County Council

Commission of Investigation into Mother and Babies Homes, October 2020.

Report for Louth County Council, prepared by Denis Cahalane

Terms of Reference

The Author Mr. Denis Cahalane was asked to provide

- A high level background to the basis for the Commission Report
- A short summary of the overall findings
- A contextual assessment of the commentary made with regard to Louth County Council
- A comment on the availability of records going forward within Louth CC to also include privacy considerations.

He was also advised of the two motions proposed by Council in recent times which are listed as follows.

Notice of Motion - Cllr. Joanna Byrne

Seconded by: Cllr. Maeve Yore

"This council recognises the upset and distress that the destruction of records by the Commission of Investigation into Mother and Baby homes has caused to women, their families and their representative groups.

We feel that survivors have already waited far too long to access their records and call on the Minister for Children to publish without delay access to records legislation.

We also call on the Minister of Children to fully support Deputy Kathleen Funchion's Civil Registration (Amendment) Bill 2021 to ensure that all adopted people are given unconditional access to their birth certificates."

Notice of Motion - Cllr. John Sheridan

Seconded by: Cllr Maria Doyle

"That Louth Council County are concerned about the findings of the Commission of Investigation into Mother and Baby Homes overall and how a lifetime of Irish women and their babies were mistreated before, during and after their time in these "homes", up to the present day. The Council notes the naming of Louth County Council in the report and its interactions with other councils, religious institutions and particularly women themselves including referring women in Louth to institutions outside the county.

That the Council Executive would review references to then County Council in the report and also review to what extent archive material from the period are in possession of the Council and the routes these could be accessed by the victims to seek answers. That a report would be made to the Council about this matter and following that review, that the Council would seek to formally apologise for the actions of the then Council on this matter."

Introduction

The Commission of Investigation into Mother and Baby Homes and certain related matters was established in February 2015 to provide a full account of what happened to vulnerable women and children in Mother and Baby Homes during the period 1922 to 1998. It submitted a final report to Roderick O’Gorman TD, Minister for Children, Equality, Disability, Integration and Youth on 30 October 2020.

It was set up following public outcry at the revelation that the bodies of up to 800 babies and children may have been interred in an unmarked mass grave at the Bon Secour Mother and Baby Home, Tuam, Co Galway. The remit additionally covered investigation into the records and practices at an additional thirteen Mother and Baby homes as well as four named County homes which provided a similar function to Mother and Baby homes.

The members of the three person Commission were Judge Yvonne Murphy (chair), Dr William Duncan, and Professor Mary E Daly.

The Commission was also empowered to establish a “Confidential Committee” with the aim of providing a forum for former residents and staff of the institutions to provide accounts of their experiences. Nineteen persons gave evidence to the Commission. A further 549 people gave testimony to the Confidential Committee: 304 were resident as mothers, 228 were resident as babies or children and 17 were involved in other ways. The vast majority of mothers who met the Confidential Committee entered the institutions between 1960 and 1989. There was no investigative questioning and no challenge or disbelief expressed. The report of the Confidential Committee outlines the experiences of those whom they met. They are not a representative sample of the residents of the institutions under investigation. The Commission has no doubt that the witnesses recounted their experiences as honestly as possible. However, the Commission does have concerns about the contamination of some evidence. A number of witnesses gave evidence which was clearly incorrect. This contamination probably occurred because of meetings with other residents and inaccurate media coverage.

The day after publication of the 2,000 + page report, Catherine Connolly TD, Leas Ceann Comhairle, Dáil Éireann, strongly criticized the report saying that its conclusions “bear no connection to the testimony given by women and men who came forward”.

The Daughters of Charity which ran St Patrick’s Mother and Baby Home, Navan Road, Dublin 7, released a statement commending the report and saying

“Many of our sisters dedicated their lives to supporting these women who arrived at the service to have their babies in secret, with little or no support from family or wider society. We so wish and deeply regret that we could not have done more to ease the burden and suffering carried by these women, mostly alone...”.

Social Attitudes

A sea change occurred in one generation between 1980 and 2020.

In 1983, the Protection of the Unborn referendum passed by 67% to 33% on a 54% turnout. In 2018, the amendment was deleted by 66% to 34% on a 64% turnout. A strong political and public campaign to develop comprehensive abortion services was held in tandem with the referendum campaign.

In 1986, the Divorce referendum was defeated by 63% to 37% on a 61% turnout. In 1995, a further divorce referendum was passed by less than one percent on a 62% turnout.

In 1993, homosexual acts were decriminalized without sustained political or public opposition.

In 2015, the Same Sex Marriage referendum was passed by 62% to 38% on a 61% turnout. In 2010, civil partnership legislation had been passed by the Dáil without a division, and in the Senate by 48 to 4 votes.

Changes in adoption practice and numbers also reflect social change. From 1990 onwards, it became frequent practice for a birth mother or birth parents to meet the adoptive couple in advance of the placement of their infant for adoption. Also, in some cases, ongoing contact is maintained through exchange of letters and photos.

In recent years, there has been a dramatic decline in the number of Irish-born infants placed for adoption. From 1964 to 1984, in excess of 1,000 adoption orders were made each year by the Adoption Board, mainly of infants placed with adoptive couples. In addition, there were an unknown number of "illegal" adoptions which is a matter of ongoing controversy. In 2019, only six adoption orders were made in respect of Irish-born infants.

A principal social worker of the HSE regional adoption service on retirement in 2009 made the observation that it had become almost as unusual today for a single parent to place a baby for adoption as it was for a single parent to keep a baby, at the commencement of her career.

The National Adoption Contact Preference Agency (NACPR) was established in 2005. At the end of 2019, there were 14,600 entries comprising of 10,100 adoptees and 4,500 relatives. 1,200 matches had been made. These ratios reflect international experience.

Population growth as well as immigration, migration and increased travel have contributed greatly to social change. The population of the Irish Republic was 2.971 million in 1926, 2.898 million in 1956, 3.541 million in 1986 and 4.740 million in 2016. The population of County Louth was 62,739 in 1926, 69,194 in 1956, 91,810 in 1986 and 128,884 in 2016. The population in County Louth has increased from 2.1% of the national total in 1926 to 2.7% in 2016.

Until the 1960s, the pronouncement of Catholic Church leaders on social issues remained largely unchallenged. In 1951, Dr Noel Browne TD resigned from government over the Mother and Child Scheme, as the government parties and Fianna Fáil deferred to the will of the Catholic hierarchy. In 1968, Pope Paul VI, in the encyclical 'Humanae Vitae', re-iterated Catholic opposition to artificial birth control. For the first time, widespread public opposition was expressed to both a papal pronouncement and to the follow up comments of Catholic bishops and lay leaders. There followed a long campaign to permit the importation and distribution of contraceptives. Nowadays, any episcopal pronouncement which re-iterates traditional Catholic teaching may well be subjected to immediate critical comment by some politicians and media commentators.

Final Report of the Commission: Brief Summary

Occupancy

There were about 56,000 unmarried mothers and about 57,000 children in the Mother and Baby homes and County homes investigated by the Commission. The greatest number of admissions was in the 1960s and early 1970s. It is likely that there were a further 25,000 unmarried mothers and a larger number of children in the County homes which were not investigated. Admission to county homes took place largely pre-1960.

There are many passing references to County Louth. None of the institutions mentioned in the report were based in Co Louth. Women from County Louth were placed in Mother and Baby homes throughout the country. It is impossible to state accurately how many of the mothers and children in homes were from County Louth.

Oversight

Oversight was light touch. It was exercised by national and local government, but there was no clear oversight policy and no clear demarcation between the roles of national and local government. The women inspectors of the Department of Local Government and Public Health tried valiantly to have conditions improved but responsibility for action remained mainly with the local authorities. Although the Department received regular inspection reports which were critical of conditions, evidence suggests that the Department preferred to use persuasion not compulsion to improve conditions. The main departmental concerns were occupancy figures and cost.

Living Conditions

Living conditions must be seen in the context of conditions in private dwellings which changed dramatically in the period (1922 to 1998) covered by the Report. Many rural homes were without electricity until the 1960s or 1970s. In 1961, only 12% of rural households had water on tap which meant that 88% had no indoor toilets, fixed baths, hot water on tap, or washing machines. Many working class families in cities lived in overcrowded conditions in which toilet facilities were shared by several families. Some unmarried mothers experienced better living conditions on admission to Mother and Baby homes.

In general, living conditions in Mother and Baby homes were poor. Often, there was no electricity or running water and sanitary conditions were awful. Overcrowding was commonplace which contributed to the spread of infectious disease and infant mortality.

Admission

Information on admission practice is incomplete. Women would have been referred by clergy, medical and nursing personnel, public officials or family members. The overwhelming majority of women admitted were maintained by their local authority from which prior approval for admission

had to be obtained. In 1961, the Catholic Protection and Rescue Society of Ireland (CPRSI) reached agreement with the City and County Managers Association that they could make admission arrangements prior to local government agreement to pay. The CPRSI was enraged (executive summary, paragraph 171) when officials in County Louth reneged on the arrangement and contacted the families of two pregnant women to check on whether they could contribute to maintenance.

The report highlights two further instances where the behaviour of County Louth officials was contrary to agreed policy. In Chapter 6, paragraph 76, there is a detailed account of where confidentiality around a young woman who had contacted the CPRSI in 1966 was not observed. The County Secretary claimed that a failure to make enquiries about the family means would be at variance with the Council's obligation to protect the financial interests of ratepayers. In another instance, an official contacted the mother of a pregnant woman repatriated from England. The mother was unaware of the pregnancy.

In chapter 8, paragraph 38, there is an account of the refusal of the County Manager in 1955 to admit a woman and baby returning from England to any home other than the district hospital in Drogheda or Dundalk. When asked for an explanation, he replied that he would reconsider his decision if he received a firm undertaking from the CPRSI to assume responsibility for the baby when it was six months old.

Many pregnant women fled to the UK to maintain secrecy, often to face the prospect of being returned to Ireland against their wishes. British Catholic charities and civil authorities put considerable pressure on their Irish counterparts to repatriate the women. Sometimes, families unaware of the pregnancy were approached. Mothers and their babies often ended up in Mother and Baby homes or County homes on return. Between 1948 and 1971, CPRSI assisted with the repatriation of more than 2,400 women. Many of them would have become pregnant in the UK.

Length of Stay

The length of stay in Mother and Baby homes was linked to the provision of a long term placement for the children and delays in introducing legal adoption until 1953.

A mother could not leave without taking her child or until a long term care arrangement had been made. Local authorities were unwilling to take responsibility for the children of unmarried mothers until they were at least two years old. Some women were required to remain in a County home, working without pay, in return for a child being boarded out by the local authority.

There was a common belief that a mother was required to remain for at least two years after the birth of her child although there was no legal requirement to do so. There was also a moral element in that two years was deemed sufficient time to 'reform' or 'rehabilitate' a woman. There is no evidence that attachment theory, developed from the 1950s onwards in academic and medical circles, influenced length of stay policy for a mother and child, or the long term care arrangement for the child.

Infant Mortality

There was a very high rate of infant mortality. About 15% of all children in the institutions examined died. The first report of the registrar general of the Irish Free State highlighted that infant mortality

among illegitimate children was five times the national average. Illegitimate children in other countries also suffered excess infant mortality, but not to the same disparity.

In the years 1939 to 1945, just under half of all deaths of illegitimate children occurred in Mother and Baby homes. These homes accounted for one quarter of all illegitimate births. After 1945, the situation changed. The sharp decline in infant mortality in the late 1940s was due to a variety of factors: antibiotics, immunization, improved milk quality, isolation, and better sanitation and housing. Many of these factors impacted on Mother and Baby homes. By the 1960s, infant mortality rates in Mother and Baby homes were lower than the national average for illegitimate children.

Maternal Mortality

The Commission identified 200 women who died while they were resident in Mother and Baby homes or in the County homes that were investigated. Some of these women died in hospital. Factors which contributed to a high rate of infant mortality also contributed to maternal mortality which before 1950 was often caused by infection or disease unrelated to pregnancy.

Illegitimacy

The status of illegitimacy was not abolished until 1987. By then, unmarried mothers and their children were viewed as a wider cohort of one parent families. The Adoption Act 1952 applied only to orphans and illegitimate children, which created problems in making care arrangements for infants born of extra-marital relationships. In many instances, the spouse of the mother was named incorrectly on the birth certificate as the father.

Foster Care

There is evidence that local authorities commonly selected foster parents for boarded out children to meet the needs of foster parents rather than the child. Often, children were boarded out in impoverished homes where the boarding out allowance supplemented family income. Farmers and other self-employed people often treated a foster child as a source of unpaid labour and accordingly favoured older children. Often, children were placed with a single person or single siblings.

The picture of foster care is not uniform and it remains so to this day. The regulation to prevent children being fostered in towns and cities was not removed until 1953. There were no agreed criteria for the selection of foster parents and supervision of placements was inadequate by modern standards.

Responsibility for children in foster care and residential care transferred from local authorities to health boards on 1 April 1971, following commencement of the Health Act 1970.

Adoption

A comprehensive review of adoption did not form part of the terms of reference of the Commission. Their report concentrates on a review of evidence relating to consent to adoption and on foreign adoption.

Adoption consent is a contentious issue. There are two parts: an initial consent to agree to the placement of a child for adoption and a final consent which cannot be executed until the child is at least six months old. Invariably, consents were signed without the mother seeking independent legal advice. There is evidence that many women signed consent forms with limited understanding of their content. Many women felt that they had no practical alternative to consenting to the adoption of their child. As adoption became more widespread in the 1960s, the average length of stay in Mother and Baby homes decreased.

Local authorities never had responsibility for adoption. Illegal adoptions were common place in the 1950s, 1960s and 1970s. Catholic clergy and eminent medical personnel were often involved. Babies, generally born in a private nursing home, would often be handed over a few days after birth to a couple who would register the birth as their own infant. Tusla, the Child and Family Agency, has received a number of tracing enquiries in relation to such placements.

The Commission discovered that 1,638 children were placed for foreign adoption, mainly (1,427) to the USA, from the mother and baby homes and county homes investigated. The Adoption Act 1952 did not regulate foreign adoption. Some standards were applied by religious authorities. The matter remains very contentious to this day.

The UK Abortion Act 1967 had one unforeseen consequence. The authorities were aware that an increasing number of pregnant women were travelling to the UK for terminations. Accordingly, they resolved to make life in Mother and Baby homes less onerous.

Social attitudes were changing all of the time. Cherish, a national support group of single mothers was established in 1972. Similar support groups were established throughout the country. Unmarried Mothers Allowance was introduced in 1973. A number of organizations, lay and religious, promoted the transition from institutional care to supported accommodation for single mothers and their children.

Cura, a voluntary pregnancy-counseling service, was established in 1977. A branch was opened in Dundalk in 1984. Cura assisted with the arrangement of family placements for pregnant women who wished, in many cases, to conceal the pregnancy from their own families. Family placements declined from the mid 1990s onwards.

Recommendations

The Commission makes many recommendations. The three main areas are:

Information and Tracing - Legislation should be introduced and, if necessary, a referendum held to allow adopted persons have access to their original birth certificates and other personal information. The Commission acknowledges that some birth mothers have expressed concern about such a development. It also acknowledges that many tracing applicants will be very disappointed by how little information is recorded about them.

Redress - The Commission favours a scheme that would provide financial redress and enhanced personal services. It details previous redress schemes.

Archives - Detailed recommendations are made about storing files and creating accessible databases. It recommends that local authorities, governed by Section 80 of the Local Government Act 2001, should examine their archives with a view to identifying all material that is relevant to the issues identified by the Commission. They should make material available to the public, subject to the requirement to withhold or redact some files.

Report of the Confidential Committee: Brief Summary

This report is separate to the main report. It is a synopsis of the testimonies of some people who gave an account of their experiences. It makes for distressing and grim reading. Attitudes and actions reflect the prevailing views of the time towards illegitimacy. Rape was rarely recognized as a crime, and rape allegations were rarely reported to the civil authorities. Although not stated specifically, women were regarded as responsible for the sexual behaviour of men. The notion of consent is not examined or mentioned.

Sin and repentance through suffering were constant exhortations to pregnant women from people overseeing their care. Pregnant women ended up atoning on their own and in silence for the sexual behaviour of themselves and their partners.

The report is divided into a number of headings:

Circumstances of Pregnancy and Admission

Rape, sexual ignorance, familial abuse and incest feature in testimonies. On page 47, it is stated "there was no sense of being wanted because you were the product of an evil union and made suffer for the sins of your parents".

On page 52, it is stated "no matter what congregation or religious order was in charge, or where its institutions were located, a remarkable similarity of regimes in most homes was described by a stream of individual witnesses of all ages and from all parts of the country".

There are some positive comments. On page 35, it is stated that "despite all their travails and frequent reports of difficult treatment....many residents deep down were relieved to get away from worse situations at home". Again, on the same page it is stated "The Mother and Baby home was my saviour at a very hard time in my life. It gave me a chance to get used to being a mother. There were, and are, good people out there".

On page 45, it is stated "What also became evident that, while the prevailing culture....was harsh, there were exceptions in some, where even in the early years there could said to have been a more forgiving regime than most of the others".

On page 59, it is stated that even within the strictest of regimes in these homes, acts of kindness were described.

The Birth Experience

Many women faced into labour without being given any information about what faced them. There are disturbing accounts of verbal, physical and sexual abuse during labour and delivery. Pain relief was often not administered. The overall birth experience was described by some women as so traumatic that there were life-long physical and psychological repercussions.

Adoption and Consent

Many women were pressurized into agreeing to adoption, often as a pre-condition for entry into a mother and baby home. Babies were often removed summarily from their mothers after birth. Sometimes, especially in later years, mothers resisted pressure for adoption. There are accounts of unmarried mothers who successfully reared their children.

Fostering and Boarding Out

The accounts relate mainly to the period 1930 to 1970. Most of them are negative, and describe a litany of verbal, physical and sexual abuse as well as neglect of social and educational needs. One witness (page 106) says "There was no joy, no happiness. It was a time of war. It was tough in Ireland: no one playing outside. It was gloomy. There were no coloured doors".

Some men joined the army either in Ireland or the UK. Many went on to marry but could not cope with intimacy or trust issues. The experience of emigration was mixed: personal freedom and independence, but experience of loneliness and difficult work and living conditions.

One witness (page 121) describes a positive fostering experience with a farming couple in their late fifties.

Adoption

Many of the accounts relate to foreign adoptions in the USA and are negative. Lack of information, deceit, and finance, feature in accounts. From the 1970s onwards, social workers become more involved. One witness (page 135) alleged that her adoptive father had been in a relationship with the social worker who arranged her adoption. Subsequently, the relationship ended. Her adoptive father left his wife and married another woman.

Exit and aftermath

On the whole, life did not work out well for women when they tried to move on from pregnancy and the placement of their child in care or for adoption. The following individual statements are listed (page 157):

'The adoption process knocked my confidence. I live on anti-depressants'

'The people I knew fell away'

'I had a back street abortion (subsequent pregnancy) because I couldn't face going through it again. I wanted to ask the Pope for forgiveness'

'You will get over losing a man but you won't get over losing a child'

'The social worker said I had the choice of running away with my child or else we will take the child off you'. The woman was living with the violent birthfather.

'I grieved the loss of my family even though they are not dead'

'I was given away by my mother so I wasn't going to give my baby away'

Many women spoke of difficulties in later life. Even those who had married and had other children disclosed that they had suffered from deep feelings of isolation, lack of self worth and loneliness, as well as shame and anger.

Tracing

Witness experience was varied and the outcomes were mixed. A number of witnesses only succeeded in tracing searches after the death of their birth mother. Accordingly, they experienced renewed feelings of loss, anger and bereavement.

Some birth mothers had wanted to move on from their deeply traumatic experiences and wanted no contact with an adult son or daughter who had traced them. Others yearned contact with a lost son or daughter and were delighted when contact was made.

The experiences of dealing with religious orders and adoption societies in relation to tracing vary. Some were very unhelpful. They provided no information or false information. Others were helpful, and after a lot of research, successful contacts were made between birth parents and their adopted adult children.

One witness (pages 179 to 180) recites a detailed account of tracing his birth parents and developing ongoing contact with them and his step-siblings. His adoptive parents supported his tracing efforts.

Contextual Assessment

The report describes a different time in Ireland. 549 people gave testimony to the Confidential Committee. It is a significant number even if it represents less than 1% of the number of women and children who lived in a Mother and Baby or County home. Most of the women and many of the children who lived in these homes are now deceased.

It has been stated that officialdom was well aware of the unsatisfactory state of affairs in homes and did nothing about it. There is little evidence that critical reports prepared by inspectors generated alarm, discussion or effective action. The Irish television service did not commence until 1962. There was not the constant, critical current affairs coverage in media that prevails today.

By present standards, Ireland was a poor country from 1922 to 1988. Public expenditure on social and welfare services was very limited and mainly the responsibility of local authorities. There was a strong emphasis on controlling costs.

Public officials, irrespective of their sense of civic responsibility, subscribed to prevailing moral and social values. In the 1960s, all home assistance officers employed by Louth County Council were male with one exception. There was a tradition of sobriety and non-involvement with voluntary organisations among them. They were expected to live upright lives and not cause scandal.

It is important not to excoriate these officials. The Commission does not report on their attitudes, frustrations, and endeavours. They were forbidden to make public pronouncements on issues. Public health, public housing, and provision of water and sanitary facilities were the priority local authority services. Income was scarce and over-reliant on ratepayers' contributions.

There are no accounts recorded from the managers of mother and baby and county homes. One can only speculate about their awareness of the inadequacies of their services, their knowledge of the neglect and abuse of women and children in their care, and their endeavours to improve services.

Even today, some social workers and medical and nursing personnel are accused of ignoring 'abuse under their eyes' and failing to take remedial action.

There are no reported testimonies from any of the 50,000 or so fathers of children who resided in Mother and Baby or County homes, and were placed subsequently for adoption or in foster care. Most of these men are now deceased. What feelings of guilt, shame, loss, and self-delusion did they carry throughout their lives?

Louth County Archives Service

A visit to the service was very helpful. There is an excellent indexing system for material held. There are a number of records containing references to boarding out of children.

The main records held include:

Board of Health and Public Assistance, 1924 to 1942 - Minutes of Meetings, including those relating to district hospital management and administration, and the boarding out of children or other issues relating to children in hospital.

Management Orders from the 1940s which include the above subjects.

There is also a small quantity of Dundalk District Hospital medical returns and extra books (for those receiving medical and surgical treatment; these books are not admission registers), 1938 to 1947, with gaps

Administrative files and Financial records

There is an electronic index for the Louth Board of Health and Public Assistance general minute books and the public assistance managers' orders.

Searches reveal names of children boarded out under the Children's Acts 1908 to 1941 for the period 1920s to the 1960s. There are some gaps in years especially for the 1930s and 1960s. In general, the name of the child is provided, the date of commencement of placement, and the name and location of the foster parent.

There is no record of the establishment of a dedicated Fostering Register with systematic recording of the following basic information:

Name and date of birth of child

Date placement commenced

Name and full address of the foster parent

Date placement ended

Reason placement ended

It is not possible to ascertain accurately the number, duration and outcomes of placements. Individual case files were not written up for children and their families. I came upon one record (17 February 1930) which says - per district, the following number of children are boarded out: Ardee 2, Dunleer 0, Drogheda 11, Termonfeckin 1, Dundalk 11, Louth 1, Carlingford 0.

I came across an interesting record (Ref: LCC/CMO/2/6 Co Manager Orders A148/50: Children's Acts 1908 to 1941) relating to the monthly report of the Infant Protection Officer: inspection of children at nurse during March 1950. The report states that all homes are satisfactory. The health of the children is good except for one who has been attended by a doctor. The County Manager (21 April 1950) directs the report to be forwarded to the Department of Health. He also agrees a payment for clothing to a foster parent.

There appears to be no copies of reports prepared by the Department of Health inspector which are referenced in the Confidential Committee report.

The number of tracing enquires made to the archives service about children in care is small. Generally, they come from social workers. Two enquiries have been received this year to date (2021), both from women seeking details of their grandmother.

It is important to note that there are very limited extant records within archives. Applicants are not given access to search records relating to Mother and Baby homes or boarded out children irrespective of what access policy might imply. Searches are carried out by archive staff. Then, relevant information is provided. This is due to the format of these records containing personal information on other individuals in close proximity.

"I fully agree with this point, I think there is a public perception that local authorities hold more records in relation to these homes than what is extant in their services. Furthermore, we don't know to what extent records from the 1920s-1970 periods survived and remained in hospitals or homes at the time of the establishment of the Health Boards and passed into the custody of the HSE or Tusla. This can give rise to confusion. LGARM will seek to address this with Tusla" **Lorraine McCann, County Archivist.**

Conclusion

I refer to the notice of motions before the County Council.

The first motion (Councillor Joanna Byrne) calls on the Minister for Children to publish without delay access to records legislation and to support fully Kathleen Funchion TD who has tabled the Civil Registration (Amendment) Bill 2021 to ensure all adopted people are given unconditional access to their birth certificates. I support her sentiments but I foresee numerous problems arising in regard

to conflict of interest. Many birth mothers were promised that information identifying them would never be passed on to their child, or to any other party. Some birth certificates contain inaccurate or falsified information. Litigation is bound to be commenced around balancing the right of a mother to privacy against the right of her child to information.

Many pregnancies arose from incest, statutory rape, or other exploitative situations. Many people requesting access to their birth certificates and other personal information will have to be treated with sensitivity, and may require ongoing personal support to deal with disturbing personal information.

I also endorse the sentiments expressed in the second motion (Councillor John Sheridan). I see practical issues arising on advising people on routes to be pursued to obtain personal information. It is important that Louth County Council does not create an expectation which cannot be met. The County Archivist cannot provide access to information she does not possess.

Many people will come forward to seek personal help and redress. These issues will have to be addressed at a national level. The Tusla adoption tracing service is already over-stretched. There may be a role for community-based counselling services to provide counselling packages, funded by Tusla or the local authority, to people grappling with personal issues arising from the Commission's reports.

Note on the Author

Denis Cahalane is a retired social work manager. He has extensive experience in the management and delivery of childcare, fostering and adoption services. In 1993, he obtained an MBA from the University of Ulster. From 1977 until 2009 he held the following positions with the North Eastern Health Board and HSE:

1977 to 1995: senior social worker, Louth Community Services

1995 to 1998: regional manager, NEHB residential child care services

1998 to 2001: child care manager, Louth Community Services

2001 to 2005: regional manager, NEHB homeless services

2005 to 2009: social inclusion manager, Louth Community Services

