

## Clann Project statement, 16<sup>th</sup> November 2021

Last night, the Minister for Children, Equality, Disability Integration and Youth, Roderic O’Gorman, emailed stakeholders that he would bring to Cabinet today proposals for an ‘Action Plan for Survivors and Former Residents of Mother and Baby and County Home Institutions’ and a ‘costed proposal for a Payment Scheme’.

The Clann Project will wait to comment on Minister O’Gorman’s proposals until we have had an opportunity to examine the documents in detail.

The government must learn from the failings of the Magdalene Laundries *ex gratia* scheme, as expressed so eloquently by the survivors who participated in the Dublin Honours Magdalenes [Listening Exercise](#).

This scheme must be inclusive. The State must depart from previous habits of excluding and compartmentalising affected people. **Nobody can be left behind.**

This week, the High Court [will hear two test cases](#) which are being brought by Mary Harney and Philomena Lee. Both women are challenging the procedures and findings of the Mother and Baby Homes Commission of Investigation. An inaccurate official historical record is not only insulting to those who have suffered grave abuse; it denies the most basic element of a remedy, which is acknowledgement of the truth. It further impedes memorialisation, education, and efforts to ensure institutional reform and non-repetition of similar abuse in future. **Therefore, as part of its redress scheme, the government should attach a statement to the Commission of Investigation report, clarifying that the government has not accepted the Commission’s findings due to grave concerns regarding its methods.**

If the scheme is to represent a true measure of justice, it must include the following (as explained in our detailed [recommendations](#) to Government):

1. Access to records
2. HAA Medical Card
3. Recommendations regarding the compensation process in a ‘Restorative Recognition Scheme’
4. Implementation of the Mother and Baby Homes Collaborative Forum Recommendations
5. Explicit rights for people adopted overseas, including citizenship rights
6. Proper implementation of EU GDPR rights
7. Access to court
8. Dedicated Criminal Justice Unit & Human Rights-Compliant Coroner’s Inquests into the disappearance of thousands of children and hundreds of women
9. Repeal of ‘gagging’ orders
10. Amendment of the *Status of Children Act 1987*
11. Repudiation of the Commission of Investigation Report and official acknowledgement of human rights violations
12. No requirement to waive the right to take further legal action

For further information, please see:

1. The Clann Project [recommendations](#) on the Restorative Recognition Scheme
2. The Clann Project [joint submissions](#) on GDPR to the Oireachtas Justice Committee
3. The Clann Project [submissions](#) on the birth information and tracing bill
4. The Clann Project [joint submissions](#) on the Institutional Burials Bill