

Commission of Investigation into Mother and Baby Homes and Related Matters

The Government has established a Commission of Investigation into Mother and Baby Homes and a number of County Homes. The terms of reference for this Commission are five pages long and can be accessed at www.mbhcoi.ie or can be found in Statutory Instrument no 57 of 2015. If you would like a copy of the terms of reference these can be posted to you on contacting us at:

Freephone: 1800 80 66 88 (Times)

Or by post to: Mother and Baby Homes, Commission of Investigation
73 Lower Baggot Street,
Dublin 2

Or: P.O. Box 12626
Dublin 2

The investigation shall cover, in the main, the period from 1922-1998. The Mother and Baby Homes, which will form part of the investigation, are listed in Appendix 1. The Commission will consist of an Investigation Committee and a Confidential Committee

The Confidential Committee

An important part of the Commission's work is the establishment of a Confidential Committee. This Committee will operate under the direction of the Commission.

The main purpose of the Confidential Committee is to listen to the experiences of those who have spent time in Mother and Baby Homes. These can include mothers, children, nuns, workers, occasional workers (e.g. delivery men, painters etc.) and visitors to the home.

This Committee may be suitable for you if you wish to have your experiences heard in a sympathetic atmosphere by experienced people and you do not want any person or institution to know that you are giving evidence to the Commission. The evidence you give will not be open to challenge.

Will the hearing be in private?

All hearings of the Confidential Committee will be in private.

Can I ask someone to sit in on the meeting with me?

You can choose anyone you wish to accompany you to the meeting. If you wish, this person may sit in at the hearing but we do not allow the following to sit in:

- Anyone under the age of 18
- Anyone who himself or herself will be giving evidence to the Confidential Committee or to the Commission's investigation; this is because we want to hear your experiences and we do not want your descriptions to influence what the other person will tell the Committee.

Travel Expenses

We will reimburse the reasonable travel and other necessary expenses you incur in meeting the Confidential Committee. This will be at public service rates. We ask you to keep receipts as far as possible. Travelling expenses of an accompanying person will also be covered in the same manner. It is important to note that no legal costs will be paid if your accompanying person is a solicitor.

Will I need legal assistance?

No. You don't need legal advice or assistance when meeting the Confidential Committee. The process will be informal. You are there to recount your experiences. You do not have to prove anything and you will not be cross examined.

Some people have said that they want their solicitor to accompany them and that is allowed. However, you should tell your solicitor that she/he is free to attend with you but he/she will not be paid by the Commission for:

- Advising you or
- Coming with you to speak to the Confidential Committee.

Witness Support Officer

After we receive your application form, you will be contacted by a Witness Support Officer who will agree a date and time for you to meet the Committee. She will help you to make any necessary arrangements such as travel and/or accommodation. If you are travelling from abroad or need overnight accommodation **this must be cleared in advance** with the Witness Support Officer or another Commission staff member.

The Witness Support officer will meet you when you arrive to talk to the Confidential Committee. She will help with processing the re-imbursement of expenses for you and your travelling companion (if relevant).

What will happen at the Confidential Committee?

You will be asked to describe your experiences. You may be asked some questions in order that the Committee can collect as much information as possible. Any person accompanying you will not be allowed to describe your experiences for you because it is your account that the Committee wishes to hear. However if you need to, and with the agreement of the Confidential Committee member, you may ask your companion to assist you in giving your account.

There will be one Confidential Committee Member in the room and another experienced person taking notes. If you agree, an audio recording will be made of the meeting so that the members can have as full an account as possible to assist them in preparing their report.

What sort of findings will the Confidential Committee make?

The Confidential Committee will make a general report, which won't name you or any specific person or institution. This is because people who go to that Committee will not wish to have any information about them given to anyone outside the Commission or to be questioned by anyone outside the Commission.

Reports to the Authorities

No report on anything you tell the Confidential Committee will be given to the authorities, except where the Committee has reason to believe that:

- A serious crime has been committed;
- A serious risk to a person's life exists;
- There is a current risk of child abuse.

In any of those situations, we are obliged to report the matter to the Gardaí or to TUSLA, the Child and Family Agency.

What the Confidential Committee cannot do

The Confidential Committee cannot

- Award redress or compensation

- Help you to trace relatives

The Commission itself cannot do these things either.

We do not provide counselling. However, we will provide you with a number of useful addresses which may be helpful to you

The Core Commitments of the Confidential Committee

- We will treat everybody equally whatever their circumstances, age, disability, race, religion, beliefs or sexual orientation or civil status.
- We will listen to you and support you in telling us about your experiences.
- We will give you time to tell us your experiences.
- We will understand if you get upset when describing your experiences.
- We will not judge you.
- We will be honest with you about what we can and cannot do.
- We promise you will remain anonymous, even when we bring your experiences to public attention so that they can be understood and acknowledged by all.

Giving Further Evidence

If, after giving evidence to the Confidential Committee member, you would also like to give evidence to the Commission's investigation, then with your permission, the recording may be used by the Commission's legal team in relation to your appearance before the Commissioners.

If you indicate on the application form that you would like to give evidence to the Commission's investigation only and not to the Confidential Committee, a member of the Commission's legal team will advise you about your rights before the Commission.