

MOTHER AND BABY HOMES COMMISSION OF INVESTIGATION

73 Lower Baggot St, Dublin 2.
or P.O Box 12626, Dublin 2.

Tel: 01 644 5000
Confidential Freephone (ROI): 1800 806 688

17th September 2015

Ms Claire McGettrick
JFM Research
Crocknahattina
Bailieborough
Co. Cavan

Dear Ms McGettrick

Thank you for your letter of the 10th September 2015.

The Commission is happy to receive Submissions from both members of the Adoption Rights Alliance and from JFM Research. You are aware, of course, that the Commission can only make findings in relation to the Homes within our Terms of Reference.

You have enquired as to the procedures involved in meeting with the Confidential Committee and in the hearings before the Commission.

The Confidential Committee provides a forum for people to recount their experiences in a sympathetic environment. Their accounts are not challenged in any way. The identity of anyone who meets with the Confidential Committee is not revealed, nor is any institution or worker to whom they refer. Two members of the Confidential Committee are present at the meeting. They both have many years of experience in interviewing people in sensitive situations and received specific training in relation to the work of this Commission. Based on these meetings, the Committee will produce a report of a general nature on the experiences of women and children in the homes. Because of the nature of the Confidential Committee, legal assistance is not required.

Email: info@mbhcoi.ie

Website: www.mbhcoi.ie

Confidential line for callers outside Republic of Ireland: 00 353 1 644 5088

I enclose a copy of the information leaflet and application form sent to everyone who expresses an interest in attending the Confidential Committee.

Hearings before the Commission itself are more formal. All three of the Commissioners (Judge Murphy, Professor Mary Daly and Dr. William Duncan) or any one or two of them may be present. Witnesses may be required to give evidence on oath or affirmation and the proceedings are recorded by a stenographer. The Commission may disclose the evidence of that witness to any person who is affected by it and may allow that person or their legal advisors to cross-examine the witness. If the witness does not consent to be cross-examined, that evidence cannot be taken into account by the Commission.

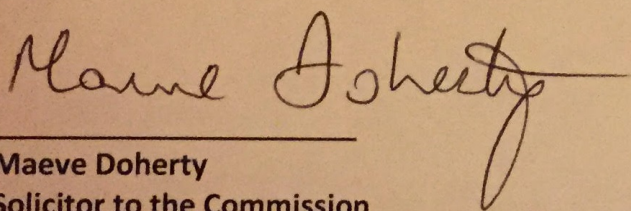
A witness has a right to have a legal representative present while giving evidence. Legal costs are payable only when the good name or conduct of the witness is called into question or where the personal or property rights of the witness are at risk of being jeopardised. If no legal representative is present to advise the witness, the Commission shall advise the witness of his or her legal rights and obligations while giving such evidence.

It is open to anyone who was resident in or who worked in a mother and baby home to meet with the Confidential Committee. If, after meeting with the Confidential Committee, they wish to present their evidence formally to the Commission, it is open to them to do so. Alternatively, a witness may decide to give their evidence directly to the Commission in the first instance.

I enclose a copy of our Rules and Procedures which includes our Guidelines on Costs. You will see that the Commission may pay legal costs only in very limited circumstances. You should bring these guidelines to the attention of your legal advisors.

I trust this answers your queries in respect of the Commission's procedures. I would be happy to discuss matters further with you if you would like to give me a call.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Maeve Doherty', with a long horizontal flourish extending to the right.

Maeve Doherty
Solicitor to the Commission