

Interim Report

May 2024



Truth Recovery Independent Panel
Seeking the Truth

Contents

04	Introduction from Co-Chairs
06	Introduction
07	How did the need for a Truth Recovery Independent Panel arise?
08	Who are the Independent Panel?
13	How we work
14	Working group 1: Testimony Gathering and Analysis
19	Working group 2: Records and Archives
23	Working group 3: Access to Records, Advocacy, Genealogy and Legal Services
27	Working group 4: Communication and Engagement
28	Recommendations
31	Appendix One - Terms of Reference



Introduction from Co-Chairs

As Co-Chairs of the Truth Recovery Independent Panel ('the Panel') we take pleasure in introducing this Interim Report. The Panel has been working collectively over its first twelve months to design its working methods and agree its distinct work plans. However, the Panel have not been working alone and, indeed, our work would be impossible without the guidance and support that has been given to us by a number of other groups and experts.

We are most indebted to victims-survivors of Mother and Baby Institutions, Magdalene Laundries, Workhouses and the practices and pathways associated with these institutions. In particular, we have engaged regularly with members of the Victims and Survivors Consultation Forum and heard first hand their concerns about issues that include access to records, and the formats in which personal testimonies should be collected. The Panel has listened carefully to their views and their input has impacted our work. For example, these conversations have helped shape the timetable for a careful and cautious roll-out of our testimony collection process. Our engagement with victims-survivors has provided a great deal of important information. This has benefitted the Panel's work and informed our discussions about our priorities as we head into an intense period of evidence gathering and analysis. The Panel thanks them for their generosity in giving their time and experience to inform our work.

The Panel is also grateful to several agencies that have provided excellent advice and valued cooperation. This is particularly true of the Victims and Survivors Service (VSS), WAVE and Adopt NI, with whom we have worked to ensure that support is in place for individuals who want to come forward and offer their testimony to the Panel. We are also

grateful to the PSNI unit dealing with non-recent abuse cases who have worked closely with the Panel on a process for referrals when testimony includes references to criminality.

The Panel has been delighted to have the assistance and professional expertise of staff at PRONI (Public Record Office, Northern Ireland). They have carried out visits to institutions to identify historical records that require conservation, preservation and digitisation before they can be analysed by the Panel. PRONI staff have engaged in a great deal of negotiation with the institutions as part of the wider Truth Recovery Programme.

We are pleased to announce that a significant number of institutions have agreed to have their records digitised and made available to the Panel as part of our research. In doing so, they have made a significant contribution to the truth recovery process, and we would like to acknowledge that contribution. In the next twelve months we anticipate examining these records more closely, to provide as much detail as possible about each institution (and related pathways and practices) for the Panel's Final Report, which we expect will be published in 2025.

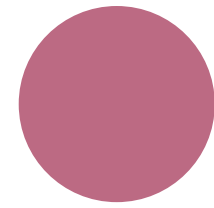
We will continue to work with the smaller number of remaining institutions who have not yet shared their records, to encourage them to support digitisation of their records by PRONI. The Panel fully agrees with the view that this is the best option going forward. Not only will this ensure that records are preserved and conserved with high-quality digital copies, it will also support and facilitate the work of the Panel and in the context of the wider Truth Recovery Programme, will ensure the Public Inquiry and/or the Redress Service will have access to digital copies of the records.

The Panel is grateful for the support of the Secretariat team made up of individuals seconded from The Executive Office to carry out numerous duties on its behalf. Given the range of tasks the Panel is dealing with, the team is regularly asked to deal with multiple complex demands. The Panel thanks them for all their endeavours.

We hope that readers will find this Interim Report useful for learning about our first year's work as a Panel, and our plans for the year ahead. The Interim Report takes the following format: it begins by explaining the origins of the truth recovery process; it then explains what the Panel's major tasks are (this section can be read in association with Appendix One, which provides the full Terms of Reference agreed for the Panel); it introduces the members of the Panel before going on to explain the four working groups that have been established, the achievements to date and plans for the year ahead. Finally, it sets out several recommendations that we have decided to put forward at the end of this initial phase of our work programme.

Yours faithfully,

**Leanne McCormick
and Sean O'Connell**
Co-Chairs, Truth Recovery
Independent Panel



Introduction

In October 2021, the Truth Recovery Design Panel published its *Truth, Acknowledgement and Accountability Report on Mother and Baby Institutions, Magdalene Laundries and Workhouses*.¹ One of its key recommendations was the creation of an Integrated Truth Investigation. This included an innovative method of truth recovery that features a Truth Recovery Independent Panel that would work in advance of a statutory Public Inquiry. In combination, these two bodies are designed to complete the task of seeking truth, acknowledgment and accountability around the Mother and Baby Institutions, Magdalene Laundries and Workhouses. Victims-survivors have been campaigning for many years for this process.

In November 2021, the Executive accepted all the recommendations that were made in the Truth Recovery Design Panel's Report. In April 2023, The Executive Office (TEO) appointed the non-statutory Truth Recovery Independent Panel, for a period of twenty-four months, following a competitive public appointment process.

How did the need for a Truth Recovery Independent Panel arise?

The need for the Independent Panel came about for a variety of reasons. Many victims-survivors explained to the Truth Design Recovery Panel that they wanted the opportunity to present their testimonies in a non-adversarial forum. This means being able to provide testimony in a safe space that does not involve legal cross-examination. Research with people who gave testimony to the Historical Institutional Abuse Inquiry indicates that many victim-survivors felt traumatised by that process.²

For this reason, it was recognised that it would be desirable to establish a truth-telling first phase of an overarching truth recovery process that would gather testimony in a non-adversarial form. It was agreed that the process through which someone would give their personal testimony needed to be trauma-informed, disability and gender aware. Testimonies gathered by the Panel will be used to inform and guide the work of the statutory Public Inquiry.

As well as informing the work of the Public Inquiry, there was a recognition of the potential for including extracts from some testimonies in the Panel's Report. The Panel's website will feature some of the testimonies that are collected from victims-survivors (with their consent) as well as from others with knowledge of the institutions and their pathways and practices. In the long term, some of the testimonies will be preserved in an independent archive (potentially hosted at the Public Record Office of Northern Ireland – PRONI) and will be available for use after a period of closure (twenty years).

It was also recognised that the Panel could begin work in advance of the Public Inquiry in terms of prioritising the gathering and cataloguing of historical records that are accessible immediately. The Public Inquiry will be able to use its powers of compulsion to gather records from any institution/organisation or public body that does not make records available to the Panel for its investigation.

A need was identified for a coordinated, fully resourced, expert mechanism to assist victims-survivors and relatives in accessing personal information. This is to enable full participation in the integrated truth investigation process and to identify barriers in accessing records. In this area, the Panel's role is to advise on best practice around access to records and to encourage all record holders to adopt best practices that comply with all legal and ethical requirements. The intention is that victims-survivors are given the opportunity to view any personal records that can inform their testimony to the Panel (and/or the Public Inquiry and/or the Redress Service) and that agencies holding those records have full knowledge of their responsibilities to make them available and full awareness of all current data protection legislation and policy.

A full list of the Panel's Terms of Reference is included as Appendix One. These are the Terms of Reference that were outlined in the Truth Recovery Design Panel's Report, which was agreed by the Executive in 2021.

¹ D. Mahon, M. O'Rourke and P. Scraton, *Mother and Baby Institutions, Magdalene Laundries and Workhouses in Northern Ireland: Truth, Acknowledgement and Accountability* (2021).

² P. Lundy, "I just want justice": the impact of historical institutional child abuse inquiries from the survivor's perspective', *Eire-Ireland*, volume 55, numbers 1 & 2 (2020).



Who are the Independent Panel?

The 10-person Panel is comprised of individuals with relevant knowledge in key areas. In addition, the three victims-survivors on the Panel bring experience of institutionalisation and the adoption system along with their many other experiences and skills.

Leanne McCormick
Independent Panel
Co-Chair / Social and
Oral History



Leanne grew up in Northern Ireland before going to Cambridge to read History, and after a year teaching in India, returned to complete a PGCE there. She taught History for several years in Edinburgh before returning to Northern Ireland where she completed a PhD at Ulster University.

Along with Professor Sean O'Connell, Leanne was the co-author of the *Mother and Baby Homes and Magdalene Laundries in Northern Ireland, 1922-1990* research report, published in 2021. Leanne led on the archives and records aspect of the research for that report. Leanne is the social and oral history specialist on the Panel, leading on the archival research for the Panel, working very closely with the Panel's specialist archivist Mark Farrell.

Her research expertise is on women's history, the history of sexuality and medicine in the North of Ireland/Northern Ireland and the Irish diaspora in North America. She has published widely in these areas. Leanne is the co-creator of the 'Bad Bridget Project', which looks at Irish women who committed crimes in C19th and early C20th North America. She is also currently working on a project 'Queer Northern Ireland: sexuality before liberation'.

Sean O'Connell
Independent Panel
Co-Chair / Social
and Oral History



Sean O'Connell was born in Manchester. His parents hailed from Tuam, County Galway and Castletown Geoghegan in County Westmeath. He is a Professor of Modern British and Irish history at Queen's University Belfast and has lived in Northern Ireland since 1999.

In January 2021, alongside Professor Leanne McCormick, he published the research report entitled *Mother and Baby Homes and Magdalene Laundries in Northern Ireland 1922-1990*. Sean took the lead in the collection and analysis of oral testimony that was used in that report. Together with our trauma informed specialist, Beverley Clarke, and our linguistic analysis specialist Patricia Canning, Sean is leading on the Panel's collection and analysis of individual testimonies.

Sean has been an oral historian since 1992 and is an editor of the journal *Oral History*. He is the founder of Quote Hub, Queen's oral history website, which is home to some of the testimonies on Mother and Baby Institutions, Magdalene Laundries and Workhouses that featured in the 2021 research report.

Patricia Canning
Sociology of
Discrimination and
Gender-based Violence



Patricia Canning was born in Belfast and has spent many years working in and for the wider community in a range of roles (including as an adviser with the Citizen's Advice Bureau, as manager of an outreach advice centre, and as an NVQ teacher and Internal Verifier of community work qualifications). She received her first-class Honours degree, Masters, and PhD at Queen's University, Belfast, where she taught Linguistics and Literature before moving to the Netherlands as an Assistant Professor at Utrecht University.

Patricia is now an Assistant Professor at Northumbria University at Newcastle. She has extensive research experience in linguistics, specifically, forensic linguistics in which she examines police documents and the language choices made by officers, prosecutors, and victims-survivors of gendered violence. Patricia has published work on disparities between official and personal accounts of traumatic events, including the Hillsborough Disaster. She works with survivors of domestic abuse, domestic abuse charities, and several UK police forces to improve routes to justice for women and girls. Patricia is using her important skillsets to enable the Panel to carry out linguistic analyses of the large number of personal testimonies that we are collecting, which will form a centrepiece of our final report and recommendations.

Patricia is the author of over 20 articles, book chapters, and reports. She has published two books and is the co-author of an Independent Panel report into what went wrong at the Champions League Final in Paris in 2022.

Patricia currently lives in Durham and has 50,000 bees.

Beverley Clarke
Trauma Informed
Practice



Beverley studied for a degree and qualification in Social Work over 30 years ago. Her career in Social Work has involved working in statutory and voluntary services in London and across the South East of England. Beverley has also worked for the Home Office, Ministry of Justice and Foreign, Commonwealth and Development Office as a Child Protection Advisor.

Beverley was also employed as a Child Welfare Worker, working with indigenous communities in Alberta, Canada, where she also became a Commissioner of Oaths. Beverley is a qualified expert witness. In 2015, she was appointed as a Panel member to the Acknowledgement Forum in the Independent Historical Institutional Abuse Inquiry. The Acknowledgement Forum engaged with victims-survivors who were abused as children in residential institutions. She continues to sit as a Non-Judicial Panel member in the Redress Scheme for Historical Institutional Abuse.

Beverley was a Truth Facilitator in the Independent Inquiry into Child Sexual Abuse in England and Wales for the duration of the Truth Project. The Truth Project, met with over 6,000 victims-survivors who shared their lived experiences of childhood sexual abuse.

Drawing on all of these experiences, Beverley has been central to developing a trauma-led approach to the collection of personal testimonies by the Panel.



Maria Cogley
Victim-Survivor
Representative



Maria Cogley was born in Belfast and grew up in the North of the city. She left Northern Ireland to attend university, followed by teacher training college in England. She has an extensive and vastly experienced background in education with over 25 years' primary school classroom teaching experience. She now lives in Norwich and is married, with two grown up children.

Maria was actively involved with the Truth Recovery Design Panel throughout its investigation period. She is a member of the Victims and Survivors Consultation Forum, working with The Executive Office to implement the recommendations of the Truth Recovery Design Report. Recently, she was part of a small working group, established by the Northern Ireland Department of Health, tasked with developing and writing guidance for Adoption Agencies (including Health and Social Care Trusts) relating to the disclosure and release of birth records and adoption files.

Maria's own mother was sent to Marianville Mother and Baby Institution in Belfast in 1969 when her pregnancy was discovered. Ten days after her birth, Maria was removed from her mother in Marianville and placed with adoptive parents. Fifty years on, Maria still does not know the full details of her birth and subsequent adoption.

Maria is not only advocating for her now deceased mother and adoptive brother, but also for the thousands of people, like herself, who have been and continue to be affected by all the institutions under scrutiny.

Mark Farrell
Archiving



Mark Farrell is an archivist and records manager. He holds an MA in Ethics and is currently researching a PhD at Dublin City University on the role of records and archives in accountability, human rights and social justice. Mark is taking a leading role on the development of the Panel. He is also overseeing the security and privacy of all the data collected as part of the Panel's work.

Mark was co-founder of Ireland's first archives consultancy company. In that role, he has established and managed many projects in a variety of contexts, in both the public and private sectors. He has extensive experience of assessing, cataloguing and safeguarding records of residential institutions, religious orders and care homes, as well as government and public sector agencies.

Mark is also an experienced trainer and has designed and delivered a range of courses on Freedom of Information, Data Protection and related issues. He has also been a lecturer and tutor on a range of postgraduate courses at Maynooth University, Dublin Business School and the University of Dundee.

Paul McClarey
Victim-Survivor
Representative



Paul is a Victim-Survivor Representative. In 1963, his mother, an eighteen year-old girl from Derry-Londonderry was sent to Marianville Mother and Baby Institution in Belfast when she was 5 months pregnant. After giving birth, she was sent directly to the St Mary's home, which was next door to Marianville, where she worked in the laundry without pay. She remained in the Magdalene Laundry for a further 3 months.

Paul was taken away from his mother at 18 days old and was in the care system for 13 months before being boarded out with a view for adoption. Paul was finally adopted when he was 6 ½ years old. As a young man in his twenties, he traced his mother only to discover she had tragically passed away some 10 years earlier, aged 29. She would have been 40 years old on the day he went looking for her. Paul's sense of abandonment has never left him, and he still struggles with the trauma of forced separation from his birth mother. In recent years he has become a campaigner and advocate for other affected individuals. He continues, through peer support networks, to develop relationships with other victim-survivors, as they support each other on a difficult journey.

Paul has appeared on the ITV Documentary An Island's Shame, and has given evidence, alongside other victims-survivors to the Committee for the Executive Office. He is a member of the Victims and Survivors Consultation Forum, working alongside others to ensure implementation of the 77 recommendations contained within the Truth, Acknowledgement and Accountability Report, Oct 2021. In his professional career, Paul has worked as a Marketing Manager for a global drinks company and currently holds a senior management role for one of the Health & Social Care Trusts within the HSCNI.

Roisin McGlone
Victim and Survivor
Representative



Roisin McGlone is an experienced community activist who is now an Independent Consultant.

Previously Chief Executive Officer of Interaction Belfast, she worked with the police, and republican and loyalist ex-combatants to promote inter-community and Inter-Agency dialogue. Her experiences in Belfast led to her involvement in conflict transformation initiatives in Croatia, Macedonia, Guyana, America and South Africa. Roisin's previous public posts include time spent on the Civic Forum, as an Assistant Boundary Commissioner for Belfast, and as an independent member of the Policing Board. She has a Masters in Philosophy in Reconciliation Studies from the Irish School of Ecumenics, Trinity College Dublin. Roisin also has lived experience as a birth mother, having spent time in Marianville when she was pregnant with her first child.

Colin Smith
International Human
Rights Law and
Domestic Law



Colin Smith BL is a graduate of Trinity College Dublin and the Honourable Society of King's Inns. He practices as a barrister in the field of human rights law. He is an Adjunct Assistant Professor in the School of Law at Trinity College Dublin, where he is joint coordinator of the Human Rights Clinic. He is a member of the Human Rights Committee of the Bar of Ireland. He is taking a lead role on the Panel in relation to access to records and legal issues.

Steven Smyrl
Genealogy



Steven Smyrl has practiced as a specialist in legal and probate genealogical research for the past 35 years. He was admitted as a member of the Accredited Genealogists Ireland in 1991, sits on its governing council and is a former president of the Association.

He is the current chairman of the Irish Genealogical Research Society (IGRS), a learned society founded in 1936, with a worldwide membership. He is a founding member of the Council of Irish Genealogical Organisations (CIGO), serving twice as its chairman. In 2012, he appeared in *Dead Money*, a six-part RTE series based exclusively on research undertaken by his legal genealogy firm, Massey & King. Each episode told the story of searches for relatives for a person who had died intestate.

Beginning in the late 1990s, Steven led a successful campaign calling for each deceased person's date and place of birth and parents' names to be recorded in all Irish civil death registrations. This finally began in 2006 in the Republic of Ireland, and in Northern Ireland existing registration criteria was widened to include it from 2012.

In December 2009, Steven's extensive and ground-breaking research on the congregations and records of Dublin's Protestant dissenters, *Dictionary of Dublin Dissent – Dublin's Protestant Dissenting Meeting Houses 1660-1920* was published. He writes a regular column for *Irish Roots* magazine.

Steven is working on a detailed guide to the holdings of the National Archives of Ireland, with a particular focus on identifying and drawing together alternative sources for material destroyed in the conflagration of 1922, which destroyed the holdings of the Public Record Office of Ireland (the precursor to the National Archives of Ireland).

How we work

The Panel meets together regularly. Usually, meetings are held online every two weeks. Face-to-face meetings, over two days, take place every two months. In addition, four sub-groups have been established that focus on distinct aspects of the tasks that we have been set. These groups usually meet online once a week, or every two weeks, to discuss their specific business. The four groups are:

1. Testimony Gathering and Analysis Working Group.
2. Records and Archives Working Group.
3. Access to Records, Advocacy, Genealogy and Legal Services Working Group.
4. Communication and Engagement Working Group.

Since March, the Testimony Gathering and Analysis Working Group has had the support of a temporary part-time staff member who is also seconded from the Executive Office. Two part-time Testimony Facilitators have been working with the Panel since late 2023. There are plans to appoint additional part-time Testimony Facilitators as the Panel builds its capacity to take testimonies. An experienced transcriber has started work and has completed a number of transcripts already. As the numbers giving their testimony rise, it will be necessary to recruit further experienced transcribers.

Since September 2023, Dr Patricia Marsh has been seconded to work on behalf of the Panel. Based in PRONI, she has taken a lead role in assessing archival records held in PRONI that are of interest to the Panel. Patricia has also been examining files that have been arriving from the institutions that have agreed to PRONI's offer to digitise their archives for use by the Panel.

The Co-Chairs meet online with the Secretariat team each Friday morning to discuss issues and plan for future meetings and engagements with victims-survivors, the institutions and other organisations. They also meet every two weeks with Martin Carey from the Executive Office who is the Director of the Truth Recovery Programme.

Each Panel member undertook a review with the Co-Chairs in April 2024. The Co-Chairs will take part in an annual review of the Panel's work and their own role in a Gateway Review in May 2024.



Working group 1: Testimony Gathering and Analysis

The Panel is committed to recording testimony in a non-adversarial, and trauma-aware process, ensuring participants make an informed choice on how their testimonies are given and how they are used. Our aim is to be responsive and flexible to meet the needs of all participants.

The first task related to testimony, and the most important one, was to engage in discussion with the Victims and Survivors Consultation Forum about the plans for the collection of testimony. This was particularly important around the development of consent forms and participant information documentation. In addition, a series of small group and individual meetings were arranged with victims-survivors in which they shared their preferences for testimony formats, questioning styles, and interview structure formats. Considerable discussions consistently took place within the Panel around the issue of testimony and its related process.

The Panel has secured the services of two Testimony Facilitators, Dr Lorraine Dennis and Dr Megan Kelly, managed by Dr Adrian Grant, Ulster University, via tender. Both Lorraine and Megan are very experienced in recording personal testimonies and dealing with traumatic subject matters. Lorraine previously managed the Prisons Memory Archive and Megan's doctoral research focused on the experiences of nurses during the Troubles. Before embarking on testimony collection, Lorraine and Megan underwent a series of workshops designed to prepare them for the complexities of working with testimonies of Mother and Baby Institutions, Magdalene Laundries, Workhouses and the pathways and practices associated with each of those institutions. The workshops were led by Panel members Beverley Clarke and

Sean O'Connell and further enabled by the participation of clinical psychologist Dr Danny Taggart and oral historian Dr Olivia Dee.

The Panel also liaised closely with VSS to ensure that they (along with their partner agencies WAVE and Adopt NI) are ready to support the needs of those who come forward to offer testimony. A schedule was devised that would begin with relatively small numbers of individuals having their testimony recorded, before the Panel's testimony team builds its capacity gradually and safely. Taking this approach allowed for the following:

- To embark on a trauma-informed, gender and disability aware programme of workshops for the testimony team.
- To enable the Testimony Facilitators to accompany experienced Panel members to a number of the first testimony sessions.
- To ensure that the testimony collection process was managed so that there were no delays between contact and testimony sessions that might cause frustration or upset.
- To allow time for VSS and its community partners to build up its support services/recruit new staff to meet with additional demand that will come as the Panel expands its testimony collection capacity from Summer 2024.
- To allow the Panel to train more facilitators as more people come forward to give testimony.

The three phases of testimony collection are:

- Phase One: March-April 2024. Those already registered with the Independent Panel who are aged 70+ or have a health issue that might restrict ability to participate if they are asked to wait longer.
- Phase Two: May-September 2024. The remainder of those who have already registered with the Panel and declared an interest in giving testimony. The total number of participants involved in Phase 1 and 2 could be as many as 95 individuals.
- Phase Three: October 2024-April March 2025. Those who come forward as a result of the communications, outreach and advertisement campaign that will begin in Summer 2024.

The testimony process has been carefully designed to consider all the requirements of individuals who are thinking about offering their testimony. Once a potential participant contacts the testimony team, they will have the opportunity to:

- Talk to one of our Testimony Facilitators about how the process will work.
- Discuss how the Panel will secure the privacy and security of any testimony that they offer. This will include ensuring that their identity is not revealed in any use of their testimony, if this is what they want.

- Discuss any requirements they have for support. The team can make referrals to VSS.
- Discuss the level of consent that they wish to apply to the uses of their testimony in the future. There are a number of options that they can consider. The Panel wants to offer the maximum choice possible.

A range of formats are available to offer testimony:

- Audio recorded in person.
- Video recorded online via Microsoft Teams or Zoom.
- Written testimony.
- A friend or family member can attend to support anyone offering testimony.

Testimony can be provided in a range of locations:

- At the Panel's specially prepared testimony room in Belfast. This is a safe and secure space.
- At the home (or other suitable private location) of the person giving testimony.
- At one of WAVE's offices across Northern Ireland or in the VSS office in Belfast.
- At a hotel that is local to the person giving testimony.

The Panel has drawn up several separate agreements to ensure that the testimony is conducted ethically, smoothly, compliant with data protection legislation, and fulfils all legal obligations around safeguarding issues.

These agreements are:

- Agreement with Ulster University to provide experienced Testimony Facilitators and experienced professionals to transcribe them.
- Agreement from Ulster University's Ethics Committee that the research meets good ethical standards.
- Referral process agreed with the PSNI for the reporting of any non-historical criminal cases that we are legally obliged to report to them if they are raised in a testimony.
- Referral process agreed for any safeguarding concerns that require notification to social services.

Next Steps

(April - September 2024)

In the next six months, as we continue to take testimonies, the Panel will regularly review this process so that we can ensure safe, secure and non-adversarial testimony collection. We will do this by collecting feedback from those who took part in Phase 1 of testimony collection, specifically on what works well and how the process might be improved. We know how important it is to continue learning from victims-survivors and will continue to engage with them as we shape our methods moving on through the process.

Phase 2 of the testimony process is due to begin in June 2024. It will involve:

- Reaching out to all those who have registered their interest in giving testimony to the Panel.
- Recruiting additional testimony facilitators and providing training workshops.
- Holding online small group or individual meetings for those who are considering providing written testimony to the Panel rather than engaging in a face-to-face recorded session.
- After these events, we will begin to receive written testimony, which can be submitted by email, via the Panel website or via the post.

- Panel members will begin attending a series of outreach events that will be held in several locations across Northern Ireland and elsewhere to highlight our work and to seek testimony.
- The Panel will begin to systematically analyse the verbal and written testimony it has received.
- Engaging with those who have given testimony to the Panel to discuss changes or redactions on their transcripts.

Next steps

(October 2024 – March 2025)

Phase 3 of testimony collection will take place from October 2024. This will involve engagement with participants who have contacted the Panel following publicity and media campaigns.

There will also be a focus on taking testimony from individuals who either worked in the institutions, or whose work took them into the institutions or meant they had dealings with them. This includes a range of individuals, such as staff employed by the institutions, Salvation Army officers, nuns, clergy, GPs, midwives, nurses, social workers, probation officers, delivery drivers, police officers, volunteers or visitors to the institutions.

The analysis of testimonies will be ongoing throughout all three phases of the testimony gathering process. Testimonies will be prepared for the handover to PRONI and inclusion on the Panel website (if participants have indicated their consent for this). Each

testimony will be read at least twice and key themes that present in the testimonies will be noted using special computer software that allows us to analyse the themes after they have all been labelled. While this might sound clinical, it is a way for the Panel to analyse patterns and to get a fuller picture of the experiences of those affected. For example, one theme that has emerged in the testimonies featured in the research published in 2021 by McCormick and O'Connell was 'adoption'.³

Participants often spoke of adoption, but from a range of perspectives. Some participants talked about who first suggested adoption to them when they were pregnant, others spoke about issues of consent regarding adoption, the impact of adoption, the process trying to trace their child through the adoption system, and many other aspects of adoption. This gives rise to further 'sub-themes' within themes because it is important to know the context of each primary theme. When the testimonies are analysed for themes and sub-themes, we can then look for specific information more easily by exploring the index of themes that have emerged in the testimonies. We can then 'ask' the software to help us answer specific questions, e.g. how many testimonies refer to adoption and consent? This also allows us to cross-reference themes. We can also visually display information which can be effective for literally building a picture of specific elements of participants' experiences.

³ A large number of these testimonies are available online in transcript form. They can be consulted at this website: <https://quote.qub.ac.uk/>.

Testimony collection feedback

As of 28 April 2024, the Panel has engaged with thirty individuals to discuss giving testimony. Testimony recordings have begun and feedback from participants has been very positive. Here is some of that feedback, which we include with the permission of those who sent their comments to us.

Participant 1:

I just want to say again that you were wonderful and made a potentially difficult situation not so difficult. So, thank you....I guess being listened to meant so much.

Participant 2:

You both made it easy to give my testimony. I wish you well with this important work. I will be reporting back to my Adoptee Group on the positive experience it was.

Participant 3:

Thank you for giving me my voice and that of all the girls and women who have had to endure the regime and cold place. Yes, I was tired but a bit relieved that our story is being told.... and that there were specially trained people to listen.

Participant 4:

Can I take this opportunity to thank you on a personal note for your professionalism from first contact to present, your warm felt welcome and your comforting nature [and] making me feel so at ease...in this monumental moment to me.

Working group 2: Records and Archives

The Panel is working closely with the Public Record Office of Northern Ireland (PRONI) to identify and locate records relating to Mother and Baby Institutions, Magdalene Laundries, Workhouses and related pathways and practices.

TEO commissioned an initial survey of records held by institutions and organisations which was carried out by PRONI following the enactment of the Preservation of Documents (Historical Institutions) Act (Northern Ireland) of 2022, which states that records relating to relevant institutions must not be destroyed and must be properly protected and safeguarded. The survey identified the following relevant records:

- 215 Individual registers and other volumes containing information relating to thousands of individuals.
- 2000+ Index cards relating to separate individuals.
- Approximately 2200 case files relating to separate individuals.
- 68 microfilms containing copies of case files.
- Approximately 100 miscellaneous files/folders.

The Panel has collaborated with PRONI archivists to engage with organisations and institutions to secure agreement for their records to be digitised, catalogued and made available to the Panel. The following organisations have agreed to release their records to PRONI and granted the Panel access to their records:

Family Routes

Administrative records of the Church of Ireland Moral Welfare Society and Board of Responsibility
Hopedene
Kennedy House

and records of adoptions from these institutions.

Good Shepherd Sisters

Records relating to

Marianvale (Newry)
Marianville (Belfast)
St Mary's Home (Derry)
St Mary's Home (Newry)
St Mary's Home (Belfast).

Sisters of Nazareth

Baby Homes:

Nazareth House Portadown
Nazareth House Fahan, Co. Donegal
Nazareth House Sligo.

Children's Homes:

Nazareth Lodge (Belfast)
St Joseph's Termonbacca (Londonderry)
Nazareth House (Ormeau Road, Belfast)
Nazareth House (Bishop Street, Londonderry).

Church of Ireland Representative Church Body (RCB) Library, Dublin

Minute Books and administrative records of the Church of Ireland Rescue League, Moral Welfare Council (Northern Diocese) and Moral Welfare Association Northern Diocese Executive Committee.

Catholic Church

Baptismal records from churches associated with Mother and Baby Institutions.

As of April 2024, over 3,000 items have been received by PRONI. This includes 178 volumes/registers; 43 annual reports/accounts; 350 case files and 2,550 index card case notes. Over 1,500 of these records have been catalogued and over 500 of these records have been fully digitised. The process of cataloguing and digitising takes a considerable amount of time. Records are assessed for preservation or conservation needs before being catalogued to ensure easy access and identification in the future. Digitisation requires quality assurance to ensure all parts of records have been digitised to the highest standard.

In addition to records from institutions/organisations, there are a range of records relating to the institutions and pathways and practices that were created by government departments, courts and health and social care trusts. The Panel is conscious of the responsibility to ensure these records are identified and preserved in the same way as all other institutions/organisations. All relevant public bodies have been reminded of their responsibilities under the Preservation of Documents (Historical Institutions) Act (Northern Ireland) 2022 and plans are underway to carry out a survey of all relevant records that relate to the Panel's work. This survey process may take considerable time but if it is not completed before the Panel's work is done, any further records discovered will be available to the Public Inquiry.

The importance of this survey is clear. When McCormick and O'Connell were tasked with doing earlier research on this issue by the Department of Health, they asked that all government departments search for any relevant records that were still held by them.⁴

The response at that time was that no records existed other than those already held by PRONI. It is now evident that with regard to at least one Mother and Baby Institution (Mount Oriel) this response was inaccurate and led to the discussion of that institution being limited in the 2021 report.

PRONI already holds numerous public and private records of relevance to the Panel. These have been identified and listed and are being digitised and made available for analysis by the researchers working on behalf of the Panel. These include records of government departments and Workhouse records.

There are also records held by institutions/organisations that do not require relocation to PRONI for digitisation. These include records held by the Salvation Army and Barnardo's which are held in the national archive centres of these two organisations. Meetings have been held with them both to negotiate access and to identify record sets that can be digitised on site at the relevant archive centre and then made available for use by the Panel.

The Panel is committed to ensuring victims-survivors are kept informed about our work and as part of this an event was held in PRONI (February 2024). This was to give victims-survivors an opportunity to see the conservation and preservation work and to hear from PRONI staff about the care and attention taken with the records. The Panel is very grateful and appreciative of the work carried out by the PRONI team.

The Panel has been working with a specialist researcher based in PRONI (Dr Patricia Marsh) who has carried out initial research on the records at PRONI as they are digitised. Her findings will direct much of the deeper analysis on records which will take place in the next year.

Records management of Independent Panel files and records

The Panel has developed a record management policy and associated protocols for their own records. This involved:

- Setting up a set of secure folders on the Panel's information management system.
- Assigning appropriate access rights and permissions to Panel members, ensuring that confidential information is managed in a secure manner.
- Facilitating training for Panel members in data protection and appropriate use of the secure information management system.
- Developing a Retention and Disposal Schedule for the Panel's records.
- Liaising with PRONI regarding future transfer of the Panel's records, including issues relating to metadata and digital formats.

Next Steps

Discussions are ongoing with those institutions/organisations which have not yet agreed to facilitate digitisation and unfettered Panel access to records. Digitised copies of records enable immediate access by researchers to data without recourse to time consuming trips to the locations where archives are held and where the researcher's work schedule is limited to the hours during which access is possible. Once digitised, those records can be made available and fully accessible not only to the Panel but also to the Public Inquiry and to the Redress Service. In all instances, access would be limited to the absolute minimum number of individuals.

Discussions are continuing around the digitisation of records with:

Family Care Adoption Services – holding records relating to:

Mater Dei,
St Joseph's Home (Belfast)
St Brigid's Baptism Records
(Diocesan Orphan Society)

Relevant archives and records continue to be identified as work progresses. Discussions are currently ongoing with the Sisters of Mercy in relation to their institution in Newry. We hope that an agreement around access and digitisation can be reached swiftly.

Records will also emerge from the ongoing survey and search of relevant records held by public bodies. They will be added to the continuing process of working with PRONI on the conservation, cataloguing and digitising of records and on their analysis by Panel

⁴ L. McCormick, S. O'Connell (with O. Dee and J. Privilege), Mother and Baby Homes and Magdalene Laundries in Northern Ireland, 1920-1990 (2021).

researchers. As the scale and scope of these records grow, the Panel will require additional research support with the necessary expertise to work effectively on these records.

Further discussions will also be undertaken, as appropriate, with organisations in the Republic of Ireland on matters relevant to the work of the Panel and issues of mutual interest and co-operation.

The important task of developing recommendations for an independent permanent archive, will be carried out this year. That matter will involve consulting with victims-survivors and international experts. The former to identify their needs and the latter to understand what best practice has been followed elsewhere.

Records will continue to be acquired, managed and safeguarded in a way that will fully document the Panel's activities, ensure that relevant information is available to the proposed Public Inquiry and that a full record of the Panel's work will be available to the permanent archive.

Working group 3: Access to Records, Advocacy, Genealogy and Legal Services

The importance of individual truth narratives is recognised by the Panel and fundamental to this is access to written records of life events. People affected by the issues under investigation may want information about their own experiences, their past and identity, or family members. Trying to access information and records can be a complicated and emotional process. Records can be held in many different places. Levels of access to them can differ depending on what the records are and who holds them. The levels of detail they contain can also vary and it is not always straightforward to identify where records are or who holds them.

The Panel is acutely aware of these issues and has been mapping the relevant records available and has begun to prepare guidance for accessing them. Our guidance includes information on:

- Types of records in Northern Ireland.
- Where to look for records in Northern Ireland.
- How to make an application for civil and religious registration records, including birth, baptism, death and marriage certificates, in Northern Ireland.
- How to access legal advice and assistance in relation to access to records in Northern Ireland.
- How to make an application for access to records in Northern Ireland under the United Kingdom General Data Protection Regulation (UK GDPR).

- How to request an internal review if your application for access to records in Northern Ireland under the UK GDPR is completely or partially refused.
- How to make a complaint to the Information Commissioner's Office if your application for an internal review is unsuccessful.
- How to challenge a decision of the Information Commissioner's Office if your complaint is unsuccessful.
- Making an application for adoption records under the Adoption Agencies Regulations (Northern Ireland) 1989.
- How to challenge a decision to refuse access to records under the Adoption Agencies Regulations (Northern Ireland) 1989.
- How to make an application for access to medical records of a deceased family member as their personal representative under the Health Records (Northern Ireland) Order 1993.

Templates for applications for requesting access to records, requesting a review, challenging a decision or making a complaint have also been produced. Expert knowledge and experience of genealogical research methods and legal processes will be incorporated in all guidance.

The Panel is aware that many people seeking access to records will benefit from publicly funded legal advice and assistance and guidance has also been drawn up on how to access this in Northern Ireland.

While Northern Ireland has one of the most comprehensive and flexible systems of legal aid provision in the world, a means test does apply to applications for publicly funded legal advice and assistance (Access to Justice (Northern Ireland) Order 2003, the Civil Legal Services (General) Regulations (Northern Ireland) 2015, and the Civil Legal Services (Financial) Regulations (Northern Ireland) 2015).

The means test has the effect that where a person's weekly disposable income exceeds £234 and their disposable capital exceeds £1,000, they are ineligible for advice and assistance. These are very low income and capital thresholds, even taking into account the broad discretion enjoyed by the assessing authorities to disregard income for the purposes of the test. Although the means test is disapplied in certain circumstances, none of these cover access to records, and the Director of Legal Case Work has no power to disapply it even in exceptional circumstances.

The Panel is concerned that such low income and capital thresholds for eligibility have the potential to impede access for victims-survivors to necessary legal advice and assistance. We have engaged with The Executive Office and the Department of Justice in relation to this issue and have recommended review and amendment of the relevant legislation to facilitate victims-survivors in accessing free legal advice and assistance in relation to applications for access to records.

Information Guides

We are developing information guides on an extensive number of institutions. These guides provide brief histories and operational dates of the institutions, the types of records maintained by each institution, where they are now archived, and by whom the records are held. The guides will appear on the Panel's website. The institutions covered in the guides are:

Magdalene Laundries

- St Mary's – Belfast
- St Mary's – Derry/Londonderry
- St Mary's – Newry

Industrial Home

- Thorndale Industrial Home (Salvation Army) - Belfast

Mother and Baby Institutions/Baby Homes

- Mater Dei Hostel, Belfast
- St Joseph's Baby/Foundling Institution, Belfast
- Marianville, Belfast, Mother and Baby Institution, Belfast
- Marianvale, Newry, Mother and Baby Institution, Newry
- Thorndale House, Belfast
- Malone Place, Belfast
- Hopedene Hostel, Belfast

- Kennedy House, Belfast
- Poor Law Union Workhouses across Northern Ireland
- Deanery Flats, Belfast
- Mount Oriel, Belfast

Additionally, we are developing information guides for the following:

- Contact details for the Adoption and Permanence Teams in Northern Ireland's five Health and Social Care Trusts and Voluntary Adoption Agencies.
- GRONI (General Registry Office, Northern Ireland) Fees and Services.

Advocacy

The Panel is considering the best ways to advocate on behalf of people affected by the issues under investigation, to assist them in accessing information and support in participating with the Panel's work.

Following publication, in November 2023, by the Department of Health for Northern Ireland of guidance for Health and Social Care (HSC) Trusts and Voluntary Adoption Agencies on the release of early life and adoption information to individuals, the Panel wrote to Trusts and Agencies requesting an update on the implementation of the guidance.

We received responses from all of them with the exception of the Belfast Health and

Social Care Trust and the Western Health and Social Care Trust. Those that have responded confirmed receipt of the guidance and indicated that appropriate training sessions with staff are being rolled out. A common theme in the replies was a concern around staffing and resourcing the implementation of the guidance. The Panel will continue to monitor the implementation as part of its remit around access to records.

The Panel is aware of the barriers, distress and anxiety around gaining access to records and information for individuals. This can be experienced differently among those impacted by the institutions. For those adopted as children, their journey towards the truth about their origins might start without knowing basic information about their parents' identities and details about where they were born and the related circumstances. For birth mothers, their memories of institutions may be traumatic and they may be fearful of the re-traumatisation of returning to an organisation that unfairly imposed shame and stigma upon them. Both adopted adults and birth mothers frequently tell of how they have been told that no records exist relating to them and they have no means of verification, support or signposting as to how they can check or challenge that claim.

The Panel recognises the importance of a bespoke advocacy service that would provide emotional as well as practical support to those who are seeking access to records. Advocacy needs to involve education and support around the range of different experiences of the thousands of individuals (and their families) who were impacted by the institutions and pathways under the Panel's remit. The Panel has been engaging with Adopt NI who offer an advocacy service to help individuals navigate the complexities of accessing records as part of the wider Truth Recovery Programme (TRP).

Adopt NI have told the Panel that the challenges identified by its service users include:

- Fear of judgement/stigma/shame.
- Fear of rejection (when they try to search for an adopted adult, birth parent or family member).
- Sense of being trapped and unable to access records for fear of the exposure of their hidden past to their current family.
- Not being validated/respected.
- Previous inconsistent practice across agencies/organisations in relation to support for birth mothers/adopted adults/family members.
- Expectations around accessing records (e.g. what may be available in records versus confidence in asking in the first instance; having support to help navigate the bureaucracy/attitudes of some social workers).
- Importance of clear expectation management at the outset along with wraparound support available.

VSS, in its role as part of the Truth Recovery Programme, is expanding advocacy services delivered by its community partners. The Panel is committed to contributing to the development of these services based on victims-survivors needs. The expansion of the advocacy services includes:

- Liaising with relevant agencies/authorities with or on a victim-survivor's behalf and support (for example accompanying people to meetings where requested).
- Signposting or supporting victims-survivors to engage with the broader truth recovery process if helpful.
- Using relevant platforms and networks to advocate for the needs and rights of victims-survivors.
- Liaising closely with victims-survivors to provide updates and information.
- Supporting victims-survivors in the interpretation of information in files and records produced.
- Supporting all those who are emotionally impacted by the information they receive.

Next Steps

- The Panel will continue to work with victims-survivors, VSS and related agencies to develop and adapt advocacy services.
- Engaging with victims-survivors, the Panel will continue to develop and expand information guides on how to access records and these will be available on the Panel website.
- The Panel will continue to advocate for legal aid provision for victims-survivors in terms of accessing records and for civil remedies in relation to claims of human rights abuses.

Working group 4: Communication and Engagement

The Panel has developed a range of strategies to bring the work of the Panel to the attention of the largest possible number of individuals.

This has involved:

- Creating a database of people who are registered to receive regular updates from the Panel (currently 95 individuals and two victims-survivors peer support groups). The participants for Phase 1 and Phase 2 of our testimony collection will come from this group in the first instance.
- Producing a welcome letter and a regular newsletter offering updates on our work. These have been sent to those registered with the Panel (as above).
- Attending the Victims and Survivors Consultation Forum meetings to present updates from the Panel and facilitate Q&A sessions.
- Participating in outreach with victims-survivors, primarily focused on those not currently engaged with the Truth Recovery Programme.
- Developing a Panel website.

Working alongside the Panel's Press and Media Relations Specialist, a plan has been developed to share knowledge and increase engagement around the work of the Panel. The programme will incorporate an integrated communications approach to reach as wide an audience as possible. Activities will range from face-to-face engagements with community and women's groups through to social media

campaigns designed to reach victims-survivors that no longer live in Northern Ireland. It will raise awareness of the Independent Panel's work using a trauma-aware approach, ensuring that all information is communicated in a sensitive way. We are committed to actively listen to, learn from, and respond to the views of all those who engage with us.

Next Steps

May-September 2024 will be an important period in terms of communication and engagement in the process. During this time, we will seek to increase public awareness of the role of the Panel and amplify the call to action for those who wish to share their testimony. We are in the process of procuring a specialised advertising agency who we will work with to deliver a substantive public awareness campaign in Northern Ireland, the Republic of Ireland, England, Scotland and Wales. Campaigns will also be directed further afield, for example, United States, Canada and Australia.

The campaign includes:

- An advertising campaign.
- Videos that explain the testimony process, introduce people to the testimony facilitators, and our safe, secure, and private testimony rooms in the centre of Belfast.
- Social media presence and content.
- Independent Panel website.
- Outreach programme with members of the Panel. This will include information sessions with existing victims-survivors groups and networks; attending community groups or organisations to talk about the work of the Panel; organising drop-in information sessions in locations across Northern Ireland.

Recommendations

The Panel has made a great deal of progress in its first twelve months. Our work to date has progressed well, and while we have made many achievements, we have learned much throughout this year. To that end, we offer our recommendations as we go forward into the second year of our work.

1. The Panel asks Ministers to consider the early appointment of the Chair of the Public Inquiry. This will allow the Panel to support the work of the Public Inquiry more effectively. It will also enable the Chair to engage in foundational planning for the Public Inquiry. In hindsight, providing a similar opportunity for the Panel's Co-Chairs to take up post ahead of the rest of the Panel would have enabled them to oversee planning for the Panel's most significant workstreams. This could have included: securing access to institutional records before the Panel began its work; ensuring processes had been completed to recruit testimony facilitators early in the Panel's work; and securing administrative support and suitable accommodation for the taking of testimonies.
2. When employed in future truth recovery exercises, we recommend that any future Panel is given greater control over its own budget. A truth recovery process of this type requires agility and innovation if we are to make a case to victims-survivors that the process is truly designed in their own interest. Bureaucracy should be at an absolute minimum, whilst also ensuring clear auditing of expenditure and the decision-making behind that expenditure.
3. The Panel asks Ministers to consider extending its working remit by six months. In the Panel's view, this is necessitated by several factors:
 - Our ability to move forward at pace has been delayed by the constraints involved in having to work within public sector procurement procedures that are not designed for a time-limited body such as this Panel. The impacts of these restraints included: the appointment/training of testimony researchers much later than was desirable due to the length of the procurement process; the need to appoint testimony facilitators on a part-time rather than a full-time basis due to issues related to the financial limits placed on differing procurement processes.
 - The requirement to continue negotiations on access to several of the institutional record sets, slowing the pace of digitisation and shortening the time that the Panel has in which to analyse those records both for its own final report and for the benefit of the Public Inquiry and the Redress Service.
 - The recent realisation that government departments/public bodies need to carry out thorough searches for records held that relate to the institutions and related pathways and practices. Assurances given to McCormick and O'Connell in 2018 that no records existed outside PRONI were inaccurate in the case of at least one of the institutions. It is not yet clear when these searches can be completed.

4. The Panel asks the Ministers to continue to support efforts through appropriate channels to secure access to relevant records in the Republic of Ireland.
5. The Panel recommends the removal of means testing on legal aid for access to records requests by victims-survivors of these institutions. The Panel is concerned that the low income and capital threshold limit applied to eligibility for legal aid is an unfair barrier to access. We recommend review and amendment of the relevant legislation.



Appendix One - Terms of Reference

- Respect for the human rights of victims-survivors and relatives and a commitment to protecting and fulfilling human rights;
- Full access to information for victims-survivors and relatives of the deceased;
- Central involvement of, and accountability to, victims-survivors and relatives;
- Accessibility, particularly to persons with disabilities;
- Inclusion of victims-survivors and relatives affected by cross-border practices and in the diaspora, and relatives of the deceased.

An independent panel will:

- Gather, preserve, catalogue, and digitise relevant records and archives, engaging with authorities and institutions, organisations and individuals in Ireland north and south and across jurisdictions;
- Provide archival, genealogical, advocacy, and any other necessary assistance, to victims-survivors and relatives to seek and obtain information from records and archives relating to the institutions and practices under investigation, including information about the fate and whereabouts of deceased children and women;

- Commission geophysical surveys and archaeological investigations at former institutional sites to ascertain the presence or otherwise of unmarked graves;
- Record testimony through a non-adversarial, disability-aware and trauma-sensitive process, ensuring informed choice in giving testimonies (confidential/ in public; oral/ written) and how testimonies are used (restricted to the independent panel/ forwarded to the inquiry/ preserved in a permanent independent archive);
- Ensure personal support enabling participation in the independent panel's investigation, including psychological services, independent advocacy, disability-related support services, and access to a legal information service;
- Investigate and publish findings regarding human rights violations experienced by individuals and families in mother and baby institutions, Magdalene laundries, workhouses and their pathways and practices (including the adoption system, related institutions such as 'baby homes' and private nursing homes, and cross-border and international transfers of children and women)

The investigation should include in its examination:

- I. The harms suffered at the time of the institutions' operation and those continuing to the present, including gender-based harms and harms recognised in international human rights law;
 - ii. How violations were inflicted and persisted;
 - iii. The institutional and societal causes of the violations;
 - iv. The impact and consequences of the violations and harms experienced;
 - v. The responses of involved institutions, organisations and agencies to individuals and families affected.
- Make recommendations regarding measures necessary to respond to, and prevent recurrence of, the human rights violations experienced, including periodic recommendations to the public inquiry, ministers or any other state authority;
 - Secure the maximum possible publication of records and documentary material while protecting human rights, including the publication of personal testimonies with informed consent;
 - Establish and publish a protocol for discharging its duty to disclose certain information for criminal investigation;

- Preserve its archive in full to be deposited in a permanent independent repository, ensuring informed consent for the deposit of witness testimony and compliance with data protection law;
- Contribute to the drafting of legislation to establish a permanent independent archive of historical institutional and adoption records, and other records relating to children in state care (see recommendation 4);
- Review and analyse: implementation of the truth recovery design panel's recommendations; victims-survivors' and relatives' access to civil proceedings, criminal justice investigation and inquests; and implementation of data protection and freedom of information laws;
- Publicise its work widely to encourage participation, including of people with disabilities and those across the diaspora;
- Initiate events to encourage public engagement in its work.



Get in Touch

By email:

secretariat@independentpanel.org.uk

By post:

Truth Recovery Independent Panel
4th Floor, Equality House,
7-9 Shaftesbury Square,
Belfast, BT2 7DB



Truth Recovery Independent Panel
Seeking the Truth