

**Opening Remarks to the Joint Oireachtas  
Committee on Health and Children on  
the pre-legislative scrutiny on the Heads  
of the General Scheme of the Adoption  
(Information and Tracing) Bill 2015**

By Kathy McMahon, Founder  
Irish First Mothers Group

<http://IrishFirstMothers.com>  
firstmotherstogether@gmail.com

On behalf of Irish First Mothers, we appreciate the work afforded to the heads of Bill thus far and thank you for the opportunity of addressing the committee this morning.

My name is Kathy McMahon; I am the founder of Irish First Mothers.

And I **AM** an Irish 'First Mother'.

My first child was born in April 1974 after I spent 4 months in the Good Shepard Convent in Dunboyne Co Meath. I was aged 18. I nursed my child for 7 days. But on the day of my discharge from hospital a nurse took my infant daughter without warning. I was later forced to sanction her adoption. I did not see my daughter for another 28 years.

In early 2014 I founded Irish First Mothers - a peer-to-peer mutual support group for women who lost children to adoption. We have over 50 verified members, and we range in age from early 40's through to mid 70's. Most of us were incarcerated in so-called 'Mother and Baby Homes'. I am representing our majority view.

Discussions about this Heads of Bill often refer to the so-called 'privacy' rights around access to adoption information. But commentators often confuse privacy in respect of information - with privacy in regard to personal contact.

Any citizen is entitled to live in privacy. But there are already well-crafted laws to defend against unwanted intrusion on one's personal privacy. So, sections of this Heads of Bill which use a "contact veto" to limit privacy intrusion are arguably redundant.

Such "privacy rights" were not what the Supreme Court had in mind in the often-quoted *IoT v. B* case. That case hinged on "confidentiality": whether the natural mother had been given specific guarantees of confidentiality about her participation in an adoption.

Well, I am here to advise this committee that we mothers never sought confidentiality - nor were we ever offered confidentiality. Instead, it was WE who were threatened to never attempt to make contact with our children.

**My own abiding** memory of my incarceration in a Mother and Baby home was of other mothers screaming in anguish following the often **forced** removal of their babies. Our rights and welfare were not the paramount concern of those around us - and none of our First Mothers group were offered confidentiality.

So, if the court relied on the existence of a cohort of women who were given special confidentiality assurances - then that **cohort of women simply does not exist.**

The other, broader confidentiality argument is that the natural mother or other parties had a general right to expect confidentiality in adoption proceedings. Perhaps so, if Ireland's historical adoption practices were mostly legal. But the bulk of historical adoptions were the result of sustained coercion.

Women coerced into convents; coerced during pregnancy and birth; kept as mere dependant chattels, finally to be coerced into signing adoption consent forms which violated their own parental rights, and interfered with their infant's natural bonds.

These unsound consents constituted a systemic fraud upon the adoption court and rendered Ireland's historical adoption proceedings

substantially illegal and a violation of constitutional and international human rights.

So those birth and adoption information records are not normal confidential records - they are **our evidence** related to the illegal acts to we and our infants were subjected.

But first mothers and injured adopted persons will likely never see belated prosecutions over these illegal processes. So the very minimum we can offer all potential victims of these illegal processes is prompt and unhindered access to **the evidence** - the records of the crime against their natural identity.

**All of the mothers in our group who expressed an opinion are opposed to vetos or excessive delays in adult adopted persons getting the information to which they are entitled.**

**We feel that ALL parties to illegal historical adoptions: the child, the natural parents and the adoptive parents have rights to any available information in relation to the adoption.**

We also estimate that **around 98%** of First Mothers are open to reconnecting with their adopted children at some level - **keeping in mind that access to information does not mean automatic contact.**

The committee might also benefit from the recent experience of the **state of Victoria** in Australia - which earlier this year passed the 'Adoption Amendment Bill 2015', thus **removing all reference to 'contact preferences'** from their 2013 Adoption laws. The removal did not affect a person's option to register their contact wishes on Victoria's Adoption Information Register.

Supporting the recent 2015 Bill, the Victoria MP, Sam Hibbins wrote:

**“[contact statements] set up yet another barrier to contact between natural parents and adopted children being re-established. It is not appropriate when we are dealing with two adults who want to regulate contact with each other. [...] We should revert to the framework we**

had in place for 29 years where Victorian adults regulated contact between each other.”

This recent international law experience shows the best legislative practice is to avoid including discriminatory contact vetoes in laws affecting parties to adoption.

Furthermore, there were recently **already** over one thousand people waiting for information and tracing services for historical adoptions. So we favour a very streamlined administration - with as little bureaucratic impediments as possible.

We also suggest that counselling and intermediation should be optionally made available to those who feel they need it. This should be provided by therapists of the individual's choice, not imposed by any entity involved in the adoption process in the first place.

I was shunned, labelled, and incarcerated because I was a so-called "single" mother. No one cared the impact this would have on me; or how the labels and the stigma and my treatment would affect my entire life.

As a natural mother I also wish to make it clear that it was not as a result of our inability to parent or raise a child in a loving home that our children were taken. So while it is true that adoptive parents can provide a loving home, so also can a single parent. I went on to have three more children. Sadly my 3rd child died in a road accident aged 16, but my surviving marital children are upstanding members of society. The First Mothers I know are caring, sensitive and capable. They deserved to have their parental rights defended.

Senator Jillian van Turnhout's has commented that we do not hear about the joyous occasions and the longings. I reconnected with my adopted first born 14 years ago and we do not impose on each other, but the longing in my heart is real.

The joy felt by our First Mothers members when they reconnect with their adult adopted child cannot be expressed in words. Just to directly see and know that the child they were deprived of relationship with is now healthy and happy, brings that joy to our lives.

In conclusion, unresolved adoption and adoption reconnection issues affect mental health. So the common good here is served by law with a public health bias which supports and encourages the process of adoption reconnection, coupled with an awareness campaign which educates on the benefits of reconciliation.

Irish President Michael D Higgins, has said:

“where the State has been responsible,  
the State has to take responsibility...”

Let us discharge our responsibilities to provide citizens with their  
rightful heritage:

timely and full access for all parties  
to their historical birth and adoption information records.

Thank You.