



## Mothers Distressed At Confirmation of Tuam Mass Grave

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3<sup>rd</sup> March, 2017 - Irish First Mothers is a group of 60+ women who were incarcerated in so-called 'Mother and Baby Homes'. Our members were distressed today to hear regrettably uncertain confirmation of mass graves in Tuam.

Frankly, we ask: **were the 2014 media reports of around 800 bodies substantially correct** - despite denials from many quarters? We call on the Commission and Minister Zappone to immediately quantify the scale of the remains found and end distressing uncertainty. A description of "significant remains" is unclear.

Furthermore, Minister Zappone should account for the fact that the government Interdepartmental Group on these matters, established at that time - failed to inform civil groups that the State was aware of prior HSE reports in 2012 into anomalies in Tuam.

We also point out that "Unmarried Mothers" homes were in operation until the early 1990's and our members are very much alive and range in age from late 70's to early 40's. These mothers are currently testifying in secret to the Commission and the process is making them feel like THEY are being put on trial for giving life. A Report into serious problems dealing with Mother & Baby Home Commission is below.

At least three women former residents have in recent days legally notified the Chair, Judge Yvonne Murphy that they are prepared to give sworn evidence to a formal public hearing.

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The Investigation has held no public hearings to date, and it is understood the women's offer will next be placed before a sitting of the Commission for consideration. The Confidential Committee will from today accept no further applications, but will continue to address it's interview backlog from over 400 applications.

The women offering public testimony are all members of Irish First Mothers, and were resident in Dublin area "Unmarried Mothers Homes" in the 1970's and 1980's. One such mother is the founder of Irish First Mothers, Kathy McMahon who three years ago was profiled by the Journal's Daragh Brophy. She has met with and briefed the Commission.

The mothers now coming forward to offer public evidence were influenced to do so in part by Garda Maurice McCabe's recently expressed preference for publicly visible justice. The group has over 60 members - some of whom have already given informal evidence to the Commission.

## MOTHERS CRITICAL OF MOTHER AND BABY HOMES COMMISSION

### 1) Extreme Delays in Processing Applications

In the case of three members of the group, all applied to meet the Commission within weeks of its establishment in mid-2015.

As yet, none have had confirmation of receipt of their applications, nor have they had any correspondence to schedule an appointment.

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## 2) Lack of Direct Access to the Investigation Committee

There are two arms to the Commission's work: an informal Confidential Committee and the sworn Investigation Committee led by Judge Yvonne Murphy with her Commissioners (Prof. Daly & Dr Duncan).

The Investigation Committee hears formal testimony - which naturally carries more weight.

But the Commission's radio advertising mentions only the Confidential Committee.

And the Commission's website makes no mention of the Investigation Committee - only the Confidential Committee.

Furthermore, the application forms which the Commission sent to our members have no option for them to chose the formal Investigation Committee -only the informal Confidential Committee.

Most of our members attending, have only met the informal Committee. And most of those remained entirely unaware that their testimony had been merely informal. They only discovered this after the fact, during our private mutual support discussions.

They were not informed of the choice of formal or informal testimony - either before or at the conclusion of meeting the informal Committee. If informed, they would have given sworn testimony.

In a telephone briefing, the Commission elaborated policy as follows:

Kathy McMahon:: Is the Confidential Committee acting as a "vetting process" regarding who gets to give testimony to the Commissioners or do they recommend persons to the Commissioners?

Nora Ni Dhomhnall: No the Confidential Committee are not acting as a vetting mechanism for the Investigating Committee. Because of the confidential nature of the Confidential Committee we cannot divulge names to anyone but if a person decides to give testimony under oath it is not up to the Confidential Committee to discourage that.

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Kathy McMahon: If a person has met with the Confidential Committee is it automatic that they are then referred to the Investigation Committee?

Nora Ni Dhomhnall: They would have to state they want to meet with the Investigation Committee or call us -to make the request.

How is the public to uncover at all that there is a formal process? The procedures are entirely opaque to the existence of the Investigation Committee and the public and most of our members meeting the commission have never even heard the words “investigation committee”.

Early last year, Kathy McMahon of Irish First Mothers briefed Judge Yvonne Murphy and team on the priorities of members of the group. In informal remarks afterwards Judge Murphy impressed on Ms. McMahon the vital importance of encouraging mothers to testify to the sworn Investigation Committee. In that light it especially puzzling and of concern that the learned Judge's admonition does not seem to be reflected in the operation of the Commission -as intended by the Oireachtas.

## 3) Policies on Companion/Advocates and Counselling

The Commission in practice tends to discourage applicants from having a companion accompany them - partly to uphold evidential standards. The policy is removing available sources of trusted personal support from those testifying. In our experience, no coordinated counselling is provided for those meeting with the Commission. There can be considerable trauma involved for those testifying, and especially in the light of the companion issues above, we feel the Commission should meet its duty of post-evidential care more diligently.

## 4) No Acknowledgement of Receipt of Applications

Recently, four members have applied in January, and all found that unless they followed up with emails and/or phone calls they were left wondering whether their applications were actually received. It's our experience that the commission does not open best-practice clear lines of communication with potential witnesses. Furthermore, that lack of clarity adds to applicants stress.

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## 5) Mothers Feel They are On Trial

Mothers testifying have been adversely affected by issues ranging from the impolite lack of communication; to the necessity to plead for valid expenses; or their casual dismissal after testifying; and even by the austere setting and layout of formal proceedings.

In sworn testimony, seating is arranged so that a lone mother would face an oppositionally arrayed team of about a half-dozen people in the employ of the state. This seating arrangement comes across reminiscent of a trial to women already abused by state structures in the past.

We hope that these concerns raised will be addressed.

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