



Adoption Rights Alliance

REGAINING IDENTITIES, HISTORIES AND RIGHTS FOR ADOPTED PEOPLE

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Adoption Rights Alliance Ireland

Submission to the United Nations Universal Periodic Review

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EXECUTIVE SUMMARY

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- Access to Adoption Files
- Statutory based information and tracing services
- Strict regulations for adoption agency practice and procedure
- The deregistration of all church based adoption agencies
- Safeguarding of files
- The right to know you are adopted
- General discrimination
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- Vaccine trials
- Adoption Authority operations under Freedom of Information & Ombudsman's Act
- Stricter regulations for intercountry adoptions & the abolition of all bilateral agreements
- Treatment of women in Mother and Baby Homes
- Assisted human reproduction

2. Adoption Act 2010

In November 2010 the Adoption Act 2010¹ was signed into law. Despite repeated submissions² from all the stakeholder groups affected by closed secret adoption in Ireland, as well as advice from experts in the area³, Barry Andrews, the then Minister for Children refused to bring forward the necessary legislative changes. He ignored the needs of those who were adopted in the past, choosing to make the Act a mechanism for new adoptions.

3. IHRC Assessment of the Magdalen Laundries⁴

In November 2010 the Irish Human Rights Commission (IHRC) published its assessment of the human rights issues arising in relation to the treatment of women and girls in Ireland's Magdalene Laundries. The assessment included conclusions and observations on Ireland's closed secret adoption system and also acknowledged the lack of parity between Irish adopted people and their Northern Irish counterparts. The assessment also raised issues under the ECHR.

I. BACKGROUND AND FRAMEWORK

4. Adoption Rights Alliance⁵ is an organisation which campaigns for the enshrinement of the rights of the adopted child and Ireland's 42,000+⁶ adopted adults in legislation. The organisation was set up in 2009 by Susan Lohan and Claire McGettrick⁷ (also of Justice for Magdalenes⁸), both adopted people who have been involved in adoption reform for the past ten years. In the absence of adoption information legislation, Adoption Rights Alliance provides practical advice⁹ and advocacy¹⁰ to those affected by Ireland's closed secret adoption system.
5. Legal adoption was first introduced in Ireland in 1952¹¹, with the first legally adopted people reaching the age of 18 in 1970. During the past 60 years, eight Adoption Acts¹² and an amendment to the Constitution¹³ have been brought forward, all without even a single piece of legislation to grant information rights or statutory based information and tracing services to Irish adopted people.¹⁴

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS

A. Relevant human rights mechanisms

6. We refer to the following: The Universal Declaration of Human Rights (UDHR) [Ireland joined the United Nations on 14th December in 1955], the European Convention on Human Rights (ECHR) [Ratified 25 February 1953], the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) [Ratified 23 December 1985], the International Covenant on Civil and Political Rights (ICCPR) [Ratified 8 December 1989], the Convention on the Rights of the Child [Ratified 21 September 1992] and the Hague Convention for the Protection of Children in Intercountry Adoption (Ratified 1st November 2010).

7. We also refer to the following domestic legislation/mechanisms: The Constitution of Ireland (1937), Adoption Acts 1952-2010, the Freedom of Information Acts 1997 to 2003 and the Data Protection Acts 2003 to 2008, The Commission to Inquire into Child Abuse Act 2000 and the Ryan Report.

8. Ireland's Human Rights Issues in Relation to Adoption

Adoption Rights Alliance believes that by maintaining the current closed, secret adoption system and failing to put adopted people's rights on a statutory footing, the Irish State is not upholding the human rights of Irish adopted people under the Irish Constitution, the ECHR, the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. We also believe that adopted people are being discriminated against under the equivalence provision of the 1998 Belfast (Good Friday) Agreement.

8.1 Access to Birth Certificates

In stark contrast to Northern Ireland¹⁵, adopted people in the Republic of Ireland have no statutory right to their birth certificates.¹⁶ The Irish Adoption Authority and accredited bodies (previously known as adoption agencies)¹⁷ insist upon seeking the permission of natural mothers before releasing birth certificates^{18,19,20}. In addition to the issue of identity, the release of birth certificates is crucial to adopted people in establishing who they may or may not be related to.

Recommendation: Adoption Rights Alliance recommends that the Irish government immediately introduce legislation to grant adopted people automatic access to their birth certificates.

8.2 Access to Adoption Files

The Irish Adoption Authority and adoption agencies/accredited bodies refuse to give adopted people access to their adoption files. In the absence of a narrative around which to build their early identity²¹, the adoption file is crucial to adopted people in filling this gap and forms an important part of the adopted person's heritage. We believe that denial of access to family histories is in breach of Articles 7, 8 and 20 of the UN Convention on the Rights of the Child as well as Article 8 of the ECHR.

Recommendation: Adoption Rights Alliance recommends that the Irish government immediately introduce legislation to grant adopted people access to all files, records, documents, and papers on their origins, family histories and early care and medical records held within the Irish State, the UK²² and also in the US²³

8.3 Statutory based information & tracing services

Because tracing and information services are not put on a statutory footing, the Adoption Authority and accredited bodies are not required to provide a minimum standard of service, which has been a major issue for adopted people and natural parents²⁴. We assert that any tracing mechanisms put in place must be given corresponding legislation²⁵.

Recommendation: Adoption Rights Alliance recommends that the Irish government immediately introduce statutory based information and tracing services.

8.4 Strict regulations for accredited body (adoption agency) practice and procedure

No practice standards were ever put in place to measure probity of adoption agencies, Mother and Baby Homes and the Adoption Board (now Adoption Authority). This vacuum resulted in many years of abuse²⁶ and in some cases, illegal activity, including the secret trafficking of over 2,000 children (that we know of) to America for adoption.^{27, 28}

Recommendation: We recommend that the Irish State introduce legislation to strictly regulate accredited bodies in *all* areas of their operations.

8.5 The deregistration of all church based accredited bodies (adoption agencies)

Despite repeated revelations²⁹ about the activities of some church run adoption agencies, these agencies continue to enjoy the benefit of state funding and worryingly they remain as the custodians of the vast majority of adoption files, giving them the unique ability to cover past activities and frustrate adopted people's trace in the process. The Ryan Report³⁰ exposed heinous crimes perpetrated by Catholic priests and religious against vulnerable groups and we believe that this, combined with the experiences of those affected by closed secret adoption, warrants the removal of church involvement in social services.

Recommendation: Adoption Rights Alliance recommends that all church based accredited bodies should be deregistered.

8.6 Safeguarding of Files

There are hundreds of thousands of files and documents, concerning adoptions that are dispersed across a myriad of unregulated organisations and private individuals³¹, church backed adoption agencies – some of which are no longer operational³², Catholic and Church of Ireland churches³³, the Health Service Executive³⁴ and the Adoption Authority³⁵ itself. An unknown number of illegal adoptions took place, some of which would have been arranged by private individuals, sometimes doctors, nurses, solicitors, priests or nuns. For adopted people and natural parents involved in these adoptions, these individuals are the only source of information and no efforts have been made to safeguard these files.

Recommendation: Adoption Rights Alliance recommends that adoption files be placed under the Data Protection Acts 1988, 2003 and that all adoption files are seized and placed in a central archive for safekeeping so they can be made available to those to which they refer.

8.7 The right to know you are adopted

In the Adoption Acts 1952-2010, there was no provision made for adopted people to know that they were adopted. Public servants working at the General Registrar's Office regularly report on adopted people requesting a birth certificate without knowing they are adopted, resulting in staff then having to break the news and re-direct them to another department. Apart from the obvious violation to the basic human rights of an adopted person, denying them knowledge of their adopted status also has major implications in terms of the potential for adopted people to marry people they are related to.

Recommendation: Adoption Rights Alliance recommends that a statutory provision be introduced immediately to provide the right for adopted people to know they are adopted.

8.8 General Discrimination

The Irish State has ensured that its diaspora have unfettered access to their history and heritage through free online access to the 1901 and 1911 Censuses³⁶, while RTÉ's "Who Do You Think You Are?"³⁷ programme takes Irish celebrities on a journey of discovery of their family's past. Meanwhile, adopted people are denied the right to know their families of origin, their own original name, their natural mother's name, their place of birth, the circumstances which led to their adoption, their early care and medical treatment. This situation makes Irish adopted people feel considerably discriminated against.

Recommendation: We recommend that the Irish State introduce measures to grant adopted people free access to all archives which may be of assistance to them in establishing their identities. We further recommend that the Irish state introduce Search and Reunion Leave for adopted people, who unlike any other citizens have to take time out of their lives to conduct their searches.

8.9 Illegal Adoptions

Despite being the regulatory body for adoptions, the Adoption Authority has repeatedly refused to deal with the issue, stating that because no adoption order existed, no adoption took place and it therefore has no jurisdiction, maintaining this position even when an adoption agency registered by them was proven to have arranged the illegal adoption^{38, 39}. Adoption Rights Alliance believes that a statutory inquiry is the only way in which the full extent of these practices can be discovered and ultimately understood in order to prevent them from happening again. Most importantly, an inquiry would assist adopted people and natural parents whose adoptions were illegal in tracing each other. This factor is crucial as agencies such as St. Patrick's Guild⁴⁰ refuse to provide assistance to people in this position.

Recommendation: Adoption Rights Alliance recommends that a statutory inquiry into illegal adoption practices is established.

8.10 Vaccine Trials

An unknown number of vaccine trials took place in Mother and Baby Homes. The Commission to Inquire into Child Abuse (CICA)⁴¹ originally included the vaccine trials in its investigations, however in 2004 these investigations came to an end due to Judicial Review proceedings. Under Article 40 of the Irish Constitution there is a right to bodily integrity and we believe this has been breached through the vaccine trials. We also believe that the vaccine trials were in breach of the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights.

Recommendation: We recommend a statutory inquiry into vaccine trials carried out at Mother and Baby Homes and other infant facilities that homed babies intended for adoption.

8.11 Adoption Authority operations under Freedom of Information & Ombudsman's Acts

In Ireland there is no statutory mechanism under which to complain about the Adoption Authority. The Authority is not covered under the Freedom of Information Acts 1997 to 2003 nor the Ombudsman's Act 1980⁴². The Adoption Act 2010 has worryingly placed a gagging order on the Adoption Authority Chief Executive⁴³ which flies in the face of the international move towards whistleblower legislation.

Recommendation: We recommend that the Irish government immediately place Adoption Authority operations under the Freedom of Information & Ombudsman's Acts. We further recommend the removal of the gagging order on the Chief Executive of the Adoption Authority.

8.12 Stricter regulations for intercountry adoptions & the abolition of bilateral agreements

We believe that the Irish State is shoring up major breaches of human rights with regard to children being adopted from overseas. The Irish State has always focused on the demands of prospective adoptive parents for access to new countries of origin despite well documented cases of corruption surrounding adoption in countries such as Vietnam where domestic adoption does not exist⁴⁴. We believe that this is in breach of Article 21 on the UN Convention on the Rights of the Child.

The 2010 Adoption Act⁴⁵ ratified the Hague Convention for the Protection of Children in Intercountry Adoption^{46,47}, which opened up new countries to Irish prospective adopters. It emerged recently that the new Adoption Authority sent a delegation to the US to discuss adoptions from there. As there is undoubtedly no shortage of prospective adopters in the US, we believe that this is not only morally wrong but also in breach of Article 21 on the UN Convention on the Rights of the Child. The Irish State is already in breach of the UN Convention on the Rights of the Child when it comes to Irish adopted people, yet it continues to extend its remit to other countries, which will only increase the numbers whose human rights are breached.⁴⁸

The Irish foster care system has been in crisis for years due to a shortage of foster parents. We believe that prospective adopters should first explore the possibility of domestic fostering to bring back the focus of adoption to being a service for children in need, rather than a service for adults who want.⁴⁹

Recommendation: We recommend that the Irish State introduce stricter regulations for intercountry adoptions, promoting domestic fostering as an alternative. We also recommend that all bilateral agreements are abolished. We further recommend that Ireland ratify the Revised European Convention on the Adoption of Children.

8.13 Treatment of women in Mother and Baby Homes

While much has been rightly made about the treatment of women and girls in Magdalene Laundries⁵⁰, Adoption Rights Alliance would like to ensure that women who were ill-treated in Mother and Baby Homes are not omitted. We are aware that women and girls who resided at Mother and Baby Homes were often treated cruelly and subjected to physical and emotional abuse.^{51, 52} We believe that the treatment of women and girls in Mother and Baby Homes was in breach of the Convention on the Elimination of all forms of Discrimination Against Women, the Irish Constitution, the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, the European Convention on Human Rights

Recommendation: We recommend that a statutory inquiry into practices at Mother and Baby Homes be established.

8.14 Assisted Human Reproduction

People conceived by anonymous egg and sperm donation and those adopted as embryos face the same identity issues as adopted people.⁵³ Adoption Rights Alliance asserts that by not sufficiently legislating for the rights of those conceived by Assisted Human Reproduction, the Irish state is allowing history to repeat itself. This is another area where the risk of unwitting incest is unacceptable, particularly as Ireland is such a small country.

Recommendation: We recommend that the Irish state immediately legislate to outlaw anonymous egg and sperm donation and anonymous embryo adoption. We recommend a full ethical review of Assisted Human reproduction practices in Ireland, consulting those affected by closed secret adoption. We further recommend that full information rights be afforded to those conceived by egg and sperm donation.

Appendix

Section 2

1. Adoption Act 2010 <http://www.irishstatutebook.ie/2010/en/act/pub/0021/index.html>
2. Submissions on the 2010 Adoption Act: <http://www.adoptionrightsalliance.com/jointoir.htm>
3. Then Minister for Children, Barry Andrews ignored the advice of the Ombudsman for Children and Barnardos as well as representative groups for adopted people (Adoption Rights Alliance) and natural parents. Even the adoption agencies supported the release of birth certificates however, the Minister chose not to act on this advice. (See above link for submissions)

Section 3

4. IHRC Assessment of Magdalen Laundries <http://www.ihrc.ie/publications/list/ihrc-assessment-of-magdalen-laundries-nov-2010/>

Section 4

5. Adoption Rights Alliance: www.adoptionrightsalliance.com
6. The Annual Reports from the Irish Adoption Board (since 01-11-2010 known as the Irish Adoption Authority) provide an approximate figure of 42,000 on legal adoptions within Ireland but excludes the 2,000 babies and children trafficked to the US from the 1950's to the 1970's and those illegally adopted within Ireland, estimated at a further 5,000 to 10,000. Annual Reports available here: <http://www.aai.gov.ie/index.php/publications.html>
7. Susan Lohan and Claire McGettrick were previously directors of AdoptionIreland, the Adopted People's Association, which was the forerunner of Adoption Rights Alliance. At the then Minister for Children – Brian Lenihan's invitation, AdoptionIreland took part in a detailed government consultation process in Oct 2003. Susan Lohan was subsequently appointed by Brian Lenihan to represent adopted people on a stakeholder advisory group at the Adoption Board.
8. Justice for Magdalenes: <http://www.magdalenelaundries.com>
9. Adoption Rights Alliance Search and Reunion Services: <http://www.adoptionrightsalliance.com/searchandreunion.htm>
10. Adoption Rights Alliance Complaints Service: <http://www.adoptionrightsalliance.com/complaints.htm>

Section 5

11. <http://www.irishstatutebook.ie/1952/en/act/pub/0025/index.html> The 1952 Adoption Act introduced legal adoption into Ireland but its measures related only to non-marital children as the Catholic hierarchy were concerned to avoid the children of unmarried catholic, parents being adopted into Protestant families. Previously, children of married and unmarried parents whose parents could not care for them due to poverty, were "boarded out" to families in an informal fostering system

12. Previous Adoption Acts: <http://www.aai.gov.ie/index.php/legislation/adoption-legislation.html>
13. Amendment to the Constitution:
<http://www.irishstatutebook.ie/1979/en/act/cam/0006/index.html>
14. It is worth noting that the first Adoption Information & Tracing Bill introduced to Dáil Éireann by Mary Hanafin (then Minister with responsibility for adoption) in 2001 attempted to criminalise adopted people who were in breach of a contact veto, a crime which was punishable by a year's imprisonment and/or a IR£5000 fine. After a successful campaign by our previous organisation, AdoptionIreland, the Bill was later shelved by Mary Hanafin's successor, Brian Lenihan, at the Adoption Legislation Consultation in October 2003, which (in spite of continued promises) resulted in no information legislation.
<http://www.dohc.ie/press/releases/2001/20010524.html>

Section 8.1

15. In Northern Ireland, once adopted people reach the age of 18 years they are entitled to access their birth certificates.
http://www.adviceguide.org.uk/index/your_family/family/birth_certificates.htm
16. Every person who is born in Ireland has his or her birth entered in the Register of Births, from which **birth certificates** are generated. Adopted people's births are registered in their original identity, however when they were adopted, they were entered into the **Adopted Children's Register** in their new adoptive identity. The document used by adopted people as a birth certificate in everyday life is in fact an "**Extract from the Adopted Children's Register**". The term "*original birth certificate*" is incorrect, because each person has only one birth certificate. In the case of illegal adoptions, the birth certificates were falsified and the adopted person was registered as the natural child of his/her adoptive parents.
17. Under the Adoption Act 2010, which ratified the Hague Convention for the Protection of Children in Intercountry Adoption, all adoption agencies were deregistered and required to reregister as "accredited bodies" as per the requirements of the Hague Convention. This process is still in progress, though some agencies have been successfully reregistered. Adoption Rights Alliance takes issue with the re-registration of one particular agency which was involved in illegal adoptions, namely St. Patrick's Guild Adoption Society.
18. Adoption Authority policy on releasing birth certificates:
<http://www.aai.gov.ie/index.php/information-a-tracing/faq.html>
19. In legislating for adoption the Irish state gave no consideration to the emotional effects of adoption on children [See *The Primal Wound* by Nancy Verrier] and adopted adults and legislated for a now discredited "closed and secret" adoption system.
20. Voluntary organisations like Adoption Rights Alliance have developed methods of (legally) circumventing the system; yet, despite this freely available information, the Adoption Authority and adoption agencies do not make adopted people aware of these tracing methods and continue the practice of obtaining permission from natural mothers prior to releasing birth certificates. Adoption Rights Alliance Tracing Handbooks:
<http://www.adoptionrightsalliance.com/searchandreunion.htm>

Section 8.2

21. See *The Primal Wound* by Nancy Verrier and any adoption publications from Betty Jean Lifton for information on the psychological and emotional impact of adoption.
Reading list: <http://www.adoptionrightsalliance.com/readinglist.htm>
22. Many unmarried mothers fled to the UK to have their babies in order to avoid incarceration in the religious run “Mother & Baby Homes”, whose regimes were particularly harsh on women and girls from impoverished backgrounds and from which the mothers were not allowed to leave with their babies – adoption being the sole option on offer. The UK social workers used the abbreviation “Pregnant from Ireland (PFI)” to identify such cases. The births of these children appear to have been recorded as normal in the UK Register of Births but the women were encouraged/coerced into returning to Ireland to put their children up for adoption so files are held in both jurisdictions.
23. See figures from the Irish Dept of Foreign Affairs reproduced in pages 199-203 in “Banished Babies” by Mike Millotte (New Island Books, 1997) and also the Irish State Broadcaster, RTE’s Prime Time Programme “The Secret Baby Trail”, 1996.

Section 8.3

24. Examples of complaints and issues with adoption agencies and the Adoption Authority available at: <http://www.adoptionrightsalliance.com/complaints.htm>
25. For example, in 2005, the Irish government launched the National Adoption Contact Preference Register (NACPR), which was never given statutory footing and thus has never been operated to full capacity, with adopted people and natural parents who have been matched being sent back to the same adoption agencies they are desperate to avoid dealing with.
National Adoption Contact Preference Register:
<http://www.aai.gov.ie/index.php/information-a-tracing/contact-preference-register.html>

Section 8.4

26. Examples of complaints and issues with adoption agencies and the Adoption Authority available at: <http://www.adoptionrightsalliance.com/complaints.htm>
27. See *Banished Babies* by Mike Millotte, 1997
28. While there are some measures in the 2010 Adoption Act concerning transparency in intercountry adoptions, from the perspective of those 42,000+ adopted under the 1952 Adoption Act, there is no legal obligation to ensure that the Adoption Authority and accredited bodies conduct themselves in a professional, transparent manner. Though the accredited bodies are *technically* accountable to the Adoption Authority, the Authority has never seized any adoption files as it has always had the power to do even under the original 1952 Adoption Act. In failing to legislate, the Irish State has left adopted people at the mercy of unregulated adoption agencies, which has resulted in much pain and suffering.

Section 8.5

29. Irish Examiner newspaper exposé on an illegal adoption from St. Patrick’s Guild Adoption Society: <http://www.irishexaminer.com/ireland/kfkfqlgbcwql/rss2/>
30. The Ryan Report is available at this link: <http://www.childabusecommission.ie/>

Section 8.6

31. Due to the secrecy surrounding Ireland's closed adoption system, a great number of children born to unmarried parents, were born in private nursing homes whose registers were not controlled by any central authority. Such homes also had a reputation for handling illegal adoptions, where children were not registered under their mother's names but were instead registered as the natural children of their adoptive parents so without the original registers, it is impossible to trace a child's origins.
32. Until the 1980s, registered adoption agencies were exclusively church backed agencies for whom adoption was a lucrative business. In addition to the capitation grants they received for every child in their "care" (see Chapter "An Act of Charity" from "Suffer the Little Children" by Mary Raftery and Eoin O'Sullivan – New island Books 1999), they also received thousands of donations from grateful adoptive parents. Where those parents hailed from the US, individual donations ran to the thousands and in the case of Irish adoptive parents, donations continued as regular annual payments.
33. Large numbers of Catholic churches, particularly those close to Mother and Baby Homes, hold baptismal records for children taken for adoption. These records are held in paper format, in unprotected parish offices and for many adopted people, these may be the sole records noting their original names and mother's details. Access to the records is controlled by local parish priests and their administrators – adopted people may not view the records and they cannot obtain copies of their baptismal certificates in their original identities. This results in the bizarre situation where adopted people wishing to marry in a catholic church have their maternal lineage looked at by unqualified church staff who report back to the priest carrying out the marriage ceremony whether or not they think the adopted person and his/her fiancé could be related. The same situation pertains to certain Church of Ireland churches but the numbers are not significant.
34. The Health Service Executive (successor to regional Health Boards) began to act as custodian of adoption files from circa the mid to late 80's as private adoption agencies ceased trading, due to a significant fall in mothers being forced to relinquish their children to adoption. The HSE is chronically understaffed and social workers spend most of their time on child protection and also ironically on assessing prospective adoptive parents for adoption of children from abroad. As they have no statutory obligation to handle adoption information and tracing cases, in some instances, a senior social worker may only spend a half day a fortnight on such cases. In one particular area there is no social worker with responsibility for adoption. Due to management inertia and lack of leadership on the part of the Adoption Authority, the same social workers also carry out the genealogical work for which they are completely unqualified. This not only results in waiting lists of up to 2.5 years duration <http://www.adoptionrightsalliance.com/waiting.htm> during which time the person being sought may die but also in the wrong person being identified or searchers being told that the trail ran cold.
35. From the outset of legal adoption, the Adoption Authority (known as the Adoption Board) acted as an adoption agency and brokered adoptions. Because of the lack of appropriate research and transparency at the Adoption Authority, few details are known about the circumstances surrounding these adoptions.

Section 8.8

36. National Archives of Ireland Census Online: <http://www.census.nationalarchives.ie/>

37. Who Do You Think You Are? <http://www.rte.ie/tv/whodoyouthinkyouare/>

Section 8.9

38. Adoption Authority Chairperson Geoffrey Shannon is the only person within the Authority to have taken a different stance on this, when he gave a personal commitment to deal with the issue of illegal adoptions during an interview with RTÉ's Prime Time in May 2010. Mr. Shannon repeated this commitment at the official launch of the Adoption Authority on November 1st, 2010.

This interview is available at the following link to our website:

<http://www.adoptionrightsalliance.com/mediaappearances.htm>

39. St. Rita's was a private nursing home at 68 Sandford Road, Ranelagh, Dublin, which was opened in 1947 by midwife Mary Keating. While some married women gave birth at St. Rita's, there were also quite a number of non-marital birth, which often resulted in illegal adoptions. In fact, in January 1965, Mary Keating was convicted of forging the official birth register - ie falsely registering adopted babies as the natural children of their adoptive parents. Incredibly, despite this conviction, Mary Keating never lost her licence and continued her (very profitable) business well into the 1970's. According to Mike Millotte's *Banished Babies*(1997), infants were secretly exported from St. Rita's to the US for adoption, however no exact figures are available as many of the adoptions were illegal and involved false birth registrations.

40. St. Patrick's Guild/Temple Hill

St. Patrick's Guild was founded in 1910 by Mary Cruice who originally wanted to provide a Catholic alternative to Protestant run fostering services in Dublin. Later however the Guild linked up with the Sisters of Charity and became an adoption society at the command of Archbishop McQuaid. St. Patrick's Guild did not run a mother and baby home, rather, babies were sent to St. Patrick's Infant Hospital at Temple Hill before being adopted. Mothers were not present at Temple Hill and St. Patrick's Guild have been very uncooperative in providing information about what conditions were like in the hospital, though we have a scanned copy of the feeding/vaccination records kept which was donated by an adopted person. These documents are available at the following link: <http://www.adoptionrightsalliance.com/spg.htm> There were also babies in Temple Hill that were adopted through agencies other than St. Patrick's Guild.

St. Patrick's Guild was involved in the secret export of 572 children to the US for adoption from the 1940's to the 1970's, which was more than any other adoption agency. Temple Hill closed in the 1980's and though St. Patrick's Guild no longer arranges adoptions, it is still operational for search queries and was recently granted the status of "accredited body" by the Adoption Authority despite it's involvement in illegal adoptions (both in the US and Ireland) being known to the Adoption Authority.

The Guild is notoriously secretive, it doesn't have a website and under taxation of Irish Charities, it does not have to publish accounts for public scrutiny.

For other citations, see:

- On St Patrick's Guild & trafficking of Irish Babies to the US:

<http://historical-debates.oireachtas.ie/D/0463/D.0463.199603140030.html>

- Foreign Adoptions and the Evolution of Irish Adoption Policy, 1945-1952 by MJ Maguire, *Journal of Social History*, Winter 2002

- On the early activities of St Patrick's Guild see The Irish Monthly (<http://www.jstor.org/action/showPublication?journalCode=irishmonthly>)
- Vol. 71, No. 843, Sep., 1943: <http://www.jstor.org/stable/i20515174>
- St. Patrick's Guild - published by The Irish Jesuit Province see www.jstor.org/pss/20515175

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41. The Commission to Inquire into Child Abuse (CICA): <http://www.childabusecommission.ie/>

Section 8.11

42. The Irish Ombudsman, Emily O'Reilly has been outspoken about her dissatisfaction that the Adoption Authority is not covered under Freedom of Information or the Ombudsman's Act: <http://www.ombudsman.gov.ie/en/AboutUs/FAQs/File,11102,en.pdf> , <http://new.breakingnews.ie/ireland/govt-accused-over-culture-of-secrecy-239803.html> and the following speech by Ombudsman Emily O'Reilly on 20th June 2006: <http://www.ombudsman.gov.ie/en/Speeches/Name,5272,en.htm>
43. Adoption Act 2010 Section 106 on the obligations of the Chief Executive Officer reads: *"(8) In the performance of his or her duties under this section, the chief executive officer shall not question or express an opinion on the merits of any policy of the Government or a Minister of the Government or on the merits of the objectives of such a policy"*. Source: <http://www.irishstatutebook.ie/2010/en/act/pub/0021/print.html#sec106>

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44. See the ISS Report on Vietnam: http://www.omc.gov.ie/viewdoc.asp?fn=/documents/legislation/ISS_Report_Adoption_from_Vietnam_Nov_2009.doc
45. Adoption Act 2010: <http://www.irishstatutebook.ie/2010/en/act/pub/0021/index.html>
46. Hague Convention: http://www.hcch.net/index_en.php?act=text.display&tid=45
47. In our opinion the act of ratifying Hague was watered down because under the legislation bilateral agreements have been allowed, merely requiring them to "have regard for" Hague, rather than being conducted "in accordance with" the Convention. The recent 2010 Adoption Bill discriminates even further against children adopted from abroad by making the register of such adoptions closed to public inspection so for the ill educated, impoverished natural mother from China, Vietnam, Russia etc who might actually make enquiries about her child, the doors to self-searching have already been cut off. We believe that this in breach of Article 21 on the UN Convention on the Rights of the Child.
48. Irish Times newspaper article regarding the Adoption Authority visit to the US to discuss adoptions from there: <http://www.irishtimes.com/newspaper/ireland/2011/0225/1224290840058.html>
49. Irish Times newspaper article on long term fostering: <http://www.irishtimes.com/newspaper/ireland/2010/1108/1224282866015.html>

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50. See www.magdalenelaundries.com and IHRC Assessment of Magdalen Laundries <http://www.ihrc.ie/publications/list/ihrc-assessment-of-magdalen-laundries-nov-2010/>
51. See *The Light in the Window* by June Goulding for an account of the activities of one mother and baby home in Co. Cork. The women were treated like pariahs, with the nuns assuming control of their lives once they entered the home. Usually the women would be forced to stay in the home for three years, unless they could pay the huge sum of IR£100 to leave. During their time in the home, these women were treated cruelly, denied adequate medical care or pain relief while giving birth. The women were also forced to carry out tough manual labour, whether they were pregnant or not. After their time was up (sometimes before) their babies were taken from them and sent for adoption, sometimes to America.
52. We have received reports from natural mothers who spent time in Mother and Baby Homes who were forced to carry out various jobs, including the packing of greeting cards for the birth of new babies. The nuns had no regard for the fact that the women and girls may have been grieving for the loss of their babies.

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53. For further information on issues with anonymous donor conception see: <http://www.tangledwebs.org.uk/tw/WhyWrong/Problems/>