

# **Incorrect Registrations**

## **Analysis of Adoption Records**

### **Terms of Reference**

#### **Introduction**

The Minister for Children and Youth Affairs has directed that an analysis of adoption records should be carried out to see if the extent of incorrect registrations of births can be established, in the first instance from an initial exercise that will be overseen independently by Marion Reynolds, a former Deputy Director of Social Services in Northern Ireland.

#### **Background**

Tusla, the Child and Family Agency has identified documentary evidence of a number of incorrect registrations of births from the records of St Patrick's Guild, a former adoption agency, between the years 1946 and 1969. Identification was possible because of a marker placed on some files specifying *adopted from birth*. While the practice of incorrect registrations has been extremely difficult to prove in most instances, because of the deliberate failure of those involved to record any information about it, the label in SPG records has made it possible to identify possible cases and to pursue them further.

There is therefore an opportunity to pursue a definite line of enquiry that has not presented itself up to now.

#### **Further investigation**

In light of this information, the Minister wishes to investigate whether there is sufficient reliable evidence of the practice that could be extracted from the records of other adoption agencies. Accordingly, she has appointed Ms. Reynolds to oversee an initial analysis of a sample of other records. A sampling exercise is planned in the first instance because of the huge volume of files involved. It is estimated, for example, that Tusla has some 70,000 records from former adoption societies, and that the Adoption Authority of Ireland has 30,000 relevant records. In addition, a wide range of existing and former adoption agencies hold about another 50,000 records.

Clearly it would be a huge task to carry out a detailed examination of some 150,000 records dating back to the 1900s, so a targeted sampling exercise of the records in the possession of Tusla and AAI is prudent in the first instance at least. The sampling exercise will provide information to assist the Minister reach a decision about what, if any, subsequent action might be established to identify more fully the scale of incorrect birth registrations.

The initial process will:

- (i) sample a set of records to be defined in an agreed methodology, to ascertain whether clear evidence of incorrect registrations might be identified;
- (ii) build an overall picture of the extent to which incorrect registrations have occurred, by time period;
- (iii) form a conclusion as to whether a more detailed analysis has the potential to yield clear information, e.g. the existence of key identifiers or markers that signal potential incorrect registrations; and
- (iv) make recommendations to the Minister on what further form of investigation or analysis, if any, would be appropriate, having regard to the extent of usable information emerging from the initial sampling process.

### **Role of Independent Reviewer**

Ms Marion Reynolds, Independent Reviewer will oversee and quality assure the sampling process, and will report to the Minister for Children and Youth Affairs. Her work will include:

- (i) agreeing a written sampling methodology for the process with Tusla and the Adoption Authority of Ireland;
- (ii) liaising with Tusla and the Adoption Authority throughout the process to satisfy herself that the sampling and review of records have been carried out appropriately and that the results of the analysis are accurate;
- (iii) ensuring that timescales for the process are adhered to and apprising the Minister of any potential slippage and the reason for same;
- (iv) preparing a report for the Minister for Children and Youth Affairs setting out the results of the analysis and the conclusions that may be drawn from it; and
- (v) making recommendations to the Minister on the most appropriate next steps. These may include, having regard to the information identified from the sampling process the need for: further more detailed analysis of records; an expansion of the number and types of records to be analysed; or such other steps as the Independent Reviewer considers appropriate in order to establish the potential to determine the extent of incorrect registrations.

The Independent Reviewer will use a project management approach in which she will hold regular meetings with nominated representatives of Tusla and the Adoption Authority to review progress, agree deadlines for each aspect of the work, and make decisions about individual issues as they arise.

The Independent Reviewer will report to the Minister for Children and Youth Affairs within four months of a sampling methodology being established. She may present an interim

report or other communication to the Minister if she considers this appropriate at any stage of her work.

Dr Geoffrey Shannon, Chair, AAI will lead the work on this matter within AAI and Mr Cormac Quinlan, Director of Transformation and Policy will lead the work within Tusla.

**Department of Children and Youth Affairs**

**1 June 2018**