

Redress for Victims of Institutionalised Abuse

Under international law, victims and survivors of human rights violations have a right to effective remedy and redress, which includes restitution, compensation, rehabilitation, the right to truth, and guarantees of non-repetition. While the rights violations which occurred in Mother and Baby Homes, Magdalene Laundries, educational, residential, and medical institutions (with the practice of symphysiotomy during childbirth) may have been perpetrated in the past, the State's inadequate response has prolonged and inflicted further violations on women's rights, subjecting them to further trauma through re-victimisation. For many survivors the abuse is not 'historical' but an ongoing violation which impacts their present-day rights. The State's approach to date has failed to provide adequate remedies and requires fundamental reform to ensure justice and human rights compliant redress.



Key Issues

- > Ongoing lack of State recognition of historical human rights violations, including forced family separation in Mother and Baby Homes and the degrading treatment and gender-based discrimination of women and girls in the Magdalene laundries.
- > Persistent shortcomings in investigations into these abuses.
- > Arbitrary barriers to access redress schemes (e.g. length-of-stay requirements in the Mother and Baby Home compensation scheme).
- > Lack of meaningful inclusion of survivors in redress mechanisms.
- > Failure to fully implement the *O'Keeffe v. Ireland* (2014) judgment of the European Court of Human Rights, in which it was established that the State had partial responsibility for the protection of a victim of sexual abuse that occurred in a day-school setting





What actions are required by the State?

The CEDAW Committee and IHREC have made recommendations with actions that the State needs to take. The State is required to report on CEDAW Priority recommendations by mid-2027.



CEDAW recommendations

- › **Priority recommendation:** Remove arbitrary barriers to redress for survivors of historic abuse in mother-and-baby institutions, the Magdalene laundries and other residential institutions, and fully implement prior judgments, particularly *O'Keeffe v. Ireland*, ensuring meaningful redress for all survivors.
- › Mandatory, gender-sensitive, survivor-centred and intersectional training for all personnel involved in investigations and redress processes.
- › Meaningfully involve survivors in redress mechanisms, for example the National Centre for Research and Remembrance.



IHREC recommendations

- › Reform of the State's approach to redress to ensure independent, survivor-centred investigations and accessible and effective remedies for all survivors, avoiding secondary victimisation.
- › Urgently amend the Mother and Baby Institutions Payment Scheme to remove arbitrary barriers, such as length of stay requirements.
- › Implement the O'Keeffe judgment, and establish a comprehensive, non-discriminatory redress scheme for survivors of child sexual abuse in schools.

