Twitter Thread by Eilionóir Flynn

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Some initial thoughts on the disability discrimination section of the Mother and Baby Homes Commission Report. First, more work is needed to seek out & respect the views of disabled people themselves, and especially those who experienced these settings firsthand.

The report does not focus in depth on many settings in which disabled people were detained (e.g. psychiatric hospitals, residential disability institutions), so it's clearly not a full picture of the human rights violations experienced by disabled people on this issue.

The report shows the flow of disabled people between mother and baby homes, psychiatric hospitals, county homes, Magdalene laundries & specialist disability services. This deserves more attention - who was responsible for admission/discharge decisions? What criteria did they use?

On the issue of consent of disabled mothers to place their children for adoption – the report shows that often, where disabled mothers made the 'right', socially acceptable choice; that is, to place the child for adoption, then they were often deemed to have capacity to decide.

When disabled mothers resisted the adoption of their children, and were perceived to be making the 'wrong' decision, many were found to lack capacity to decide. Critical analysis of the subjective, value-laden nature of these capacity assessments is missing from the report.

The report shows evidence of blanket approaches to capacity assessment – in some cases the mere diagnosis of intellectual disability was sufficient proof that the mother would not be able to understand all of the implications of adoption.

Understanding 'all of the implications' of the decision didn't seem to be considered as carefully where disabled mothers were consenting to adoption, rather than resisting it.

As with non-disabled survivors, the report contains plenty of evidence that many disabled mothers wanted to keep their children, and little to no evidence of any support from the state or voluntary services funded by the state, which would have enabled them to do this.

The report echoes existing research on disability, that parents of disabled children were often advised to place their child in an institutional setting, because that was ‘the best place for them’.

We know families were often told that keeping a disabled child at home would only damage the parents’ relationship & impact negatively on any siblings. It would have taken extraordinary courage for a family to reject this narrative – even though, against the odds, some did.

Overall, I’m not convinced that the Commission’s research process and the publication of its findings, including the opportunity to make submissions, has been particularly accessible for disabled survivors.

I'm not sure if disabled survivors who would have required more support to make a submission (e.g. sign language interpretation, or other communication assistance) were assisted to do so. This needs to be formally acknowledged and rectified in any future processes.