

SAI GROUP MEETING – 18/08/2026 – BVH – Garden Room

Staffed By: Adrienne, Philip, Janet, Aisling, Roisin, Laura, Diarmuid, ILS Interpreter.

Attended by: 19 in person, 9 attendees on Zoom and 7 requested updates.

Key Takeaways

1. The meeting presented Lorcan Staines' scoping exercise report, which recommends a Commission of Investigation into Michael Shine, structured across six concurrent phases.
2. The six phases cover: (1) Garda/DPP document review, (2) Medical Council response, (3) retirement pension circumstances, (4) current patient protection, (5) truth and recovery process, and (6) formal statutory investigation.
3. All six phases are recommended to run simultaneously to maximise efficiency.
4. The truth and recovery process (Phase 5) was highlighted as something that should begin immediately.
5. No firm date has been set for the Commission, but government eagerness to proceed quickly was noted.
6. TG4 has agreed to produce a two-part documentary about the case, with filming planned through December.
7. Victims and survivors are to be involved at every step of the process, including drafting terms of reference and recommending the Commission chair.

Discussed Topics

Purpose and Confidentiality of the Meeting

Meeting opened by reminding attendees of confidentiality obligations and the requirement to have signed the guidelines documents. The meeting was held both in-person and via Zoom.

- *Details*
 - All attendees must have signed the guidelines documents; unsigned participants should speak to Aisling at the back of the room.
 - The meeting is confidential — anything said in the room should remain in the room to allow people to speak freely in a safe environment.
- **Conclusion**

Confidentiality protocols were confirmed and the meeting proceeded on that basis.

Overview of Lorcan Staines' Scoping Exercise Report

Adrienne Reilly summarised the purpose and key findings of the scoping report prepared by Lorcan Staines, which was commissioned to examine the background to issues surrounding Michael Shine and advise the government on the most appropriate framework for a state response.

- *Details*
 - The report had two related tasks — to explain the background to issues surrounding Michael Shine, and to advise the government on the most appropriate framework for any further state response.
 - Lorcan found that issues raised by victims and survivors have not been sufficiently addressed, and that there is a basis for further investigation given the number of complainants and the significance of unexamined issues.
 - Due to the passage of time, the response should be bespoke, tailored, and deal with specific issues — leading to the recommendation of six phases under the Commission of Investigation Act.
 - All six phases should run concurrently, not sequentially, to ensure time efficiency.
- **Conclusion**

The scoping report recommends a Commission of Investigation structured across six simultaneous phases.

Phase 1: Garda and DPP Document Review

A document-based review into the history of complaints made to the Gardaí and submissions to the DPP.

- *Details*
 - This phase is fact-finding in nature and will have compellability powers, allowing the Commission to require the Gardaí and DPP to hand over documents.
 - It will set out the full prosecution history and produce a report in accessible language.
 - The purpose is to explain to victims, survivors, and the public why so few allegations against Shine resulted in prosecution or conviction.
- **Conclusion**

Phase 1 will address the significant issue of why so few complaints led to prosecution or conviction.

Phase 2: Medical Council Response

An examination of the Medical Council's response to complaints against Michael Shine, including the delay in striking him off the medical register until 2008.

- *Details*
 - This phase is fact-finding and will examine the Medical Council's internal appeals processes and the context in which they were operating.
 - The Medical Council was one of the few organisations to provide substantive information to Lorcan; most others provided nothing or very little, and only at the last minute.
 - The Medical Council issued a strong statement welcoming the report, paying tribute to victims for persisting, and committing fully to engaging with a Commission of Investigation. They also called on every other institution to do the same.
- **Conclusion**

Phase 2 will explain the delay in removing Shine from the medical register, and the Medical Council's cooperative stance was noted positively.

Phase 3: Retirement Pension

A document-based review into the circumstances in which Michael Shine was allowed to retire on a full pension.

- *Details*
 - This phase will examine the legal and contractual consequences of his retirement, the first complaint made in 1995, and the decisions made around paying the pension.
 - It will address why the disciplinary route was not pursued and whether the hospital could lawfully have prevented him from receiving the pension.
 - A report in plain and accessible language will be produced.
- **Conclusion**

Phase 3 will provide victims and the public with an explanation as to why Shine retired on a full pension without facing disciplinary action.

Phase 4: Current Patient Protection

An examination of Ireland's current safeguarding systems to assess whether they are adequate to protect children and adults from abuse.

- *Details*
 - Oral evidence will be taken from Irish and international experts on patient protection against sexual abuse, as well as from HSE and Department of Health staff.
 - The phase will have the power to compel documents.
 - Several victims and survivors have expressed a desire to ensure this never happens again and indicated that Janet would be a key evidence expert given her experience in this area.
- **Conclusion**

Phase 4 will assess the adequacy of Ireland's current safeguarding framework for protecting children and adults.

Phase 5: Truth and Recovery Process

A non-statutory, victim-centred process allowing victims and survivors to provide testimony about what happened to them and its impact.

- *Details*
 - This is a non-statutory process; participants will not be cross-examined.
 - Testimony can be recorded by hand or by video and can be anonymous if desired.
 - All testimony to be preserved as part of the National Record. E.g. it could be deposited in the National Archives and become part of the permanent national record, ensuring what Michael Shine did can never be denied.
 - Trauma-informed support will be provided throughout.
 - Phil Scraton described this as "accumulated truth" — the jigsaw that puts the whole picture together.
 - Lorcan strongly recommends this phase begin immediately, as the numbering is sequential only for reference purposes.
- **Conclusion**

Phase 5 should start immediately and will create a permanent, irrefutable historical record of what Michael Shine did.

Phase 6: Formal Statutory Investigation

The formal statutory investigation under the Commission of Investigations Act, examining institutional and systemic failures across all relevant bodies.

- *Details*
 - This phase will hold public and private hearings, compel witnesses to attend, require publication of documents, take evidence under oath, and make findings of fact.
 - Bodies to be examined include the Medical Missionary of Mary's, hospital authorities, the Northeastern Health Board, the Gardaí, the Department of Health, and any other relevant bodies.
 - The central question is who knew what, when, from what source; what, if anything, was done; whether concerns ought reasonably to have been identified sooner; whether there were missed opportunities for intervention; and whether systems of reporting, escalation, and protection operated as they should have.
 - The phase will have compellability powers to obtain all surviving records.
 - Challenges include the passage of time, death of witnesses, and loss or destruction of material, but these are not reasons to delay — they are reasons to proceed immediately.
 - This phase will be the longest and will address wider institutional and systemic questions that the criminal process could not resolve.
- **Conclusion**

Phase 6 is the core statutory investigation and will seek to answer how so many young boys and men were abused for decades without institutional intervention.

Smith Review Publication Timing

Discussion of Lorcan's recommendation regarding the timing of publication of the Smith Review report.

- *Details*
 - Lorcan recommends the Smith Review report should not be published until after the Commission of Investigation concludes, as he fears early publication could deter people from coming forward to the inquiry.
 - If the Commission does not proceed, or if its recommendations are not implemented, Lorcan has said he would revisit this position.
 - A participant raised the issue of transcripts held by Smith, noting that upon his death, those transcripts could potentially enter the public domain through his estate.
 - This specific issue was not addressed in the scoping report but could be raised as part of the Commission of Investigation process.

- **Conclusion**

Publication of the Smith Review report is recommended to be deferred until after the Commission concludes; the question of the transcripts remains a separate matter to be addressed by the Commission.

Timeline and Next Steps for the Commission of Investigation

Discussion of when the Commission of Investigation might formally begin and what steps are needed to get it underway.

- *Details*
 - No firm date has been set, but the government has expressed eagerness to proceed immediately.
 - The report was published on the last day before the Dáil recess, meaning no formal action could be taken for approximately two months.
 - In the interim, work has begun on identifying potential candidates for the role of chair/chief commissioner.
 - A letter will be sent to the Attorney General and the Minister to begin consultation on the terms of reference.
 - The goal is to have a solid timeline, including the identity of the chair and commissioners and an anticipated start date, by the end of the year, with the Commission expected to begin in 2027.
 - Noted this is a new model with no established process, and speed bumps should be anticipated.
 - The government's written commitment to move at speed will be used to hold them accountable.

- **Conclusion**

The aim is to have clarity on the Commission's structure and timeline by the end of the year, with a start anticipated in 2027.

Selection of Commission Chair and Commissioners

Discussion of who should chair the Commission and what commissioners should be involved.

- *Details*
 - The government has asked for recommendations from the victims' group on who should chair the Commission.
 - Concerns were raised about ensuring the chair is independent of the state and not a "state man or state woman."
 - Phil Scraton (who worked on the Hillsborough inquiry and the Mother and Baby Homes panel in the North) was proposed as a potential

commissioner due to his international expertise and valued contribution to the scoping exercise.

- Maeve Lewis was also noted as having been very useful during the scoping process.
- The group was asked to consider whether Lorcan Staines should be proposed as chair or commissioner, noting a potential perceived conflict of interest given his prior meetings with 75 victims, though it was noted that independence is required from the state, not necessarily from victims and survivors.
- No decision will be proposed to the government without prior consultation with victims and survivors.

- **Conclusion**

Recommendations for the chair and commissioners are being developed; victims will be consulted before any proposal is made to the government.

Compellability Powers and Document Retrieval

Discussion of the legal powers available to the Commission to obtain documents and compel witnesses.

- *Details*

- The Commission will have compellability powers over both people and documents; failure to comply is a criminal offence.
- Requests for documents will be wide-ranging, covering anything deemed relevant to the Commission.
- Acknowledged that institutions may attempt to swamp the Commission with documents, making it difficult to identify the most relevant ones.
- A participant raised the issue of missing medical records — records from the hospital, Department of Health, and their GP could not be found, despite the Gardaí having confirmed the existence of two separate records.
- Noted that a Commission chair will have significantly more sway in obtaining records than an individual making a Freedom of Information request.
- Specific discovery orders can be sought for individual documents, and the absence of corroborating records in the context of other existing records raises serious questions.
- It was acknowledged that records may have been destroyed or misfiled, and that this cannot always be proven.

- **Conclusion**

The Commission's compellability powers represent a significant improvement over individual FOI requests; missing records will be a key issue for the Commission to investigate.

Impact of Michael Shine's Death on the Commission

A participant asked whether Michael Shine's death would affect the Commission of Investigation process.

- *Details*
 - His death would make no material difference to the Commission.
 - The Commission does not need Shine's evidence; the focus is on the evidence around him and the institutional failures that allowed the abuse to continue.
 - Reference was made to the Bill Kenneally inquiry, where Kenneally's evidence was damaging to victims as he downplayed the abuse.
 - The central purpose is to understand systemic and institutional failure, not to hear from Shine himself.
- **Conclusion**

Michael Shine's death would not materially affect the Commission; the investigation is focused on institutional and systemic failures, not on Shine as an individual.

Possibility of Criminal Convictions for Enablers

A participant asked whether individuals who turned a blind eye or enabled the abuse could face criminal conviction as a result of the Commission's findings.

- *Details*
 - There is a possibility that evidence of criminal conduct by enablers could emerge, but the passage of time makes achieving a conviction beyond reasonable doubt very difficult.
 - Reference was made to the Stardust fire investigation and Soldier F from Bloody Sunday as examples where the passage of time and gaps in evidence made convictions unlikely or counterproductive.
 - Cautioned that pursuing criminal convictions in such circumstances can backfire, potentially resulting in acquittals that are perceived as victories for the accused.
 - The conclusion was that while criminal convictions are a possibility, they should not be relied upon as a probable outcome.
- **Conclusion**

Criminal convictions for enablers are possible but not probable given the passage of time; the Commission's primary value lies in establishing truth and accountability rather than securing criminal convictions.

Medical Records Retention and Legal Obligations

A participant asked how long hospitals are legally required to retain medical records.

- *Details*
 - For adult patients, records must be retained for 7–8 years after the last appointment or contact; for children, records must be retained until 18 years after the patient turns 18.
 - In practice, many hospitals retain records for longer, and substantial records have been obtained under FOI going back many decades.
 - A participant noted that despite requests to the hospital, Department of Health, and their GP, no records could be found — a situation described as not adding up.
 - It was noted that human error in filing can result in records being misplaced, and that a Commission of Investigation would have the ability to search more comprehensively.
- **Conclusion**

Legal retention periods have likely passed for many records, but hospitals often retain records longer in practice; the Commission will have greater power to locate and compel production of surviving records.

TG4 Documentary

An announcement was made regarding a two-part documentary to be produced by TG4 about the Michael Shine case.

- *Details*
 - Producer Aoife Stokes and Journalist Saoirse McGarrigle approached TG4, who agreed as of the previous Friday to produce a two-part documentary.
 - Filming is planned through December, with editing in the new year and broadcast anticipated in the following year.
 - Victims and survivors are invited to participate publicly, anonymously, or simply to attend an information meeting about the documentary without committing to being recorded.
 - Irish speakers are particularly welcome, though subtitles can be used for non-Irish speakers.
 - The documentary is seen as a way to keep the issue live and to hold the Minister accountable to her commitments.
 - A participant expressed willingness to be involved in the documentary.
- **Conclusion**

TG4 will produce a two-part documentary; victims and survivors are encouraged to contact the office to be connected with the producer.

Victim Involvement and Power Shift

Reflection on the progress made over the past two years and the shift in power toward victims and survivors.

- *Details*
 - Noted that nearly two years had passed since the first meeting with victims, and that the current position — with a scoping report recommending a Commission of Investigation — represents a significant achievement.
 - Described this model as better than previous inquiry models, in which victims sometimes ended up in a worse position, were not believed, or were heavily cross-examined.
 - Protections now in place are the result of work by Dignity4Patients to ensure victims are heard and listened to.
 - The power has shifted from the government to victims, with the recommendations now requiring victim involvement at every step.
 - Acknowledged the natural and healthy scepticism in the room, noting it keeps everyone — including the legal team — accountable.
 - Emphasised that the government must be kept on a tight rein, as without constant pressure they may revert to previous form.
- **Conclusion**

Significant progress has been made; victim involvement is now embedded in the process, but ongoing vigilance is essential to ensure the government follows through.

Action Items

- Send a letter to the Attorney General and the Minister to initiate consultation on the terms of reference for the Commission of Investigation.
- Begin identifying and recommending candidates for the role of Commission chair/chief commissioner.
- Meet with the core campaign group to review and refine the proposed terms of reference before submission to the Attorney General.
- Consult with all victims and survivors before making any recommendations to the government regarding the chair or commissioners.
- Seek feedback from victims and survivors on whether Lorcan Staines should be proposed as chair or commissioner.
- Aim to have a confirmed timeline, chair, and commissioners in place by the end of the year, with the Commission expected to begin in 2027.
- Explore and advocate for a budget to cover travel and attendance costs for victims and survivors coming from abroad.
- Arrange individual meetings with victims and survivors, in addition to group meetings, to ensure individual representation.

Janet

- Re-apply for the medical records of the participant whose records could not be located by the hospital, Department of Health, or GP.

Office Staff

- Organise an information meeting with the documentary producer for interested victims and survivors within the coming weeks.
- Provide victims and survivors with the contact details of documentary producer (Aoife Stokes) for those wishing to participate in or attend an information meeting about the TG4 documentary.
- Circulate the meeting notes and PowerPoint slides, add them to website,

All Victims and Survivors

- Consider and provide feedback on whether Lorcan Staines should be proposed as chair or commissioner of the Commission of Investigation.
- Contact the office if interested in participating in or attending the TG4 documentary information meeting.