

No basis to publish Brandon report in full

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The Attorney General has advised that there is no basis to publish the full report into the sexual abuse of intellectually disabled residents at a Health Service Executive-run facility.

The Executive Summary of the report by the National Independent Review Panel was published by the HSE in December.

It found a resident, given the pseudonym Brandon, carried out sexual assaults on other residents at the facility in Stranorlar, Co Donegal, between 2003 and 2016.

It said a lack of external management oversight and leadership from the HSE allowed the situation to worsen.

The full report was not published, according to the Health Service Executive CEO Paul Reid, to protect people who gave confidential information and due to other disciplinary processes.

However, Opposition TDs have pressed for a full publication of the report.

Tánaiste Leo Varadkar, who said he was "horrified" by the report, told the Dáil last month that Minister of State for Disability Anne Rabbitte had sought advice from the Attorney General as to whether she could publish the Brandon Report either fully or in redacted form.

The advice from Attorney General Paul Gallagher is that its publication would be contrary to the undertakings provided to the family members who participated in the review process. He also advised that publication could potentially prejudice any HR disciplinary actions that may be taken in respect of the issues raised in the report.

On that basis, the advice says redaction does not arise as publication is not permitted.

Ms Rabbitte has said she will be monitoring the HSE's ongoing work closely to ensure failures highlighted in the Brandon report are addressed.

She added that she respected the advice of the Attorney General regarding his decision.

While the minister noted that she had always been "very open" about her "hope" in publishing the full report; she acknowledged that this was not possible.

Ms Rabbitte said she had "learned a lot" about the National Independent Review Panel process used by the HSE to investigate the failures and this would inform her of "any such matters into the future should they arise".

She added that she is engaging with the HSE and the Department of Health on the issues raised in the report and its recommendations.

"I will be monitoring the HSE's ongoing work closely to ensure they address the failures highlighted in the report and that they progress the actions they committed to, thus ensuring families and service users can have confidence in their services, and that such failures do not reoccur," Ms Rabbitte said.

In 2017, the National Independent Review Panel was established by the HSE to review "the most serious incident's within the HSE and HSE funded disability services".

Evidence reviewed by the National Independent Review Panel of serious incidents at the HSE-run facilities in Co Donegal showed abuse occurred with the full knowledge of staff and management of the facility at the time.

The executive summary said staff "experienced powerlessness" because they regularly reported incidents up the line in the expectation that something would change, but this did not happen.

Asked if he could provide assurance such incidents were not happening in other HSE-run facilities, Mr Reid said the HSE had introduced "dedicated safeguarding resources and procedures".

Independent TD Thomas Pringle has disputed the advice by the Attorney General not to publish the Brandon Report in full.

The Donegal TD said it was not his experience that the families of those affected did not want the report published in its entirety.

Mr Pringle stated that he did not think it was the experience of the Minister of State for Disabilities either.

The AG has advised that the full publication of the report would be contrary to the undertakings provided to the family members who participated in the review process.

In light of further HIQA reports on disability services, Mr Pringle has said families are more adamant that the report be published in full.

If you have been affected by any of the issues raised in this article, you can contact Dignity4Patients, whose helpline is open Monday to Thursday 10am to 4pm.