



Distinct Magdalene Redress Scheme

In July 2009 Justice for Magdalenes proposed the establishment of a distinct Redress Scheme rather than an incorporation of Magdalene survivors under the terms of the Residential Institutions Redress Act, 2002.

The Minister for Education, Mr. Batt O'Keeffe, T.D., rejected the JFM proposal.

Cherishing *all* Children in Magdalene Laundries

JFM asserts that the State had an obligation to provide for and protect all children in Magdalene laundries from institutional child abuse.

The means by which a child ended up in a laundry—whether she was abandoned by a family member or transferred from an industrial school—is immaterial as this did not obviate the State's constitutional obligation to protect her. That surely is what is meant by: "cherishing all of the children of the nation equally."

We therefore assert that:

- The State is constitutionally obliged to ensure that children receive a "certain minimum education" (Art. 42, sec. 3, sub. 2).
- The State is constitutionally obliged to "supply the place of the parents" in cases where parents "fail in their duty towards their children" (Art. 42, sec. 5).

"Employees," "Workers," ... "Slaves"?

The Minister for Education initially characterised survivors as "former employees of the Magdalen Laundries." He apologised and substituted the word "workers." Survivors characterize themselves as "slaves." They did not choose their labour. If the women were "workers," then the State had a responsibility to ensure that the laundries themselves complied with the Factories Acts and Companies Acts, in terms of safe work practices, fair pay, regular work days, the right of free association, etc. If these women were "workers," can the Revenue Commissioners produce records of their PAYE and PRSI withholdings?

We therefore assert that:

- The State is constitutionally obliged to "ensure that the strength and health of *workers*... and the tender age of *children* shall not be abused and that citizens shall not be forced by economic necessity to enter avocation unsuited to their sex, age or strength" (Article 45, sec. 4, sub. 2).

The State's Complicity and Collusion

The Minister for Education asserts that the State "did not refer individuals, nor was it complicit in referring individuals to the Magdalene Laundries."

JFM asserts that this simply is not the case. Evidence in the national archives supports our claims:

- (i) The Department of Local Government and Public Health Annual Report, 1932-33 details the State's reliance on Magdalene laundries to serve women who gave birth to more than one child outside of marriage. The Report acknowledges that "The Magdalen Asylum offers the only special provision at present for this class."
- (ii) The State's judicial system routinely referred women to Magdalene laundries, and other "Religious Homes," from the 1920s to the mid-1960s.

The State knew, as early as the Cussen Report in 1936, that there was no "Statutory Basis" for this arrangement. The State never informed the women in the laundries of this fact.

The Department of Justice introduced the Criminal Justice (female offenders) Bill, 1942 to provide legal sanction to this arrangement. A department memorandum refers to the Judges' use of these institutions as "a makeshift practice and there are no positive means of compelling the offender to remain in the convent, if at any time she chooses to leave." Again, the Department chose not to defend the women's constitutional freedoms. The practice continued until the 1960s.

- The Central Criminal Court case files in the National Archives include committal orders from the courts detailing these referrals.
- Some files include correspondence between Judges and convent Mother Superiors outlining the terms of incarceration.
- Court probation officers escorted the women to the laundries. There is no record of the Probation Officers checking to ensure the women were ever released.

- (iii) The Criminal Justice Act, 1960 provided for the use of the Sean McDermot Magdalene laundry as a Remand Home. The Department of Finance agreed to pay capitation grants for every woman so-referred to the institution. The Sean McDermot Street laundry was never licensed, inspected, or came under State regulation. The State placed *innocent* women beyond direct State protection.

Justice for Magdalenes contends that the State is morally obliged to apologize for its role in facilitating and silently condoning the abuse of generations of Irish women and children in Magdalene Laundries and that the State is morally obliged to introduce legislation for a distinct redress scheme for Survivors.

Select Coverage of Magdalene Issues in the Media

NEWSPAPER ARTICLES:

Kevin Cullen, *Boston Globe*, 10/19/09. "Airing the Laundry."

http://www.boston.com/news/local/massachusetts/articles/2009/10/19/airing_the_laundry/

Frieda Klotz, *Irish Voice*, NY, 10/15/09. "Irish-American activists pressure Irish government over Magdalene Laundries." 10/15/09

<http://www.irishcentral.com/news/Irish-American-activists-pressure-government-over-Laundries--64420237.html>

Patsy McGarry, *Irish Times*, 09/29/09. Minister's Apology

<http://www.irishtimes.com/newspaper/ireland/2009/0929/1224255438482.html>

Fintan O'Toole, *Irish Times*, 9/29/09 "State bullies the weak but panders to the powerful."

<http://www.irishtimes.com/newspaper/opinion/2009/0929/1224255442689.html>

Patsy McGarry, *Irish Times*, 9/28/09. Distinct Redres Scheme.
<http://www.irishtimes.com/newspaper/ireland/2009/0928/1224255367771.html>

Patsy McGarry, *Irish Times*, 9/19/09. Minister's use of term "employees."
<http://www.irishtimes.com/newspaper/ireland/2009/0919/1224254861930.html>

Patsy McGarry, *Irish Times*, 9/18/09. Minister Rejects Redress Scheme.
<http://www.irishtimes.com/newspaper/ireland/2009/0918/1224254799965.html>

RADIO APPEARANCES:

James M. Smith, George Hook show on Newstalk FM. 10/19/2009.

James M. Smith, Joe Duffy's Liveline show, RTE. 9/29/09

Claire McCetrick, JFM PRO spoke on 4FM. 9/29/09

Mari Steed and ten Magdalene Survivors, spoke on Joe Duffy's Liveline show, RTE. 9/28/09

James M. Smith was interviewed on Mary Wilson's Drivetime show, RTE, 9/28/09

Letters to the Editor

Irish Independent: 10/03/09, 09/23/09

Irish Examiner: 09/28/09

Irish Times: 09/29/09, 09/23/09, 09/22/09

Press Releases

Justice for Magdalenes has issued a number of Press Releases in the last few months, and these are available on our website: http://www.magdalenelaundries.com/press_releases.htm

Calling all survivors and families!

Justice for Magdalenes would like to begin hosting support meetings. We need your input – ideas for locations (in Ireland, the UK, US and Canada), to spread the word, etc. Let us know if you're interested in attending a support meeting by e-mail to info@magdalenelaundries.com, or by phone:

In Ireland: (353) 86 4059491

In the US: (1) 215-589-9329

In the UK: (44) 208-346-7479

Distribute this newsletter to anyone you know affected by the Magdalene Laundries. We would also like to begin collecting oral histories of survivors, so if you know someone willing to share their story, please let us know.