

PRESS RELEASE 14 October 2011

JFM submits Restorative Justice & Reparations Scheme for Magdalene Survivors to Ministers Shatter and Lynch

Justice for Magdalenes (JFM), the survivor advocacy group, has submitted a revised “Restorative Justice & Reparations Scheme for Magdalene Laundry Survivors” to Minister for Justice Alan Shatter and Minister for Disability, Equality and Mental Health, Kathleen Lynch. “The submission is part of an ongoing consultative process initiated by both Ministers which JFM hopes will inform the State’s actions as the ongoing government investigation moves forward”, said Dr. Katherine O’Donnell, Women’s Studies, School of Social Justice, UCD and JFM Advisory Committee member.

JFM’s proposed Restorative Justice and Reparations Scheme contains four main elements: (1) a state apology, (2) a dedicated unit within the Department of Justice for survivors of Magdalene Laundries, (3) a Commission for Financial Reparation (involving a conditional extension of the Residential Institutions Redress Board), and (4) preservation of the historical record.

After the issuance of a state apology, the “Dedicated Unit” should function as an inter-departmental hub to facilitate access to all state social services and financial entitlements due to surviving women and their families. These entitlements include pensions and lost wages for the duration of time spent in these institutions, calculated at the rate of the average industrial weekly wage for 2011.

The “Commission for Financial Reparation” is proposed as the most time efficient and cost effective response to the Irish Human Rights Commission’s and UN Committee against Torture’s recommendations that the State ensure redress, while at the same time prioritising survivors’ wellbeing. Consequently, it is proposed that the Residential Institutions Redress Board (RIRB) be extended to accommodate Magdalene survivors, subject to a series of amendments to the Residential Institutions Redress Act, 2002. “It is crucial that participation in the scheme should in no way restrict women from publicly discussing or publishing account(s) of their experiences in the Laundries”, said Maeve O’Rourke, JFM advisory board member.

Another change to the previous RIRB which JFM recommends is that the State will accept as fact that the Magdalene Laundries were abusive, punitive institutions in which girls and women were routinely subjected to forced unpaid labour and unlawful and false imprisonment. As such, each applicant will be afforded a certain minimum level of compensation simply for demonstrating that she spent time in a Magdalene institution. Regarding additional individual claims for compensation, JFM proposes that the previous causation requirements be amended and clarified to ensure that the process is as non-adversarial as possible. “JFM is asking the State to make an absolute commitment to minimise as far as possible the adversarial nature of the process”, said Claire McGettrick, PRO and JFM Coordinating Committee member.

JFM’s Restorative Justice and Reparations Scheme seeks to preserve the historical record. The Women’s Studies Centre at the School of Social Justice, University College Dublin, in support of JFM, has designed a *Magdalene Laundries Archival and Oral History* project, which compliments JFM’s ongoing “Names Project”. JFM is also asking the State to fund an appropriate national memorial to commemorate the Magdalene Laundries and the women confined therein and the teaching of the history of the Magdalene Laundries to current and future generations in Ireland’s schools. Finally, the scheme charges the Department of Public Works with overseeing all Magdalene burial sites and ensuring appropriate and accurate headstones at each location.

In formulating these proposals, JFM has researched and consulted as widely as possible, given its limited resources. We have worked closely with Councillor Sally Mulready and Phyllis Morgan, Senior Outreach Worker, of the Irish Women Survivors Support Group in London, and we have consulted directly with Magdalene survivors in Dublin, Limerick, Cork, Galway, Kildare, London and the United States to ascertain their views on what a fair, restorative and practicable process will entail. We have also sought the advice of several legal professionals who are experienced in the areas of alternative dispute resolution and personal injury law, in addition to those with extensive experience of the Residential Institutions Redress Board.

The “Restorative Justice & Reparations Scheme for Magdalene Laundry Survivors” is available for download at [http://www.magdalenelaundries.com/JFM Reparations 14 October.pdf](http://www.magdalenelaundries.com/JFM_Reparations_14_October.pdf).

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