

*PRESS RELEASE—For Immediate Release, 20-05-2011*

## **Justice for Magdalenes makes statement before UN Committee Against Torture in Geneva**

The United Nations Committee Against Torture (UNCAT) has invited Justice for Magdalenes (JFM), the survivor advocacy group, to make a statement as part of the “NGO Briefing Session” in Geneva, Switzerland on Friday, 20<sup>th</sup> May 2011. Maeve O’Rourke (Harvard LL.M., Harvard Law School 2010 Global Human Rights Fellow) will represent JFM in Geneva.

UNCAT is due to examine Ireland for the first time on the extent to which it is meeting its human rights obligations to prevent torture, and other cruel, inhuman or degrading treatment or punishment, on Monday and Tuesday, 23<sup>rd</sup> and 24<sup>th</sup> May, 2011. Friday’s Briefing Session affords NGOs the opportunity to inform the Committee on issues prior to the subsequent government examination.

The invitation to make a statement follows JFM’s formal submission to UNCAT, which draws attention to Ireland’s continuing violations of its legal duties under the Convention Against Torture promptly and impartially to investigate allegations of torture or cruel, inhuman or degrading treatment and to ensure redress for the victims of such treatment. The submission highlights the continuing degrading treatment that the women who spent time in Magdalene Laundries are suffering today because of the government’s ongoing failure to apologise, investigate and compensate for the abuse. Maeve O’Rourke, author of JFM’s submission, said: “This international process shines a light on Ireland, offering the government the opportunity to demonstrate what it is doing to make amends for the cruelty suffered by so many in the recent past at the hands of both church and state. The only way that Ireland can overcome these abuses and start afresh is by acknowledging the human rights of those who suffered and protecting their right to be treated with dignity today.” Prof. James Smith (Boston College), co-author of JFM’s statement, said: “UNCAT’s invitation to make a statement is significant. But were the Committee to raise the Magdalene laundries during the subsequent examination of the Irish government, it would represent an important milestone in the Justice for Magdalenes campaign. It is now more than six months since the Irish Human Rights Commission’s recommendation that the government establish a statutory inquiry to investigate abuses in the laundries and provide redress where appropriate. We are still waiting!”

JFM Co-ordinating Committee Director Mari Steed said: “The women we work with do not have time on their side. They are aging and elderly. They deserve and need restorative justice and reparation now. Pursuing a policy of ‘Deny ‘til they die’ is no longer acceptable.”

Ends.

**NOTE to Editors:**      (i) A copy of JFM’s Statement follows (below)  
                                     (ii) Maeve O’Rourke is available for interviews from Geneva

### **Contact Details:**

Claire McGettrick [PRO], 353-(0)86-3659516, [clairemcgettrick@gmail.com](mailto:clairemcgettrick@gmail.com)

Maeve O’Rourke, (00) 44 74 0330 1781, [maeveorourke@gmail.com](mailto:maeveorourke@gmail.com)

Mari Steed, (00)1-215-589-9329, [mari\\_tee@yahoo.com](mailto:mari_tee@yahoo.com)

James M. Smith, (00)1-617-552-1596, [smithbt@bc.edu](mailto:smithbt@bc.edu)

**UN Committee Against Torture (UNCAT), NGO Briefing Session  
Geneva, Switzerland. 20 May 2011. 12 noon (11 a.m. GMT)  
Justice for Magdalenes (JFM) Statement**

Good afternoon.

Between 1922 and 1996, ten Magdalene Laundries operated in the Republic of Ireland. These institutions were run by four Catholic orders of nuns. The Laundries were commercial. They traded as for-profit industries, handling laundry for state institutions, church institutions, corporate entities, and private individuals. The Magdalene Laundry workforce was not there of its own volition. The workers—an estimated tens of thousands of women and young girls—were imprisoned in the laundries and forced to work for no pay. This is not just an historical wrong. It is an ongoing one. The women still alive today continue to suffer degrading treatment in violation of article 16 of the Convention.

They have received no apology from the state, no investigation, no redress, and no compensation for their abuse. They receive no pension for their unpaid labour.

In November 2010, the Irish Human Rights Commission recommended that the government establish a statutory inquiry into human rights violations in the Laundries and that it compensate the women where appropriate. This has not happened.

By refusing to investigate and ensure redress for survivors, as the state is obliged to do under articles 12 – 14 of the Convention, Ireland is perpetuating the suffering of these women.

Last week in parliament, the Taoiseach (Prime Minister), Mr. Enda Kenny, T.D., pointed out that the Irish Human Rights Commission did not carry out its own inquiry, as it is entitled to. The government is fully aware, however, of the Commission's reason for not doing so: the Commission acknowledged that only a statutory inquiry by the state could lead to compensation and an apology for the women. The Commission concluded that there is sufficient evidence of state responsibility for unlawful imprisonment, servitude, forced labour and cruel and degrading treatment, and on that basis made its recommendation.

The Irish government has argued that the Magdalene Laundries were private institutions.

However, the following evidence demonstrates that the state was directly involved in the Laundries' operation and system of exploitation.

The Irish courts directly referred numerous women to the Magdalene Laundries. There was no statutory basis for doing so and the state never established an oversight mechanism—in violation of its obligations under international and domestic law.

Survivor testimony insists that the Irish police force brought women to the Laundries, and routinely returned women and girls who escaped.

The state held contracts with the Magdalene Laundries, without ever insisting on a fair wages clause, and without regulating the Laundries to prevent slavery, servitude or forced labour—again in violation of its international legal obligations.

Official state documents reveal that the government was aware that children were incarcerated in the Laundries and engaged in child labour. In addition, state policy required the transfer of repeat unmarried mothers from state-funded mother and baby homes to the unregulated laundry institutions.

Because the state can thus be shown to have been involved in the abuse of all the women and girls who suffered in the Magdalene Laundries, we argue that the State is now obliged under the convention to remedy the ongoing degrading treatment of the women, by investigating and ensuring redress. As long as the state fails to respond, its involvement in this abuse continues.

The women who survived incarceration and are still alive continue to suffer degrading treatment. They receive no pensions for their years of unpaid work in the Laundries. They have received no medical or psychological assistance to help overcome the trauma caused by their abuse, which in many cases includes post-traumatic stress disorder.

They have received no education to compensate for the denial of educational opportunity they suffered. The state has released no personal records for the women it was complicit in referring to the laundries. Nor has the state taken any steps to ensure that the religious congregations release their detailed records for these women.

No one knows with any certainty how many women suffered in these institutions, who they were, where they came from, how many managed to leave, how many are still living with the nuns today, and how many died behind convent walls and are buried in unmarked or improperly marked graves? Church and state records can help answer some of these questions.

The state's ongoing refusal to respond to the Magdalene Laundries abuse only adds to the sense of shame and stigma felt by the women, and forces many to remain silent about what they have suffered.

Many of these women are elderly and ageing. This is a situation that is of utmost urgency.

Justice for Magdalenes (JFM) calls on the committee to ask the Irish government to remedy the ongoing violation of the Convention on behalf of ALL of the women and girls who suffered in these abusive institutions.

Submitted on behalf of Justice for Magdalenes (JFM) by

Maeve O'Rourke, Harvard LL.M., Harvard Law School 2010 Global Human Rights Fellow

Dr. James Smith, Associate Professor, English & Irish Studies, Boston College

Mari Steed, Director, Justice For Magdalenes Co-ordinating Committee

Claire McGettrick, PRO, Justice for Magdalenes Co-ordinating Committee

Angela Murphy and Judy Campbell, Justice For Magdalene Committees

Dr. Katherine O'Donnell, Director of Women's Studies, School of Social Justice, University College Dublin

Councillor Sally Mulready, Hackney Council, and Chair, Irish Women Survivors Network, London

Dr. Mary McAuliffe, President, Women's History Association of Ireland, and Women's Studies, School of Social Justice, University College Dublin

Dr. Sandra McAvoy, Co-ordinator of Women's Studies, University College Cork

Patricia Burke Brogan, Artist, Author of *Eclipsed* and *Stained Glass at Samhain*

Paddy Doyle, author of *The God Squad*, Moderator of "The God Squad" online forum

Tom Kitt, Retired Member of Parliament (T.D.), Former Minister and Government Chief Whip, former Co-Chair of Oireachtas Ad Hoc Committee/Magdalene Laundries

Michael Kennedy, Former Member of Parliament (T.D.), former Co-Chair of Oireachtas Ad Hoc Committee/Magdalene Laundries