

## Statutory investigation into mother and baby homes should extend to Magdalene Laundries

Justice for Magdalenes Research welcomes the announcement of a statutory investigation into the full extent of the abuses perpetrated in Ireland's mother and baby homes. We stand in solidarity with all women and children who spent time in these institutions and with their family members, many of whom are still searching for each other.

We call on the government to include the Magdalene Laundries in the terms of reference of this statutory investigation. The need is clear: there was significant traffic between mother and baby homes and Magdalene Laundries; the McAleese Committee did not retain records received from the religious orders responsible for operating the Magdalene Laundries; the McAleese Committee's terms of reference did not allow it to investigate individual complaints of abuse or examine fully the religious orders' financial records; and all religious orders responsible for the Magdalene Laundries have refused to apologise or provide compensation.

**There was significant traffic of women between mother and baby homes and Magdalene Laundries.** *JFM's Principal Submission* to the McAleese Committee, based on limited research in State archives, identified 26 cases of children in the Tuam Baby Home between 1953 and 1958 whose mothers were listed as "in the Magdalen", and an additional 25 women between 1951 and 1968 transferred from Sean Ross Abbey to institutions operated by the "Good Shepherd" nuns. [i] In addition, it was State policy in 1933 that unmarried mothers who had given birth a second time would be transferred to a Magdalene Laundry. [ii] In order to trace the fate of many women and children who spent time in mother and baby homes and to assess the abuse that occurred, the statutory inquiry will need access to records regarding the Magdalene Laundries and will need to investigate the abuse of women in Magdalene Laundries.

**The McAleese Committee destroyed all copies and returned all records received from the religious orders responsible for running the Magdalene Laundries** as a result of its lack of statutory powers to compel evidence. [iii] In addition, Justice for Magdalenes Research was prevented by a Diocesan Archive from providing analysis of highly relevant information to the McAleese Committee. [iv]

**The McAleese Committee did not investigate individual complaints of abuse in the Magdalene Laundries** as it did not have the mandate to do so. Therefore, it made no public call for evidence and it made no findings as to the perpetration of slavery, servitude, forced labour or other cruel, inhuman or degrading treatment. Justice for Magdalenes Research submitted 793 pages of survivor testimony to the McAleese Committee, none of which appeared in the Committee's Report. The UN Committee against Torture has repeatedly called on the government to investigate fully and independently the extent of abuse which occurred in the Magdalene Laundries.

**All religious orders responsible for the Magdalene Laundries have refused to apologise or provide compensation** despite the former Minister for Justice, Alan Shatter TD, having written to the religious orders four times to request a contribution to the Magdalene Laundries Restorative Justice Scheme.

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[i] See Justice for Magdalenes' public, redacted Principal Submission to the McAleese Committee, pgs. 68-74, esp. 71-2:

([http://www.magdalenelaundries.com/State\\_Involvement\\_in\\_the\\_Magdalene\\_Laundries\\_public.pdf](http://www.magdalenelaundries.com/State_Involvement_in_the_Magdalene_Laundries_public.pdf))

[ii] In 1933, the Department of Local Government and Public Health Annual Report stated that, "[w]ith regard to the ... intractable problem presented by unmarried mothers of more than one child, the Sisters-in-Charge of the Magdalene Asylums in Dublin and elsewhere throughout the country are willing to co-operate with the local

authorities by admitting them into their institutions. Many of these women appear to be feeble-minded and need supervision and guardianship. The Magdalene Asylum offers the only special provision at present for this class." See Saorstát Éireann, Department of Local Government and Public Health Annual Report (1932-33), p.129

[iii] See the following excerpt from the McAleese Committee Interim Report

(<http://www.justice.ie/en/JELR/Appendix%201.pdf/Files/Appendix%201.pdf>)

"35. This archive will not include data disclosed to the Committee by the Religious Orders, which includes personal and sensitive personal data. All such records will be destroyed and/or returned to the relevant Religious Order upon conclusion of the Committee's work and publication of its Report. This is necessary in light of sensitive personal data contained in those records; and the legal obligations of the Orders in their role as data controllers."

[iv] See Justice for Magdalenes' public, redacted Principal Submission to the McAleese Committee:

([http://www.magdalenelaundries.com/State\\_Involvement\\_in\\_the\\_Magdalene\\_Laundries\\_public.pdf](http://www.magdalenelaundries.com/State_Involvement_in_the_Magdalene_Laundries_public.pdf))

*(6) Finally, Dr James Smith has obtained highly relevant documentary evidence from a provincial Diocesan Archive related to the operation of a local Magdalene Laundry. He has brought the existence of this material to the attention of the Chairman of this Committee, who JFM understands has visited the relevant archive. For legal reasons, Dr Smith is not currently in a position to "refer to, quote from, or reproduce" documents from that archive.*

*He would be more than willing to share the relevant material with the Committee and make submissions relating to it, if the Committee can obtain permission from the relevant Diocese. Indeed, JFM cannot think of any legitimate reason why the Diocese should refuse permission for JFM to discuss this material in confidence with the Committee. This is particularly the case given that Archbishop Diarmuid Martin recently called for "research-based investigation" into issues such as the Magdalene Laundries and offered full and open access to the Dublin Diocesan Archives – see the JFM press release of 25th July 2012 [9/272/2734-2735].*