



## **State involvement in the Magdalene Laundries: Justice for Magdalenes principal submissions to the inter-departmental committee to establish the facts of state involvement with the Magdalene laundries**

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Publication Date	2012
Publisher	Justice for Magdalenes



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## **State involvement in the Magdalene Laundries**

### **JFM's principal submissions to the Inter-departmental Committee to establish the facts of State involvement with the Magdalene Laundries**

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**16<sup>th</sup> February 2013**

*(originally circulated to TDs on 18<sup>th</sup> September 2012)*

1. Justice for Magdalenes (JFM) is a non-profit, all-volunteer organisation which seeks to respectfully promote equality and advocate for justice and support for the women formerly incarcerated in Ireland's Magdalene Laundries. Many of JFM's members are women who were in Magdalene Laundries, and its core coordinating committee, which has been working on this issue in an advocacy capacity for over twelve years, includes several daughters of women who were in Magdalene Laundries, some of whom are also adoption rights activists. JFM also has a very active advisory committee, comprised of academics, legal scholars, politicians, and survivors of child abuse.

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## Acknowledgements



**THE IRELAND FUNDS**

Justice for Magdalenes (JFM) gratefully acknowledges The Ireland Fund of Great Britain for its recent grant. This funding has assisted JFM to cover expenses associated with our participation in the UN Committee Against Torture process, to gather and print testimonies, and to perform further research in order to assist the Inter-Departmental Committee's inquiries into state interaction with the Laundries.

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JFM also gratefully acknowledges the support of the Feminist Review Trust. The testimonies referenced in this submission<sup>3</sup> have been gathered in conjunction with and as a pilot phase of the UCD Magdalene Oral History Project<sup>4</sup> (which is also funded by the Irish Research Council), directed by Dr. Katherine O'Donnell, Director of Women's Studies at UCD's School of Social Justice and JFM Advisory Committee member.



JFM would also like to acknowledge the assistance of Boston College (BC) and Boston College-Ireland. Since 2009 BC has supported Dr James Smith in his work with JFM, including expenses associated with travelling from Boston, which enabled Professor Smith's attendance at meetings and events. Over the past three years, BC-Ireland has been an invaluable support to JFM, providing work, meeting and event spaces — most crucially, offering a private and secure space for meetings with survivors.



JFM would like to thank the staff of Monckton Chambers for their assistance to Raymond Hill and Maeve O'Rourke in compiling the witness and document bundles which accompany this submission.



JFM gratefully acknowledges the assistance of The Atlantic Philanthropies in producing JFM's Follow-Up report to the UN Committee against Torture, which included an earlier summary and contributed to the preparation of this submission.



The publication of this report was sponsored by Hermes network to combat gender-based violence under the EU DAPHNE programme.

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<sup>3</sup> The testimonies gathered by Evelyn Glynn are part of a separate Oral History Project and full permission has been granted for their usage.

<sup>4</sup> The Oral History Project is being conducted under ethical approval from UCD's College of Human Sciences in accordance with the highest human-subject research standards. In accordance with these standards and JFM's own ethos, those who offered their testimony had the opportunity to exclude it from the Oral History Project.

## Foreword

The Justice for Magdalenes (JFM) group submitted “State Involvement with the Magdalene Laundries,” the group’s principal submission, to the Inter-Departmental Committee to establish the facts of State involvement with the Magdalene Laundries, on 14<sup>th</sup> August 2012.

In addition to the document (which follows below), the submission comprised twelve files of supporting material; two files of survivor testimony, totalling 795 pages, and ten files of archival and legislative documentation, totalling 3,707 pages.

The production of the principal submission was a truly collective effort—including the gathering and transcribing of survivor testimony under ethical human-subject research criteria, extensive archival research, legal consultation and Human Rights case-law study and research, historical contextualisation, as well as the writing and revision process. This work was undertaken voluntarily, but with the assistance and support of the parties outlined on the acknowledgements page. Special thanks are due to Raymond Hill and to the staff at Monckton Chambers for their assistance and support.

The principal submission is the culmination of over three years of work from when the JFM political campaign commenced in earnest on 3<sup>rd</sup> July 2009. Making this document available to all TDs and Senators, and to major stakeholders in the Irish Human Rights arena, is consistent with JFM’s defined role as a survivor-advocacy organisation.

In accordance with JFM's core ethos, this submission – and particularly the excerpts of testimony contained therein – is being shared with the permission of the survivors concerned. As noted on the title page and discussed below, all survivor testimony has been redacted. That said, the reproduction and circulation of this submission is nonetheless intentionally limited. JFM asks that recipients treat it with the discretion that survivors deserve.

JFM wants to encourage all members of the Oireachtas to read “State Involvement with the Magdalene Laundries” as preparation for the anticipated political debate that should follow upon the publication of the Inter-Departmental Committee’s final report (expected sometime in September). In particular, we draw your attention to survivors’ testimony and the manner in which it confirms and therefore is consistent with the archival documentation.

This published version is different from the original submission in the following ways. First, JFM obtained permission from all survivors allowing us to retain quotations from their testimony. Moreover, and with survivors’ consent, we redacted the original document and inserted pseudonyms, consisting of a first name and the first initial of a surname, throughout the document. Finally, where survivor testimony refers to a third party, for example to a nun, a lay-worker, or to other women in the institution, we use first initials only for first and surnames. In some instances, pseudonyms have been used and details of locations removed to protect vulnerable third parties. JFM has always prioritised survivors’ interests and the presentation of this document is consistent with that overriding principle. Redactions in this document are not intended to undermine survivors’ right to speak out about their experiences.

In conclusion, JFM reiterates its support for the work of the Inter-Departmental Committee, and in particular we thank Senator Martin McAleese and Nuala Ní Mhuircheartaigh for the manner in which they encouraged JFM to engage with the process and for their responsiveness to our concerns throughout this process. We look forward to the publication of the Committee’s Report and to immediate government action by way of an apology, redress and restorative justice for all the women and children impacted by Ireland’s Magdalene Laundries.

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## Notes

(1) *This submission cross-refers to several files of witness statements and documents. References to the documents are in brackets and underlined and give the file reference first, the tab reference next and then the relevant page number – e.g. [2/30/727] means File 2, Tab 30, page 727.*

(2) *The majority of the witness statements and documents have already been submitted to the Committee. They are being resubmitted simply so that the Committee has the same pagination as JFM and can easily cross-refer from this submission to the original documents.*

(3) *The witness statements are contained in Files 1 and 2, which are coloured red. The documentary and legislative material on which JFM relies is contained in Files 3 to 12, which are coloured green. File 1 contains survivor testimonies and File 2 contains statements from other witnesses. Many of them contain very personal confidential information, which JFM has undertaken to the individuals concerned to protect. JFM would respectfully ask that Committee Members liaise with Nuala Ní Mhuircheartaigh regarding access to these two files.*

(4) *JFM has attempted to summarise in this document the main themes in the testimony, as well as the documents. However, JFM cannot overstate the importance of reading the testimony of the survivors and other witnesses in full.*

(5) *To assist the Committee to determine the facts, JFM has indicated where more than one survivor has the same recollection of her treatment. JFM would respectfully submit that, where several survivors have the same recollection, this testimony is particularly worthy of note. JFM has also endeavoured to obtain statements from witnesses who were not incarcerated in the Laundries, but who had contact with them. JFM would again submit that their testimony is worthy of particular note, given that they can have no financial motive for giving anything other than accurate evidence. Finally, where relevant, JFM has also directed the Committee to contemporaneous archive material. To the extent that this corroborates the witness statements, it supports a finding of fact that the survivors and other witnesses are telling the truth.*

(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 25<sup>th</sup> July 2012 [9/272/2734-2735].*

**Image of submitted documents**





## Introduction

1. JFM recognises that the remit of this Committee is to create a narrative clarifying State interaction with the Magdalene Laundries<sup>5</sup>. To that end, it has obtained clear evidence that the State was involved in the operation of the Magdalene Laundries in three broad respects:

(1) The State was involved in sending women and girls to the Magdalene Laundries and ensuring that they remained there – in most cases, without any statutory basis for doing so. The State regarded the Magdalene Laundries as an opportunity to deal with various social problems (e.g., illegitimacy, poverty, homelessness, disability, so-called licentious behaviour, domestic and sexual abuse, youth crime and infanticide). It failed to make its own provision for those problems (e.g., to provide for female young offenders through establishing a female Borstal) and came to rely on the availability of the Magdalene institutions instead. It repeatedly sought to funnel diverse populations of women and girls to the Magdalene Laundries and in return the Religious Orders obtained an entirely unpaid and literally captive workforce for their commercial laundry enterprises. Today, the State is responsible, through the HSE, for the care of some institutionalised Magdalene survivors [The State's sending of women and girls is considered further in paragraphs 71 – 184 below].

(2) The State also provided the Religious Orders with direct and indirect financial support – direct financial support from “capitation” (per head) grants for certain of the women and girls incarcerated in the Magdalene Laundries and indirect financial support in terms of valuable State contracts for cleaning laundry, as well as one-off non-contract commercial laundry work for various Irish Government departments and agencies and also State capitation grants for other aspects of the relevant convents’ operations (e.g., Industrial Schools). [This is considered further in paragraphs 185 — 204 below].

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<sup>5</sup> See the Government’s Statement on the Magdalene Laundries of 15<sup>th</sup> June 2011 [[5/120/1653-1654](#)]

(3) The State entirely failed to supervise the Religious Orders' operation of the Magdalene Laundries. It failed to enforce its own health and safety legislation, thereby allowing women and girls to work in dangerous working conditions – and preventing women and girls revealing the other abuses prevalent in the Laundries to the State's inspectors. The State failed to require girls of compulsory school-going age to be educated – and it failed to protect older girls and young women from unlawful incarceration which prevented them from choosing to continue with their education. The State failed to ensure that social welfare contributions were paid in respect of women and girls in the Laundries and it failed to ensure that any woman or girl who died was issued with a death certificate. As a democratic State, Ireland was entitled after its independence in 1922 to choose to ask the Church and the Religious Orders to assist it in dealing with social problems – albeit within the limits of its own Constitution, laws and international human rights obligations. However, what the State was not entitled to do was to allow women and girls to be incarcerated without any lawful authority or to allow them to be forced to work in servitude for no pay. It was not entitled simply to leave vulnerable women and girls in the custody of the Religious Orders without any further State supervision or control. [This is considered further in paragraphs 205 — 367 below].

2. Before setting out in detail JFM's reasons for making the above submissions, JFM submits that it is first necessary to consider (as briefly as the subject matter permits) the nature and scale of the abuse which occurred in the Magdalene Laundries. This is necessary in order to understand the survivors' respectful submission that the Irish State could and should have prevented that abuse – and indeed wrongfully furthered it. To give some examples, the Committee may wish to consider whether there was abuse insofar as the women and girls were or were not free to leave the Laundries. If (as the survivors unanimously say) they were not free to leave, the Committee needs then to determine on what basis the State allowed (and indeed helped) one group of Irish citizens (the nuns) to imprison another group (the women and girls) without lawful authority. Similarly, the Committee will need to consider whether the women and girls were forced to work – if they were, in behaving in the ways outlined at paragraph 1 above, Ireland has committed a clear breach of its obligations under numerous international human rights conventions, including the 1930 ILO Forced

Labour Convention.<sup>6</sup> The Committee may also wish to consider the extent to which the women and girls had difficulties in communicating with the outside world and whether, for example, had there been regular Factories Act inspections of the Laundries, the women and girls would have complained to the inspectors of unlawful imprisonment, forced labour and physical and emotional abuse<sup>7</sup>. Furthermore, the Committee will need to understand what happened to girls and women inside the Laundries in order to determine whether the State's actions and inactions in relation to the Laundries amounted, as previously determined by the UN Committee against Torture<sup>8</sup> for example, to acquiescence in torture and other cruel, inhuman or degrading treatment.<sup>9</sup> For that reason, JFM has detailed the abuse in paragraphs 5 – 8 below.

3. JFM has also set out briefly in paragraphs 9 — 30 below the effects of the abuse on survivors and their relatives and the redress that they seek. JFM fully understands that this Committee cannot make recommendations as to any redress to be granted. However, JFM believes that these matters are relevant background to the matters which fall within the Committee's remit, for two reasons. First, the relevant evidence as to the effects on survivors and their relatives underlines the very serious nature of the abuse which took place. Secondly, the submission as to the redress being sought may assist the Committee to focus their factual conclusions on issues which may help to bring about reconciliation and restorative justice. For example, the survivors have difficulty accessing Irish State pensions which fully reflect the

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<sup>6</sup> See further Geoffrey Shannon, Fifth Report of the Special Rapporteur on Child Protection, July 2012 [9/275/2780-2813]; Irish Human Rights Commission, "Assessment of the Human Rights Issues Arising in relation to the "Magdalen Laundries" November 2010 – particularly at paragraphs 59 to 68 [9/274/2761-2763]; Maeve O'Rourke, JFM submission to Irish Human Rights Commission on "Ireland's Magdalene Laundries and the State's Duty to Protect" (June 2010), also published in *Hibernian Law Journal* [8/266/2603-2643]

<sup>7</sup> Note that, according to Article 3 of the 1947 ILO Convention NO. 81 concerning Labour Inspection in Industry (ratified by Ireland on 16th June 1951) [11/434/3477-3487], "The functions of the system of labour inspection" include: (a) to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work, such as provisions relating to hours, wages, safety, health and welfare, the employment of children and young persons, and other connected matters, in so far as such provisions are enforceable by labour inspectors; (b) to supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions; and (c) to bring to the notice of the competent authority defects or abuses not specifically covered by existing legal provisions.

<sup>8</sup> See UNCAT concluding observations at paragraph 21 [5/112/1556]

<sup>9</sup> See the Irish Human Rights Commission's Assessment on this point, at paras 37 and 38: "[O]n the basis of the information provided to it ... the treatment recounted in various sources such as the documentary *Sex in a Cold Climate* would if proven undoubtedly come within the prohibition of inhuman and degrading treatment and punishment under Article 3 of the European Convention on Human Rights (ECHR). Article 3 not alone prohibits serious ill-treatment by agents of the State, but also requires the State to put in place mechanisms to protect against abuse. Regardless of whether the State was aware of the conditions in Magdalen Laundries...by virtue of its operational obligations under Article 3 it ought to have known of the conditions in those Laundries..." [9/274/2756]

work that they carried out in the Laundries. The Committee may wish to consider whether the State was obliged to collect social security payments from the Religious Orders in respect of women and girls performing laundry work in the Orders' commercial Laundries. Similarly, the survivors received no (or no meaningful) pay for their work and many are now impoverished. JFM would respectfully ask the Committee to consider whether State contracts with the Laundries required the State to ensure the payment of fair wages.<sup>10</sup>

4. Finally, JFM has included an introductory section at paragraphs 31 — 69 below which seeks to set the operation of the Magdalene Laundries in a historical context and to respond to what JFM understands the position of the Religious Orders to be.

### **Abuse in the Magdalene Laundries**

5. The State has accepted that there was abuse<sup>11</sup> in residential laundries, including the Magdalene Laundries. At a meeting with JFM in June 2010, Department of Justice officials accepted that there was abuse in the Magdalene Laundries, as documented by the report published in 2009 by the Commission established by the State to inquire into child abuse (“the Ryan Report”) and other individual survivors’ testimonies [2/263/2582].
6. The abuse which occurred in residential laundries is set out in detail in Chapter 18 of the Ryan Report. In particular, paragraph 18.25 of the Report [5/118/1635] records:

*“Seven (7) female witness reports related to continuous hard physical work in residential laundries<sup>12</sup>, which was generally unpaid. Two (2) witnesses*

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10 JFM draws the Committee’s attention to Article 5(1) of the 1930 ILO Forced Labour Convention, which states that “[n]o concession granted to private individuals, companies or associations shall involve any form of forced or compulsory labour for the production or the collection of products which such private individuals, companies or associations utilise or in which they trade.” [11/433/3466-3476]

11 The word “abuse” is used here in the same sense as in the Ryan Report. In Chapter 1, paragraph 1-06, that Report explains that “abuse” is defined under the Residential Institutions Redress Acts 2002 and 2005 as including “wilful, reckless or negligent infliction of physical injury ... or failure to prevent such injury”, a “failure to care” for individuals “or any other act or omission” which results or could result in “serious impairment of ... physical or mental health or development.”

12 It is unclear from the Ryan Report whether the testimony in question relates to commercial Magdalene Laundries or other institutional laundries. It appears to refer to the former, but if the Committee is in doubt, JFM would respectfully ask the Committee to check the Ryan Committee archive.

*said that the regime was “like a prison”, that doors were locked all the time and exercise was taken in an enclosed yard. Working conditions were harsh and included standing for long hours, constantly washing laundry in cold water, and using heavy irons for many hours. One witness described working hard, standing in silence and being made to stand for meals and kneel to beg for forgiveness if she spoke. Another witness stated that she was punched and kicked and hit as a threat not to disclose details of her everyday life working in the laundry to her family. Three (3) witnesses gave the following accounts of physical abuse:*

*Every morning we were up at 5 o'clock in the summer and 6 o'clock in the winter. We slaved all day ... They starved and worked us to death while they lived in luxury. The nuns were all very hard and nasty, they used to shave our hair off ... distressed ... we had to suffer in silence. I hope no one has to suffer like us. We had nowhere to run or no one would believe you ... I often burned myself ... (while working, ironing) ... but got no sympathy ... distressed ... One time I had a terrible arm, it didn't heal up, I had burned it and the dye of the uniform ran into it, and that was the first time I saw a doctor ...*

*You couldn't laugh or talk in there 'cos you were just battered. A nice nun in the convent talked to us, Sr ... X ... got to hear about it and she just battered us, on the back of the hands, anywhere, and if she got the curtain rail that would go across you. It didn't matter what she had in her hand. She was like a Hitler ... crying ... My whole childhood was gone in that place.*

*We were beaten regular. I have got a mark still on my back. Mth ... X ... was the evil cow and then there were the helpers that would hold you down while she was battering you and they would cut lumps ... out of your hair ... I was 11 ... years old. I was battered with a big belt both by the nuns and helpers ...”*

7. The Ryan Report also records one instance of sexual abuse in a laundry (see paragraphs 18.30 and 18.37), further instances of physical abuse (see paragraph 18.66) as well as extensive evidence of neglect in the laundries (see paragraphs 18.42-18.45), humiliation (paragraph 18.52), fear (paragraph 18.55) and loss of liberty and identity (paragraphs 18.57-18.63).
  
8. The abuse is also fully borne out by the testimonies which JFM has collected from both survivors and other witnesses. They recount that:
  - (a) The women were completely deprived of their liberty. The survivors are unanimous on this point. This is true of all of the Laundries and of all of the time periods of which the survivors in contact with JFM can speak. Turning first to survivors who were in the Laundries in the 1940s and 1950s, they are clear that they were incarcerated. Attracta M, who was at High Park, Drumcondra from 1947 to 1960 says “*every window in the building, every window has bars on it*” [\[1/7/208\]](#) and “*All the doors, every door was locked*” [\[1/7/210\]](#). She continues, “*there was bars on the windows, so you couldn’t get anywhere out of it. In the dormitories, in the eating room, in the cloisters – everywhere there were bars on the windows*” [\[1/7/222\]](#)<sup>13</sup>. As far as holidays were concerned, she says “*Oh no, crikey, you didn’t get outside the door. I’m telling you there was bars on every window and every door was closed. You didn’t get outside that door for the whole time you were there*” [\[1/7/221\]](#). Even if a woman was sick, she did not leave the Laundry – “*you never got outside the gates*” [\[1/7/209\]](#). She says that “*Nobody ever left while I was there, you know?*”, right until the point at which she left in 1960 [\[1/7/210\]](#). Maisie K says of Galway Magdalene Laundry in the period from 1948 to 1951, “*Allowed to leave it? Not at all. You weren’t allowed to look out the door never mind to think of going out it*” [\[1/6/196\]](#). Sara W says of her time at Donnybrook Magdalene Laundry from 1954 to 1956 that “*the doors were locked every night – the room door was locked and ... the*

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13 The survivors’ testimony as to the practice of barring of the windows in Magdalene Laundries is corroborated by documents contained in a Diocesan Archive relating to a local Magdalene Laundry. Unfortunately, JFM is not currently able to share those documents with the Committee. See Note 6 for JFM’s suggestion as to how those documents should be handled.

*windows used to be up very high, like a small little window ... and I used to climb up the top of the bed to look out the window” [1/9/264].* She was again put in a cell with a locked door and barred windows when she was transferred in 1956 to Peacock Lane Laundry in Cork where she stayed for a further two years **[1/9/268 and 277]**. As far as the possibility of being allowed to leave is concerned, she simply says “*No, no, no*” **[1/9/276]**.

- (b) The same is true in later periods. Kathleen R says of her time in three Magdalene Laundries (Sunday’s Well, Cork, Limerick and Waterford) between 1959 and 1965 that she was not allowed to leave. She says that the doors were locked, “*All the time constantly ... From the inside, you couldn’t get out like ... when you were in the building it was locked from the building in and the nuns were the sole holders of the keys*” **[1/3/128-130]**. Kate O’S, who was at Sunday’s Well in Cork from approximately 1959 to 1965 says “*there was never a door open ... it was always locked ... there were bars on the windows ... even in the dormitory ... You couldn’t get out*”. The doors of the laundry were “*always locked*” **[1/10/301]**. She says that at night time, “*there was a place outside the dormitory where a nun slept and she had the door locked and she would be peeping in. We were locked in all night*” **[1/10/292]**. She remembers “*You would go down the corridor from the laundry ... all those doors were locked ... it was keys, keys, keys ... the whole time ... everyone of them carried a key attached to them ... a bunch of keys ... Everything was locked*” **[1/10/298]**. Caitríona H, who was also in Limerick from the late 1950s until 1964 says “*You couldn’t leave of your own accord*” **[1/4/143]**. She confirms that women could not come and go from the laundry, “*No, they were all staying there ... We were locked in at night ... We wouldn’t be allowed to go out*” **[1/5/152 and 164]**. Mary W, who was at the Gloucester Street, Dublin and Limerick Magdalene Laundries between about 1961 and 1963, says that she was not free to leave either Laundry **[1/8/235]** and that the Limerick Magdalene Laundry had high walls around it with glass on top of them **[1/8/236 and 238]**.

- (c) It is clear even in later periods up to the late 1960s and early 1970s that the women were locked in and could not leave. Beth Q says of Waterford Magdalene Laundry in the period between 1965 and 1969 that the dormitory was locked every night from the outside [1/1/15]. She goes on to say that “*you couldn’t get out anywhere*” – she was only able to escape herself because the delivery men had left the back doors open [1/1/23]. She is clear that she was not allowed to leave – “*that’s why I escaped*” [1/1/22]. Similarly, Rita M who was at High Park in Drumcondra in 1967-68 says “*the only way you could leave was if whoever put you in there took you out. The doors were locked*” [1/11/352].
- (d) It is not just the survivors themselves who say that the women and girls were prevented from leaving. Mary C, a paid hand at Galway Magdalene Laundry, says that the door of that Laundry was locked – “*I had to get a key to come in and a key to get out*” [2/31/754]. She goes on to say that “*everything had bars – first of all you had to get the keys to go in and out, and then you had bars on the window, so there was no way you could escape*” [2/31/766 and 789]. Maeve S can remember visiting her foster aunt, B\_\_\_\_\_ D\_\_\_\_\_ at [laundry location redacted] from about 1953. She says of the women — “*they would have been locked in in those early days, yes. Definitely*” [2/18/473].
- (e) There are a series of outside witnesses from Limerick, giving evidence in relation to different time periods, who all say that the women and girls at the Limerick Magdalene Laundry were not free to leave. Mick O’M was a delivery man at Limerick in the late 1960s. He remembers seeing that “*people would be let go after years of being there. You’d see them leaving with their cases ... It was like getting out of jail. It reminded me of that. I remember there’d be fierce security that time. The walls were high ... it was all kind of a closed-door type of set up*” [2/27/703]. Des D, who was the maintenance man at Limerick in the mid 1970s says “A lot of them were never allowed outside the walls of the convent or the grounds of the convent” [2/21/552]. [REDACTED]



[REDACTED]

[REDACTED] Bridie D, a librarian at Limerick School of Art and Design, talked to the son of a survivor of the Limerick Magdalene Laundry. He had been born there, but left at the age of 11 to return to work on the family farm. *“His mother was left inside the convent .... When he was in his early twenties he came in to the convent. He remembered the shards of glass protruding from the tops of the walls to prevent the girls escaping ... one way or another, he got his mother out.”* [2/16/441]. Denis McN, who used to visit his great aunt Edith M at the same Magdalene Laundry, describes it as *“a gulag style incarceration facility”* [2/26/700].

- (f) There is also documentary evidence which directly concerns the freedom of the women and girls to leave. This is contained in a Diocesan Archive<sup>14</sup>.
  
- (g) The women were also deprived of contact with the outside world. Maeve S says that Maeve’s mother first received news of her foster sister, B\_\_\_\_\_ D\_\_\_\_, about 5 years after she entered [location redacted] Magdalene Laundry – *“Now, they weren’t allowed to post letters. B\_\_\_\_\_ had tried to get in touch with my mother before that, but they were never allowed [to] send letters out”*. She only managed to do so by giving the letter to the breadman and asking him to post it for her [2/18/469 and 476-477]. Finbar J used to help his grandmother take hospital laundry to the Limerick Laundry in the 1950s. A nun would be at the counter, but *“We’d see the girls inside ... eyes to the ground. Obviously they weren’t supposed to have eye contact with anyone at the counter”* [9/24/639]. Mick O’M remembers of Limerick

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14 See Note 6 above

in the late 1960s that the women were “*very shy and inhibited*” and how this stuck in his mind. He goes on to say, “*We didn’t interact with the women ... The women were kept behind the scenes really. They were very shy ... They never mixed you know ... they’d be very shy ... The only time you’d see the public in there is if there was a funeral or something, if somebody died there.*” [2/27/701-703]. Denis McN was allowed to visit his great aunt J\_\_\_\_\_ at the Limerick Magdalene Laundry twice a year. He says about the women, “*They had a very isolated life from what I recall*” [2/26/691]. Adele O’G, who also had personal contact with the Limerick Good Shepherd convent in the 1970s, says “*In all my time here I never saw the women that worked in the laundry. They were hidden away*” [2/28/719]. [REDACTED]

[REDACTED]

- (h) This is supported by Mary C, a paid hand at Galway Magdalene Laundry, who says “*You weren’t allowed to take out mail. You were not allowed to bring in mail*” [2/31/752]. As far as visitors were concerned, she says friends and relatives could not visit – “*No. Never saw anyone going, coming or going ... No, none whatsoever, no. No, you had no contact with the outside world whatsoever*” and “*No, no, never saw a visitor* [2/31/777 and 778]. She went on to say in relation to letters, “*None whatsoever. No, no, no ... no communication at all*” [2/31/778]. She remembers a woman called J\_\_\_\_\_ B\_\_\_\_\_, who “*used to cry every Christmas because she had a sister in Texas and all she wanted was a card and there was no card came. No one knows whether the card came or not, but she didn’t get it .... It depended on*

*the nun and her mood*” [\[2/23/766-767\]](#). She goes on to say that “*There was never a paper brought in, so they didn’t know what was going on in the outside world, until someone brought in laundry and then it was wrapped round a parcel and then they’d bring it upstairs at night on the QT*” [\[2/23/776\]](#).

- (i) This evidence of a lack of contact with the outside world accords with the testimony of the survivors. Many say that there were no visitors and no letters at all. Those who did receive visitors and letters did so very occasionally. Mary W says of the Limerick Magdalene Laundry that she received “*very few*” visits and that, although other women told her to write to her mother asking her to get her out, “*every letter that was written was destroyed ...it never got, no-body got your letters. That was to keep you there and it was part of the secrecy of you being there*” [\[1/8/238\]](#). Kate O’S says of Sunday’s Well in Cork, “*No, no-one ever came to visit me – other people would no[t] but the nuns would be there watching them to see what they were going to say. Nor no letters, I never got a letter ... some of the others did but they were all read before they seen them ... and they couldn’t pass a message out because the nuns would be there in the visiting room*” [\[1/10/294 and 297-298\]](#). Attracta M says that during her time at High Park, she had no contact with the outside world and no visitors [\[1/7/210\]](#). Sara W says that, during her time at Donnybrook, the nuns did not tell her that her mother had died, so that “*I was writing to my mother, that was dead*” [\[1/9/266\]](#). She says “*I often and often wrote to my auntie asking if she knew why I was here etc etc but I got no reply. I wrote to my mother every week but got no reply*” [\[1/9/286\]](#). She had no visitors whatsoever and both incoming and outgoing post was censored [\[1/9/270\]](#). There was “*No contact with the outside world. No contact at all*” [\[1/9/271\]](#). Caitríona H says of Limerick, “*I can’t remember anyone coming in to see me ... I had no other visitors, no*” [\[1/5/150\]](#). Kathleen R says that there was no interaction with visitors or even with the delivery men [\[1/3/121-122\]](#). Maisie K tells a story of one girl who managed to arrange for a letter to be smuggled out of Galway Magdalene Laundry to her sister. When a nun found out, “*the*

*nun comes along and she threw her a sarcastic look and threw the letter in front of her ... and she said, 'you know the rules here. You've broke the rules. How dare you write out ... You do not break the rules – for that no supper tonight, no dinner tomorrow' [1/6/180-181].*

- (j) The nuns took active steps to discourage any outside visitors who did turn up at the Laundries from inquiring after the women and girls incarcerated inside<sup>15</sup>. Rita M says that she found out later that relatives had tried to see her at High Park, but *“the nuns turned around and said ‘no, sorry, you’re not allowed to see her’.* On the other side of the wall, *“the nuns turned around and said to me, “You’ve got no visitors this day.” And I said “My aunties are coming up” – “No, they’re not.” And unbeknown to me they’d already been up and the door was shut in their face. And I said, “My aunties are coming up to see me.” “No they’re not, You’re a bold girl, they won’t be coming back to see you again.” [1/11/336].* She also says that the nuns prevented her from receiving a package sent by relatives in England [1/11/337]. Maisie K also had a visitor turned away. Her foster uncle P\_\_\_\_ tried to visit her, *“He came twice but the third time he came he was turned away and he was told I was out of control and no longer fit for the outside world. And being in the olden days, the older people believed the nuns. But what he didn’t know ... he’d come to visit me a third time after I got my hair cut and they didn’t want him to see me like that and that was the reason” [1/6/191].*
- (k) Indeed, the women and girls had no means of finding out what was happening in the outside world at all. Rita M says of High Park that there was no news – *“No, never seen newspapers, never heard the radio”* and she never got to read books [1/11/338]. Maisie K says of Galway Magdalene Laundry *“You couldn’t look out a window. They were high but the windows where I was in the room with the calendar and the ironing room there was six inch thick glass ... you could see shadows but you couldn’t see out” [1/6/180].* She continues, *“You didn’t know anything about what went on outside. You weren’t even*

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<sup>15</sup> There is relevant documentary evidence relating to this issue in a Diocesan Archive – see Note 6 above

*allowed to stand and look out. If you'd seen a gate open or a door it would be immediately closed. It was like you know you were wiped out of that area of the world. You couldn't see out the windows and in the dormitories they were too high up to look outside as well" [1/6/195].* The only news she had of the outside world came from newspapers used to line laundry baskets [1/6/193]. Kathleen R has a very similar story – she says that reading pages of newspaper used to wrap clothes – *“that's how they'd get a bit of news” [1/3/120-121].* This corroborates Mary C's evidence to the same effect – see subparagraph (h) above.

- (l) The women and girls in the Laundries were also denied contact with girls in other parts of the relevant convent complexes. Des D relates that at Limerick they were kept completely separate from children in the Industrial School. One *“lady in particular didn't know that after she gave birth, her daughter was brought up in the same complex and remained there until she was sixteen years old” [2/21/555].* He goes on, *“My worst memory goes back to that lady and her daughter ... the daughter at one end of the church and the mother at the other end of the church and neither of the two of them knowing each was there. There is something wrong with a society that permitted that sort of thing to go on. There is something wrong” [2/21/561].* This accords with the evidence of the survivors that they were denied contact with girls in other parts of the convent complexes, including close relatives – see the testimonies of Beth Q at [1/1/23]; Kathleen R at [1/3/108]; Caitríona H at [1/5/151-152]; Mary W at [1/8/241-242] and Rita M at [1/11/315-316].
- (m) Many women were never released and died in the Magdalene Laundries after serving what was effectively a life sentence. Using the details from the 1901 and 1911 censuses and comparing them to burial records, it is clear that a high proportion of women lived and died in the Laundries. For example, 22 out of 53 women at the Good Shepherd Laundry in New Ross in 1911 ended up being buried there [7/207/2351-2352]. Many of them died after having spent decades in

the Laundries. Bridie D from Limerick met one such woman while Bridie D was working as a nurse at Croom Hospital in 1978: *“She worked in the laundry all her life. She was born here and lived all her life here. And a lot of them were brought into service as soon as they were able to work, because she was never adopted. She was in the orphanage and from there she worked in the laundry all her life until she was sent out [in her late seventies or early eighties] and became a patient in Croom. She’d never been outside this building<sup>16</sup> until she was sent to Croom”* [\[2/16/435\]](#). Similarly, Denis McN visited his great aunt Edith M at Limerick Magdalene Laundry. He says *“I know the 3 or 4 ladies I was aware of all died there. They were certainly all long timers. I’m not aware of anyone being reintegrated back into their homes or their families if they had any. And I certainly never remember any approach to our family to reintegrate Edith with us”* [\[2/26/697-698\]](#).

- (n) Survivors also recall older women dying after a lifetime served in the Laundry. For example, Beth Q recalls that while she was at Waterford, *“I know a few of the girls I did know too died in the meantime there. M\_\_\_\_\_ was one, and there was another girl, ... she died, there was a few died”* [\[1/1/8\]](#). Maisie K says of Galway that *“There would be about 20% very old women”* [\[1/6/181\]](#) — this is supported by Mary C who was a paid hand at Galway and who remembers that *“a lot of them now, they were old, old ... they were [there] so long, I’d say they were there from the beginning of time.”* [\[2/31/763\]](#). Mary W says that some of the women at Limerick had *“at least ... 40 years in there”* [\[1/8/243\]](#) and that she thought that some of them died *“because they wouldn’t be in their beds the next morning”* [\[1/8/239\]](#). Kathleen R says of Cork Magdalene Laundry, *“... a lot of them were old women ... gave all their life, working hard like you know, very sad”* [\[1/3/112\]](#) and at Limerick, *“There were kind of old women as well like you know, like they were a lot of years there you know”* [\[1/3/113\]](#). She herself remembers women dying incarcerated in the Laundries at each of Cork, Limerick and Waterford [\[1/3/132-133\]](#).

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<sup>16</sup> What was the Limerick Good Shepherd Magdalene Laundry and now forms the Clare Street Campus of the Limerick School of Art and Design.

- (o) Even in death, the women were maltreated. As elaborated at paragraph 346 below, Attracta M recalls that in High Park “*they weren’t even marked, the graveyards*” and that the women were buried “*in some sort of cloth or something*” with “*no priest, no ceremony ... they were just buried there*” **[1/7/208 and 221]**. Mary W says that at Limerick she is sure that some women died, “*but there was no funeral ... I would definitely say they were put in a mass grave*” **[1/8/239]**. According to Mary C, “*The nuns would be waked but not the poor creatures that made the money for them.*” **[2/31/765]**. Mary C says that the nuns didn’t go to the women’s funerals but that Mary C herself would attend women’s bodies to the cemetery along with “*Another paid hand. And whoever was driving the hearse and another fellow then to throw it into – the coffin and that was it. I can’t remember a priest being there either.*” **[2/31/764]**
- (p) The women suffered physical abuse<sup>17</sup>. Sara W says that some nuns would hit the women: “*you’d get the belt of the keys on the top of the head you would, the big heavy keys. They had them here on their side all the time ... and if there was a tiny bit of a crease [in the ironing] it would be thrown into my face and I would get a belt of the keys if you didn’t do a thing right*” **[1/9/271 and 274]**. Attracta M states “*that Sr P\_\_\_\_, she was a wretch she was. She used to get her strap, they had big leather straps, about that thick they were, and she used to beat me*” **[1/7/222]**. Kate O’S recalls “*... if there was a crease in the sheet you were in for it. I remember a mark on my leg there (look) where she (the nun) hit me ... They would hit you and belt you ... because the[re] would be no-one there to see them*” **[1/10/294]**. Maisie K recalls a nun sneering at her “*and the next thing I know she gave me a fist into the face*” **[1/6/189]**. Rita M also gives evidence of physical abuse; “*You’d get a slap for answering back, because they were right. They were right all the time, you were wrong ... all of a sudden then it builds up and builds up and then you just let it out, and then you get a slap, for answering back ... And many a time I was called into the*

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<sup>17</sup> There is relevant documentary evidence in relation to this issue in a Diocesan Archive – see Note 6 above

*office for being cheeky and getting a strap across the back of the legs, for being cheeky. To them cheeky was answering back ... For answering back, you'd be called into the Mother Superior's room, and you'd get told off. And if you answered back, then you'd get the belt across the back of your legs. For no reason. So you were constantly being punished".* She also recalls being slapped and hit across the head by nuns **[1/11/330 and 339, 343, 344 as well as 346]**.

- (q) There are outside eyewitnesses to the physical abuse. Mary C was a paid hand at Galway Magdalene Laundry in the 1950s. She remembers a nun using a strap to beat a woman, who was depressed and couldn't work, until she was hysterical – *"she was marked, she was marked, she was hysterical that she almost collapsed into my arms"* **[2/31/753]**. She remembers one particular nun, Sr. S\_\_\_\_, who she calls *"an evil nun"*. She says *"It's the beatings they got, that was uncalled for"* **[2/31/770]**. There was one woman called K\_\_\_\_ G\_\_\_\_ – *"That's the one that got all the beatings"* **[2/31/780]**.

- (r) Mary C also recalls the following incident:

*"if the nun ... found two women in bed, I guarantee you wouldn't see hair. I remember one girl came down and now, I don't know where her eye was, I don't know where her eye was, her face was all disfigured from the beating she got and the hair was shaved and the blood was still on the top of her head. And I was told that's what happened, she found two of them in bed together"* **[2/31/771]**<sup>18</sup>

- (s) She is not the only outside witness to physical abuse. Des D was a maintenance man at the Limerick Good Shepherd Laundry in the mid 1970s. He says that at least some of the nuns would hit the women if they thought none of the outside workers was about: *"But I saw a few*

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<sup>18</sup> Whatever the attitudes then current in Ireland regarding same-sex relationships, there could have been no lawful excuse even in the 1950s for one citizen inflicting serious physical harm on another, save in self-defence.



*instances of the true colours coming out, like the one in the small ironing room – the one with the leather belt and she would have whacked them if a corner wasn't square or something* [2/21/559]. He also says *“There was one nun that used to be outside the workshop at the laundry, where my workshop was, and when she got angry she thought nothing of pulling the strap out. She pulled the strap out and hit them to get them to speed up – physically hitting. Now she was old school. Another nun was coming past one day and told her to stop. She said you can't do that anymore<sup>19</sup>. So that tells me there was more going on than what we were actually seeing”* [2/21/557].

- (t) The women also suffered emotional abuse of various different kinds – forcible hair cutting<sup>20</sup>, deprivation of identity, as well as humiliation and taunting. Attracta M's testimony is that when she entered High Park the nuns cut her hair and *“Told me I go by the name of Attracta, and I would be called by my number, 63, whenever they wanted me to do anything”* [1/7/206]. She also says that women who displeased the nuns were put in solitary confinement after having their hair cut off and were then made to kiss the floor and say sorry to the Mother Superior *“in front of everybody in the room”* [1/7/207]. Again, Sara W says that when she arrived at Donnybrook, she was told *“Your number is 100 ... and don't you forget it, everything had to go by 100”* [1/9/263]. At Peacock Lane Laundry in Cork, she says *“we went by numbers”* – her number there was also 100 [1/9/267]. She says that one day she was called up to the nun's office, *“I had lovely blonde hair. The nun cut my hair to the bone”* [1/9/287]. Both Caitríona H [1/5/154] and Rita M [1/11/322] also remember being given house names. AB's testimony regarding New Ross is that she was given the name *“Columba”* [1/12/379]. She *“witnessed girls having their hair cut as punishment, and experienced this traumatic abuse herself too”* and remembers them being *“always humiliated in front of others”* [1/12/384 and 1/13/387]. Similarly, Maisie K remembers being called into a room by the nuns and *“I saw the scissors in her hand ... They*

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<sup>19</sup> Emphasis added

<sup>20</sup> There is relevant documentary evidence relating to this issue in a Diocesan Archive – see Note 6 above

*forced me on my knees and she cut my hair ... she left me with nothing only bits sticking out here and there in my head and it was then I think that my whole attitude towards nuns ... changed – changed completely ... It was the first time in my life that I learned to hate somebody* [1/6/189]. Maisie K also says that she was known by a number at Galway and gives extensive evidence of herself and other women being humiliated by nuns [1/6/179-181 and 190-191]. She has “*never forgotten hearing women, grown up women, crying under the sheets at night ... it was an awful thing to hear – an adult woman crying in bed*” [1/6/187-188].

- (u) The survivors’ testimony is corroborated by other witnesses. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] Mary C says that at Galway Magdalene Laundry women who tried to escape had their hair “*shaved to the bone*” [2/31/758]. Indeed, this was also a punishment if a woman broke the rules – “*Their heads would be shaved*” [2/31/770].
- (v) Furthermore, the women were never told when they might expect to be released – Sara W is adamant that she was not told how long she would be at Donnybrook [1/9/264] and she left without warning for Peacock Lane Laundry in Cork [1/9/265], where again she was not told how long she would be there [1/9/266]. She says that “*I was asking them [the nuns] every day, I told them I wanted to leave, every day*” but they replied “*Oh you’re not ready to go yet, you can’t go yet, maybe next year when you’re older*” [1/9/276-277]. In her case, she used to sit up in the laundry room “*crying my eyes out*” because “*you didn’t know why you were there, what am I here for like*” [1/9/276]. She says “*I tried to commit suicide at one stage to get attention*” [1/9/268]. Sara W says that, when she finally left the Peacock Lane Laundry, that was again with no warning [1/9/278]. Kate O’S says

that at Sunday's Well in Cork, the nun "*didn't say how long you might be there ... all she said was that someone might take you sometime*" **[1/10/292]**. Attracta M says that she would think "*am I ever going to get out of here, why am I here, what's my life doing?*" **[1/7/222]**. Similarly, Beth Q says that at Waterford she was not told how long she was going to be there or whether she would be allowed to leave **[1/1/6-7]**. She continues, "*I felt like I was never going to get out*" **[1/1/13]** – she says "[I] *didn't know where I was, didn't know what in the name of God, how am I ever going to get out of here. I just thought, I just thought my life was finished, that was it*" **[1/1/21 and 1/1/23]**. This is corroborated by other survivors – see the testimony of Kathleen R at **[1/3/129]**, Maisie K at **[1/6/180 and 191]**, Caitríona H at **[1/5/153]**, as well as Rita M at **[1/11/314, 322, 324, 330, 350 and 352]**.

- (w) The women's labour in the Magdalene Laundries was forced. Rita M says, "*it didn't matter how ill you were, you still had to work that day*" **[1/11/328]**. She says that she never refused to work at High Park, Drumcondra, "*I knew I had no choice, I had to do it ... or else I would get a good slapping and I didn't want a slapping. So I had to persevere and just get on with the work*". Sara W says that if you did not want to or could not work, "*You'd be beaten down the stairs, you'd be beaten up and brought down and made [to] work*" **[1/9/274]**. She refers to work in the Laundry as "*slavery*" **[1/9/286]**. Attracta M's testimony is that "*they'd put me down the hole because I wouldn't work*". This was "*a four by four room ... There was nothing in it, only a bench – no windows. You were put in there; your hair was cut, more or less off completely. Your hair was cut, and you were there all day without anything to eat until they came down for you at five o'clock and took you up. Then you had to go into the Sacred Heart room where the recreation was and kneel down in front of everybody in the room, kiss the floor and say you were sorry, and then the nun read the riot act to you. The Sr d\_ C\_\_\_\_\_, Mother d\_ C\_\_\_\_\_, whatever,*

*read the riot act to you” [1/7/207].<sup>21</sup> Attracta M goes on to say, “It was an awful thing to do though, because you were down there, there were no windows, it was a four-by-four room and it was locked, and you were there all day. Just sitting on a hard bench. It was absolutely – it was cruelty” [1/7/218].*

- (x) The fact that the women’s labour was forced is corroborated by Mary C, a paid hand at Galway Magdalene Laundry. She frankly says, “*It was slave labour, it was slave labour” [2/31/766 and 791].* She says of women who either wouldn’t or couldn’t work, “*they got beat ... they got physically beat. There were terrified, they were terrified. They were really and truly” [2/31/785].* This is not surprising given her evidence of truly savage beatings being inflicted for failure to work [2/31/753].
- (y) Des D, the maintenance man at Limerick Magdalene Laundry in the mid 1970s, gives important – and disturbing – evidence which corroborates the survivors’ testimony regarding the use of solitary confinement in the Laundries as punishment for a refusal to work. He says that in the 1970s, he recalls seeing what he describes as “punishment cells”, which he was asked to convert into toilets:

*“The punishment cells had a sort of a fold down bed, a frame covered with a hessi[a]n cloth ... It was strung up against the wall. When you wanted it you pulled it down from the wall and two straps would have held it and there was chains on the wall, you know like manacles – It’s a handcuff off a chain ... There was no toilet as such. It would have been a bucket. And there was your lat and a heavy door with bars on it ... I never heard of them being used but the point is they were there – whether they were used or not, they were there.” [2/21/560]*

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<sup>21</sup> Sr d\_ C\_\_\_\_\_ from High Park is mentioned in the death certificate of M\_\_\_ W\_\_\_ H\_\_\_\_\_, further corroborating Attracta M’s testimony [12/449/3705].

- (z) The women and girls' work was wholly (or almost wholly) unpaid. When Attracta M was asked whether she was paid for her 13/14 years of work at High Park, her reaction was "*No, not a penny*" [1/7/211]. AB says of her work at New Ross, "*we were not compensated in any way for our work*" [1/12/381]. Kathleen R says that she received no pay at all and no "pocket money either" – "*not a cent, not a cent*" – but "*On a feast day we might see an apple or an orange on our plate in the refectory. That's the pocket money we got*" [1/3/122]. She left Waterford Magdalene Laundry with no money – just "*four or five rags*" in a small, square cardboard suitcase [1/3/130-131]. Kate O'S says that at Sunday's Well, Cork "*We never saw a bit of money or nothing*" and "*we never got any money*" [1/10/292 and 297]. She is clear that she "*Never got a penny*" and that she "*Never got any pocket money at all ...you never got it*" [1/10/299]. Again, Caitríona H says she received nothing – and left the Laundry with nothing [1/5/51 and 1/5/160]. Similarly, Rita M says she received absolutely nothing as payment, not even "pocket money", and that she was given no money on leaving the Laundry [1/11/340-341 and 353].
- (aa) Other women received insignificant amounts of "pocket money". Maisie K says at Galway Magdalene Laundry, "*You got a half crown at Christmas*" (30 old pence) [1/6/193]. Sara W says that at Peacock's Lane, Cork "*I was paid two pence a week, and on a piece of paper!*" which she could exchange on a Sunday morning for "*A couple of sweets, a few sweets*" [1/9/272 and 287]. Beth Q remembers that at Waterford Magdalene Laundry in the 1960s, she received nothing until her last year (1968-1969) after which she received a pound per month (60 old pence per week) in "pocket money". That was far, far less than a comparable wage at the time – she says in the outside labour market, "*you would be getting £7 or £8 or £9 a week*" [1/1/14].
- (bb) Again, the survivors' testimony is corroborated by other witnesses. Mary C says of Galway Magdalene Laundry in the late 1950s, "*No, no one was paid ... only two shillings every Christmas ... that was the only thing – no, no pocket money whatsoever*" – the only "payment"

or “treat” given by the nuns might be a holy picture or a handkerchief – there were “*No wages. Definitely no wages*” [2/31/783-784]. She says that, although the nuns “*made a lot of money out of it*” [i.e. the Laundry], two shillings (24 old pence) was all the women received for a year’s work: “*Oh that’s all, that’s all – for a year’s work*” [2/31/755]. Denis McN says of his great aunt Edith M at Limerick that his grandmother (Edith’s sister) “*would have often questioned what ever wages or salary she earned ... Whatever money she had my grandmother would give her ... My grandmother would have queried what ever happened, you know, were they paid?*” [2/26/698]. He also says “*My mother was saying that when my grandmother would visit she would give her money and Edith would drop it and the nuns would take it off them if they got it*” [2/26/691].

[REDACTED]

(cc) Working conditions were harsh. Attracta M says of working conditions, “*it was absolutely dreadful, it was*” [1/7/207]. Working conditions are further explored in paragraphs 234 — 242 below.

(dd) The women worked long hours, continuously throughout the year. Kate O’S says of Sunday’s Well, Cork, “*The pressers – you know the presser for pressing clothes ... you would have to stand there in the*

*laundry ... all day from 7am in the morning until 7pm at night”* **[1/10/293]**. She recollects that she worked “*from Monday to Saturday ... all the years round ... from 7am to 7pm from Monday to Saturday ... the only time you got a break was a Sunday and they might make you sew on a Sunday. And then she [one of the nuns] might find ... if she saw you doing nothing ... she would come up and tell you to polish the rooms”* **[1/10/299]**. She recalls that the women in the sewing room had sore fingers – “*Some of the women had to do this on a Sunday ... you had to work on the Sunday”* **[1/10/294]**. Sara W remembers that she worked from 9am to 6pm, with half an hour for lunch, six days per week **[1/9/273]**, after which she would go up to the work rooms to make rugs, holy pictures and handbags **[1/9/269 and 273]**. Attracta M says that they worked every day in the Laundry except Saturday and Sunday. However, “*on a Saturday we used to have to go up to the farm to work on the farm to pick potatoes and things like that”* and they also had to scrub the cloisters, the ironing rooms and the office. On Sunday, they had to scrub the dormitories **[1/7/213-214]**.

- (ee) Girls of school-going age in the Magdalene Laundries were not provided with any education. This is considered further in paragraphs 321 — 337 below.
- (ff) There were very limited opportunities for recreation. Sara W says in relation to Donnybrook “*I never seen day light for two years”* **[1/9/287]**. She also says that there were “*no special events, no gosh no holidays at all. The only bit of freedom – we were allowed to walk up and down a place called the bleach where they put out the sheets in the summertime, clothes lines and all that, you’d walk up and down there. That was your freedom. Other than that there was nothing else”* **[1/9/273]**. Kate O’S says that at Sunday’s Well in Cork, “*the nun ... she would bring you out and you had to walk after her ... you daren’t move ... except after her around the grounds .... We never went out”* **[1/10/296]**.

(gg) As far as socialising with other women and girls during working time in the Laundry, Kate O'S says "*you weren't allowed to talk, you were allowed to work*" [\[1/10/293\]](#). She says that the nuns "*would not talk to you ... There was no love or anything in them at all ... the hate was in their eyes ... every time you would look at them ... you would wonder if you get a belt*" [\[1/10/298\]](#). Sara W recalls that "*we weren't allowed [to] speak*" [\[1/9/263\]](#) and "*If you spoke they would hit you on top of the head with a very heavy bunch of keys*" [\[1/9/286\]](#). Attracta M says, "*You were better off being silent because otherwise you'd be sent to the hole*" [\[1/7/217\]](#). Finbar J says that when he helped his grandmother drop off hospital laundry at the Limerick Good Shepherd in the 1950s, "*The place was very very quiet. Nobody spoke anyway loudly ... There was nobody talking. There was no smiling. The nuns had very little talk to the girls there ... it was very very quiet out there and I wouldn't think that there was any great fun for the people working there*" [\[2/24/639\]](#). Denis McN says that when he visited his great aunt in Limerick "*I always remember it being very very quiet in there ... I only ever remember it being silent*". He also says "*... there was always a sense of fear when one of the nuns came into the room particularly when they had visitors*" [\[2/26/692\]](#).

(hh) The women also suffered from neglect. AB says of her time at New Ross, "*I did not receive the basic components of a balanced diet for four years. Our diet did not contain fruit or vegetables and very little protein ... The medical outcome of such a diet: I was extremely thin and sickly for my first year. I never began my menstrual cycles until the age of 19*". She concludes "*In every aspect of our physical growth and development the convent cared for us with absolutely the minimal standards*" [\[1/12/381-382\]](#). The survivors say that they generally had porridge or bread for breakfast and potatoes, sausage and cabbage for the other meals. Sara W says "*We got one egg a year*" on Easter Sunday morning [\[1/9/268\]](#). Other than that, "*you might get a bit of cabbage, you might get a potato and a bit of meat you know, about that size and then you'd get porridge in the evening time, that was your supper, porridge ... you'd get porridge again for your breakfast,*



*a cup of tea and a slice of bread” [1/9/262]. Kate O’S remembers that at Sunday’s Well, Cork, “We never got eggs or we never got meat ... you would get potatoes and a drop of soup and a bit of margarine. No meat or vegetables or fish .... No not at all. We were fed on spuds ...for supper you would get a bit of bread ... you would get a slice of bread cut in two ... that was what you got and a cup of tea” [1/10/296]. She continues, “... if you were hungry you could stay hungry” [1/10/298]. Attracta M states of High Park that they were only given a hot meal in the evening. Other than that, they were given “half a loaf of bread, a quarter pound of butter or half a pound of butter or whatever, for the week. And that was what we had to put up with for the week”. Even this was taken away if a woman failed to get up at 6.30am in time for mass [1/7/206-207]. Unsurprisingly, the women and girls were hungry – Mary C says that “they were out rooting in the bins – they were rooting in the bins ... They were hungry” [2/31/757].*

- (ii) The neglect was not confined to food. It extended to hygiene. Kate O’S says of Sunday’s Well in Cork, “They had no baths ... it was these big sinks and you had to go wash yourself there ...” [1/10/292]. Kathy M says that her father told her that her mother Beth M and aunt Marie M had caught scabies whilst at Sean McDermott Street Laundry in the late 1960s [2/17/449]. AB says “I personally did not receive a toothbrush for one year” [1/11/381] and then says that she subsequently had considerable dental problems [1/11/382].
- (jj) The neglect also extended to the heating of the dormitories. Caitríona H says of Limerick Magdalene Laundry, “I wouldn’t like to go through it again. It was cold there, very cold. You got your breakfast, dinner and supper basically but that was it” [1/4/143]. See also Bernadette B’s statement to RTÉ Liveline about the conditions her mother lived in [5/121/1655].
- (kk) There was no valid reason for the neglect – the Religious Orders certainly had the funds to ensure that the women and girls had

reasonable food, clothing and medical attention. There is evidence in the Diocesan Archive mentioned in Note 6 above which is relevant to the profitability of the commercial operation of the relevant local Magdalene Laundry. This subject is considered further in paragraphs 224 — 233 below. Indeed, the nuns themselves did not share the same privations as the women working in the Laundries. Des D recalls that *“the nuns and the girls never ate together. The nuns had the best and I mean the best. Many’s a day when I’d be walking past the [nun’s kitchen/refectory] I’d get the smell of roast beef or lamb. It was unreal. The women would have got their mince”* [\[2/21/558\]](#).

- (II) Finally, Attracta M summarises her time at High Park, Drumcondra, simply, *“You had no human rights there at all”* [\[1/7/223\]](#).

### **The effect of the abuse on the survivors and their families**

9. The remedies which JFM has sought on behalf of the survivors are set out in the Proposed Redress Scheme submitted to the Government on 14<sup>th</sup> October 2011 [\[8/265/2589-2602\]](#). Although one of the elements sought is compensation in lieu of unpaid wages, the survivors and their families also seek other significant forms of redress from the State and the Religious Orders.
10. A further important form of redress sought by the survivors is recognition of time worked in the Laundries for the purposes of the Irish State pension. Beth Q explains that *“I’m not getting my full pension because I done so many years there. I had only 90, ... 86 stamps when I should have had 135 or something ... I’m only getting €219 of a pension when I should be getting €230”* [\[1/1/26\]](#). Attracta M makes a similar point in her evidence. She only receives €26 per week – *“all I want is the 14 years I worked for nothing”* [\[1/7/219-220 and 229-230\]](#). Similarly, AB has had a long struggle to obtain an Irish State pension – see [\[1/13/386-401\]](#). The question of social welfare contributions is covered in paragraphs 338 — 343 below.
11. JFM has also proposed a number of non-financial remedies. One of these is an apology. Many survivors continue to insist on the importance of an apology as a key first step in effecting justice. JFM has always insisted that a State and Church

apology may also bring forth other survivors who remain silent about their past experiences in the Magdalene Laundries because of the stigma and shame associated with these institutions in the past<sup>22</sup>. An apology, therefore, remains important to many of the survivors (and their relatives) in helping them to deal with the effects of the abuse which they suffered in the Laundries. As Beth Q explains, an apology would bring “*a sort of closure. That at least they had the good rights to apologise ... if somebody goes out of their way to apologise, that they were in the wrong, well then that would alleviate you ... That would give you peace of mind, because you know in your heart and soul then well they realise now they were in the wrong, they shouldn't have done what they done*” [1/1/30].

12. The survivors have a great need that their suffering be recognised – and that the State both accepts its responsibility for its part in causing that suffering, as well as encouraging the Religious Orders and the Church more generally to accept their share of responsibility. The abuse has had a lifelong effect on the survivors. The Ryan Report records at paragraph 18.97 [5/118/1647] one female witness giving an account “of a recurring nightmare where she *“is locked there for life”*; her previous experience of being forced to stay in a closed institution was described as having an enduring effect on her adult life”. Another is recorded at paragraph 18.105 of the Ryan Report as saying:

*“The older I get I find these years haunt me, I will carry it to the grave with me ... The nuns made you feel as if you're a nobody and you never have any roots ... As the years go by you try not to be spiteful, I try not to be bitter ... I have bad days and then I have good days”*

13. Maisie K reports that she still suffers from nightmares fifty years on – “*I thought I was locked in ... I'm locked in. I can't get out. I[t] was 2 to 3 days before I could get that out of my head ... I couldn't believe at that age that it would come back like that again ... It never leaves you*” [1/6/203].
14. Attracta M says that she feels “*Bitter, very bitter*” about her time in the Laundries [1/7/222]. She says about Ireland that “*it's my country*”, but “*I really feel that Ireland let me down*” [1/7/231]. Her husband states that:

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<sup>22</sup> This is a point made by the IHRC in paragraph 21 of their November 2010 Assessment of the Human Rights Issues Arising in relation to the “Magdalen Laundries” [9274/2752].

*“At night she cries, she still cries. She wakes up crying. She dreams about it ... That’s affected all her life. I mean that”* [\[1/7/231\]](#)

15. Attracta M (and her husband) also says that she is unable to visit Ireland for more than a few days at a time, because *“I’d be afraid to go back. It would always be in my mind”* [\[1/7/232\]](#).

16. Sara W says that when she first came out of the Laundries, *“I never went outside the door for months. I didn’t go outside the door, I was terrified of the dark and wasn’t able to eat or anything”* [\[1/9/283\]](#).

17. She did not go to the Gardaí to report what happened to her in the Laundries because *“I think I was ashamed to, like, to say it to anyone”* [\[1/9/281\]](#). She says that she did not speak about the Laundries after she left, because *“I was too ashamed, I was ashamed, ashamed”* [\[1/9/282\]](#). She continues:

*“I had been so ashamed of being in the place, no I don’t know why, I could not tell anyone. I took a long time to get my life together. I have had hang ups all my life. I tried to make something of a life for myself. I always felt the odd one out. Then people did not understand what I had been through all my life, I tried to take my own life several times ...”* [\[1/9/287\]](#)

18. She blames her experiences for the failure of her marriage, *“you see my marriage and all broke up over it because I told him, told my husband, thinking I was doing right and all was thrown into my face then so we broke up”* [\[1/9/282\]](#).

19. Like Attracta M, Sara W has also suffered from the memories of her time in the Laundries: *“I always had it in the back of my mind that I might end up in the convent. I was terrified, the hang ups were terrible, I was haunted by the thoughts of it ... I know all the bad memories are never going to leave me”* [\[1/9/287\]](#). She says that she feels *“Dreadful now sometimes, dreadful. I do, I get sick of the thoughts of it now”* [\[1/9/283\]](#).

20. AB says, *“I would spend a lot of hard earned money on therapy, psychiatrists and medication to deal with depression and feelings of low self esteem. I had a great deal of trouble trusting situations and people in positions of authority. I dated when I was younger but I never felt comfortable taking huge risks and I never married. Again the pattern of functioning in the “survival mode” dominated my adult life style”* [\[1/12/385\]](#).
21. For some survivors, the abuse has left a legacy of bitterness which has turned them away from the Church. Kate O’S says directly, *“I feel hatred towards the nuns. They didn’t do us any justice ... we were treated like dirt ... they would throw things at us ... I just can’t stand them or the priests. God forgive me”* [\[1/10/295\]](#). She continues, *“I would never go to communion now ... I would not go to a priest now because they had no right to do what they done .... because they were all together in it”* [\[1/10/297\]](#).
22. Other survivors have turned to their faith to support them in their search for justice. For example, Beth Q emphasises in her testimony her love and devotion to Our Lady of Fatima [\[1/1/25-26\]](#).
23. AB has experienced both feelings – she says, *“My belief in a loving, powerful father-figure God – came to an abrupt end. I was totally intimidated by “God’s nuns” who treated me so harshly and impersonally. I felt my feelings toward the Church itself, turned into stone. It would take me 30 years of therapy and a conversion experience at the age of 43 years of age for me to return to the Church open-hearted and filled with trust once again”* [\[1/12/384\]](#).
24. The abuse not only affected the survivors, but also the families of women and girls who were incarcerated in the Magdalene Laundries. Denis McN from Limerick reflects that *“there was sheer tyranny that had gone on in some of these places. For me I see wasted opportunity, wasted youths, humans in society that could have contributed and we locked them away”* [\[2/26/699\]](#). He says of his great aunt Edith M, *“Would I be angry or cross if I found out that they were taken advantage of? Certainly”*. Anger certainly infuses Bernadette B’s statement to RTÉ Liveline about the treatment of her mother, Anne McD [\[5/121/1655\]](#).

25. Another element of redress sought by the survivors and their families is access to available records. Many survivors and the families of women and girls incarcerated in the Laundries report difficulties in accessing records which would allow them to understand their identity – see, for example, Sara W’s evidence at [1/9/281-282] Attracta M’s testimony at [1/7/227-229 and 232], Kathy M’s testimony at [2/17/447, 450 and 452], and Lily F and Mary Ann F’s testimony at [2/19/500-546], as well as more generally the JFM Paper of July 2010, “Magdalene Laundries, Mother and Baby Homes and the Adoption/Fostering Connection” [9/271/2724-2733] and paragraphs 86 and 92 of the conclusions of the IHRC in its November 2010 assessment [9/274/2767-2768]. This Committee has had access to both the State’s records and, it is understood, to certain records kept by the Church and the Religious Orders. It is of great importance to the survivors and their families that the Committee should record whatever information still exists and should do all in its power to preserve securely the information which it has been given access to<sup>23</sup>.
26. Finally, the survivors and their families seek various forms of permanent recognition of the suffering which they have endured. Part of this recognition is the erection of suitable memorial headstones on Magdalene burial plots. The question of the recording of deaths and burials is considered in paragraphs 344-367 below.
27. It is very important to the families of those who died in the Laundries that previous failures to commemorate those who died should be addressed. Councillor Martin M from Limerick relates that, when the new headstone on the Magdalene grave at Mount St Lawrence cemetery was unveiled, which listed the names of the women who died in the Laundry, *“I was looking and there was some people were actually going looking for names, these are names that would have come from the past, relatives of theirs that may have been there.”* The recording of the women’s names *“was a question of society recognising that what it had done in the past was absolutely horrible and welcoming them back into society”* [2/20/549]. However, even in 2012, many of those who died remain un-commemorated. One of the two Bohermore graves in Galway still lists no names whatsoever, in a county council graveyard.

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<sup>23</sup> See here JFM’s Press Release of 26<sup>th</sup> October 2011 [9/269/2718].

28. More generally, it is important to the families of those who either died in the Laundries or who survived but have since passed away, that this part of Ireland's history is not forgotten and that the State shows a commitment to remember this chapter of the nation's history. For example, Denis McN explains that he "*would very dearly like to see some recognition*" because he and his mother are the last of his family who actually visited his great aunt while she was in the Limerick Magdalene Laundry: "*If I even try to explain that to my own two boys they couldn't/wouldn't understand*" [2/26/698].

29. Similarly, Bridie D of Limerick relates that one of the visitors to the Limerick School of Art and Design (which occupies the old Laundry site) was the son of a woman who had been incarcerated there. He brought his family with him from Tucson, Arizona. His mother had died the previous year:

*"One of her last wishes was that her son should bring his children back to the convent where she had been incarcerated. She wanted them to see what it was like. She wanted them to remember for her. She felt it was important that the past is not forgotten so that it may never happen<sup>24</sup>".*  
[2/16/441].

30. All of the survivors and their families look forward to this Committee making appropriate findings of fact within its remit, which will represent the first step towards reconciliation and restorative justice.

### **The Historical Context of the Operation of the Magdalene Laundries – and the Response of the Religious Orders to the allegations of abuse**

31. It may assist the Committee to consider the operation of the Laundries in different time periods. JFM believes that there has been abuse in the Laundries in all periods in which the Laundries were in operation. The Committee will note that the survivors' testimonies not only range across different Laundries, but across a wide range of periods from the 1940s to the 1970s.

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<sup>24</sup> Emphasis added

32. By contrast, the responses given by the Religious Orders to allegations of abuse appear to focus on time periods before and after the periods to which the survivors' testimonies relate.

**(a) Pre-1922**

33. Turning first to the period before the foundation of the State in 1922, the Sisters of Our Lady of Charity (who operated High Park Laundry, Drumcondra) have stated in a letter of 9<sup>th</sup> May 2011 to Lily F [\[2/19/532-533\]](#) that they only have limited information (in the form of one register entry containing a date of entry only) about her grandmother, Annie F, who first entered High Park in 1909.<sup>25</sup> They explain:

*“Women came and went sometimes brought by their families or self referred as appears to be the case with Annie F. Many stayed for just days or weeks, though some especially if they had special needs or were unable to live independent lives stayed on longer. At that time St Mary’s was seen as a refuge for women and they came because they had no other support mechanisms or because of society’s rejection following the birth of a child outside of marriage for example”.*

34. There has been considerable academic research in relation to the operation of the Laundries prior to Irish independence<sup>26</sup>. Throughout the nineteenth century, there were many Magdalene institutions, both Catholic and Protestant, operating across the island of Ireland. It would appear that the Laundries were originally partly directed towards the rehabilitation of women in prostitution, so-called “fallen” women. Prostitution was a sizeable problem in 19<sup>th</sup> century Ireland, partly as a result of the presence of a large British garrison and partly as a result of the British authorities’ complacent attitude to the issue.

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<sup>25</sup> This is despite the fact that Lily F has shown the Sisters of Our Lady of Charity records of Annie F from (a) the Coombe Hospital, stating ‘High Park, Drumcondra’ as Annie F’s place of residence on her son J\_\_\_\_ F\_\_\_\_’s 1925 birth record; (b) St Brigid’s Orphanage, Eccles St, Dublin, stating that J\_\_\_\_ F\_\_\_\_ was referred to the orphanage in 1925 aged 2 months by Rev. Mother G\_\_\_\_\_, High Park, Drumcondra; (c) the Good Shepherd Magdalene in Limerick, stating that Annie F was recommended to Limerick in 1925 having spent 15 years in High Park; and (d) Annie F’s death certificate stating that she died in 1933 in the Good Shepherd, Limerick.

<sup>26</sup> A survey of the literature in relation to the operation of the Laundries in 19<sup>th</sup> century Ireland is contained in Chapter 1 of Dr James Smith’s book, *“Ireland’s Magdalen Laundries and the Nation’s Architecture of Containment”* [\[9/280/2869-2879\]](#).



35. It is also clear that at least some of the women who entered the Laundries in the 19<sup>th</sup> century were free to leave. Professor Maria Luddy<sup>27</sup>, who has conducted original research on the 19<sup>th</sup> century registers of Ireland's Magdalene institutions, stated in an article in the *Women's History Review* in 1992 that “*During the nineteenth century about 52% of women left these asylums voluntarily. It seems clear also that many of the women who entered asylums used them as a temporary refuge until other options became available to them*” **[9/281/2925]**.

36. Professor Luddy explains in a later article in the *Women's History Review* in 1997, that in the whole of the 19<sup>th</sup> century:

*“The majority of the women who entered these refuges did so voluntarily – just over 66%, and a number of women re-entered, some as often as ten times. From the available evidence it seems that entering a refuge was, for the majority of women, a matter of choice. While it is true that many destitute women had only the workhouse or the Magdalen asylum to turn to in times of utter distress, it would appear that the second was the favoured option of many. The length of stay in the asylums varied from one day for some women to an entire lifetime, of thirty or forty years, for others. It was generally women who entered in their teens or who were in their thirties or older, who remained in the homes. The decision to stay was made by the women themselves and although the nuns certainly did not encourage women to leave, they had little choice in the matter if the woman was determined to go. It would seem, from the number of re-entries, that some women may have used the asylums as a temporary shelter and once they were able to return to the outside world they did so. For others, the stability of life within a refuge, the order and discipline imposed may have bought a sense of security, and made it an attractive option to remain.”* **[9/282/2947]**.

37. However, not all of the women and girls in the Laundries, even in the 19<sup>th</sup> century, were free to come and go as they pleased. As Frances Finnegan points out in her book on the history of the Good Shepherd Order's Laundries in Ireland, “*Do*

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<sup>27</sup> Professor in History at the University of Warwick in England. Much of Professor Luddy's early work on the Laundries culminates in her more recent book entitled *Prostitution and Irish Society, 1800-1940* (Cambridge University Press, 2007).

*Penance or Perish*”<sup>28</sup> one of the reasons why a second Magdalene Laundry was founded in Cork in 1872 by the Good Shepherds at Sunday’s Well was that the existing Laundry operated by Sisters of Charity at Peacock’s Lane was finding it difficult to persuade women in prostitution to enter because of its reputation as being “*rather severe*” which had “*limited appeal even for those most filled with remorse, since it offered no training for future employment, and women who entered, allegedly undertook to remain in the Refuge for life*”<sup>29</sup>. However, the supposed leniency of the new Good Shepherd Laundry was a misconception, since as Frances Finnegan points out “*the Good Shepherds’ design on such women was similar, though less openly expressed*”. She explains that “*the Good Shepherds’ goal was the reform of these women, but not necessarily their restoration to society*” – as was clear from the rules of the Order; “*We should ... make every effort to induce them to remain in the asylum opened to them by Divine Providence, where they assured of the grace of a happy death ...*”. She goes on to say that “*the Orders Annals contain evidence of this wish to keep inmates incarcerated for life, permanently suspended in a non-sexual, child-like state and unnaturally guarded from re-exposure to sin.*”<sup>30</sup>.

38. In support of those conclusions, Frances Finnegan draws on evidence throughout her book from the Order’s own records that some women and girls escaped<sup>31</sup>, which tends to indicate that it was at least difficult to leave otherwise, and that other women remained in the Laundries for their entire lives<sup>32</sup>.
  
39. Professor Luddy came to similar conclusions in her 1997 article. She comments that, even in the 19<sup>th</sup> century, “*Magdalen asylums were places of confinement and the women who entered these dwellings were expected to spend at least enough time there to bring about their reformation. Life within these institutions was severely restricted and restrictive*”. She explains that, even then, there was a strict regime, under which “fallen women” were to be separated from the world, their hair was cut on entry to the asylum, they were forbidden to use their own names, they were under the constant supervision of the nuns, their daily life was made up of “*prayer,*

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<sup>28</sup> Oxford University Press (2004). Like Professor Luddy’s work, this was based on original research into the Good Shepherd Order’s pre-1900 archives

<sup>29</sup> Op cit, page 158

<sup>30</sup> Op cit pages 35-36

<sup>31</sup> See especially pages 45, 67 and 69.

<sup>32</sup> See especially pages 40, 65, 68, 108 and 120.

*labour, recreation and silence*” since “*Labour should form part of their penance*” and their dormitories were locked at night. Professor Luddy states that “*All contacts with the outside world were limited and there were severe restrictions placed on the women’s freedom within the institutions*” [\[9/282/2945-2946\]](#). Most of these features of the 19<sup>th</sup> century operation of the Laundries continued into the period between the 1940s and the 1970s of which the survivors have direct experience.

40. A change in the operation of the Laundries began shortly before 1900. Professor Luddy states in her 1997 article that “*The function of the Magdalen asylums was to change in the twentieth century where they became increasingly homes for unmarried mothers, rather than for prostitutes*” [\[9/282/2949\]](#). She points out that, from the 1880s, the problem of prostitution declined, both because of the purity movement and because of “*rising educational standards, increased work opportunities and declining population, witnessed particularly high levels of female emigration*” [\[9/282/2948\]](#). On the other hand, a “*new morality which was developing strongly amongst the Catholic population*” meant that as “*the new century dawned the families of “uncontrollable” girls saw these Magdalen asylums operated by nuns as a possible place of concealment for their wayward daughters, to hide the shame perceived to have been visited on a family by a daughter’s wayward behaviour*” [\[9/282/2949\]](#).
41. Dr Smith also points out in Chapter 1 of his book, “*The practice of encouraging women to remain for long periods varied somewhat depending on the congregation. Some evidence suggests that, as the [nineteenth] progressed the practice of lifelong confinement increased, in particular, at the asylums operated by the two French orders*” [\[9/280/2874\]](#). He goes on to cite an article in a Catholic magazine from 1897 on “*The Magdalens of High Park*” [\[9/280/2874-2875\]](#), which “*suggests that by the end of the nineteenth century the Magdalen asylum is already functioning to confine women who contradict Catholic Ireland’s insistence on social and moral respectability; the Magdalen is becoming less a site of temporary refuge and more a refuge of last resort. It provides for those utterly abandoned by society.*” Finally, like Professor Luddy, he points out that demographic, social and economic changes reduced the number of women in prostitution seeking refuge in the Laundries and that “*the religious congregations were faced with finding ways to retain their population of inmates for longer periods so as to perpetuate their mission and/or*

*seek alternative sources of penitent women to staff their commercial laundries”*  
**[9/280/2877]**.

42. Along with the change in the types of women being sent to the Laundries, there was a change at the same time in the possibility of them leaving voluntarily. The statistics JFM has collected, which compare the women and girls in the Laundries at the time of the 1901 and 1911 censuses with the information on burials in Magdalene graves, shows that a high percentage of women who entered after 1900 lived and died in the Laundries.

***(b) Between 1922 and the mid-1970s***

43. This change only accelerated after 1922. The complacent attitude of the British authorities towards issues of morality prior to 1922 changed on Ireland’s independence. As Professor Luddy explains in her most recent article in the *Women’s History Review* from February 2011:

*“Representing possible immorality, a drain on public finances and someone in need not only of rescue, but also of institutionalisation, the unmarried mother had become, by the foundation of the Irish Free State in 1922, a symbol of unacceptable sexual activity and a problem that had the potential to blight the reputation not only of the family but of the nation”*  
**[9/283/2957]**.

44. She continues, by explaining that:

*“With the establishment of the Irish Free State in 1922 the Catholic Church became particularly concerned with sexual immorality; they were especially anxious, as was the government, about the unmarried mother. Both the state and the Church emphatically presented women’s place as being in the home and the ideal role of the Irish woman was as mother.”* **[9/283/2959]**

45. There were a variety of concerns: one was the loss of parental control during the period of the War of Independence and Civil War, a second was the influence of

new technology, “the prevalence of “commercialised dancehalls, picture houses .... and the opportunities afforded by the misuse of motor cars for luring girls.” and a third issue was the financial burden on the State and local authorities of maintaining unmarried mothers.

46. The development of social policy in the 1920s and 1930s is explored in considerable detail in the 2011 article by Professor Luddy and the Introduction to and Chapter 2 of Dr James Smith’s book<sup>33</sup>, *Ireland’s Magdalen Laundries and the Nation’s Architecture of Containment* [9/280/2857-2919]. They deserve reading in full, as they explain the historical reasons why, as JFM submits, the Irish State regarded the Magdalene Laundries as an opportunity to deal with social problems, why it chose to give them direct and indirect financial support and why it appears to have tacitly decided not to subject the Laundries to the State supervision and control warranted by its own extant legislation.
47. It is this academic material which sets the context to the survivor testimonies and documentary evidence of abuse in the period from the 1940s to the mid 1960s. The Committee will note in particular that none of the survivors in that period say that they entered the Magdalene Laundry voluntarily or of their own initiative as a “place of refuge” – and none of them say that they were allowed to leave voluntarily at a time of their own choosing.

***(c) From the mid-1960s onwards***

48. The Laundries gradually closed from the 1970s onwards, with the last at Sean McDermott Street finally shutting its doors in 1996.
49. The Committee will note that, the testimonies indicate that there were some changes in the operation of the Laundries in their final years. This can be attributed to at least four main reasons: changes in the attitude of the Religious Orders, a decline in the number of nuns entering the Religious Orders, a decline in the number of women and girls entering the Laundries due to increased opportunities for women generally,

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<sup>33</sup> Dr Smith is Associate Professor of English and Irish Studies at Boston College in the USA. He is a JFM Advisory Committee Member and a co-author of this submission.

both at home and abroad, and changes in the commercial climate for laundries following the advent of washing machines<sup>34</sup>.

50. For example, Attracta M explains when she left High Park in 1960: “*when I was there nobody was leaving, because it was a closed in laundry at the time. But then somebody said to me the reason they’re letting you out is because it’s breaking down a bit – the laundries are all breaking down*” [1/7/213]. [REDACTED]

51. There also appears to have been (to some extent) a change in attitudes within the Religious Orders following the end of the Second Vatican Council in December 1965. [REDACTED]

52. This statement needs to be taken in context. The change in attitudes appears to have differed from Laundry to Laundry and appears to have been at best partial. Rita M’s testimony relating to her treatment at High Park Drumcondra relates to the period from June 1967 to July 1968. She says she was given the impression by the nuns that she was there “*forever*” [1/11/314] and she was physically assaulted by the nuns while she was there [1/11/316]. Beth Q says that she was only allowed to leave the Good Shepherd Waterford Laundry in March 1969 because she went on hunger strike [1/1/7]. She too says that she was “*very unhappy*” there, because “*I felt I was never going to get out ... I think I cried every night I was there*” [1/1/13].

53. At the same time, Kathy M recalls that between 1965 and 1969 her birth mother, Beth M, and her aunts Caitlin M and Marie M were sent “*in and out of the Magdalene laundries by the court system. They’d be up in front of the judge, the*

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<sup>34</sup> See page 113 of Frances Finnegan, *Do Penance or Perish: Magdalen Asylums in Ireland*; Oxford University Press, 2004

*judge ... would say to them “look, it's either prison or it's in here”, and they used to go to the one up in Sean McDermott street” [2/17/446 and 448].*

54. Des D explains in relation to Limerick that, *“Maybe as the years moved on, you are now coming up now to the mid seventies, starting to go into the 80s, maybe they were starting to wake up and smell the coffee and realising that you can’t treat people like this anymore” [2/21/556].*
55. However, even at that time, the Laundries were only more “lenient” to a degree. He continues *“But at the same time the way it was run – it was run like a regime. In other words you don’t question you just do it”*. He also mentions that the women *“were not allowed to have a voice for themselves until later years when they started to get out. But there were only certain ones they would let out” [2/21/556 and 558].* Importantly, he also gives eyewitness evidence that at least some nuns continued to physically abuse the women in the mid-1970s if they thought that they were unobserved by outside witnesses (see paragraph 8(s) above).
56. Finally, Des D summarises in his own words the way in which the Laundries’ stated mission to help vulnerable women and girls was undermined by the abuse: *“Maybe the idea of somewhere for them to go was right but the way they were treated when they got here was wrong ... maybe their [the Good Shepherd nuns’] ideas were right but the way they went about them at times was wrong ... no one has the right to hit another person, no one has the right to put another person down ...” [2/21/562].*

***(d) The explanations of the Church and Religious Orders for the abuse***

57. As for the Church and the Religious Orders, JFM has not seen any submissions they have forwarded to the Committee – and nor have they made any public comment on their response to the allegations made by survivors. This is despite the fact that JFM wrote to the four Religious Orders concerned on four separate occasions between November 2009 and April 2011 requesting a meeting to exchange information and initiate a dialogue. Ultimately, two of the congregations declined to meet and two did not respond at all.

58. Nevertheless, JFM is aware of a book by Sr. Stanislaus Kennedy dating back to 1985 entitled *But Where Can I Go?* which gives some insight into the Religious Orders' views [9/277/2817-2837]. At no point in that book does Sr. Stanislaus directly refer to Magdalene Laundries. However, she does refer to three "long-term hostels" which were "large institutions, built in the nineteenth century to accommodate between 100 and 150 women each" [9/277/2823]. There can be little doubt that this is a reference to the three Dublin Magdalene Laundries at High Park Convent, Drumcondra, Sean McDermott Street and Donnybrook, particularly since the "List of Organisations who gave Information" includes those three institutions [9/277/2819-2820].

59. The value of Sr. Stanislaus' research is limited as far as the three institutions in question are concerned because it would appear that she did not conduct confidential one-to-one interviews with the women living there, as she appears to have done with the occupants of other short-term institutions. As she herself says:

*"After participation observation and on the advice of staff in the long-term hostels, we decided not to interview the women. Instead, we held group discussions with those who wished to talk. We also received information on the women from hostel staff"* [9/277/2832].

60. She then says:

*"The information on women in long-term hostels must be treated with some reserve, as none of it is based on personal interviews with the women themselves"* [9/277/2833]

61. This may be the reason why Sr. Stanislaus draws conclusions which are very much at variance with the testimony from survivors and other witnesses with direct knowledge of the Magdalene Laundries in question, as well as available documentary records. For example, she says that *"The three hostels have since their foundation provided work as an occupation or therapeutic rehabilitation"* [9/277/2823]. This is entirely inconsistent with all of the other evidence (set out in detail below) which shows that the laundry operations were carried out on a wholly



commercial basis with the principal object of earning a (considerable) profit for the Religious Orders – and that the women and girls incarcerated in the Laundries were forced to work in poor and unsafe conditions – and for no pay. Indeed, this conclusion is inconsistent with the Cussen Report of 1936 [5/116/1626] which records that “*as the labour of these inmates is of some value, in many cases of commercial value, to the Institutions (e.g., where laundries are conducted), it should be provided that a specified portion of the cash value of the work of the girls ... should be placed to their credit ... and made available for them on leaving*”.

62. Sr. Stanislaus also says that “*The three large nineteenth-century long-term hostels may seem narrowly institutional to us now, but they were caring institutions which tried to meet the needs of their time*” [9/277/2826]. This statement is not reflected either in the Ryan Report or in the testimonies of survivors.

63. That said, there are some elements of Sr. Stanislaus’ study of these institutions which are consistent with the picture painted by survivors. On page 82, she accepts that, at least at one stage, the three Laundries in question had a punitive function; “*In the old days, these were houses of penance and the residents were generally referred to as penitents*” [9/277/2823]. This is consistent with survivor testimony that, whatever the reason they were originally sent to the Laundries, the nuns treated them as being there for punishment. Rita M, who was sent to one of the Laundries covered by Sr. Stanislaus’ book – High Park, Drumcondra – is very clear that even in the late 1960s it was a place of punishment – see paragraph 96 below. The same is true of other Laundries outside the Dublin area. Kate O’S was sent to Sunday’s Well, Cork by her sister “*because my sister didn’t want me*” – she was told on arrival “*You are here for your sins now*” [1/10/291-292]. She continued, “*She (the nun) all she ever told us is that we were in for our sins*” [5/1265]. The Committee should also note that there is evidence in a Diocesan Archive which makes clear the true objectives of the Laundries (at least those belonging to the particular Order concerned)<sup>35</sup>.

64. Furthermore, on pages 126 and 127 [9/277/2834], Sr. Stanislaus includes the recollections of women resident in 1983 at the time of the study but who worked in the Laundries prior to the end of the Second Vatican Council (1962-1965). Her

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<sup>35</sup> See Note 6 above

summary is that “Overall, the picture of the past described by different women was one of hard work, isolation from the outside world, long hours, strictness mingled with humour”. She then quotes one survivor as saying “You never got out ... It was strict all right. Sometimes you’d get locked up” and if she refused to work “I got a good malevoguing<sup>36</sup> for that. They be[a]t sense into me. They thought it was for my own good, but I didn’t like the beating”.

65. Another survivor refers to the changes after Vatican II – “the best part was getting out ... if your family wants you out, you can go” [\[9/277/2834-2835\]](#). The inference must be that the three Laundries in question did not allow women and girls to leave, even to visit relatives, prior to Vatican II. – and also that, even post-Vatican II, women and girls were only free to leave if their family sought their release (see here particularly Rita M’s evidence on this point).
66. Finally, Sr. Stanislaus offers a clue as to the reason why some women remained in the Laundries until the last closed in 1996. At the time of her survey on 1<sup>st</sup> December 1983, “there were 241 women residents in these there hostels, the majority over fifty years of age” [\[9/277/2823\]](#). The tables show that 16% had been there for 10-20 years, 19% had been there for 20-30 years, 19% had been there for 30-40 years and 18% had been there for 40-50 years [\[9/277/2836\]](#). Finally, 8% had been there for more than 50 years. By then, the majority of their parents were dead and 60% had not seen their brothers or sisters in the previous six months [\[9/277/2835\]](#) – indeed, “22 per cent had not seen their brothers or sisters since coming to the hostel, and it appears that a lot of the women had lost contact with friends and other relatives since coming to the hostel: most had not seen other relatives and over half had not seen their friends at all since coming to the hostel”.
67. What is revealing is her comments on the women’s state of health after such long periods in the Laundries [\[9/277/2835\]](#):

“According to staff, there is a very high incidence of mental handicap among the women. In Group 1 [the Laundries] 40 per cent were said to be suffering from mental handicap alone, while 28 per cent had some mental

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<sup>36</sup> Severe punishment

*handicap along with a physical illness or handicap and 12 per cent were mentally handicapped and had a mental and a physical illness as well. In all, 80 per cent of the women in this group were deemed mentally handicapped. However, only 4 per cent of women in Group 1 became homeless because of a mental handicap and 1 per cent because of a mental illness ... The very large discrepancy between these two statistics for Group 1 can, perhaps be explained by the fact that the staff in these hostels may have defined mental handicap in a much broader sense than is normally the case. They may use the term “mental handicap” to describe symptoms of severe institutionalisation”*

68. This explanation very much reflects first hand testimony that those survivors who remained in the convents from the mid-1970s (where some still remain) were and are severely institutionalised (see Sara W’s evidence at [1/9/283-284], Des D’s evidence at [2/21/553 and 559] and Adele O’G’s testimony at [2/28/710-713 and 719]).
69. Confined for decades on end – and isolated from their families and society at large – many of these women became institutionalised over time and therefore became utterly dependent on the relevant convents and unfit to re-enter society unaided. This is a conclusion which the State has already reached in the Kennedy Report of 1970 – see paragraph 91 below.

### **State Involvement in Women and Girls entering the Magdalene Laundries and being kept there**

70. Initially, the State denied outright that it had any responsibility at all for women and girls being sent to or kept within the Magdalene Laundries. On 4<sup>th</sup> September 2009, the Minister for Education and Science (Mr O’Keeffe TD) stated that “*The Magdalen Laundries were privately owned and operated establishments which did not come within the responsibility of the State. The State did not refer individuals to Magdalen Laundries nor was it complicit in referring individuals to them*” [8/213/2430].

71. However, JFM has managed to find direct evidence that a number of State agencies referred women and girls to the Magdalene Laundries.

**(a) Women sent by the Judicial System**

**(i) *Women committed informally or as a condition of probation***

72. The State’s judicial system routinely referred women to the Magdalene Laundries from independence in 1922 until at least 1983. JFM has found evidence in the National Archives that 54 women found guilty of a crime were referred to a Catholic Magdalene Laundry [9/280/2905-2907]<sup>37</sup> – and a further 31 were referred to other Catholic and Protestant religious run institutions [9/280/2902-2904]. This practice was not a “one-off” or “local” deviation from sending women and girls to State prisons, but took place in almost every year following independence and in every part of Ireland.

73. One of the reasons for this practice developing was that Ireland did not have a prison for girls and young women similar to St Patrick’s Borstal Institution, Clonmel (from 1956, St Patrick’s Institution, Dublin) for boys and young men. In 1924, the Rev. R.S. Devane highlighted this deficiency in an article<sup>38</sup> which in his view led to a situation where young women between the ages of 16 and 21 were committed to the female prison where they associated with “the ordinary riff-raff found there”. Nevertheless, the State resisted the calls for a female Borstal. The problem appears to have been the relatively small numbers likely to be sent there and the cost of having a dedicated institution for them. In a debate in *Seanad Éireann* on the Criminal Justice Bill, 1960, the then Minister for Justice commented that:

*“Of course, in an ideal situation where cost need not be counted, young offenders, youths and girls, would be classified into three or four or more*

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<sup>37</sup> Dr Smith’s detailed notes on each of these cases are to be found at [5/143/1712-1749]. These should assist the Committee to check the relevant records in the National Archives, should they wish to do so. See also the sample of original documents at [5/129/1691 to 5/136/1698, as well as 5/137/1703 and 5/138/1704]

<sup>38</sup> See the *Irish Ecclesiastical Record* (1924), pages 181-185, which is referred to on pages 50-51 of Prof Smith’s book

*categories, for example, remands, short-term offenders, long-term offenders, maladjusted offenders, etc., and separate institutions including some of the “open” type, established for each separate category in various parts of the country. The cost of doing so would be entirely extravagant in relation to the number of offenders concerned in this country”* **[5/109/1491]**.

74. There was also a second reason, which was that certain bodies had argued strongly against the establishment of a female Borstal in the 1930s when giving evidence before the Carrigan Committee. As Dr James Smith explains on page 18 of his book on the Laundries, the Irish Women Workers’ Union, together with the Irish Women Citizens and Local Government Association, St Patrick’s Guild and the Probation Office, as well as Mrs Gavin Duffy and Dr Brady (visitors to the Dublin Lock Hospital) had all:

*“... argued vehemently against imprisoning young girls convicted of prostitution in Borstal-type institutions; they claimed that “a short period of imprisonment would be less detrimental to such offenders than a long period of detention in an Institution” and recommended a system of suspended sentences for women agreeing voluntarily to enter “a religious Home or Refuge”. A representative from one such home, Emily Buchanan, of the Protestant-run Magdalen asylum on Dublin’s Leeson Street, praised her institution’s success in bringing religious influence to juvenile prostitutes. Gavin Duffy and Brady called for similar provision for juvenile prostitutes in Catholic-run Magdalen institutions”* **[9/280/2867]**.

75. As Dr Smith comments, although this testimony to the Carrigan Committee was intended to enable young female offenders to be rehabilitated, the conditions in the Laundries and the stigma associated with having been imprisoned in them was such that they were in fact a very poor alternative to proper State-run institutions for young female offenders. By not making any State provision, the only alternative was to use the institutions operated by the Church. As Dr Smith explains:

*“... the Carrigan Report [1931] and the Criminal Law Amendment Act [1935] ... silently incorporated institutional provision as Irish society’s*

*preferred response to an undifferentiated sexual immorality. They also ensured that incarceration would remain shrouded in a web of secrecy and denial, thereby reinscribing the institution's punitive rather than rehabilitative function. Church and state embraced the institutional impulse not only because it accorded with accepted practice – punishing women for sexual transgressions while avoiding male culpability – but also because it sustained their collusive relationship with respect to moral purity and the project of national identity formation. This solution to sexual immorality proved mutually beneficial to Ireland's powerbrokers, which explains the state's abdication of responsibility for the women and children placed under church control ... Containing sexual immorality, specifically, illegitimacy and prostitution, behind the walls of Ireland's mother and baby homes and Magdalene asylums helped to constitute and to perpetuate the fiction of Irish cultural purity". [9/280/2867]*

76. Therefore, once the State had taken the political decision not to create special provision for young female offenders, the State's judiciary was left with only two alternatives – either send such offenders to adult prisons or to institutions operated by the Churches. In cases where the judiciary felt that a prison sentence was inappropriate, the only alternative for young Catholic female offenders was to send them to the Magdalene Laundries operated by the Catholic religious orders.
77. The same was true of women guilty of offences relating to childbirth, including concealment of births and infanticide. The Courts appear to have put these cases into a special category which would not normally be punished by a prison sentence, as explained by Mr Justice H\_\_\_\_\_ in sentencing a woman convicted of the manslaughter of her 10 day old child in 1947:

*“When unmarried mothers take the lives of their children at or about the time the child is born, great consideration is taken of the fact of the mother's condition at the time, and every allowance is made for it. Very often the mothers in such cases are sent to a Home on their own undertaking ... Unfortunately in this case, although I have a certain amount of sympathy for you, your child was ten days old when you took its life ... I am afraid that I cannot take the usual course of sending you to a Home to*

*the Nuns, and taking everything I can into consideration I sentence you to three years' penal servitude" [5/143/1745]*

78. The official "committal orders" by which the courts directed that the women in question be sent to the Magdalene Laundries stipulated that the women should be escorted by the State's probation officers from the courts to the Magdalene Laundries (see, for example, the order of the Central Criminal Court of 18<sup>th</sup> October 1948; [5/138/1704] and the further examples given in Dr Smith's notes of the Court Files at [5/143/1732-1733]).
79. The Courts retained jurisdiction to monitor the women's behaviour for the period during which the Court had committed them to the Magdalene Laundries. Any failure by the women in question to abide by the rules of the Laundry in question was liable to result in them being returned to Court. For example, N\_\_\_\_ H\_\_\_\_\_ was found guilty in 1931 of concealment of birth. She undertook to remain at Donnybrook Magdalene Laundry for 2 years and to "obey the orders and the regulations of the said asylum during said period". She obviously failed to do so, as she was brought back before Mr Justice M\_\_\_\_\_ on 1<sup>st</sup> March 1932, who ordered her to be transferred to Gloucester Street Magdalene Laundry "and that she do remain there for two years from this 1<sup>st</sup> March 1932" subject also to a suspended sentence of 2 years' imprisonment with hard labour. She was then returned a second time to the Court on 13<sup>th</sup> June 1932 for a further infringement of the Laundry's rules, when the suspended sentence was activated and she was sent to prison [5/143/1720-1721].
80. The correspondence between the religious orders and the Courts shows that the nuns actively sought these committals and that they intended to do their utmost to keep the women at the Magdalene Laundries even after their sentences had elapsed. For example, a letter from the Superioress of the Sisters of Charity's Cork Laundry wrote on 2<sup>nd</sup> December 1934 to the Court that the Magdalene Laundry was prepared to take a woman convicted of the manslaughter of her newly born child for a year and "*we will do our best to keep her in safety even after her time has expired*" [5/131/1693 – see also 5/129/1691; 5/132/1694-1695; 5/134/1697]. What is not clear is whether the State monitored whether women and girls committed by the Court were released after "their time had expired", as it should have done. The

IHRC state in paragraph 54 of their November 2010 assessment that “Little appears to be known about the fate of the probationers. For women and girls who were accompanied to Magdalen Laundries by Probation Officers on foot of a Probation Order, their entry into the laundries was clearly instigated by the State and should have been monitored by the State” [\[9/274/2760\]](#).

81. The State’s reaction to this evidence is set out in a written answer to a Parliamentary Question dated 19<sup>th</sup> January 2010, in which the then Minister of Justice, Equality and Law Reform (Mr Ahern TD) confirmed to Mr Ruairi Quinn TD [\[5/77/1439-1440\]](#) that “*There is no statutory power for a court to sentence a person to be detained in a Magdalen laundry or any other such institution as an alternative to imprisonment*”. Nevertheless, Courts did “*on occasion*” include a condition in a probation order that a woman or girl reside in a particular institution, most frequently the home in Henrietta Street, which was not a Magdalene Laundry. However, he accepted that in 1945/46, there were 20 to 30 probationers in institutions other than Henrietta Street, “*mainly in the four Dublin Magdalen laundries*”.
82. A further response is contained in a written answer from Mr Ahern to Mr Chris Andrews TD on 7<sup>th</sup> October 2010, in which he accepted that “*a small proportion of entrants to Magdalen Laundries came through the criminal justice system*”, whilst asserting that “*the vast majority of females who entered or were placed in Magdalen Laundries did so without any direct involvement of the State*”<sup>39</sup> [\[5/89/1452\]](#)
83. JFM has seen no evidence which would support an assertion that “the vast majority” of women and girls entered the Magdalene Laundries without State involvement. If the State *has access to accurate records which would support that assertion, it should produce them publically and forward them to this Committee. In fact, it would appear that the State has no such records – Mr Ahern earlier accepted in a written answer to a Parliamentary Question on 19<sup>th</sup> January 2010 that “my Department does not hold records that would indicate the number of women who were sent to Magdalen Laundries since the foundation of the State”* [\[5/78/1441\]](#).

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<sup>39</sup> See also the comments made by the current Minister of Justice on 17<sup>th</sup> December 2009, albeit when in opposition, [\[9/270/2722\]](#)



84. Certainly the evidence JFM has subsequently found does not support the Minister's assertion. JFM has found further evidence in the State's archives that in March 1944 there were 29 women held "on probation" (i.e., as a condition of not being sent to Prison) in religious institutions, including 27 women held at six Magdalene Laundries in Dublin, Dun Laoghaire, Cork and Limerick [9/280/2908]. It is therefore clear from the evidence that the practice was neither "local" nor temporary.
85. JFM has also found evidence from old newspaper articles that a further 53 women and girls were given a choice between being sent to Prison or being sent to Magdalene Laundries in Dublin, Cork, Limerick, Waterford and Galway between 1926 and 1983 as punishment for various criminal offences [9/284/2974-3094]. For example, in 1936 a 17 year old female servant, A\_\_\_\_ C\_\_\_\_, pleaded guilty to setting fire to the hayshed of her employer. She was sent to the Good Shepherd Laundry in Limerick for a year. At the end of a year, the State Solicitor asked the court whether it would "*direct her to leave the Convent if she wished*", albeit that "*The Rev. Mother was willing to keep her on in the Convent*". The judge declined to make any order: "*I don't think she ought to leave*" [9/284/3018].
86. The witness evidence which JFM has gathered supports the suggestion in the above documents that young women who were originally sent to the Laundries for what would now be regarded as petty crime were not allowed to leave and ended up being detained indefinitely<sup>40</sup>. For example, Mary C, a former paid hand at the Galway Magdalene Laundry, says that she used to talk to one of the women held at Galway called J\_\_\_\_ B\_\_\_\_:

*"... we used to always have a chat and I would say: "J\_\_\_\_, how were, why were you locked up? Did you have a child?" "No girl, I didn't, I was down, I was down in Mayo," she said "working for this auld one," she said "and she never fed me, and I locked her in the coop, the chicken coop", and she was locked up. Now, the next time we were talking she said she stole a coat – she probably did – so what! She was locked up for the rest of her life"* [2/31/767].

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<sup>40</sup> JFM has seen no evidence that the State continued to monitor probationers sent to the Laundries.

(ii) *Women held on remand*

87. The Magdalene Laundries were also used by the State as an alternative to prison in a number of other ways. They were used to hold young women in pre-trial detention (“on remand”). This followed a suggestion made by the Archbishop of Dublin directly to the then Taoiseach, Eamonn de Valera, in March 1957 [\[5/139/1705\]](#), which was discussed within the Government in 1957/58 [\[5/140/1706-5/141/1710\]](#). It was enacted as section 9(1) of the Criminal Justice Act 1960 [\[4/55/1329\]](#), despite there being some opposition during the Second Reading of the Bill from a number of Senators on the basis that the use of a Magdalene Laundry as a remand home showed “*thoughtlessness*” (Senator Connolly O’Brien, [\[5/109/1492\]](#)) and that “*the choice of the place is unfortunate*” (Senator Colley, [\[5/109/1496\]](#)).
88. Section 9(1) of the 1960 Act gave a power to remand young people who were between 16 and 21 years old to “remand institutions”. Section 1 provided that “*“remand institution” means an institution (other than a prison) whose use for the purposes of this Act has been approved of by the Minister*” [\[4/55/1326\]](#). Section 10 then gave a power to transfer a person detained under section 9 in another remand institution or prison. Section 11 provided, “*a person who is detained in a remand institution pursuant to section 9 of this Act shall be deemed to be in the lawful custody of the person for the time being in charge of the institution during and until the expiration of the period for which he was remanded or committed, or, if it should sooner happen, until he is transferred under section 10 of this Act*”. The Committee should note that the Act only gave authority to detain for a defined period.
89. Following the enactment of the 1960 Act, the then Minister for Justice approved one Magdalene Laundry in Dublin (at Gloucester Street/Sean McDermott Street) for use as a remand institution for women and girls aged between 16 and 21. In 1968-69, there were 21 women on remand at Sean McDermott Street, who were there for a total of 911 days during the year in question [\[5/144/1750\]](#). In a response to a

Parliamentary Question dated 19<sup>th</sup> January 2010<sup>41</sup>, the then Minister of Justice, Mr Ahern TD, indicated that “*part of the arrangements ... was that those remanded were to have the same rights and privileges as provided for remand prisoners in the 1947 Prison Rules Part III, and that they would be visited from time to time by a Probation Officer and by the Superintendent of Prisons*” [\[5/76/1438\]](#). If the State has evidence that such inspections did occur at Sean McDermott Street Laundry, it should produce it publically and forward it to this Committee.

**(iii) Women sent to the Laundries after release from Prison sentences**

90. Other women were sent to the Magdalene Laundries after release from long sentences in the State’s prisons. A list of women released from “life sentences” (usually imposed for murder) mentions two women who were released in 1942 after serving 17 and 18 years of their sentences. It states that “*These women were not considered quite normal. They were kept in prison for such a long period as no person could be found to look after them on release. The Good Shepherd Nuns finally agreed to take them*” [\[5/142/1711\]](#). From other research carried out by JFM, it would appear that one of the women in question died in one of the Cork Magdalene Laundries in 1963, having served a further 21 years of confinement beyond her State sentence.

**(iv) Women and girls sent to the Laundries instead of Reformatory Schools**

91. A further group of girls and young women were committed to the Laundries, when they should have been sent to the Reformatory Schools. The 1970 Reformatory and Industrial Schools Systems Report (the Kennedy Report) [\[5/117/1628-1630\]](#) stated that “*at least 70 girls between the ages of 13 and 19 years*” were confined in the Laundries when they “*should properly be dealt with under the Reformatory Schools system.*”. It is also clear from the same Report that young women and girls remained in the Magdalene Laundries long past the periods for which they could have been held had they been lawfully detained in prison or the Reformatory Schools: “*This method of voluntary arrangement for placement can be criticised on a number of grounds. It is a haphazard system, its legal validity is doubtful and the girls*

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<sup>41</sup> See also JFM’s press release of 15<sup>th</sup> December 2009 recording a meeting with the Department of Justice in which the Assistant Secretary accepted that after 1960 the Department did place women on remand at Sean McDermott Street Laundry and paid a capitation grant for every woman so referred [\[5/147/1753\]](#).





94. The survivors clearly feel that their time in the Magdalene Laundries was equivalent to (or indeed worse) than being sentenced to a Prison sentence.
95. AB recalls “*I felt as if I was being sentenced to a prison. Indeed, at a certain level I was a prisoner*” **[1/12/379]**. Attracta M says “*Definitely it was a prison ... You get paid in a prison, But this was a prison. There was no doubt about it, it was a prison*” **[1/7/222]**. Sara W says “*It was like a prison though ... It felt like a prison, yes*” **[1/9/273]**.
96. The survivors are very clear that the time that they spent in the Magdalene Laundries was a punishment, even though in virtually all cases it was wholly undeserved. Rita M is very clear on this point:

*“You weren’t in there for sympathy, you were in there to be punished. And that’s the basically what it was all about. You did wrong and you’ve heard of people saying, “I’ll make your life hell”. Our lives were made hell, literally made hell. And because you did wrong. And it wasn’t just a sort of 5 minute punishment. You were being punished. And you were reminded of why you were in there. You know? ... you got plenty of “You know why you’re in here, don’t you? Yeah, well just remember that.”* **[1/11/329 – and see also 330, 334-335 and 343]**

*“... you’d be told you were in there because God was punishing you. And you’ve done wrong, and you’re being punished, and you accept it. But that’s the way it was, that’s what it was like then. You did wrong, you have to face your punishment whether you liked it or not. And as far as they were concerned you did wrong. And the person who actually did wrong got away with it. So you were being punished for nothing.”* **[1/11/360]**

97. Furthermore, the Magdalene Laundries were regarded by Irish society as equivalent to (or worse than) Prison. In 1924, the Rev.. R.S. Devane stated in his article in the *Irish Ecclesiastical Record* that an experienced magistrate had told him that “... *in many instances offenders have expressed to me in Court a desire to go, in some cases they have begged to be sent, to prison rather than a Home*”.
98. Similarly, in a debate in *Seanad Éireann* on the Criminal Justice Bill, 1960, Senator Connolly O’Brien indicated that a girl who had been sent to the Laundries would suffer a lifelong stigma and “*If I were asked to advise girl delinquents, no matter what offences they were charged with, whether to go to prison on remand, or to go to St Mary Magdalen’s Asylum on remand, I would advise them wholeheartedly to choose prison, because I think having a record of being in prison as a juvenile delinquent would not be so detrimental to the after life of the girl as to have it legally recorded that she was an inmate of St Mary Magdalen’s Asylum*” **[5/109/1492]**.
99. This attitude that the Magdalene Laundries were regarded by Irish society as places of punishment is supported by the debates in *Seanad Éireann* on the Factories Bill 1955. On 4<sup>th</sup> May 1955, the Minister (Mr Norton TD), when explaining what became section 84(2) of the Act, referred to the advantages a medical officer might have when inspecting charitable or reformatory institutions carrying out commercial activity (such as the Magdalene Laundries) in understanding “*the mentality of the people with whom he would be dealing*” and “*the peculiar variety of truancy of the occupants*” **[5/106/1476]**. He was even clearer in his attitude in the debate one week later on 11<sup>th</sup> May 1955, when he said, “*you are not dealing with ordinary people here ... the persons concerned here are not ordinary factory workers. They are miscreants of one kind or another. They are people who are in there, in these institutions, for the public good – not so much for their own good as for the public good*” **[5/107/1483]**.
100. This attitude is further supported by anecdotal evidence that children in the 1950s were threatened with being sent to the Magdalene Laundries if they misbehaved. Adele O’G, who lived in Limerick in the 1950s says, “*You were told that if you were bold or stepped out of line you would be put into the Good Shepherds*” **[2/28/708]**.

**(b) Transfers from Industrial Schools**

101. Until the 1970's, orphaned, neglected or abandoned children, as well as children failing to attend school and those guilty of criminal offences, were sent to "Industrial Schools", which were run by the religious orders, but were regulated by the State and State-funded.
102. In 2009, the Ryan Report concluded that physical and emotional abuse and neglect were features of the Industrial Schools and sexual abuse occurred in many of them. The system of inspection by the Department of Education was fundamentally flawed and incapable of being effective. Even before the publication of that Report, the State had agreed to pay compensation to the survivors of the Industrial Schools pursuant to a compensation scheme established under the Residential Institutions Redress Act 2002. Importantly, the State apologised to the survivors of the Industrial Schools in May 1999 before carrying out the relevant enquiry and before establishing the redress scheme. The then Taoiseach Mr Bertie Ahern TD said "*On behalf of the State and of all citizens of the State, the Government wishes to make a sincere and long overdue apology to the victims of childhood abuse for our collective failure to intervene, to detect their pain, to come to their rescue.*" This prompt apology enabled survivors to come forward and take a full part in the enquiry. A later Taoiseach, Mr Brian Cowen TD made a further apology on 26<sup>th</sup> May 2009 on publication of the Ryan Report [5/119/1651-1652].
103. It would appear that the Department for Education and Science does not have records which could be "*relied upon to accurately quantify the numbers*" of girls transferred from Industrial Schools to Magdalene Laundries, since the records held by the Department relate to children who were admitted to Industrial and Reformatory Schools via the Courts – see the letter of the Tánaiste dated 27<sup>th</sup> April 2010. However, the records which are available do show three referrals to the Laundries at Galway, Limerick and Donnybrook [8/225/2491-2492].
104. Furthermore, Joan B's records from Sunday's Well Magdalene Laundry in Cork appear to show that she was admitted from [location redacted] Industrial School in

1957 at the age of 18 [1/2/102-103]. This is corroborated by Kathleen R's evidence that Joan B (whom she refers to as "X") "*was put from ... a school in [location redacted], up to Sunday's Well*" after a period in hospital [location redacted], to convalesce from tuberculosis [1/3/139].

105. Even in the absence of accurate records, the evidence suggests that members of religious orders often transferred girls directly from Industrial Schools to the Laundries. Indeed, the Ryan Report acknowledges this practice in Volume 3, Chapter 18 entitled "Residential Laundries, Novitiates, Hostels and Other Out of Home Settings", in which it stated that "*Three female witnesses said they were transferred to residential laundries from Industrial Schools following confrontations with religious staff whom they challenged about abuse of themselves or of their co-residents. Another female witness stated that she was transferred to a laundry at 13 years to work. She stated that she was told by the Sister in charge that she was being sent to work in order to compensate the Order as her mother had been unable to meet the required payments for her keep in the Industrial School*" [5/118/1633].
106. Similarly, Halliday Sutherland records in his book *Irish Journey* [9/276/2816] that the Mother Superior of the Galway Magdalene Laundry accepted that, as well as unmarried mothers, some girls were "*sent here when they leave the Industrial School because they need special care*". She explained that, although they were not "*mental defectives*" they were "*backward*".
107. Those statements are corroborated by the testimony of survivors and other witnesses. Attracta M spent 13 years in High Park, Drumcondra, after being transferred from St Joseph's Industrial School, Ballinasloe. Her testimony is that she was sent *directly from the Industrial School to High Park* [1/7/226].
108. The reasons why she was transferred to High Park say a lot about the Religious Orders' ability to operate unsupervised and unchecked by the State. Attracta M says that she was taken to High Park at the age of 17 on 7<sup>th</sup> January 1947 "*for stealing apples. Well they said I was stealing apples from their orchards, but they weren't stealing – they were on the floor*" [1/7/205-206]. Her evidence is that the nuns at Ballinasloe told her she was being sent to Dublin as "*part of the punishment for what you did, for stealing the apples from the orchard*" [1/7/206] and when she



entered High Park, “*the nuns put me there and said, “you’ll stay there until you know how to behave yourself”. And that’s the words they said to me. “And that’s the punishment for taking the apples” – that was their last words to me when they left me into that High Park*” [1/7/209-210].

109. Whether or not Attracta M had technically committed a criminal offence by taking or eating a windfall apple from the orchard of the Industrial School at Ballinasloe, (a) it was not the responsibility of the Religious Orders to determine either guilt or sentence in a democratic state governed by the rule of law, (b) the punishment – 13/14 years of imprisonment with hard labour – was entirely disproportionate (even by the standards of the time) and (c) the punishment was wholly unsupervised by the judiciary and the State’s prison and probation services. As Attracta M herself says:

*“One apple. You wouldn’t get prison for it, would you? You wouldn’t do 14 years in prison for murder. You only do 10 years for murder, you wouldn’t do 14 years”* [1/7/222].

110. Sara W also gives relevant testimony on this point. She says that a lot of the women and girls in the Peacock Lane Laundry in Cork came from the Industrial School run by the Sisters of Charity at Ballaghaderreen in County Roscommon – “*because if they didn’t get a job for them at fifteen they were all put into those places*” [1/9/265-267]. She continues, “*I seen girls coming into the convent with ankle socks and sandals, there were only 15 years, they came from the orphanage. They had nowhere to place those girls so they put them into this home*” [1/9/287]. As she goes on to say, some of those girls are still living in the Cork convent, “*including the girl that came into the convent at 15 years in her ankle socks and sandals*” [1/9/287].

111. Similarly, Maisie K says that “*there were a few of them there were who came from Industrial Schools. I don’t know why now to be honest with you. One or two of them it was put down to they were rowdy or they were wild, but they were only young when they went in there – 15 or 16 or 17. There were only 2 or 3 of them I think. You are still a child at that age aren’t you?*”. She then says that she was falsely accused of being difficult at school to justify her being committed to the Galway Magdalene Laundry [1/6/185].

112. The survivors' testimony is supported by other witnesses. In particular, Mary C, who was a paid hand at Galway Magdalene Laundry, recalls that young girls were sent in to the Laundry by Ennis Industrial School, having been deceived<sup>43</sup> by the nuns in Ennis that they were going to paid jobs in Galway: *"they were so delighted coming up with their little cases, and when they got in, the door was locked and that was it"* [2/31/754]. She recalls two little sisters *"huddling together ... they were terrified"* [2/31/767]. Mary C continues, *"From Ennis – they never saw daylight ... they told me they were in school in Ennis ... they were so young, so fragile and they were terrified"* [2/31/768]. She explains that, *"The crowd from Ennis. They were so confused, they couldn't, didn't know what to make of it. It's the clinging of each other, it's hard to believe – kids hanging on to each other, terrified"* [2/31/769]. She says the children complained to her – *"they'd be crying and I'd say: "What's wrong with you, what's wrong with you?" "We're locked up, we were told we were getting jobs, we were told we'd be working". Especially the little ones, with the arms around the other sister, it was terrible, it was cruel"* [2/31/791].

113.

[REDACTED]

114. Some young women were sent to the Magdalene Laundry shortly after leaving the Industrial Schools, if they failed to adjust to work in religious institutions. Kathleen R was raised in the Industrial School in Waterford until the age of 17 – *"and the nuns put me out to work in Dungarvan in a hospital and it was very restricted ... and I rebelled and they put me back ... in with the nuns again and they put me up to the Magdalenes up in Sunday's Well in Cork"* [1/3/106 and see 107 and 109]. She recalls that *"there was a couple of girls like us as well"* – children from the Industrial School [1/3/112].

115. Although the 2002 Act provided for redress where a person suffered abuse in a Laundry having been transferred there from a State regulated institution, none of the

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<sup>43</sup> Maisie K gives almost identical testimony that she was deceived into thinking she was going to be given paid work when she arrived in Galway [1/6/178]

survivors of both the Industrial Schools and the Magdalene Laundries with whom JFM is in contact had their time in the Laundries taken into account by the Residential Institutions Redress Board when calculating their redress. This is despite the fact that the then Minister for Education and Science (Mr Batt O’Keeffe TD confirmed in a letter dated 4<sup>th</sup> September 2009 that survivors of Industrial Schools who were transferred to Magdalene Laundries “during the course of their official period of residency” would be entitled to redress in respect of both periods in the Industrial Schools and the Magdalene Laundries [8/213/2430-2431].

116. Survivors were strongly discouraged from speaking about their experience in the Laundries as part of the RIRB and/or the CICA Confidential Committee process. One of the survivors, Attracta M, who was sent directly from Ballinasloe Industrial School to High Park, Drumcondra, recalls that the compensation she obtained related only to her time at the Ballinasloe Industrial School; “*It was clear that it was only from the Industrial Schools*” [1/7/233]. Similarly, Kathleen R, who was first at the Waterford Industrial School before being incarcerated in the Sunday’s Well, Limerick and Waterford Magdalene Laundries, says that the compensation she received from the Board related only to the Industrial Schools. As for the Magdalene Laundries, “*They wouldn’t, they wouldn’t hear tell of it, you know. No, they weren’t dealing with that part of it, they were only dealing with the orphanages*” [1/3/136-137].
117. Survivors who entered the Laundries as children, but not via the Industrial Schools, received no compensation from the Board. Sara W was taken to Donnybrook Magdalene Laundry at the age of 15 by the Legion of Mary. She says that she made an application to the Redress Board, but was told by her solicitor that she “*wouldn’t have a hope in hell ... because I wasn’t in an orphanage*” [1/9/282].
118. Some survivors who entered the Magdalene Laundries as children pursued their applications to the Redress Board vigorously, but still obtained no redress at the end of the process. AB entered the New Ross Magdalene Laundry at the age of 14. She was left there by her father. As her friend I\_\_\_\_\_ M\_\_\_\_\_ explains “*She was handed over to the nuns and put to work in the Magdalene laundry (her younger sister was placed in the Good Shepherd Magdalene laundry in Limerick). She could have been put into the Industrial School at the New Ross Good Shepherd’s convent.*”

*Instead she endured forced labour with an adult population of women". I\_\_\_\_\_*  
M\_\_\_\_\_ relates that AB made an application to the Board:

*"The Redress Board dismissed her case because she was sent to a Magdalene laundry and not a residential institution (Industrial School) despite the fact that she was only 14 years old at the time.*

*My husband (who is a lawyer), Professor Smith, Mary Raftery (then at the Irish Times) and myself helped AB with an Appeal to the Redress Board but again this was dismissed. Her Irish Solicitors, when finding out that she was not covered by the Redress Act, emailed her to say that they would not be taking her case to the Review Board.*

*I decided, in order for her at any future date to be able to obtain Redress, she would have to go to the Review Board. Again, we made applications on her behalf and her file was express-mailed seeking a hearing. Once again she received a letter to say under the terms of the current Redress Act she was not eligible" [1/13/387]*

119. Other survivors who made claims to the Board were thwarted by difficulties in obtaining their records from the Religious Orders. Caitríona H's evidence is that she applied to the Good Shepherd Order for the records relating to her time at the Limerick Magdalene Laundry and *"they said I wasn't there at all ... They told me I wasn't there"*. When she pressed the nuns on this, they eventually conceded that she was there, but only between the ages of 16 and 18, when in fact she had been brought to the Laundry at the age of 11 by the parish priest and her grandmother. In the end her application to the Redress Board was turned down *"Because the nuns said I wasn't there" [1/5/168-171]*. Similarly, Sara W says that she had difficulties in obtaining records from the Sisters of Charity, who initially said that they had no records in relation to her, but subsequently found them when pressed. [1/9/281-282].
120. Other survivors who did not enter the Laundries via the Industrial Schools simply did not apply – see, for example, Beth Q's evidence that she rang the Redress Board *"but they never got back to me anyway ... so they forgot all about me anyway"*

[1/1/29] and see also Maisie K's statement at [1/6/179] and Kate O'S's testimony at [1/10/303].

121. Ironically, the only survivor who does appear to have been compensated by the Board for her time in a Magdalene Laundry did not enter via the Industrial School system. Rita M obtained compensation from the Board in relation to her time at High Park, Drumcondra [1/11/357-358]. Although her siblings were sent to the Industrial School on the same site [1/11/315], she was at all times held in the Magdalene Laundry itself.

**(c) Transfers from Mother and Baby Homes**

122. Between the 1920s and 1970s, the religious orders ran Mother and Baby Homes for unmarried mothers. These institutions were both State- and Local Government-funded and State regulated and inspected. All of them appear also to have been registered adoption agencies since the introduction of adoption in 1952. The operation of these homes formed part of a deliberate State policy, differentiating between State assistance for the poor, aged and infirm on the one hand and unmarried mothers on the other. As the historian, Professor Luddy<sup>44</sup> has stated the former groups were looked after in the "County Homes", which were funded by the State and Local Authorities: *"The government and local authorities wished County Homes to be the refuge of the "respectable poor". The presence of unmarried mothers in these institutions was felt to be an embarrassment and to reduce the willingness of the "respectable poor" to enter such institutions"* [9/283/2962].

123. Within one year of the State's founding, The Local Government (Temporary Provisions) Act, 1923 abolished the previous system of relieving the poor and infirm through workhouses and instituted a system of County Homes. Each Irish county adopted a scheme for the administration of the relief of the poor of that county which had to be confirmed by the Minister for Local Government and placed before the Oireachtas (see section 4 of the Act; [4/53/1161]). The county schemes for 1923-1924 are set out in the First Schedule to the Act [4/53/1169-1235]. The Galway Scheme is unique in that it provided a statutory basis for withdrawing public

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<sup>44</sup> In her article "Unmarried Mothers in Ireland 1880-1973" in *Women's History Review* Vol 20, No 1, February 2011, pp 109-126. See also Dr Smith's book at pages 48-54.

assistance from women who refused to be confined in the Galway Magdalene Laundry after a second or subsequent pregnancy outside of marriage. It states:

*4. Unmarried Mothers are divided into two classes:—*

*(a) First offenders, to be dealt with in the same institution as children.*

*(b) Old offenders to be sent to Magdalen Asylum.*

*Unmarried Mothers who come within Class (b) shall be offered an opportunity of relief and retrieval in the Magdalen Asylum, Galway, upon such terms and conditions as may be agreed on between the Executive Committee and the Sisters in Charge of the Magdalen Asylum. If necessary the Committee may make arrangements with other Institutions.*

*Persons in Class (b) who refuse to enter such Institutions as may be selected shall not be allowed, under any circumstances to become chargeable to the public rates [4/53/1178-1179].*

124. By 1928, the Commission on the Relief of the Sick and the Destitute Poor was recommending a similar policy nation-wide: that women who had given birth outside marriage once should be detained in the Mother and Baby Homes “*for a period not exceeding one year*” and mandatory incarceration in the Laundries for women applying for maternity assistance a second time — “*there should be power to retain for a period of two years*”. Where a woman had sought assistance on three or more occasions, the Board of Health should have the power to “*retain for such period as they think fit, having considered the recommendation of the Superior or Matron of the Home*”. Although “*The term of detention ... is not intended to be in any sense penal ... The object ... is to regulate control according to individual requirements, or in the more degraded cases to segregate those who have become sources of evil, danger and expense to the community*” [5/114/1621]. Signalling mandatory periods of detention in this manner endorsed the practice of transferring women from State funded mother and baby homes into unregulated Magdalene Laundries.

125. Professor Luddy has commented that *“Such a stance, though not intended to be penal, allowed for the development of an attitude that accepted detention as a means of protecting society from these reoffending women ... These were women whose sexuality had to be managed and contained. What appears to have happened is that some of these ‘repeat offenders’ found themselves admitted to Magdalen asylums which proved difficult to leave.”* [\[9/283/2964\]](#)
126. The Department of Local Government and Public Health Annual Report 1932-33 underscores that the Commission’s recommendations were already adopted as official policy. It details the State’s reliance on the Laundries to confine women who gave birth to more than one child outside of marriage. It states, *“With regard to the more 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”* [\[5/115/1624\]](#)<sup>45</sup>.
127. JFM has evidence from a contemporaneous account from Halliday Sutherland in his book *Irish Journey* that in 1958, one of the mother and baby homes – The Children’s Home in Tuam, Co Galway, which was licensed and funded by the State — was sending “girls” that had *“two confinements ... to the Magdalen Home Laundry in Galway”* [\[9/276/2815\]](#). Halliday Sutherland quotes from an interview he had with the Mother Superior of the convent operating the Magdalene Laundry in Galway in 1958 that seventy per cent of the women in that Laundry were *“unmarried mothers”*. The only other group she mentioned were girls *“sent here when they leave the Industrial School because they need special care”*. When asked whether a woman or girl could leave whenever she chose, the Mother Superior stated *“No, we’re not as lenient as that. The girl must have a suitable place to go”*. She was then asked how long they stayed. She replied *“Some stay for life”* [\[9/276/2816\]](#). This is supported by the large numbers of women and girls who died in the Laundries and were buried in the Laundry plots in cemeteries across Ireland. JFM is aware of at least 1149 women who are buried in those plots and therefore must have stayed for life.

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<sup>45</sup> Evidence of State complicity with regard to the practice of transferring women from Mother and Baby Homes to Magdalene Laundries was presented to the then Minister for Health on 25<sup>th</sup> March 2010 [\[5/146/1752\]](#).

128. This account is supported by material derived from the Department of Health Archives. The annual returns made by the nuns who managed the Tuam home to the Department of Local Government and Public Health for 1953 to 1958 contained a record for the “Whereabouts of the parents”. In at least 26 cases, the mother was noted to be “in the Magdalen Home” [5/122/1656-1666]. This underscores the State’s regulation of the Mother and Baby Homes – and the State’s awareness that mothers were being sent from the Mother and Baby Homes directly to the Laundries. The annual returns also record that some of the children in the Home were placed for adoption, both domestically and overseas in the United States of America.
129. JFM can also document that Mother and Baby Homes — Sean Ross Abbey, Castlepollard, Bessborough, St. Patrick’s Navan Road, Tuam and Ard Mhuire, Dunboyne — discharged women to “other homes” upon release [5/124/1667-1669]. Each of these institutions submitted an Annual Statistical Return to the Department of Health requiring them to specify the “other homes” in question. Only two of the six ever specified which institutions women were transferred to. There is no evidence that the Department of Health ever sought to challenge the religious congregations for the missing information.
130. The annual returns for Sean Ross Abbey, Roscrea, Co Tipperary, show that between 1951 and 1968 that institution consistently sent women to the Good Shepherd Congregation upon leaving the Mother and Baby Home. It is clear that at least 25 women ended up in Good Shepherd “homes” during this period. It is probable, indeed likely, that these “homes” refer to the Congregation’s Magdalene Laundries in Limerick, Cork, Waterford and New Ross [5/128/1679-1690].
131. JFM also has evidence which shows that in 1956 another Mother and Baby Home (St Patrick’s, Navan Road, Dublin) sent an unmarried mother to the Magdalene Laundry in Dun Laoghaire and two further unmarried mothers in 1962 to Sean McDermott Street and High Park Magdalene Laundries respectively [5/125/1670-1671].



132. JFM holds testimony from one survivor, Beth Q, who was transferred from the Good Shepherd Order's State funded Mother and Baby Home at Ard Mhuire, Dunboyne, Co Meath to the Good Shepherd Magdalene Laundry in Waterford in 1965 [1/1/2-1/1/5]. This is supported by the relevant extract from the Waterford Laundry's Register of Admissions, which shows that she was referred by Dunboyne [1/1/32]. Beth Q also remembers that at Waterford Magdalene Laundry there were two women who had been sent from Castlepollard [1/1/8].
133. This is supported by other witness evidence. Maisie K recalls other women at the Galway Magdalene Laundry who had come from the Tuam Mother and Baby Home: *"I do know the women who came from Tuam because they talked about being in Tuam and their babies. They stayed a year with their babies – they were allowed to do that. Then they were cajoled into signing the adoption form. They were given no choice. Their families didn't want them. They weren't able to rear them. They couldn't get work so they were left with no choice. But when they did sign the adoption papers the next thing they were escorted into the Magdalene"* [1/6/181] as well as [1/6/183-185].
134. Larry J, a journalist in Cork, says that he was in contact with a woman from Florida called K\_\_\_\_ D\_\_\_\_. Her mother, J\_\_\_\_, had spent 43/44 years at Sunday's Well in Cork. He explained, *"... she (J\_\_\_\_) was in there because she'd had K\_\_\_\_. And the whole story came out, that K\_\_\_\_ had been born in Bessborough and had been put on a plane in the middle of the night. Her Mum, whose name was J\_\_\_\_, woke up, found baby gone, kicked up a fuss and found herself in the Good Shepherds for the next 43 years"* [2/15/421]. He has since researched the issue further: *"Well you see, as I worked on this latterly, both with, around the Good Shepherd and around the Bessborough situation, the mother and baby home, and I got to know a dear woman June Goulding who wrote "The Light in the Window" about Bessborough and sure we talked about the laundries as well and she said there was almost a conveyor belt between Bessborough and the laundries."* [2/15/427]<sup>46</sup>

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<sup>46</sup> For a general discussion of the links between the Magdalene Laundries and State funded mother and baby homes, see the JFM Paper of July 2010, "Magdalene Laundries, Mother and Baby Homes and the Adoption/Fostering Connection" [9/271/2724-2733].

135. Finally, there is one further group of women/girls who were incarcerated in the Laundries and who were also connected to the Mother and Baby Homes. These were children born in Mother and Baby Homes, who were boarded out or fostered, prior to the advent of adoption in Ireland in the 1950s. For example, Maisie K was herself transferred to the Tuam Mother and Baby Home when 9 days old [1/6/176]. She was boarded out at the age of 4 to a family in Galway, consisting of a woman and her two brothers. However, when she was 13 her foster mother died – *“when she died I had to leave there. I was transferred by the State then because the rule is of course a girl couldn’t stay in a house where there were two men ... Once my foster mother died the State were in charge once I was fostered out.”* [1/6/177] She did not relate well to the second family who fostered her, who complained that she was *“cheeky”* and *“bold”* and she was then taken directly from her school to the Galway Magdalene Laundry [1/6/178-179]. She is adamant however that she was well behaved at school:

*“The man that went and signed that paper [justifying her being sent to the Laundry], the County Manager, he didn’t know me. He never met me. I never met any official where I was fostered out or in the secondary school. I’d done nearly a year there and I liked it. I liked the school. I never gave cheek to the nuns because when I was growing up in the [first foster family’s] house where there were priests and nuns in the families that were around the place. I grew up to respect them. There was no way I would have given cheek to a teacher in school anyway. There was no problem in the school ... I don’t know who was involved. I only know that someone wanted to get rid of me.”* [1/6/185]

136. Again, Maeve S’s grandmother was a foster parent to B\_\_\_\_\_ D\_\_\_\_\_ until the age of 14 when she was put into [location redacted] Magdalene Laundry. She came to their house in about 1936 at the age of 3 and stayed with them for 11 years until about 1947. Maeve S recalls:

*“At the age of 14 she went to work in a house, in service it would have been called in them days, and from what I can remember was, she would have been a headstrong girl like any teenager would be nowadays. And while in work, she stole I think it was a pen, and possibly an apple and an orange,*

*and may have been a bit cheeky about it. With the result my grandmother wasn't able to manage her – if it was her own child she would have had to – but because being fostered, she was handed back to the State” [2/18/467].*

137. Maeve S goes on to explain that B\_\_\_\_\_ D\_\_\_\_\_ was sent by a State agency to [location redacted] very shortly after that, *“From what I gather, like as soon as she was handed back – she might have stayed one or two nights ... somewhere. And then went to what, she wouldn't have realised what the Magdalene laundries were or where she was, as such” [2/18/470].*

138. After she was sent to [location redacted], Maeve S says *“I don't think she ever had any contact with anyone after that”* – no one came from the relevant State agencies to monitor her progress [2/18/476].

**(d) Other reasons for women and girls entering the Laundries**

139. There are a variety of other reasons why women and girls entered the Laundries. According to the Reformatory and Industrial Schools Systems Report 1970 (the Kennedy Report), *“A number of [girls] considered by parents, relatives, social workers, Welfare Officers, Clergy or Gardaí to be in moral danger or uncontrollable are ... accepted in these convents for a period on a voluntary basis ...” [5/117/1630].* It was immediately after this passage that the Kennedy Report commented<sup>47</sup> that *“This method of voluntary arrangement for placement can be criticized on a number of grounds. It is a haphazard system, its legal validity is doubtful and the girls admitted in this irregular way and not being aware of their rights, may remain for long periods and become, in the process, unfit for re-emergence into society. In the past, many girls have been taken into these convents and remained there all of their lives.”*

140. Of the agents referred to above who were taking women and girls to the Laundries, social workers, welfare officers and police were all acting on behalf of the State – their actions remain the State's responsibility.

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<sup>47</sup> As already mentioned in paragraph 91 above

141. There are a number of reports of welfare officers sending children to the Laundries. The Irish Daily Mail of 18<sup>th</sup> June 2011 gives an account of a 16 year old orphan who was committed to the Good Shepherd Laundry, Sunday's Well, Cork – *“Her employer, a wealthy housewife, contacted the government appointed child welfare officer, known as the “cruelty man” and M\_\_\_ was dispatched to the laundry at Sunday's Well”* [\[10/354/3280-3281\]](#). Witnesses give similar accounts of young domestic servants being sent to the Laundries by other representatives of the State. Mary C, the paid hand at Galway Magdalene Laundry states, *“if a girl was to come in we'll say, into service, she was working in some house – half past nine, maybe half past ten, you see, “come back, be in here by half past ten” and if she wasn't there at half past then, the next day the Guards would come and she was gone. Now where was she gone? In the Magdalene. So she'd no rights”* [\[2/31/775\]](#).
142. Hospital staff and local authority employees also appear to have directed women to the Laundries. JFM has discovered correspondence in the National Archives from Department of Health officials directing the use of Magdalene Laundries to confine/contain “problem women”. One exchange is between the Secretary of a hospital in Dublin in 1946 and the Department of Local Government and Public Health regarding the difficulty of finding foster parents for babies. The Department suggested that *“Where an unmarried mother is willing to go into an institution such as the Good Shepherd Home for penitents, the baby should be discharged to the public assistance authority concerned”* [\[5/126/1672-1674\]](#).
143. The second exchange is between the Secretary of Carlow County Council and the Department in 1956 seeking advice regarding a married woman who had had children with men other than her husband. The Department suggested that the younger child could be sent to an Industrial School and that the mother might be “induced” to go to the Magdalene Laundry at the same Good Shepherd convent in Limerick [\[5/127/1675-1678\]](#).
144. JFM also has evidence from newspaper archives of two transfers from Co. Mayo hospitals to the Sisters of Mercy Laundry in Galway [\[10/287/3137\]](#).
145. Furthermore, Kathleen R says that, due to her being “*very rebellious*” when confined within the Waterford Magdalene Laundry, she was sent by the nuns to

[location redacted] Psychiatric Hospital in Waterford in 1964 for six months. After being treated with medication and confined to a straightjacket for 6 months, the doctors concluded that “*there was nothing wrong with me*”<sup>48</sup> and she was returned to the Laundry for a further period of 9 months to a year [1/3/114-115].

146. There is also evidence of girls being brought into the Magdalene Laundries at the behest of the parish priest, who was also usually chair of the board of management of the (state-funded) National School which the girl attended. For example, Caitríona H was committed to the Limerick Magdalene Laundry in the late 1950s. She says, “*The reason why I went into the Good Shepherds was because my grandmother and the parish priest thought I would get pregnant and that’s the only reason they took me in. I never did anything wrong to anybody. I was only a child*” [1/4/143].

147. Most worryingly of all, a whole group of girls appear to have been sent to the Laundries because they were the victims of abuse. Caitríona H says that she was sent to the Limerick Magdalene Laundry at the age of 11 at the instigation of the parish priest and her grandmother, because “*I was being abused when I was younger. I was raped three times when I was small*”, once by her own uncle [1/5/147].

148. [REDACTED]

149. In some of these cases, the State was directly involved in ensuring that victims of abuse who complained were imprisoned. Maisie K recalls that there were a number of women who were victims of abuse at the Galway Magdalene Laundry. She says

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<sup>48</sup> Her notes from [location redacted] support her version of events, recording that “*There was no evidence of psychiatric illness and she did not seem to be an aggressive sort of person*”. They record that she “*complained bitterly*” of the convent and did not wish to return there. There is then a note that the social worker was to “*inquire why it was considered necessary to refer this patient to hospital and have her certified*” [1/3/106]. The originals of these records have been sent separately to the Chairman of this Committee, due to their extreme sensitivity

they “*just languished there*”. She then gives one specific example in which the State – in this case the State’s Court system — was clearly aware of her situation:

*“One girl – her brother raped her – he was brought into court. She had to be taken out to court, I remember it quite well, to give evidence against him. He got 6 months. I’m not sure if it was 6 months or 6 years. But she was looking forward to her family being in court to take her home – They never turned up and made it clear they didn’t want her and she went back and she finished her years in the Magdalene. She never got out until the place closed down ... she was so excited going out that morning. I still remember her ... And she was so looking forward to seeing the mother and the father so they would take her out ... And when she inquired she was told they didn’t want to know her and she was sent back to the Magdalene. And she was there until it closed down ... It was shocking. Her brother got either 6 months or 6 years but when he came out his time was done. She got no time. None of us got time limits going in there. You went in – end of story. Once the door was closed that was it ... No crime. That poor girl committed no crime.” **[1/6/182 and 184].***

150. Dr James Smith gives a further worrying example on page 20 of his book:

*“Some six years after the Criminal Law Amendment Act became law, the fate of one survivor of child sexual abuse was revealed before Dublin’s Central Criminal Court. The judgment, delivered on 16 June 1941, demonstrates how Ireland’s containment culture operated. The court determined that the girl, who had been raped repeatedly by her father when she was between the ages of eleven and fourteen, was “living in circumstances calculated to cause or encourage ... prostitution or seduction.” Under the terms of section 21 of the Children Act (1908) she was removed from her home and committed to High Park Convent, the location of one of the largest Magdalen asylums in the country. In a letter to the country registrar, E\_\_\_\_\_ C\_\_\_\_\_, the probation officer handling the case, explained that Ireland’s industrial and reformatory school system refused to admit the girl, fearing that her mere presence would contaminate her young peers. Moreover, Carroll admitted to being “sorry” that “we*

*could not fix the girl in a better Home” and quickly moved to explain, “But you know our difficulties, and in any event she is better where she is than at home.”*

*Although the young girl was the victim of a crime, the various authorities initially regarded her as a threatening embodiment of sexual deviancy. In the absence of an acceptable alternative, she was abandoned to High Park and its population of adult women and routine of hard labor, incessant prayer and submission to religious rule focused on cleansing the body of sexual impurity.” **[9/280/2868]***

151. Just as concerning is Rita M’s evidence. She says that her father was sexually abusing her, as well as submitting her to physical, mental and verbal abuse **[1/11/308]**. She complained many times to the Gardaí – *“I don’t know how many times I went to the police station and told them .... I remember Sergeant J\_\_\_\_\_. I used to see Sergeant J\_\_\_\_\_ and I used to tell him 'you know, he’s done it again'. I even had the police come down and look at the bed” **[1/11/310]***. Each time, the Gardaí decided there was insufficient evidence to charge her father.
152. When she had finally had enough and walked into Finglas Garda Station, she *“just walked straight into the police station and I said 'Something has to be done'”*. The Gardaí decided to put her into care. Rita M thought that this would be temporary; *“Care to me would be an orphanage, in that, a care home for children”*. She thought *“they’re going to put me here for a while, he’s going to go to prison. And then we’d all live happily ever after back in the house. Because my older brother would be old enough to look after us”*. As she says, it *“Never worked out like that”*. Instead of being cared for as the victim of abuse, she was sent *“straight into High Park”*. When she arrived, she was told by the nuns *“it was my fault I was in there”* because *“I made 'behavioural suggestions' ... towards my father”* and *“he was at home with the [other] children” **[1/11/311-314]***. They would remind her, *“It’s your own fault you’re in here” **[1/11/335]***.
153. Rita M continues, *“The police knew a lot of the stuff that was going on, and as far as I was concerned they did nothing. The best thing they done for me as far as they were concerned, was to put me into High Park. That’s the way they see it – that’s*

*the best thing for her, put her in there. So I wouldn't keep going up and bothering them. And now I mean I went up to the police ... I don't know how many times I went up to the police after Mum died. And told them what was going on, and they still ignored it" [1/11/365].* When the Gardaí did put her into care, she says that they never explored other options as to family members who could have looked after her [1/11/320].

154. Rita M says, even though she was the victim and her father was the perpetrator, she *"served a year punishment for him, for what he did. And he got away with it. Yet I'm the one who's punished for telling the truth. And yet nobody heard me, nobody listened. I was just a child ... why weren't we heard ... why weren't the men questioned? Why was it always the woman's fault? You know, why was I the only one punished? Why wasn't my father punished?" [1/11/319-320]*.

155. She also says that she was allowed out of High Park for a day to see her siblings – *"And Sergeant J\_\_\_\_\_ came and got me. Oh yeah, and took me home to the family home then for a day".* At the end of the day, *"I didn't want to go back. I was with my brothers and sisters and I did not want to go back. I felt totally isolated. And apparently I made a big fuss about it, and Sergeant J\_\_\_\_\_ turned around and said it's 'in my best interest for me to go back into High Park' ... it was his suggestion that I go back, because it would be the best thing for me to go back. So I had no choice and I had to go back. I had no choice. And the police car was there waiting for me, and they took me back in ... You were treated like a criminal ..."* [1/11/317-318, 324 and 359].

156. Other than that incident, Rita M says that the State made no effort to check with High Park how she was faring. There were no outsiders, no inspectors. The Gardaí never entered the Laundry, *"Oh no they left me at the door" [1/11/348-349]*. This is absolutely remarkable given that the County Councils' Children's Officers checked on children who were boarded out or fostered on a very regular basis – see here, for example, the frequent checks made on Beth Q by the County [location redacted] Children's Officer between 1956 and 1960 [1/1/67-69].



157. Finally, she points out that it was her father who, even though he had been abusing her, was allowed to take her out of High Park to help look after her siblings: “*I was led to believe that if the State put you in there, the State takes you out. Now to me, the police are the State. So if they put me in there, they should have taken me out. But he took me out a year later*”. Although the sexual abuse then stopped, “*the physical side didn’t*” **[1/11/313 and 319]**. Even then it was the Gardaí who brought her back to the family home: “*They brought me home. The police came and picked me up*” **[1/11/321, 349 and 353]**.
158. It is true that some women and girls were committed to the Laundries by non-State actors, including their families. This happened for an array of reasons – they feared scandal related to unmarried motherhood and illegitimacy, sexual abuse, incest, domestic abuse, disability and mental illness. Although the State was not directly involved in incarcerating these women and girls, it failed to protect and defend their individual liberty and human rights, as they had a right to expect in a democratic State governed by the rule of law.
159. One survivor, Sara W says she was kidnapped<sup>49</sup> by the Legion of Mary and delivered to the Sisters of Charity Laundry in Donnybrook **[1/9/262]**. At the time, she was a 15 year old with a paid job in a bed and breakfast in [location redacted].

*“this Sunday evening ... these two ladies came in, I didn’t know who they were and then they said: ‘Oh I can get you a better job than here. I can get you more money’ and that kind of thing. So I didn’t know what to do because I was reared up very strict and you didn’t say no in them days, in the fifties you didn’t say no, you’d be afraid to say no, so I said ‘ok’. So they took me off in this car and they brought me to this big building which I hadn’t a clue where I was going and they brought me into this room and they said we’re the Legion of Mary and we’re putting you in here for your own safety. And they accepted me, the nuns accepted me, the Legion of Mary, they were looking for cheap labour of course.”*

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<sup>49</sup> As is explained on page 13 of her testimony, **[1/9/272]** Sara W herself uses the term “kidnapped” to describe what happened to her. In a statement she drafted herself **[1/9/286]**, she said “*I maintain I was kidnapped, they were the Legion of Mary from [location redacted], one was Miss H \_\_\_\_\_*”. Maisie K uses the same word in her evidence – see **[1/6/203]**.

She continued, *“I didn’t have a baby and I didn’t, I wasn’t on the streets and I don’t know what the hell, why I was taken in at all you know”* [1/9/265].

160. The only explanation she has ever had is contained in a letter from Sr. K\_\_ H\_\_\_\_\_ dated 12<sup>th</sup> February 2005 [1/9/288-289]:

*“As far as I know the Legion of Mary brought you. As far as I remember there was no other reason for you coming to Donnybrook than that the Legion thought it their duty to keep young girls “safe”, so rather than seeing them on their own, they brought them to Donnybrook.”*

161. The Gardaí returned Sara W when she attempted to escape [1/9/263], even though (a) there was no legal basis for doing so and (b) their duty in law when properly analysed was in fact to investigate the conduct of the members of the Legion of Mary and Religious Order concerned in her abduction. Neither organisation had been given any warrant by the Oireachtas “to keep young girls safe”.

162. Another reason why some women were committed to the Laundries was as a way of dealing with land and inheritance disputes – Des D says that, of the three women working in the boiler house at the Limerick Magdalene Laundry in the mid 1970s, *“one of them was put in because she wouldn’t sign a piece of paper. They were signing over a farm to someone else. And that came from the lady herself and I’ve no reason to disbelieve her”* [2/21/558].

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

163. JFM would argue that, whatever the reasons why women and girls were sent to the Magdalene Laundries, the State had duties to all of the women and girls in the Laundries (a) to prevent them from being held against their will, (b) not to exploit or benefit from their forced labour or servitude and (c) to care for these women and girls in terms of their rights to a safe workplace, to social welfare and (in terms of school-age girls) an education.<sup>50</sup>

**(e) Evidence of police returning women and girls to the Laundries**

164. JFM have managed to obtain a significant amount of evidence that, when women and girls escaped from the Magdalene Laundries, the nuns rang An Garda Síochána. If the Gardaí managed to find the escapees, there was a consistent practice of returning them to the Magdalene Laundries where they suffered punishments ranging from solitary confinement, deprivation of meals and the shaming and humiliating practice of hair cutting. This practice was not a “one off” or “local” arrangement, but happened at Magdalene Laundries in different parts of Ireland and across a number of decades.

165. There are three critical points to note here. As Sara W says, the fact that the Gardaí were returning women to the Laundries shows conclusively that they were not free to leave:

*“When I went to get my records, the nun, Sr. E\_\_\_\_\_, and she said to me: 'No', she says 'you could have left anytime you want' and I just thought – 'so, I could have, could I?' I said, 'and why did the guards come to bring me back so, if I could have left anytime I wanted,' I said, “why did they bring me back?”* **[1/9/264]**

166. A second related point is that the Gardaí returned women and girls to the Magdalene Laundries regardless of the original reason why the women and girls had entered the

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<sup>50</sup> For further submissions on the State’s domestic and international legal obligations to protect all of the girls’ and women’s human rights (in addition to the submissions contained in this document), please refer to JFM’s submissions to the IHRC [\[8/266/2603-2643](#) and [8/268/2696-2717\]](#), the United Nations Working Group on the Universal Periodic Review [\[11/432/3431-3465\]](#) and the United Nations Committee against Torture [\[5/111/1504-1550\]](#) and to the IHRC’s Assessment of the human rights issues arising in relation to the Magdalen laundries [\[9/274/2745-2779\]](#) and to Dr Geoffrey Shannon, Fifth Report of the Special Rapporteur on Child Protection [\[9/275/2780-2813\]](#).

Magdalene Laundries in the first place (i.e., whether or not they had been sent to the Magdalene Laundries instead of receiving a prison sentence). Any suggestion that women and girls, other than those sent to the Magdalene Laundries by the Irish judicial system, were there on a “voluntary” basis is completely undermined by the fact that the Irish police consistently returned escapees who had entered the Magdalene Laundries through other routes (e.g., the Industrial Schools, Mother and Baby Homes, family members, etc).

167. For example, Attracta M has explained that she ran out of the gate at the farm attached to High Park one day [1/7/214, 218 and 230], but “*before I knew it the police were picking me up and bringing me back*”. She went on:

*“Well, I went out the gate and I was just about to run down Griffith Avenue when the next thing I saw ... the police were behind me ... and they brought me [back], they said because I was in the [Laundry] uniform ... They said 'are you Attracta?' and I said ... 'yes' ... And they said 'where do you think you're going?'. And I said, 'out' ... 'To look for somewhere better to live' ... And they said 'no, you're coming back with us, because High Park has rung us and told us that you'd run out'. And before I'd got anywhere they were there on the spot, and brought me back in ... I told the police – I said to the police, because the Garda did say to me when I came out, 'why did you run away?'. I said, 'because they're cutting my hair and putting me in a hole all the time' ... And I said to him, I said 'and I don't like what they're doing to me'”.*

168. Similarly, Sara W has given evidence that she escaped from Donnybrook Magdalene Laundry in about 1955. She describes how she managed one night of freedom, but “*the following morning then the squad car came ... So they brought us back anyway to the convent ... they must have been from Donnybrook [Garda Station], they must have been, would have been local*” [1/9/263].

169. Kate O'S explains that “*no you couldn't leave*” the Sunday's Well Magdalene Laundry in Cork. She relates that the convent was surrounded by a big wall with wire on it. One of the girls escaped – “*they brought her back ... The Guards must have brought her back. They (the guards) were working for them (the nuns)*”. The

nuns gave the escapee “an awful hiding”. A nun said “‘if ye escape,’ she said, ‘ye’ll get more than ye bargained for’. So I didn’t ever try ... because the wall ... you couldn’t climb it” [1/10/293]. Kate O’S continues, “the [girl] that ran away ... she got a beating ... we never saw her again ... she was the [same] age as ourselves. She wanted to get out. And they beat her ... we used to hear her screaming but we didn’t know where to go like because ... when you were in the dormitory at night you were locked in ...” [1/10/302].

170.

[REDACTED]

[REDACTED]

171. The third point to note is that, by returning one, or two, or three girls, An Garda Síochána cultivated the prison-like and punitive nature of the Laundries. This was felt by all women and girls inside. Many of them did not even attempt to escape, because they feared the Gardaí would bring them back regardless of why they were there.

172. [REDACTED]

173. Again, Caitríona H says that she did not try and escape from the Limerick Magdalene Laundry because she was afraid [1/5/163]. She says that two other girls did escape, but “*they were caught and brought back ... The Guards brought them back*” and “*They were punished*” [1/5/162]. Mary C makes the same point – women did not try and escape from Galway Magdalene Laundry for one reason, “*Fear ... Fear of being caught. Fear of being caught*” [2/31/788].

174. The Committee should also note Testimonies C and D (survivors of New Ross and Limerick Magdalene Laundries respectively) from the JFM Submission to UNCAT. They didn’t try to escape because of the risk of being caught by the Gardaí and punished:

*“Oh yes, girls did try to escape. Very, very frightening. Because some of them felt they had to stand up for themselves. And they would run away ... But you see I think that scared the life out of me, I wouldn’t ask. I was too frightened. Some of them used to run away and be brought back by the police ...”* [5/111/1540]

*“... you couldn’t leave. I don’t know anybody who ran away in Limerick, because then they bring you back and then you had to kneel down in front of the nun and everyone is sitting there and you have to say you[‘re] sorry. But I never did because where would I go? I didn’t want to come back and be beaten up again”* [5/111/1543]

175. There are many further examples of the involvement of the Gardaí in returning women and girls to the Magdalene Laundries from survivors and other witnesses:

(a) Maisie K says that, when she escaped from the Galway Magdalene Laundry in December 1951, she was wary of trusting a householder who had given her shelter – *“it struck me that she might tell someone because I used to hear the girls inside talking when some of the girls would escape and they’d go in to a house and they’d sit down and they’d give them tea and in the mean time someone of them would have got on the bike and down to the barracks and brought the guards up and be outside the door waiting for them”* [1/6/197]. She had herself seen what happened to other women and girls who escaped – one of her friends *“escaped out of there one day herself and another girl, they ran across the road when they got the chance ... They hopped on a bus and went out to Oranmore and they had no money and the bus conductor handed them in to the guards barracks and the guards barracks brought them back in to the Magdalene and they got their hair cut”* [1/6/203]. Maisie K says that she was later told that the Gardaí did search for her after her escape: *“later when one of the girls got out and she used to come to visit me and she told me they sent for the guards. And as I said to her where were the guards going to go looking that hour of the night. It was teaming rain and they wouldn’t know what turn to take ... She said they definitely called the guards. Now whether they rang that night or the following morning I don’t know and said to watch out for me around the town because if they spotted me around town I’d be picked up immediately”* [1/6/198]. She says she managed to evade recapture because her foster uncle, P\_\_\_\_, got her a job with the wife of a Gardaí in Roscommon [1/6/198-199].

(b) Kathleen R says that she did not try to escape, *“but I knew a couple of girls that did escape”* from Sunday’s Well Laundry in Cork. She says that *“they were back in an hour with the Guards”*. Although girls did escape, she confirmed that they were returned every time by the Gardaí – *“you’d be, you’d be back again like, the Guards would have you back again”* [1/3/128-129].

(c) Mary C, a paid hand at the Galway Magdalene Laundry in the 1950s recalls, “one of the girls went down on the roof and she fell, to escape. And I remember another day I was there and ... some other girl was after getting out and when she got out ... Sergeant M\_\_\_\_\_ R\_\_ was the detective and he was called and Sr. B\_\_\_\_\_ came down to me and she said: 'I want you to get your coat' she says ... I think ... A\_\_\_\_\_ W\_\_\_\_\_ was her name, 'I want you to get your coat,' she says, 'and follow her'. I said, 'She's gone,' I said, 'and God's speed to her, I'm not going following her'. I wouldn't do it. So the next thing was she was caught ... and the nun came out [and said] ... 'I have found my sheep who was lost.' I always remember them words: 'I have found my sheep who was lost.' So we found the sheep that was lost and she was shaved to the bone” [2/31/758]. Mary C clearly recalls that, when women escaped, “the Guards were called” and that on a few occasions women who were returned were then dispatched to the mental hospital in Ballinasloe<sup>51</sup> [2/31/759]. She herself remembers helping a group of four escapees from the Laundries to avoid recapture by the Gardaí [2/31/794-796].

(d) The Committee should also note Testimony A in the JFM Submission to UNCAT<sup>52</sup>. She says that she escaped from Sunday's Well Magdalene Laundry in Cork with another girl. They made it as far as Cork city centre; “And this great big guard came along, and he said: 'Hello, what's your name?' I made up a name. I was very good at thinking on my feet – I still am to this day. I told him a lie – I said I was somebody else ... And he said, 'What are you doing out here?' ... He said, 'You're from that big house up the road [the Magdalene Laundry] aren't you?' Course that was it. I started crying, and they brought me back. So I'm saying to this day now: if I wasn't kept there against my will or I wasn't a prisoner there, that guard had no right to take me or my friend back up to that place, had he? No. So I'm wondering who the guards listened to – the law of the

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<sup>51</sup> JFM has also attempted to obtain documentary evidence as to whether women and girls were transferred into Grangegorman Mental Hospital from the various Magdalene Laundries in the Dublin region. However, the Committee should know that Dr Smith was denied access to the major accession of Grangegorman Mental Hospital documents recently deposited at the National Archives.

<sup>52</sup> These testimonies were provided by survivors in London in March 2011 for inclusion in JFM's submission to the UN Committee against Torture [5/111/1504-1550].



*land or those nuns? They were working hard for those nuns. Everything the nuns asked for, they gave them. So we had freedom for two hours. That was all. We were terrified of the guards – you know what I mean? ... But he only had to look at my shoes and my haircut to know I was. And that night ... we were driven back up to the convent” whereupon “I got whipped”<sup>53</sup> [5/111/1527-1528].*

- (e) The Committee should also note Testimony B of a survivor of the Galway Magdalene Laundry in the same JFM Submission [5/111/1535]. She remembers taking clothes from the laundry in preparation for an escape attempt: *“Everybody would know you were from the Magdalene laundry if the law came after you ... It’s like a prisoner. You’re escaping in prison clothes. They’d all know that you were out from the prison ... [If you escaped], the nuns would have got the guards ... out. Oh they would. The nuns would have got the guards to go out and bring you back. Oh the guards knew all about it. And the locals knew about it ... You knew all those doors were locked. And you knew damn well that if you made that escape, if you were lucky to make it, unless you got into the back of the laundry van or something like that to escape, there was no way out. And if you did make an escape, then the law would bring you back. The guard would bring you back. So they had you. You couldn’t get out of there”*. [5/111/1535]

- (f) There is also relevant evidence in a provincial Diocesan Archive as to the interaction between nuns of the Order concerned and the Gardaí – see Note 6 above.

176. Finally, there is the testimony given by a prominent journalist, Larry J. His father was a Garda Sergeant in the early 1970s at Shandon Garda Station in Cork. His father has told him that during one evening shift, they received a phone call from a nun calling from what he thinks was the Good Shepherd Laundry at Sunday’s Well informing the Gardaí that two women had escaped from the Laundry. The Senior Officer on duty promised that he would *“send the car out there straight away”*, but

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<sup>53</sup> This would appear to be the same survivor who spoke to the Irish Daily Mail in its article on 18<sup>th</sup> June 2011 [10/354/3280-3281]

then told his subordinates “*Ah, we’ll just have a cup of tea first. We’ll let the girls make the boat*” to the United Kingdom which was due to leave Cork docks imminently [2/15/423-424]. He says that his father “*does recall having to bring girls back*” but he regarded himself as being under orders to do so:

“... *he doesn’t talk about it. It bothers him, it bothers him. All he’ll say was that, “Yeah, there were times. And you’d be sent, and you had to go, and you had to find them. And you had to bring them back, and you had to sign them in. You knew you weren’t signing them into anything nice. But that was your job, that was your badge. You had to do it”.*” [2/15/424]

177. He then explains that, his father told him that, because some women were sent to the Laundries by the Courts, whilst others were not, Gardaí had to return escapees: “*If you were asked by the nuns to go and find this, inverted commas “escaped prisoner” or “escaped penitent”, you had to go, because you didn’t know. Because if you didn’t go, and the person had been sent by the courts, you as an officer of the law were in breach of a court order by not going after them. So I think people like my Dad were placed in an impossible situation. I could honestly say that I don’t think any Garda brought a woman in willingly, but many of them did it because they had to. They did it because they had to*” [2/15/425].
178. Finally, Larry J explains that the Gardaí would have filled in paperwork if they returned a woman to the Laundries. Any such incident would have been recorded both in the Garda station’s day book, known as the Dialann, and in the Garda’s report [2/15/431-432]. These were kept meticulously. It is clear from this that the practice of returning women and girls to the Laundries took place openly. Gardaí filled in the relevant paperwork as with any other exercise of their duty.
179. What all of these instances show is that the Gardaí were sending or returning women and girls to the Magdalene Laundries as part of a consistent policy, which can only have been one adopted centrally by the State, and was in no way a "local" practice adopted by individual Gardaí acting contrary to their orders for which the State can absolve itself of responsibility.

180. JFM is not aware of any statutory basis on which the Gardaí could have been lawfully entitled to return escaping women and girls to the Laundries. Indeed, the Cussen Report of 1936 [5/116/1625-1627] indicated that one of the advantages of giving Judges and Justices a statutory power to send girls to approved Institutions was that, *“It would follow as a result of the adoption of the recommendation we make above that, where a girl left the Institution without due authority before the completion of the period for which she had been committed, she would be liable to arrest. As matters stand, a girl who elects to go to a Home may leave at any time”*. Furthermore, at a meeting with senior Department of Justice officials in December 2009, JFM was told that *“there was no legal basis for members of the Garda Síochána returning women who escaped from the laundry institutions”* [5/147/1753]. Thus, it would appear that the State has accepted that the Gardaí had no power to return women and girls to the Laundries, save for the limited category covered by the 1960 Act (for which, see below).
181. Although the evidence JFM has already obtained does show that Gardaí did return women and girls to the Magdalene Laundries in line with the State's then policies, the evidence JFM has seen so far shows that the women and girls were (in most cases) well-treated by individual Gardaí whilst in their custody. Sara W says one of the policemen went and bought her an ice cream before taking her back to the Donnybrook convent; [1/9/263]) and Larry J says that a friend of his father's bought an escaped girl for fish and chips first before returning her *“Because he figured she hadn't eaten in months”*. He says that another Garda in Kerry brought an escapee home *“let her have a shower or a wash, fed her, let her get cleaned up, and he said 'cut your hair before they do it' ...and he brought her back on the Monday morning. After letting her stay in the house for the weekend, and feeding her. Feeding her up, and letting her clean herself and have some dignity”* [2/15/424-425].
182. JFM would like to clarify that it is not seeking to hold individual Gardaí responsible for what might have happened in the past and nor is it asking for an apology from An Garda Síochána as a separate service. It was the State which adopted policies to use the Magdalene Laundries to deal with certain social issues and it was the Religious Orders which operated and profited from the Magdalene Laundries. Therefore, JFM submits that it is the State and the Religious Orders which were

responsible for the treatment of women and girls in the Magdalene Laundries and any apology and redress should come from them.

183. JFM has recently written to the Garda Historical Association, the Garda Síochána Retired Members Association, the Association of Garda Sergeants and Inspectors, and to the Garda Commissioner requesting assistance in documenting the historic practice of returning women to the Magdalene Laundries (see **8/249/2554** to **8/251/2559**). JFM received replies from the Garda Historical Society **[8/254/2564]** as well as from the Garda Commissioner. It understands from the latter response that the Garda Commissioner has nominated a Deputy Commissioner to liaise with the Committee **[8/252/2561]**. However, JFM is concerned that it has been given no opportunity to take part in this process or to comment on the material that the Committee has received or requested from the Commissioner's office.

**(f) Institutionalised survivors**

184. JFM is aware of at least one case where a Magdalene survivor is now in the care of the Health Service Executive (HSE), never having left the [location redacted] Magdalene Laundry. B\_\_\_\_\_ D\_\_\_\_, now in her eighties, was sent by the State's fostering authorities to the Magdalene Laundry in [location redacted] at the age of 14. She has only ever lived in the Magdalene Laundry, sheltered accommodation in the grounds of the Laundry, and now in [location redacted] (B\_\_\_\_\_ D\_\_\_\_' case is also discussed above at paragraphs 8(d), 8(g), 136 and 137). The granddaughter of B\_\_\_\_\_ 's previous foster mother in Dublin, Maeve S, describes B\_\_\_\_\_ 's continuing maltreatment in [location redacted]:

*“A lot of her clothes would go missing, her good stuff would go missing, and then she'd turn up in a ragged old tracksuit... When we got to the room door we looked in, and there was another carer inside, and every stitch of clothes B\_\_\_\_\_ had was either on the floor, on the chair, on the bed. Everywhere. You could get nothing. And B\_\_\_\_\_ was crying her eyes out... The nurse came down, and I said 'It's disgraceful', I said. And she said –that's when it was said to me that, 'Well B\_\_\_\_\_ has two chests of drawers, and everyone else only has one.' Now, the wardrobe was only that*

size, tiny wardrobe and the chest of drawers that height. I said 'That's all her life's belongings', I said" [2/18/485].

"...Yeah, she had no glasses and it was, oh it was early November, something like that. And I said to the girl, one of the care staff there, when I went back with her, I said 'B\_\_\_\_\_ needs her glasses', I said. And, yeah late November it was. 'B\_\_\_\_\_ needs her glasses', I said...She didn't have them for Christmas. And it was after Christmas she still didn't get them, and I was on to them – I wrote to Mary Harney, I've the emails... Oh you're talking 3 or 4 months. And for someone who really — Yeah, for a pair of glasses. And to this day, she's 4 months waiting with no teeth, bottom teeth. [2/18/487-488]

"Her teeth – must be nearly 3 months ago now – her teeth, she has got diabetes. And she must have lost 3 stone now since the teeth went. She lost her bottom teeth, and I went in and I said it to the girl. And the girl said to me, 'Oh well she's not due another set of teeth.' And I said it to her, I said, 'I'll pay for another set of teeth', I said. 'She needs her teeth, I'll pay for it.' . 'Oh well I'll see, I'll make a report.' That's the last we've heard of it. Yeah. It's shocking." [2/18/490]<sup>54</sup>

Maeve S has been trying for several years to have B\_\_\_\_\_ transferred from [location redacted] to a nursing home:

"They've never looked, and even still, they can't even put her into a state-run nursing home. It doesn't even have to be a private nursing home, once she's in – the only thing that she does want is a room on her own. Yeah. That's the one thing she always said, 'Would I have a room on my own?' Yeah, and it's not a lot to ask for her." [2/18/498].

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<sup>54</sup> See for a description of elder abuse of the women who continued to live in Gloucester St after the Laundry closed, Teresa B's testimony at [1/25/649,650,655]

## **State involvement in the commercial operation of the Magdalene Laundries and in financing them**

185. JFM holds evidence that the State supported the Magdalene Laundries financially, both directly and indirectly. Although the direct support was specific to certain of the groups of women and girls incarcerated in the Magdalene Laundries, the indirect financial support related to all of the women and girls held there. This is a further reason why the State should accept responsibility and apologise to and provide redress to all of the survivors and not just some of them.

### **(a) Direct State financial support — payment of capitation grants**

186. The State made direct payments to the Religious Orders in respect of women held on probation in the Magdalene Laundries. The then Minister for Justice, Mr Dermot Ahern TD, stated in response to a Parliamentary Question on 19<sup>th</sup> January 2010 that capitation (per head) payments were made, but that they “*were limited to the duration of the relevant probation orders*” [\[5/77/1439\]](#).

187. After 1960, the State also made capitation payments in respect of young women and girls held on remand at the Sean McDermott Street Magdalene Laundry (see the note of a meeting between JFM and the Department of Justice in December 2009; [\[5/147/1753\]](#), Mr Ahern’s answer to a Parliamentary Question on 19<sup>th</sup> January 2010; [\[5/76/1438\]](#) and the original document from 1969 at [\[5/144/1750\]](#)).

188. JFM also holds a copy of a letter dated 31<sup>st</sup> July 1972 which indicates that the former “Boards of Health” paid capitation grants in respect of “problem girls” sent to the “An Grianan” institution at High Park convent, Drumcondra [\[5/145/1751\]](#). An Grianan was a “Training Centre” for problem girls set up circa 1969 at the High Park Magdalene Laundry. It was housed in the same building as the Laundry and the “problem girls” slept in the Magdalene dormitory. The order concerned (the Sisters of Our Lady of Charity) received distinct and separate capitation grants for girls sent for punitive reasons by the Department of Justice and for “problem girls” sent for presumably protective reasons by the now defunct Boards of Health.

**(b) Indirect State financial support**

189. The State provided ongoing financial support to the Religious Congregations by providing the Magdalene Laundries with lucrative contracts for the cleaning of laundry.
190. A Parliamentary Question in May 1941 suggests that the Department of Defence held laundry contracts with the Magdalene Laundries [\[5/71/1433\]](#). The Minister for Defence, Mr Traynor, stated, “*For the current year ... contracts for Dublin district barracks and posts, including Baldonnell Aerodrome, and for Collins Barracks, Cork, which were previously held by commercial firms, have been placed with institutional laundries*”. The Minister then stated that he was reconsidering whether those contracts should contain a “fair wages clause” – presumably because the women and girls incarcerated in the Magdalene Laundries did not receive wages. As Mary Raftery pointed out in her opinion piece of 20<sup>th</sup> June 2011 in the Irish Times, “*According to Mary Jones’s history of the Irish Women Workers’ Union, “These Obstreperous Lassies”, at least one commercial laundry was forced to close in 1941 with the loss of 25 jobs, having just lost an Army contract to the Sisters of Charity Magdalene Laundry in Donnybrook*” [\[10/309/3232\]](#).
191. In a response of 13<sup>th</sup> October 2010 to a Parliamentary Question from Kathleen Lynch TD, the then Minister for Defence, Mr Tony Killeen TD stated that his Department had “*very little material ... that referred to institutional laundries and much of what is available is incomplete. It is clear however from a review of the files that such laundries had tendered for the award of contracts from the Department. However, it has not proved possible to confirm whether any institutional laundry was actually awarded a contract*” [\[5/90/1453\]](#). He later explained in a further answer on 27<sup>th</sup> October 2010 that “*It is apparent from the files that a St Mary’s Laundry (location and status unknown) had tendered for a laundry contract in 1975 but was unsuccessful. There are also references on file to the fact that the Magdalene Laundry in Galway had been unsuccessful in a tender competition held in 1981. It is also apparent from the files that High Park Laundry, Drumcondra and Gloucester Street Laundry, Sean McDermott Street had approached the Department in 1978 asking that they be included on the list of laundries invited to tender for future contracts.*” [\[5/92/1455\]](#)

192. JFM has obtained testimony that the Laundries did in fact process uniforms sent by the Irish Defence Forces. [REDACTED]

[REDACTED] Mary C, a paid hand at Galway Magdalene Laundry, says “*the army – all the lads would send in their clothes. There would be big hampers sent in every week ... From the barracks ... they were army shirts, they were army socks ... They would ... arrive all in one batch ... whether that’s a contract, I don’t know*” [2/31/761-762]. Survivors have similar recollections – Maisie K at Galway Magdalene Laundry says “*The army of course, their stuff came in. I remember the big woollen shirts, the green woollen in them days*” [1/6/195].

193. There is also evidence that no fair wages clauses were incorporated by the State into contracts with the Laundries. As late as 1982, there was a meeting in which the State discussed the issue of fair wages clauses in laundry contracts with the religious congregations (see Mr Killeen TD’s response to a Parliamentary Question on 27<sup>th</sup> October 2010 [5/92/1455]. [REDACTED]

194. Despite the fact that the women and girls did not receive wages, it would appear that the Department of Defence was prepared to pay the Religious Orders generously for their work. JFM is also in receipt of information from a former Army Quartermaster who handled the advertising of laundry contracts for one barracks in the West of Ireland and his testimony is that every year despite lower tenders being received the Army contract was awarded to the Sisters of Mercy Magdalene Laundry in Galway<sup>55</sup>.

195. Survivors and other non-survivor witnesses certainly recall the Magdalene Laundries handling not only Army laundry, but also laundry from the hospitals, mental hospitals and prisons. Sara W recalls that a lot of the laundry came in to the Laundries at Donnybrook and Peacock’s Lane, Cork from “*the soldiers and the hospitals, the barracks we’ll say, and the hospitals*” [1/9/272 and 275]. Caitríona H also recalls handling laundry from the hospitals at Limerick Magdalene Laundry

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<sup>55</sup> JFM is hoping to obtain formal testimony to this effect before the Committee issues its report.



[1/4/143; 1/5/162-163]. Similarly, Beth Q remembers handling laundry from hospitals at Waterford Magdalene Laundry – in particular, Ferrybank and Ardkeen Hospitals [1/1/18 and 20]. Again, Rita M at High Park, Drumcondra, remembers washing “*children’s clothes from the hospitals*” and “*doctors’ white coats*” [1/11/339 and 351]. And Maisie K at Galway Magdalene Laundry also remembers “*hospital stuff*” [1/6/195].

196. This testimony is supported by other witnesses.

197. Finbar J gives direct evidence that he used to accompany his grandmother, who was the matron of Bedford Row maternity hospital, to drop off the hospital’s laundry at the Good Shepherd Magdalene Laundry in Limerick in the early 1950s [2/24/639].

198. Des D, the maintenance man at the Limerick Magdalene Laundry in the mid 1970s has similar recollections: “*The laundry was a fairly big operation. It used to do all the hospitals. It used to do Camillus’s, the Maternity, the Mid-West and Johns ... So it was quite a big operation*” [2/21/553].

199. [REDACTED]

[REDACTED]

200. JFM has also seen pages from a ledger from High Park Magdalene Laundry in Drumcondra, Dublin for the period 1980-81 Regular customers included Departments of Justice, Agriculture and Fisheries and the State transport company, CIE. This contains an entry relating to laundry from the residence of the President of Ireland, Áras an Uachtaráin [10/310/3235]. [REDACTED]

201. The Magdalene Laundries were also supported indirectly by the State in two further ways. A number of convents which operated Magdalene Laundries had other State supported institutions on site – five out of the ten had Industrial Schools on site and one of those also had a Reformatory School. Where an unmarried mother was sent to one of those Magdalene Laundries, her child was often sent to the Industrial School on the same site and the Religious Orders would receive a capitation grant paid by the State in respect of that child. The other five Magdalene Laundries were operated by Religious Orders which operated Industrial or Reformatory Schools at other sites.

202. Secondly, the State awarded the Religious Orders which operated the Magdalene Laundries charitable status, which carried with it not only favourable tax benefits (normally, immunity from taxation) but also implied to potential donors that the Laundries were carrying out worthwhile public functions which were worthy of support through donations and legacies.

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<sup>56</sup> From 1945 to 1969, Shannon Airport was managed in turn by the Department of Industry and Commerce and by the Department of Transport. In 1969, the Irish Airport Authority, Aer Rianta, assumed control of Shannon Airport as an agent of the Minister for Transport.

203. There is evidence that the Charity Commissioners were assiduous in checking that donations and legacies reached the institutions intended by the donors and that any commercial dealings by the Laundries in terms of selling land and equipment provided full market value for the nuns. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [See also the Charity Commissioners' rough minutes books [6/169/1844-1905] and further documentation concerning land sales at High Park [6/168/1819-1842] and [6/172/1926-1930], Forster Street, Galway [6/170/1906-1916], St Mary's Home, Pembroke Park, Dublin [6/171/1916A-1925].

204. There is no evidence that the Charity Commissioners ever checked to see that the Laundries did in fact fulfil their charitable aims in terms of helping women and girls. There seems to have been a presumption that the religious nature of the institutions negated the need for oversight or supervision.

### **The State's Failure to Supervise**

205. The State completely failed to supervise the Religious Orders in their operation of the Magdalene Laundries. No one sought to understand how these institutions actually operated. The fact that the Religious Orders were in control was enough to excuse official inquiry, inspection or regulation.

206. It has been argued by JFM and accepted by the Irish Human Rights Commission, the UN Committee against Torture and Dr Geoffrey Shannon that the State's failure to monitor conditions in the laundries amounted to grave and systematic violations of all of the girls' and women's human rights as protected by the Irish Constitution, European Convention on Human Rights, International Labour Organisation Conventions and UN Human Rights Conventions.

(a) **Incarceration**

207. The Irish State had a duty both under its own Constitution and under International Human Rights Conventions to protect the liberty of its citizens.
208. Article 40.3.1° of the Irish Constitution protects the personal rights of the citizen and Article 40.3.2° provides that “The State shall ... by its laws protect as best it may from unjust attack and, in the case of injustice done, vindicate the life, person, good name and property rights of every citizen”. Article 40.4.1° states that “No citizen shall be deprived of his personal liberty save in accordance with law.” [12/442/3600-3602].
209. Similarly, Article 3 ECHR contains an absolute prohibition on torture and cruel inhuman or degrading treatment, Article 4 ECHR prohibits slavery, servitude and forced labour, and Article 5 ECHR protects the right to liberty and security of person [11/436/3502-3563]. In particular, since ratifying the ECHR on 25<sup>th</sup> February 1953, Ireland has been committed not to permit detention except after conviction by a competent court or by other lawful authority.<sup>57</sup>
210. All of the women and girls held in the Magdalene Laundries had no choice whether to stay (see paragraphs 8(a) – (f) above). This was certainly the case from the 1930s until the late 1960s. As one survivor of High Park Magdalene Laundry, Drumcondra, recalls, “*every window in the building, every window had bars on it*” and “*All the doors, every door was locked*”. Sara W, a survivor of Donnybrook Magdalene Laundry says “*At nine o’clock every night you were locked into that cell – winter, summer*” [1/9/264].
211. However, there was no statutory basis at all in the whole period between Irish independence in 1922 and 1960 for incarcerating any of the women and girls held in Magdalene Laundries. None of them were detained lawfully. After that date, the

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<sup>57</sup> Again, for further submissions on the State’s domestic and international legal obligations to prevent unlawful or arbitrary detention and further abuses stemming from such arbitrary detention such as slavery, servitude and/or forced labour, and/or torture or other cruel, inhuman or degrading treatment, please see the IHRC’s Assessment of the human rights issues arising in relation to the Magdalen laundries [9/274/2745-2779], Dr Geoffrey Shannon, Fifth Report of the Special Rapporteur on Child Protection [9/275/2780-2813] and JFM’s submissions to the IHRC [8/266/2603-2643 and 8/268/2696-2717], the United Nations Working Group on the Universal Periodic Review [11/432/3431-3465] and the United Nations Committee against Torture [5/111/1504-1550].

Criminal Justice Act 1960 allowed one Magdalene Laundry at Sean McDermott Street in Dublin to be used as a remand institution for women and girls. However, this only affected a small percentage of women and girls sent to Magdalene Laundries after 1960 — all other women and girls incarcerated in Magdalene Laundries after 1960 were detained unlawfully. This appears to have been accepted by senior officials of the Department of Justice at their meeting with JFM in December 2009, during which they stated that “*there was no legal basis supporting the courts’ use of these institutions to confine women*” [\[5/147/1753\]](#).

212. The State was aware of this but did nothing about it. The Cussen Report (Commission of Inquiry into the Reformatory and Industrial School System, 1934-1936) [\[5/116/1625-1627\]](#) referred to the “*present unsatisfactory method of disposing*” of young female offenders aged 16 to 21 – “*a matter which has repeatedly been brought to our notice*”. It stated that Judges and Justices were reluctant to send girls to Prison, “*but they have no legal power to order their detention otherwise*”. It then referred to the practice of giving young women the choice between Prison and being sent to a Magdalene Laundry, before commenting that “*In our view this procedure is undesirable for obvious reasons, chief among them being the absence of specific power enabling the Judges and Justices to commit to these Homes*”. The Cussen Report recommended that “*Statutory powers should be given to both Judges and Justices to commit this class of offender for a definite period, subject to a maximum of three years, to Institutions certified for the reception of particular cases*”.
213. In fact, no such power was ever enacted. A proposal for legislation in 1942 (the Criminal Justice (Female Offenders) Bill 1942) refers to the practice of sending female offenders to the Laundries as “*a makeshift practice*” since Prison was “*the only legal place of detention*” [\[5/136/1699\]](#). The suggestion was that “*certain residential institutions or houses*” would be certified by the Minister for Justice and would then become legal places of detention for female prisoners within the meaning of the Prison Acts.
214. If that proposal had been enacted, lawful incarceration in the Laundries would have been for a limited period. In the case of remand prisoners, it would only have been until “*the next Sitting of the appropriate Court*” [\[5/136/1701\]](#). In the case of girls

convicted of an offence, Judges and Justices would only have had power to order that they be detained “for a fixed period”. In the case of “habitual offenders”, the maximum sentence was to be 12 months [5/136/1702].

215. Furthermore, any Laundries which had been approved would have come under State supervision:

*“Such institutions shall come under State control in much the same manner as Reformatory and Industrial Schools, viz., the control of the Minister for Justice shall be limited to the right to approve of the persons to act as Managers, and of the Rules and Regulations for the working of the institution; to the right to have them inspected periodically by Inspectors of his Department, and to the obligation of defraying the cost of upkeep of persons committed to the institutions by way of capitation grants”*  
[5/136/1700].

216. The Minister would have had power, if a Laundry had failed an inspection, to withdraw certification [5/136/1701].

217. Women continued to be sent to Magdalene Laundries as an alternative to Prison without any statutory authority. Even though it is clear that the Judges and Justices were requiring the women and girls to stay at the Laundries for fixed periods, generally of between 1 to 3 years (see [9/280/2905-2907] and [5/138/1704]), the State failed to check whether they had been allowed to leave at the end of their period of punishment. The result was that many stayed for long periods – some for life (see paragraphs 8(m) and (n) above and 335 – 358 below).

218. The State even failed to properly supervise the treatment of the small group of young women and girls who were sent to Sean McDermott Street Magdalene Laundry on remand pursuant to the 1960 Act. The Sean McDermott Street Laundry was never licensed or inspected. Although it would appear that individual women may have been visited by Department of Justice officials whilst at Sean McDermott Street on remand (see Kathy M’s mother’s records [2/17A/465a-465bb]), there is nothing to indicate that this was anything other than a conversation in the convent parlour. However, the State has so far been unable to point to any record which

indicates that the Laundry as an institution was ever inspected or regulated – whether that be the commercial laundry area, the dormitory or the other living quarters. And yet the State was prepared to place women who were still to be regarded as innocent, prior to any trial, beyond direct State protection.

219. Furthermore, there was no valid reason whatsoever for the Religious Orders being permitted to incarcerate women and girls who were sent to the Magdalene Laundries for non-judicial reasons (e.g., children leaving the Industrial Schools, unmarried mothers). Sara W, who was 15 years old when she was taken from her job in Dublin by the Legion of Mary to the Donnybrook Magdalene Laundry for her “own safety”, simply says that the nuns “*were looking for cheap labour of course*” [\[1/9/262\]](#). Yet, it would appear that the State used its police force, An Garda Síochána, to return women and girls who managed to escape from the Magdalene Laundries whatever the reason why they were first sent there.

220. As Maisie K states, the Religious Orders “*illegally confined people behind lock and key. It was illegal and they broke the rules of the law. You can’t take a person and lock them in and kidnap them. That’s what it was and then using official paper to do it – without grounds, without permission, without a court of law. I never saw the inside of a court room. I never met a guard. I’d never seen a judge. So where were the faceless people who did act as judge and jury?*” [\[1/6/203\]](#).

**(b) Failure to insist that the Magdalene Laundries comply with health and safety legislation**

221. The State had a duty from ratification of the 1930 ILO Forced Labour Convention on 2<sup>nd</sup> March 1931 to “suppress the use of forced or compulsory labour in all its forms within the shortest possible period.” The 1930 Convention obliged the State not to “impose or permit the imposition of forced or compulsory labour for the benefit of private individuals, companies or associations”<sup>58</sup> and required that “[t]he illegal exaction of forced or compulsory labour shall be punishable as a penal offence, and it shall be an obligation on any Member ratifying this Convention to

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<sup>58</sup> Article 4(1)

ensure that the penalties imposed by law are really adequate and are strictly enforced.”<sup>59</sup>

222. Similar obligations not to permit the use of slavery, servitude or forced labour were imposed upon the State by the 1926 and 1957 Slavery Conventions, Article 4 ECHR and Article 8 ICCPR.<sup>60</sup> As the IHRC stated in its Assessment of the Human Rights Issues Arising in Relation to the Magdalene Laundries, “the failure of a State to introduce and enforce criminal law penalties and thus “*take all practicable and necessary legislative and other measures to bring about the complete abolition or abandonment*” of an individual’s labour through the use of coercion would constitute a violation of Article 4, even where the perpetrators were private individuals rather than State actors.” [9/274/2764].

223. As explained below, the Factories Acts and accompanying regulations applied to the Magdalene laundries and should have been implemented fully in order to comply with the State’s international human rights obligations. Indeed, the Memorandum for Government from the Department of Industry and Commerce regarding the 1952 Annual Report of the Inspector of Factories [6/159/1783] specifically mentioned Ireland’s 1952 ratification of the 1947 ILO Labour Inspection Convention [11/434/3477-3487]. This Convention required the State to actually implement the Factories Acts and related regulations with respect to the Magdalene Laundries, through a thorough and adequate inspection regime. The Convention included the following provisions:

Article 1: Each member of the International Labour Organisation for which this Convention is in force shall maintain a system of labour inspection in industrial workplaces;

Article 2 (1): The system of labour inspection in industrial workplaces shall apply to all workplaces in respect of which legal provisions relating to

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<sup>59</sup> Article 25

<sup>60</sup> See further, IHRC’s Assessment of the human rights issues arising in relation to the Magdalen laundries [9/274/2745-2779], Dr Geoffrey Shannon, Fifth Report of the Special Rapporteur on Child Protection [9/275/2780-2813] and JFM’s submissions to the IHRC [8/266/2603-2643 and 8/268/2696-2717], the United Nations Working Group on the Universal Periodic Review [11/432/3431-3465] and the United Nations Committee against Torture [5/111/1504-1550].



conditions of work and the protection of workers while engaged in their work are enforceable by labour inspectors; and

Article 16: Workplaces shall be inspected as often and as thoroughly as is necessary to ensure the effective application of the relevant legal provisions.

(i) *The commercial nature of the laundry operations*

224. Unlike certain other convent laundries, which only carried out laundry for those living on the premises, the Magdalene Laundries operated on a commercial basis, laundering linen and clothing for the State and for private firms and individuals in return for financial/monetary reward. This was true from well before the foundation of the State.

225. [REDACTED]

226. The only non-commercial feature of the Magdalene Laundries was that their workforce was unpaid. [REDACTED]

[REDACTED]

[REDACTED]

227. [REDACTED]

[REDACTED] evidence is corroborated by Mick O'M who worked as one of the laundry drivers at Limerick Magdalene Laundry in about 1968. He recalls dropping off laundry and picking it up and the collecting cash, which he remembers had to match the customers' accounts exactly. He says:

*"It was big business you know. It was a big money spinner and all the work was done by the, what would you call them, the inmates ... It was a huge professional set up. We would deliver on a Thursday and Friday and we'd collect on a Monday and Tuesday – all around, the hotels and stuff. They had about four vans on the road. The nuns were running it ... It was a huge thing when you think of it ... The whole thing was professional ... I'd say we were the only ones getting paid. You could see where they were making the profit – the staff weren't paid at all as such" [2/27/704-705].*

229. The 1926 Census of Production Preliminary Report No. 24 on Laundry, Dyeing and Cleaning Trades shows the State's awareness of the number of private and charitable institutions across the Saorstát engaged in commercial laundry work, for which the workers (typically women, and here referred to as "inmates") were not paid for their labour [6/177/1960-1966]. According to the Preliminary Report, 37 of the 80 Returns made in 1926 were from Institutions (Convents, Penitentiaries, Female Industrial Schools, etc.). The Report states that "The amounts charged to customers in 1926 for laundry work done by such Institutions amounted to £97,325" [7/177/1961].

230. Apart from this overall figure of amounts charged to customers, however, the Preliminary Report does not show any further details of these 37 Returns as “It was decided to exclude from the Census of Production figures related to these 37 establishments” [\[7/177/1961\]](#). The Returns from other establishments that were included in the Preliminary Report give the following information: Gross Output, Material Used, Net Output, Salaries and Wages, Persons Employed (broken down by gender and age), Time in operation, and Capacity of Engines. JFM would submit that the Returns received from the 37 Institutional establishments very likely contained the same information. Accessing these 37 Returns, if they have been preserved in Department of Industry and Commerce files, would provide valuable insight into the commercial operation of these establishments.
231. Unlike the Census of Production section on Laundry, Dyeing and Cleaning Trades, the 1926 Census of Production section on Hosiery did in fact include 10 “Institutions (Convents, etc.) at which hosiery goods were made for sale” [\[7/181/2032\]](#). The total output for these 10 institutions was cited as £7,619 [\[7/181/2037\]](#).
232. JFM has found evidence that several of the Magdalene Laundries dealt commercially in lace-making. For example, an article in the Irish Times from 6<sup>th</sup> June 1953 refers to two girls in the Good Shepherd Magdalene Laundry in Limerick embroidering the “gossamer fine lawn for a coronation table-cloth” used for a cocktail party at the British embassy in Dublin to celebrate the coronation of Queen Elizabeth II [\[10/286/3099\]](#). Another article in Irish Times from 21<sup>st</sup> August 1935 acknowledges that the “delicate and ancient industry” of Limerick Lace-making is “fostered in the local convent of the Sisters of the Good Shepherd” [\[10/286/3100\]](#). See for further examples all newspaper reports at [\[10/286/3098-3106\]](#).
233. The Good Shepherd Waterford rates case of 1927 [\[10/285/3095-3097\]](#), which was decided on appeal in the High Court in 1930, shows the State pursuing the Good Shepherd Magdalene Laundry for rates on the same basis as any other commercial undertaking. Holding the Magdalene Laundry not to be exempt from rates, Mr Justice Sullivan stated: “If the community had established that the building was used exclusively for charitable purposes they would be entitled to have it exempt. It was proved that the laundry made a net profit of £1,500 a year” [\[10/285/3097\]](#).

(ii) *Working conditions in the Laundries*

234. Work in the Magdalene Laundries was hard. It involved lifting heavy weights in very hot temperatures and the use of toxic chemicals. AB states “*We worked in great heat associated with the laundry machine and mangles*” [\[1/11/382\]](#).
235. Des D, the maintenance man at Limerick Magdalene Laundry in the mid-1970s says, “*by Jesus they worked hard. They broke a lot of sweat in that laundry. The laundry was very hot. It was just basically a sweathouse just to provide Joe Public out there with nice clean sheets*” [\[2/21/553\]](#).
236. Mary C gives a similar account of working in the Galway Magdalene Laundry in the 1950s, “*... the machines were very, very hard and the women, oh the perspiration was pouring out of them, they were, the poor things*” [\[2/31/783\]](#).
237. Kathleen R says that at Sunday’s Well, Cork, as well as at Limerick and Waterford, she “*Worked very hard in every one of them Magdalenes ... I did, very hard, we drank our sweat ... Drank our sweat we did*” [\[1/3/108\]](#). She remembers the sheets coming out of the mangles, “*boiling hot ... and sweat pouring off you*” [\[1/3/110 and 122\]](#). She says “*all I can remember ... is the hard work ... Hard work, it was mostly all hard work. Physical work. Very physical*” [\[1/3/118\]](#).
238. They are not the only witnesses to recall that work in some parts of the Laundries where clothes were dried and ironed was extremely hot. Kate O’S recalls of Sunday’s Well in Cork, “*Tw was roasting in there when the roller was on ... but you had to stay*” [\[1/10/299\]](#). Rita M says of High Park, Drumcondra, “*you had a lot of steam in the laundry from the machines where they press the shirts and the coats*” [\[1/11/344\]](#). Mary C recalls that at Galway Magdalene Laundry in the 1950s, the women “*had to wear big long navy blue check aprons and a blouse, in the steaming heat. It was cruel, it was cruel. And steam coming down, and the machines going*” [\[2/31/756\]](#).

239. Other parts of the Laundries where clothes were washed were cold and wet. Rita M recalls that *“The floor would get wet sometimes ... from when they lifted up the washing and put it into the spinner”* [\[1/11/344\]](#). Another survivor, Sara W who was at Donnybrook and Peacock Lane Laundry in Cork in the 1950s, recalls, *“You could stand in half a foot of water sometimes down in the laundry all day”* [\[1/9/273\]](#). Kathleen R has similar memories of Sunday’s Well in Cork, *“the laundry used to be pools of water like because they’d be getting buckets of soap out ... you could trip at any time”* [\[1/3/123\]](#).
240. The clothes for one machine weighed 200 lbs (90 kgs) and were *“cold, wet and very, very heavy”*. Lifting the clothes out of the machines was *“back breaking”*. Similarly, Caitríona H recalls that working conditions at Limerick Magdalene Laundry were *“Very bad. It was very bad, they were poor really, it was very very cold there. Very cold. My back would be broke ... there were no such things as seats there, we had to bend down. My back is at me now”* [\[1/5/161\]](#).
241. Kathleen R also remembers the effort required to lift wet clothes by hand — she also worked on the spinners, *“filling in the spinners with clothes and the arms used to be nearly hanging off me. And you’re not talking about a small spinner, you’re talking about a big industrial spinner ... Oh yes, oh yes. Hard, hard, hard work”* [\[1/3/122\]](#).
242. Work in the packing room sorting dirty clothes was also hard. Caitríona H recalls that *“there were some very dirty clothes. You weren’t allowed to wash your hands. You were not allowed to wash your hands”* [\[1/4/143\]](#).

**(iii) *The history of State health and safety regulation of the Laundries***

***The pre-1922 legislation***

243. The Magdalene Laundries were subject to health and safety legislation from the entry into force of the Factory and Workshop Act, 1907 [\[3/46/1088-1093\]](#). This entered into force on 1<sup>st</sup> January 1908 (see section 7(2)). It applied to the whole of what was then the United Kingdom of Great Britain and Ireland (prior to the

independence of the Irish Free State, which later became Éire and ultimately the Republic of Ireland).

244. The 1907 Act amended the Factory and Workshop Act, 1901 to include within its provisions both laundries carried on by way of trade or for the purpose of gain, as well as those carried on “incidentally to the purposes of any public institution (section 1). Sections 2 and 3 of the 1907 Act dealt with hours of work in laundries and the regulation of temperature and drainage of water respectively. Section 5(1) of the 1907 Act also applied the 1901 Act to “any premises forming part of an institution carried on for charitable or reformatory purposes” where “any manual labour is exercised in or incidentally to the ... washing, cleaning .... of articles not intended for the use of the institution” **[3/46/1090]**. The only exception under section 5(2) was where the managers of the institution in question had submitted a scheme to the Secretary of State dealing with the regulation of the hours of employment, intervals for meals and holidays of the workers. In that case, if the Secretary of State was satisfied that the provisions of the scheme were “not less favourable” than the corresponding provisions of the 1901 Act, the Secretary of State might approve the scheme, subject to it being laid before both Houses of [the UK] Parliament. Even in such cases, the 1901 Act continued to apply to all other aspects of the operation of such institutions – save for section 128 of the 1901 Act (see section 5(2)(c) of the 1907 Act; **[3/46/1091]**).
245. There was a further provision, which allowed institutions carried on “for reformatory purposes” to give notice that factories inspectors were not permitted, without the consent of those managing the institution, to “examine an inmate of the institution save in the presence of one of the managers” or the person having charge of the institution under the managers (see section 5(2)(d) of the 1907 Act; **[3/46/1092]**). This is important as it was not repeated in the later 1954 Act. This shows that the Oireachtas intended in the latter legislation to allow the inmates of such institutions to be able to discuss their working conditions and treatment more generally with factory inspectors without the fear of being punished later by those operating the institution in question.
246. Turning then to the protection offered to workers by the 1901 Act itself **[3/36/905-1014]**, this also applied to Ireland, subject to a number of minor modifications – see

section 160 **[3/36/999-1001]**. It is apparent even from the contents pages that this was a major piece of reforming and consolidating legislation, intended to create a complete health and safety code for factories and other industrial premises. Among the provisions which are particularly relevant to the work of this Committee are section 6 (temperature in factories and workshops), section 7 (ventilation), section 8 (drainage of floors), section 10 (fencing of machinery), section 11 (steam boilers), section 14 (means of escape in case of fire), section 19 (notice of accidents to be sent to the factory inspector), section 22 (power to direct formal investigation of accidents), sections 26 and 27 (hours of work), section 35 (holidays), sections 61-67 (fitness for employment), section 68-72 (education of children), laundries (section 103), sections 118-125 (powers of inspection), sections 127-130 (keeping of registers, including a general register, the sending of returns of persons employed and the affixing of notices), as well as sections 135-148 (prosecutions and penalties).

247. The Committee may also wish to take particular note of section 16(1) of the 1901 Act **[3/36/922]**:

*“(1) While any person employed in a factory or workshop is within the factory or workshop for the purpose of employment or meals, the doors of the factory or workshop, and of any room therein in which any such person is, must not be locked or bolted or fastened in such a manner that they cannot be easily and immediately opened from the inside.”<sup>61</sup>*

248. The UK Parliament made further provision for the making of regulations in respect of particular types of factory in The Police, Factories & (Miscellaneous Provisions) Act, 1916 **[3/50/1148-1154]**. Section 7 of that Act allowed the Secretary of State to make special provision for securing the welfare of workers in respect of factories or workshops of any class or group or description.

249. Pursuant to section 7 of the 1916 Act, the Secretary of State made The Welfare of Workers Employed in Laundries Order 1920 [SI 1920/654] **[3/51/1155-1156]**. This made detailed provision for the operation of laundries, including the provision of

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<sup>61</sup> Emphasis added

suitable protective clothing, adequate changing and messrooms, as well as suitable facilities for washing “comprising a sufficient supply of clean towels, soap and warm water, adjacent to where the work is done”, first aid boxes and drinking water. The Committee should particularly note regulation 6: “*The occupier shall provide for all female workers whose work is done standing, facilities for sitting so as to enable them to take advantage of any opportunities for resting which may occur in the course of their employment.*”

### ***The pre-1922 debates in the UK Parliament***

250. The Committee should note the historical context in which the 1901 and 1907 Acts were passed. This shows three things: (1) the possible benefits and alleged disadvantages of extension of the Factories Acts to institutions such as the Magdalene Laundries were very fully considered by the UK Parliament; (2) Concern about the operation of the Magdalene Laundries is not a new phenomenon, under which today’s society seeks to impose its concerns with the benefit of hindsight to the different standards of an earlier age. Many of the comments made by those seeking to include the Laundries within the ambit of the 1901 and 1907 Acts mirror the testimony of the survivors and other witnesses today; (3) It is clear that the Religious Orders fought tooth and nail to avoid inspection. Many of the arguments made against extending inspection to the Laundries reflect answers given by the Religious Orders to the survivors’ complaints in more recent times.
251. In 1895, the then UK Home Secretary, Herbert Asquith, sought to include laundries within the scope of the Factory and Workshop Act of that year. The Religious Orders sought to be excluded from the legislation and lobbied the Irish Parliamentary Party, which took up their cause. The UK Government was in a precarious position and it agreed to the exclusion in order to retain the support of members of the Irish Parliamentary Party.
252. The issue came back before the UK Parliament in 1901, during the debates on what became the 1901 Act. The then Home Secretary (Mr (later Lord) Ritchie) explained in the Second Reading debate on 11<sup>th</sup> June 1901 that he proposed to extend the Factories Acts to laundries, since laundry work involved “*very hard labour and much discomfort, and the existing state of the law is anything but satisfactory*”



[3/34/826]. He continued, “*Laundries in religious and charitable institutions are at present outside the law altogether ... but it is not my intention to leave them out of this Bill. These provisions are intended to protect workers in laundries from being overworked, and to see that they work under sanitary conditions, and I cannot for the life of me see why these provisions should not apply to laundries in religious institutions of an ordinary character*” [3/34/827].

253. However, there was very fierce opposition to the proposals from MPs belonging to the Irish Parliamentary Party. The leader of the party, John Redmond (MP for Waterford) sought to exclude the Magdalene Laundries from the 1901 Act “*based entirely upon the character of the labour employed*”. He explained that the mission of the Laundries was to prevent “*fallen women ... from continuing with their evil courses*” and that “*the great object [of the Religious Orders, including the Good Shepherd Order] was to keep these girls in those institutions*”. He continued, “*The members of this Society of the Good Shepherd are unanimously of opinion that the introduction into their institutions of an outside authority in the shape of Government inspectors would completely destroy the discipline of their institutions, and make their already almost impossible task absolutely impossible*”. He then explained that MPs need not be concerned about lack of Government inspection since “*There is an inspection by the superiors of the religious orders to which they belong, which makes it impossible either for insanitary arrangements to exist or improper hours of labour to be enforced*” [3/34/838-842].

254. When the consideration of the 1901 Bill resumed on 13<sup>th</sup> August 1901, Mr Ritchie MP reluctantly agreed to the exclusion of religious and charitable institutions from the scope of the Act. He made clear that he did this simply in order to safeguard the rest of the Bill for the benefit of the great number of working men and women whom it would help [3/35/845-847], although he also emphasised that:

*“It must not be supposed that, if this House accepts the Amendment which I propose, this matter is going to be lost sight of. I hope at no distant period we may be able to propose Amendments in the laundry section of the Act, and that we may arrive by inquiry and consultation, when time is permitted, at some agreement which, though it does not give all which some of my*

*friends desire, will meet some of the objections raised on the one side and on the other, and by which possibly a solution may be found”.*

255. There was then a debate in which Harold Tennant, the Liberal MP for Berwickshire, in which he pointed out that the French authorities had uncovered very serious abuse in the Good Shepherd Order’s orphanages in France. He commented:

*“It might be urged that nothing could be said against the convent laundries of Ireland, but a great deal of fault had justly been found with the convent laundries in France. Great scandals had been brought to light in connection with these laundries owing to an application to them of the law; and he desired to know what guarantee the House had that like institutions in this country were not being carried on in an equally disadvantageous way as were those in France. There was no guarantee, and if there was any great eagerness to avoid inspection, such keenness to avoid inspection must inevitably give rise to the suspicion that there was something to conceal. The greater the keenness the greater the suspicion that must arise”*

**[3/35/851]**

256. He went on to say that *“The girls tell stories of starvation, hard work, and cruel treatment, and threaten to kill themselves if they are sent back”* **[3/35/852]**.

257. He concluded that *“He could not understand all this opposition to inspection, and if there was anything to conceal they wished to know what it was. If there was nothing to conceal, then he contended that these institutions would not suffer, but gain, by inspection”* **[3/35/853]**.

258. He was supported by a number of MPs of all parties — John Gilbert Talbot, Conservative MP for Oxford University (*“... it is a long step to say that because you object to a particular form of inspection then you must object to all inspection”*) **[3/35/849-850]**; Thomas Lorimer Corbett, Irish Unionist MP for North Down, *“there was no class of work which more demanded sanitary inspection than laundry work, and he, for one, was at a loss to understand the extraordinary opposition to what seemed to him a fair proposal that all laundries should be inspected ... If there was nothing to conceal ...why, in the name of common sense, should they try to*

*conceal it?”* [\[3/35/855\]](#); Sir Brampton Gurdon, Liberal MP for North Norfolk, “*He could not help thinking that, if institutions were afraid of being inspected, there must be something wrong*” [\[3/35/856\]](#), Charles Renshaw, Scottish Unionist MP for West Renfrewshire, “*we cannot understand why the Irish Members should be allowed to sway the decision of a strong Government*” [\[3/35/857\]](#); Sir James Fortescue Flannery, Liberal MP for Shipley in Yorkshire, “*The root of this matter is that laundries attached to religious institutions claim that they should not be subject to the inspection of the Government factory inspector ... I listened with attention for a single logical argument which would show that there was any substantial reason against inspection by a Government inspector of institutions of this kind. In my opinion the logic undoubtedly lies in the direction of showing that institutions of an industrial character, whether attached to religious denominations or not, if they carry on trade processes, may be, in certain circumstances, used unfairly towards their employees, and should therefore be subject to inspection*” [\[3/35/865\]](#), and John Burns, Labour Party MP for Battersea, “*every institution, charitable, industrial, competitive or religious, ought to comply with the common sense of most, and accept such sanitary and medical inspection as the law said should be carried out*” [\[3/35/866\]](#).

259. Ranged against Mr Tennant were a number of members of the Irish Parliamentary Party, who objected vociferously to his speech – see Mr Leamy, MP for North Kildare: “*The idea of secrecy, or that there was anything to conceal, was utterly absurd. The objection of the nuns to inspection was that they believed, rightly or wrongly, that the interference of an inspector between them and the girls under their charge would weaken the authority which it was necessary for them to exercise if they were to succeed with the great work they had in hand*” [\[3/3/854-855\]](#); John Dillon, MP<sup>62</sup> for Mayo East: “*there is no need for them [the women and girls] to escape. The doors are open to them to come or go. The nuns have no legal right to detain them if they do not choose to stay. They come in from the streets when all the world has shut them out and denied them both refuge and sympathy. When they tire of the convent they leave, sometimes to return to their evil courses, but when they again return are they denied forgiveness by the nuns? No; they come again and again, and every time they come they are welcomed*”. He described Mr Tennant’s criticisms of the Good Shepherds as “*base, contemptible and lying charges*”

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<sup>62</sup> Later, the last leader of the Irish Parliamentary Party

**[3/35/862]**. He concluded that *“The inmates of these institutions are as free to leave them if they wish as any Member of this House is to leave this Chamber to-night. The discipline which is maintained is the discipline of a private family – that is, by affection and influence and not by fear of punishment or fear of restraint ... [The women and girls] have no home to go to, and they are all treated as members of the one family ... The work they perform, although no doubt it is an assistance towards maintaining the institution, is mainly intended as a means of distracting the minds and occupying the time of the inmates”* **[3/35/863]**.

260. The debate was concluded by Arthur Balfour, Conservative MP for Manchester East – shortly to become British Prime Minister. He said that his *“own instincts and inclinations are on the whole in favour of that publicity which comes from inspection ... I know that very good people sometimes do very bad things ... high motives are [not] always or even necessarily a sufficient protection against abuses. Abuses sometimes creep into any institution, whatever its character or motive, from which all publicity is excluded”* **[3/35/868]** – a remark which is as true in 2012 as it was in 1901.
261. As it was, the debate in 1901 was lost by those seeking to bring the Magdalene Laundries within the scope of health and safety law. The Magdalene Laundries were at that time excluded from the operation of the Factories Act, 1901 by section 103(4)(b) of that Act, which excluded *“inmates of an institution conducted in good faith for religious or charitable purposes”* **[3/35/968]**.
262. Despite the exclusion of the Magdalene Laundries from the scope of the 1901 Act, it appears that the UK Government introduced a regime whereby most of the Laundries in question consented to be inspected and were *“regularly inspected”* by Factory Inspectors **[3/37/1015]** (see the list of Laundries which had agreed to voluntary inspection in 1905 **[3/39/1020-1031]**, which included nine of the ten Irish Magdalene Laundries within the Committee’s remit (i.e. excluding those formerly operated in Northern Ireland) – see numbers 116, 122, 124, 126, 127, 130, 131, 140 and 149 on pages 1028 and 1029. The only Laundry which had not accepted voluntary inspection by 1905 was that of the Good Shepherd Order at New Ross – see number 66 on page 1031).

263. It is clear that Mr Corbett, the MP for North Down, continued to press the UK Government on the (in)adequacy of voluntary inspection – see [\[3/40/1032; 3/41/1044\]](#). Eventually, in 1907, the UK Government of the time agreed to bring the Magdalene Laundries within the scope of the Factories Acts, albeit with the special features explained above. It is apparent from the House of Lords second reading debate that there was significant unease about those concessions [\[3/42/1069-1077\]](#). Indeed, the Archbishop of Canterbury pointed out that the voluntary inspection regime showed that “*with the best possible intention to act rightly, the managers of these institutions require the help which inspection gives*”, particularly as the “*excellent and devoted ladies find themselves called upon to supervise work which involves the use of complicated machinery without having anyone to tell them how to do it*” [\[3/42/1073\]](#). Nevertheless, it would appear that the concessions from the full operation of the Factories Acts were deliberately made and resulted from a compromise between the then UK Government and the leaders of the Irish Parliamentary Party [\[3/45/1082-1086\]](#).
264. It is clear that, despite that compromise, institutional laundries, including the Magdalene Laundries, were immediately subjected to inspection after the 1907 legislation came into force – see the Annual Report of the Chief Factory Inspector for 1908 [\[3/47/1094-1143\]](#) and the reply of Mr Herbert Gladstone, then Home Secretary, to a Parliamentary Question from Mr Corbett, MP for North Down on 12<sup>th</sup> August 1909 [\[3/48/1144\]](#).
265. Nevertheless, even though the Laundries were subject to inspection after the passing of the 1907 Act, debate continued as to the remaining concessions given to the Laundries. Frank Hugh O’Donnell, the former Irish Nationalist MP for Galway and later Dungarvan, wrote in his book, *Paraguay on Shannon*, 1908, which criticised the Catholic hierarchy of the time:

*“The apparition of the factory convent, of nuns who are set to make helpless lay women and girls work for the profit of the Conventual authorities, awakens profound suspicion ... The infamous complicity of Dublin Castle and the Irish parliamentarians deprives even the poor workers in the convent laundries of the guarantee of public inspection under the Factory Acts. The factory nuns are not too holy to be employers of other people’s*

labour, but they are too holy to submit to the ordinary obligations of employers” [\[11/417/3382\]](#).

*"It is always difficult to trace any effective supervision of convent sweating in the reports of Government inspectors. I note however Mr Redmond and his merry men recently secured the consent of the British Government to a renewed exemption of convent laundries — one of the most exhausting forms of employment — from all real control or examination ... In most of these establishments, the labouring inmates are young women, often extremely young, belonging to the class of ruined girls, who are in need of so much sympathy and care and ... get very little of either ... I am convinced that it is specially dangerous to humane principles to leave the semi-penal treatment of unfortunate girls to members of their own sex who regard such misfortune as pollution beyond repair" [\[11/417/3392-3393\]](#).*

266. Those passages would tend to show that there was pressure prior to Independence as to ensure the adequacy of State supervision of the Laundries, as "semi-penal institutions".

**(iv) *The health and safety regime under the Factories Act 1955***

267. The Magdalene Laundries remained subject to the State’s health and safety legislation when the pre-Independence legislation mentioned above was replaced by the Factories Act 1955. Under section 84(1) of the Factories Act 1955, “*where in any premises forming part of an institution carried on for charitable or reformatory purposes, any manual labour is exercised in or incidental to the ... washing, cleaning ... of articles not intended for the use of the institution, but the premises do not constitute a factory*<sup>63</sup>, then, nevertheless, the provisions of this Act shall ... apply to those premises” [\[4/54/1300\]](#).

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<sup>63</sup> The term “factory” is, in any event, defined in section 3(1) as including “any premises in which persons are employed in manual labour in any process for or incidental to ... the ... cleaning or washing ... of any article ... being premises in which ... the work is carried on by way of trade or for purposes of gain” as well as “any laundry carried on ... incidentally to the purposes of any public institution” [\[4/54/1248-1249\]](#). It is arguable that, although the relevant convents were charitable, the Laundries themselves operated as “factories” insofar as they carried out their work by way of trade or for the purposes of gain. The work was clearly not being carried out as a form of therapy for the women and girls required to perform it.

268. In the Parliamentary Debate on this provision, the Minister for Industry and Commerce (Mr William Norton TD) unambiguously stated that *“Once you wash clothes in the institution, not for the institution, then that is a factory. In other words, you have a right to wash clothes for the institution, but if you start to wash other people’s clothes, it is a factory, for the purpose of Section 84”* **[5/107/1482]**.
269. During the debate, Mr Norton accepted that *“this section has been in our factory legislation since 1907”* **[5/107/1483]**.
270. The principal relevant provisions contained in the 1955 Act are the following:
- (a) Section 12(1): *“Effective provision shall be made for securing and maintaining a reasonable temperature in each workroom ...”* **[4/54/1253]**.
  - (b) Section 15: *“Where any process is carried on which renders the floor liable to be wet to such extent that the wet is capable of being removed by drainage, effective means shall be provided and maintained for drawing off the wet”* **[4/54/1254]**.
  - (c) Section 16: *“Where any process is carried on which renders the floor liable to cause persons employed to slip, effective means shall be provided and maintained for protecting the persons employed from slipping* **[4/54/1254]**.
  - (d) Section 23(1): *“Every dangerous part of any machinery ... shall be securely fenced unless it is in such a position or of such construction as to be as safe to every person employed or working on the premises as it would be if securely fenced”* **[4/54/1257]**
  - (e) Section 27(1): *“All fencing or other safeguards ... shall be of substantial construction, and constantly maintained and kept in position while the parts required to be fenced or safeguarded are in motion or in use ...”* **[4/54/1258]**.

- (f) Section 40(1): Detailed provisions regarding steam boilers [\[4/54/1266\]](#). Further provisions were contained in the Factories (Preparation of Steam Boilers for Examination) Regulations [SI 174/1956] [\[4/60/1366-1371\]](#).
- (g) Section 53(1): Adequate and suitable washing facilities to be provided “*which shall include soap and clean towels*” [\[4/54/1279\]](#).
- (h) Section 55(1): “*Where any employed persons have in the course of their employment reasonable opportunities for sitting without detriment to their work or where a substantial proportion of any work done by employed persons can properly be done sitting, there shall be provided and maintained for their use suitable facilities for sitting*” [\[4/54/1280\]](#).
- (i) Section 66: “*In every laundry – (a) effective steps shall be taken by means of a fan or otherwise to regulate the temperature in every ironing room, and to carry away the steam in every washhouse, (b) all stoves for heating irons shall be so separated from any ironing room or ironing table as to protect the workers from the heat thereof ...*” [\[4/54/1286\]](#)
- (j) Section 67(1): “*A person shall not be employed to lift, carry or move any load so heavy as to be likely to cause injury to him*” [\[4/54/1286\]](#). The Factories Act, 1955 (Manual Labour) (Maximum Weights and Transport) Regulations, 1972 [SI 283/1972] subsequently provided that the maximum weights which may be lifted or carried were, “in the case of an adult female – a weight of not more than 16 kilogrammes (35.2 lbs)” and “in the case of a female person over 16 years and under 18 years of age – a weight of not more than 11 kilogrammes (24.2 lbs)” and “in the case of a person over 14 years and under 16 years of age – a weight of not more than 8 kilogrammes (17.6 lbs)” [\[4/67/1421\]](#). Furthermore, the regulations also provided that “The employment of adult females or young persons in ... a process to which these Regulations relate ... shall, as far as is reasonably practicable, be limited” [\[4/67/1422\]](#) and that mechanical lifting devices be used where reasonably practicable (regulation 7;



**[4/67/1423]**). Finally, regulation 6 of those regulations provided that persons involved in carrying loads should be given adequate training or instruction in working techniques by a suitably qualified person, followed by adequate supervision to ensure that the correct methods are used.

(k) Section 74(1): “*Where any accident occurs in a factory which ... (b) disables any such person for more than three days from earning full wages at the work at which he was employed, written notice of the accident, in the prescribed form and accompanied by the prescribed particulars, shall forthwith be sent to the Minister*” **[4/54/1290]**. Further provisions were contained in the Factories (Notification of Accidents) Regulations, 1956 [SI 180/1956] **[4/63/1381-1383]** and the Factories (Notification of Accidents) (Amendment) Regulations, 1981 **[4/70/1431-1432]**.

(l) Section 78(1): Power for Minister to direct formal investigation of accidents. **[4/54/1293]**

(m)Section 80(1): Certificates of fitness for employment of young persons (aged more than 14 years and less than 18 years) under which young persons could not be employed for more than 10 days unless they had “*been examined by the certifying doctor and certified by him to be fit for that employment*” **[4/54/1295]**. Further provisions as to certificates of fitness are contained in The Factories (Certificates of Fitness of Young Persons) Regulations, 1956 [SI 165/1956] **[4/57/1355-1358]**.

(n) Sections 93 to 99: Inspection and inspectors **[4/54/1307-1310]**.

(o) Sections 100 to 116: Offences, Penalties and Legal Proceedings **[4/54/1310-1316]**















(p) Section 120: Posting of notices at the principal entrances of the factory **[4/54/1316-1317]**.

- (q) Section 122(1): General registers — *“There shall be kept in every factory ... a register, in the prescribed form, called the general register, and there shall be entered in or attached to that register – (a) the prescribed particulars as to the young persons employed in the factory ... (c) the prescribed particulars as to every accident ... occurring in the factory of which notice is required to be sent to the Minister ...”* [\[4/54/1317\]](#). Further provisions were contained in The Factories (General Register) Regulations, 1956 [SI 177/1956] [\[4/62/1376-1380\]](#).
- (r) Section 124(1): Periodical return of persons employed – *“The occupier of every factory shall, on or before such days as may be prescribed, send to the Minister a correct return specifying, with respect to such day or days, or such period, as may be prescribed, the number of persons employed in the factory, and giving such particulars as may be prescribed, as to the hours of employment of women and young persons employed, as to the age, sex and occupation of all persons employed and as to such other matters, if any, as may be prescribed”* [\[4/54/1318\]](#).
- (s) Finally, the then Minister for Labour made regulations in 1973 pursuant to the Factories Act, 1955 — The Laundries (Welfare) Regulations, 1973 [SI 181/1973] – which replaced The Welfare of Workers Employed in Laundries Order 1920 [\[4/68/1425-1427\]](#). These provided that occupiers of laundries should supply laundry workers with suitable protective clothing and provide them with adequate washing, cloakroom and messroom facilities. Regulation 8 specifically provided that *“The occupier of a factory shall provide, for all female workers employed by him whose work is done standing, facilities for sitting down which shall be available for use during any intervals which occur during the course of the work”*. Further relevant health and safety regulations, enacted pursuant to the Factories Act 1955, are included in the accompanying bundles from [\[4/57/1355\]](#) to [\[4/70/1432\]](#).

(v) *The lack of State inspection after the foundation of the State*

271. The State never enforced the statutory obligations set out above in the Magdalene Laundries. Indeed, this has been accepted by the State. The then Minister for Education and Science, Mr Batt O’Keeffe TD, stated in a letter dated 4<sup>th</sup> September 2009 that the Magdalene Laundries “*were not subject to State regulation or supervision*”.

272. The State has since explained the lack of inspection in a response to a Parliamentary Question by the Minister for Jobs, Enterprise and Innovation (Mr Richard Bruton TD) on 23<sup>rd</sup> June 2011, in which he stated that “*The mere fact that the State has a right to inspect particular premises does not mean that it has an obligation to do so – there neither was nor is any obligation on the State to inspect every workplace*” **[5/99/1464]**.

273. The State’s acceptance that it did not inspect the Laundries is confirmed by the survivors (see paragraphs 314-315 below). It also confirmed by other witnesses. Mary C, who was a paid hand at Galway Magdalene Laundry between about 1955 and 1958 says “*No one ever came to visit, nobody every came to visit, there was nothing*” **[2/31/785]**.   
  
  
  
  
  
  
  
  
  
  
  
  


274. It would appear then that none of Ireland's ten Magdalene Laundries was subject to regular inspections after 1922. JFM's submission is that this cannot have happened simply by chance.
275. The National Archives show that commercial operators of laundries were inspected, were required to keep a register of workers, were required to ensure that young workers under 16 (and later, 18) had certificates of fitness and were prosecuted for breaches of the Factories Act.
276. JFM has discovered very detailed annual reports (Memoranda for the Government) which were discussed at Cabinet level and presented to the Oireachtas, even prior to the enactment of the 1955 Act. The second paragraph of each report states the following:

*“Since 1922 a formal report has been prepared each year indicating the number of premises on the Register of Factories and workshops and the percentage inspected, the number of young persons examined by certifying surgeons with a view to the issue of certificates of fitness for employment in factories, the number of accidents classified according to industry, age, sex and causation, the number of prosecutions, the number of premises under special Regulations for dangerous or unhealthy trades, together with a list of the Acts relating to conditions of work in factories and workshops”*  
**[6/152/1776]**

277. These reveal that a very high percentage of factories were inspected in each year for compliance with the State's health and safety legislation (in 1938, 97.8% of factories were inspected at least once **[6/151/1769]** and between 1945 and 1950 **[6/154/1778-1782]**, the percentage of factories which were inspected ranged between 41.4% and 69.5%). Furthermore, accidents were investigated and young workers were checked for fitness.
278. The archives also reveal that the State did not hesitate to bring prosecutions against commercial laundry companies in cases of non-compliance. For example, Cases 165, 194 and 199 of 1936 were brought against three different laundry companies which had failed to fence dangerous machinery **[6/150/1757-1767]**. Allegation 5 in

Case 165 was that the company in question had failed to obtain certificates of fitness for employment for two young persons under 16. Case No 28 of 1938 was against the occupier of a steam laundry. Allegations 4-8 were that the occupier had failed to fence dangerous machinery [6/151/1770-1772]. Case No 47 of 1938 was against another laundry company. Allegation 2 was that it had not provided means of regulating the temperature of the premises and drained of water. Allegation 4 was that the laundry had not provided the women with facilities for sitting. [6/151/1774-1775].

279. The only explanation for the lack of inspections is that the State unofficially treated the Magdalene Laundries as being exempt, regardless of the true position in law under its own legislation. The available evidence supports this conclusion –

[REDACTED]

280. The State deliberately excluded the Magdalene Laundries' commercial laundry operations from the Census of Production, which collected information about wages, hours worked, profit made, among many other industrial details. As noted above, although the 1926 Preliminary Report No. 24 on Laundry, Dyeing and Cleaning Trades [7/177/1961] shows that 37 Institutional Laundries made Returns in 1926, the published version of the 1926 Census of Production states that: "When taking the Census for these trades it was decided that Returns should not be required from the following types of establishments, and accordingly, this Report does not include the value of laundry, etc., work performed by them. (a) Convents, Penitentiaries, Industrial Schools, etc., which, as well as executing laundry for their own inmates and staffs, did work on a commercial basis for outside customers..."<sup>64</sup> [7/178/1968].

281. The Census of Production of both 1929 [7/185/2250] and 1931 [7/183/2157] reiterated this exclusion of commercial laundry work carried out in Magdalene

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<sup>64</sup> Emphasis added.

Laundries and other institutions. This corresponds with, and demonstrates as all the more deliberate, the State's failure to inspect or monitor the Magdalene Laundries under the Factories Acts.

282. Even when including "Institutions (Convents, etc.)" in the Hosiery section of the Census of Production, the State made a decision not to collect information on hours worked (apparently because it was aware that "regular" hours were not worked) [7/183/2158].

283. As discussed at paragraph 264 above, it is clear from Parliamentary debates in Westminster in 1909 and from the 1908 Report of the Chief Factory Inspector that all Magdalene Laundries in Ireland were being subjected to inspections and regulation from 1907/8 until the foundation of the Irish Free State. Therefore the State consciously abandoned an ongoing practice under existing legislation, making this failure to inspect and regulate from 1922 onwards all the more culpable and unlawful.

(vi) *Unsafe working conditions*

284. The State's failure to supervise the Magdalene Laundries gave the Religious Orders no incentive to improve unsafe working conditions.

285. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

289. This is a common theme – Rita M says of High Park in the late 1960s, “*Health and Safety would have had a great time in there, at that particular time ... I burned my hand many a time with the iron ... it could have been better, put it that way. It could have been better*” [\[1/11/344\]](#).

(vii) *Accidents*

290. The results of the State failing to ensure that the Magdalene Laundries complied with the State’s own health and safety legislation were entirely predictable.

291. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

*(viii) Other employment rights*

299. By failing to inspect the Laundries, the State failed to insist that the Magdalene Laundries comply with legislative measures ensuring workers' rights (e.g., a working wage, hours of work per day and per week, vacation time, etc.)<sup>65</sup>. The

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<sup>65</sup> Note the IHRC Assessment at para 71 [9/274/2763-2764]: "the State appears to have been in breach of the Conditions of Employment Act, 1936 ([12/445/3639-3686]). That Act provided protections and entitlements for employees in their conditions of employment. It further required observance of international conventions and at

women and girls incarcerated in the Laundries received no wage, they were required to work in the Laundries for 6 days a week, usually for very long hours and with few if any breaks. On Sundays, they were “allowed” to sew and embroider, clean the convent and work in the fields “for fun”, but only under strict supervision. There were no holidays and little (if any) opportunity for outdoor recreation. One external witness recalls that the commercial pressure to ensure that the work was completed was such that “*those poor women had to work every bank holiday in the Laundry as normal, Good Friday as normal, to give the hospitals and the hotels their laundry back*”.

**(ix) Women and girls who were unfit to work**

300. The State did not use its factories inspectors to ensure that the women and girls working in the Laundries were fit to work.
301. Nor did the State require the Magdalene Laundries to comply with the requirement that all commercial operations covered by the 1955 Act keep registers of their workers, listing all women and young people with their ages and specific occupations and sending those details when required to the relevant Department.
302. Furthermore, the State did not require the Magdalene Laundries to comply with the requirement that all young persons under 18<sup>66</sup> had to be examined by a doctor with a view to the issue of certificates of fitness for employment in factories.
303. The result of the State’s failure to inspect or require medical examinations was that the nuns forced women to work who were patently unfit to do so.
304. They forced young girls to work. Maisie K was only 14 years old when she entered the Galway Magdalene Laundry. She says “*I was put working straight away on a big roller machine called a colander ... And because I was only a youngster and my bones weren’t fully developed after a few months my feet started to swell up*

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section 62 provided that workers carrying out industrial work in institutions (not for the purpose only of supplying the needs of such institution), and where such an institution is one carried on for charitable or reformatory purposes, that the provisions of the Act applied to them except in relation to the payment of wages. It is noted that the definition of “industrial work” in section 3 of the 1936 Act would appear to cover a commercial laundry.

<sup>66</sup> Prior to 1955, the requirement applied to all young persons under 16

- regularly ... I couldn't even put the shoes on ... What I had was fallen arches from the heated floors from the machines.*". This resulted in a 6 week long stay in [location redacted] Hospital in Galway **[1/6/186 and 191]**. Cairíona H was put to work at the age of 11 on the morning after she entered the Laundry sorting dirty clothes in the packing room **[1/5/151]**.
305. They forced old women to work. Rita M says of High Park, Drumcondra "*none of us were too old to work, or too young*" **[1/11/325]**. She says that the women "*always stood*" and this was "*all day long ... There was no sitting ... And the older women had to stand as well*" **[1/11/344-345]**.
306. They forced mentally disabled women to work. Mary C, the paid hand at Galway Magdalene Laundry, says "*I saw Downs syndromes working at big washing machines – they were mental, they were mentally retarded as well, those people, some of them, they were and they were fired up there when they wouldn't get work, they weren't fit to work the poor things*" **[2/31/772]**.
307. They forced physically disabled women to work. Mary C refers to a girl called N\_\_\_\_, who walked with splayed legs. "*She was working, her legs, her two knees were nearly locked together like that, her little legs – I'd say N\_\_\_\_ died, she wouldn't have survived that long*" **[2/31/785]**
308. They forced sick women to work. Beth Q recalls "*you'd have to be very sick before you couldn't work*" **[1/1/21]**.
309. They forced women suffering from depression to work. Mary C says that at Galway Magdalene Laundry "*I had a special girl with me and sometimes she didn't want to work. I suppose the poor thing was depressed*". One of the nuns beat her with a strap – "*she beat her all the way along the yard until she got as far as me and at that stage that poor young one was hysterical*" **[2/31/753]**.
310. They forced girls who suffered from epilepsy to work. Mary C recalls that one of the girls at Galway Magdalene Laundry, M\_\_\_\_\_ M\_C\_\_\_ "*used to get terrible*

*epilepsy, sure no one took a bit of notice of her, she'd fall down and she'd have to get up and finish her work" [2/31/768].*

311. They even forced women who had cancer to work. Kate O'S says that she had to stand at the pressing machine at the Sunday's Well Laundry all day. She goes on "*there was one old lady, I know, she used to fold serviettes ... she had cancer and they would never leave her sit down ... and I got a stool one day and the nun nearly hit me with it ... the stool ... for giving it to her" [1/10/294].*

**(x) *The lack of any opportunity to complain***

312. There is a further very important point here. Not only did the State fail to ensure that the women and girls worked in safe working conditions, the State's failure to inspect the Laundries allowed the Religious Orders to illegally incarcerate women and girls. Had the State's factory inspectors carried out regular inspections — and been able to talk to the women and girls away from the nuns — they would have very quickly discovered the extent and scale of the abuse which was being perpetrated (and not just the particular breaches of the factories legislation identified above). JFM submits that it was for this very reason that the Religious Orders were so keen to ensure that they were not subject to factory inspection, as the pre-1922 Westminster debates demonstrate.
313. As it was, the State decided not to enforce its own legislation on factory inspections, which effectively abandoned the women and girls to indefinite incarceration and nothing less than slavery at the total discretion of the nuns. The failure to carry out the same factories inspections as were carried out on commercial laundries prevented the women and girls from drawing their situation to the attention of senior civil servants, members of the Houses of the Oireachtas or the press.
314. The survivors emphasise in their testimony the feeling that they were abandoned by the State. When asked about inspections, Kate O'S said of Sunday's Well in Cork "*We never saw any people like that in the laundry. Never saw a doctor either ... No-one ever came ... all we had was the laundry" [1/10/300].* She went on to say, "*How could you complain, there was no-one to complain to ... There was no-one you could tell. They were the bosses and that was it" [1/10/302].*

315. Attracta M said of High Park, Drumcondra “*No, no, no, no, no never. Nobody ever came into that place to inspect you. Nobody*” [\[1/7/218\]](#). When Sara W was asked whether any government officials or employees ever visited the Donnybrook or Peacock’s Lane Laundries – Gardaí, factory inspectors or doctors, she said, “*No, I never remember anything, no*” [\[1/9/274\]](#). Again, Beth Q says that the only visitor to the Waterford Magdalene Laundry was the Archbishop – there were no Government officials, no factory inspectors and no Gardaí – “*No one ever came into us, no police, no ministers, nobody like that came near us*” [\[1/1/22\]](#). There was simply no process to make a complaint [\[1/1/24\]](#). And Caitríona H says of the Limerick Magdalene Laundry, she never saw any kind of government official, no factory inspectors and no Gardaí – “*No, nothing like that, I’ve never seen anyone anywhere*” [\[1/5/162\]](#).
316. When Kathleen R was asked whether government officials, employees or factory inspectors ever visited Sunday’s Well, Cork, she answered “*we never saw any of them*” [\[1/3/127\]](#). She says that “*there was no point in complaining ... You couldn’t complain, because there was no one to complain to ...*” [\[1/3/134\]](#). Rita M says of her time at High Park, Drumcondra, that no outsiders visited the Laundry, “*No, Never seen anybody*” – no inspectors and no Gardaí [\[1/11/348-349 and 351\]](#). She confirms that there was no process to make complaints and nor did she make any: “*There’s nobody to complain to. You had no right to complain ... you’re in there, you’re punished, and that was it*” [\[1/11/357\]](#). Similarly, Maisie K says that “*I never met any official*” whilst at Galway Magdalene Laundry [\[1/6/190\]](#). She says “*I never saw anybody in uniform come in there. The only one I saw was the Bishop and he came only at Christmas and I think he came at Easter as well*” [\[1/6/194\]](#).
317. It is the State’s failure to inspect the Laundries which was one of the critical errors which it made – as it was this which allowed all of the abuses of which the survivors complain to occur. As UNCAT emphasised in its Concluding Observations on Ireland, it was the failure by the State “*to regulate and inspect*” the operation of the Laundries which caused the Committee particular concern.

318. Similarly, Geoffrey Shannon states on pages 77 and 78 of his Fifth Report as Special Rapporteur on Child Protection to the Oireachtas, 2011 [\[9/275/2809-2810\]](#), that:

*“The seriousness of the alleged abuses of the rights of these women and girls cannot be overstated. The allegations of forced labour in the laundries are of particular gravity and certainly require investigation and redress where appropriate. Although a thorough investigation is pending, there are already extensive accounts from the survivors of the laundries of how they were forced to work in difficult conditions, for long hours, with no payment. The detention and use of women and girls as workers without pay would amount to ‘forced labour’ under the 1930 Forced Labour Convention of the International Labour Organisation, which Ireland signed in 1931. It appears from the reports provided by these women and girls that their treatment constituted slavery.”*

319. He concludes that the State cannot excuse itself from liability for slavery even where the State was not overseeing slavery directly — *“The prohibition of slavery is a ‘peremptory norm’ of international law: that is a norm of state practice which is so fundamental that no derogation from it is ever permitted”*. It was the duty of the State actively to prevent slavery, servitude and forced labour on its territory. It did not – and the State is clearly responsible to each and every woman and girl incarcerated in the Laundries for that failure.

320. As Maisie K herself says, *“I think the State should make up for what they did, for not questioning or inspecting what went in there”* [\[1/6/202\]](#).

**(c) Failure to ensure children were educated**

321. The State had a constitutional duty to educate the children in the Magdalene Laundries and to care for them in cases of parental failure. Article 42.3.2° of the Irish Constitution provides that *“The State shall ... as guardian of the common good, require in view of actual conditions that the children receive a certain minimum education, moral, intellectual and social”*. Articles 42.4 and 42.5 say that *“The State shall provide for free primary education ... In exceptional cases, where*

*the parents for physical or moral reasons fail in their duty towards their children, the State as guardian of the common good, by appropriate means shall endeavour to supply the place of the parents, but always with due regard for the natural and imprescriptible rights of the child" [4/52/1157].*

322. The duty to educate was given concrete form in the School Attendance Act 1926 [12/446/3687-3701]. Under section 4(1), the “parent” of every child to whom the Act applied was required to ensure that the child attended a national or other suitable school on every day on which that school was open for secular instruction. Under section 2, the Act applied to every child “*who has attained the age of six years and has not attained the age of fourteen years*”. Under section 1, the word “parent” was defined so as to mean “*the person having the legal custody of the child and, where owing to the absence of such person or for any other reason the child is not living with or is not in the actual custody of such person, includes the person with whom the child is living or in whose actual custody the child is*”. Therefore, the Religious Orders were under a duty from 1926 to ensure that girls who were less than 14 years old were educated<sup>67</sup>.
323. Furthermore, section 7(1) of the Act allowed the Minister to impose restrictions on the employment of children to whom the 1926 Act applied. Although section 7(3) expressly stated that such regulations “*shall not ... prevent the exercise of manual labour by a child lawfully detained in a certified industrial or reformatory school*”, there was no exception for children detained (lawfully or otherwise) in the Magdalene Laundries.
324. The remainder of the Act provided for enforcement of its requirements by the State. Section 8 provided for the act to be enforced by either the school attendance committee for the relevant area or by the responsible officer of An Garda Síochána and Section 12 provided for the appointment of school attendance officers. Section 17 provided that any “parent” who failed to comply with the act, after being served with a warning, was guilty of an offence.

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<sup>67</sup> From 1<sup>st</sup> July 1972, the school leaving age was extended to “*children who have attained the age of fourteen years and have not attained the age of fifteen years*” – see The School Attendance Act, 1926 (Extension of Application) Order, 1972 [SI 105/1972] [12/447/3702] made pursuant to section 24(1) of the 1926 Act.

325. It is clear from survivor testimony that girls of compulsory school-going age in the Magdalene Laundries were not provided with any education. Caitríona H, who entered the Limerick Magdalene Laundry in the late 50s at the age of 11 years old and left in 1964 says, “*I got no education. I should have been going to school by right. All I ever wanted to be was a nurse*” [1/4/143].
326. Kate O’S who was at Sunday’s Well in Cork from the age of 12, between approximately 1959 and 1965, says “*All of my teenage years was in the laundry ... there were young girls in there as well*”. When she arrived, she was told by one of the nuns, “*“You go straight into the laundry now and do your work and stay there”*. *she said. And that was it*” [1/10/292]. As for her education, she says, “*No, I never seen a classroom. All I saw was laundry, laundry*” [1/10/296].
327. Other girls and young women, who had passed the minimum school leaving age when they entered the Laundries, were nevertheless deprived of the freedom to choose to continue with their education up to the age of 16 (or indeed 18). By allowing them to be unlawfully incarcerated – and subjected to slavery or forced labour contrary to Ireland’s international obligations – the State prevented those girls with the aptitude and desire to continue with their education from doing so. It is noteworthy that the State was prepared to pay for children who were boarded out/fostered to continue with their education until the age of 16 (see paragraph 6 of the boarding out contract included in Beth Q’s records at [1/1/52], as well as the memo of 1<sup>st</sup> May 1961 under which it was suggested that the State continue to pay for boarding out until she was 16 year and 2 months old, “to enable her to complete her second year at school” [1/1/70-75]), which was approved by the Minister [1/1/77]. The State was also prepared to pay capitation grants for children to be educated until the age of 16 in Industrial Schools.
328. Many survivors were prevented from obtaining an education up to the age of 16 (or beyond). Maisie K was taken to Galway Magdalene Laundry in May 1948 at the age of 14 directly from the gates of her secondary school. She had enjoyed her time at school – “*I loved the secondary school. I had no problem with the nuns. I never gave cheek to a teacher. I liked it. I loved it.*” Then, one day, “*A teacher came in to me, a nun, and she said ‘Maisie come with me’ and she said ‘bring your schoolbag’.* *And I did.*” When Maisie asked where she was going, she was told



*“we are bringing you to Galway Maisie. We have got a job for you” And in my innocence ... I was delighted. I thought ... I’ll get a job now. I will be able to learn and I will have some money for myself ... ”.* When she arrived at the Laundry, her schoolbag was taken away from her. One of the women already there, called B\_\_\_\_ L\_\_\_\_, said to the nuns, *“Ye ought to be ashamed of yer selves taking children out of school in here. What is wrong with ye? Have ye any shame?’ And the nuns didn’t answer her. And that was my entrance into the Magdalene laundry with my school bag on my back.”* She was put working straight away on a roller machine. About a week later, she asked one of the nuns, *“why wasn’t I going to school ... and she said with a sneer and a laugh at me ‘You’re in the finishing college now’”* **[1/6/178-179 and 186].**

329. Like Cairíona H, Maisie K says that she would have loved to train to be a nurse, *“But I couldn’t train because nobody would take anybody on with a record like that. I couldn’t tell where I was. I wouldn’t be able to hide it ... the fact that the Magdalene came out, that was taboo entirely. That definitely wouldn’t be acceptable”* **[1/6/199-200].**

330. Maisie K mentions another girl, who was in a similar position to her, having been boarded out:

*“There were girls there like myself. There was a young girleen there. She was in a year before me. She was put in there at 14 as well. She was sent from the home in Tuam. She had been fostered out, very badly treated. She was never taught to read or write. She was sent to school for one day a week just to put her name on the roll book and that was it. She was sent back to the convent and they couldn’t keep her so they put her in here. It didn’t occur to them [the nuns] to go and get her a job other than the Magdalene. To this day, and she is near her eighties now, she still doesn’t know how to read or write. They never taught her. It never occurred to them to take a pen in hand and teach her”* **[1/6/180].**

331. AB entered the New Ross Magdalene Laundry at the age of 14 in 1949 and left aged 18 in 1953. She states, *“The most important fact to know about the convent is that there was no formal education given to me or the other residents”.* Other than being

- allowed to read religious books for 2 hours on a Sunday and being given some sewing instruction, she recalls that *“for the most part, our intellectual development was ignored”* [\[1/12/381-383\]](#).
332. Sara W, who was at both Donnybrook Laundry in Dublin and Peacock Lane Laundry in Cork says that there were no opportunities for education at either laundry *“I left school at thirteen and a half, I was put out to work at thirteen and a half ... I was working yes”* [\[1/9/269\]](#).
333. Kathleen R went to Sunday’s Well in Cork at age 16. She says of opportunities for education at any of the three Laundries (Cork, Limerick, Waterford) she was imprisoned in *“there were none at all ... none at all ... There was none at all in Cork, in any of the three, anywhere else”* [\[1/3/119\]](#).
334. Attracta M, who was sent to High Park, Drumcondra at age 17, states in regard to education that *“There was nothing. Nothing in the laundry of education, nothing at all. There was no such thing as education. No reading, writing, anything”* [\[1/7/215\]](#).
335. Some girls of school age were sent by their families to convents operating Laundries specifically in order to get an education. They did not get one, but rather were sent by the nuns to perform laundry work instead. Beth Q remembers talking to women who had been at Waterford Magdalene Laundry since 13 and 14 years of age: *“Some of them were put in by their families to be schooled, mar dhea. And they were sent to the laundry they were, to work”* [\[1/1/23\]](#).
336. The State was aware that school age children were confined in the Magdalene Laundries. This is clear both from the committals (see for example [\[9/284/336\]](#)) and from the Kennedy Report in 1970. Indeed, the State now seems to acknowledge this – see JFM’s press release of a meeting with officials of the Department of Education in February 2010 [\[8/261/2579\]](#). The State was also aware of the lack of education provided by the Magdalene Laundries. The Kennedy Report commented that:

*“There are generally no proper facilities for the education of these girls many of whom are thought to be retarded; there is a lack of qualified and*

*specialist teachers and the training provided is not geared to getting the girls back into society as quickly as possible as useful citizens. It was noted that as no State grants are made for these purposes there is, consequently, no State control or right of inspection of these institutions” [5/117/1630].*

337. This lack of education has affected the rest of the lives of survivors who were eventually able to leave the Laundries. Caitríona H says *“There are times I get depressed and I say what is the use because it’s over and done with. The future is the thing to look forward to. But I have no future. If I was educated I wouldn’t mind. I could be out and doing something” [1/4/144].*

**(d) Failure to collect social welfare payments and taxes**

338. Under the Irish social welfare system, certain benefits (such as old age pensions) require contributions by the relevant workers. As the Minister for Social and Family Affairs (Ms Mary Hanafin TD) explained in an answer to a Parliamentary Question on 4<sup>th</sup> February 2010 [5/79/1442], *“Since 1953, the Social Welfare Acts have defined the various types of employment which are insurable under the social insurance system while also providing for the management and operation of that system ... Clearly, the integrity of the system is dependent on timely and accurate returns being made to the Social Insurance fund by employers, employees and the self-employed – again as laid down in social welfare legislation. A statutory basis therefore exists for, inter alia, the remittance and recording of contributions, inspection of employer records and where necessary, ensuring compliance in matters relating to social insurance contributions”.*

339. However, the Minister also confirmed that *“there do not appear to be returns available in relation to any organisation or organisations which may be collectively described as Magdalene Laundries”.*

340. Accordingly, it would appear that the State failed to insist that the Religious Orders who operated the Magdalene Laundries as commercial enterprises comply with the Social Welfare Acts.

341. The consequence of this failure is that survivors who apply for a statutory old age pension cannot have her years of work in the Magdalene Laundries taken into consideration. Survivors in contact with JFM have repeatedly written to government representatives in an effort to resolve their pension difficulties.
342. There is also no evidence that the State ever insisted that the Religious Orders comply with the duty of employers to deduct income tax in respect of women and girls working in the Magdalene Laundries. In an answer to a Parliamentary Question on 4<sup>th</sup> February 2010, the then Minister for Finance, Mr Brian Lenihan TD refused to comment on whether the women and girls who were put to work in the Laundries ever paid taxes on grounds of taxpayer confidentiality **[5/81/1444]**. The Committee is able to handle confidential information. JFM would respectfully ask the Committee to pursue this point with the Department of Finance and the Revenue Commissioners.
343. The fact is that the women were unpaid and they were held in conditions of servitude whereby they could not leave the Laundries. The State can hardly now complain of the expense of providing redress to survivors when it failed to ensure that the women received fair wages for their work and failed to ensure that the Religious Orders complied with their duty as “employers” to account for income tax and social security payments to the Revenue Commissioners. As JFM has pointed out previously to the Minister of Finance in a letter dated 2<sup>nd</sup> April 2010 **[8/224/2485-2486]**, “... *the sum total of these monies owed by the religious orders to the Revenue Commissioners would go some considerable distance towards funding a redress scheme for Magdalene Laundry survivors ... JFM would urge you and the Revenue Commissioners to ... proceed with an investigation to ascertain if taxes were paid on behalf of women and girls confined in Magdalene Laundries. If it is established that no taxes were paid, we ask that you seek to recover these funds from the religious orders and dedicate such funds exclusively to pay, in part, for a redress scheme for Magdalene survivors*”.

(e) **Failure to require death certificates**

(i) ***The High Park grave***

344. Finally, JFM would like to take the Committee back to the start of the current campaign for recognition by survivors.
345. In 1993, having decided to sell some of their land at the former Magdalene Laundry site at High Park, Drumcondra, the Sisters of Our Lady of Charity of Refuge applied to the Department of the Environment for the exhumation of 133 women at High Park Convent, Drumcondra. The exhumation order was granted by the Department of the Environment on 25<sup>th</sup> May 1993 [7/187/2311-2313]<sup>68</sup>.
346. The condition of the Magdalene graveyard at High Park is best explained by a survivor of that Magdalene Laundry – Attracta M. She recalls that women and girls were buried “*at the end of the green*” that the women and girls used to walk around [1/7/208-209]. “*The nun that was in charge, Mother d\_ C\_\_\_\_\_ , she used to have her beehives in there, just by the graves*”. Attracta M recalls that “*they weren’t even marked, the graveyards ... There were no markings – there was nothing in the graveyards*”. The women were buried “*in some sort of cloth or something*” with “*no priest, no ceremony ... they were just buried there.*” She went on to say “*I was at a few funerals now with them women put down there in them graveyards, and not even a priest there to bless the graveyard or anything, you know*” [1/7/221]<sup>69</sup>. Attracta M was even punished for laying flowers on the women’s graves: “*Then I spread daisies on the graves, the old people’s graves, and had me hair cut and put down because I wasn’t supposed to do it, which I didn’t know.*” [1/7/208].

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<sup>68</sup> The exhumation of the bodies of women who died in the Laundries has caused great upset to their families and those that knew them – not only those who were buried at High Park, Drumcondra, but also at other provincial Laundries. Denis McN says that he does “*remember one thing that got my grandmother [the sister of a woman incarcerated in the Limerick Magdalene Laundry] cross. The graveyard was originally in the walled garden of those that died before they went up to Mount St. Laurence. I do remember that she was cross at the time the bodies were exhumed*” [2/26/700]

<sup>69</sup> It was not only at High Park that women who died in the Laundries were not given an individual grave marker. In Limerick, Councillor Martin M successfully campaigned to have the names of women who died at the Good Shepherd Magdalene Laundry recorded on a gravestone at Mount St Lawrence Cemetery. He recalls that, when visiting a family grave, “*I came across the biggest grave in the entire cemetery and there wasn’t a single name on it. It said “Here Lie the Residents of the Good Shepherd Convent” and it struck me as being rather odd ... Everybody gets their name on a headstone, including all of the religious orders ... I wondered why these people should be any different*” [2/20/547].

347. When the undertakers were carrying out the task of exhuming the bodies on 23<sup>rd</sup> August 1993, an additional 22 remains were discovered. The Department of the Environment then supplied an additional exhumation order to allow the removal of “*all human remains*” at the relevant site, without questioning the identity of the 22 women [7/188/2314-2316].
348. The Sisters of Our Lady of Charity of Refuge told the Department of the Environment that they could not produce death certificates for 24 women on the exhumation order who appear under fictitious names. The Sisters of Our Lady of Charity of Refuge also told the Department of the Environment that they could not produce death certificates for a further 34 women on the exhumation order.
349. The remains of 154 out of 155 of the women were then cremated and reinterred at Glasnevin Cemetery.
350. A comparison between the names listed on the Glasnevin grave and the exhumation order reveals the following:
- a. There are a total of 133 names on the exhumation order, of which only 110 are the women’s real names.
  - b. The exhumation order lists a further 23 women under fictional names.
  - c. The exhumation order does not list the extra 22 bodies found in the graveyard.
  - d. Only 54 of the names listed on the grave match those on the exhumation order
351. In a letter dated 25<sup>th</sup> June 2010, the Department of Justice states that “*The preliminary indications provided to the Gardaí last April (2010) suggest that the Religious Order followed all the appropriate steps in registering the deaths of their residents*” [8/226/2493-2494].
352. This conclusion is difficult to understand in the absence of an explanation from the Department of Justice, given (a) that the Religious Order concerned admitted that it could not produce a death certificate for 58 of the women buried at High Park and (b) it has been a requirement in Ireland for the last 149 years that all deaths be

reported and that a death certificate be obtained and (c) only 8 of the women buried at High Park died prior to the requirement to obtain a death certificate being imposed.

353. Under section 36 of The Registration of Births and Deaths (Ireland) Act 1863, persons present at the death of a person after the end of 1863 were required to give notice of the death within 7 days to the Registrar of the District in which the death occurred [3/32/802]. Under section 60 of that Act, any person who was liable to register a death but failed to do so became liable to a penalty [3/32/805].
354. The duty to register under section 36 of the 1863 Act was repealed and replaced by sections 9 to 16 of The Births and Deaths Registration Act (Ireland) 1880. Under section 11 of that Act, “*Where a person dies in a place which is not a house ... it shall be the duty of ... every person present at the death ... to give to the registrar, within the five days next after the death or the finding, such information of the particulars required to be registered concerning the death as the informant possesses, and in the presence of the registrar to sign the register*” [3/33/811]. Any failure to register rendered any person required to register a death liable to a penalty under section 29 [3/33/818]. The 1880 Act was in force during the whole of the relevant period until it was repealed by the Civil Registration Act 2004.

***(ii) Other evidence of the State’s failure to require death certificates, lawful burials, and/or to protect the women’s and their families’ Article 2 and Article 8 ECHR rights***

355. JFM research in comparing data from the 1901 and 1911 censuses with the Magdalene graves (where names are available) reveals that many women spent long periods and often died behind convent walls. JFM has established that at least 1149 women are buried at Magdalene grave locations around Ireland [7/209/2384A], therefore, at least 1149 women died behind convent walls. JFM was unable to locate death certificates for many of these women [7/207/2350-2364].
356. JFM research has shown that a number of these women spent many decades incarcerated before their deaths. To give one example of the lengths of time spent in the Laundries, a woman by the name of M\_\_\_\_\_ M\_\_\_\_\_, who is buried in

the Good Shepherd Limerick grave at Mount St. Oliver Cemetery, is recorded in the 1911 census as being incarcerated in the Limerick Magdalene Laundry at 18 years. She died in 1985 at 92 years, having spent 74 years in the Laundry [7/207/2361].

357. Another woman, Edith M, spent about 60 years in the Limerick Magdalene Laundry. She was there from age 14 until her death in 1989 when in her mid-70s. She was there because she was profoundly deaf and dumb. As her great nephew, Denis McN has stated:

*“She was literally there from when she was a teenage girl to when she died, a long, long time, certainly longer than any prison sentence any criminal has ever got in this country, certainly, which is scary. And a more non-criminal, non-aggressive lady could you meet. A real lady in an old style, a real sweet lady”* [2/26/698].

358. Teresa B's natural mother, Anne McD, died at the age of 51 years while she was still institutionalised at Gloucester Street Laundry. Anne McD spent her childhood at the High Park Industrial School, and would spend most of her adult life working at the Gloucester Street Laundry. Because the nuns at Gloucester Street did not make sufficient efforts to contact Teresa and her twin sister after Anne's death, she learned of her mother's death through the RTÉ Liveline radio programme [2/25/661]. Teresa B, who was pregnant at the time, describes her severe distress: *"I was just so upset, I was actually afraid that I might lose my baby with the upset."* [2/25/661].

359. The following evidence, in addition to the 1993 High Park exhumations and the dearth of death certificates for women buried in Magdalene graves (see paragraph 355 above), calls into question the State's enforcement of the religious congregations' legal duties to register deaths and to bury the women lawfully. This evidence also shows the State's failure to ensure respect for the women's basic dignity and their and their families' Article 2 and 8 ECHR rights:<sup>70</sup>

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<sup>70</sup> For more on this point, see the Irish Human Rights Commission's Assessment, paragraphs 95-104 [9/274/2769-2771].



360. The Magdalene Laundry grave at Bohermore in Galway does not display the names of the majority of the women buried there. Maisie K was incarcerated in the Galway Laundry from 1948 to 1951 and says of the unmarked Bohermore grave:

*"Somebody's mother, some child's mother and some mother's child. And it's an awful thing to think. You wouldn't do it to a dog what they did. That you go up and down with no name. Magdalene children who were adopted come home; look for their parent's grave and to find nothing – to find a grave with no name."* [\[1/6/201\]](#).

361. The F\_\_\_\_\_ family's testimony echoes Maisie's sentiments [\[2/19/525-527\]](#). While the F\_\_\_\_\_s succeeded (through JFM's website) in locating the grave where Annie F is buried, were it not for the efforts of Martin M who campaigned to have the names inscribed on the grave at Mount St. Laurence Cemetery [\[2/20/547-557\]](#), this would not have been possible. Similarly, N\_\_\_\_ C\_\_\_\_\_, a survivor of Sunday's Well in Cork, had to campaign to have names put on the headstones there (see the CBS 60 Minutes documentary at [\[10/359/3286\]](#)).
362. JFM has also found that in some grave locations, a lack of care is shown in the inscriptions on the headstones. For example, there appear to be duplications between the different graves belonging to the Good Shepherd Laundry at Sunday's Well (see JFM "Grave Concerns" document at [\[8/211/2392-2428\]](#)).
363. At the High Park grave in Glasnevin, A\_\_\_\_ B\_\_\_\_\_'s death is recorded as "31<sup>st</sup> April, 1948" which is an incorrect date. A\_\_\_\_ B\_\_\_\_ died on 30th April 1948, as evidenced by her death certificate (see photograph of gravestone and death certificate at [\[12/448/3703-3704\]](#)). A\_\_\_\_ B\_\_\_\_ is recorded in the 1901 census for High Park [\[7/207/2354\]](#), which indicates that she spent a minimum of 47 years incarcerated.
364. In many cases, the women were not allowed to attend the funerals of other women who died while in the Magdalene Laundries. When asked could she attend funerals, Sara W, who was in Donnybrook and Peacock Lane says "No, no, no, no." [\[1/9/279\]](#).

365. In fact it seems that not all of the women were given funerals. When asked if proper funerals took place for women who died in the Magdalene Laundry in Galway, Mary C says: *"No, no, no, there wasn't – they were shipped away – no they were not."* [\[2/31/764\]](#). As noted at paragraph 8(o) above, Mary C says that only two or three people would attend the burial, herself and *"[a]nother paid hand. And whoever was driving the hearse and another fellow then to throw it into — the coffin and that was it. I can't remember a priest being there either."* [\[2/31/764\]](#). Asked if the nuns would attend the funerals, Mary C says: *"Not at all, why would they? Why would they?"*. She adds that, *"The nuns would be waked, but not the poor creatures that made the money for them."* [\[2/31/765\]](#).
366. Mary W, who was in the Good Shepherd in Limerick says, *"... I think people died when I was in there because they wouldn't be in their beds the next morning, but there was no funeral! There's no funeral, there's nothing. And you would ask where is so and so and you would be told to mind your own business and don't be asking."* [\[1/8/239\]](#). Kathleen R, who was in Sunday's Well in Cork says that Magdalenes were allowed to attend the funerals of “auxiliaries” who were buried on the grounds of the convent, while they were not permitted to attend the burial of “non-auxiliary” Magdalenes, who were buried in local cemeteries [\[1/3/133\]](#). The auxiliaries' grave on the grounds of Sunday's Well is currently inaccessible and is therefore not maintained. The headstone on this grave was recently vandalised (see “Grave Concerns” document at [\[7/211/2392-2428\]](#)).
367. As a final reflection on the abuse and neglect which Magdalene survivors have suffered during their lives in the Magdalene Laundries: according to Maeve S, B\_\_\_\_\_ D\_\_\_\_\_ (who remains to this day institutionalised in [location redacted] in [location redacted]) has always worried about what will happen to her when she dies. Maeve S explains:
- "[T]hat was always B\_\_\_\_\_’s fear, that she would be buried there [in the grounds of [location redacted] Magdalene Laundry]. So my husband, Lord have mercy on him, died 20-odd years ago, and when he died we got a double grave for that purpose. So we said 'B\_\_\_\_\_, your grave is there, you don't have to worry anymore.' And I mean, even that took a load off B\_\_\_\_\_’s mind, didn't it?"* [\[2/18/497\]](#).

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38. List of papers submitted to the Houses of Parliament, May 1905
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42. *Hansard*, 14<sup>th</sup> May 1907, House of Lords Debate on the Factory and Workshop Bill
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- 114. Report of the Commission on the Relief of the Sick and Destitute Poor, Including the Insane Poor, 1928, paras 232-240
- 115. Department of Local Government and Public Health Annual Report, 1932-33, p.129
- 116. The Cussen Report (Commission of Inquiry into the Reformatory and Industrial School System, 1934-1936)
- 117. The Kennedy Report (The Reformatory and Industrial School Systems Report) 1970, para 6.18
- 118. The Ryan Report 2009 (Report of the Commission to Inquire into Child Abuse), Volume III, Chapter 18
- 119. Statement by An Taoiseach, Mr Brian Cowen TD, 26<sup>th</sup> May 2009
- 120. Government Statement on the Magdalene Laundries, 15<sup>th</sup> June 2011

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137. Committal to High Park Convent, Drumcondra, July 1941
138. Committal to Gloucester Street Convent, Dublin, October 1948
139. Memo from Department of Taoiseach, 25<sup>th</sup> April 1957
140. Letter from Office of the Minister of Justice, 6<sup>th</sup> May 1957
141. Memorandum for the Government on Proposed Criminal Justice Bill, December 1958
142. Convicts serving life sentences (having been originally sentenced to death)
143. Prof James Smith's analysis of Central Criminal Court trial records, 1925-1964
144. Claim for maintenance of women and girls at Lower Sean McDermott Street, May 1969
145. Letter of 31<sup>st</sup> July 1972 from Sister in Charge of "An Grianan" to the Department of Justice regarding capitation grants
146. Press release regarding meeting with Minister for Health on 25<sup>th</sup> March 2010
147. JFM Press Release on Court Committals, 15<sup>th</sup> December 2009
148. Photograph of women from Gloucester Street Magdalene laundry in a Corpus Christi procession, 1950s; Fig.15, Frances Finnegan, Do Penance or Perish

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149. Residential Institutions Redress Board Newsletter, July 2010

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154. Memorandum for Government from Department of Industry and Commerce RE: 1946 Annual Report of Inspector of Factories, [8<sup>th</sup>] November 1947
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156. Memorandum for Government from Department of Industry and Commerce RE: 1948 Annual Report of Inspector of Factories
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160. Memorandum for Government from Department of Industry and Commerce RE: 1953 Annual Report of Inspector of Factories 17<sup>th</sup> June 1954
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168. Charitable Commissioners documents relating to exchange of leases for widening of Collins Avenue (High Park Convent, Drumcondra), 1934
169. JFM Compilation of information from Charitable Commissioners Rough Minutes Books, 1944-1949
170. Charitable Commissioners documents relating to sale of land (Forster Street, Galway), 1952
171. Charitable Commissioners' documents relating to securities and investments of St Mary's Home, Pembroke Park, Dublin, 1964
  - a. Cover sheet for National Archives File in 171 (Pg 1916A)
172. Charitable Commissioners documents relating to sale of lands by public auction (High Park Convent, Drumcondra), 1969
173. JFM compilation of bequests to High Park Convent, Drumcondra, 1910-1970

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174. Prof James Smith, Notes and Draft Analysis, submitted to Senator McAleese and Nuala Ní Mhuircheartaigh, 1<sup>st</sup> July 2012
175. Census of Production Analysis, compiled by Prof James Smith and Claire McGettrick, submitted to Senator McAleese 9<sup>th</sup> July 2012
176. Newspaper articles from 1929-1938
177. Department of Industry and Commerce, Census of Production, 1926, Preliminary Report No. 24: Laundry, Dyeing and Cleaning Trades
178. Saorstat Éireann, Census of Industrial Production, 1926 and 1929 compiled by the Department of Industry and Commerce. Dublin: Stationery Office, 1933
179. Census of Production extract: number of workers excluded
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- 183. Census of Production, 1931-1935
- 184. Census of Production 1936-1951
- 185. Census of Production 1929
- 186. Census of Production Prosecutions 1948-

**Documents relating to burials**

**High Park Exhumations, 1993**

- 187. Exhumation Licence relating to burials at High Park, 25<sup>th</sup> May 1993
- 188. Exhumation Licence relating to burials at High Park, 31<sup>st</sup> August 1993
- 189. List of High Park burials
- 190. JFM Comparison between names on grave and names on exhumation licence  
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- 191. Remains of 133 “abandoned” women exhumed at convent’, Irish Press, 24<sup>th</sup> August 1993
- 192. ‘133 bodies to be exhumed’, Irish Times, 25<sup>th</sup> August 1993
- 193. ‘Cemetery removals’, Irish Independent, 6<sup>th</sup> September 1993
- 194. ‘GPA, Magdalen women and the underground connection’, Irish Times, 8<sup>th</sup> September 1993
- 195. ‘Funeral ceremony sought for “Magdalens”’, Irish Times, 8<sup>th</sup> September 1993
- 196. ‘Exhumed women: memorial service demand’, Irish Independent, 13<sup>th</sup> September 1993
- 197. ‘Tears flow at meeting on Magdalens’, Irish Press, 13<sup>th</sup> September 1993
- 198. ‘Daughters haunted by values of times past’, Irish Times, 21<sup>st</sup> September 1993
- 199. ‘Magdalens reinterred in common grave’, Irish Times, 13<sup>th</sup> September 1993
- 200. ‘Magdalen women are remembered’, Irish Times, 19<sup>th</sup> April 1996
- 201. ‘Magdalen plot had remains of 155 women’, Irish Times, 21<sup>st</sup> August 2003
- 202. ‘Restoring dignity to Magdalens’, Irish Times, 21<sup>st</sup> August 2003

- 203. 'Call for inquiry into Magdalen deaths', Irish Times, 22<sup>nd</sup> August 2003
- 204. 'Order says Magdalen deaths were registered', Irish Times, 23<sup>rd</sup> August 2003
- 205. Magdalen inquiry sought', Irish Times, 29<sup>th</sup> August 2003
- 206. 'Taking Mary Home', Irish Times, 15<sup>th</sup> April 2004

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- 207. JFM Analysis of 1901 & 1911 Census Data Compared with Names at Magdalene Gravesites
- 208. JFM Databases of grave headstones
  - a. Supplementary databases inserted (Pgs 2383a – 2383j)
- 209. JFM analysis of number of women in Magdalene Laundries
  - a. Additional pages inserted (Pgs 2384a – 2384b)
- 210. JFM document – “Magdalene survivors – informal testimony given to JFM
- 211. JFM submission on Good Shepherd Sunday’s Well Laundry, “Grave Concerns”

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- 212. Letter of 3<sup>rd</sup> June 2008 from Residential Institutions Redress Board to (redacted), applicant
- 213. Letter of 4<sup>th</sup> September 2009 from Batt O’Keeffe TD, Minister for Education and Science to Mr Tom Kitt TD
- 214. Letter of 22<sup>nd</sup> September 2009 from Prof James Smith to Brian Cowen TD
- 215. Letter of 23<sup>rd</sup> September 2009 from Batt O’Keeffe TD, Minister for Education & Science to Tom Kitt TD (JFM Information Booklet p 7)
- 216. Letter of 20<sup>th</sup> October 2009 from Good Shepherd Sisters to Brian Cowen, Taoiseach
- 217. Letter of 6<sup>th</sup> November 2009 from Sisters of Our Lady of Charity to Batt O’Keeffe TD, Minister for Education
- 218. Letter of 13<sup>th</sup> November 2009 from Sisters of Charity to Batt O’Keeffe TD, Minister for Education
- 219. Letter of 2<sup>nd</sup> December 2009 from Sisters of Mercy to Batt O’Keeffe TD, Minister for Education, with reparation contribution portfolio attached

220. Letter of 27<sup>th</sup> January 2010 from Batt O’Keeffe to Prof James Smith
221. Letter of 8<sup>th</sup> February 2010 from Prof James Smith to Mary Harney TD, Minister for Health and Children, and John Gormley TD, Minister for the Environment, Heritage and Local Government
222. Letter of 29<sup>th</sup> March 2010 from Prof James Smith to Mary Harney TD, Minister for Health and Children
223. Letter of 29<sup>th</sup> March 2010 from Prof James Smith to Mary Coughlan TD, Minister for Education and Science
224. Letter of 2<sup>nd</sup> April 2010 from JFM to Brian Lenihan TD, Minister or Finance
225. Letter of 27<sup>th</sup> April 2010 from Mary Coughlan TD, Minister for Education and Science to Prof James Smith
226. Letter of 25<sup>th</sup> June 2010 from Department of Justice to Prof James Smith
227. Letter of 3<sup>rd</sup> February 2011 from Good Shepherd Sisters, Waterford, to (redacted)
228. Letter of 7<sup>th</sup> May 2011 from Prof James Smith to James Reilly TD, Minister for Health
229. Email of 11<sup>th</sup> September 2011 from Prof James Smith to Nuala Ní Mhuircheartaigh
230. Email of 14<sup>th</sup> October 2011 from JFM to Alan Shatter TD, Minister for Justice and Kathleen Lynch TD, Minister for Equality, Disability, Mental Health and Older People
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231. Email of 22<sup>nd</sup> October 2011 from Prof James Smith to Nuala Ní Mhuircheartaigh
232. Email of 26<sup>th</sup> October 2011 from Prof James Smith to Nuala Ní Mhuircheartaigh]
233. Email of 27<sup>th</sup> October 2011 from Prof James Smith to Nuala Ní Mhuircheartaigh
234. Email of 7<sup>th</sup> November 2011 from Prof James Smith to Nuala Ní Mhuircheartaigh
235. Email of 26<sup>th</sup> January 2012 from Prof James Smith to Nuala Ní Mhuircheartaigh
236. Letter of 16<sup>th</sup> February 2012 from Prof James Smith to Senator McAleese
237. Letter of 21<sup>st</sup> February 2012 from Prof James Smith to Senator McAleese
238. Letter of 27<sup>th</sup> March 2012 from Prof James Smith to Alan Shatter TD, Minister for Justice and Kathleen Lynch TD, Minister of State with responsibility for Disability, Equality Older People and Mental Health
239. Email of 2<sup>nd</sup> April 2012 (No.1: Factories Inspectorate Memo to Government) from Prof James Smith to Nuala Ní Mhuircheartaigh



240. Email of 2<sup>nd</sup> April 2012 (No.2: Prosecutions of Laundries, Factories Inspectorate) from Prof James Smith to Nuala Ní Mhuircheartaigh
241. Email of 2<sup>nd</sup> April 2012 (No.3: Laundries (Welfare) Regulations, 1973\_ from Prof James Smith to Nuala Ní Mhuircheartaigh
242. Email of 2<sup>nd</sup> April 2012 (No.4: Charitable Donations & Bequests) from Prof James Smith to Nuala Ní Mhuircheartaigh
243. Email of 2<sup>nd</sup> April 2012 (No.5: Charitable D&B-2/Bequests) from Prof James Smith to Nuala Ní Mhuircheartaigh
244. Email of 2<sup>nd</sup> April 2012 (No.6: Criminal Convictions) from Prof James Smith to Nuala Ní Mhuircheartaigh
245. Email of 2<sup>nd</sup> April 2012 (No 7: Final email on rates cases)
246. Letter of 3<sup>rd</sup> April 2012 from Damien Brennan, Private Secretary to Minister for Justice, to Prof James Smith
247. Email of 4<sup>th</sup> April 2012 from Prof James Smith to Senator McAleese and Nuala Ní Mhuircheartaigh (RE: Sr Stanislaus Kennedy, 'But Where Can I Go')
248. Email of 23<sup>rd</sup> April 2012 (RE: Charitable Donations & Bequests) from Prof James Smith to Nuala Ní Mhuircheartaigh
249. Letter of 3<sup>rd</sup> May 2012 from Prof James Smith to An Garda Síochana Retired Members Association
250. Email of 3<sup>rd</sup> May 2012 from Prof James Smith to Garda Historical Association and reply of 29<sup>th</sup> May 2012
251. Letter of 17<sup>th</sup> May 2012 from Prof James Smith to Mr Martin Callinan, Garda Síochana Commissioner
252. Letter of 24<sup>th</sup> May 2012 from Chief Superintendent Mangan to Prof James Smith
253. Letter of 28<sup>th</sup> May 2012 from Claire McGettrick to Senator Martin McAleese
254. Email of 29<sup>th</sup> May 2012 from Paul Maher, Garda Historical Society Committee, to Prof James Smith
255. Email of 1<sup>st</sup> July 2012 from Claire McGettrick to Senator Martin McAleese and Nuala Ní Mhuircheartaigh
256. Letter of 9<sup>th</sup> July 2012 from Claire McGettrick to Senator Martin McAleese
257. Email of 25<sup>th</sup> July 2012 from Claire McGettrick to Nuala Ní Mhuircheartaigh (asking whether survivors' records from RIRB can be located by committee?)
258. Email of 26<sup>th</sup> July 2012 from Raymond Hill to Nuala Ní Mhuircheartaigh

259. Email of 30<sup>th</sup> July 2012 from Prof James Smith to Nuala Ní Mhuirheartaigh (Department of Agriculture invoice, pre-1922)

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260. Proposed Redress Scheme (6<sup>th</sup> July 2009)
261. JFM Press Release of 2<sup>nd</sup> February 2010, 'Department of Education acknowledges its awareness of children in Magdalene Laundries'
262. JFM Press Release of 25<sup>th</sup> March 2010, 'Justice for Magdalenes Challenges Taoiseach After Meeting with Minister for Health'
263. JFM Press Release of 25<sup>th</sup> June 2010, 'Government exploring an apology for Magdalene survivors while denying any state liability'
264. Proposed Restorative Justice and Reparations Scheme, 27<sup>th</sup> March 2011
265. JFM Restorative Justice and Reparations Scheme for Magdalene Laundry Survivors, submitted to Alan Shatter TD, Minister for Justice and Kathleen Lynch TD, Minister of State for Disability, Equality, Mental Health and Older People on 14<sup>th</sup> October 2011
266. Maeve O'Rourke, JFM submission to Irish Human Rights Commission on "Ireland's Magdalene Laundries and the State's Duty to Protect" (June 2010), also published in Hibernian Law Journal
267. JFM narrative of State Interaction with the Magdalene Laundries
268. Prof James Smith, JFM Submission to Irish Human Rights Commission on "State Complicity and Constitutional Rights" (June 2010)

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269. Press release of 26<sup>th</sup> October 2011 "Justice for Magdalenes cautiously welcomes Magdalene Inter-Departmental Committee Interim Report"
270. JFM Submission of 11<sup>th</sup> May 2012 to the Department of Foreign Affairs and Trade on Ireland's Fourth Periodic Report under the ICCPR
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271. JFM submission to IHRC, 'Magdalene Laundries, Mother and Baby Homes, and the Adoption/Fostering Connection' (June 2010)
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274. Irish Human Rights Commission, "Assessment of the Human Rights Issues Arising in relation to the "Magdalen Laundries" November 2010
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280. Extract from Prof James Smith, 'Ireland's Magdalene Laundries and the Nation's Architecture of Containment', Introduction, Chapters 1 and 2 and Tables 1.2, 2.7, 2.9, 2.10, 2.11 and 2.12 and Notes
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282. Article by Maria Luddy in *Women's History Review*, 1997
283. Article by Maria Luddy in *Women's History Review*, 2011

## **Newspapers**

### **JFM July 2012 submission**

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Irish Times, 19<sup>th</sup> November 1938  
Irish Times, 15<sup>th</sup> June 1940  
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Nenagh Guardian, 14<sup>th</sup> October 1950  
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285. Good Shepherd Rates Case (July 2012 submission)  
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286. JFM Compilation of articles concerning lace-making (July 2012 submission)  
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287. Various articles relating to state interaction (July 2012 submission)  
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288. Articles relating to Land Sales (July 2012 submission)
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- Good Shepherd Cork  
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 Irish Independent, 25th May 1993  
 Irish Independent, 26th May 1993  
 Irish Independent, 27th May 1993  
 Irish Independent, 22<sup>nd</sup> June 1993  
 Irish Independent, 30<sup>th</sup> June 1993  
 Irish Independent, 3<sup>rd</sup> September 1993  
 Irish Independent, 16<sup>th</sup> September 1993  
 Irish Independent, 15<sup>th</sup> October 1993  
 Irish Independent, 29<sup>th</sup> October 1993  
 Irish Press, 13th April 1994  
 Irish Independent, 6th May 1994  
 Irish Press, 11th June 1994  
 Irish Independent, 29th June 1994  
 Irish Press, 12<sup>th</sup> July 1994  
 Irish Independent, 9th September 1994  
 Irish Press, 14th September 1994  
 Irish Press, 16th September 1994  
 Irish Independent, 28th October 1994  
 Irish Press, 5th November 1994  
 Irish Independent, 3rd April 1995  
 Irish Independent, 25th July 1995  
 Irish Independent, 8th December 1995  
 Irish Independent, 15th December 1995  
 Irish Independent, 23rd January 1996  
 Irish Independent, 4th April 1996

#### Laundry ads

290. Irish Rosary, 1955 (Peacock Lane, Cork)
291. Irish Rosary, 1955 (Donnybrook)
292. (Title unknown), 1971 (Galway)
293. (Title unknown), 1975 (Galway)
294. Nenagh Guardian, 21<sup>st</sup> December 1940 (Flannery's, Nenagh agency for Good Shepherd Laundry)

#### Charitable appeals

295. Irish Times, 4<sup>th</sup> January 1930 (High Park, Drumcondra)
296. (Unknown title), 1937 (Gloucester Street)
297. Irish Times, 10<sup>th</sup> January 1938 (High Park, Drumcondra)



298. Irish Press, 2<sup>nd</sup> January 1939 (Gloucester Street)
299. (Unknown title), 1953 (Gloucester Street)
300. (Unknown title), 1956 (Gloucester Street)
301. (Unknown title), 1955 (Gloucester Street)
302. (Unknown title), 1958 (High Park, Drumcondra)
303. (Unknown title), 1959 (Gloucester Street)
304. Irish Times, 9<sup>th</sup> January 1960 (High Park, Drumcondra)
305. (Unknown title), 1962 (Gloucester Street)
306. (Unknown title), 1963 (Sean McDermott Street)

#### Laundry contracts

307. Munster Express, 16<sup>th</sup> October 1931 (County Hospital Waterford)
308. Munster Express, 23<sup>rd</sup> October 1931 (County Hospital, Waterford)
309. Irish Times, 20<sup>th</sup> June 2011, Mary Raftery, 'State apology is only way to express wrong done to Magdalenes'
310. Irish Times, 22<sup>nd</sup> June 2011, 'Áras an Uachtaráin among users of Magdalene laundry'

#### Taxation / charitable status

311. Munster Express, 11<sup>th</sup> February 1927 (Waterford convent's rates)

#### Charitable bequests

312. Irish Times, 20<sup>th</sup> December 1927 (£200 to Donnybrook)
313. Irish Times, 3<sup>rd</sup> March 1928 (£10 to Gloucester Street)
314. (Title unclear), 1932 (£25 each to Gloucester Street and Galway)
315. Irish Times, 1935 (£200 to Galway)
316. Irish Times, 21<sup>st</sup> November 1936 (£200 to Gloucester Street)
317. Irish Times, 1937 (£200 to Donnybrook)
318. (Title unclear), 1938 (£25 to Gloucester Street)
319. Irish Times, 11<sup>th</sup> May 1938 (Gloucester Street)
320. Irish Times, 22<sup>nd</sup> July 1939 (£200 to High Park, Drumcondra)

- 321. Irish Times, 1940 (£50 to High Park, Drumcondra)
- 322. Irish Times, 1<sup>st</sup> March 1941 (£200 to Donnybrook)
- 323. Irish Times, 26<sup>th</sup> March 1942 (£50 each to Donnybrook and Gloucester Street)
- 324. Irish Times, 23<sup>rd</sup> May 1942 (Gloucester Street)
- 325. Irish Times, 1945 (£100 to Gloucester Street]
- 326. Irish Times, 29<sup>th</sup> August 1949 (£25 to Donnybrook)
- 327. Irish Times, 14<sup>th</sup> November 1951 (High Park, Drumcondra)
- 328. Irish Times, 28<sup>th</sup> November 1952 (Gloucester Street)
- 329. Irish Times, 31<sup>st</sup> December 1953 (£100 to Gloucester Street)
- 330. Irish Times, 1957 (£1000 to High Park, Drumcondra)
- 331. (Title unclear), 1960 (£2000 to Gloucester Street)
- 332. Irish Times, 10<sup>th</sup> December 1962 (£50 each to Gloucester Street and Donnybrook)
- 333. Irish Times, 1962 (£200 to High Park, Drumcondra)
- 334. (Title unclear), 1964 (£500 to Sean McDermott Street)

#### Redress measures for Magdalene survivors

- 335. RTE News, 29<sup>th</sup> May 2012, ‘State-run homes sent women to Magdalene Laundries’
- 336. Irish Times, 29<sup>th</sup> May 2012, ‘Magdalene lobby group criticises Coalition inaction’
- 337. Irish Examiner, 25<sup>th</sup> July 2012, ‘Archbishop calls for fresh inquiry into laundries’

#### Relationship between religious orders and state

- 338. Irish Times, ‘Children’s Home in Killarney planned’, 9<sup>th</sup> March 1971

#### Miscellaneous

- 339. Irish Times, 7<sup>th</sup> September 1928 (County Galway Homes Committee resolution)
- 340. Irish Times, 12<sup>th</sup> September 1928 (County Galway Homes Committee resolution calling for power to commit ‘second offenders’ to Magdalen asylum for a term of years)
- 341. Connacht Tribune, 15<sup>th</sup> September 1928)
- 342. Irish Times, 14<sup>th</sup> July 1960 (RE: Seanad debate over remand to Magdalene home)

343. Irish Times, 15<sup>th</sup> July 1960 (passage of Criminal Justice Bill 1960)
344. Irish Independent, 25<sup>th</sup> March 1930 (Waterford rates case)
345. Nenagh Guardian, 23<sup>rd</sup> July (1949) (Girl Bound Over – part of Court Committals Submission)
346. Connacht Tribune, 3<sup>rd</sup> February 1967 (Galway annual social)
347. Irish Times, 1<sup>st</sup> October 1968 (High Park feature)
348. Connacht Sentinel, 27<sup>th</sup> January 1970 (Galway annual social)
349. Connacht Sentinel, 15<sup>th</sup> November 1977 (Galway annual social)
350. Connacht Sentinel, 16<sup>th</sup> October 1984 (Closure of Galway Magdalene)
351. Irish Times, 28<sup>th</sup> February 2007 (Woman claims no consent for adoptions)
352. Irish Times, 17<sup>th</sup> March 2007 (Case dismissed against nuns and health board)
353. Irish Examiner, 7<sup>th</sup> May 2012 (Evidence state sent girls as young as 14 to Magdalene laundries)
354. Irish Daily Mail, Saturday 18<sup>th</sup> June 2011 (UN demand for inquiry)
355. Connacht Tribune, 3<sup>rd</sup> February 1967 (Galway Magdalene's first annual staff social) (*duplicate of tab 346 above*)
356. (Title unknown), 1968 (Galway, second annual social)
357. Connacht Sentinel, 16<sup>th</sup> October 1984 (closure of Forster Street Magdalene Laundry; redundancy; lack of union membership) (*duplicate of tab 350 above*)

### **Television**

358. Kenny Live, 1993
359. CBS, '60 Minutes' Documentary, (1999?)

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### **Supplementary**

#### Parliamentary questions

360. Tom Fleming TD to Richard Bruton TD, Minister for Jobs, Enterprise and Innovation, 4<sup>th</sup> July 2012
361. Tab 361 & Pg 3288 deleted due to duplication

362. Mary Lou McDonald TD to Alan Shatter TD, Minister for Justice, 4<sup>th</sup> July 2012 from (Claire McGettrick email 4 July)
363. Dara Calleary TD to Alan Shatter TD, Minister for Justice, 6<sup>th</sup> June 2012
364. Parliamentary question of 10<sup>th</sup> July 2012 from Dara Calleary TD to Alan Shatter TD, Minister for Justice
365. Eamon Gilmore to Frank Fahey TD, Minister of State at the Department of Health and Children, 30th April 1998
366. John Bruton TD to Michael Woods TD, Minister for Education and Science, 12th February 2002 (Question 459)
367. Joe Costello TD to Brian Lenihan TD, Minister of State at the Department of Health and Children, 4th March 2003 (Question 310)
368. Finian McGrath TD to Martin Cullen TD, Minister for the Environment, Heritage and Local Government, 30th September 2003 (Question 1259)
369. Brendan Howlin TD and Eamon Ryan TD to Micheál McDowell TD, Minister for Justice, Equality and Law Reform, 5th May 2004 (Question 49)
370. John Perry TD to Mary Hanafin TD Minister for Education and Science, 12th December 2006 (Question 437)
371. Caoimhghín Ó Caoláin TD to John Moloney TD, Minister of State at the Department of Health and Children, 17th June 2009 (Question 88)
372. Tom Kitt TD and Willie Penrose TD to Batt O'Keeffe TD, Minister for Education and Science, 6th October 2009 (Question 1136, 1281)
373. Noel Coonan TD to Dermot Ahern TD, Minister for Justice, Equality and Law Reform, 15th December 2009 (Question 243)
374. Ruairí Quinn TD to Batt O'Keeffe TD, Minister for Education and Science, 19<sup>th</sup> January 2010 (Question 1028)
375. Michael Kennedy TD to Mary Hanafin TD, Minister for Social and Family Affairs, 4th February 2010 (Question 267)
376. Ruairí Quinn TD and Tom Kitt TD, to Batt O'Keeffe TD, Minister for Education and Science, 9<sup>th</sup> February 2010 (Question 693,695-696, 715)
377. Ruairí Quinn TD to Batt O'Keeffe TD, Minister for Education and Science, 16<sup>th</sup> February 2010 (Question 585)
378. Tom Kitt TD to Mary Coughlan TD, Minister for Education and Skills, 5th May 2010 (Question 381)
379. Enda Kenny TD to Dermot Ahern TD, Minister for Justice, Equality and Law Reform, 13th May 2010 (Question 94)

380. Kathleen Lynch TD to Dermot Ahern TD, Minister for Justice, Equality and Law Reform, 17th November 2010 (Question 51)
381. Michael Creed TD to Mary Coughlan TD, Minister for Education and Skills, 8th December 2010 (Question 5)
382. Bernard Durkan TD and Caoimhghín Ó Caoláin TD John Moloney TD, Minister of State at the Department of Health and Children, 12th January 2011 (Question 360, 461)
383. Caoimhghín Ó Caoláin TD and Maureen O'Sullivan TD, to Alan Shatter TD, Minister for Justice, 24th March 2011 (Question 77-79)
384. Michael McGrath TD and Clare Daly TD to Alan Shatter TD, Minister for Justice, 3rd May 2011 (Question 450, 480)
385. Joe Costello TD to Alan Shatter TD, Minister for Justice, 15th June 2011 (Question 473)
386. Dara Calleary TD to Alan Shatter TD, Minister for Justice, 15th June 2011 (Question 479)
387. Mary Lou McDonald TD to Alan Shatter TD, Minister for Justice, 15th June 2011 (Question 433-438, 443, 439-442, 444)
388. Joanna Tuffy TD to Alan Shatter TD, Minister for Justice, 16th June 2011 (Question 144)
389. Gerry Adams TD to Alan Shatter TD, Minister for Justice, 22nd June 2011 (Question 145)
390. Sean Fleming TD to Alan Shatter TD, Minister for Justice, 23rd June 2011 (Question 39)
391. Gerry Adams TD to Alan Shatter TD, Minister for Justice, 23rd June 2011 (Question 41)
392. Nicky McFadden TD to Alan Shatter TD, Minister for Justice, 23rd June 2011 (Question 41)
393. Mary Lou McDonald TD to Alan Shatter TD, Minister for Justice, 29th June 2011 (Question 183)
394. Mary Lou McDonald TD to Alan Shatter TD, Minister for Justice and Equality, 12th July 2011 (Question 326)
395. Clare Daly TD to Alan Shatter TD, Minister for Justice and Equality, 12th July 2011 (Question 311)
396. Sean Crowe TD to Alan Shatter TD, Minister for Justice and Equality, 13th July 2011 (Question 147)

- 397. Dara Calleary to Alan Shatter TD, Minister for Justice and Equality, 19th July 2011 (Question 389-390)
- 398. Michael Colreavy TD to Alan Shatter TD, Minister for Justice and Equality, 20th September 2011 (Question 68)
- 399. Mary Lou McDonald TD to Alan Shatter TD, Minister for Justice, 4th October 2011 (Question 455)
- 400. Michael Colreavy TD to Alan Shatter TD, Minister for Justice and Equality, 25th October 2011 (Question 63)
- 401. Dominic Hannigan TD to Alan Shatter TD, Minister for Justice and Equality, 2nd November 2011 (Question 369)
- 402. Brendan Smith TD to Ruairí Quinn TD, Minister for Education and Skills, 14th March 2012 (Question 72)
- 403. Brendan Smith TD to Alan Shatter TD, Minister for Justice and Equality 16th May 2012 (Question 141)
- 404. Michael McGrath TD to Alan Shatter TD, Minister for Justice and Equality, 19th June 2012 (Question 494)

Correspondence

- 405. Letter from Prof James Smith to Senator Martin McAleese dated 21<sup>st</sup> February 2012
- 406. Email from Prof. James Smith to Nuala Ní Mhuircheartaigh of 26<sup>th</sup> January 2012
- 407. Email from Prof. James Smith to Nuala Ní Mhuircheartaigh of 27<sup>th</sup> October 2011

Documents relating to court committals

- 408. H\_\_\_\_\_ O'L\_\_\_ case: Mountjoy prison register
- 409. H\_\_\_\_\_ O'L\_\_\_ case: Cork prison register
- 410. H\_\_\_\_\_ O'L\_\_\_ case: 'Bloody women: Ireland's female killers', David M Kiely, Dublin, Gill & Macmillan, 1999, pp67-77.
- 411. H\_\_\_\_\_ O'L\_\_\_ case: compiled newspaper reports
- 412. H\_\_\_\_\_ F\_\_\_ case: Cork prison register
- 413. H\_\_\_\_\_ F\_\_\_ case: Mountjoy prison register
- 414. H\_\_\_\_\_ F\_\_\_ case: compiled newspaper reports
- 415. M\_\_\_\_\_ G\_\_\_\_\_ death certificate (M\_\_\_\_\_ G\_\_\_\_\_ 's case is detailed in Court Committals submission/compilation of newspaper reports, July 2012)

### State contracts

416. 1906 Invoice from Dept of Agriculture station at Athenry, Co. Galway to the Sisters of Mercy, Magdalene Laundry, Foster St. (James Smith email 29 July)

### Literature

417. Frank Hugh O'Donnell, 'Paraguay on Shannon', 1908
418. Frances Finnegan, Do Penance or Perish: Magdalen asylums in Ireland; Oxford University Press, 2004

### Parliamentary Debates

419. Seanad Éireann debate, 27<sup>th</sup> June 2012, contribution of Senator Jillian van Turnhout RE importance of Magdalene archival records
420. Seanad Debate on Criminal Justice Bill, 14th July 1960
421. Seanad Debate on Local Government (Temporary Provisions) Bill 21st March 1923
422. Oral Answers (Magdalen Convent, Donnybrook): Garret Fitzgerald TD to Erskine Childers TD, Minister for Health, 25th January 1972
423. Other Questions (Magdalene Laundries) Michael Colreavy TD to Alan Shatter TD, Minister for Justice and Equality, 18th May 2011
424. Dáil Debate on Illegitimate Children (Affiliation Orders) Bill, 1929, 13th February 1930
425. Order of Business, Dáil Éireann, 17<sup>th</sup> December 2009
426. Other Questions (Departmental Correspondence) Pat Rabbitte TD and Caoimhghín Ó Caoláin TD to Batt O'Keeffe TD, Minister for Education and Science, 28th January 2010.
427. Priority Questions (Departmental Bodies) Maureen O'Sullivan TD to Alan Shatter TD, Minister for Justice and Equality, 25th October 2011
428. Questions (Church-State Dialogue) Caoimhghín Ó Caoláin TD, Enda Kenny TD and Eamon Gilmore TD to Brian Cowen TD, Taoiseach, 17th November 2010
429. Questions (Church-State Dialogue) Gerry Adams TD to Enda Kenny TD, Taoiseach, 11th May 2011.
430. Priority Questions (Magdalene Laundries) Dara Calleary TD to Alan Shatter TD, Minister for Justice and Equality, 23rd June 2011

### Newspapers

431. Connacht Tribune, 10<sup>th</sup> March 1923

### JFM Submissions

432. JFM Submission to the United Nations Working Group on the Universal Periodic Review, April 2011

### International Conventions

433. 1930 ILO Forced Labour Convention  
434. 1947 ILO Labour Inspection Convention  
435. International Covenant on Civil and Political Rights  
436. European Convention on Human Rights  
437. 1926 Slavery Convention  
438. 1957 ILO Abolition of Forced Labour Convention

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439. 1957 Supplementary Slavery Convention  
440. UN Convention Against Torture  
441. International Covenant on Economic, Social and Cultural Rights

### Legislation

442. Irish Constitution, Article 40  
443. Social Welfare Act, 1952 (Section 4 & First Schedule)  
444. Local Government (Sanitary Services) Act, 1948  
445. Conditions of Employment Act, 1936  
446. School Attendance Act, 1926  
447. School Attendance Act, 1926 (Extension of Application) Order, 1972

### Burials

448. A\_\_\_\_\_ B\_\_\_\_\_ Death Certificate and photograph of grave  
449. M\_\_\_\_ W\_\_\_\_ H\_\_\_\_\_ death certificate  
450. Broadcasting Complaints Commission Decision on RTÉ Liveline, 2004