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## Priority Questions - Magdalene Laundries

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### 62. Deputy Maureen O'Sullivan

Deputy Maureen O'Sullivan asked the Minister for Justice and Equality the position regarding the ongoing investigation into the Magdalene Laundry; in particular, if he will report to Dáil Éireann on the progress made to date on the Ministerial track of the investigation, item 2 as described in the Government's statement; and if he will offer a commitment that the twin-tracks of the Government's investigation are ongoing simultaneously, that he does not envisage them as consecutive that is the Ministerial track absolutely dependent on the conclusion of the Inter-Departmental Committee's work. [14048/12]

Deputy Alan Shatter: The Government considered the circumstances of women and girls who resided in the laundries at its meeting on 14 June 2011 and decided that it was essential as a first step to fully establish the true facts and circumstances relating to the Magdalene laundries. A number of actions were agreed.

This included the setting up of an inter-departmental committee to establish the facts of State involvement with the Magdalene laundries, to clarify any State interaction, and to produce a narrative detailing such interaction. The committee, under the independent chairmanship of Senator Martin McAleese, has submitted an interim progress report and its final report is expected in the middle of this year.

In addition, the Government also decided that I and the Minister of State with responsibility for disability, equality, mental health and older people, Deputy Kathleen Lynch, should meet with the religious congregations and groups representing former residents of the Magdalene laundries to discuss among other things the question of availability of records, those still in the care of the religious congregations, and facilitating a restorative and reconciliation process.

I am pleased to say that meetings with all concerned took place some time ago. Progress has been made on the various issues including the question of a restorative and reconciliation process between individuals who had been in such institutions and the orders which ran the institutions in question. Matters have not yet been finalised but I hope to be in a position to make an announcement in the near future.

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While some issues can and are being progressed, there are other issues which are dependent on the outcome of the work of the inter-departmental committee. I am conscious of the need to progress matters as quickly as possible. However, it is important to emphasise that we are in a process which is seeking to fully establish the facts and it is still too early at this stage to predict what the outcomes might be.

I look forward to receiving the committee's report when the very important work in which it is engaged has been concluded.

Deputy Maureen O'Sullivan: **Q** I thank the Minister for that reply. It sounds as if progress is being made but the Minister would have to agree that justice has been delayed far too long for these ladies. The Irish Human Rights Commission and the United Nations Committee Against Torture recommended an apology, redress and that a start would be made to facilitate restorative justice and nothing has happened on any of those recommendations. There has not been even an apology from the State, the Church, religious orders, families or society. Time is of the essence because of the age of these ladies. The Minister was horrified when I suggested previously there could have been a delaying tactic around this issue, and I was glad to hear that expressed. As soon as that report is available mid-year, will the Minister then be ready to commence the implementation of the apology, the redress and the restorative justice process?

Deputy Alan Shatter: **A** I remind the Deputy that in November 2010 the Irish Human Rights Commission in its assessment of human rights issues arising in regard to the Magdalene Laundries stated:

... a statutory mechanism be established to investigate the matters advanced by the JFM, Justice For Magdalenes, and in appropriate cases to grant redress where warranted.

Such a mechanism should first examine the extent of the State's involvement in and responsibility for:

- a) The girls and women entering the laundries
- b) The conditions in the laundries
- c) The manner in which girls and women left the laundries and
- d) End-of life issues for those who remained.

In the event of State involvement and/or responsibility being established, that the statutory mechanism then advance to conducting a larger-scale review of what occurred.

The approach being taken by the interdepartmental committee is consistent with the recommendations of the Human Rights Commission.

As to the observations of the UN Committee Against Torture in May and June 2011, it recommended that there should be "thorough investigations into all allegations of torture and other cruel, inhuman or degrading treatment or punishment that were allegedly committed in the Magdalene laundries and in appropriate cases prosecute and punish the perpetrators" and victims should have "an enforceable right to compensation".

Persons seeking an investigation with a view to a criminal prosecution should and can make a complaint to An Garda Síochána. As far as I know, no such complaint has been made. Under our legal system, the right to compensation for a tort is enforceable through civil proceedings in the courts. As far as I know, no such proceedings have been taken. It is of considerable importance that the work undertaken by Senator McAleese proceeds so that we get a full and clear narrative.

With regard to the Deputy's complaint about delays in dealing with this matter, the issue of the Magdalene laundries, the concerns surrounding those who resided within them and the manner in which they were treated have been in the public forum for many years and nothing was done about it. Within a short few weeks of being in government in June of last year, this matter was fully addressed by the Cabinet. Proposals were adopted and by July the interdepartmental committee was established. It has been doing very substantial work.

Together with my colleague, the Minister of State, Deputy Kathleen Lynch, I have met the religious orders, representative groups and others who are concerned about those who lived in the laundries. Some were there for a short few weeks, some for one or two years and others for many years. Many of the women who ended up being resident in the laundries in their late teens or early 20s came from all sorts of different places. Some were left there by their families in circumstances in which the State had no involvement of any description. This is not a simple issue but we are doing our best to address it in a thorough, comprehensive and sensitive way and we are engaging with all sides which are concerned about it.

Deputy Maureen O'Sullivan: (Q) A I accept more has been done in the past year than previously. Many of the ladies concerned were deprived of dignity in their lives and are also being deprived of dignity in their deaths. The names on the gravestone in Glasnevin do not correlate to those given to the Department. The memorial in Bohermore in Galway has no names on it. The cross in the Mecklenburgh Magdalene laundry has the word "Penitent" on it. As soon as the report is available, will the Minister be in a position to start the process of redress and apology?

Deputy Alan Shatter: (A) A I am not going to prejudge what is in the report.

Deputy Maureen O'Sullivan: (Q) A I presume there will be suggestions.

Deputy Alan Shatter: (A) A The reason that work is being done is so that there is a full and accurate narrative which people can rely on as being truthful and correct. The issues the Deputy raises are not issues directly derived from the conduct of the State. There are particular issues in the context of the religious orders.

A number of women who entered Magdalene laundries and remained there throughout their lives are now elderly and are being cared for by the religious orders in circumstances in which there are no family members caring for them. This is a very complicated background. It is not a simple, straightforward situation.

There are, of course, women who feel they were very badly treated and believe that their lives have been substantially blighted by that treatment. The report of the interdepartmental committee will provide us with the additional information we need.

It will be published, considered by Government and appropriate decisions will be made arising out of it.

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