

# JFM Restorative Justice & Reparations Scheme for Magdalene Laundry Survivors

## Foreword

Justice for Magdalenes welcomes the government's recent progress towards ensuring restorative justice and reparations for women who spent time in Ireland's Magdalene Laundries, including the Ministers' clear intention to involve all relevant stakeholders in the process. We believe that it is everyone's wish to see this process concluded as fairly and as quickly as possible, and we are grateful for the opportunity to contribute meaningfully to its design and implementation.

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

As a preliminary issue, Justice for Magdalenes seeks clarification from the Ministers as to exactly which institutions will be covered by this scheme. Justice for Magdalenes has always focused its advocacy efforts on the ten institutions designated as 'Magdalene' laundries by the religious orders which operated them, namely:

1. Galway and Dun Laoghaire (Sisters of Mercy)
2. Waterford, New Ross, Limerick, and Cork (Good Shepherd Sisters)
3. Donnybrook and Cork (Sisters of Charity)
4. Drumcondra and Gloucester/Sean McDermott Streets (Sisters of Our Lady of Charity of Refuge).

This is not to detract from the experience of women who were forced to work in laundry environments in various other institutions; we acknowledge the harm and injustice which was perpetrated in these instances.

As to our proposals for a complete Restorative Justice and Reparations Scheme for Magdalene Laundry Survivors, the essential elements are the following:

1. State Apology;
2. Dedicated Unit within the Department of Justice for Survivors of Magdalene Laundries to facilitate the provision of pensions, lost wages and state services;
3. Commission for Financial Reparation (conditional extension of Residential Institutions Redress Board);
4. Historical Record and Future Generations: Transitional Justice

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## 1. State Apology

A State apology should comprise the following elements:

- The State apologises for its failure to protect adequately the constitutional and human rights of girls and women committed to the Magdalene Laundries.
- The State recognises its historic and unlawful failure to intervene and adequately protect all women and young girls in Ireland's Magdalene Laundries from abusive conditions, specifically from wrongful and unlawful detention, inhuman and degrading treatment, and forced labour and servitude.
- The State acknowledges that the Magdalene Laundries were punishing and abusive in nature, that incarceration in the laundries inflicted degrading and inhumane treatment on women and young girls (e.g., limiting educational opportunities, negatively impacting opportunities to marry and causing serious physical and psychological injury), and that the state failed to insist that these institutions comply with various constitutional, legislative, international labour, and human rights measures to which the State was party.
- The State apologises to those young women involuntarily committed and/or illegally detained at these institutions, including girls transferred directly from state-licensed residential institutions to a Magdalene Laundry.
- The State acknowledges that it failed to ensure any measure of regulation and inspection of these institutions and apologises to women committed to the Magdalene Laundries through the State's judicial system and via other government bodies, e.g., the Department of Education, the Department of Health and the Health Services, and by the Police (An Garda Síochána).
- The State acknowledges and apologises for its complicity in the abuse of all women in the Magdalene Laundries by virtue of its ongoing support of the religious congregations operating these institutions, e.g., by providing lucrative contracts of laundry from prisons, hospitals, the military, schools, etc., by consistently referring a labour force to the laundries via the courts, and by providing capitation grants after 1960.
- Finally, the State urges the four religious congregations directly involved in operating the laundry institutions, the Catholic hierarchy who oversaw the congregations, and the families of those women committed to the Magdalene laundries, to issue their respective apologies for the abuse, mistreatment, and abandonment of these women.

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### 2. Dedicated Unit within the Department of Justice for Survivors of Magdalene Laundries

Following a State apology, a dedicated unit within the Department of Justice<sup>1</sup> for Survivors of Magdalene Laundries should be established to operate as an inter-departmental 'hub' with the remit of facilitating surviving women and their families to access all state social services and financial benefits to which they are entitled.<sup>2</sup>

The entitlements and services which should be afforded to the women include:<sup>3</sup>

- A **pension** in accordance with the state's contributory pension scheme and which takes into account the congregations' failure to provide the women with the opportunity to make contributions towards their pensions;<sup>4</sup>
- **Lost wages:** material damages and lost earnings should be calculated according to time spent in the Magdalene Institution(s) and the rate of the average industrial weekly wage for 2011; that is, each woman will be awarded wages and pension contributory payments at this rate for the duration of time she spent in the Institution(s);<sup>5</sup>
- A **statutory entitlement to social housing** and to be considered a priority group along with other priority groups regarding social housing (in particular, for those women still in the care of the religious congregations who would, if afforded the opportunity, seek alternative independent living arrangements);
- For women who wish to return from abroad to live in Ireland, inclusion in and assistance through the **Mulranny Safe-Home Programme** if they are over 60 years of age (including if necessary additional funding to the Safe-Home Programme for this purpose) and consideration of resettlement funding;
- **Medical services**, including disability supports, and counselling and psychotherapy services for survivors and their families which are of their own choosing but which could include services such as those provided in Ireland by the National Counselling service (which is currently not open to

<sup>1</sup> As the Department of Justice has been the co-ordinating department and has the most expertise in this area.

<sup>2</sup> Within the Unit, provision should be made to work with women living abroad (including in the UK where it will be essential to liaise with their representatives and with experts in social welfare and charitable trusts).

<sup>3</sup> For best practice suggestions, see for example UN Women, *Progress of the World's Women 2011-2012 (In Pursuit of Justice)*, at page 97:

"Reparations are measures adopted by States that are intended to 'repair' past harms, in particular the systematic violation of human rights associated with periods of conflict or repression. The right to redress is enshrined in numerous human rights treaties...Administrative reparations programmes, which are put in place by governments for a large group of victims, can include individual compensation, pensions, opportunities for education and training, access to health and psychological rehabilitation, measures of collective reparation, as well as memorials, official apologies or other symbolic measures. They provide acknowledgement of violations, a reassertion of the rights of survivors and practical means to redress the impact of crimes."

<sup>4</sup> Spouses / children of women now deceased should be included in this entitlement.

<sup>5</sup> Spouses / children of women now deceased should be included in this entitlement.

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Magdalene Laundry survivors) and similar counselling and psychotherapy services provided in the UK and abroad;

- **Educational funding** for surviving women and the children of women either living or deceased;
- Access to **mediated reconciliation services** with an **apology from the religious congregations**, with a view to securing an acknowledgement from the congregations of the suffering and experiences of women detained in the Magdalene institutions (Justice for Magdalenes has been made aware by a number of the women that they would like the opportunity to meet and seek to reconcile with the congregations who ran the laundries);

To assist and support women in accessing the above entitlements and services, and to assist and support women through the separate financial reparation process, the Unit should ensure:

- A coordinated effort to ensure that the scheme is very **well advertised** in Ireland and internationally, both in print and broadcast media, and that it will remain open for applications for an indefinite period, allowing applicants from abroad to be made aware and make claim appropriately;
- Access to **advice, support and information** from appropriate welfare advice agencies and access to **free legal advice** regarding accessing records and obtaining the assistance required to make an application for services, entitlements and/or financial reparation;<sup>6</sup>
- All possible assistance to women and their families in accessing all existing **records** of the women held by the religious congregations (this would include publication of a simple advice note on accessing records and more targeted assistance if required).
- **Collaboration** with other statutory and voluntary agencies and religious congregations to ensure all possible assistance in **accessing records** (JFM proposes that the Unit convene a roundtable conference at the earliest possible date to establish the whereabouts and conditions of records and how best to advise women seeking records). This may include currently and formerly accredited adoption societies wherein Magdalene survivors lost children to adoption, in Ireland or abroad, or if no longer accredited, a representative of the Adoption Authority of Ireland acting in the society's stead.
- Access to advice on confidentiality, and ongoing support, counselling and advice on **financial management** of reparation monies.<sup>7</sup>

In recognition of the women who are deceased, in support of the women's families, and in furtherance of the transitional justice approach that should guide this overall process, the Unit should:

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<sup>6</sup> Funding should also be made available to survivors advice agencies in the UK working with the women to ensure that there is the capacity available by way of the provision of professional support to women and to assist them in making appropriate applications to the redress scheme.

<sup>7</sup> In the UK in particular, this should include assistance with setting up personal trust funds where recipients are in receipt of means-tested benefits.

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- Liaise with the Office of Public Works to ensure that the State will fund the upkeep and maintenance of all Magdalene burial plots;
- Work with the religious orders to erect suitable memorial stones, as well as to ensure the complete accuracy of such memorials;
- Liaise with the Office of Public Works to ensure that the State will amend language on burial memorial stones which refer to the women as "penitents," "residents," "sinners," etc.
- Ensure all possible assistance in accessing records to family members seeking to trace their family history, and collaborate in particular with agencies and groups already providing support regarding search and reunion of family members directly impacted by the Magdalene laundries.

In addition, JFM suggests that the Ministers consider any potential overlap<sup>8</sup> with the Board to be set up under the Residential Institutions Redress (Amendment) Act in order to see how some needs of Magdalene Laundry survivors might be accommodated by the Board.

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<sup>8</sup> Particularly regarding educational assistance.

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## 3. Commission for Financial Reparation

Central to the formal recommendations of both the United Nations Committee against Torture and the Irish Human Rights Commission is the obligation upon the government to ensure that the women who suffered abuse in the Magdalene Laundries, for which the State and religious congregations are jointly liable, obtain redress in the form of financial compensation.

In the interests of saving time and expense through the use of established procedures, capitalising on the skills and experience of the personnel already in place, and ensuring that Magdalene Laundry survivors receive appropriate redress, JFM proposes that the **Residential Institutions Redress Board be extended to accommodate Magdalene Laundry survivors, subject to the conditions below** (to be incorporated into the legislative amendment to the Residential Institutions Redress Act required to extend the RIRB):<sup>9</sup>

### ***Repeal of certain confidentiality clauses***

- S28(6) of the Residential Institutions Redress Act will be amended so that the women are not restricted from publicly discussing or publishing their accounts of their experiences in the Magdalene Laundries and the ongoing effects of those experiences on the rest of their lives.<sup>10</sup>
- Whether or not women chose to go through the process of the Financial Reparation Board, they will be facilitated in having their experience recorded, and/or their writings and other papers preserved in UCD's "Magdalene Oral History Project".

### ***Assessment of financial reparation***

- It will be an accepted fact that the Magdalene Laundries were by their nature abusive, punitive institutions, in which girls and women were routinely subjected to forced unpaid labour and unlawful and false imprisonment.<sup>11</sup> Therefore, every woman who spent time in a Magdalene

<sup>9</sup> JFM's recommendation in this section complements to a large extent the Minister for Justice's own proposal when in opposition in 2009 (Dail Debates, 17 December 2009):

"Does the Taoiseach intend to introduce legislation in the new year to amend the redress board legislation to extend it to those who suffered barbaric cruelty in the Magdalen laundries? The Department of Justice, Equality and Law Reform now has irrefutable evidence that this State and the courts colluded in sending young women to what were then known as the Magdalen asylums. They ended up in the Magdalen laundries and were treated appallingly. Some of them have never recovered from the manner in which they were treated and their lives have been permanently blighted. Initially in this House the Minister for Education and Science denied that the State had any involvement in this. There is now absolutely irrefutable evidence as a consequence of court records and files that have been examined in the Department of Justice, Equality and Law Reform that the State was directly complicit in many women being placed in these totally inappropriate circumstances."

[http://www.kildarestreet.com/debate/?id=2009-12-17\\_230\\_0](http://www.kildarestreet.com/debate/?id=2009-12-17_230_0)

<sup>10</sup> The law of defamation is adequate to protect individuals from being wrongly named as responsible.

<sup>11</sup> The acknowledgment that the Magdalene Laundries were abusive institutions derives from the substantial amount of evidence that exists and the general consensus in the court of public opinion and in the opinions of members of the Oireachtas (including the Minister for Justice – see note 9 above) that the Magdalene Institutions were abusive. Though further evidence can be made available, there is a consensus that the story of the Magdalene Laundries happened as has been recounted unanimously by women so far.

See further statement by Michael Woods, Minister for Education, Dáil Éireann, Volume 549, 20 February 2002 (Order of Business. - Residential Institutions Redress Bill, 2001: Report Stage):

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Laundry will automatically pass a minimum threshold of demonstrated abuse, which will entitle her to a sum of €100,000 (equivalent to a score of 25 on the matrix outlined below);

- In addition to the automatically accepted minimum of abuse suffered, applicants will be entitled to demonstrate further abuse and injuries (through the Victim Impact Statement proposed below and any other evidence which an applicant chooses to provide), according to the following headings (which may be added to depending on the evidence provided by the women):

Type of Abuse	Examples
<b>Physical Abuse</b>	Injuries requiring hospitalisation; Injuries caused while escaping the institution; Deafness caused by blows to ears; Beating causing e.g. a fractured limb or leaving permanent scars; Corporal punishment, but leaving no permanent physical signs; Gross over-work involving inadequate rest, recreation and sleep; Hysterectomies performed for 'psychological' reasons; Enforced psychotropic medication
<b>Emotional Abuse</b>	Depersonalisation e.g. through family ties and friendships being severed or through deprivation of affection; General climate of fear and apprehension; Stigmatisation by staff, e.g. through repeated contemptuous remarks, racist remarks, hurtful references to family; Enforced psychiatric intervention.
<b>Neglect</b>	Inadequate food and malnutrition; Inadequate guarding against dangerous equipment in work-place; Failure to provide legally prescribed minimum of school instruction; lack of appropriate vocational training and training in life skills. Inadequate clothing, bedding or heating. Failure to protect against assault by visitors, staff or other inmates.
<b>Sexual Abuse</b>	Violent anal or vaginal penetration. Victim made to masturbate member of staff or perform oral-genital acts. Sexual kissing; indecent touching of private parts over clothing.

"Amendment No. 7 extends the scope of the redress scheme to those who, as children, were sent to Magdalen Laundries from an institution already covered by the scheme, such as an industrial school, and were victims of abuse while children in the laundry. This extension is within the original intention of the Bill. I am not proposing that victims of abuse who were adults when that abuse took place should be covered by this scheme. This Bill cannot hope to address all the wrongs which occurred. It is, in essence, a measure to right the wrongs done to children where the State was *in loco parentis* and failed in its duty to protect them. In saying this, I must emphasise that I in no way wish to dismiss the fact that abuse of adults could and did occur in Magdalen Laundries or that the abuse was an appalling breach of trust or, indeed, that the victims of that abuse suffered and continue to suffer greatly."

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Nature of Injury	Examples
<p><b>Physical or Psychiatric Illness</b></p> <ol style="list-style-type: none"> <li>1. Physical injury</li> <li>2. Physical illness</li> <li>3. Psychiatric illness</li> </ol>	<ol style="list-style-type: none"> <li>1. Loss of sight or hearing. Loss of or damage to teeth. Permanent scar(s)/disfigurement. Hysterectomies for the purpose of controlling 'emotional' behaviour.</li> <li>2. Sexually transmitted diseases. Respiratory diseases. Skin diseases.</li> <li>3. Severe depression. Suicide attempts. Personality disorder. Post-traumatic stress disorder.</li> </ol>
<p><b>Psychological Injury/Emotional Damage</b></p> <ol style="list-style-type: none"> <li>1. Emotional disorder</li> <li>2. Cognitive impairment/ educational retardation</li> <li>3. Psychosocial maladjustment</li> <li>4. Anti-social behaviour</li> </ol>	<ol style="list-style-type: none"> <li>1. Inability to show affection or trust Low self-esteem; persistent feelings of shame or guilt. Recurrent nightmares or flashbacks.</li> <li>2. Literacy level well-below capability. Impoverished thought processes. Limited vocabulary leading to communication difficulties.</li> <li>3. Marital difficulties involving sexual dysfunction. Low frustration tolerance. Shyness and withdrawal from mixing with people.</li> <li>4. Substance abuse. Compulsive stealing. Physical aggressiveness.</li> </ol>
<p><b>Loss of Opportunity</b></p>	<ul style="list-style-type: none"> <li>• Having to refuse employment opportunity/ promotion because of illiteracy.</li> <li>• Need to concoct a false identity and to live a lie with workmates.</li> <li>• Unable to pursue certain occupations, e.g. care work, because of 'record'.</li> <li>• Loss of children to adoption or fostering</li> <li>• Secondary infertility (fearful of subsequent motherhood due to loss of a child to adoption or fostering)</li> <li>• Being too 'late' to marry or feeling too ashamed or fearful to get involved in courtship.</li> <li>• Being too old for or fearful of motherhood</li> <li>• Loss of friendships and community involvement</li> </ul>

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- The weighting scale for the evaluation of abuse and injury suffered will be as follows:

<i>Elements of redress</i>	Severity of abuse suffered	Severity of injury suffered		
		Physical/psychiatric Illness	Emotional Damage and Psychological Injury	Loss of opportunity
<i>Weighting</i>	25-40	1-15	1-15	1-30

- The combined scores from the assessment carried out according to the tables above will correspond to financial reparation as follows:

Reparation Band	Total Weighting for Severity of Abuse and Injury/Effects of Abuse	Award Payable by Way of Redress
4	100 or more	€350,000 - €500,000
3	80-100	€250,000-350,000
2	60-80	€150,000-250,000
1	25-60	€100,000-150,000

### ***Clarification and amendment of causation provisions***

- Regarding compensation for injuries suffered, applicants will not have the burden of demonstrating conclusively that injuries are/were caused directly by the abuse suffered in the Magdalene institution(s). Rather, once the applicant demonstrates that she spent time in a Magdalene institution, it will be sufficient that injuries shown are generally congruent with the accepted experience of deprivation and abuse in the Magdalene institution(s) at the time.
- Similarly, if the Board is satisfied that the applicant suffered injury while resident in the Magdalene institution, the applicant will not have the burden of proving the abuse that led to the injury. Rather, if the Board is satisfied that the applicant sustained injury while resident in a Magdalene institution and the injury is consistent with abuse which generally occurred in the Magdalene institution(s) at the time, it shall be presumed that the injury resulted from abuse suffered in the institution.

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## ***Additional awards***

- Where the abuse suffered by an applicant and/or the injury arising from the abuse are considered by the Board to be so serious as to constitute an exceptional case which cannot reasonably be provided for within these redress bands, the Board may deviate therefrom. This is also true where duration exceeds 10 years – representing egregious loss of opportunity – despite that actual abuse or injury may score lower in certain cases.
- The Board may make an additional award to cover the reasonable costs of medical treatment and/or care which the applicant has received in the past, or should, on the basis of the medical evidence available to the Board, need or receive in the future, for the effects of the injury which he or she has suffered. Such an award should not be included in the "general" award assessed on the basis outlined above, but should take the form of an additional award assessed on the basis of the evidence available to the Board.

## ***Deceased applicants***

- Spouses/children may make an application on behalf of a woman who has died since 14 June 2011 (the date of the announcement of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalene Laundries).

## ***Non-adversariality***

- It shall be a core objective of this extension of the RIRB that the process remains as non-adversarial as possible.
- Although hearings will not be compulsory, where hearings take place, every sitting of the Board should include a person experienced in alternative dispute resolution, such as mediation. In addition, the informality provisions should be strengthened by requiring that the chairperson of a sitting of the Board stresses at the beginning of the hearing the importance of maintaining the informality of the hearing in so far as possible.

## ***Process***

- The revised process will be non-adversarial. The Victim Impact Statement (below) will form the core of the claim;
- Applications will be made in confidence to the Board, via an official application form together with any evidence in support, including the Victim Impact Statement outlined below;
- Where the Board is satisfied of an applicant's entitlement to redress, it may make an immediate offer in settlement of the application;
- The applicant may opt for an oral hearing instead of, or in addition to the paper application;

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- The Board may call the applicant for an oral hearing if it needs clarification on the application. The religious orders will not be represented at these hearings as there is no requirement to safeguard their rights because no fault is being determined;
- An applicant who is dissatisfied with an award following the hearing may apply to a Review Committee. The Committee may uphold, increase or decrease the award.

### General

- The tone and process of the Financial Reparations Board should reflect principles 4, 5, and 6 of the *UN Basic Principles*, which state:
  - victims should be treated with compassion and respect for their dignity;
  - they should be informed of their rights and of the scope of the judicial and administrative processes open to them;
  - their views and concerns should be heard at appropriate stages of the process where their personal interests are affected;
  - they should be given proper assistance; and
  - their privacy and where necessary their safety, as well as that of their families and witnesses, should be protected, and unnecessary delay must be avoided.
- Of further relevance are the following recommendations from UN Women, in the *Progress of the World's Women 2011-12 (In Pursuit of Justice)* report:
  - Ensuring women benefit means paying close attention to how programmes are designed and delivered, as well as ensuring that resources are made available for reparations. It is important to look at what kinds of violations are included. Sexual violence has been inadequately covered and to date, no reparations programme has explicitly included forms of reproductive violence, such as forced impregnation, abortion or sterilization.
  - Recipients of reparations should include family members, as well as the direct victim, and take into account ongoing issues that women face, for example in dealing with the material consequences of stigma. Where payments are awarded, it is important to ensure that women can actually access the money, in contexts where they may not have bank accounts, the necessary forms of identification, or exercise little control over their own income.
  - Given the challenges of the burden of proof in cases of sexual violence, consideration could be given to designing reparations programmes that do not require evidence, which may be difficult to provide or place women at further risk. In Chile, for example, the payment of reparations for torture did not require victims to disclose or prove their experiences. The fact that they had been detained in a location known for its extensive use of torture meant that compensation was paid automatically.<sup>12</sup>

<sup>12</sup> UN Women, *Progress of the World's Women 2011-12 (In Pursuit of Justice)*, page 97

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### **Victim Impact Statement**

- We recommend that the following form (which has been designed in relation to the *UN Basic Principles*)<sup>13</sup> be deployed for the purposes of assessing financial reparation:

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<sup>13</sup> According to the *UN Basic Principles*, article 20:

'*Compensation* should be provided for any economically assessable damage, as appropriate and proportional to the gravity of the violation and the circumstances of each case, resulting from gross violations of international human rights law and serious violations of international humanitarian law, such as:

- (a) Physical or mental harm;
- (b) Lost opportunities, including employment, education and social benefits;
- (c) Material damages and loss of earnings, including loss of earning potential;
- (d) Moral damage;
- (e) Costs required for legal or expert assistance, medicine and medical services, and psychological and social services.'

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### **Draft Application Form/Victim Impact Statement**

1. Name:
2. Date of Birth:
3. Name of Magdalene Institution(s) and dates of confinement:

There is no word limit for the following section. If you would prefer to give your testimony in person or if you would like to opportunity to meet with the Board to discuss your answers to this form – please contact the Board to arrange an appointment.

4. Do you think that your time in the Magdalene Institution(s) affected your potential to earn wages even after you left the Institution(s)? If the answer is 'yes'. Describe how your potential to earn was affected.
5. Please give an account of the physical or mental harm (including sexual abuse) that you directly suffered in the Magdalene Institution(s)
6. Please give an account of the physical or mental harm that you suffered later due to the time you spent Magdalene Institution(s)
7. Please give an account of how you felt your time in the Magdalenes affected your emotions – that is your ability to engage with other people and to enjoy your life.
8. Please detail the money you have spent on legal or expert assistance, medicine and medical services, and psychological and social services in relation to your time in the Magdalene Institution(s).
9. Please give an account of the opportunities you lost due to the time you spent in the Magdalene Institution(s): including employment, education, marriage, motherhood, friendships, community involvement and other social benefits.
10. Please give an account of the opportunities you lost due to the after-effects of the time spent in the Magdalene Institution(s): including employment, education, marriage, motherhood and friendships, community involvement other social benefits.

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## 4. Historical Record and Future Generations: Transitional Justice

The vision I have of this Inquiry is that it can analyse and understand and explain what happened in the past; it can ascribe responsibility for that - admittedly at a level of some generality - but nevertheless specifying institutions and identifying failures on the part of official bodies where appropriate; it can comment on public and political and social attitudes and on events and policies that underlay those attitudes; it can where appropriate put in context evidence of particular incidents; it can ask how those events can be related to the present; and it can produce recommendations which will have an impact on the treatment of children in care in our modern times.

This Inquiry, in a word, has the potential to make a real and lasting contribution to Irish society and to children now and in the future. If I am right and we actually were to do something of that kind, would that not be an achievement which would stand as a tribute to those people who had suffered abuse in institutions in the State?

Mr. Sean Ryan S.C., *Opening Statement of the Investigation Committee*, (7<sup>th</sup> May) 2004<sup>14</sup>

A central plank of JFM's Restorative Justice and Reparations scheme has been concern for the historical record, evident in our 'Names Project' which seeks to restore the identity and the dignity of all the women who died in the Magdalene Institutions, many lying in unmarked mass graves or under the sign of 'penitent' or 'sinner.'

We are also mindful that in common with many other survivors of trauma, women of the Magdalene Laundries want their experiences acknowledged in the official historical record. To this end the Women's Studies Centre at the School of Social Justice, University College Dublin, in support of JFM, has designed a Magdalene Archival and Oral History project which is being conducted under ethical approval from UCD's College of Human Sciences. The collection of oral histories will provide personal accounts from women who worked in the laundries, religious sisters, visitors to the institutions, children and other family members and will form a crucial part of any further academic and cultural work to be undertaken on this subject. A component of this project is to ensure that the relevant congregations are aware that they can deposit papers with this collection and that all material will be conserved and made available under negotiated terms. Enclosed as an appendix is a full-project description, including aims and objectives, methodology, ethical issues and budget and propose that the State considers funding both the Names Project and the Magdalene Archival and Oral History project as an important component of Restorative Justice.

JFM also asks the State to recognise that due to recent property development and financial concerns on the part of the religious congregations, the buildings of the former Magdalene Laundries are quickly disappearing. We request that the State will fund an appropriate national memorial to commemorate the Magdalene Laundries and the women confined therein. In doing so the State is committed to protect against the erasure of this chapter in the nation's history.

JFM requests that the Department of Education commissions suitable classroom modules for teaching the history of the Magdalene Laundries, and the recent history of the institutional abuse of children in Ireland as well as in-service training for teachers to deliver these modules as part of the secondary schools curriculum. These modules might be an optional component of transition year, the RSE or History syllabi.

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<sup>14</sup> 'Address by the Chairperson' Mr. Sean Ryan S.C., *Opening Statement of the Investigation Committee*, 7<sup>th</sup> May 2004:11-12.

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