

Press Release, 18th June 2013

JFM welcomes call for immediate redress for Magdalene women based on human rights abuses

Justice for Magdalenes Research (JFM), welcomes the publication today of the Irish Human Rights Commission (IHRC) "Follow-up Report on State Involvement with Magdalen Laundries" which gives a detailed overview of the "systemic human rights failings" on the part of the Irish State in relation to the human rights abuses suffered by the girls and women of the Magdalene Laundries. The IHRC Report says that it is "difficult to discern" why the State repeatedly denied its involvement in the Laundries given the material that was available to it in Government Departments but that "the State can be in no doubt that it acted wrongfully".

JFM echoes the IHRC's call that the State immediately put in place a system of redress for survivors of the Magdalene Laundries which "should provide for individual financial compensation for the impact of the human rights violations concerned". As today's Report suggests, the restitution and rehabilitation of the women necessitates the payment of lost wages, pensions, provision of housing, health and social welfare entitlements, and counselling services to address the psychological trauma related to time spent in the laundries.

As JFM has argued repeatedly in recent months, any such redress fund must be independently monitored, have an appeals process and be placed on a statutory footing with independent statutory powers. It should be advertised at home and abroad to ensure that all survivors have an opportunity to avail of it. It should include free independent advice and advocacy assistance for survivors and their families, and women in institutionalized settings should be afforded the added protection of a *guardian ad litem* and permanent independent advocate. Family members of deceased Magdalene women must have their rights protected, including the rights of children forcibly adopted at home and abroad to birth certificates and records. Magdalene grave records must be accurate and up to date, and graves maintained and accessible.

JFM strongly welcomes the Report's recommendation to conduct a thorough and independent investigation of human rights violations in the Magdalen Laundries and notes that this has not been done to date even though it has been called for repeatedly by JFM and also by the IHRC as early as 2010 and more recently by Ms. Felice Gaer, the Rapporteur for Follow-up on Concluding Observations, UN Committee Against Torture. This investigation cannot impede or further delay survivors' access to reparations but can be conducted on a twin track to the provision of financial redress and compensation.

Today's IHRC Follow-up Report echoes many of the concerns JFM communicated in its "Follow-up Report to the UN Committee Against Torture" (May 2012). In our "Follow-up Report," JFM was critical of the Inter-Departmental Committee as a mechanism for investigation, specifically in terms of the lack of independence of the Inter-Departmental Committee, its inability to make recommendations, the absence of published Terms of Reference and statutory powers to compel evidence, the non-retention of evidence from the religious orders, the lack of public hearings or access to evidence for survivors or representative and advocacy groups, the absence of a public call for submissions of evidence and the implications of the use of the word "resident" when referring to survivors.

JFM welcomed the publication of the Inter-Departmental Committee's final report (aka the McAleese Report), and in particular its acknowledgement of direct State involvement with the

Magdalene Laundries in all five areas examined by the Committee. But, JFM remains deeply troubled that the IDC Final Report ignored the 793 pages of transcribed survivor testimony submitted on behalf of 11 women, 4 daughters, 3 family members and 4 additional witnesses. In the process, we contend that the IDC Final Report marginalizes the women's lived experiences in these institutions, minimizing the physical and psychological abuse suffered, while evading the human rights violations.

JFM admires the thorough work of the IHRC Report in signalling how the State must address existing human rights abuses that are currently not adequately addressed by legislation which include the failure of the State to address the rights of adopted people to their birth certs and knowledge of their original identities; on-going constitutional issues relating to gender discrimination, contemporary issues of forced labour; and on-going problems of failures to care for people with intellectual disabilities.

[ENDS]

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Notes to editors:

- Justice for Magdalenes (JFM) is now known as JFM Research
- JFM's recent exit statement:
http://www.magdalenaundries.com/press_releases.htm#051713
- JFM principal submission to the Inter-Departmental Committee, August 2012:
http://www.magdalenaundries.com/State_Involvement_in_the_Magdalene_Laundries_public.pdf
- JFM Follow-Up Report to United Nations Committee Against Torture, May 2012:
http://www.magdalenaundries.com/JFM_UNCAT_Follow%20Up_Complete.pdf