

Press Release, 23 May 2011—For Immediate Release

UN calls on Ireland to investigate Magdalene Laundries abuse

Justice for Magdalenes (JFM), the survivor advocacy group, is calling on the Irish government to act immediately on foot of calls from members of the United Nations Committee Against Torture (UNCAT) for an independent investigation into human rights violations in the Magdalene Laundries and redress for the women who suffered.

The United Nations Committee Against Torture (UNCAT) today examined Ireland for the first time in Geneva, Switzerland. Today's examination follows the "closed" NGO Briefing Session on Friday last, when JFM was invited to make a statement before the Committee (copy attached, below). Tomorrow afternoon, the Committee will hear responses from the Irish government delegation to the questions asked today.

At today's examination, Committee members asked numerous questions of the Irish government about its intentions to investigate the Magdalene laundries abuse promptly, impartially and comprehensively, in accordance with its obligations under articles 12 and 13 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. See below for summaries and quotes from four members of the Committee.

The Committee also requested information from the state as to how it will ensure redress and compensation for the women who suffered in the Magdalene Laundries, in line with its obligation under Article 14 of the Convention.

JFM PRO Claire McGettrick said: "JFM believes the State can fulfil its responsibilities by obtaining reparations from the Catholic Church for its part in the women's abuse. The majority of survivors are aging and elderly, and adversarial models of inquiry and redress would have the opposite effect of adding to their pain and sense of injustice."

Maeve O'Rourke, who presented JFM's submission to the Committee, said: "The UN Committee against Torture, along with the Irish Human Rights Commission, has taken an extremely serious view of the abuse of women and girls in the Magdalene Laundries and the state's responsibility for it. Today's comments by the Committee members unequivocally recognise the rights of the women who are still alive to an investigation, an apology, redress and treatment with dignity. I am hopeful that the Irish government will now take this opportunity to respect the human rights of these women, which for so long have been disregarded."

Professor James Smith (Boston College), member of JFM's advisory committee, said: "JFM today calls on the Irish state, to offer a formal state apology to *all* survivors of the Magdalene laundries and that the government immediately establish a statutory inquiry into these abuses. To do otherwise is to cause additional pain and suffering to the women and thereby bring further shame on our nation. The women and their children deserve justice now."

NOTE to Editors:

- (i) Summary of UNCAT members comments and quotations**
- (ii) A copy of JFM's Statement from Friday's NGO Briefing Session**
- (ii) Maeve O'Rourke is available for interviews from Geneva**

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Appendix 1: Summary of UNCAT members comments and quotations

The Deputy Rapporteur, Committee member Myrna Kleopas of Cyprus, asked the government for information regarding "its intention to institute an independent investigation into the allegations of torture and other treatment of women who were incarcerated in the Magdalene Laundries from 1922 to 1996, in view of the massive evidence given by these women." She also requested information from the government as to the measures it proposes to ensure redress for the women, in accordance with article 14 of the Convention.

Committee member Nora Sveaass, of Norway, referred to the Irish Human Rights Commission's "clear request" in November 2010 for a statutory inquiry into the Magdalene Laundries abuse and asked the government to state when it will happen and who it will cover. She rejected any argument by the state that only women who entered the laundries through the Irish courts fall under the obligation of the state party to investigate.

She said that the state should make available to the women all information and records of the abuse, along with other forms of compensation. She stated that "an apology is very important", as well as "economic compensation in the form of pensions". She also stated that the women should be afforded dignity.

Dr. Sveaass referred to the proposed reparations scheme submitted by Justice for Magdalenes to the government on 28 March 2011. She said she "would commend" JFM for this proposed scheme and "would suggest that this be looked into more closely" by the government.

Committee member Xuexian Wang, of China, said that he agreed with Justice for Magdalenes' assertion that "this is not just an historical wrong. It is an ongoing one." He stated: "the government is duty bound to take measures to redress the situation of this issue, especially for those who are still alive and continue to suffer." He said he wanted to hear the view of the government on this issue.

Acting chairperson of the Committee, Felice Gaer, of the United States, requested information from the government about the state's failure to license or inspect the Magdalene Laundries, despite the state's direct incarceration of women and the government's knowledge of the institutionalisation of certain groups of women in the laundries. She acknowledged the feeling of the women who are still alive that they were victims of imprisonment and that the state neither took measures to protect them nor is now taking measures to acknowledge what happened to them. She stated that she also wanted to inquire as to when there will be an inquiry as recommended by the Irish Human Rights commission.

**UN Committee Against Torture (UNCAT), NGO Briefing Session
Geneva, Switzerland. 20 May 2011. 12 noon (11 a.m. GMT)
Justice for Magdalenes (JFM) Statement**

Good afternoon.

Between 1922 and 1996, ten Magdalene Laundries operated in the Republic of Ireland. These institutions were run by four Catholic orders of nuns. The Laundries were commercial. They traded as for-profit industries, handling laundry for state institutions, church institutions, corporate entities, and private individuals.

The Magdalene Laundry workforce was not there of its own volition. The workers—an estimated tens of thousands of women and young girls—were imprisoned in the laundries and forced to work for no pay.

This is not just an historical wrong. It is an ongoing one. The women still alive today continue to suffer degrading treatment in violation of article 16 of the Convention.

They have received no apology from the state, no investigation, no redress, and no compensation for their abuse. They receive no pension for their unpaid labour.

In November 2010, the Irish Human Rights Commission recommended that the government establish a statutory inquiry into human rights violations in the Laundries and that it compensate the women where appropriate. This has not happened.

By refusing to investigate and ensure redress for survivors, as the state is obliged to do under articles 12 – 14 of the Convention, Ireland is perpetuating the suffering of these women.

Last week in parliament, the Taoiseach (Prime Minister), Mr. Enda Kenny, T.D., pointed out that the Irish Human Rights Commission did not carry out its own inquiry, as it is entitled to. The government is fully aware, however, of the Commission's reason for not doing so: the Commission acknowledged that only a statutory inquiry by the state could lead to compensation and an apology for the women. The Commission concluded that there is sufficient evidence of state responsibility for unlawful imprisonment, servitude, forced labour and cruel and degrading treatment, and on that basis made its recommendation.

The Irish government has argued that the Magdalene Laundries were private institutions. However, the following evidence demonstrates that the state was directly involved in the Laundries' operation and system of exploitation.

The Irish courts directly referred numerous women to the Magdalene Laundries. There was no statutory basis for doing so and the state never established an oversight mechanism—in violation of its obligations under international and domestic law.

Survivor testimony insists that the Irish police force brought women to the Laundries, and routinely returned women and girls who escaped.

The state held contracts with the Magdalene Laundries, without ever insisting on a fair wages clause, and without regulating the Laundries to prevent slavery, servitude or forced labour—again in violation of its international legal obligations.

Official state documents reveal that the government was aware that children were incarcerated in the Laundries and engaged in child labour. In addition, state policy required the transfer of repeat unmarried mothers from state-funded mother and baby homes to the unregulated laundry institutions.

Because the state can thus be shown to have been involved in the abuse of all the women and girls who suffered in the Magdalene Laundries, we argue that the State is now obliged under the convention to remedy the ongoing degrading treatment of the women, by investigating and ensuring redress. As long as the state fails to respond, its involvement in this abuse continues.

The women who survived incarceration and are still alive continue to suffer degrading treatment.

They receive no pensions for their years of unpaid work in the Laundries. They have received no medical or psychological assistance to help overcome the trauma caused by their abuse, which in many cases includes post-traumatic stress disorder.

They have received no education to compensate for the denial of educational opportunity they suffered.

The state has released no personal records for the women it was complicit in referring to the laundries. Nor has the state taken any steps to ensure that the religious congregations release their detailed records for these women.

No one knows with any certainty how many women suffered in these institutions, who they were, where they came from, how many managed to leave, how many are still living with the nuns today, and how many died behind convent walls and are buried in unmarked or improperly marked graves? Church and state records can help answer some of these questions.

The state's ongoing refusal to respond to the Magdalene Laundries abuse only adds to the sense of shame and stigma felt by the women, and forces many to remain silent about what they have suffered.

Many of these women are elderly and ageing. This is a situation that is of utmost urgency.

Justice for Magdalenes (JFM) calls on the committee to ask the Irish government to remedy the ongoing violation of the Convention on behalf of ALL of the women and girls who suffered in these abusive institutions.

Submitted on behalf of Justice for Magdalenes (JFM) by:

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Paddy Doyle, author of *The God Squad*, Moderator of "The God Squad" online forum

Tom Kitt, Retired Member of Parliament (T.D.), Former Minister and Government Chief Whip, former Co-Chair of Oireachtas Ad Hoc Committee/Magdalene Laundries

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