

Executive Summary

The mandate of the Inter-Departmental Committee was to establish the facts of State involvement with the Magdalen Laundries. The facts as established by the Committee are set out fully in this Report. A summary of the principal findings follows.

Overview

1. All 10 Magdalen Laundries within the mandate of the Committee were established prior to the foundation of the State. The Report deals with the period 1922 onwards.
2. Five principal areas of possible State involvement were examined by the Committee, namely:
 - A. Routes by which girls and women entered the Laundries;
 - B. Regulation of the workplace and State inspections of the Laundries;
 - C. State funding of and financial assistance to the Laundries (including contracts for laundry services);
 - D. Routes by which girls and women left the Laundries;
 - E. Death registration, burials and exhumations.

In each of these areas, the Committee found evidence of direct State involvement.

3. A summary of findings in each of these areas and some additional consequential matters addressed by the Committee are set out below, after the following section on statistical analysis.

Statistical analysis

4. There are some gaps in the data available regarding entries to the Magdalen Laundries, which are set out fully in the Report. A full statistical analysis was carried out on all usable data relating to these cases. On the basis of available information, the Committee found as follows:

The Magdalen Laundries in numbers

Admissions

Number of women who spent time in Magdalen Laundries since 1922:	10,012*
Known admissions, including repeat admissions, from 1922 onwards:	14,607*
Admissions for which routes of entry (referrals) are known:	8,025
Number of these referrals made or facilitated by the State (26.5%)	2,124

Age at time of entry (years)

Average age at time of entry:	23.8
Median age at time of entry:	20
Age of youngest known entrant:	9
Age of oldest known entrant:	89

Duration of stay (cumulative percentages)

Less than 3 months	35.6%	Less than 2 years	73.2%
Less than 6 months	47.4%	Less than 3 years	79.0%
Less than 1 year	61.0%	Less than 5 years	85.6%
Less than 18 months	68.0%	Less than 10 years	92.3%

Median duration of stay 27.6 weeks (approximately 7 months)

Known parental background at time of entry (unknown 53.9%)

Both parents alive:	12.5%	Mother dead, father alive:	8.5%
Father dead, mother alive:	11.6%	Both parents dead:	13.5%

Previously institutionalised

Percentage known to have been previously institutionalised: 23.4%

Geographical background

Urban background:	33.3%	From outside the State:	2.3%
Rural background:	25.9%	Unknown:	38.5%

Deaths occurring in the Laundries from 1922: 879*

Age of youngest at time of death: 15 Age of oldest at time of death: 95

*Excluding the two Magdalen Laundries operated by the Sisters of Mercy

A. Routes of entry

5. The Committee found that there were many different routes by which girls and women entered the Laundries. The routes of entry which involved referrals to the Magdalen Laundries made or facilitated by the State included:

- Referrals of girls or women from the criminal justice system, (approximately 8.1% of known routes of entry) including:
 - remand;
 - referrals as a condition of probation;
 - other less formalised referrals facilitated by the Courts;
 - referrals from prison;
 - referrals by members of An Garda Síochána;

- Referrals from Industrial and Reformatory Schools (approximately 7.8% of known routes of entry);

- Referrals from the health and social services sector (approximately 6.8% of known routes of entry), including:
 - Referrals by health authorities and County and City Homes;
 - Referrals from psychiatric hospitals;
 - Referrals by social workers and social services;

- Referrals from Mother and Baby Homes (approximately 3.9% of known routes of entry).

6. In addition to the State-related routes of entry listed above, there were a large number of entries by girls and women categorised as voluntary or “self-referrals” (16.4% of known entries) as well as significant numbers of referrals of girls and women by members of their family (10.5% of known entries) and priests (8.8% of known entries). A significant number of entries to Magdalen Laundries were also by way of transfer from another Magdalen Laundry

(14.8% of known entries). A full breakdown of these and other routes of entry to the Magdalen Laundries is included in the Report.

7. In some cases it is not possible to determine whether a particular referral, which is in itself attributable to the State, was either a *compelled* act, a legal *condition* agreed to by the woman in question, or a voluntary move *facilitated* by the State. It is likely that in some of the categories above, and depending on the differing legislative basis which applied to each, all three types of cases occurred.
8. The Report sets out both policy and practice, as found by the Committee, in relation to all routes of entry to the Laundries involving the State as well as the legislative basis for State action (where applicable). In addition to primary records of Government Departments and State agencies, the Committee considered the findings of earlier investigations and inquiries in related areas. A number of official Reports from earlier eras, including the Carrigan Report (1931), the Cussen Report (1936) and the Kennedy Report (1970) suggest a certain awareness of some of these practices, although not always of the underpinning legislation or policy.

i. Referrals from the criminal justice system

9. The Committee found referrals from the criminal justice system where the underlying criminal charges or convictions ranged across the full spectrum from vagrancy and larceny to manslaughter and murder. Although more detail is available on cases of serious crimes including murder, manslaughter and infanticide, the large majority of cases involving women referred to the Magdalen Laundries from the criminal justice system were for minor or petty crime.
10. The legislative basis for these criminal justice system referrals differed depending on the time-period concerned, the crime involved and the circumstances of individual cases. Across time, the legislative bases relied on included the Penal Servitude Act 1891, Probation of Offenders Act 1907; the Criminal Justice (Administration) Act 1914 and the Criminal Justice Act 1960.

Although much less common, the Committee also found other informal Court referrals by way of adjournment of charges or suspension of sentencing on condition of residence in a Magdalen Laundry for a set period. These informal referrals did not have a specific legislative basis.

11. The Committee further found that referrals by members of An Garda Síochána occurred in a range of circumstances: in some cases, the Gardaí were simply transferring women from the Courts to the Magdalen Laundry following a Court Order as set out above. In other instances, the Gardaí brought women to the Magdalen Laundries on a more ad hoc or informal basis, for instance where a woman was temporarily homeless; or where, in the years prior to out-of-hours health services, a juvenile girl needed overnight accommodation.
12. The policy considerations behind these practices also varied over time. In the context of criminal charges against young offenders, the absence of secure accommodation for female juvenile offenders, i.e. a borstal for girls, was linked with some of these practices for many years. An additional factor was that prison space for adult female offenders was very limited until the modern era. Moreover, a policy of preferring alternatives to imprisonment for female offenders appears to have persisted into modern times - for example, the Whitaker Report found that, as late as 1984, the daily average number of women in custody in Irish prisons was only 37 (compared to 1,557 men).
13. The Committee found that for some of the relevant periods, a number of voluntary organisations and their officers had an important role in certain aspects of the administration of the criminal justice system. These included organisations such as the Legion of Mary whose members served as voluntary Probation Officers until the expansion of the professional Probation Service in the late 1960s and early 1970s. The role of the National Society for the Prevention of Cruelty to Children, in the years prior to the development of State social services, is also detailed in the Report.

ii. referrals linked to Industrial or Reformatory Schools

14. The Committee identified a variety of linkages between Industrial and Reformatory Schools and the Magdalen Laundries. These included:

- Girls committed by the Courts to an Industrial or Reformatory School but refused entry by that School and transferred instead to a Magdalen Laundry;
- Girls released on licence from Industrial or Reformatory Schools to the Magdalen Laundries before the age of 16;
- Girls referred onwards from an Industrial School to a Magdalen Laundry directly on discharge at the age of 16; and
- Former industrial or reformatory school children referred to a Magdalen Laundry during the period of their post-discharge supervision (which, from 1941 onwards, continued up to the age of 21).

15. The primary legislative basis in this area was the Children Act 1908, as amended. This is critical to an understanding of these practices. The Act provided a legislative basis for two key practices:

- release of children from Industrial or Reformatory schools on licence (prior to the age of 16) to a named “fit person” and the transfer to that person of all the powers and responsibilities in relation to the child; and
- the continued supervision of children after their final discharge from Industrial and Reformatory schools until the age of 18 and 19, respectively, up to 1941; and until the age of 21 after 1941.

16. The policy behind the practices set out at paragraph 14 varied from case to case. Some girls committed to Industrial and Reformatory Schools were refused entry by the School due to the fact that they were approaching the age of discharge. Some were refused entry due to their previous history – for instance, the Committee found a small number of cases, prior to the

establishment of the Reformatory at St Anne's, Kilmacud for girls convicted of sexual offences, where young girls convicted of prostitution were not admitted to the Reformatory at Limerick, due to the feared effect they could have on the other girls detained there.

17. In some such cases, it was agreed in advance with the Department of Education that the girl in question would be admitted to a Magdalen Laundry instead of an Industrial or Reformatory School. In other cases it was brought to the attention of the Department of Education, after the fact, that a girl committed to an Industrial School had instead been admitted to a Magdalen Laundry, with these admissions to Magdalen Laundries approved *ex post facto* by the Department. It is also possible that, in some cases, the Department did not know of these transfers.

18. A significant number of admissions to the Magdalen Laundries of former Industrial or Reformatory School children occurred some time after their discharge from Industrial or Reformatory Schools. As set out above, the 1908 Act provided for ongoing supervision of children after discharge from school until the age of 18 (for former industrial school children) or 19 (for former reformatory school children). This period of supervision was extended to a maximum 21 years of age by the Children Act 1941. During this supervision period, girls and young women *remained liable to recall* by the Manager of the Industrial or Reformatory School. (These provisions also applied to boys and young men).

19. The Department of Education was required, under the Acts, to be informed of such recalls. However, none of the women who spoke to the Committee were aware that the law provided for their continuing supervision to the age of 21. Consequently, in those instances where recall occurred it would have been wholly unexpected. In some cases, these recalls resulted in admission to a Magdalen Laundry.

iii. referrals from the Health and Social Services sector

20. Referrals from the Local Authorities acting in their capacity as health and public assistance authorities, County and City Homes, psychiatric hospitals, as well as social workers and social services in more recent times occurred in a variety of circumstances and for a variety of reasons:

- In the decades following the establishment of the State, 5 and possibly 6 Magdalen Laundries were approved as “extern institutions” for provision of public assistance. This meant that women from all categories eligible for public assistance – including the poor and the disabled – could be and were placed there rather than receive “home assistance” (state payments).
- Some placements of girls and young women in Magdalen Laundries by local health authorities occurred after they were rejected by their foster-parents around the age when maintenance payments for them ceased.
- In other cases, the removal of unmarried mothers from County and City Homes to other institutions, including Magdalen Laundries, appears to have formed part of a broader shift to re-focus these institutions on the elderly or the ill.
- Some girls and women were transferred from psychiatric hospitals to Magdalen Laundries. In some cases, this may have been a voluntary choice, for instance women effectively using the Magdalen Laundries as a short-stay or half-way house on leaving the psychiatric hospital. In other cases, the girls or women involved had an intellectual disability and may have been transferred rather than be confined to a psychiatric hospital for the long-term.
- In more modern times, the developing State social services placed girls and young women (including some with developmental conditions) in Magdalen Laundries where alternative accommodation was not yet available.

21. State payments were also made in respect of some of these individual cases. The legislative basis differed from case to case and over time, but included the Public Assistance Acts and the Health Acts, which allowed for State payments to recognised “extern institutions”, as well as to organisations considered to be performing a service which would otherwise fall to the State to provide.
22. Although there was no single thread or common policy running through these referrals, a cost-benefit analysis was applied by the health authorities in at least some cases. The Committee found instances where decisions to approve the transfer of an indigent, homeless, disabled or psychiatrically ill girl or woman to a Magdalen Laundry hinged on the fact that such a transfer was more cost-effective than making direct provision for her in a facility operated by the health authorities. In other cases, general grants to Magdalen Laundries were approved on the same basis.

iv. referrals from Mother and Baby Homes

23. Referrals from Mother and Baby Homes to Magdalen Laundries also occurred, although less frequently than sometimes assumed. The 1923 Galway County Scheme, contained in the Schedule to the Local Government (Transitional Provisions) Act 1923, is sometimes cited to the effect that women in Galway who refused to enter a Magdalen Laundry after giving birth to a second child outside marriage would be refused public assistance. However, that provision was explicitly confirmed to be inoperative during Seanad Debates on the Bill – and was in any event replaced by Ministerial Order in June 1923. Irish law accordingly never provided that any woman could be refused public assistance on grounds of having had a child or children outside marriage or of refusing to enter a Magdalen Laundry.
24. Nonetheless, it cannot be excluded that – akin to the cost-benefit analysis which appears to have operated in other areas in the health sector – a desire to protect rate-payers from the costs of repeated pregnancies outside

marriage may have played a part in some referrals of women to the Magdalen Laundries.

B. Regulation of the workplace and State Inspections of the Laundries

i. Inspections under the Factories Acts

25. The Committee found that the Magdalen Laundries were, as workplaces, subject to the Factories Acts and that they were inspected in the same way and to the same extent as commercial, non-religious operated laundries. As set out in the Report, records of the Factories Inspectorate, which detail inspections of the Magdalen Laundries and their results, were identified by the Committee. Twenty-four retired Factories Inspectors were also interviewed and shared their memories of the practices of the Factories Inspectorate, including the experience some of them had of carrying out inspections on the Magdalen Laundries. Additionally, some of the women who had worked in the Magdalen Laundries recalled these inspections and described them to the Committee as the occasions when “the suits” would visit.

26. The records of the Factories Inspectorate and the recollections of retired Factories Inspectors can be summarised to the effect that the Magdalen Laundries were generally compliant with the requirements of the Factories Acts. Records suggest that where minor breaches occurred, they were remedied when brought to the attention of the operating Congregation. No records were found to suggest that enforcement through the Courts was ever necessary to ensure compliance by these institutions with their legal obligations under the Factories Acts. It should be noted, however, that the standards then required under the Factories Acts were not equivalent to those currently applicable to workplaces.

27. For much of the period under examination, Factories Inspectors and, through them, Local Authorities, were responsible for health and safety as well as fire safety enforcement. However, until enactment of the Safety, Health and Welfare at Work Act 1989 and the Fire Services Act 1981, the underlying legislation made only bare provision and accordingly the legislative

requirements for health and safety as well as fire safety which applied at that time would, by today's standards, be considered inadequate.

28. Reports were made, as required, by the Factories Inspectors to Local Authorities (as the responsible authority for fire and sanitation) where any fire certification or safety issues were discovered during inspections of the Magdalen Laundries. However, there was a general difficulty during this period for all employers in securing fire certification from the Local Authorities and enforcement action based on fire safety reports for any factory, workplace or institution was very low. This was adversely commented upon by the line Department (at that time, the Department of Industry and Commerce) as well as in the Barrington Report (1983).

ii. Other types of oversight of the Magdalen Laundries

29. Although the State did not direct or inspect the overall management of the Magdalen Laundries apart from the workplace inspections detailed above, State oversight or follow-up in relation to the cases of individual women in the Magdalen Laundries occurred in other ways.

30. The Committee found consistent evidence that, in cases where girls or women were referred on probation or by social services, there was follow-up by Probation Officers and Social Workers to these individual women. In some cases this included regular visits by those officers to the Magdalen Laundries. This follow-up also included Probation Officers informing the women of the time at which their period of probation ended and when they were consequently free to leave the Laundry. Clear evidence of this was found in records of the Probation Service and was further confirmed by interviews with retired Probation Officers.

31. The Committee also found cases in which the women referred to a Magdalen Laundry as a condition of early release from prison were periodically considered by the Minister for Justice for release from that condition of residence. Similarly, and although not occurring in all such cases, the

Committee found evidence of some consideration by the Department of Education in individual cases of the appropriateness of young women being placed in a Magdalen Laundry either on licence or during the period of their supervision following discharge from Industrial or Reformatory School.

**C. State Funding and Financial Assistance
(including contracts for laundry services)**

32. As detailed in the Report, the Committee found evidence of direct financial assistance to the Magdalen Laundries under a number of headings, as follows:

- Payments under the Public Assistance Acts, whereby the State provided subventions for certain individual women placed in the Laundries by the local authorities;
- More generalised payments under the Health Acts in recognition of the Laundries performing a function or providing a service which otherwise would have to be performed or provided by the public authorities;
- Payments for certain remand and probation cases; and
- Miscellaneous direct payments from health authorities, including payments for the support of disabled persons or, during the transition of some of the Magdalen Laundries into sheltered accommodation and nursing homes, grants in connection with these conversions.

33. The Committee identified other financial interactions between the State and the Magdalen Laundries, some of which conferred a financial benefit on the Laundries. One such example is the grant of charitable tax exemptions. However, exemptions from commercial rates held by some Magdalen Laundries at the time of establishment of the State were, over time, eroded to the extent that only one Magdalen Laundry remained exempt from rates throughout its entire period of operation.

34. The Committee also examined the question of State contracts with the Magdalen Laundries for laundry services. It was not possible to quantify the overall volume of business which may have been conducted between Government Departments or State agencies and the Magdalen Laundries. However where information is available, it is included in the Report.
35. The only detailed records held by the Religious Congregations on this issue related to the Magdalen Laundry at Sean MacDermott Street, Dublin. A ledger detailing the customer base of this Laundry is available for a 6 year period in the 1960's. Based on this ledger, State contracts are estimated to amount to approximately 18% of the total business of the Laundry for that period. This total was made up of contracts from the Defence Forces, State agencies, Government Departments and State-funded hospitals, a full list of which is included in the Report. The remainder of the customer base of the Laundry was made up by private institutions, primarily hotels, schools and individuals.
36. A variety of State records were also identified which contain information on the extent to which certain State entities – in particular the Defence Forces, the health authorities and the Department of Education – utilised the Magdalen Laundries for laundry services. These records, although not complete, span a considerable time period (1925-1984). Full details, including the process by which contracts were awarded and, where possible, quantification of the value of these contracts, are included in the Report. In general, the Committee found that contracts for laundry services were awarded to Magdalen Laundries only on the basis of their tender being the most competitive.

D. Routes of exit

37. The Committee found that there were many different routes by which girls and women left the Magdalen Laundries.

38. Routes of exit included women who “left” or “left at own request” (23%), who returned home or were reclaimed by their families (22.2%), who transferred to another Magdalen Laundry (10.3%), who left for employment (7.1%) and who were dismissed or “sent away” (7.1%). An additional 1.9% were recorded as having run away, while others are recorded as departing for homeless shelters, hostels or other places.

39. However a number of routes of exit also involved women moving from a Magdalen Laundry to a State-run or operated institution or leaving a Magdalen Laundry in the company of a State official, in particular:

- Psychiatric hospitals (2.7%)
- County and City Homes (2.5%)
- Gardaí, Probation Officers, the Courts or Prison (0.6%).

40. Other routes of exit involved girls or women who left to go to hospitals, either as patients or as employees (2.8%), to return to Industrial or Reformatory School (0.8%), or - in light of the fact that pregnant women were not permitted in Magdalen Laundries - to be admitted to a Mother and Baby Home (0.2%). The remainder are made up of the cases in which women died in the Magdalen Laundries or where the route of exit is not recorded.

41. The circumstances in which these and other types of exit may have occurred together with any other relevant information identified by the Committee are detailed in the Report.

E. Death registration, burials and exhumations

42. The Committee examined State involvement in the controversial area of end of life. The relevant issues which were explored here were:

- Death certification and registration;
- Burial and burial notifications; and
- Exhumations.

43. In relation to death certification, the Committee notes that General Medical Practitioners are not permitted to certify a death if it is sudden, unexpected, suspicious or unnatural but must instead notify the Coroner for the district in which the death occurred. From the limited information available, which relates to more recent times, it appears there were no such notifications.

44. Every death which occurs in the State must be registered with the General Register Office (GRO). The Committee sought to identify whether or not this requirement had been complied with in the case of deaths in the Magdalen Laundries. The Committee found that the vast majority of deaths occurring in the Magdalen Laundries were appropriately registered, including deaths occurring as early as the 1920s. It is not possible to state definitively whether the deaths for which certificates were not found were unregistered; or whether registration occurred under a variation of the woman's name or at her former home-place rather than the district in which the Laundry was located.

45. In relation to burials, the Committee found that where Local Authority graveyards were utilised for burials of women who died in Magdalen Laundries, the appropriate burial notifications were made. There was no requirement for notification of burials in private graveyards.

46. The exhumation carried out at High Park in 1993 was also examined by the Committee, with the assistance of a Report by An Garda Síochána and the Dublin City Coroner. The results of this examination are detailed in the Report.

F. Other areas of State involvement

47. The Report includes information on a number of other areas of State involvement with the Magdalen Laundries:

- The question of insurable employment and its application to the women who worked in the Magdalen Laundries;

- Electoral registration of women in Magdalen Laundries;
- Rationing during the Emergency, as applied to the Magdalen Laundries; and
- The application to the Magdalen Laundries of the Census of Distribution and Services surveys carried out on workplaces under the Statistics Acts 1933.

G. Consequential issues reported on in the public interest

48. The Report, in Part IV, addresses and provides information on the following ancillary and consequential issues, in the public interest:

- Background and profile of the women who were admitted to and worked in the Magdalen Laundries (summarised above and detailed in full in Part II of the Report). This includes anonymised data which may be used for future historical study and research.

and

- Financial viability of the Magdalen Laundries.

49. The findings made by the Report under these headings may challenge some commonly held assumptions about the operation of the Magdalen Laundries.

50. Part IV of the Report also records the memories of the living and working conditions in the Magdalen Laundries as shared with the Committee by a number of women. Although identifying common patterns in these stories, the Committee did not make specific findings on this issue, in light of the small sample of women available.