



OFFIS AN Aire Dlí AGUS Cúirt AGUS COMHIONANNAS
OFFICE OF THE MINISTER FOR JUSTICE AND EQUALITY

Mr Justice John Quirke (Retired)
President of the Law Reform Commission
35-39 Shelbourne Road
Ballsbridge
Dublin 4

Magdalen Laundries

20 February 2013

Dear Judge Quirke,

I refer to our conversation earlier today concerning the issue of the Magdalen Laundries.

May I start off by expressing my personal appreciation to you for agreeing to take on this task and I look forward to receiving your report.

The Government yesterday formally agreed to seek your advice on

(i) the operation of an *ex gratia* Fund for women who have been in Magdalen laundries or who worked without pay in the laundry of St Mary's Stanhope street,

and

(ii) how the Government might best provide supports to these women.

A copy of the terms of reference are attached. You will see that it is envisaged that this would be done taking into account the findings of the *Report of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries*. A hard copy of this report is being forwarded to you.

It is hoped that you will be able to report back within three months. However I appreciate that you will need to reflect on the matter in more detail, before you can give us a firm date.

The Government consider it important that you receive whatever assistance you require from Government Departments to facilitate the completion of your task. In that context Mr Jimmy Martin of my Department will liaise with you. He may be contacted at tel. 476 8655, mobile 087 236 0235 or e-mail jmartin@justice.ie.

Once again thank you for your assistance in this matter.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'A. Shatter', written over a horizontal line.

Alan Shatter TD
Minister for Justice, Equality and Defence

Terms of Reference for Mr Justice Quirke

Mr Justice Quirke will, taking into account the findings of the "Report of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries", be asked to do the following:

- (i) to advise on the establishment of an ex gratia Scheme (to operate on a non-adversarial basis) including identifying the criteria and factors to be taken into account to facilitate the early establishment and effective conduct of an ex gratia Scheme for the benefit of those women who were admitted to and worked in a Magdalen Laundry and in the Laundry operated in the Training Centre at Stanhope Street, Dublin, taking into account criteria determined to be relevant, including work undertaken and other matters as considered appropriate, to contribute to a healing and reconciliation process;
- (ii) to examine how best to operate (as part of that Scheme) an ex gratia Fund, of a sum sufficient to meet the recommendations of Mr Justice Quirke, the nature and amount of ex gratia payments to be made out of the Fund and on the determination of applications for payment in an effective and timely manner that ensures the monies in the Fund are directed only to the benefit of eligible applicants and not on legal fees and expenses.
- (iii) to examine how the Government might best provide supports (including health services such as medical cards, mental health services and counselling services and other welfare needs) as part of the Scheme for women who require such supports as a result of their experiences in the Laundries.
- (iv) to consider the approach to be taken in circumstances in which a payment has already been made by the Redress Board by way of redress to a former resident of an industrial school, where such payment included a sum specifically due to the direct transfer of that person from an industrial school to a relevant Laundry and their time or part of their time spent in a Laundry or Laundries.
- (v) to examine the effect, if any, of the making of an ex gratia payment to a person who is resident in the UK and how best the making of any such payment should be structured so as not to adversely affect their existing entitlements to benefits and supports.
- (vi) to advise as to what steps or measures are appropriate to ensure that ex gratia payments or supports or assistance provided are dis-regarded for the purposes of determining entitlement of Social Welfare payments and/or income tax liability.
- (vii) to report back to Government within three months with recommendations.