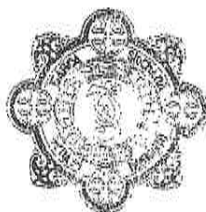


An Garda Síochána

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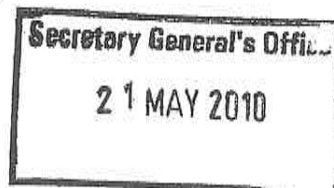
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JFMR Note: All redactions in this document were carried out by the Department of Justice

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CONFIDENTIAL

Secretary General
Department of Justice and Law Reform
94 St Stephen's Green
Dublin 2



**RE: INVESTIGATION IN RESPECT OF THE BODIES EXHUMED IN 1993 FROM THE SITE
OF A FORMER MAGDALEN LAUNDRY AT HIGH PARK, DRUMCONDRA.**

Dear *Secretary General,*

I refer to yours of the 16 November 2009, following from your meeting with a delegation of women who had been in the Magdalen and other laundries and concerns expressed to you that there had not been a proper investigation in respect of bodies exhumed in 1993 from the site of a former Magdalen laundry at High Park, Drumcondra. You asked me to carry out a review of the papers, notwithstanding that none of the delegation that met you on 5 November 2009 indicated an intention to make a complaint. I asked local management in the Dublin Metropolitan Region to conduct the requested review and am now in receipt of reports sufficient to provide you with the following updates. Your memo of yesterday, including copy of letter from An Taoiseach dated 13 April 2010 to the Minister for Justice and Law Reform also refers.

By way of background and to put the most recent review in context, in August 2003 following the publication of a number of articles in the Irish Times newspaper, enquiries were conducted into the circumstances of the exhumation of remains at the Sisters of Our Lady of Charity at High Park, Drumcondra, Dublin, in 1993. These enquiries established that on the 25th May, 1993, an Exhumation Licence was granted by the Department of the Environment to the Sisters of Our Lady of Charity in respect of St. Mary's Private Graveyard in the grounds of High Park. The application for the Licence was made by Messrs. Eugene F Collins, Solicitors, and related to 133 remains that were believed to be buried in the graveyard. A schedule of the names of the

Ráiteas Misin / Mission Statement:

An leibhéal inscroichte is airde a bhaint amach maidir le Cosaint Phearsanta, Tiomantas don Phobal agus Slándáil Stáit.
To achieve the highest attainable level of Personal Protection, Community Commitment and State Security.

deceased accompanied the Licence. In some cases the name used was the actual name of the deceased. In others, the religious name taken by the deceased was used. It appears that at the time of the application for the Exhumation Licence the Register of Deaths was examined to establish if all the deaths were registered and a Death Certificate available. Seventy-five such Certificates were identified. Death Certificates could not be identified for 34 remains. In the case of the remaining 24, Death Certificates could not be identified as the deceased were only known by their religious names. The Department of the Environment granted the Licence, having been satisfied that efforts were made to obtain Death Certificates. It appears the Department was guided by a Circular issued by it to the effect that a Death Certificate should accompany an application for an exhumation but that this requirement should not be insisted upon where a Death Certificate would be inordinately difficult to obtain.

On receipt of the Licence undertakers were engaged to conduct the exhumation and reinterment. The Director of Community Care and Medical Officer of the Eastern Health Board, Dublin Corporation and the Dublin Cemeteries Committee were notified. There was no requirement for An Garda Síochána to be notified. The exhumations commenced on the 23 August 1993, when it was discovered that there were more remains than the 133 named. The figure of 133 had been arrived at from a physical counting of the crosses and graves. Enquiries established that the graveyard had been subject over time to incidents of vandalism, resulting in the removal of some crosses. On the discovery of the extra remains a further application was made to the Department of the Environment for a Licence, resulting in the grant of a General Exhumation Licence for the exhumation of all human remains within the graveyard. During the exhumation a total of 22 additional remains were located. These were not identified. All the remains were removed by Masseys Funeral Directors and subsequently cremated.

On the 17 September 2003 Gardai met with the Dublin City Coroner who advised that at the time of the exhumation he was requested by the Dublin Cemeteries Committee to look into the exhumation to ensure that the conditions of the Licence were adhered to. As a result of his enquiries he was satisfied that the conditions of the Licence were complied with. In particular, he was satisfied that:-

1. all the remains were female;
2. the remains were buried correctly (i.e. not in shallow graves);
3. the condition of the remains was in keeping with what one would expect to find.

The Coroner pointed out that he received no complaint or enquiry into any of the deaths at that time or since.

On 21 September 2003 Gardai met with the Superior of the Sisters of Our Lady of Charity who confirmed that the Order had been in residence at High Park since 1853 and from the late 1800s the Order had provided hotel/residential services to the marginalised female members of the community who for one reason or another were unwanted, homeless or slurred. Some were placed in the care of the Order by their families, while others were there voluntarily.

An examination of records maintained by the Order showed that women stayed for varying lengths of time, ranging from days to many years. A record was created when a woman first

Raiteas Misin / Mission Statement:

Ag obair le Pobail chun iad a chosaint agus chun freastal orthu / Working with Communities to Protect and Serve

came to the home, when they were given a 'house name' for confidentiality reasons. The record also recorded the date of the woman's departure from the home or when death took place. Some women who made High Park their home and had shown devotion to the Convent and other religious activities were rewarded after a period of time with a religious title 'Magdalen' followed by the name of a saint or other religious imagery, e.g. Magdalen of Saint Peter, Magdalen of the Good Shepherd. These Magdalens were also assigned special status by being permitted to have their remains interred in the grounds of High Park Convent. Their gravestones carried their religious as opposed to their given names.

Arising from the Garda enquiries in 2003, the Sisters of Our Lady of Charity appointed two members of the Order to undertake a search of all records within the Community and also sought outside assistance through the employment of an Archivist to examine records and cross-reference details with a view to identifying all the remains.

I am now advised that [REDACTED] has compiled a database of all women and catalogued all details, having been retained by the Sisters of Our Lady of Charity. In April of this year, [REDACTED] provided An Garda Síochána with a summary of her research to date. She concluded, inter alia, that:

[REDACTED]

When the results of the research findings of [REDACTED] are to hand, I will report further. In the meantime, should you consider that enquiries are required in respect of any other aspect of this matter, please revert to me.

Yours sincerely,

M F MURPHY
M F MURPHY
COMMISSIONER OF
AN GARDA SÍOCHÁNA

19th May 2010