

An Garda Síochána

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Please quote the following ref. number:

Date: 16th October 2012

*Mr. Jimmy Martin,
Assistant Secretary General,
Department of Justice & Equality,
Montagué Court,
Montague Street,
Dublin 2.*



Re: Magdalen Institutions. – St. Mary's, High Park, Drumcondra, Dublin – Exhumation of bodies in 1993.

Reference above, I have reviewed the Garda file in this matter and extracted the following information relevant to the work of Senator McAleese;

By way of background and to put the Garda examination of events 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 human remains at St. Mary's private graveyard, Sisters of Our Lady of Charity at High Park, Drumcondra, Dublin, in 1993.

The 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 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.

75 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 known by their religious names, only. 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. They were also guided by a rule of thumb i.e. where the death was believed to have occurred 40 years prior to the application. The graveyard was used from 1889 to 1976.

On receipt of the licence undertakers were engaged to conduct the exhumation and re-interment. The Director of Community Care, the 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 23rd 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 to Glasnevin Cemetery for cremation.

On the 17th September 2003, Gardaí met with Dr. Brian Farrell, 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. Dr. Farrell did point out that he was not enquiring into the death of the remains but rather the conditions of the licence. 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.

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

On 21st September 2003, Gardaí 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.

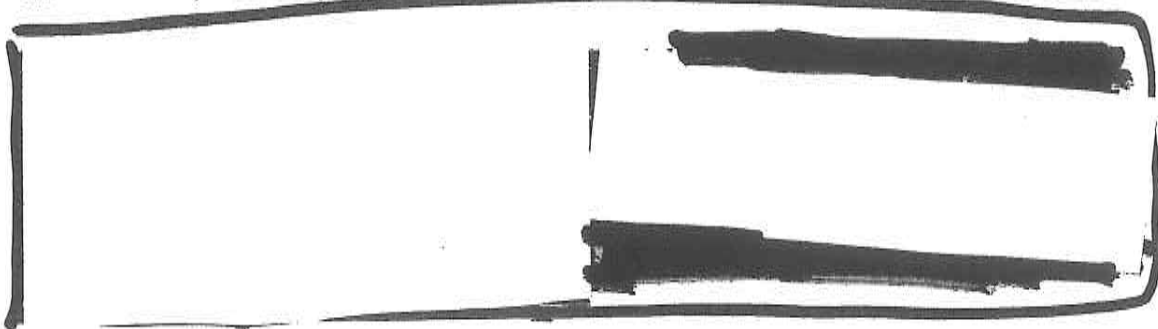
An examination of records maintained by the Order revealed that women stayed for varying lengths of time, ranging from days to many years. A record was created when a woman first came to the home, when they were given a 'house name' for confidentiality reasons. The record also recorded the date of the 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 birth names. It was seen within the Convent as an honour to be titled "Magdalen". The process involved a special ceremony and the newly consecrated "Magdalen" was allowed to wear a religious robe and given additional responsibilities and tasks and were at all times respected by the various other residents due to their elevation.

A further problem in relation to the registration of deaths appears to have arisen where a resident was removed to hospital for treatment and died while in the care of the hospital. The resident's death would have been recorded at the hospital but the remains were returned to High Park for burial.

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 of the remains. 1

_____ compiled a database of all women and catalogued all details, having been retained by the Sisters of Our Lady of Charity. Subsequently she provided An Garda Síochána with a summary of her research wherein she concluded, inter alia, that:



Derek Byrne
Derek Byrne.
Assistant Commissioner.

APPENDICES

(i)	Copy of 1 st Licence
(ii)	Copy of 2 nd Licence
(iii)	Schedule of 75 remains for whom Death Certificates were available.
(iv)	Schedule of 34 remains for whom no trace was reported by Registrar of Deaths
(v)	Schedule of 24 remains buried with a religious name and for whom no Death Certificates were available.