

Justice for Magdalenes

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Dr. Martin McAleese

Senator
Seanad Éireann
Leinster House
Kildare Street
Dublin 2

12 July 2011

Dear Dr. McAleese,

I am writing on behalf of the Justice for Magdalenes (JFM) survivor advocacy group. Our organisation was formed in 2003 and we have been campaigning to bring about an apology and restorative justice for all Magdalene survivors for the past two years. JFM also made submissions to both the Irish Human Rights Commission and the UN Committee Against Torture.

First, let me take this opportunity to congratulate you on your recent appointment as the independent Chairperson of the proposed Inter-departmental Committee charged with creating a narrative of State interaction with the Magdalene Laundries. JFM welcomed your appointment, as we did the government's "Statement" of 14 June 2011. We look forward to working with you and being of assistance in every way we can.

As you might already be aware, a delegation from JFM met with Minister for Justice, Mr. Alan Shatter, T.D., and Minister for State, Ms. Kathleen Lynch, T.D., on 4 July last. At that meeting, Mr. Shatter assured JFM that we would have the opportunity to "feed into" the work of the Inter-departmental Committee, and that he anticipated that you might want to meet with JFM and other groups representing survivors of the Laundries.

With that in mind, I am writing to request the opportunity to meet with you at your earliest convenience. We are happy to meet with you in person. Both Maeve O'Rourke (the author of JFM's submission to UNCAT) and I are available to speak with you via SKYPE or by phone. Likewise we are happy to arrange a delegation to meet with you in Dublin if that suits you better. Just let us know.

JFM also deposited materials for your consideration with Mr. Shatter, and we hope that these have been forwarded to you? The materials included JFM's "Narrative of State Interaction with the Magdalene Laundries" together with over 450 pages of supporting appendices. We submit this information in the spirit of assisting you and the Inter-departmental Committee commence its work of creating a narrative of State interaction with the Magdalene Laundries.

We also want to share with you our initial concerns regarding the proposed Inter-departmental Committee. These are concerns we shared with both Ministers last week, and that we re-iterated in a letter to Mr. Shatter today.

It is important from JFM's perspective that the Committee's terms of reference be made available publicly as soon as possible, and certainly no later than the end of the Committee's first meeting (we understand this is scheduled to take place this week). Likewise, it is important that your powers, as independent chair of the

Committee, also be made available publicly. These two issues—the terms of reference & the Chairperson’s powers—are vital to ensuring transparency in the government’s inquiry. As such, making them publicly available is crucial to ensuring JFM’s continued support of the government’s twin-track investigative process.

Likewise, we remain concerned that the process of clarifying and creating a narrative of State interaction with the Magdalene Laundries extend beyond forms of direct involvement (e.g., referring women or girls to the Laundries or supporting the commercial enterprise by awarding contracts to the Laundries and engaging the Laundries to provide laundry services) to include acts of omission, or the ways in which the State failed to exercise due diligence in the prevention of abuse in the Laundries (i.e., the failure to inspect, regulate and monitor the Laundries). As we have underscored for Minister Shatter, acts of omission are central to the UN Committee against Torture’s response and recommendation regarding the State’s obligation towards survivors of the Magdalene Laundries. Minister Shatter assured us that the Committee’s inquiry would take acts of omission into account.

We look forward to meeting with you as this process continues. Please do not hesitate to contact us if you have any questions and/or if you seek clarification on any of the above.

Yours sincerely,

James M. Smith (electronic signature)

James Smith, associate professor, English & Irish studies, Boston College.
Claire McGettrick, Justice For Magdalene co-ordinating committee & PRO;
Katherine O’Donnell, senior lecturer in women’s studies, School of Social Justice, UCD;
Maeve O’Rourke, Harvard Law School 2010 Global Human Rights Fellow;
Mari Steed, Director, Justice For Magdalene co-ordinating committee.

cc. Mr. Alan Shatter, T.D., Minister for Justice & Equality
Ms. Kathleen Lynch, T.D., Minister for State with responsibility for Disability, Older People, Equality & Mental Health

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