

## Lesson Script (Full)

**Slide 1: Introduction (1 min):** Hi everyone! How are you all?

We are Emily, Helen, Jessica, Tomás and Sija. We are all master's students in NUI Galway who are working with the 'Clann Project' and survivors of Ireland's institutional abuses. Something which we noticed after listening to survivors was that they wanted to stop the secrecy surrounding Ireland's dark history which is still ongoing today. Survivors want justice and for people to know what happened in these institutions. This is why we are here.

**Slide 2: Quote**

**Slide 3 (20s):** By the end of this lesson, we want you to have gained good knowledge of each of the institutions, understand the human rights abuses that occurred and know how you can make a change. The first part of the lesson will narrate human rights including human rights violations, human rights treaties and in particular, the right to identity. The second part will discuss the mother and baby homes and the current issues surrounding adoption narrated by Jessica. The third part will narrate industrial schools with Tomás as the speaker and the fourth section will discuss the Magdalene Laundries with Helen as the speaker. The lesson will end by discussing what we all can do moving forward to help survivors. Please don't be afraid to ask any questions.

**Slide 4 (40s):** The right to a name, nationality and family are outlined in articles 7 & 8 of the Convention of the Rights of the Child (CRC) and article 15 of the Universal Declaration of Human Rights (UDHR).<sup>1</sup> The UDHR is the oldest human rights instrument and paved the way for several human rights treaties including the convention on the rights of the child. Article 7 of the CRC states that: the child shall be registered immediately after birth and shall have the right from birth to a name, a nationality and to know/be cared for by his or her parents.<sup>2</sup> Article 8 states that the state parties must respect the right of the child to preserve his or her identity,

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<sup>1</sup> Universal Declaration of Human Rights (UDHR) (adopted 10 December 1948 UNGA Res 217 A(III) (UDHR) art 15; Convention on the Rights of the Child (CRC) (adopted 20 November 1989, entered into force 2 September 1990).

<sup>2</sup> Ibid art 7.

including nationality, name and family and family relations.<sup>3</sup> Article 15 of the UDHR states that: everyone has the right to a nationality; no one shall be deprived of his nationality nor the right to change his nationality.<sup>4</sup>

**Slide 5 (1 min):** These are some of the human rights violations which occurred in the institutions. This information can be found on the Irish Council for Civil Liberties website.<sup>5</sup> As you can see in the diagram these are: the right to life due to the number of people who died in the institutions, torture & ill treatment due to the mental and physical abuse that was inflicted on people, forced labour as people were forced to work under the threat of abuse, enforced disappearances as women's babies were taken away from them and there are no registered places of burial, right to remedy as individuals and their families are entitled to ways to help them recover such as compensation and adequate health care, discrimination—this is on the basis of gender, disability, race and socio-economic grounds, arbitrary detention due to the fact that people were detained without consent or legal authority, and private and family life due to the forced institutionalisation and forced separation of mothers from their babies. Each of these violations will become clear as we talk you through what happened in each of the institutions and some of them are still occurring today. The state is responsible for these violations when it fails to act when it knows or ought to know that an abuse is occurring.

**Slide 6 (12 mins):** As previously mentioned, the right to identity is laid out in articles 7 & 8 of the CRC and article 15 of the UDHR. I would now like you all to consider the question “what makes a person?” For this activity we will put you into breakout rooms for 7 mins. In your group we would like you to consider this question. We would like you to nominate somebody who will speak on behalf of the group when we take you back into the main room. We will pop in and out of each breakout room in case anybody has any questions.

\*Put students in break out room for 7mins and visit each room to make sure they're working\*

\*Bring students back into the main room\*

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<sup>3</sup> Ibid art 8.

<sup>4</sup> UDHR (n 1) art 15.

<sup>5</sup> Irish Council for Civil Liberties, 'ICCL Press Briefing On Report Of The Mother And Baby Homes Commission' (2021) <<https://www.iccl.ie/wp-content/uploads/2021/03/Press-briefing-ICCL-analysis-of-MBHC-report.pdf>> accessed 6 April 2021.

Welcome back everybody; I hope you all had a good discussion. I just want you to know that there are no wrong answers. I'll start off with group 1, if you would like to share some of your answers. Now group 2. Very good, group 3 did you have anything different?

(3 mins)

**Slide 7 (1min):** These are some of the answers that we came up with ourselves. They're very similar to yours. So we had; your name, nationality, likes, dislikes, family, age and of course your home.

You will notice as we go along that those who were incarcerated in these institutions were stripped of many of these things. They were stripped of their identity.

**Slide 8 (30 secs):** These are the institutions which we will be talking about. Education, religion and government all played a part in the operation of the industrial schools, the mother and baby homes and the Magdalene laundries. On the very right hand side there are some facts on each of the institutions we will be discussing. We will go into more detail later on in class.

**Slide 9: Survivors of Ireland's Institutions are Fighting For (2 mins)**

As Emily has already mentioned, survivors of Ireland's institutions have faced horrible human rights violations, some of which are ongoing. Survivors want to raise awareness of what went on behind closed doors. They are fighting for the right to truth, the right to redress and the right to identity.

Many of you mentioned that your name and nationality are important aspects of your identity. Unfortunately, many of the children born in institutions who were later adopted are still denied access to this basic personal information.<sup>6</sup> Many adopted people do not have access to their own birth certificates.<sup>7</sup> The State argues that it cannot give adopted people access to their own birth certificates as it must balance survivors' right to identity against their natural mothers' right to privacy. This reasoning makes very little sense, because, in fact, mothers were often forced to sign a promise never to look for their child and so secrecy was forced on them rather than being something they requested. In addition, in Ireland all birth certificates are public documents and

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<sup>6</sup> Clann Project, 'Adoption Rights Alliance, JFM Research, Clann Project Briefing Notes Re. the Final Report of the Mother and Baby Homes Commission of Investigation' (01/11/21) para 3.

<sup>7</sup> *ibid.*

they all name the mother publicly. Since 1864, it has been possible for any individual to go the General Register Office and request a copy of their own or somebody else's birth certificate.<sup>8</sup> The problem is, you need to know the name of the person whose birth cert you wish to obtain. Adopted people are routinely prevented by the State and the Church today from finding out what their mother named them at birth. This means that survivors could go to the general office and access my birth certificate or Emily's birth certificate but cannot see their own— because they would need to know their name to request their certificate.

Many survivors and advocacy groups working on their behalf, argue that the State's refusal to grant survivors access to their name and their personal files is in fact illegal.<sup>9</sup> One reason for this is that the Irish Court of Appeal has ruled that everybody has a constitutional right under Article 40.3 of the Irish Constitution 'to have [one's] identity correctly recognised by the State'.<sup>10</sup> While this case did not examine the situation in relation to adopted persons, it clearly shows that the Irish State has a duty to ensure that each individual in the State is correctly recognised.

Another reason is that, under EU law, which takes preference over Irish law, everybody has the right to their personal data including their name.<sup>11</sup>

### **Slide 10: Map**

Hi everyone, so when we are talking about the various institutions, we wanted to use examples of the institutions in Galway for reference. As some of you may not know about all the historic sites in the city, you have each been given a map of Galway City. This map of the Galway Institutions taken from the booklet created by Cope Galway "Remember, Respect & Record" and shows the locations of the religious institutions across Galway City. I wanted to use this map to highlight the vast number of religious institutions in such a small area as Galway. The sheer presence of the Catholic Church can be seen here, with so many religious institutions spread all over the city, demonstrating the power they had at the time.

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<sup>8</sup> *ibid* para 6.

<sup>9</sup> *ibid* para 7.

<sup>10</sup> *Habte v Minister for Justice and Equality* (IECA 22) 2020 paragraph 44.

<sup>11</sup> General Data Protection Regulation (adopted 14 April 2016, entry into force 25 May 2018) EU 2016/679 Article 15, see also General Data Protection Regulation (adopted 14 April 2016, entry into force 25 May 2018) EU 2016/679 Article 23 pertaining to situations when Article 15 may be restricted.

## Slide 11: Mother and Baby Home (MBH) – Intro Slide

### Activity: Poem (3 mins)

<https://www.poetryfoundation.org/poems/51977/the-slave-mother-56d23017ceaad> - stanzas four, five and six

### Slide 12:

We are now going to listen to a poem called Slave Mother by Francis Ellen Watkins Harper. Watkins Harper was a 19<sup>th</sup> century African American poet who used her work to campaign to end slavery and introduce universal suffrage in the US. This particular poem tells the story of an African American slave who had her baby taken away from her.<sup>12</sup> Unfortunately, the story told in this poem is still applicable in Ireland today as many of the survivors of Ireland's MBH can relate to it.

She is a mother pale with fear,  
Her boy clings to her side,  
And in her kirtle vainly tries  
His trembling form to hide.

He is not hers, although she bore  
For him a mother's pains;  
He is not hers, although her blood  
Is coursing through his veins!

He is not hers, for cruel hands  
May rudely tear apart  
The only wreath of household love  
That binds her breaking heart.<sup>13</sup>

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<sup>12</sup>Academy of American Poets, 'The Slave Mother by Frances Ellen Watkins Harper - Poems | Academy of American Poets' (Text, no date) <<https://poets.org/poem/slave-mother>> accessed 6 April 2021.

<sup>13</sup> Frances Ellen Watkins Harper *The Slave Mother* published in *Poems of Miscellaneous Subjects* (1854).

While listening to the poem I would like it if all of you could write down a few words about how this poem makes you feel/ Draw a picture based on the poem.

**Discussion: (5 Minutes)**

Is there anybody who would like to share their thoughts on the poem? What story is the poem telling? What happened the Mother? How does she feel? What do you think happened in MBI? What have you heard about them before? Where have you heard about them before?

If anybody drew a picture, would you like to tell us about it, if you do not wish to show us you could tell us about the colours you used or whether it is an image from the poem or something more abstract?

**Slide 13 (1 min):** so this is an image of the Tuam Mother and Baby Home.<sup>14</sup> Now, I just want you all to have a think about this picture, really take it in. How does it look?

*(Wait 30 seconds while they take in the picture)*

**Slide 14 (2/3mins):** Now I just want to have an open discussion with you guys and ask what sort of feelings you get when you look at the so-called home in the slide beforehand? If you could write them in the chat that would be great. There are no right or wrong answers here.

\*Pick out some answers and get students to elaborate\*

Now; what do you think of when you think of your own home? What feelings does this conjure? If you could write some answers in the chat again that would be great.

Survivors do not like for this institution to be called a home. This was not a home. It was a place where they were treated horrifically and where their human rights were violated. So from now on we will be referring to these as mother and baby institutions.

**Slide 15: (4 Mins)**

As Emily highlighted these institutions were not homes, they were dark places where survivors, women and children were incarcerated and subjected to cruel and degrading treatment.

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<sup>14</sup> Tuam Survivors Network <https://www.tuamhomesurvivors.com/>.

Many women and children across Ireland were sent to these institutions. Approximately 56,000 women gave birth to 57,000 children in 14 MBI and a sample of 4 county institutions that were investigated recently by the state.<sup>15</sup> Out of the 56,000 women in those 18 institutions, 5,616 were still children, some were as young as 12 years old when they gave birth.<sup>16</sup> Many of these girls were the victims of rape and incest but this was widely ignored by the people in the institutions and the state authorities who were meant to care for them but instead subjected them to further abuse.<sup>17</sup>

The conditions in the homes were extremely harsh. The women and girls detained in the homes were subjected to mental and physical abuse and were often forced to work for no pay. Prior to the 1960's there was little effort made to save the lives of babies born in these institutions and the infant mortality rate was almost twice as high inside the institutions as the national average for children born outside of marriage.<sup>18</sup> The fact that many mother and baby institutions had their own maternity units undoubtedly contributed to this. In Galway, the county council excluded unmarried women from giving birth in the Central Hospital in Galway because in their opinion, it 'deterred respectable married women from giving birth in the hospital'.<sup>19</sup>

Life was made even more difficult by the fact that the women and children did not know when they would be permitted to leave the institution. In some institutions such as Bessborough, as a former midwife who worked there has explained, mothers had to stay until their children's third birthday<sup>20</sup> unless they could find a way to pay to be released earlier.<sup>21</sup>

The Institutions were often located in remote areas which made it harder for those incarcerated in the institutions to escape. In the 1950's, the archbishop of Galway rejected a proposal to move the mother and baby institution at Tuam to the outskirts of Galway city stating that 'Anyone

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<sup>15</sup> Department of Children, Equality, Disability, Integration and Youth, 'Executive Summary of the Final Report of the Commission of Investigation into Mother and Baby Homes' (01/12/21) para 1.

<sup>16</sup> *ibid* para 2.

<sup>17</sup> O'Rourke and others (n 6) para 1.9.

<sup>18</sup> Department of Children, Equality, Disability, Integration and Youth (n 15) para 12.

<sup>19</sup> *ibid* para 61.

<sup>20</sup> June Goulding (1998) *The Light in the Window*. Dublin: Poolbeg Press Limited p 16 cited in O'Rourke and others (n 1) para 1.46.

<sup>21</sup> June Goulding (1998) *The Light in the Window*. Dublin: Poolbeg Press Limited p 36. cited in *ibid* para 1.48.

who has experience of the workings of a Home for unmarried mothers will tell you that such a Home must be in a place that is quiet, remote and surrounded by high boundary walls ... In many cases they are on the look-out to get in touch with men, and some of them cannot repress their excitement even when a man comes to the Home to deliver a message ... Many of these unmarried mothers are anxious to get off without delay. The only thing that prevents their leaving is the strict supervision and boundary walls ... in some cases it has been known that attempts were made from outside to get at the inmates'<sup>22</sup>

The sense of isolation felt by women living in remotely located mother and baby institutions was deepened by the fact that women and girls in the institutions were discouraged from contacting their friends and families.<sup>23</sup>

Now that you have heard a little bit about life in these institutions, I would like you to think again about how many people's lives were impacted by them. In the 18 institutions that were examined by the State Commission of Investigation into Mother and Baby Homes, 56,000 women and girls gave birth to 57,000 children. That's 113,000 people, can you think of anywhere in Ireland that can fit that many people?

### **Activity (3 minutes)**

#### **(Slide 16)**

I'm not sure if there is any venue but I couldn't find any. The largest venue I could think of was Croke Park but as you can see on the screen now, they wouldn't even come close to fitting inside.

When you see the picture of Croke Park and think about the numbers, how do you feel? Would anybody like to share any thoughts they have with the group? If you don't want to speak you can also type in the chat function or send a message anonymously to me or one of the other presenters.

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<sup>22</sup> ibid para 33.

<sup>23</sup> O'Rourke and others (n 1) para 1.54.

**Slide 17: Read Quote**

**Slide 18 (4 mins):** on this slide you can see images of both Bessborough site in Cork and the Tuam Burial Site in Galway.<sup>24</sup> I want you guys to have a think about these particular burial sites. How do they differ from burial sites we're used to seeing?

*(3 mins discussion)*

Unfortunately, unmarked graves were common. People were buried without name plates or coffins. This is a loss of identity. In fact, records show that 923 babies died in Bessborough but records can only be found for 64 of them.<sup>25</sup> You can see the stark contrast of these numbers in this pie chart (slide 15). The commission report notes that there was an inability of any member of the Congregation of the Sacred Hearts of Jesus and Mary to identify the burial place of the children who died in Bessborough.<sup>26</sup> The commission report states that the 1888 Rules and Regulations for the Regulations of Burial Grounds did not apply to burial grounds such as Bessborough.<sup>27</sup>

**Slide 19:**

This diagram shows the volume of remains found vs. the remains which have still not been found. This is shocking to look at.

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<sup>24</sup> Conall Fátharta, 'Burial Place Of Over 800 Children Who Died In Bessborough Unknown; Read Commission's Findings On Mother And Baby Homes' (*Irish Examiner*, 2019) <<https://www.irishexaminer.com/news/arid-30918325.html>> accessed 6 April 2021; 'Bon Secours Mother And Baby Home - Wikipedia' (*En.wikipedia.org*, 2021) <[https://en.wikipedia.org/wiki/Bon\\_Secours\\_Mother\\_and\\_Baby\\_Home](https://en.wikipedia.org/wiki/Bon_Secours_Mother_and_Baby_Home)> accessed 6 April 2021.

<sup>25</sup> Eoin English, 'Bessborough: Mystery Remains Around The Missing 859 Babies And Infants' (*Irish Examiner*, 2021) <<https://www.irishexaminer.com/news/spotlight/arid-40233401.html>> accessed 6 April 2021.

<sup>26</sup> Department of Children, Equality, Disability, Integration and Youth, 'Chapter 38: Addendum To Burials Report' (2021) <<https://www.gov.ie/en/publication/d4b3d-final-report-of-the-commission-of-investigation-into-mother-and-baby-homes/?referrer=http://www.gov.ie/en/campaigns/2f291-final-report-of-the-commission-of-investigation-into-mother-and-baby-homes/>> accessed 6 April 2021.

<sup>27</sup> *Ibid* 9.

## **Slide 20: Tuam Mother and Baby Institution**

I'm sure that many of you have heard about Tuam mother and baby institution. This institution has featured heavily in media reports over recent years as the living conditions were particularly dire and many children died as a result. The institution was owned by Galway County Council, however, the day to day running of the institution was overseen by the Sisters of Mercy.<sup>28</sup> It is estimated that 2210 women and 3251 children spent time in Tuam. Out of these 3251 children, 978 died while living at the Institution.<sup>29</sup> 80% of the children who died, passed away before their first birthday.<sup>30</sup> Despite this incredibly high infant mortality rate, there are no records of the dire conditions at Tuam ever being discussed at Galway County Council meetings.<sup>31</sup> In recent years, Irish historian Catherine Corless has worked tirelessly to discover the truth about what happened at Tuam.<sup>32</sup> Her work highlighted the fact that there were no burial records for 796 children who died at Tuam which suggests that many of the children were buried in large, unmarked graves. It is believed that some of the children were even buried in septic tanks.<sup>33</sup> Corless remains hopeful that in the future the Government will pass legislation which will allow the site to be excavated so that the families of victims can learn more about what exactly happened their relatives. An excavation will also provide historians with additional information about life at Tuam.<sup>34</sup>

## **Slide 21: Adoption (3 mins)**

### **Activity**

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<sup>28</sup> 'Tuam Mother & Baby Home' (2021) <<https://www.tuamhomesurvivors.com/about/tuam-mother-baby-home>> accessed 14 June 2021.

<sup>29</sup> Clann Project, 'Adoption Rights Alliance, JFM Research, Clann Project Briefing Notes Re. the Final Report of the Mother and Baby Homes Commission of Investigation' (01/11/21) para 67.

<sup>30</sup> *ibid* para 67.

<sup>31</sup> Department of Children, Equality, Disability, Integration and Youth, 'Final Report of the Commission of Investigation into Mother and Baby Homes' (12 January 2021) para 47.

<sup>32</sup> 'The Mother behind the Galway Children's Mass Grave Story: "I Want to Know Who's down There"' (*the Guardian*, 13 June 2014) <<http://www.theguardian.com/world/2014/jun/13/mother-behind-galway-childrens-mass-grave-story>> accessed 14 June 2021.

<sup>33</sup> 'Tuam Mother and Baby Home: The Trouble with the Septic Tank Story' (2014) <<https://www.irishtimes.com/news/social-affairs/tuam-mother-and-baby-home-the-trouble-with-the-septic-tank-story-1.1823393>> accessed 14 June 2021.

<sup>34</sup> Sorcha Pollak, 'Government Must Not Forget Tuam Mother-and-Baby Home Scheme, Say Relatives' (*The Irish Times*, 2020) <<https://www.irishtimes.com/news/social-affairs/government-must-not-forget-tuam-mother-and-baby-home-scheme-say-relatives-1.4148263>> accessed 14 June 2021.

These are two pictures that I found quite shocking. The first one is a short story that is believed to have been written by Hemmingway. It was not written about any of the institutions we are discussing today but I would like you keep it in mind as we discuss adoption in Ireland and I would like to hear whether or not your interpretation of the story changes after our discussion. What do you think of the second image? It is an adoption ad, can you imagine such an advertisement being posted today, why do you think these kinds of advertisements are not permitted today?

## **Slide 22: Unofficial Adoption: (6 mins)**

### Pre- 1953

In Ireland legal adoption was not introduced until January 1953. The introduction of legal adoption was delayed for reasons which included the State's reluctance to introduce a bill that had not already been approved by the Catholic Church.<sup>35</sup> Many members of the clergy were hesitant to approve of such legislation as they were concerned that the children of catholic women would be adopted into protestant families.<sup>36</sup> They also argued that legislation would not benefit children who were fostered into 'good' families and would make it harder to remove children from the care of unsuitable foster families. They did not see or accept that unofficial adoptions left children vulnerable to abuse<sup>37</sup> because there was no state agency responsible for supervising the child's welfare. The lack of legislation also meant that discrimination could occur in relation to inheritance, because no law existed to ensure that the child was legally recognised as part of their informal 'adoptive' family.<sup>38</sup>

### Adoption Act 1952

The Adoption Act 1952 made it possible to legally adopt children for the first time, however, the Act only legalised adoptions within Ireland and did not regulate foreign adoptions.<sup>39</sup> In theory, the Act put an end to the advertisement of adoptions and the receipt of payment by adopters but in reality many illegal practices continued.<sup>40</sup> The act also specified that children should be

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<sup>35</sup> ibid para 32.27.

<sup>36</sup> ibid para 32.62.

<sup>37</sup> ibid para 32.45.

<sup>38</sup> ibid para 32.34.

<sup>39</sup> ibid para 32.94.

<sup>40</sup> ibid para 32.97.

adopted into families who practised the same religion as their natural mother, however, this requirement was ruled unconstitutional by the courts in 1973.<sup>41</sup>

In 1967, 96% of children born outside of marriage in Ireland were adopted<sup>42</sup> and in 1971, this figure was 71%.<sup>43</sup> Institutions such as mother and baby homes as well as lay religious organisations facilitated these adoptions,<sup>44</sup> many of which did not follow the procedures established by the Adoption Act and were therefore illegal.<sup>45</sup> In some cases, children were registered as the natural child of their adoptive parents, in other cases they were sent abroad without the consent or knowledge of the natural mother.<sup>46</sup> In other cases, the natural mother was still a minor who signed adoption orders without a guardian or legal advisor being present to advise them and without fully understanding that by signing the forms they were renouncing their rights to their child forever.<sup>47</sup> While it was not illegal for a child to use the surname of his or her foster/ adopted family,<sup>48</sup> it was a crime under the Births and Deaths Registration Act 1874 to incorrectly register a birth. This means it was a crime to claim that a child's adopted parents were their natural parents on their birth certificate.<sup>49</sup>

In some cases, the forms that natural mothers signed to give their child up for adoption were very unclear.<sup>50</sup> One witness mentioned how his mother “did sign a smaller form, indicating that she understood the nature of an adoption order ... This was a detached sheet from a statement which purports to explain the effects of an adoption order, but it does not at any point indicate her consent to the adoption’.<sup>51</sup>

The State does not accept the term ‘illegal adoptions.’ Instead, the State argues that individuals who were adopted without an adoption order were falsely registered opposed to adopted.<sup>52</sup> As a

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<sup>41</sup> *ibid* para 32.102.

<sup>42</sup> Lindsey Earner-Byrne (2007) *Mother and Child: Maternity and Child Welfare in Dublin 1922-60*. Manchester: Manchester University Press. (Page 207)

<sup>43</sup> Department of Children, Equality, Disability, Integration and Youth (n 15) para 67.

<sup>44</sup> Lindsey Earner-Byrne author, *Mother and Child Maternity and Child Welfare in Dublin, 1922-60* (Manchester University Press 2007) 186.

<sup>45</sup> O'Rourke and others (n 1) para 1.82.

<sup>46</sup> *ibid* para 1.66.

<sup>47</sup> *ibid*.

<sup>48</sup> Department of Children, Equality, Disability, Integration and Youth (n 25) para 32.391.

<sup>49</sup> *ibid* para 32.392.

<sup>50</sup> O'Rourke and others (n 1) para 1.99.

<sup>51</sup> *ibid*.

<sup>52</sup> *ibid* para 1.114.

result, many adopted people are still unaware of the fact that they were adopted. This means that the true number of illegal adoptions is not known and may never be discovered.<sup>53</sup>

If you look on the left hand side of this slide you can see an example of a form used in Bethany house, a mother and baby institution in Dublin. I want you all to take a minute to read this form and think about the language used, is it clear, is it the type of language you would expect in a legal document?

I, [...] of [...] in the county [...] being the mother to the infant [...] do hereby surrender the said infant to Mrs [...] of [...], and do renounce absolutely and forever all rights of whatever kind over the said infant and I understand that I shall make no claim upon the body or effects of the said infant at any time hereafter. Signed this [date] nineteen hundred and forty nine by me [...] in the presence of the Reverend [...] signature: witness [...], Clerk, The Rectory - Sample from Bethany house.<sup>54</sup>

### **Slide 20&21 : Foreign Adoptions: (3 mins)**

Many of the children who were put up for adoption were sent abroad, in particular to the USA, despite the fact that there was no legislation in place overseeing foreign adoptions. Mother and baby institutions and lay religious organisations worked with American organisations, mostly American catholic organisations to find families to adopt Irish children. There were very few regulations in place and the standards of background checks on those looking to adopt varied between agencies. Nonetheless, the government allowed and even facilitated these adoptions knowing that Irish children were being placed in vulnerable situations. The Department of External Affairs (now the Department of Foreign Affairs) sanctioned foreign adoptions by producing passports for Irish children being sent to the USA for adoption.<sup>55</sup> Records of over

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<sup>53</sup> ibid para 1.115.

<sup>54</sup>Department of Children, Equality, Disability, Integration and Youth, 'Final Report of the Commission of Investigation into Mother and Baby Homes' (12 January 2021) para 32.9.

<sup>55</sup> ibid para 1.125.

2,000 passport applications made on behalf of foreign couples looking to adopt Irish children can still be found in the Department of Foreign Affairs files in the National Archives of Ireland.<sup>56</sup>

### **Slide 22: Quotes: (3 mins)**

I would like you to take two minutes to read these quotes. If you can think about the form from Bethany house while reading the quotes. I will then put everybody into break out groups and I would like you to talk about whether you think that the mothers provided full and informed consent to give up their children for adoption?

Ask students to read the following quotes to themselves, ask them to quickly note down anything that strikes them so that they will be able to discuss the quotes in breakout groups.

“In early February 1968, when my baby boy was six-seven weeks old, he was wrenched from my breast by one of the nuns whilst I was breastfeeding him and taken away for adoption”.<sup>57</sup>

“She was asked to dress him up for a photograph and leave him with staff for the photograph”.<sup>58</sup>

“I later learned from my sister that she had tried to call but was never allowed to speak to me” and that the Mother Superior had lied to her sister “that I had changed my mind and I wanted to give my baby up for adoption”<sup>59</sup>

“I was adopted without a birth registration even though my mother turned up at Sean Ross Mother and Baby Home alone with a baby, with no legal proof that she was the baby’s mother. I was adopted 2 months later on the basis of a letter of non-registration and my baptismal certificate. ... It is impossible to imagine a child without a birth certificate being adopted today. It should have happened when I was adopted. As a child born to an unmarried mother, I obviously wasn’t worth registering”<sup>60</sup>

### **Slide 25: Consent (10 mins)**

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<sup>56</sup> Department of Children, Equality, Disability, Integration and Youth (n 25) para 32.280.

<sup>57</sup> *ibid* para 1.84.

<sup>58</sup> *ibid* para 1.85.

<sup>59</sup> *ibid* para 1.54.

<sup>60</sup> *ibid* para 1.149.

We will go into the breakout rooms now, here are two questions which might help to guide your discussions but you do not need to stick to them exactly.

### Activity

Place students in breakout groups for 5-7 minutes to discuss the two questions on the slides. Remind students to think about the quotes that they have just read.

Return to the main group and have a group discussion.

### **Slide 26: Industrial Schools: (9 mins)**

#### **Activity**

<https://www.youtube.com/watch?v=ZEC28IHnVeU> (0.19 -1:35)

### **Slide 27:**

I am going to play a short clip from a song called Sunday's Well: A Reimagining of the Irish Ballad Weile Weile Waile by the Irish-American poet Connie Roberts. The song tells the story of Mary Harney, who was born in Bessborough MBI. When Mary was two and a half she was taken from her mother and sent to live with a foster family. At five, she was committed by a judge to St Finbarr's Industrial School. She was not reunited with her mother again until she was a young adult. Today Mary is a human rights activist fighting for survivor's rights. She is also the driving force behind the lesson that we are delivering today.<sup>61</sup>

play song\*

#### **Discussion on song**

I would like you all to take a minute to think about the role that school plays in your lives and how it has shaped your identity. I have created a menti link which I will put in the chat now and you can use to share your thoughts if you would like.

### **Slide 28: Industrial School Facts: (4 mins)**

**This slide will give a brief outline of what industrial schools were, and some statistics.**

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<sup>61</sup> Connie Roberts *Sunday's Well: A Reimagining of the Irish Ballad Weile Weile Waile* (14/02/19).

In 1950 there were three reformatories and 51 Industrial Schools in Ireland, all of which were run by religious institutions.<sup>62</sup> The schools were single sexed meaning the siblings were often separated.<sup>63</sup> The largest school for boys was Artane and in 1950 there were 776 boys detained there. Goldenbridge was the largest school for girls and there were 148 girls detained there in 1950.<sup>64</sup> Two thirds of the children committed to industrial schools in 1950 were under the age of ten.<sup>65</sup> Most children in Industrial schools were between nine and 14 years old.<sup>66</sup>

The majority of children who were admitted to industrial schools came from lower socio-economic backgrounds and had a large number of siblings, all of whom the family could not afford to look after. Other children were orphans with nobody to care for them, were born to unmarried mothers or had been victims of parental cruelty. Only a small percentage of the children in industrial schools were sent there for having committed a crime and amongst those who were sent there for crime, most had been led to commit poverty.<sup>67</sup>

According to the Children Act 1908, Industrial schools were places in which ‘children are lodged, clothed and fed, as well as taught.’<sup>68</sup> While the schools were originally designed to accommodate children who had committed crimes, from 1929 any child who was considered ‘destitute’ could be sent to an industrial school.<sup>69</sup> These institutions were modelled on workhouses and as I am sure you can all imagine, life inside them was incredibly difficult.<sup>70</sup>

Children in the industrial schools were subjected to emotional, physical and sexual abuse.<sup>71</sup> Children received beatings for everyday occurrences such as being the last child to leave the

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<sup>62</sup> Finola Kennedy, ‘How Statistics Tell the Story of Children in Industrial Schools’, *The Irish Times* (3 December 2019) <<https://www.irishtimes.com/opinion/how-statistics-tell-the-story-of-children-in-industrial-schools-1.4102205>> accessed 15 April 2021.

<sup>63</sup> Kate Kenny, ‘Organizations and Violence: The Child as Abject-Boundary in Ireland’s Industrial Schools’ (2016) 37 *Organization studies* 939, 950.

<sup>64</sup> Kennedy (n 54).

<sup>65</sup> *ibid.*

<sup>66</sup> Kenny (n 55) 944.

<sup>67</sup> *ibid.*

<sup>68</sup> The Children Act (1908) section 44

<sup>69</sup> The Children Act (1929) Amended

<sup>70</sup> Jeremiah J Lynch and Stephen James Minton, ‘Peer Abuse and Its Contexts in Industrial Schools in Ireland’ (2016) 8 *Journal of aggression, conflict and peace research* 76, 77.

<sup>71</sup> Kenny (n 55) 941.

washrooms or giving wrong answers in class.<sup>72</sup> In 1944, P. Ó Muircheartaigh, the Inspector of Industrial and Reformatory Schools reported that children in Lenaboy and Cappoquin industrial schools were subjected to “semi-starvation and lack of proper care and attention.”<sup>73</sup> Children in the schools often worked for no pay in enterprises ran by the schools such as commercial farms.<sup>74</sup> Most did not receive a formal education.<sup>75</sup>

The Department of Education was responsible for regulating industrial schools and supplied guidelines around appropriate corporal punishment in industrial schools;<sup>76</sup> however, records show that very few inspections were carried out in industrial schools.<sup>77</sup> Industrial schools were also widely ignored in the Dáil and Seanad who focused on ‘middle class concerns like curriculum development’ instead.<sup>78</sup>

The regimented environment in industrial schools had a negative impact on the children’s development. They did not get the opportunity to express their individuality and many survivors ended up seeking careers in other institutions such as the armed forces so that they could continue to live similarly institutionalised lives.<sup>79</sup>

## **Slide 29: Timeline of Irish Industrial Schools<sup>80</sup>**

This section will look at a brief timeline of the Irish Industrial Schools and how child protection policy has been developed, also highlighting that these institutions were around up until the late 90s.

### **1868 Irish Industrial Schools Act<sup>81</sup>**

Industrial schools were established to care for ‘neglected, orphaned and abandoned children.’ They were run by religious orders, both Catholic and Protestant, and funded by the public.

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<sup>72</sup> *ibid.*

<sup>73</sup> ‘History | Caranua’ (*Caruna.ie*, no date) <<https://caranua.ie/history/>> accessed 15 April 2021.

<sup>74</sup> Kenny (n 55) 944.

<sup>75</sup> *ibid.*

<sup>76</sup> Lynch and Minton (n 62) 79.

<sup>77</sup> Kenny (n 55) 947.

<sup>78</sup> Kate Kenny, ‘Affective Disruption: Walter Benjamin and the “history” of Ireland’s Industrial Schools’ (2013) 8 *Management & organizational history : M&OH* 10, 12.

<sup>79</sup> Kenny (n 55) 949.

<sup>80</sup> History | Caranua’ (no date) <<https://caranua.ie/history/>> accessed 8 April 2021.

<sup>81</sup> Industrial Memories, ‘Industrial Memories’ (*Industrial Memories*, no date) para 18 <<http://im2.studioaad.webfactional.com/>> accessed 8 April 2021.

**1900** This was the peak of industrial schools with 8,000 children in 71 schools.

### **1908 The Children's Act<sup>82</sup>**

Also known as the Children and Young Persons Act,

- was a piece of government legislation passed as part of the British Liberal Party's liberal reforms package.
- informally known as the Children's Charter.
- It defined reformatories as responsible for feeding, clothing, housing and teaching young offenders.

**'The expression "industrial school" means a school for the industrial training of children, in which children are lodged, clothed and fed, as well as taught.'** <sup>83</sup>

**1929** The Children's Act was amended to allow destitute children to be sent to industrial schools, even if they hadn't committed a crime.

**1933** Industrial schools were abolished in the UK but not in Ireland.

**1970** Reformatory and Industrial Schools System Report (The Kennedy Report) <sup>84</sup>

- Recommended: 'The present institutional system of Residential Care should be abolished and be replaced by group homes which would approximate as closely as possible to the normal family unit. Children from the one family, and children of different ages and sex should be placed in such group homes.'

**1974** The Letterfrack Industrial School, Co Galway was closed down. <sup>85</sup>

**1984** The Department of Health introduced fostering for children in care. <sup>86</sup>

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<sup>82</sup> S.I. No. 8/1928 - The Children Act, 1908, Adaptation Order, 1928.

<sup>83</sup> section 44 of the Children Act, 1908

<sup>84</sup> History | Caranua' (no date) <<https://caranua.ie/history/>> accessed 8 April 2021.

<sup>85</sup> 'St Joseph's Industrial School, Letterfrack, Co. Galway, Republic of Ireland' (no date) <<http://www.childrenshomes.org.uk/LetterfrackIS/>> accessed 8 April 2021.

### **1991 The Child Care Act <sup>87</sup>**

- This brought in considerable changes in relation to children in care.
- implemented in 1995, child care policy had been regulated by the 1908 Children Act.
- This Act focused on the child and the promotion of the child's welfare.
- It also placed a specific duty on Health Boards (now the Health Service Executive) to identify children who were not receiving adequate care and protection and in promoting their welfare to provide child care and family support services.
- This Act underpinned the basic belief that the welfare of the child is of paramount importance.

### **1998 The Christian Brothers apology<sup>88</sup>**

- public apology to those who were physically or sexually abused in their care, taking out half page advertisements in newspapers to admit some people's claims had been ignored.
- 'We the Christian Brothers in Ireland wish to express our deep regret to anyone who suffered ill-treatment while in our care. And we say to you who have experienced physical or sexual abuse by a Christian Brother and to you who complained of abuse and were not listened to, we are deeply sorry.'

### **May 1999 An Taoiseach Bertie Ahern apology<sup>89</sup>**

- Taoiseach, Mr Bertie Ahern, apologised on behalf of the government to the survivors of child abuse in industrial schools, acknowledging the responsibility of the Irish State in providing services for children and announced a package of measures to tackle such abuse.

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<sup>86</sup> Gilligan, 'The Foster Carer Experience in Ireland: Findings from a Postal Survey' (1996) 22 *Child: Care, Health and Development* 85.

<sup>87</sup> Child Care act, 1991

<sup>88</sup> Patsy McGarry, 'Christian Brothers Issue an Apology' (*The Irish Times*, no date)

<<https://www.irishtimes.com/news/christian-brothers-issue-an-apology-1.1016965>> accessed 8 April 2021.

<sup>89</sup> RTÉ Archives | Society | Apology To Victims Of Institutional Child Abuse' (no date)

<<https://www.rte.ie/archives/2019/0430/1046590-apology-to-victims-of-institutional-child-abuse/>> accessed 8 April 2021.

- These included the establishment of a Commission to inquire into child abuse and the establishment of a €5 million professional counselling service for victims.

### **2000 The Child Abuse Act 2000<sup>90</sup>**

This act established a commission to investigate child abuse in institutions in the State to enable persons to give evidence to committees of the Commission.

### **2002 Catholic Church agreed to pay €128 million**

- The catholic church agreed to pay €128 million which went into a special State fund for victims of abuse.
- In return, the State arranged that people seeking compensation from the Residential Institutions Redress Board were barred from suing the Church or the State.

### **20th May 2009 Commission to Inquire into Child Abuse Report (The Ryan Report)**

- The Commission to Inquire into Child Abuse Report was published. (Also known as the Ryan Report) This report found that ‘The system of large-scale institutionalisation was a response to a nineteenth century social problem, which was outdated and incapable of meeting the needs of individual children.
- The failure of the system was a result of the poor management of the various congregations, that then led to the institutional abuses of the children in care, resulting in their developmental, emotional and educational needs not being met.

### **Slide 30: (3- 5 mins)**

Read out the quote.

Fr. Edward Flanagan was an Irish-American priest. He was a social reformer who believed that children had the right to be valued and protected. He fought to close reformatories and other juvenile facilities where children were abused and he founded the Father Flanagan’s Boys Home

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<sup>90</sup> Commission to Inquire into Child Abuse’ (no date) <<https://www.gov.ie/en/organisation/09172007-commission-to-inquire-into-child-abuse/>> accessed 8 April 2021.

in Nebraska which later became known as Boys Town.<sup>91</sup> This quote shows how Fr. Flanagan viewed Irish Industrial schools.

## **Discussion**

Think about the knowledge you have learned, the extra- curricular activities you do and the friends you have made in school - do you think children in industrial schools had the same experience of school? How do you think being in such a school could have a negative impact on children's growth and their sense of identity?

### **Slide 31 St. Anne's Industrial School, Galway**

This slide shows pictures of St. Anne's Orphanage, Former Lenaboy Castle, on Taylor's Hill.

Lenaboy Castle was owned by the Sisters of Mercy and was used as an orphanage for girls until the 1970s.

The girls were "trained" in domestic services, as well as dressmaking, and some became shop assistants and teachers aids. The older girls were also though to care for the younger ones.

These girls produced baked goods and sold vegetables from the gardens.<sup>92</sup>

Upon inspection by the Department of Education's Dr Anna McCabe, serious concerns were raised regarding the facility being used solely for profit with no concern for the overall well being of the girls, no play facilities on the premises, as well as concerns relating to the health and malnutrition of the girls.<sup>93</sup>

The building was handed over by the Sisters of Mercy to the City Council as part of the clerical

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<sup>91</sup> 'Father Edward J. Flanagan' (*Boys Town*, no date) <<https://www.boystown.org/about/father-flanagan/Pages/default.aspx>> accessed 15 April 2021.

<sup>92</sup> Hayley Halpin, "'I'm Anxious that Every Bit of Evidence Gets out There, Just in Case It's a Carbon Copy of Tuam'" (*TheJournal.ie*, no date) <<https://www.thejournal.ie/lenaboy-castle-galway-investigation-3654327-Oct2017/>> accessed 11 June 2021.

<sup>93</sup> 'St Anne's Industrial School, Galway, Co. Galway, Republic of Ireland' (no date) <<http://www.childrenshomes.org.uk/GalwayStAnne/>> accessed 11 June 2021.

child sex abuse redress scheme.<sup>94</sup>

The council planned on developing a children's creative hub on the site, however since 2017, there has been no action taken in developing the site<sup>95</sup> or investigating claims of children being buried on the site.<sup>96</sup>

### **Slide 32: St Joseph's Industrial School Salthill**

St Joseph's industrial school was established in 1871 as a home for neglected and orphaned Roman Catholic boys and operated until the 1970s and at one point housed over 200 boys at a time.<sup>97</sup>

The boys received "training" in carpentry, shoemaking, tailoring and baking.<sup>98</sup>

As part of Ireland's Commission to Inquire into Child Abuse in 2000, evidence was presented of physical and sexual abuse against the boys of St Joseph's.<sup>99</sup>

### **Slide 33: "Life for Women in the 1920's and 1930's"**

The 1920's and 30's saw the introduction of censorship. This is the suppression of speech and public communication through specific laws on films, advertisements, newspapers, magazines etc. It was enforced in areas that were perceived to be in contradiction with the Catholic Church. These included abortion and sexuality.<sup>100</sup>

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<sup>94</sup> Lorna Siggins, 'Call for Grounds of Former Orphanage in Galway to Be Investigated' (*The Irish Times*, 2017) <<https://www.irishtimes.com/news/ireland/irish-news/call-for-grounds-of-former-orphanage-in-galway-to-be-investigated-1.3257039>> accessed 11 June 2021.

<sup>95</sup> Dara Bradley, 'Transfer of Ownership of Lenaboy Castle to Council Still up in the Air' (2018) <<https://connachtribune.ie/transfer-of-ownership-of-lenaboy-castle-to-council-still-up-in-the-air-556/>> accessed 11 June 2021.

<sup>96</sup> Siggins (n 87).

<sup>97</sup> 'St Joseph's / Salthill Industrial School, Galway, Co. Galway, Republic of Ireland' (no date) <<http://www.childrenshomes.org.uk/GalwayStJoseph/>> accessed 11 June 2021.

<sup>98</sup> *ibid.*

<sup>99</sup> Richie McCarthy Galway Advertiser and others, 'Child Sex Abuse Was Chronic in Galway Institution, Report Reveals' (*Galway Advertiser*, 2009) <<https://www.advertiser.ie/galway/article/12443/child-sex-abuse-was-chronic-in-galway-institution-report-reveals>> accessed 11 June 2021.

<sup>100</sup> 'Censorship in the Republic of Ireland' (*Wikipedia*, 2 March 2021) <[https://en.wikipedia.org/wiki/Censorship\\_in\\_the\\_Republic\\_of\\_Ireland#:~:text=In%20Ireland%2C%20the%20state%20retains,well%20as%20terrorism%20and%20pornography.](https://en.wikipedia.org/wiki/Censorship_in_the_Republic_of_Ireland#:~:text=In%20Ireland%2C%20the%20state%20retains,well%20as%20terrorism%20and%20pornography.)> accessed 6 April 2021.

The 20's and 30's also saw a ban on legal divorce, a ban on contraceptives, a ban on women sitting on juries and the civil service marriage bar (which only ended in 1973).<sup>101</sup>

Following the establishment of the Irish Free State, Cumann na Gaedheal was in power for 10 years, followed by Fianna Fail led by Eamon DeValera. They adhered to the hierarchy of the Catholic Church. Ireland was an extremely catholic country- this was later enshrined in Bunreacht na hEireann. A woman's place was firmly in the home.<sup>102</sup>

There was a huge stigma around unmarried mothers. They were not afforded the rights of married women. In Galway there was a policy, stated in the Local Government (Temporary Provisions) Act 1923, that girls and women who became pregnant outside marriage were to be considered "offenders". The policy stated that a girl or woman who became pregnant outside marriage twice would be imprisoned in a Magdalene Laundry for as long as the state and nuns wished.<sup>103</sup>

**Slide 34: The Magdalene Laundries – Title Page**

**Slide 35 : You took away my name by Breeda Murphy (03:40) Play: 1:11-02:15 ONLY**

<https://www.youtube.com/watch?v=7z1ycjNh6IM>

Lyrics:

You took away my name

You took away my identity

In a landscape full of shame

There's no place left for dignity

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<sup>101</sup> Sarah-Anne Buckley, Caroline McGregor, 'Interrogating institutionalization and child welfare: the Irish case, 1939-1991' (2019) 22(6) European Journal of Social Work 1062, 1069.

<sup>102</sup> *ibid.*

<sup>103</sup> Maeve O'Rourke, Claire McGettrick et al, *Clann: Ireland's Unmarried Mothers and their Children: Gathering the Data: Principal Submissions to the Commission of Investigation into Mother and Baby homes* (Adoption Rights Alliance, Justice for Magdalenes Research, Hogan Lovells International LLP 2018), para 117.

What in God's name have we done?

And when will it be won?

The battle for our souls

By church and state and those

Discarded to save face

Left to our own fate

Repenting his misdeeds

In silence if you please

### **Slide 36: Key Facts**

After 1922, the Magdalene Laundries were operated by four religious orders -The Sisters of Mercy, The Sisters of Our Lady of Charity, the Sisters of Charity, and the Good Shepherd Sisters, in 10 different locations around Ireland. The last laundry ceased its operations on the 25th of October 1996.<sup>104</sup>

#### **Sisters of Our Lady of Charity:**

1. St Mary's Refuge, High Park, Drumcondra, Dublin;
2. Monastery of Our Lady of Charity Sean McDermott Street

#### **Congregation of the Sisters of Mercy:**

1. Magdalen Asylum / Magdalen Home, Galway;
2. St Patrick's Refuge, Crofton Road, Dun Laoghaire, Co. Dublin;

#### **Religious Sisters of Charity:**

1. St Mary Magdalen's, Floraville Road, Donnybrook, Dublin;
2. St Vincent's, St Mary's Road, Peacock Lane, Cork;

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<sup>104</sup> Justice for Magdalenes Research, 'About the Magdalene Laundries' (*Justice for Magdalenes Research*)<<http://jfmresearch.com/home/preserving-magdalene-history/about-the-magdalene-laundries/>> accessed 6 April 2021.

### **Sisters of the Good Shepherd:**

1. St Mary's, Cork Road, Waterford;
2. St Mary's, New Ross, Wexford;
3. St Mary's, Pennywell Road, Limerick;
4. St Mary's, Sunday's Well, Cork.

The institutions were commercial and for-profit businesses- mainly laundries and needle-work. The girls and women received no pay. The laundry they washed came not only from members of the public, local businesses and religious institutions, but also from numerous government Departments, the defence forces, public hospitals, public schools, prisons and other State entities, even Áras an Uachtaráin.<sup>105</sup>

Between 1922 and 1996, at least 10,000 girls and women were incarcerated in these laundries. This is a significant under-estimate by the Report of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalene Laundries (McAleese Report).

The Sisters of Mercy could not produce records for the Dun Laoghaire or Galway institutions and the Committee excluded girls and women who entered before 1922 and remained thereafter.<sup>106</sup>

### **Slide 37: Who was incarcerated there?**

Those deemed to be “promiscuous”, unmarried mothers, the daughters of unmarried mothers or those considered to be a burden on their families or the State. Some women and girls were committed to the laundries by their families because they feared scandal related to unmarried motherhood and illegitimacy, sexual abuse, incest, domestic abuse, disability and mental illness while others were sent by the judicial system (as a condition of probation), social workers, members of the clergy, the Gardaí, hospitals, psychiatric hospitals, County Council etc. A significant group of girls seem to have been committed to the laundries because they were victims of sexual abuse. Those who had grown up in the care of the Church and State were often

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<sup>105</sup> Justice for Magdalenes Research, ‘About the Magdalene Laundries’ (*Justice for Magdalenes Research*)<<http://jfmresearch.com/home/preserving-magdalene-history/about-the-magdalene-laundries/>> accessed 6 April 2021.

<sup>106</sup> *ibid.*

transferred to the laundries from the likes of Industrial schools and Mother and Baby Institutions.<sup>107</sup>

### **Slide 38: Treatment**

The women and girls were incarcerated, never told when they would be released, their names were taken, their clothes were taken, they had to wear a uniform, a rule of silence was enforced, friendships were forbidden, they were told not to speak of home, visits were discouraged and monitored, outside correspondence was prohibited, they were forced to carry out manual labour from morning until evening, they worked without pay, they had a poor diet, inadequate hygiene and no education- stripped of any opportunity to further themselves. (Intergenerational effects).<sup>108</sup>

- Facilitate discussion here – The treatment of these women is well documented, what do you know about it?
- Alternatively: Break-out rooms -What kind of treatment do you think those incarcerated in these institutions suffered? Split students into 5 groups, give instructions to 4, visit only 4 groups - leave out group 5. (To illustrate marginalisation) Bring back and discuss.
- Alternatively: Mentimeter

### **Slide 39: Punishment**

If the women and girls refused to work or tried to escape, they were subjected to severe punishment such as the deprivation of meals, solitary confinement, physical and verbal abuse, forced kneeling for long periods and humiliation rituals such as the cutting of hair. Escapees were often transferred to a different laundry upon their capture.<sup>109</sup>

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<sup>107</sup> *ibid.*

<sup>108</sup> *ibid.*

<sup>109</sup> Justice for Magdalenes Research, 'About the Magdalene Laundries' (*Justice for Magdalenes Research*) <<http://jfmresearch.com/home/preserving-magdalene-history/about-the-magdalene-laundries/>> accessed 6 April 2021.

## Slide 40: Call for Memorialisation

Memorialisation is the process of creating public memorials such as museums, monuments and sites of conscience. It is a way to ensure that the public do not forget about the victims and the abuses they endured. The video you are about to watch includes footage of the former Magdalene laundry on Sean McDermott street in Dublin which will become one such “site of conscience”.<sup>110</sup> Other sites of conscience include: The Statue of Liberty and Ellis Island, Auschwitz concentration camp, the Apartheid Museum in South Africa and the Canadian Museum for Human Rights.<sup>111</sup>

Dublin honours Magdalenes video: <https://www.youtube.com/watch?v=VOjMOsJjUKM>

(02:05)

Interactive map -Sean McDermott street site: <http://atlasoflostrooms.com/>

## Slide 41: Deaths

The exact figure cannot be determined due to incomplete records in some institutions -Sisters of Mercy in Galway and Dun Laoghaire. Justice for Magdalenes Research estimate -1,663.

McAleese report (879) didn't include the women who died before 1922 (565) or those who died in the care of religious orders after the laundries were closed (220).<sup>112</sup>

The report ignored the issue of unmarked graves. When a woman died, according to some survivors, there was no priest and no ceremony. They were often buried in private graveyards attached to the laundries. Before 1994, burial grounds by persons other than local authorities were not subject to planning permission.<sup>113</sup>

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<sup>110</sup> Open Heart City: Sean McDermott Street, 'The Human Right to Memorialisation' (*Open heart city Dublin*) <<http://openheartcitydublin.ie/the-human-right-to-memorialisation/>> accessed 6 April 2021.

<sup>111</sup> *ibid.*

<sup>112</sup> Conall Ó Fátharta, 'Over 1,600 women died in Magdalene laundries- over double figure cited by McAleese report' (*Irish Examiner*, 12 January 2015) <<https://www.irishexaminer.com/news/arid-20306470.html>> accessed 6 April 2021.

<sup>113</sup> Report of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries, 'Chapter 16: Death registration, burials and exhumation' (2013) <<http://www.justice.ie/en/JELR/Pages/MagdalenRpt2013>> accessed 6 April 2021.

There are also issues surrounding death certificates. In Magdalene Laundries in Galway and Dun Laoghaire, death registration was not confirmed in 28% of cases. In the other eight laundries where there were sufficient records, death certificates were not identified in 14% of cases from 1922 onwards.<sup>114</sup>

#### **Slide 42 Sisters of Mercy Magdalene**

The first institution we will examine is the Sisters of Mercy Magdalene Laundry, which was first established in Galway in 1824 and was managed by the Ladies of the Saint Magdalene Society. The Sisters of Mercy took over the operation of the institution in 1845, the institution was run by the nuns as a combined “commercial enterprise and care facility” until the 1990s. The women and girls held in this Magdalene laundry were used for mainly laundry and needle work. The Galway laundry had contracts with both the public and government departments, working for religious institutions, hospitals and public schools.

The laundry was located in the city. However it was surrounded by high walls and was cut off from the city by the Galway Clifden railway line.

The former convent of the Sisters of Mercy Convent was given to the Galway Charity Cope, and was renovated into a refuge for women and children who have experienced domestic abuse under the new name of Modh Eile.

As part of the development of the new refugee centre, Cope Galway released a booklet to respect and commemorate the women who lived and worked in the laundry, which included stories of some survivors and witnesses.

#### **Slide 43 Sisters of Mercy Magdalene p.2**

Located on Forster Street, the site of the laundry has been converted into apartment buildings and offices.

#### **Slide 44: Moving Forward: (5 mins)**

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<sup>114</sup> *ibid.*

The Irish State was aware of the abuses which occurred in the Institutions that we have discussed today, yet, they failed to put measures in place to stop these abuses. Because the State did not act to prevent these abuses, it has obligations under Irish and European law as well as international human rights law to provide remedies and reparations to survivors.<sup>115</sup>

I would just like to take a few minutes to remind you all of the rights that survivors are fighting for.

*The Right to Truth* – the State has commissioned investigations into the abuses that have taken place in the institutions we have discussed to do but survivors, NGO's and even the UN committee against torture have questioned whether these investigations were really independent.<sup>116</sup> Survivors want human rights orientated investigations to take place and for the history of abuse in these institutions to be made public knowledge.

They also want access to their personal files.<sup>117</sup>

*The Right to Access Justice* - The State has made it very difficult for survivors to bring claims to the courts and this needs to change. The State needs to provide free civil legal aid to survivors and introduce new legislation which will allow class actions in our courts. A class actions law case is when one person brings a case to court on behalf of a larger group of people who all have the same complaint.<sup>118</sup>

*The Right to Reparation* – The State has a duty to compensate survivors for the human rights abuses and violations they have suffered. The State should ensure that survivors have health, housing and educational supports.<sup>119</sup>

*Guarantees of Non- Recurrence/ Memorialisation*<sup>120</sup> - The history of Ireland's institutions and survivor's stories must be preserved. Preserving records and learning about the gross human rights violations which occurred in Ireland's institutions can help ensure that similar violations

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<sup>115</sup>Clann Project (n 8) recommendation 4.

<sup>116</sup>Irish Council for Civil Liberties (n 2) 6.

<sup>117</sup> Clann Project (n 8) Recommendation 1(G).

<sup>118</sup> Irish Council for Civil Liberties (n 2) 9.

<sup>119</sup> *ibid* 11.

<sup>120</sup> *ibid*.

do not occur again.<sup>121</sup> Survivors want sites of conscience to be erected and archives to preserve history.

*Preventing Repetition:* In Ireland today, there are people who are still suffering human rights violations as a result of the State's negligence. One example of this is, Direct Provision, the system used to house Asylum Seekers in Ireland. DP relies on private institutions to provide accommodation to asylum seekers. Many people living in direct provision have reported inadequate care including a lack of space, poor quality food and racism.<sup>122</sup>

#### **Slide 45 (change slide whilst talking about Preventing Repetition): Quote**

“Those who do not remember the past are condemned to repeat it” - George Santayana

Activity: Think about this quote. Can you think of any ongoing human rights violations in Ireland today? Give examples of direct provision centres and nursing homes.

Ask students to pick one of the rights that survivors are fighting for and to create a poster to raise awareness of the issue.

#### **Slide 46: Support services**

**Thank you very much for your time! We have an evaluation form for you guys to fill out, I will link it in the chat for you all if you could complete it now please**

**Thanks again.**

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<sup>121</sup>Maeve O'Rourke, 'State Must Allow Institutionalised People Access to Personal Files', *The Irish Times* (01/08/19) <<https://www.irishtimes.com/opinion/state-must-allow-institutionalised-people-access-to-personal-files-1.3750267>> accessed 6 April 2021.

<sup>122</sup> ICCL and ICHR, 'ICCL/ICHR Submission to Oireachtas Justice Committee Consultation on Direct Provision' (4 June 2019); Bulelani Mfaco, 'I Live in Direct Provision. It's a Devastating System – and It Has Thrown Away Millions', *The Irish Times* (4 July 2020) <<https://www.irishtimes.com/life-and-style/i-live-in-direct-provision-it-s-a-devastating-system-and-it-has-thrown-away-millions-1.4291670>> accessed 6 April 2021; Claire Breen, 'The Policy of Direct Provision in Ireland: A Violation of Asylum Seekers' Right to an Adequate Standard of Housing' (2008) 20 Int'l J Refugee L 611.