

Press Release, Tuesday, 15th October, 2024, 1.45pm. For Immediate Release.

Justice for Magdalenes Research, Adoption Rights Alliance and the Clann Project encourage all politicians to support records preservation legislation

This morning, the Irish Government agreed to place statutory obligations on the private holders of records concerning Ireland's 20th century institutional and family separation system. The legislation will make it an offence for any person or private organisation (other than affected people) to destroy or alter relevant records, or to remove them from the jurisdiction of Ireland. If requested by the National Archives of Ireland, any person or organisation will be required to produce an inventory of the records they hold.

The legislation comes as amendments to the Maternity Protection Bill, which is currently at second stage in the Dáil, having passed through the Seanad.

The legislation is an essential and long overdue measure to help ensure that people affected by Magdalene Laundries, Mother and Baby and County Home institutions, children's residential institutions, adoption, boarding out, orphanages and related institutions and systems can enjoy their right of access to their personal information which is too often denied them. Access to records requires preservation as a first step.

Similar legislation was passed in Northern Ireland in 2022. As a result, religious congregations and others have produced over 3,000 items to the Public Records Office of Northern Ireland. A key requirement of the Good Friday Agreement is equivalent human rights protections North and South.

The recent National Centre for Research and Remembrance Consultation Findings Report highlighted the issue of "Difficulty in collecting records", explaining that affected people's "concern centered around the belief that the church may have destroyed documents or, in the case that some remain intact, that the church or institutions would not be willing to give them to the Centre". The Report advised that "Emergency legislation could be created to preserve archival material—making it illegal to destroy it."

Earlier this month, Ms Patricia Carey, Special Advocate for Survivors reported: "Significant & serious concern remains for Survivors about access to personal records and information relating to their experiences in institutions and, in particular, at the **number of records related to historical and institutional abuse which are in religious and private ownership.**"

While we recognise that this urgent approach does not allow for extensive debate in either the Dáil or Seanad, Justice for Magdalenes Research (JFMR), Adoption Rights Alliance (ARA) and the Clann Project are concerned that a long lead-in time would give more opportunity to records-holders to destroy their archives or remove them from the jurisdiction.

Once the legislation is published by the Bills Office later this week, JFMR, ARA and the Clann Project will give further briefings to affected people, politicians and the public.

Notes to Editors

- **Records relating to Ireland’s institutional past have been found in a variety of precarious situations. For example:**
 - The financial accounts of Donnybrook Magdalene Laundry were found in the abandoned former laundry site several years after the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries concluded that the laundry’s financial records ‘did not survive.’ Dr Mark Coen found the large cache of financial records (dating from the 1960s to the 1990s) and correspondence (mostly from the 1980s) on the site of the former Magdalene Laundry, which he accessed with the permission of its then owner, a property developer. These documents were in a building prone to vandalism, water ingress and home to a large contingent of pigeons. A sample of the documents may be seen [here](#). The documents are now in the Archives at the University of Galway.
 - While filming for the States of Fear documentaries in the former Magdalene Laundry at Sundays Well in 1998, Sheila Ahern and Mary Raftery came across a large ledger of accounts in a cupboard. (The building had been sold by the Good Shepherd Sisters and was owned by UCC.) Sheila and Mary made copies of the accounts and subsequently returned the ledger to the Good Shepherd Sisters. Sheila Ahern recounts: ‘If we hadn’t found the ledger, it would, very likely, have ended up dumped.’
 - The owner of a pub bought contents from the Limerick Magdalene Laundry at an auction. Four financial ledgers from the 1950s were used as props in the pub. They featured in a BBC documentary in 2014 (see [here](#), about 14 minutes into the programme).
- **The term ‘affected people’** means people affected by Magdalene Laundries, Mother and Baby and County Home institutions, children’s residential institutions, adoption, boarding out, orphanages and related institutions and systems. We use this term to ensure inclusivity, in recognition of the various ways that affected individuals self-identify.
- **People affected by institutional abuse and forced family separation have consistently called for access to archival records that concern their lives. See, for example:**
 - *Report of the Commission to Inquire into Child Abuse (Ryan Report) (2009)*
 - Collaborative Forum for Former Residents of Mother and Baby Homes and Related Institutions *Recommendations* (2018)
 - *Clann Report* (2018)
 - *Department of Education Pre-Consultation Report* by facilitators Barbara Walshe and Catherine O’Connell (2019)
 - Affected people’s [written submissions](#) and the [video of the Oireachtas Committee hearing](#) regarding the Retention of Records Bill 2019
 - [Coalition statement](#): ‘Towards an Independent National Archive for Historical Institutional and Care-related Records’ (2020)
 - CoLab [Interim Vision Document](#) (2021)

- *Report of the findings of the Consultation with Survivors of Mother and Baby Homes and County Homes (“OAK Report”) (2021)*
- Northern Ireland *Truth Recovery Design Panel Report* (2021)