

Chapter 6:

Archive of the Committee's work

Summary:

This Chapter sets out the arrangements for maintenance of an archive of the Committee's work.

Official records relevant to its mandate were identified by the Committee across a broad range of substantive areas and in the archives of various Departments, State agencies and bodies. These records were also scattered between individual case-files, policy files and general correspondence files.

The archive of the Committee's work will include copies of such official records identified from across all Departments, State agencies and bodies (the originals remaining in their original files and locations) and certain materials generated by or for the Committee. It was decided that the archive of its work would be stored centrally at the Department of An Taoiseach. Restrictions will apply in relation to access to the archive, as is standard for material containing sensitive personal data.

The records of the Religious Congregations, which were made fully available to the Committee, were returned to the archives of the Congregations at the conclusion of the Committee's work, with the exception of certain anonymised data drawn from these records. These records, as was the case before commencement of the Committee's work, will be maintained in the professionally-organised archives of the Religious Congregations.

A. State Records

1. As set out in Chapter 4, identification of official records relevant to the Magdalen Laundries was a challenging process. The areas in which it was

necessary to investigate possible State involvement were broad, covering the health system, criminal justice system, social services, factories and workplace regulation, local authority records, the taxation and commercial ratings systems and many more.

2. Even today, official records covering a range of issues as broad as this would be stored across a variety of different Government Departments, State agencies and bodies. Additionally, the time-period covered by the Report – from 1922 onwards - adds considerably to the complexity of the task, as many of the relevant State functions developed and in some cases, responsibility for them was passed to different Departments and agencies over that period.
3. Moreover, given its age, the vast majority of the information sought by the Committee was stored in hardcopy only and not readily identifiable using modern file tracking systems. Indeed, some of the materials identified by the Committee had not been appropriately filed and were found in folders or boxes of uncatalogued materials.
4. The health function can be taken as an example. At the time of the establishment of the State, the health function was carried out by Local Authorities under the direction of the Department of Local Government and Public Health. This continued to be the case until 1947, when the Department of Health was established. Health Boards were established in 1970 and, under the direction of the Department, took over operational responsibility for the State's functions in relation to health from the Local Authorities. The Health Boards in turn were replaced, on the establishment and commencement of operations of the Health Service Executive ("HSE") on 1 January 2005. Accordingly, records potentially relating to interaction between the State's health authorities and the Magdalen Laundries could have been – and were – scattered across all these bodies. Further, as the majority of these records are not held or tracked electronically (due to their age), it was not possible to search for them using file tracking systems or keyword searches and full manual searches were required.

5. Accordingly, to identify records potentially relevant to the possible interaction of the Magdalen Laundries and the State's health authorities, it was necessary to trawl Local Authority archives nationwide, records of the Department of Environment and Local Government, Department of Health, Department of Children and Youth Affairs (including both active and archived files) and of the Health Service Executive. At a yet more detailed level, relevant information could have been – and was – divided between individual case-files, policy files and general correspondence files in each of these locations.
6. Conscious of the scattered nature of the records concerned, the Committee undertook in its Interim Report that, upon conclusion of its work and publication of this Report, an archive of its work would be created and stored centrally.
7. The Committee decided that this archive would include copies of relevant official records identified by the Committee across Departments, State agencies and bodies. The Committee's archive will consist only of copies, in order to avoid disturbance to or destruction of original or archived files. The originals of all such records identified – many of which were already archived, and some of which are covered by the National Archives Act 1986 - will remain in their original files and locations. Nonetheless, maintenance of these copies together in a single location will be a concrete outcome to the Committee's work and may be a resource for future research. The origin and location of the original will be clearly identified on all files or records contained in the Committee's archive.
8. The general categories of records which will be included in the archive include copies of relevant:
 - Case-files of the Probation Service;
 - Prison records;
 - Central Criminal Court minute books, Circuit Court minute books,

District Court minute books;

- Department of Education and Skills records relating to Industrial and Reformatory Schools;
- Department of Justice and Equality records relating to issues including juvenile crime and detention, probation policy as well as the criminal justice system in general;
- Department of Health and HSE files including in relation to funding as well as material relating to Mother and Baby Homes;
- Department of Enterprise, Jobs and Innovation files on regulation of the workplace and enforcement of the Factories Acts, including extracts of relevant Factories Inspectors Report books (the so-called 'Green books').

9. Certain materials generated by or for the Committee will also be included, such as:

- Correspondence of the Chair;
- Minutes of Committee meetings;
- Reports on searches carried out by each relevant Department and State agency , including sign-off by the Secretaries General of each Department confirming the extent of searches carried out;
- Written statements of retired Factories Inspectors, retired Probation Officers and retired members of An Garda Síochána;
- Submissions made to the Committee by Representative and Advocacy groups;
- Submissions made directly to the Committee by women who, in their earlier lives, were admitted to and worked in the Magdalen Laundries.

B. Records of the Religious Congregations

10. As set out in Chapter 4, the records of the Religious Congregations were made fully available, without any restriction, to the Committee. This was a crucial factor in the success of the Committee's work.
11. Given the sensitive personal data included therein and the legal obligations of the Religious Congregations as data controllers, these records could not, as a general rule, be included in the archive of the Committee's work. Instead and as stated in the Interim Report, at the conclusion of the Committee's work they were returned to the relevant Religious Congregations, where they will continue to be held according to professional archive standards.
12. The Committee was nonetheless conscious of the fact that these records would also be of interest to researchers and historians, now and in the future. It was accordingly agreed with the Religious Congregations that certain anonymised data drawn from their archives could be retained by the Committee.
13. Part II of the Report sets out the comprehensive statistical analysis carried out by the Committee on all available data concerning the women who were admitted to and worked in the Magdalen Laundries. That data was used to generate statistics and tables on matters including their backgrounds, routes of entry to, durations of stay in and routes of exit from the Magdalen Laundries.
14. To carry out this analysis, the Committee created a master-list detailing every known entry of a girl or woman to the Magdalen Laundries. Further information on this process is included in Part II of the Report. Upon completion of the Committee's work, all identifying information was removed from this working database, resulting in a master-list detailing known entries under the following headings only:

- year of entry;
- county of origin;
- route of entry;
- duration of stay; and
- route of exit.

This anonymised list of known entries to the Magdalen Laundries from 1922 onwards will be included in the Committee's archive.

15. It is hoped that this information will be of value for future research, while fully protecting the privacy of the women concerned and the legal obligations of the Religious Congregations as data controllers.

C. Location of the archive

16. The most appropriate location for the archive was also considered. In that regard, the Committee noted the approach to archiving adopted by the Commissions of Investigation Act 2004, whereby upon dissolution of a Commission, the Chair (or sole member, where applicable), is required to deposit with the responsible Minister all evidence received by and all documents created by or for the Commission.¹
17. Although that Act does not apply to the work of the Inter-Departmental Committee or bind it in any way, the Committee decided that a similar approach, namely deposit with a Minister, would be appropriate in relation to the archive of the its work.
18. Although the Minister for Justice and Equality was lead Minister in relation to the Departments represented on the Committee, many cross-cutting issues were raised by the Committee's work. Further, the findings contained in this Report are based on the input of all relevant Government

¹ Commissions of Investigation Act 2004, Section 43(2)

Departments, not alone those represented on the Committee. Accordingly, it was agreed that the most appropriate course of action would be that the archive of the Committee's work would be deposited with An Taoiseach.

19. The nature and content of these records, many of which contain sensitive personal data, means that restrictions will apply in relation to access to the archive, in accordance with relevant legislation and just as applies to the originals from which these copies were drawn.