

Chapter 12:

The Factories Acts and Regulation of the Workplace

Summary of findings:

This Chapter addresses issues relating to the Magdalen Laundries as workplaces. It relates to the laundry premises in each institution rather than the institution as a whole or the living quarters of the women who worked there.

This Chapter sets out the standards which applied to the Magdalen Laundries as workplaces. It confirms that, even before the inclusion of institutional laundries within the scope of relevant legislation in 1907, 9 out of 10 of the Magdalen Laundries within the mandate of this Report had voluntarily submitted to inspections by the Factories Inspectorate, even though at that time under no obligation to do so.

The Chapter further confirms that the Magdalen Laundries were subject to the same general legislative requirements as commercial (non-religious operated) laundries from enactment of the Factory and Workshop Act 1907 onwards, as well as after enactment of the Factories Act 1955. This meant that submission to inspections was from 1907 onwards mandatory for all Magdalen Laundries.

This Chapter confirms that the Magdalen Laundries were inspected by the Factories Inspectorate in the same manner as commercial (non-religious operated) laundries, again both before and after enactment of the Factories Act 1955.

These inspections of Magdalen Laundries are confirmed to have occurred by the records of the Factories Inspectorate, Statutory Forms signed and countersigned following statutory inspection (from 1950s onwards), correspondence of the Department of Industry and Commerce, statements of retired Factories Inspectors and by the recollections of some of the women who were admitted to and worked in the Magdalen Laundries.

The procedures and practices for inspections and follow-up are detailed in this Chapter. Records of inspections carried out indicate that on many occasions, no contraventions of the standards then in force were identified during these inspections of the Magdalen Laundries. Less frequently, contraventions were identified. Any such contraventions identified by the Factories Inspectors were notified to the Religious Congregation operating the Laundry in the same manner as occurred in relation to commercial laundries. Records suggest that any such contraventions were remedied.

One exception to this general finding arises. Although no records were uncovered by the Committee of any incidents involving fire at the Magdalen Laundries, the Inspectorate did identify difficulties on some occasions in relation to fire safety, in particular the absence of up-to-date fire certificates. Records demonstrate that where such issues arose, the Factories Inspectorate notified the local authorities, which were responsible for issuance of fire certificates at that time. However, for much of the relevant period, difficulties were experienced by employers in general in obtaining current fire certificates from the Local Authorities and follow-up action by them was poor.

However, Local Authorities were, during this period, generally poor in considering or issuing Fire Certificates. This was adversely commented upon as early as 1933 by the line Department (then the Department of Industry and Commerce) as well as in the Barrington Report (1983). As part of this general (historic) difficulty, follow-up action does not appear to have been taken by Local Authorities in relation to fire certification issues reported to them by the Factories Inspectorate in relation to the Magdalen Laundries.

This Chapter also addresses the question of accidents and other miscellaneous issues concerning the Magdalen Laundries as workplaces.

Introduction

1. Throughout this Report and as detailed in Chapter 1, the term “Magdalen Laundries” is used to refer in a broad sense both to the laundry facilities at each of the ten institutions within the scope of this Report and also to the associated living quarters or residences for the women who worked there. However, this Chapter relates specifically to the Magdalen Laundries as workplaces and accordingly it deals only with the laundry facilities at each institution.

2. The key questions addressed by the Committee in this context were:
 - What legislation, if any, applied to the Magdalen Laundries as workplaces during the relevant period;
 - Whether the Magdalen Laundries were inspected; and
 - What were the findings of any such inspections.

3. The Committee identified records which provide confirmation of the position in relation to all three of these questions. In relation to the core primary legislation and the inspections regimes which applied to these institutions the Committee established, in summary, that:
 - (a) From the establishment of the State in 1922 until the entry into force of the Factories Act 1955 in October 1956, the Magdalen Laundries and other institutional laundries were subject to the same general legislation and standards as non-institutional laundries, including commercial laundries (the Factory and Workshop Acts 1901-1920, which continued in force after establishment of the State).

 - (b) This remained the case after the commencement of the Factories Act, 1955, under which the Magdalen Laundries and other institutional laundries were subject to the same occupational health and safety legislation and standards as commercial laundries.

- (c) In the period prior to the inclusion of institutional laundries within the scope of the Factory and Workshop Acts (i.e. between 1901 and 1907), 9 of the 10 Magdalen Laundries within the scope of this Report voluntarily submitted to inspections, although not legally required to do so.
- (d) From 1907 onwards, the Magdalen Laundries were subject to inspection on the same general basis as non-religious operated laundries.
- (e) Although records for early years are sparse, those available establish that from at least 1957 onwards, the Magdalen Laundries were inspected by the Factories Inspectorate on the same terms and basis as commercial laundries. Inspections of this kind were unannounced, that is, without notice to the factory occupier (in the case of the Magdalen Laundries, the Religious Congregations).
- (f) The fact that inspections of the Magdalen Laundries were carried out by the Factories Inspectorate was established in a number of ways:
 - i. By way of surviving Inspection Books (the so-called “Green Books”) of the Factories Inspectorate and correspondence of the Department of Industry and Commerce;
 - ii. By statements of retired Factories Inspectors and, in one case, the diary of a retired Inspectors;
 - iii. Through records identified in the archives of some of the Religious Congregations, including so-called statutory inspections under insurance cover as well as the recollections of older members of these communities; and
 - iv. The recollections of women who were admitted to and worked in the Magdalen Laundries and spoke to the Committee about inspections by people they called “the suits”.

- (g) These inspections did not generally find contraventions of the standards then applicable to laundries as workplaces (although the standards of the time were not equivalent to current health and safety standards). On occasions when contraventions were identified during inspections, these contraventions were notified in writing to those operating the laundry (in this case, the Religious Congregations), just as occurred in commercial laundries. Records suggest that any such contraventions were remedied.
- (h) Although no records were uncovered by the Committee of any incidents involving fire at the Magdalen Laundries, the Inspectorate did identify difficulties on some occasions in relation to fire safety (in particular the absence of up-to-date fire certificates, as required by the Factories Code). Issuance of fire certificates during this period fell to Local Authorities and, for much of the relevant period, difficulties were experienced by employers in general in obtaining current certificates from the Local Authorities, as set out in more detail below.
4. This Chapter also includes the findings of the Committee in relation to other miscellaneous issues relevant to the Magdalen Laundries as workplaces, including the role of the Factories Inspectorate in relation to pay and conditions of employment.
5. The Government Department centrally responsible in respect of the issues covered by this Chapter (workplace conditions) is today the Department of Jobs, Enterprise and Innovation. The name of the Department has varied over time, as the particular functions assigned to it were revised. Alterations to the functions and names of Government Departments are made by Statutory Instrument under the Ministers and Secretaries Act 1924. Insofar as relevant to this Report, that Department was previously known as the Department of Industry and Commerce (1922–1977) and the Department of Enterprise and Employment (1993–1997).

6. However it should be noted that from 1966 to 1993, responsibility for labour affairs was transferred to the Department of Labour. Throughout this Chapter, where references are made to the responsible Department, the name of the Department as it was at the relevant time is used, that is, for the majority of the period, either “the Department of Industry and Commerce” or “the Department of Labour”. The title of the successor Department (i.e. the “Department of Jobs, Enterprise, and Innovation”) is used only when referring to current records or reports by the Department to the Committee.

A. Sources for this Chapter, including records of or relating to the Factories Inspectorate

7. With regard to the issues of relevance in this Chapter, the Department of Jobs, Enterprise and Innovation is the successor Department to both the Department of Industry and Commerce and the Department of Labour. The Department of Jobs, Enterprise and Innovation has a central records management system (based on Lotus Notes) which enables tracking of all modern records. However, the records of the Factories Inspectorate pre-date this centralised tracking system.
8. One of the key categories of record sought by the Committee were the Inspection Registers of the Factories and Industrial Inspectorate. These Registers, referred to colloquially as “Green Books”, were maintained by the Inspectorate from the 1950s until the early 1990s.
9. The Department of Jobs, Enterprise and Innovation informed the Committee that some of the details contained in these Registers were entered into a computer database during the 1980s, but no data storage devices dating to this period, such as disks or reel-to-reel tapes, have been uncovered and the relevant

hardware also appears to have been discarded.¹ Searches accordingly focused on locating any surviving hard-copy records, both the “Green Book” Registers and any other relevant files.

10. Records of the Department of Jobs, Enterprise and Innovation, including files which are currently inactive but not yet due for deposit at National Archives, are stored in a variety of different locations. Storage areas include the central offices of the Department at Kildare Street, the Department’s offices at Davitt House as well as off-site (commercial) storage containing approximately 122,000 files. These inactive files, which are not yet due for deposit at National Archives, are not fully catalogued. Further, a significant number of these files which are identified are recorded only by file number rather than by file title. This increased the complexity of the searches, which ultimately involved a team manually opening and examining storage boxes in commercial storage to identify any possibly relevant files or materials. The results of these searches are detailed in this Chapter.
11. The offices and archives of the Health and Safety Authority (“HSA”) were also an important location for searches, given that the HSA is the successor to the Factories/Industrial Inspectorate. Upon its establishment in 1989, the HSA inherited the records of the Inspectorate including policy files, Registers of factories and workshops, prosecution records, inspection and investigation records and so on. The eight offices of the HSA, in addition to its external storage centre, were accordingly searched for any potentially relevant materials.
12. However, the Department informed the Committee that the vast majority of the older materials of the Factories Inspectorate, inherited by the HSA on its establishment in 1989, were destroyed. This decision was taken in light of the absence of “any operational need for its retention” and in light of the fact that

¹ Report of the Department of Jobs, Enterprise and Innovation to the Inter-Departmental Committee

the HSA is not subject to the National Archives Act 1986.² Destruction of such material occurred on a number of occasions, including when the Authority re-located in 1992 (from Upper Baggot Street to Hogan Place) and again in 2006 (from Hogan Place to The Metropolitan Building). The Committee was informed, in that regard, that the HSA had:

“introduced new computerised inspection systems in the early 1990s and the Factories Inspectorate records rapidly became obsolete but were retained by individual inspectors for reference purposes. When the Authority moved to new premises in Hogan Place in 1992 surplus documentation was disposed of. No records were made of the documentation disposed of. It is likely that only some of the Factory Inspectorate records transferred to this building... The Authority first implemented a formal records management system that dealt with the disposition of records in October 2003...”³

13. It is understood that the materials and files considered unnecessary for retention were treated as confidential waste and shredded on site by a commercial company. No listing of any of the documentation destroyed in this way was retained, although it is understood that policy files may also have been destroyed at that time in addition to inspection records.
14. From the time of the foundation of the State, the Chief Inspector of Factories made an Annual Report on the work of the Factories Inspectorate. This practice of annual reporting continued up to and after the establishment of the Health and Safety Authority. These Reports were examined by the Committee as part of its work.

² Report of the Department of Jobs, Enterprise and Innovation to the Inter-Departmental Committee

³ Id, citing HSA Report to the Department

15. Searches were also carried out at locations including the National Library (where published materials generated by relevant Departments are held) and other State Agencies including the Companies Registration Office, the National Employment Rights Authority (successor to the Labour/General Inspectorate), the Labour Court, Employment Appeals Tribunal and Labour Relations Commission (in relation to any complaints or applications instituted). Full searches of deposits by the Department in National Archives were also conducted.
16. And finally, as set out in more detail below, representatives of the Committee also met with and recorded the recollections of a number of retired Factories Inspectors, to supplement the paper records identified. The outcomes of these searches and findings made by the Committee are set out below.

B. Legislative background: standards which historically applied to institutional laundries, including Magdalen Laundries

17. Chapter 5 sets out the principal legislation, enacted both prior to and after the establishment of the State, regarding factories, including laundries. In summary, a common law duty on factory occupiers to “take reasonable care of his workmen”, including by providing adequate materials and a safe system or working⁴, was over time developed and captured in legislation, including the means for enforcement of relevant obligations.
18. A series of Acts, enacted prior to the establishment of the State, remained the relevant legislative basis in this area for over 30 years after 1922. The Factory and Workshop Acts 1901-1920 are here referred to as the “Factories Code”.

⁴ Extract from a Paper on the Law of Safety in Ireland prepared by Ercus Stewart, SC, and copied to the Barrington Commission.

19. The question of so-called institutional laundries was, historically, the subject of considerable debate in relation to the Factories Code. In this context, the term “institutional laundries” is taken to refer to charitable institutions which provided laundry services for payment to customers outside the institution. This category is, therefore, considerably broader than the category of Magdalen Laundries. As an indication of scale, it appears that in 1905/06 there were 56 charitable institutions with laundries attached, offering laundry services to the public, in the territory of what is now the State. Of these, 47 were Catholic and 9 were Protestant.⁵
20. There had been widespread opposition to inclusion of these institutional laundries within the ambit of the 1901 Act, with strong opposition expressed in particular by the Irish Parliamentary Party. As ultimately enacted, the 1901 Act included laundries within its scope but excluded institutional laundries.
21. The 1907 Act brought institutional laundries, including Magalen Laundries, within the scope of the Factories Code. It did so by including trade laundries attached to institutions, that is, laundries which carried on by way of trade or for the purpose of gain, as well as those laundries carried on “incidentally to the purposes of any public institution”.⁶
22. Compliance with the Factories Code and the possibility of inspections thus became mandatory for institutional laundries, including the Magdalen Laundries, from that point onwards. Two differing classes of institution were provided for under the 1907 Act:
 - Premises being part of private charitable institutions (section 5); and
 - Premises “subject to inspection by or under the authority of any Government Department” (section 6).

⁵ NAUK, File Lab15/99. List of religious and charitable institutions in which laundries are carried on. Command Papers CD 2741 (1906), XCVIII.85

⁶ Factory and Workshop Act 1907, Section 1

23. Inspections of section 6 institutions under the 1907 Act took place by way of “arrangements” with the relevant Departments. Instructions issued to Inspectors in that regard stated as follows:

“It will be borne in mind that Institutions under this Section are not “factories” or “workshops” and that the Inspector’s functions are purely advisory”.⁷

24. Section 5 institutions, that is, institutions forming part of private charitable institutions, were permitted to submit a scheme for regulation of hours of employment, intervals for meals, holidays and so on to the Secretary of State (after foundation of the State, the Minister), for approval. If approved, the Act could apply to it with modifications as provided in the scheme. The overriding criteria for approval of a scheme was that it did not result in a situation less favourable than that which applied under the standard provisions of the Act. If approved in this way, it was necessary for the relevant scheme to be laid before the Houses of Parliament.

25. A number of other amending Acts followed, leading to a position whereby at the time of the establishment of the State, the core primary legislation governing safety, hygiene, hours of work and holidays in laundries, including institutional laundries, was the Factory and Workshop Acts, 1901 to 1920. These Acts continued to govern these areas after the establishment of the State and until enactment of the Factories Act 1955 (“the 1955 Act”).

26. It can be noted that the Minister for Industry and Commerce had in 1932 circulated “a draft General Scheme and Explanatory Memorandum of a Bill to consolidate and amend the law relating to factories and workshops”.⁸ The

⁷ NAUK, Lab 46/22. Instructions issued by Secretary of State to his majesty’s Inspectors of Factories. P22. Par 89.

⁸ NAIE. TSCH/3/6462 A. Conditions of Employment Act 1936

object of the proposed legislation was to comprehensively amend the law governing safety and welfare in workplaces and rules governing employment. The realisation of this objective took longer than contemplated at the time and what emerged was a piecemeal approach where legislation was first introduced to deal with hours of work, holidays and so on (the Conditions of Employment Act 1936 and the Holidays (Employees) Act, 1939), followed by separate legislation on the safety and welfare provisions of the pre-existing Factories Code by way of the Factories Act 1955.

27. The Minister explained as follows to the Dáil regarding this approach and the passage of time since original circulation of a proposed scheme:

“The Bill now before the Dáil is designed to complete the revision of the law which was begun when the Conditions of Employment Act was introduced here almost 20 years ago. In fact, I might reveal now that at that time it was my intention to have one law dealing with the hours of work of industrial workers and the working conditions under which they were employed.

As I worked upon the preparation of that one comprehensive Bill it became obvious to me that giving effect to that intention involved very considerable delay and, therefore, I decided then to divide the task into two parts. One part was completed when the Conditions of Employment Act came into operation in February, 1936, and we are only completing the second part now. The long delay which has taken place in the introduction of proposals for legislation to amend the Factories Acts was, in part, attributable to the complicated nature of the task and the pressure of other business at the time and, in part, to the intervention of a war period. It was considered impracticable to enact new legislation of this kind at a time when scarcity of supplies and other difficulties might make it impossible for a factory owner to comply with its provisions. I took up the matter of preparing this legislation again when I resumed office in 1951 and the Bill, a very long and intricate Bill as Deputies will have noticed, is

now before the House...”.⁹

28. As set out more fully in Chapter 5, the Conditions of Employment Act 1936 had the effect that persons in an institution “carried on for charitable or reformatory purposes” which carried on work for the wider public, for example laundry services for the public, rather than solely for the institution itself, would be deemed for certain purposes (including hours of work and certain safety provisions) to be workers in employment of the relevant institution. More substantive alterations to the relevant legislative framework did not occur until passage of the 1955 Act.
29. The 1955 Act amended and consolidated earlier laws relating to workplaces, including the pre-independence Factory and Workshop Acts 1901-1920. It clearly and unambiguously included institutional laundries (referring to an institution carried on for “reformatory or charitable purposes”) within its scope, subject to two conditions – that the laundry facilities in question provide services to the public and not only for the institution itself; and (unless otherwise directed by the Minister) that the premises were not “subject to inspection by or under the authority of any Minister of State”.¹⁰

⁹ Factories Bill, 1953—Second Stage. Thursday, 26 November 1953

¹⁰ Factories Act 1955, Section 84:

“(1) Where, in any premises forming part of an institution carried on for charitable or reformatory purposes, any manual labour is exercised in or incidental to the making, altering, repairing, ornamenting, finishing, washing, cleaning, or adapting for sale, of articles not intended for the use of the institution, but the premises do not constitute a factory, then, nevertheless, the provisions of this Act shall, subject as hereinafter in this section provided, apply to those premises.

(2) This Act shall not, except in so far as the Minister may by order direct, apply to any premises which do not constitute a factory if the premises are subject to inspection by or under the authority of any Minister of State.”

30. The 1955 Act established standards in relation to *health* (issues including cleanliness, overcrowding, temperature, ventilation, lighting, floor drainage¹¹); *safety* (issues including in relation to steam boilers and steam receivers and containers and fire safety¹²), and *welfare* (including water, washing facilities and so on¹³.) The aspects of the Act most relevant to this Report – including administrative requirements for keeping of Registers, medical certification of young people and fire safety, are detailed in Chapter 5.
31. In addition to the provisions of the primary legislation, numerous pieces of secondary legislation were made under the 1955 Act over the decades, some of which are also noted in Chapter 5. Subsequent legislation relating to health and safety at work, including the Safety in Industry Act 1980 (which included premises captured by section 84 of the 1955 Act), and the Health, Safety and Welfare at Work Act 1989 (which repealed the 1955 Act and was itself in turn repealed, after the period of relevance to this Report) are also noted.

C. Structures for enforcement of the Factories Acts: the Factories Inspectorate

32. Enforcement of the Factories Acts was carried out by a dedicated Factories Inspectorate, both before and after the establishment of the State. The Factories Inspectors also had ancillary responsibilities under the Trade Boards Acts (regarding minimum wages), the provisions of the Truck Acts, and the Conditions of Employment Acts. These aspects of the role of the Inspectorate are dealt with in a subsequent section of this Chapter.
33. Prior to the establishment of the State, factory inspections were carried out by Inspectors responsible to the British Home Office. In that period, the territory of

¹¹ Factories Act 1955, Part II

¹² Factories Act 1955, Part III, in particular sections 40, 41, 45 et seq

¹³ Factories Act 1955, Part IV

the island of Ireland was divided into districts for the purposes of inspection and enforcement. For some of this period, there were 4 inspection districts, operated out of Dublin, Cork, Belfast and Derry:

“each in the charge of a District Inspector but under the supervision of English Superintending Inspectors who were, in turn, responsible to their headquarters in London”.¹⁴

The size of the Inspectorate was, however, limited - only three inspectors operated in Ireland, two based in Dublin and one in Cork.¹⁵

34. On the foundation of the State, the administration and enforcement of the Factories Code became the responsibility of the newly established Department of Industry and Commerce. The Inspectorate continued to operate the existing pre-State legislation (the Factory and Workshop Acts 1901-1920). The size of the Factories Inspectorate, which was headed by a Chief Inspector, varied over time. During the 1920s and 1930s, there were typically fourteen Inspectors, including two female inspectors (“Lady Inspectors”). However the numbers had dropped below this level at various points over the period, at one point reducing to half that total. The Minister for Industry and Commerce in 1932 informed Dáil Éireann as follows:

“At the end of October 1931, 2 senior industrial inspectors and 10 industrial inspectors were employed on inspection work. At the end of October, 1932, the number had been reduced by 1 senior industrial inspector. Last week, owing to abnormal pressure of work, 5 industrial inspectors were transferred to another section of my Department; this is an emergency measure only, and it is my intention to restore the inspectorate to its full strength as soon as circumstances permit.

As regards the last part of the question, 1 senior industrial inspector and 5 inspectors are now engaged whole-time in the work of inspection of

¹⁴ Report of the Industrial Inspectorate, 1972

¹⁵ Id

factories and workshops”.¹⁶

35. It was subsequently acknowledged by the Minister that this reduction in numbers of inspectors had necessarily had an impact on inspections:

“The number of factory inspectors employed during the period from 1927 to 1934 varied round the figure 11. The services of some of these inspectors had to be utilised from time to time for other urgent work in the Department”.¹⁷

36. The Minister, in that regard, also provided information on the number of places inspected from 1927 to 1934, as follows¹⁸:

Year	Factories	Workshops	Others (Docks, etc.)	Total
1927	4,055	4,102	269	8,426
1928	3,568	3,434	209	7,211
1929	4,220	4,301	317	8,838
1930	4,280	4,328	354	8,962
1931	4,288	4,411	379	9,078
1932	2,123	2,567	208	4,898
1933	928	907	72	1,907
1934	1,934	1,534	193	3,661

37. He further said that “more than one inspection was carried out at some of these premises. The percentage inspection in each of the years mentioned was” as set out in the following table¹⁹:

¹⁶ Dáil Éireann. Ceisteanna—Questions. Oral Answers. Industrial Inspectors. Tuesday, 6 December 1932.

¹⁷ Dáil Éireann. Ceisteanna—Questions. Oral Answers. Inspectors and Inspection. Wednesday, 28 November 1934

¹⁸ Id

¹⁹ Id

Year	Percentage
1927	85.0
1928	76.4
1929	86.8
1930	86.2
1931	86.4
1932	46.0
1933	17.8
1934	33.4.

38. The numbers of officers staffing the Factories Inspectorate fluctuated thereafter, by 1972 reaching a total of 37 serving Factories Inspectors.²⁰

39. Regarding the background and placement of members of the Inspectorate, it can be noted that Factories Inspectors were recruited from a variety of sources and had a range of differing professional backgrounds. The practice was that Inspectors were rotated from District to District on a periodic basis. The rationale for this appears to have been to ensure fresh examination on a regular basis of the factories within each district.

40. As the relevant legislation continued, after the establishment of the State, to be the relevant UK legislation, the Inspectorate remained strongly influenced by British guidelines and precedents. Even after 1922, the State's Factories Inspectorate remained on the circulation list of the British Inspectorate for Circulars, Notices, Guidelines and so on. In fact as the 1955 Act mirrored many of the provisions of British legislation, this practice continued until more recent decades.

41. It can be noted that the general guidance issued to Inspectors by the British Home Office included directions to:

- "promote and enforce the uniform observance of the Factory and Workshop Acts,

²⁰ Annual Report 1972, supra

- act with vigilance and strict impartiality;...invariably exhibit courtesy and forbearance,
- avoid the danger of conflicting instructions,
- help soften prejudices and promote good feeling between employer and employed but scrupulously avoid anything resembling interference with trade disputes,
- not take advantage of his position or powers under the Acts to make inquisitorial search into matters of which knowledge is not necessary for the discharge of his duties".²¹

42. Inspections were, at all material times, carried out without advance notice to the factory or institution involved.

43. During the earliest period following the foundation of the State, the Department of Industry and Commerce maintained a central Register of factories and workshops within the scope of the Acts, as referred to in Annual Reports from 1922 onwards. No surviving copy of the Register has been identified.

44. According to the accounts of retired members of the Inspectorate, the operational arrangements were as follows. Between 1922 and the late 1950s an individual and comprehensive file was maintained in relation to most factories, containing detailed information on conditions in the factory. None of these files appear to have survived, perhaps having been destroyed in the HSA clear-outs noted above. It is understood that individual factory files of this kind were reviewed by Inspectors prior to an inspection of the premises, to secure an overview of any issues which might have arisen in the past.

45. This system was changed following enactment of the Factories Act 1955 and a subsequent organisation and methods review of the Factories Inspectorate.²²

²¹ Inspectors Instructions Issued by the Secretary of State to Her Majesty's Inspectors of Factories and Workshops and their Assistants. Instructions issued between 1893 and 1920. NAUK. Lab46/22-24

The new system was referred to as “the Green Book system”. In practice, Inspectors, when carrying out an inspection on a factory premises in his or her area, logged the inspection and its findings in a Register of the Inspections of the Factories and Industrial Inspectorate. These Registers – referred to colloquially as “Green Books” – were maintained by the Inspectorate from the late 1950s until the early 1990s.

46. One retired Inspector described this change as follows:

“...there was a sea change in reporting practice in the mid 1950's. Before this time, there were detailed questionnaire type of Reports which were completed for each premises inspected. The 1950s was the highpoint of industrial engineering, work study, time study, method study and the object was to increase productivity. ...

The Department was not immune to fashion of the era. As a result of the pursuit of increased productivity, Inspectors Reports were limited solely to recording actual contraventions of Factories Act. So the background information available on individual premises was lost”.²³

47. The Green Books were pre-printed registers and constituted the main working record of the Factories Inspectorate. They were organised on a district basis, that is, one Green Book would include details of all relevant premises in that particular district. Codes were entered into the Green Books to indicate contraventions of the Acts and follow-up by the Inspectorate.

48. As part of the inspection process, the Inspector would examine the General Registers which factories were required to maintain; as well as the insurance certificates and papers. Further detail on each of those two elements follows.

²² No copy of this Review has been uncovered. The information in this section was gathered from retired members of the Inspectorate.

²³ Inspector L1. September 2011.

49. Every premises coming within the scope of the 1955 Act was required to maintain a “General Register”. Various details were required to be recorded in that Register, including numbers employed (categories being men, women, and ‘young people’), the nature of the industry, manager’s name, and other such details. Retired Factories Inspectors confirmed that review of the General Register was a standard part of each inspection. They also indicated that a practice developed for Inspectors to initial and date the General Register to confirm the inspection, however this practice may not have been uniformly carried out.
50. The second important set of papers regularly inspected by Factories Inspectors at factory premises were insurance company records of inspection of certain types of equipment. This arose as a result of requirements under the Factories Acts that tests be carried out on various machines or pieces of equipment, such as boilers, on a regular basis. The Acts required that the Reports of these tests be maintained and available for examination by the Factories Inspectorate.
51. As a result, insurance cover at the time often included provision for these statutory inspections, which were ordinarily carried out by surveyors appointed by the insurance company in question. These surveyors were sometimes also referred to as inspectors, although they were not members of the Factories Inspectorate.
52. Accordingly, even prior to inspection by the (State) Factories Inspectors, the relevant machinery in factory premises (including laundries) would typically have already been assessed and certificates in that regard signed by an engineer appointed by an insurance company, pursuant to so-called “Statutory Inspection Cover”. The Factories Inspectors would then, as one part of their inspection duties, review the statutory test report forms completed by the insurance company surveyors.

53. Some retired members of the Factories Inspectorate recalled very close cooperation between the Inspectorate and these insurance surveyors, to the extent that some insurance surveyors would actively contact the Inspectorate if they identified a serious issue in relation to a boiler or other piece of equipment. Some insurance surveyors might also notify the Inspectorate if for any reason they had been unable to carry their regular tests on such equipment.

54. When inspecting a premises, Inspectors entered details noted during the inspection in a working notebook. On return to the office, the Inspector would record the inspection in the Green Book and also, where applicable, the necessity for issue of a Contravention Letter or Letters. Administrative staff would then issue the relevant Contravention Letter (which were standard format texts), based on the Codes entered by the Inspector in the Green Book. One retired Inspector described the process as follows:

“Back at the office, Inspectors logged their visits in the “Green Books”. They had their own codes which they entered in the books. These codes related to various transgressions noted during the visit. These logs were sent to the clerical staff who, having access to the codes, were able to issue various letter types to managers requesting them to address the various matters specified in the codes.

Oftentimes, logs of visits might contain the references ‘CL1’ and ‘CL2’... Whatever their title, their intent was the same – to draw to the manager’s attention contraventions noted during the course of the inspector’s visit and requesting that these be addressed. CL2 was a stiffer letter which issued in the event of no response or an unsatisfactory response to CL1”.²⁴

55. The most junior grade of Inspector (Grade III Inspector) would not submit their Reports directly to the Typing Pool. Rather, he or she would submit reports to the

²⁴ Inspector L2. September 2011.

Senior or Grade I Inspector, who would make the decision on the nature of the Contravention Letter to be issued, if applicable.

56. If contraventions were not rectified when notified to a factory occupier, the established process was for an escalation of the matter. The process was as follows:

- Issue CL1 (Contravention Letter 1): this noted contraventions, often minor, and asked for them to be rectified.
- Issue CL2 (Contravention Letter 2): this was a stronger letter and referred to the possibility of prosecution in the event of failure to rectify.
- Re-visit Factory to check situation.
- Finally, prosecute, if contravention still not rectified.

57. Although this process involved a step-by-step escalation of enforcement action, if a particularly serious contravention or issue was noted, it was not necessary to go through each step sequentially. Instead, a "Special Letter" or Special Action could be taken to resolve the matter more speedily where necessary.

58. The position of Certifying Doctors appointed under the Factories Acts can also be noted. Instructions issued by the Minister for Industry and Commerce detailed their key functions as follows:

- (a) To examine young persons under 18 years of age for certificates of fitness of employment in factories or in certain other kinds of work subject to the Factories Act and to grant certificates in suitable cases.
- (b) To make periodic examinations when so required, whether in pursuance of Regulations or otherwise.
- (c) To investigate and report upon certain accidents and certain cases of notifiable industrial disease.

- (d) To make special medical supervision at particular works if so required by regulations or under an Order of the Minister.
- (e) To make special enquiries, examinations and reports, when so required by the Minister.
- (f) To attend in Court and give evidence in cases under the Act, when so required by the Minister.
- (g) To furnish an Annual Report.²⁵

59. The structure in place was that a Certifying Doctor was appointed for a District, generally “three local authority parishes”.²⁶ Although the total numbers varied across time, there were approximately 400 Districts for these purposes throughout the State.

60. The practice was to issue a certificate of fitness valid for 12 months for persons under 18 years of age, unless otherwise limited. Accordingly, young persons were required to be re-examined annually until they reached the age of 18. Annual re-examinations could be carried out either by the Certifying Doctor or another registered medical practitioner.

61. It appears from materials identified that the function of ‘special medical supervision at particular works’, ‘special enquiries, examinations and reports’ and attendance at Court were very infrequently used.²⁷ Further, a Departmental review of the system carried out in 1986 found that, in the previous 10 years, there had been only one occasion on which a Certifying Doctor had been

²⁵ 1959. Instructions to Certifying Doctors. Dept. of Labour File MA 1/62 Vol II – Certifying Doctors – Young Persons.

²⁶ Internal Departmental note on *Staffing Inspection of Factory Inspection Section* - NAIE. 2002/63/15. Industry and Commerce. E.12/14/4.

²⁷ Review by the Department Director of Occupational Medical Services, 1986.

requested to investigate and report upon an accident or notifiable industrial disease.²⁸

62. It appears, therefore, that by the 1980s, the Certifying Doctor system was not in regular use and that a view had formed in the Occupational Medical Services Section of the Department that the system was no longer necessary. The system was not formally brought to an end; rather it appears that no new certifying doctors were appointed, effectively rendering the system obsolete.

D. Application of these standards to the Magdalen Laundries

i. Scheme of voluntary inspections prior to application of the Factories Code

63. The preceding section set out that, prior to enactment of the 1907 Act, institutional laundries, including Magdalen Laundries, were not within the scope of the Factories Code and no legal obligations arose for the operators of these institutions under the Act.

64. The Committee nonetheless found that many charitable institutional laundries voluntarily agreed to inspection by the Factories Inspectorate, despite the fact that they were not required to do so. Nine of the ten Magdalen Laundries within the scope of this Report did so, the only exception being the Magdalen Laundry operated by the Good Shepherd Sisters at New Ross.

65. Participation of these Magdalen Laundries in a voluntary inspection scheme before it became mandatory for them to do so is evidenced by a Paper laid before the British Parliament in 1906, which set out a list of religious and charitable institutions “in which laundries are carried on”.²⁹

²⁸ Id

²⁹ NAUK. File Lab15/99. List of religious and charitable institutions in which laundries are carried on. Command Papers CD 2741 (1906), XCVIII.85

66. The Paper, a full copy of which is included in the Appendices of this Report, indicated that the list had originally been compiled from Directories of Charitable and Religious Institutions, “supplemented by such local information as was in the possession of the District Inspectors of Factories and Workshops, and information obtained from other sources”.³⁰ The list only included institutions which:

“take in laundry work from outside by way of trade or for purposes of gain. The names of a very large number of institutions were received by the Home Office in which laundry work was done but not by way of trade or for purposes of gain. These were excluded from the List as falling outside the scope of the Factory and Workshop Act”.³¹

67. The Home Office had, in January 1902, issued a circular letter to all such institutions setting out the:

“objects which Parliament has aimed at securing in laundries are briefly-

1. Reasonable hours of work
2. Healthy conditions of employment
3. Prevention of accidents from machinery etc”.³²

68. The Circular Letter then set out some of the key provisions of the Acts and invited the laundries in question to permit inspections on a voluntary basis. The Letter indicated that:

“On all these matters the Inspectors of the Factory Department are well qualified by their experience to assist and advise.

The Inspectors’ duties are not confined merely to seeing whether regulations which have been laid down are actually carried out. Their visits are often of considerable value to those in charge of laundries by giving

³⁰ Id

³¹ Id at Note (1)

³² Circular Letter issued by the Home Office in January 1902, reprinted at Id.

them opportunities of consultation with the Inspectors and of gathering from them suggestions of better arrangements and appliances based upon the wide experience of the Inspectors as to what has been found to be practicable and useful in similar circumstances elsewhere.

The Secretary of State thinks it will be generally recognised that the hours allowed by the Act are such as can hardly be exceeded without overtaxing the strength of the persons employed, and that the other requirements referred to do not go beyond what may reasonable be looked for in a well regulated laundry, irrespective of statutory obligation; and the visits of the Inspectors, if received, will give the managers and other persons interested in the institutions some guarantee that the conditions that they would wish to see are being actually observed.

The Secretary of State would be glad if you would let him know –

- (1) Whether you would wish to receive visits from the Factory Inspectors;
- (2) If so whether you would wish the visit to be made by the Inspector for the district or by a Lady Factory Inspector.³³

69. The List laid before the Parliament was divided in two according to the responses received from the institutions and their practice thereafter in voluntarily permitting inspections or otherwise. As explained in the Note:

“The institutions named in part I of the List are those which have accepted inspection by the Factory Department in response to a circular letter issued by the Home Office in January 1902 or have since permitted a visit from one or more of the Lady Inspectors. The institutions named in Part II have either refused to accept inspection or in one or two cases gave no definite answer to the Home Office circular letter. Institutions (about 40 in

³³ Circular Letter issued by the Home Office in January 1902, reprinted at Id.

number) who failed, after a reminder, to reply are not included, as it was not known whether they carried on laundry work for gain or not”.³⁴

70. Of the ten Magdalen Laundries within the scope of this Report, nine are included in List I, that is, the list of institutions which had voluntarily accepted inspection. Only one, the Magdalen Laundry operated in New Ross, was included in List II, that is, the list of institutions which had not accepted inspection or had not responded to the Circular Letter. Extracts from both Lists are included below, including their number in the overall list of laundries reported upon and the number of the relevant Factory District.

Religious and Charitable Institutions in which Laundries are carried on

I - Institutions which have accepted Inspection in response to the Home Office circular, or which have since been visited by one or more of the Lady Inspectors (Extract)

No.	No. of Factory District	Name	Address	A = Anglican RC = Roman Catholic O= Other
116	42	St Patrick's Refuge	Crofton Road, Kingstown	RC
122	42	Magdalene Asylum	104 Lower Gloucester Street, Dublin	RC
124	42	Mary Magdalene Asylum	Donnybrook, Dublin	RC
126	42	Convent of Charity Refuge	Drumcondra, near Dublin	RC
127	42	St Mary Magdalene Asylum	Peacock Lane, Cork	RC
130	42	Convent of Sisters of the Good Shepherd	Sunday's Well, Cork	RC
131	42	Magdalen Convent Laundry	Clare St, Limerick	RC
140	42	Convent of the Good Shepherd	Manor Street, Waterford	RC
149	42	Magdalene Asylum	Galway	RC

³⁴ Id at Note (2)

II – Institutions which have not accepted Inspection or have not given a definite answer to the Home Office circular (Extract)

No.	No. of Factory District	Name	Address	A = Anglican RC = Roman Catholic O= Other
66	42	Convent of the Good Shepherd	New Ross	RC

ii. Application of the 1907 Act to the Magdalen Laundries: section 5 and section 6

71. The preceding section identifies the voluntary agreement of nine Magdalen Laundries to inspection, at a time when not legally required to do so. As set out at the outset of this Chapter, from the time of enactment of the 1907 Act onwards, this became mandatory.
72. The two categories permitted under the 1907 Act were premises being part of private charitable institutions (section 5) and premises “subject to inspection by or under the authority of any Government Department” (section 6).
73. It does not appear that the Magdalen Laundries were considered to fall within the scope of section 6, in the way that other institutions with laundry facilities such as prisons (under the authority of the Department of Justice) or industrial schools (under the authority of the Department of Education) or psychiatric hospitals (under the authority of the Department of Health) did.
74. The Committee confirmed that in Ireland and prior to the establishment of the State, arrangements were made by the Factories Inspectorate in relation to a variety of institutions falling within section 6, as they were subject to inspection by or under the authority of a Government Department. Instructions issued in

that regard confirmed that arrangements had been made with the administration in Ireland as regards:

“Prisons, Inebriate Reformatories, Reformatory and Industrial Schools, Lunatic Asylums and Institutions under the Irish Local Government Board, the Department of Agriculture and Technical Instruction, and the Congested Districts Boards”.³⁵

75. No reference was made to Magdalen Laundries in that regard. Moreover, the Committee identified records confirming that in this same period prior to establishment of the State, many of the relevant charitable institutions, including at least some Magdalen Laundries in the territory of what is now the State, sought and were granted approval for schemes under section 5.
76. In particular, schemes under section 5 were approved in 1908 by the British Secretary of State in relation to the Magdalen Laundries at Dún Laoghaire and Sundays Well, Cork.³⁶ At least one other Magdalen Laundry within the scope of this Report – that at Limerick – also applied for approval of a scheme, but no record of approval has been identified in that regard.³⁷ For clarity and as set out previously, it can be noted that no scheme could be approved unless it resulted in conditions no less favourable than applied under the Acts.
77. An example of a Section 5 Scheme, that approved prior to the establishment of the State by the British Secretary of State in relation to the Magdalen Laundry at Dun Laoghaire, is reproduced below.

³⁵ Inspectors Instructions Issued by the Secretary of State to Her Majesty's Inspectors of Factories and Workshops and their Assistants. Instructions issued between 1893 and 1920. NAUK. Lab46/22-24

³⁶ NAUK, File Lab15/99. List of religious and charitable institutions in which laundries are carried on. Command Papers CD 2741 (1906), XCVIII.85

³⁷ GSIR 222(5), as cited in Thomas Edmonson and the Dublin laundry. Mona Hearn. Irish Academic Press. 2004. ISBN. 0-7165-2770-7. P118.

Institution & Industry	Period of Employment*			Intervals	Holidays
	Months	Days	P. of E.		
65. St. Patrick's Refuge, Crofton Road, Kingstown (48 adult "inmates")	All	M to F	8.30 to 8.30	11.00 1.30 4.00 11.30 2.15 4.30	(s)
		Sat	9.00 to 4.00	11.00 1.30 4.00 11.30 2.15 4.30	

* period of permissible employment, not necessarily all worked.

(s) : unmodified

iii. The position following foundation of the State in 1922

78. At the time of establishment of the State, only a minority of workplaces were covered by the relevant legislation - the total number of premises on the Factories Register for the State was only 9,332.³⁸ Nonetheless, laundries facilities attached to charitable institutions in the territory of the State, providing laundry services to the public, were subject to the Factories Code prior to the establishment of the State and that remained the case afterwards. The Factory and Workshop Acts 1901 to 1920, together with associated secondary legislation, remained the essential basis of Irish occupational health and safety law until enactment of the Factories Act 1955.

79. Enforcement of the 1936 Act also fell to the Factories Inspectorate, as section 2 of the Act provided:

“the word “inspector” means a person who is for the time being an inspector for the purpose of the Factory and Workshop Acts, 1901 to 1920”.

³⁸ Report of the Industrial Inspectorate 1972, An Roinn Saothair. It was only with the enactment of the Safety Health and Welfare at Work Act 1989 that a comprehensive code of occupational health and safety law applied to all workplaces in the State, together with a system of enforcement.

80. Other than a small number of isolated legal advices pertaining to individual prosecutions (none in the case of a Magdalen Laundry), no guidelines for the Inspectorate were identified on the interpretation or enforcement of the 1936 Act, either generally or insofar as it related to charitable institutions. While the provisions of Section 62 (1) appear straightforward, it may not have been equally straightforward to establish the type of employment relationship presumed by the Act between the members of a religious community, who worked in a laundry, and the “community” itself. In any event, no record has been uncovered of such an issue having been considered by the Inspectorate.
81. The Department of Jobs, Enterprise and Innovation expressed a view to the Committee that, as the Factories Inspectorate had, in the course of its ordinary duties, routinely dealt with issues including hours of work and holidays under the Factory and Workshop Acts 1901-1920, it was unlikely that the enactment of the 1936 Act had a significant effect on established inspection routines. Data contained in the Annual Reports of the Inspectorate indicate that prosecutions under the Conditions of Employment Acts (relating to hours of work and holidays) were small in number compared with those taken under the Factories Acts (relating to the general applicable standards of safety and hygiene).
82. The Department further indicated that, “with the advent of wider and deeper collective agreements and the accelerating demand, by employers and workers alike, for exemption from the overtime and shift-work restrictions imposed by the Act”, the 1936 Act became, by the late 1960s, “less of a priority for the Inspectorate in the course of its daily work”.³⁹
83. Regarding inspections more generally during this period between 1922 and 1955, the Committee examined a number of general records, including the

³⁹ Report of the Department of Jobs, Enterprise and Innovation to the Inter-Departmental Committee

Annual Reports of Health and Safety Inspections in the State from 1922 onwards, in an attempt to clarify the position in practice regarding the continued inspection of the Magdalen Laundries.

84. Between 1922 and 1957, these Reports contained specific columns for "Institutions". These were categorised either as Section 5 (charitable) or Section 6 Institutions (under State authority or inspection), referring to the Factories and Workshops Act 1907 which, as set out earlier, brought institutional laundries under the scope of the Factories Acts. The Reports list the number of institutions of both categories and the number of inspections carried out.
85. The Annual Reports do not specify which institutions are referred to, nor have the underlying Departmental files (relating to drafting of the Reports) been identified. It is, accordingly, not possible for the Committee to conclude whether the institutions listed under Section 5 included any of the 10 Magdalen Laundries within the scope of this Report.
86. These Reports indicate a period of high levels of inspections of institutions in the mid-1930s. For example, in 1935, inspections were carried out on 17 of the 122 institutions categorised as Section 6 (State controlled/monitored) institutions and in 1938 inspections were carried out on 16 of the 35 Section 5 (Charitable) institutions.
87. However, with the exception of this period, the Reports suggest a low overall level of inspections of institutions (both section 5 and section 6), with no inspections reported between 1939 and 1957. The reasons for this are not recorded, but this does coincide with the period, noted above, when the strength of the Factories Inspectorate was much reduced.
88. It can, however, be noted that the retired Factories Inspectors with whom the Committee consulted did not have any institutional memory of any period of

non-inspection for any category of institution. Nor had they heard, through their predecessors of any such period.

89. Further, the insurance cover identified in the archives of the Religious Congregations which operated the Magdalen Laundries (referred to in more detail elsewhere) included statutory review and inspections of machinery even prior to the late 1950s. It would not have been necessary for this additional cost by way of insurance cover for inspections to have been incurred by the Magdalen Laundries if there were not an obligation and liability to inspection by the Factories Inspectorate.

E. Overall findings of the Committee in relation to inspection of Magdalen Laundries

90. As set out above, 9 of the 10 Magdalen Laundries within the scope of this Report voluntarily submitted to inspection prior to their inclusion in the scope of the Factories Code in 1907, after which point inspections became mandatory.
91. A Statement made in 1913 by the Principal Lady Inspector of Factories at the Home Office to a Select Committee of the House of Commons included the following comment in relation to the "Section 5" laundries generally:

"The requirements of the law are precisely the same in all these as regards hygiene and safety provisions and substantially the same as regards limits of hours and medical officer. The slight variations allowed by special order of the Secretary of State are merely as regards arrangement of hours and choice of medical officer, and are subject to the condition that they shall be equally favourable to the inmates as the corresponding requirements for employed workers. In the majority of cases, the hours are actually more favourable to the inmates. In all, one

third⁴⁰ of the institutions are under special schemes. The remainder prefer to work to the standard Factory Act scale or periods of employment, keeping generally considerably well within these limits. In the standard actually attained in matters of fencing, ventilation, temperature, cleanliness, air space, the Institution laundries compare most favourably with the standards in trade laundries, and, in a good many, these standards had been mainly attained before the law applied. The preliminary unwillingness of others to come under the Factory Act vanished after a very short time of inspection...”.⁴¹

92. It can also be noted that the British instructions (which as detailed elsewhere in this Report, continued to be circulated to the Factories Inspectorate even after the foundation of the State), indicated that Inspectors had a defined remit under the Acts and they were clearly instructed to keep within their own remit:

“In the case of charitable or reformatory institutions under this Section, Inspectors should carefully refrain from any interference, inquiry or comment in regard to matters not regulated by the Factory Acts. The Acts only apply to the industrial work of such institutions and to that part of the premises in which it is carried on, and the Inspector’s powers of entry and examination are limited accordingly. Other matters connected with the management of the institution, such as the domestic duties of the inmates, their housing, feeding &c., are outside the province of the Factory Department...”.⁴²

⁴⁰ The Statement says “one third” but other documents on file suggest that as many two thirds of the institutions were covered by schemes.

⁴¹ NAUK. Lab 2/33/5. NAUK. Lab 2/33/5. Laundry Trade. Institutional Laundries. Draft Statement of Evidence prepared by Miss AM Anderson, Principal Lady Inspector of Factories, Home Office for the Select Committee of the House of Commons.

⁴² NAUK. Lab 46/24. Instructions issued by the Secretary of State to His Majesty's inspectors of factories and Workshops. (revised 1932). Instruction 114 is the same as that recorded in the 1914 Volume.

93. The searches, detailed above, for records of the Factories Inspectorate, dating from after the foundation of the State, resulted in identification of a substantial number of “Green Book” Registers, as follows:

(a) 215 Green Books for Cork City and County, covering a time-period from the late 1950s/early 1960s to the early 1990s; and

(b) 83 Green Books for Limerick, Clare and Tipperary, covering a time-period from the late 1950s/early 1960s to the early 1990s.

A number of Green Books relating to Kerry were also found but were not relevant as no Magdalen Laundry was located in Kerry.

94. Although the surviving records are limited geographically to Munster only and cover the time-period from the late 1950s to early 1990s, they provide valuable first-hand information on the scope of inspections and the findings of those inspections.

95. All relevant and surviving Green Books were examined by the Committee. This examination confirmed that inspections were carried out on *all* three Magdalen Laundries within the relevant geographic areas – Cork and Limerick - for which Green Books were identified. In summary, the inspections identified from these Green Books were as follows:

- ***Convent of the Good Shepherd, Clare Street, Limerick*** (September 1958 to February 1984). The Green Book also confirms that, after sale of this laundry as a going concern to a private company, inspections continued up to the end of available records (March 1992).
- ***Good Shepherd Convent, Sundays Well, Cork*** (records identified covering the period February 1962 onwards);

- ***Sisters of Charity, St Vincent's, Peacock Lane, Cork*** (records identified covering the period March 1987 onwards);
96. Cork City Green Book Number 60 confirms inspection of the Magdalen Laundry operated by the Sisters of the Good Shepherd at Sunday's Well, Cork. The Book describes the "Industry" carried on there as "Laundry and Needlework". From 1977 onwards, "laundry" is crossed out (as the Laundry closed at that time) but inspections appear to have continued to the institution's needlework room. The Book details 18 inspections of that Magdalen Laundry from April 1963 onwards. Inspections were conducted annually, with the exceptions of the years 1969, 1973, 1980-1982, 1984, 1985 and 1987.
97. The initial Green Book entry notes the date of the then current Certificate of Means of Escape in case of Fire ("Fire Certificate") for the institution (dating to 1962) and the relevant Sanitary Authority for the Laundry. It confirms that a Certifying Doctor had been appointed for the District (Doctor identified as Number 64), but records that there was neither a Safety Committee nor an Ambulance Room at the Laundry at that point (this appears to be 1963). A Safety Committee was identified during later visits.

98. The Green Book also records the numbers of persons working in the Magdalen Laundry at Sunday’s Well on the date of each inspection, as follows:

Date of inspection⁴³	Men	Boys	Women	Girls
16 April 1963	-	-	72	-
10 March 1964	-	-	72	-
1 April 1965	-	-	75	-
21 April 1966	-	-	67	-
13 Jan. 1967	-	-	70	-
25 March 1968	-	-	70	-
9 April 1970	-	-	60	-
12 Oct. 1971	-	-	57	-
8 Dec. 1972	3	-	80	-
29 Nov. 1974	3	-	32	-
19 June 1975	4	1	39	-
13 Jan. 1976	6	3	6	-
19 Jan. 1977	6	2	15	-
2 Nov. 1978	-	-	13	-
22 Nov. 1979	-	-	28	-
1 June 1983	-	-	11	-
18 April 1986			30	
1 June 1988			4	

99. The notes of the Inspectors in the Green Books recorded that on some occasions no contraventions were identified, while on other occasions, they suggest that a contravention had been identified and marked for follow-up. For example, in 1967, the Inspector noted “Code 65” regarding the Air Receiver at Sunday’s Well. The notes suggest that the last report of the Insurance Company on the Air Receiver had not been seen and it seems that an initial contravention letter was accordingly to be sent (code CL1 marked on the inspection sheets).

⁴³ Date of inspections and numbers working at Good Shepherd Laundry, Sunday’s Well, taken from Cork City Green Book 60.

100. Another contravention letter (CL1) appears to have been sent to the Sunday's Well Magdalen Laundry following the 1975 inspection, under the Factories (Electricity) Regulations 1972. As recorded in the Green Book by the Inspector, there was a code violation in relation to the "current operated earth leakage circuit breaker protection".
101. Although there were a number of other level one contraventions resulting in decisions to issue Contravention Letters (CL1), the Green Books do not record any escalation in relation to the Magdalen Laundry at Sunday's Well, as occurred when a factory failed to remedy a contravention (e.g. issuance of a CL2 letter or any necessity for prosecutions). This suggests that, when contraventions were identified in the Magdalen Laundry at Sunday's Well, they were remedied pursuant to a first notice of contravention.
102. Records demonstrated that one retired member of the Inspectorate who provided input to the Committee had inspected the Magdalen Laundry operated by the Good Shepherd Sisters at Sunday's Well, Cork on a number of dates in the 1970s. Having reviewed the Green Book record, he shared his recollections of the inspections as follows:

[Regarding the 1976 inspection:] "As a result of my inspection, I wrote seeking that the boys have the Statutory medical examination, that the required certificate for a new boiler be obtained and sent to me, that two electrical cables be brought up to Regulation standard and that a portable hand-lamp, which was in use, was not in compliance with Regulations. The letter sent was a CL.1 which was the basic letter issued by the Inspectorate.

In 1977, there were 6 men 2 boys and 15 women employed. As a result of my inspection, I issued a CL.1 in respect of some electrical cables to washing machines and a request to make available the certificate of

means of escape in case of fire, which appears to have been issued by Cork Corporation Fire Dept. on 2.2 1962”.⁴⁴

103. Similar records were identified in relation to the Magdalen Laundry operated by the Sisters of Charity at Peacock Lane, Cork. The Green Book for Cork City District Number 66 confirms two inspections of that laundry in 1987 and 1989.⁴⁵

104. The Book describes the “Industry” carried on there as “Laundry”. It confirms that a Certifying Doctor had been appointed for the District (Doctor identified as Number 64, i.e. the same Doctor as for District 60 in which the Sunday’s Well Laundry was located). It appears from the records that there was a Safety Committee, but no fire certificate is noted on the record.

105. The Green Book also records the numbers of persons working at the Magdalen Laundry at Peacock Lane on the date of inspection, as follows:

Date of inspection	Men	Boys	Women	Girls
24 March 1987	1	-	60	-
9 June 1989	2	-	44	-

106. The notes of these inspections record the contraventions noted on these unannounced visits. Issues relating to the lack of a current certificate of means of escape in case of fire were noted on the 1987 inspection, with the notes identifying that a Contravention Letter (CL6) was issued to the Fire Department of Cork Corporation shortly after the inspection on 23 April 1987. (Difficulties faced by general factory operators in obtaining from Local

⁴⁴ Inspector C1. December 2012

⁴⁵ Date of inspections and numbers working at Sisters of Charity Laundry, Peacock Lane, Cork, taken from Cork City Green Book 66

Authorities certificates of means of escape in case of fire are detailed in a separate section below).

107. A number of other issues were noted on the 1987 visit, with a Contravention Letter to issue in relation to the Receiver and with the premises noted for review in a month's time.⁴⁶
108. From the handwritten notes and codes recorded at the time of the 1989 inspection, it appears that issues in relation to the Fire Certificate for the premises continued.⁴⁷ A difficulty with machinery was also identified ("belt drives of three washing machines").
109. The same retired member of the Inspectorate referred to above carried out inspections of this premises. Surviving records indicate that he inspected the Magdalen Laundry operated at Peacock Lane by the Religious Sisters of Charity on at least two occasions, under the Safety in Industry Act. After review of the records, he stated as follows:

"In 1987 there were 60 women employed. As a result of my inspection, I sent a letter requesting certificates of examination of a number of pressure vessels, namely boilers, steam presses and an air receiver. I also sought the certificate of means of escape in case of fire.

In 1989, there were 44 women employed. As a result of my inspection I issued a letter in respect of the guarding of the drive belts of 3 washing machines and some matters which cannot now be identified".⁴⁸

⁴⁶ Codes BF 1 month and BF 2 months recorded – "Bring Forward", explained by retired Factories Inspectors to relate to the file being returned at the stated intervals for review of progress

⁴⁷ Codes T79 and T83 identified by retired Factories Inspectors as relating to fire regulations

⁴⁸ Inspector C1. December 2012

110. In relation to both of the Magdalen Laundries in Cork, the same former Inspector made the following general comment:

“My recollection of both laundries would be to say that they were above average in cleanliness and physical conditions. It may be taken, that any breaches of applicable legislation or regulation which I detected, would have been noted.

If I thought about it at all, I think, that I thought that these places were some sort of sheltered workshops with outsiders coming in to work in them as well”.⁴⁹

111. The third Magdalen Laundry for which ‘Green Book’ inspection records have been identified is the Magdalen Laundry operated by the Sisters of the Good Shepherd in Limerick. Green Book Limerick City District Number 5 includes records of inspections of that Magdalen Laundry from 1958 to 1982, and demonstrate that, after, the sale of the laundry as a going concern to a private company, the premises continued to be inspected until at least March 1992.

112. The Book describes the “Industry” carried on there as “Laundry, Lace Manufacture”. At some point (presumably after sale of the laundry to an operator other than the Convent), Laundry was crossed out leaving only “lace manufacture”.

113. The Book records 26 inspections of that Magdalen Laundry during these years. Inspections (which were always unannounced) were annual, with the exception of the years 1982 and 1983.⁵⁰

⁴⁹ Inspector C1. December 2012

⁵⁰ Date of inspections and numbers working at Good Shepherd Laundry, Limerick, taken from Green Book Limerick City District Number 5

114. The initial Green Book entry notes the date of the then-current Fire Certificate for the institution (dating to 1958) and the relevant Sanitary Authority for the Laundry as Limerick Corporation.

115. The Green Book records the numbers of persons working at the Magdalen Laundry, Limerick on the dates of some inspections from 1974 onwards (numbers were not recorded for the earlier inspections), as follows:

Date of inspection	Men	Boys	Women	Girls
13 March 1974	1	2	76	-
18 July 1975	2	-	75 (8)	-
11 June 1976	4	-	40 (9)	-
18 April 1977	3	-	55	-
22 March 1978	4	1	56	1
30 March 1979	3	3	56	1
14 February 1980	4	2	20 36	2
17 February 1981	5	-	20 36	-
14 February 1984	-	-	5	-
15 December 1986	NW			
7 November 1987	NW			

Note: Green Book records "Laundry now in Book 4"

116. The notes recorded on these inspections vary from year to year. For the first year recorded in the Green Book (1959), it records "Con. Laundry completely rebuilt. No contravention obs". ("Con." presumably being Convent).

117. In 1960, the notes indicate “Fire Cert. Dated 9.9.59 available”. The only other note for that year and also for 1961 is “Regular”, which the Committee has been informed by Retired Inspectors suggests no contraventions found.
118. In 1962, a contravention was noted – “guard of rolls of calender not properly maintained. Code 62 (List given)”. The book records that a Contravention Letter (CL1) was issued on 17 April 1962.
119. It further appears from the Green Book that no contraventions were identified in the annual (unannounced) inspections between 1963 and 1972 – the code NCO (No Contravention Observed) is recorded on each occasion.
120. A contravention was identified on the inspection carried out on 22 January 1973 in relation to electrical issues. The Notebook records as follows:
- “Factories (Electricity) Regulation 1972
There was not provided in relation to every circuit which comprised portable apparatus or transportable apparatus and in which alternating current at a voltage exceeding 125 volts was used, effective means for automatically cutting off the supply of electricity from that circuit if the leakage current to earth should exceed 15% of the maximum current for which that circuit was designed, or 5 amperes, whichever was the greater (No earth leakage circuit breaker).”
121. The book records that a Contravention Letter (CL1) issued in relation to this matter on 13 February 1973.
122. Another contravention was identified on the inspection carried out on 13 March 1974. The information provided is less detailed, but contraventions were identified under 3 codes, seemingly related to machinery (e.g. “Wilson No.6613” and “2 roll tullis”). A contravention letter was issued on 30 April 1974.

123. The following year, 1975, an inspection was carried out on 18 July 1975 but no contraventions were identified (“NCO”). This confirms that the previously identified contravention had been resolved by the Religious Congregation operating the Laundry.
124. In 1976, the inspection identified a contravention (which appears to have been machinery-based, given that the name of a machine is identified in the Green Book) and a Contravention Letter (CL1) was issued on 8 July 1976.
125. The inspections in 1977, 1978 and 1979 similarly identified contraventions, all of which were handled in the standard way by the Factories Inspectorate – that is, a Contravention Letter (CL1) was issued. (Letters 20 May 1977, 25 April 1978, 12 June 1979). In 1979, one note on the contravention refers to “kettle”.
126. The Green Book for 1980 records the only escalation identified by the Committee in relation to a Magdalen Laundry. Following an inspection on 21 February 1980, the Factories Inspectorate issued a CL2 in March 1980. As noted above, this was a more firm Contravention Letter, which referred to the possibility of prosecution in the event of failure to rectify the contravention in question. The issue on which this contravention was issued related to the Factories (Electricity) Regulations 1972 – the Book records the issue as follows “6(2)(b) namely electric kettle”.
127. Inspection records in the Green Book for Limerick City District 5 thereafter recorded that “laundry now separate (in Book 4)”, following the sale of the laundry to a commercial manager by the Good Shepherds. The Book, nonetheless, notes that there were no contraventions (“NCO”), for example on the inspection on 14 February 1984.
128. A retired member of the Factories Inspectorate who carried out at least 6 inspections at this Magdalen Laundry also provided input to the Committee. Insofar as relevant, he said he was:

“well aware of the Good Shepherd operation in Limerick and had inspected the laundry there throughout most of his time in Limerick in the 1970s and 1980s.

The premises were inspected under the Factories Act 1955. His recollection is that it was a ‘good place to inspect’ in the sense that it was always very well maintained and that there was a positive engagement by management. His recollection is that the operation was managed by an ‘outside’ manager, a ‘youngish’ man, called [name], of whom he had a good opinion. The workers were, to his recollection, a mix of ‘outside’ girls and the residents with many of the latter being much older.

The general focus of inspections carried would have been on

- a. Machinery Safety – Boilers, vents, etc.
- b. Welfare – cleanliness, light, toilet facilities, canteen, etc.
- c. Health – dangers like fumes, chemicals, occupational illnesses, etc”.⁵¹

Records of inspections identified in the archives of the Religious Orders

129. Documentary evidence of inspections of Magdalen Laundries was identified by the Committee in the archives of some of the Religious Congregations, as follows.

130. An exchange of correspondence in respect of the Magalen Laundry at Sean McDermott Street between the Order of Our Lady of Charity and an insurance company in the aftermath of the enactment of the 1955 Act is instructive. The correspondence refers to various aspects of the insurance cover at Sean McDermott Street, including an “Inspection Contract”. A letter from the Insurance Company within a short time of entry into force of the Factories Act suggested to the Congregation that it was exempt and sought instructions on

⁵¹ Inspector L2. September 2011

whether or not the contract would in the circumstances be renewed. A series of letters ensued at intervals for over more than a year, until a final letter from the Insurance Company clarified its mistake in the matter, including by reference to the position of the Department of Industry and Commerce. The letter said as follows:

“I was unable to ascertain exactly where [member of the Engineering Department] got the information he conveyed to you in his letter, and in the circumstances our Engineering Department approached the Department of Industry and Commerce and asked for advices as to what was the position. Having ascertained that we were concerned with a laundry catering for the public, and operated by a Religious Community, we were informed that it is necessary that the plant should be inspected and reports of its condition furnished by the inspecting Engineer.

Our Engineering Department informed me that about the time [member of the Engineering Department] wrote you last year, a similar question had been raised in connection with a large Religious Institution and Novitiate in which a considerable amount of steam plant is installed in the kitchen. On enquiring from the Department regarding that particular plant, we were informed that the Factory Acts regulations did not apply, and it seems to me that the person here who made the enquiries got the impression that the Act did not apply to Religious Communities, and in consequence, [member of Engineering Department] wrote you in the terms of his letter of [date] which you have quoted.

Apparently the actual position is that while plant used by Religious Communities for cooking and the like does not come within the scope of the regulations, plant installed in a public Laundry, even though that belonging to a Religious Community, must be inspected.

In the circumstances it appears to me that you require continuance of the cover under the above Contract; but perhaps before renewing, you would

like to approach the Department yourself and obtain actual confirmation of the position”.⁵²

131. This exchange is significant for two reasons – first, it arose in the context of proposed renewal of an inspection contract with the insurance company, which means that prior to the passage of the Factories Act 1955, the Congregation had maintained such cover. This would have been unnecessary if the Congregation had not in that pre-1955 period been subject to inspection. Second, it explicitly confirms (despite some initial confusion among an insurance company on the matter) that this Laundry and others like it were subject to the Factories Act 1955.

132. The archive also contains materials which confirm that the Magdalen Laundry at Sean McDermott Street was in fact subject to review and inspection by the Department. First, it includes Statutory Test Reports in relation to boilers and other equipment at the Magdalen Laundry at Sean McDermott Street, dating to the 1950s and 1960s. These forms, signed by Insurance Company Engineers, appear to have been countersigned by the Factories Inspectors, in accordance with the general procedure noted above, thereby confirming inspections of the that Magdalen Laundry for the period.

133. Second, the archive also includes a letter dated 15 January 1965 from the Factories Inspectorate at the Department of Industry and Commerce (included in the Appendices to this Report). In this regard, it may be noted that the 1955 Act provided as follows:

“The occupier of a factory shall send to an inspector such extracts from the general register as the inspector may from time to time require for the purpose of the execution of his duties under this Act”.⁵³

⁵² Letter from named Insurance Company to “Sister Bursar, Magdalen Asylum, North Gloucester Street, Dublin”, 10 April 1958

⁵³ Factories Act 1955, Section 122(3)

134. The letter of the Factories Inspectorate to the Magdalen Laundry at Sean McDermott Street returned 8 forms, all of which were required under the Acts, which the Religious Congregation had submitted to the Inspectorate. In returning these papers, the letter refers to the fact that these forms should “now be attached to the gummed slips at the back of the General Register”. This further demonstrates that Magdalen Laundries were regarded in the same manner as other premises within the scope of the Factories Act.
135. Similar statutory inspection forms, signed by insurance company engineers and countersigned by Factories Inspectors, were also identified in the archives of the Sisters of the Good Shepherd in relation to the Magdalen Laundries at both Limerick and Waterford, dating mostly to the 1970s.

Additional statements by retired Factories Inspectors and women working in the Magdalen Laundries

136. Although the documents noted above confirmed that Magdalen Laundries had been inspected on the same basis as commercial laundries by the Factories Inspectorate, the Committee made efforts to further supplement the records identified.
137. To this end, the Committee contacted retired Factories Inspectors who had served in various locations throughout the State. Twenty-four retired Inspectors, drawn from the former Department of Labour and the HSA, were interviewed in relation to their memories of the inspection process in general and also any particular memories or documents relating to the inspection of Magdalen Laundries.
138. Ten former Inspectors from the appropriate geographic areas confirmed that they had definite recollections of having inspected Magdalen Laundries, naming the following seven institutions:

- Sean McDermott Street, Dublin;
- High Park, Drumcondra, Dublin;
- Donnybrook, Dublin;
- Foster Street, Galway;
- Convent of the Good Shepherd, Limerick;
- Good Shepherd, Sunday's Well, Cork; and
- Peacock Lane, Cork.

139. One former Factories Inspector had retained his diaries for the period and shared with the Committee the pages of these diaries indicating inspections he carried out at the Magdalen Laundries in Galway and Sean McDermott Street respectively.

140. All twenty-four Inspectors confirmed that the practice was to inspect all laundries within their assigned district, whether commercial, institutional or Magdalen. They explained that, among the types of premises covered by the Factories Act, laundries were generally regarded as workplaces with some inherent risks, due to the types of machinery used. For this reason, the inspection of all laundries was considered important. The former Inspectors explained to the Committee that as a result, if any laundry was within his area (or, "on my beat", in the words of one retired Inspector), it would as a matter of course be inspected. They rejected any argument that Magdalen Laundries would not have been inspected due to the fact that they were operated by Religious Congregations.

141. All of these retired Inspectors also confirmed that inspections of institutional laundries (including Magdalen Laundries) were conducted in precisely the same way as inspections of commercial or non-institutional laundries. They informed the Committee that the priorities for inspection in all cases, related to

the safety and health of all workers, were the same and would have included inspection of:

- Boilers;
- Steam Receivers;
- Callenders;
- Fencing and Guarding; and
- Trip Wires and Cut-Off mechanisms.

142. Other routine checks detailed by the former Inspectors involved inspection of:

- Electrics;
- Means of Escape in the Event of Fire;
- Ventilation;
- Floors; and
- Lighting.

143. Retired Inspectors confirmed that other institutions which also fell within the scope of the Factories Acts, for example psychiatric hospitals or other hospitals which had attached or associated industries, were similarly inspected. One retired Inspector reported that, rather than object to inspection, his experience was that members of some religious-operated institutions “positively welcomed” inspectors and “used them to point to areas of concern”.

144. The direct recollections of two Inspectors in relation to inspections of the Magdalen Laundries at Sunday’s Well, Peacock Lane and Limerick are set out above, alongside the documentary records found confirming these inspections. Other retired Inspectors have clear memories of inspecting other Magdalen Laundries within the scope of this Report.

145. One retired member of the Factories Inspectorate remembers visiting High Park, Dublin in the course of his duties and an account of his memories follows:

“He remembered being in it and that it was quite an orderly place. The building and the rest of it was quite good. He had been told by a Manager there that some of the women had been committed by the Courts. It had a dry cleaning section as well as a laundry. While he cannot recall the machines, he recalled that there was one of them that had been involved in an accident and that the accident had involved a girl being caught in a machine for ironing collars”.⁵⁴

He could not recall any further details of this case.

146. Two retired members of the Inspectorate remember inspecting the Magdalen Laundry in Donnybrook. One said that he had inspected that Laundry “possibly in 1985 or 1986”. His recollection was as follows:

“There were women of 70 plus years there with white hair. He was told that they had other people there who worked there but these women were not employees. ... When he started inspecting the laundry, he was told that the white-haired woman, that accompanied him on his inspection of the machinery for doing the laundry, including the calenders, was not an employee but a voluntary worker. ... He does not know why she was assigned to accompany him on his inspection visit. Probably because she was very knowledgeable about the whole operation and she was probably the most senior staff member there. ... In relation to his inspection, he does not believe that there was anything much there nor does he think that there were any notices [issued by him]”.⁵⁵

⁵⁴ Inspector HP1. December 2012

⁵⁵ Inspector D2. 25-07-2012

147. Another retired Inspector recalled inspecting the Donnybrook laundry “between 1985 and 1988”. He said as follows:

“The premises from memory was Dickensian but no more so than laundries run by nuns, health boards, etc. at the time. I do not recall any problems in relation to guarding of machinery as our inspections at that time were focused on ‘secure fencing’ and not on the more systemic health and safety approach which was adopted post the 1989 Act.

I did not address contracts of employment or wages issues and would have concentrated on issues relating to steam pressure vessels reports on boilers, guarding of calenders, guarding of hydro extractors and any other issue which might contravene the provisions of the Factories Act 1955 or Safety in Industry Act 1980.

I cannot recall any serious failure in relation to guarding or inspection of machinery, although I am satisfied that if any problem existed it was rectified immediately”.⁵⁶

148. A different retired Factories Inspector stated that he had carried out a number of inspections of the Magdalen Laundry in Galway and in that regard said as follows:

“In the 1970s ... I can recall carrying out official inspections and follow up visits of the Magdalen Laundry premises in Galway on at least three occasions, the premises having been a factory within the meaning of Section 3 of the Factories Act 1955.

...The laundry was located in Francis Street, just off Eyre Square on a site now occupied by Anglo-Irish Bank. It was operated by the Sisters of Mercy. Access to the laundry was either through the front door of the adjoining convent building or via large yard gates on to the street. The inspections were part of a routine tour of inspection.

⁵⁶ Inspector D1. 13-09-2011

I can recall that on my first inspection I was met by the Sister in Charge, who over a cup of tea and biscuits produced the General Register, which incorporated an accident register. As I recall there were no serious accidents recorded. I was then introduced to the Maintenance man and proceeded to inspect the workplace. The maintenance man whose name I cannot recall seemed technically quite competent and enthusiastic.

There were some issues regarding the interlocking mechanisms of washing machines and hydro extractors and the security of fencing of other machinery. Welfare facilities attached to the workplace appeared basic and complied with the then requirements. ...

It was noticeable there was a greyness and institutional feeling about the place. The pace of work was quite slow. All the laundry workers were female and appeared detached, not appearing to show any interest or curiosity about my presence”.⁵⁷

149. This retired Inspector added that his senior Inspector told him “not to send a contravention letter to the Nuns”. However no other Inspector made any such comment and all surviving written reports of inspections (i.e. the Green Books detailed above) all demonstrate that contravention letters were in fact issued to Religious Congregations. This strongly suggests that, if such a position was adopted by one official, it was an aberration rather than a practice. The retired Inspector in question also indicated that on subsequent inspections he “invariably had the same welcoming experience but there was never any difficulty in verbally securing compliance with safety requirements” by bringing them to the attention of the appropriate person while there.⁵⁸

⁵⁷ Inspector G1. 25-07-2012

⁵⁸ Id

150. None of the Annual Reports made by Certifying Doctors were identified by the Committee. However, summaries of these Annual Reports are included in the Annual Reports of the Factories Inspectorate. Further and as noted above, the Green Books confirm in each case whether or not a certifying doctor had been appointed for the District in which a Magdalen Laundry was situated.
151. The Committee also raised the question of inspections with the women it met who had been admitted to and worked in various Magdalen Laundries.
152. A number of these women recalled the inspections of the Factories Inspectors. Two women (both represented by Magdalene Survivors Together) referred to these Inspectors as “the suits” and both gave accounts of the process for inspections. They said that in some cases, this included all work in the laundry ceasing, with the women lining up outside the factory area while the Inspectors carried out their duties.

Conclusion regarding inspection of the Magdalen Laundries under the Factories Acts

153. Based on the information and records detailed above, the Committee can confirm that at least 8 of the Magdalen Laundries within the scope of the Report were regularly inspected by the Factories Inspectorate. These inspections are evidenced, in differing cases, by the written records of the Factories Inspectorate (oldest dating to the 1950s), Statutory Forms signed and countersigned following statutory inspection (from 1950s onwards), correspondence of the Department of Industry and Commerce (1960s), the recollections of retired Factories Inspectors (oldest dating to the 1970s) and the recollections of some of the women who worked in the Magdalen Laundries and engaged with the Committee.
154. The Committee has not identified evidence which would confirm the inspection of the two remaining Magdalen Laundries within the scope of the Report, namely Dun Laoghaire (closed 1963) and New Ross (closed 1967). However,

based on all the information identified, it appears likely that these too were inspected and the strong consensus of all twenty-four retired members of the Factories Inspectorate was that the practice was for all laundries, whatever their character, to be inspected.

155. The period prior to enactment of the 1955 Act is one for which direct records of inspections do not survive. However the evidence identified by the Committee was that 9 out of 10 of the Magdalen Laundries within the scope of the Report voluntarily submitted to inspections even prior to the legal requirement to do so in 1907. They were within the scope of the Factories Code from that point onwards. The 24 former members of the Factories Inspectorate who inputted to the Committee agreed that there was never a sense or corporate memory of anything other than applicability to all laundries of the Factories Code, even before the 1955 Act. This conclusion is also supported by the payment, during the pre-1955 period, of additional insurance premiums by the Religious Congregations for the carrying out of statutory inspections, which would not have been necessary had they not been subject to inspection in the period.
156. Concerning the conduct of inspections following 1955, the written records of inspections carried out (i.e. the Green Books) confirm that the Magdalen Laundries were not accorded any particular deference by the Factories Inspectors – where contraventions were identified, the standard action (issuance of contravention letters) was taken. The statements of all but one retired Factories Inspectors confirm this as the standard practice. The written records of inspections also typically confirm that any such contraventions were remedied following issuance of these letters (e.g. through records confirming no contraventions on inspections subsequent to issuance of an earlier contravention letter, or through the absence, other than in one case, of a need to issue a second-grade contravention letter).

157. In one case, where a minor contravention (relating to use of an electric kettle) had not been rectified following issuance of a first contravention letter, the matter was escalated by the Inspectorate by issuance of a second grade contravention letter (CL2 – including threat of prosecution). No serious contraventions were found in the records identified, and no prosecutions appear to have been necessary to secure enforcement of standards.

F. Fire Safety and Certification

158. Local Authorities served as the relevant Sanitary Authority under the Factories Acts. A key issue in this regard was the inspection of premises and the issuance of Certificates of means of escape in case of fire.

159. Certification by Local Authorities of fire escape routes was provided for in the Factory and Workshop Acts enacted by the British Parliament prior to the establishment of the State. This approach was maintained after establishment of the State and further in the Factories Act 1955. The 1955 Act provided in pertinent part that it was a function of the Local Authorities to certify fire escapes at factories:

“The occupier of a factory to which this section applies shall have in force a certificate under this section (subsequently referred to in this section as a certificate) given by the sanitary authority certifying that the factory is provided with such means of escape in case of fire for the persons employed therein as may reasonably be required in the circumstances of the case”.⁵⁹

160. Sanitary Authorities (i.e. Local Authorities) were obliged to inspect premises to which the section applied and to verify that an adequate means of escape was available in the event of a fire:

⁵⁹ Factories Act 1955, Section 45(1)

“It shall be the duty of the sanitary authority to examine a factory to which this section applies and

(a) if satisfied that the factory is provided with such means of escape in case of fire for the persons employed in the factory as may reasonably be required in the circumstances of the case, to give a certificate in respect of the factory, or

(b) if not so satisfied, to refuse to give a certificate in respect of the factory”.⁶⁰

161. This requirement applied only to certain factories, namely:

- a factory in which more than twenty persons were employed;
- certain factories in which more than five persons were employed above the first floor or more than 20 feet above ground level;
- a factory in or under which explosive or highly inflammable materials are stored or used (regardless of numbers employed in the factory); and
- a factory premises in which another part of building was used as a dwelling (again regardless of numbers employed in the factory).⁶¹

162. Where a fire certificate was issued under this provision, it was attached by the factory occupier to the General Register and could be examined there by the Factories Inspectors. A copy of all certificates issued was also provided by the sanitary authority to the Minister. By contrast, where a sanitary authority refused to issue a certificate under this provision, it notified the Minister who had the power to direct that legal proceedings should be commenced against the factory occupier.

⁶⁰ Factories Act 1955, Section 45(3)

⁶¹ Factories Act 1955, Section 45(18)

163. Of particular relevance to this Report is the fact that Factories Inspectors also had a role in this process. The Act provided that where a Factories Inspector had a concern in relation to the provision of fire exits from a factory, he could notify the Sanitary Authority (i.e. the local authority). On receipt of such a notification, the Sanitary Authority was under a duty to inspect the factory and could, by notice in writing, require the factory occupier to make any alterations necessary to ensure that workers had a safe means of escape in the event of fire.⁶²
164. The Committee is of the view that the Magdalen Laundries would have qualified as relevant factories for the purposes of section 45, either on grounds of the numbers of persons working there (over 20) or, in some cases, as the laundry premises (that is, the “factory” as defined in the Act) was in a building, portions of which were also used as a dwelling.
165. The Green Books (Registers of the Factories Inspectorate) noted above contain a number of relevant references to action taken by Factories Inspectors in relation to fire safety certification for certain Magdalen Laundries.
166. The Limerick Magdalen Laundry is confirmed by Green Book Limerick 6 to have held a fire escape certificate issued by the local authority.
167. In relation to the Good Shepherd Magdalen Laundry at Sunday’s Well, Cork, the position is somewhat less clear. When Green Book Cork City 60 was opened in 1962, a dated and then-current Fire Certificate was noted in the register. However at a later point, in 1983, the Register notes a contravention letter coded as CL6 was to issue to “The Secretary, Cork Corporation, City Hall, Cork”. The code “CL6” relates to the absence of a current Certificate of Means of Escape which would have been issued (or refused) by the Local Authorities, in this case, Cork Corporation. Records have not been identified to

⁶² Factories Act, Section 45 (12)

determine what action, if any, was taken by the Corporation in response to this letter.

168. In the Magdalen Laundry operated at Peacock Lane by the Religious Sisters of Charity, there was a similar occurrence in 1987. The Cork City Green Book 66 records that a Factory Inspector decided to issue a CL6 (absence of a current Certificate of Means of Escape) to the local authority. It appears that the issue had not been resolved by 1989, as the codes entered in the Green Book at that time were also identified by retired Factory Inspectors as relating to fire certification.⁶³ No records have been identified to determine what action, if any, was taken by the local authority in relation to this matter.

169. Difficulties with enforcement by local authorities of fire certification standards were not confined to Magdalen Laundries. The Department of Jobs, Enterprise and Innovation has indicated a view to the Committee that there was:

“a widespread and continuing failure by Sanitary Authorities to carry out the functions assigned to them under the Factories Acts and, in particular, in relation to certification of fire escapes”.⁶⁴

170. This failure, which included the fire safety functions assigned to the Sanitary Authorities (i.e. Local Authorities) in relation to factories of all kinds, was highlighted and referred to in a number of different fora across many years.

171. A Memorandum was submitted to the Government by the Minister for Industry and Commerce in 1933 proposing wide-ranging changes to the law governing working conditions.⁶⁵ In this context, the Memorandum commented adversely

⁶³ Codes T79 and T83

⁶⁴ Report of Department of Jobs, Enterprise and Innovation to the Inter Departmental Committee, dated 21 December 2012

⁶⁵ National Archives Ref: IND/H1388/55 Vol 1

on the record of the local authorities in carrying out their sanitary functions and said:

“Under existing legislation, certain sanitary conditions and means of escape in case of fire are matters for enforcement by Local Authorities. This dual inspection and the failure of Local Authorities to take effective action led the unions to oppose strongly Local Authorities having any function in factories or workshops”.⁶⁶

172. Nor did matters change significantly over the following years – over twenty years after that Memorandum commented on the failure of local authorities to take “effective action” in this area, the Department of Industry and Commerce in 1959 considered and sought legal advice on the possibility of the Minister taking legal action against a local authority, which had failed to supply any certificates of fire escape.⁶⁷ More than a further 20 years later, in 1981, materials submitted to the Commission of Inquiry on Safety Health and Welfare at Work (“the Barrington Report”) highlighted the extent to which local authorities were failing in their duties in relation to certification of fire escapes.⁶⁸

⁶⁶ Id at 3f

⁶⁷ GIF 1955/45 of 19 September 1955. In unregistered file, Department of Jobs, Enterprise and Innovation

⁶⁸ Table submitted by the Department of Trade, Commerce and Tourism to the Barrington Commission, 7 December 1981. Cited in Report of the Department of Jobs, Enterprise and Innovation to the Inter-Departmental Committee

Year	Number of fire certificates sought	Number issued	Outstanding
1975	726	59	667
1976	827	70	757
1977	828	44	784
1978	930	24	906
1979	996	30	966

173. Retired Factories Inspectors with whom the Committee consulted also recalled difficulties with enforcement by Local Authorities of fire certification provisions of the Factories Act – one retired Inspector said:

“Sanitary issues arising in workplaces were for Local Authorities to enforce. If an Inspector noted a breach, he or she informed the Local Authority which was expected to follow up but, in [his] view, Local Authorities did not always welcome being informed of workplace issues by the Factories Inspectorate”.⁶⁹

174. These comments and criticisms do not relate to the current Fire Authorities or arrangements, or to the current legislative arrangements for the particular fire safety needs of factories.⁷⁰ Rather this broader information in relation to the

⁶⁹ Inspector L1. September 2011.

⁷⁰ Fire Services Act 1981 and Regulations made thereunder

historic difficulties of many factories or premises securing Fire Certificates from Local Authorities is provided in the context of the written records identified above, which included some cases in which Magdalen Laundries had not succeeded in securing Fire Certificates from Local Authorities. No records were identified by the Committee in relation to any incidents involving fire in the Magdalen Laundries.

G. Workplace accidents

175. The question of work-related accidents in the Magdalen Laundries was also considered by the Committee. The Factories Act required serious accidents to be recorded and reported to the Factories Inspectorate: written notice was required for any accident resulting in a death or any accident disabling a person from work for more than three days.⁷¹ Statutory forms were provided for this purpose.

176. The majority of the records of the Factories Inspectorate have not survived to the present day, as detailed earlier in this Chapter. Nonetheless, searches of

⁷¹ Factories Act 1955, Section 74:

- (1) Where any accident occurs in a factory which either
 - (a) Causes loss of life to a person employed in that factory, or
 - (b) Disables any such person for more than three days from earning full wages at the work at which he was employed,

written notice of the accident in the prescribed form and accompanied by the prescribed particulars, shall forthwith be sent to the Minister.

- (2) Where any accident causing disablement is notified under this section, and after notification thereof results in the death of the person disabled, notice in writing of the death shall be sent to the Minister by the occupier of the factory as soon as the death comes to his knowledge.

- (3) where any accident to which this section applies occurs to a person employed in a factory of which the occupier is not the actual employer of such person, the actual employer shall immediately report the accident to the occupier and, if he fails to do so, he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding five pounds

- (4) A notice of any accident of which notice is sent in accordance with the requirements of the Explosives Act, 1875, need not be sent in accordance with the requirements of this section

surviving materials were conducted in an attempt to identify whether any accidents had been reported by the Magdalen Laundries to the Factories Inspectorate.

177. Approximately 300 general files in relation to Notices of Accidents or Dangerous Occurrences (Section 74 notices) as well as fatality and Mines and Quarries files were identified and examined in this regard. None of these files contained any information relevant to the Magdalen Laundries.
178. However, these surviving records relating to accidents form only a very small portion of the records which would originally have existed in relation to workplace accidents and investigations. Accordingly the Committee is unable to determine on the basis of written records whether any accidents at the Magdalen Laundries were reported to the Factories Inspectorate at the time of their occurrence, and, if so, what the response of the Inspectorate was.
179. The Committee accordingly explored other sources of information on this issue. Of the twenty-four retired members of the Factories Inspectorate contacted, one had a memory of an accident in a Magdalen Laundry.⁷² This Inspector's awareness of the accident suggests that it was reported, as required under the Act. None of the other retired Inspectors recalled dealing with any accidents in the Magdalen Laundries.
180. Another source for information in relation to accidents was the former Commercial Manager of the Good Shepherd Laundry in Limerick. Mr John Kennedy has in the past been referred to publicly as an authority for the occurrence of regular accidents in Magdalen Laundries. Mr Kennedy, in a statement provided to the Committee, provided clarification and further information on this question, as follows.

⁷² Inspector HP1. December 2012, cited above. "While he cannot recall the machines, he recalled that there was one of them that had been involved an accident and that the accident had involved a girl being caught in a machine for ironing collars".

181. First, he set out his general impression on first being hired in 1976 as manager of the Good Shepherd Laundry in Limerick:

“walking into the laundry with its expensive non slip vinyl floor covering, standards of cleanliness like those found in a hospital and all the other changes, made it for me, a state of the art industrial place of work. The maintenance problems with the plant were easily solved over time by hiring a full time fitter/ electrician – something the Nuns never did, which was false economy”.⁷³

182. Second, he shared with the Committee anecdotal accounts he had heard in relation to three accidents in other Magdalen Laundries, during the time before his employment:

“I only know of three bad industrial accidents in the old days in the Laundry, which is nothing short of miraculous. The one in which the lady lost her forearm in the callender (large roller iron), I am reliably told by a Resident, was completely her own fault”.⁷⁴

(He said that the account he had been given of this incident, resulting in the loss of an arm, was that the woman in question had inserted her hand over the safety barrier in an attempt to remove an item of clothing fed into the callender by another woman).

183. Finally, regarding the laundry in Limerick specifically and from Mr Kennedy’s direct experience during his time as manager and subsequently owner/operator of a commercial laundry with paid employees, he said as follows:

“My business also had three bad accidents to employees’ hands (thankfully not resulting in an amputation) in spite of having all modern

⁷³ Statement of John Kennedy to the Inter-Departmental Committee, dated 8/10/2012

⁷⁴ Id

safety systems and the latest health and safety regulations in place. Two were due in part to poor machine design and one was due in part to ‘horseplay’ in the work area. Laundry machines by their very nature, with steam heated surfaces in close proximity to operators, are dangerous to operate. In spite of all their training and warnings of hazards, employees, unfortunately, can sometimes still engage in dangerous work practices.”

H. Role of the Factories Inspectorate in relation to pay and conditions of employment

184. Chapter 5 indicated the responsibility of the Factories Inspectorate for enforcement of the Truck Acts 1831, 1887 and 1896, under which it was prohibited to pay employees in anything other than ‘the coin of the realm’. The Department of Jobs, Enterprise and Innovation reported to the Committee that no records were identified to establish whether the Factories Inspectorate ever considered the position of the women working in the Magdalen Laundries in relation to these Acts.
185. Enforcement under the Conditions of Employment Act 1936 also originally fell to the Factories Inspectorate.⁷⁵ No instructions, guidelines or other written records have been identified by the Committee in relation to the approach of the Factories Inspectorate on this subject.
186. The Annual Reports of the Factories Inspectorate record a number of prosecutions of employers for breaches of the 1936 Act, although the numbers of such prosecutions tended to be very low in comparison with prosecutions under the Factories Acts. For example, in 1957 there were 26 prosecutions under the 1955 Act and only 3 under the 1936 Act.

⁷⁵ This responsibility was eventually subsumed by the General Inspectorate which was established following the enactment of the Industrial Relations Act 1946, and later the Labour Inspectorate and the National Employment Rights Authority.

187. When asked about enforcement of the 1936 Act, the retired Factories Inspectors who engaged with the Committee suggested that, with the advent of deeper collective agreements, changes in work patterns and new employment legislation in the 1970s, enforcement of the 1936 Act became less and less of a priority for the Inspectorate. The Department of Jobs, Enterprise and Innovation has summarised the recollections of the retired Inspectors on this topics as follows:

“...many of its minimal provisions had been superseded by collective agreements. Also, unions and management in a significant number of factories had sought and obtained exemptions and variations of various sorts in relation to the shift-work and overtime provisions of the Act. As several of the ex-Inspectors put it, their approach to the 1936 Act was ‘reactive rather than proactive’ - it was only in the case of something blatant, something relating to young persons or a complaint that they would pursue an issue under the 1936 Act”.⁷⁶

188. The retired Inspectors (the earliest of whom took up his position in 1961) had no memory of any consideration by the Inspectorate of the position under this Act of the women who worked in the Magdalen Laundries.

I. Other materials identified in relation to the Magdalen Laundries as workplaces

189. Other material relevant to the Magdalen Laundries as workplaces was identified by the Committee. This section deals with institutional laundries under the Trade Boards system, the Laundries Joint Industrial Council established in the 1940s, and some historic issues relating to unemployment insurance.

⁷⁶ Report of the Department of Jobs, Enterprise and Innovation to the Inter-Departmental Committee, supra

Trade Boards and Institution Laundries

190. An Act of the British Parliament, the Trade Boards Act 1909, provided for the establishment of Trade Boards, which were the predecessors of the Irish Joint Labour Committees. The purpose of these Boards was essentially to fix minimum rates of pay for workers by trade. They were autonomous bodies comprising representatives of employers, employees and independent persons.⁷⁷

191. The Trade Board Act did not initially apply to laundries and attempts to extend its application to certain aspects of the laundry trade in 1913 and 1914 (“calendarling and machine ironing in steam laundries”) were unsuccessful.⁷⁸

192. In the context of that consideration, a Statement made by the “Principal Lady Inspector of Factories” commented on the possible impact of extending the Trade Boards (that is, minimum wage legislation) to institutional laundries. She said that if wages had to be paid in such cases:

“I should say that nine-tenths of the Homes known to me in England and Wales will be obliged to close their doors; not only on account of the financial position (which would be impossible to most of them) but because, as I am assured by those in authority, directly the girls are in possession of any money at all the difficulties in conducting these Homes would become well nigh insuperable. If the laundry workers were to be paid wages (be they ever so small) it would necessitate a Government grant and the present constitution of the Homes as well known to me under Section 5 would have to be entirely reorganised”.⁷⁹

⁷⁷ John Harris, *The Irish Trade Boards System*, 1930 PhD, Queen’s University, Belfast

⁷⁸ HC Deb 24 June 1918 vol. 107 cc714-5

⁷⁹ NAUK. Lab 2/33/5. Laundry Trade. Institutional Laundries. Draft Statement of Evidence prepared by Miss AM Anderson, Principal Lady Inspector of Factories, Home Office for the Select Committee of the House of Commons

193. Even before the Acts were extended and a Laundry Trade Board established, issues around charitable laundries had been considered – for example a meeting was held in 1914 between the UK Ministry of Labour and the National Health Insurance Commission to determine whether “inmates” of convents and other charitable institutions who work in the institutions’ laundries are considered to be employed persons for the purposes of paying contributions under the Insurance Act.⁸⁰

194. A Trade Board was ultimately established for the laundry industry in Great Britain in 1919. A Trade Board for the laundry industry in Ireland was subsequently established in 1920 (referred to further below).⁸¹ The British Trade Board sought, from its establishment, to include institutional laundries within the Trade Board regime, sometimes citing unfair competition as a reason for so doing. This issue was considered on a number of occasions but the conclusion reached was that the Trade Board Acts 1909-1918 did not allow for the inclusion of institutional laundries.⁸²

195. This conclusion by the British Ministry of Labour was on the basis that charitable institutions engaged in laundry work did not, as a rule, have a contract of service with the residents engaged in such work and that, as a result, the Trade Board Acts could not apply:

“An obligation to pay wages or a right to receive them can only be imposed by contract but the contract may be one of either of two classes. There may be a contract of service or a contract for services...but unless one of these exists, I do not think that the Act applies. I can see no contract between the managers of such Institutes as are mentioned in the

⁸⁰ NAUK. Lab 2/33/4 : Laundry Trade. Application of Trade Boards Acts. Scope. Position of Inmates of Convents and other large Conventual Institutions.

⁸¹ Statutory Rules and Orders, Trade Boards Order, No. 627 of 1920

⁸² NAUK. Lab 2/261/15. Laundry Trade. Case for Submission to Solicitor – Institution Laundries. Minute d. 6-12-18

case and the inmates. There is no obligation to pay wages; the inmates could not sue for any remuneration; either party is at liberty to determine the relationship at will”.⁸³

196. This opinion is included in the published list of decisions made by the British Ministry of Labour in relation to the Laundry Trade, a bound volume of which was kept in the Irish Labour Court, an extract of which is as follows:

Workers, Establishments, Articles and Operations held to be outside the scope of the Board (Extract)⁸⁴

Index	Particulars of Case	Reference
Charitable Institution	Inmates of a Rescue Home who work in the laundry attached to the Home; no arrangement by way of trade existing between the authorities of the Home and the inmates.	T.BM. 105/77/1922

Laundry Trade Board (Ireland)

197. The Laundries Trade Board established for Ireland in 1920 appears to have been short-lived. It appears that the commercial laundry sector (and in particular the Leinster Laundry Association, which represented the main commercial laundries in Dublin and fixed commercial laundry prices for the Dublin market⁸⁵) decided to withdraw from the Trade Board unless the “institution question” was settled.⁸⁶ They sought an agreement that institutional laundries would agree to charge “the current prices charged by the commercial laundries, with a concession of one shilling in the pound.”⁸⁷ A meeting of representatives of all the Religious Congregations operating

⁸³ NAUK. Lab 2/261/15. Solicitor’s Opinion. d. 19-01-18

⁸⁴ NAIE. Labour Court Papers. Summary of Opinions adopted by the (UK) Ministry of Labour [up to 31st December 1924]. Lab C, P102.

⁸⁵ Robert Tweedy, *The Story of the Court Laundry*, at 17-18.

⁸⁶ Mona Hearn, *Thomas Edmonson and the Dublin laundry* at 174-175

⁸⁷ *Id* at 176

laundries offering services to the public was held in 1920 on the matter. As this meeting was held at High Park Convent, it appears that at least one of the Magdalen Laundries within the scope of this Report was included in these consultations.⁸⁸ Their decision was to remain outside the Trade Boards, after which the commercial sector in turn withdrew from the Trade Board as it considered that “no means exist for dealing with the unfair competition of the institutions”.⁸⁹

198. There does not appear to have been further activity in this Trade Board and it does not appear amongst those Trade Boards whose existence was later formally confirmed on establishment of the State in 1922.

Laundries Joint Industrial Council

199. The Committee established that a Joint Industrial Council (“JIC”) was established for the Laundry Industry in 1946.⁹⁰ The JIC was not formally registered with the Labour Court and it appears that, in practice, it functioned only in relation to the laundry industry in Dublin. An internal Memorandum noted as follows:

“Although the Council is entitled ‘the Council for the Laundry Industry’, it is in effect the Council for the Dublin Laundry Industry as the representatives of the employers are appointed by the Laundry Branch of the Federated Union of Employers. This Branch comprises most of the Dublin Laundries with the exception of one or two such as the Court and Mirror. The convent laundries, of course, are not included...”.⁹¹

⁸⁸ Id

⁸⁹ Id

⁹⁰ Labour Court File, JIC 111

⁹¹ Id

200. The Council functioned from 1946 to 1981, but as it did not encompass the Laundries within the scope of this Report, further information regarding it is not recorded here.

Claims submitted to the State Claims Agency

201. The Committee also identified an event in 2006, whereby a solicitor representing three women contacted the Department with the intention of making a claim against the State in relation to their time in a Magdalen Laundry and the exclusion of that time from the Residential Institutions Redress Act 2002. The correspondence in question was passed to the State Claims Agency, in light of the National Treasury Management Agency (Delegation and Conferral of Functions) Order 2001, which conferred functions on the NTMA. These functions relate to the management of claims against State authorities, with such functions to be carried out by the agency under the title State Claims Agency.⁹² Any correspondence thereafter was between the State Claims Agency and the solicitors for the three women in question.

202. At the request of the Committee, the State Claims Agency provided information on the disposition of this complaint. Two of the women in question did not issue legal proceedings. In one case, legal proceedings were instituted in the High Court, but were subsequently struck out.

203. The summaries provided by the State Claims Agency are as follows (as elsewhere in this Report, no identifying information regarding the women in question is included in order to protect their privacy):

“The A case was the subject of High Court proceedings issued in 2001 by [named solicitors]. The Plaintiff appears to have decided to drop her High Court claim because in 2005, the High Court struck out her claim. The precise details and reasons for this aren’t known to us (the State wasn’t

⁹² File ref 270/09/02/0029/1 Department of Enterprise, Trade and Employment, HSA Policy/Liaison Section, Section Administration, State Claims Agency

made aware of the application at the time) but it seems most likely that she instructed her solicitors to arrange for the legal proceedings to be struck out. Her solicitors only notified the State of this in mid-2006. When a claim is concluded by this method, we categorise the outcome of the case as - case dismissed.

The claims of B and C were never the subject of legal proceedings as their solicitors never issued/served legal proceedings to advance their claims. This position was checked at the time by reference to the Courts Service website which allows one to search for any legal proceedings in existence in a person's name. It appears, therefore, that Ms B & Ms C decided against pursuing the claims further against the State, hence the claims were discontinued.⁹³

Employment Incentive Scheme

204. A file was identified in relation to the participation in an Employment Incentive Scheme of the Good Shepherd Convent, Manor Street, Waterford.⁹⁴

205. Application for payment was made by the Convent to the National Manpower Service of the Department of Labour, at various dates in January 1979 in respect of 4 persons (3 female, 1 male) employed under the Employment Incentive Scheme for the Services Sector and Construction Industry.

206. These persons were outside paid employees and as such this matter does not have any material effect on the issues considered in this Report.

⁹³ State Claims Agency letter to the Department of Jobs, Enterprise and Innovation, dated 12 September 2011. Cited in the Report of the Department of Jobs, Enterprise and Innovation to the Inter-Departmental Committee, *supra*

⁹⁴ Good Shepherd Convent, Manor St., Waterford, E.I.S. File Ref S.3. 19/10/779