

MY DATA RIGHTS

ACCESS TO RECORDS GUIDE

for

INDUSTRIAL AND REFORMATORY SCHOOL SURVIVORS



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This guidebook is not legal advice.

INTRODUCTION

Is this Guide for you?

Were you detained in an Irish Industrial School or a Reformatory School? Have you previously tried to obtain copies of your medical records, educational records, transcript of evidence given to an inquiry, or any other personal records held by various government or other agencies? If so, then this guide is for you.

There are several government bodies and other agencies that may hold records related to your time in Industrial or Reformatory Schools. You have the right to know what information is contained in these records under the EU General Data Protection Regulation (GDPR). The GDPR came into force in May 2018. The *Data Protection Act 2018* is a piece of Irish legislation that implements the GDPR in Ireland. The main aim of these laws is to protect citizens' rights to respect for their private life by ensuring that their personal data is not kept or used by others without lawful authority or unnecessarily, and by ensuring that people can gain access to the personal data that others hold on them and to correct any inaccuracies in that data.

This Guide contains the following sections:

1. Your rights under the GDPR
2. How to apply for your personal data
3. Template letter/email to request access to your personal data, data of deceased relatives or deceased next of kin
4. List of addresses for where to send your letter/email
5. List of Industrial and Reformatory Schools in Ireland

1. YOUR RIGHTS UNDER THE GDPR

The GDPR entitles you to access all of your personal data that any person or agency holds on you. The only exceptions are:

- If the data controller (i.e. the person or agency holding your personal data) can show that your request to access the data is unfounded or excessive. This is rarely exercised.
- If obtaining a copy of your personal data would harmfully affect the rights and freedoms of another person. The data controller must balance your right to access the information against the potential risk to a third person (based on the facts of the case) that could arise if certain information is disclosed. This is a question that the data controller (i.e. the person or body that holds your data) must make based on actual evidence and facts that are known to be true.

You also have the right to correct inaccuracies in your data. You have the right to have your inaccurate personal data rectified by the data controller without undue delay.

The definition of personal data includes all information relating to you. Under Article 4 (1) of the GDPR:

Personal data means any information relating to an identified or identifiable natural person ('data subject'); An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data comma and on line identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Your industrial school records hold personal data relating to you. This includes information about your physical identity, such as your physical condition and circumstances during your detention in the industrial school, your place of birth, your education records, your medical care records, the names of the people responsible for your care, your original name, and the circumstances surrounding your detention in an industrial school.

Records of inspections, or other management records, may also contain your personal data if they refer to your treatment or anything else about you. Your personal data may be contained in documents other than your 'file'.

Documents created for and by abuse inquiries may also contain your personal data. For example, your transcript of evidence contains your personal data. Your personal data is contained in documents you submitted to any inquiry, and in any documents that another person or an inquiry created about you.

Am I entitled to see any information that belongs to another person?

Information about a deceased relative who was in an institution

The GDPR does not apply to deceased persons save that the data controller must apply appropriate storing and security measures for any information held. It does apply in relation to the processing of data held for historical or genealogical research purposes.

Where you wish to apply for personal information concerning a deceased relative and the information is being held by a State body, a request can be made under both the GDPR and the

Freedom of Information Acts by either a personal representative, a surviving spouse or next of kin of the deceased. We have provided template letters for a relative's request under both the GPDR and the Freedom of Information Acts in Section 3, below.

Where the information about your deceased relative is being held by a non-State body, you should apply under the GDPR on the basis that your relative's information relates to your family history. We have provided a template letter in Section 3, below.

When making your request you will need to enclose a copy of your birth certificate, if you have one, and a copy of the death certificate of the deceased. You may want to include an identification document for yourself such as a passport photo. Have the documents verified by a lawyer and include the documentation with your letter, or as an attachment to your email.

Information about those in charge of an institution or other officials / employees

Some information is the personal data of two or more people at the same time. For example, a doctor's notes on a patient's file are data relating both to the doctor and to the patient. Similarly, information about how a particular nun or priest, or other person in authority, treated you could also be understood as 'mixed' personal data – belonging to you and them. However, if the other person is deceased, they do not have rights under the GDPR as the GDPR applies only to living individuals.

The Court of Justice of the EU has found (in *Nowak v Data Protection Commissioner of Ireland* (case C-434/16, 20 December 2017)) that the concept of "personal data" is a broad term as it exists in the legislation and thus, personal data can encompass all kinds of information as long as it relates to the data subject. A right to access personal data, therefore, can still exist even if the data in question is also someone else's personal data. The data controller in such a case must balance the right you have to access your personal data, against the risk of harm to the third person as a result of releasing the information. This may involve the redaction of certain information.

2. HOW TO APPLY FOR YOUR RECORDS

At the end of this Guide there is a template Subject Access Request letter/email, for you to send to every place where your records might be. You can use this same letter/email for every request. You just need to fill in the name and address of the person or entity to whom you are writing

In most cases individuals cannot be required to pay a fee to make a subject access request. The GDPR does not set out any particular method for making a valid access request, therefore a request may be made by an individual in writing or verbally, although it is recommended to make the request in writing so there is a record of it. Controllers who receive a valid subject access request must respond to the request without undue delay and at the latest within one month of receiving the request. Controllers can extend the time to respond by a further two months in certain circumstances, for example if several requests have been made or if the request is particularly complex. If you are unhappy with the response, please see our additional [Guide to Complaints under the GDPR](#).

Before you can fill in the template letter you must ask, where might your records be held?

Where these records are now held is dependent on the agency responsible for your detention.

If you were detained by court order or the Irish Society for the Protection of Children (ISPCC) it is likely that your records are held by the Department of Education and Skills. The ISPCC may also have a case file record and your court record will be in the National Archives of Ireland (NAI).

If your detention was arranged by a County Council, or a local Health Department, your records are likely to be held by the Health Service Executive.

Other agencies and institutions may hold some of your records. These include:

- The National Archives of Ireland (NAI) hold court records from your detention order.
- If Barnardos were involved (for cases after 1974)
- The Commission to Inquire into Child Abuse
- Residential Institutions Redress Board
- If you were boarded-out or fostered for part of the time, you should contact your local County Council Archive
- Some religious orders also have their own archives, for example, the Sisters of Mercy Archive and the Sisters of Our Lady of Charity Archive

The Department of Education and Skills was responsible for the upkeep of each child detained in industrial and reformatory schools. The relevant Religious Orders were responsible for the daily care, education, and medical monitoring of children in the schools. Records for each child were submitted annually to the medical and educational inspectors appointed by the Departments of Health and Education. If you are not sure of the details of your incarceration you may have to contact each agency for information on your records. Please be aware that the application process can be time consuming. However, to make the process easier, we include addresses, phone numbers and emails for the agencies at the end of this guide.

3. TEMPLATE LETTERS / EMAILS

TEMPLATE SUBJECT ACCESS REQUEST LETTER (for your own records)

[Your postal or email address]

[Postal or email address of relevant data controller]

[Date of request]

Dear Sir / Madam,

I write to request a copy of all my personal data that is being processed by _____ consistent with your obligations as a data controller under Article 15 of the General Data Protection Regulation (GDPR) 2016/679. In accordance with Article 15 of the GDPR, please also provide the following:

- Inform me of the purposes of the processing;
- The categories of personal data held (including a complete index of same);
- The recipients or categories of recipients to which my personal data has been or will be disclosed;
- The period for which the data will be stored, or alternately the criteria that will be used to determine that period.

For the avoidance of doubt, I include in this request all information provided by others in relation to me, and all information that concerns other people's interactions with me. **[If relevant:** I also request the transcript of proceedings in relation to my application to the RIRB / my evidence before the Commission to Inquire into Child Abuse]. In making this request I would remind you that, as the Court of Justice of the European Union (CJEU) acknowledged in *Nowak v Data Protection Commissioner of Ireland* (Case C434/16, 20 December 2017), information may be linked to more than one individual but this does not affect the right of access: 'The same information may relate to a number of individuals and may constitute for each of them, provided that those persons are identified or identifiable, personal data' (para 45). I also note that deceased individuals do not have rights to data protection under the GDPR.

I enclose a copy of photo identification, and my details are as follows:

Name:

Date of Birth:

Place of Birth:

Industrial School/Reformatory School (If in doubt see Section 5 for full list):

Date of entry into Industrial School/Reformatory School:

Date of exit from Industrial School/Reformatory School:

[If you are emailing: Please note that this subject access request has been filed electronically and you are required to reply to it electronically unless I agree otherwise.]

Yours sincerely,

TEMPLATE LETTER FOR DECEASED RELATIVE RECORDS UNDER FREEDOM OF INFORMATION ACT

[Your postal or email address]

[Postal or email address of relevant data controller]

[Date of request]

To whom it concerns:

I wish to apply for the following data that is being held by _____ [name of government agency] under the Freedom of Information Acts 1997, 2003 and 2014:

The requests are for records that include but are not limited to:

- Internal correspondence (including with other government departments)
- External correspondence
- Reports from social services
- Notes or memos in relation to discussions or telephone calls
- Draft documents or court orders
- Draft correspondence in relation to the detention of _____ [Name of relative or next of kin]

The details of my relative/next of kin are as follows:

Name:

Date of Birth: Date of Death

Place of Birth: Place of Death

Industrial School:/Reformatory School

Date of entry into Industrial School/Reformatory School:

Date of exit from Industrial School/Reformatory School:

My preferred form of access to these documents is in digital format.

Yours sincerely,

4. ADDRESSES FOR DATA CONTROLLERS AGENCIES HOLDING RECORDS

**Data Protection Officer
Residential Institutions Redress Board
Floor 3, St Stephens Green House
Earlsfort Terrace
Dublin 2
DO2 PH42
Tel: 1-800-200-086 (LoCall in Ireland)
01-286- 0600
0845-300-4264 (LoCall from UK)
Email: general@rirb.ie**

**The Freedom of Information Unit / DPO
Department of Education and Skills
Cornamaddy,
Athlone
Co. Westmeath
N37 X659
Telephone: 090-648-3908
Email: foi@education.gov.ie
Email: dpo@education.gov.ie**

**Access to Industrial and Related Records (AIRR)
Department of Health,
Block 1, Miesian Plaza,
50 – 58 Lower Baggot Street,
Dublin, D02 XW14
Telephone 01-6354190
Email: DPO@health.gov.ie**

**Irish Society for the Protection from Cruelty to Children (ISPCC) Dublin
29 Lower Baggot Street
Dublin 2
Telephone: 01- 676 7960
Email: ispcc@ispcc.ie**

**The Commission to Inquire Into Child Abuse
Floor 2,
St. Stephen's Green House,
Earlsfort Terrace,
Dublin 2,
Ireland.
Tel No:(01) 662 4444,
Callsave No:(Republic of Ireland),
Lo-Call No:0845 3098 139 (N.I. and U.K.)**

Barnardos Origins and Tracing Service
23/24 Buckingham Street
Dublin 1
Tel: (01) 453-0355
Email: origins@barnardos.ie

Mercy Congregational Archives
Catherine McAuley Centre
23 Herbert Street
Dublin D02 HD68
Tel: (01) 638-7521
Email: info@mercyarchives.ie

Sr Ethna McDermott
Province Leader
Sisters of Our Lady of Charity of Refuge
Beechlawn
Gracepark Road
Drumcondra
Dublin 9
Email: province@rgs.ie

National Archives
Bishop Street
Dublin 8
D08 DF85
Tel: (01) 407-7300
LoCall: 1890-252-424
Email: query@nationalarchive.ie

5. List of Industrial and Reformatory Schools in Ireland.

An Grianán Training Centre, Grace Park Road, Dublin 9
Artane Industrial School for Senior Boys, Dublin 5 (1870-1969)
Baltimore Fishery School for Senior Boys, Baltimore, Co Cork (1887 - 1950)
Benada Abbey Industrial School for Girls, Ballymote, Co Sligo
Carriglea Park Industrial School for Senior Boys, Dun Laoghaire, Co Dublin (1894 - 1954)
Cottage Home, Tivoli Road, Dun Laoghaire, Co Dublin
Don Bosco House, Gardiner Street, Dublin 1
Family Group Home, Geevagh, Co. Sligo
Family Group Home, Letterkenny, Co Donegal
Family Group Home, Wexford
Kirwan House, Ranelagh, Dublin 6
Madonna House, Blackrock, Co Dublin
Madonna House, Merrion Road, Dublin 4 (1955-1995)
Martanna House Hostel, Grace Park Road, Dublin 9
Miss Carr's Children's Home, 5 Northbrook Road, Dublin 6
Mount Carmel Industrial School for Girls, Moate, Co Westmeath
Nazareth House, Sligo
Orphanage Schools, Convent of Mercy, Kells, Co Meath
Our Boy's Home, 95 Monkstown Road, Dun Laoghaire, Co Dublin
Our Lady of Mercy Industrial School for Girls, Kinsale, Co Cork (1869-1963)
Our Lady of Succour Industrial School, Newtownforbes, Co Longford (1869-1969)
Our Lady's Industrial School for girls, Ennis, Co Clare (1964)
Pembroke Alms (Nazareth House) Industrial School for Girls, Tralee, Co Kerry
CPI Marino Special School, Bray, Co Wicklow
Cork University Hospital School
Harcourt Street Hospital, Dublin 2
Holy Family School for Moderate Learning Disability, Charleville, Co Cork
Our Lady of Good Counsel, Lota, Glanmire, Co Cork (1939-1999)
Our Lady of Lourdes Hospital, Dun Laoghaire, Co Dublin
Our Lady's Hospital for Sick Children, Crumlin, Dublin 12
Sacred Heart Home, Drumcondra, Dublin 9
School of the Divine Child, Lavanagh, Ballintemple, Cork
School of the Holy Spirit, Seville Lodge, Kilkenny, Co Kilkenny
Scoil Ard Mhuire, Lusk, Co Dublin
Scoil Eanna, School of The Angels, Montenotte, Cork
Scoil Triest, Lota, Glanmire, Co. Cork
St. Martin's Orphanage, Waterford
St. Clare's Orphanage, Harold's Cross, Dublin 6 (1806-1981)
St. David's, Lota, Glanmire, Cork
St. Gabriel's School, Curraheen Road, Cork
St. Joseph's Orphanage, Tivoli Road, Dun Laoghaire, Co. Dublin (1860-1985)
St. Joseph's Orphanage, Bundoran, Co. Donegal (1909 - 1955)
St. Joseph's Orthopaedic Hospital for Children, Coole, Co. Westmeath
St. Joseph's School for the Visually Impaired, Drumcondra, Dublin 9
St. Kevin's Reformatory, Glencree, Co. Wicklow (1858 - 1940)
St. Martha's Industrial School, Monaghan (1870-1957)
St. Martha's Industrial School, Merrion, Dublin 4
St. Mary's Orthopaedic Hospital, Baldoyle, Dublin 13
St. Mary's Orthopaedic Hospital, Cappagh, Dublin 11
St. Mary's School for Visually Impaired Girls, Merrion, Dublin

St. Vincent's Centre for Persons with Intellectual Disability, Lisnagry, Limerick
 St. Vincent's Orphanage, North William St, Dublin 9
 St. Aidan's Industrial School for girls, New Ross, Co. Wexford
 St. Aloysius' Industrial School for Girls, Clonakilty, Co. Cork (1965)
 St. Anne's Industrial School for Girls and Junior Boys, Renmore, Lenaboy, Co. Galway
 St. Anne's Industrial School for Girls, Booterstown, Co. Dublin
 St. Anne's Reformatory School for Girls, Kilmacud, Co. Dublin
 St. Anne's, Sean Ross Abbey, Roscrea, Co. Tipperary
 St. Augustine's Industrial School for Girls, Templemore, Co. Tipperary (1965)
 St. Augustine's, Obelisk Park, Carysfort Avenue, Blackrock, Co. Dublin
 St. Bernadette's, Bonnington, Montenotte, Cork
 St. Bernard's Industrial School for Girls, Fethard, Dundrum, Co. Tipperary
 St. Brigid's Industrial School for Girls, Loughrea, Co. Galway (1967)
 St. Cecilia's, Cregg House, Sligo
 St. Coleman's Industrial School for Girls, Cobh/Rushbrook, Co. Cork (1960)
 St. Columba's Industrial School for Girls, Westport, Co. Mayo
 St. Conleth's Reformatory School for Boys, Daingean, Co. Offaly (1940-1973)
 St. Dominick's Industrial School for Girls, Waterford
 St. Finbarr's Industrial School for Girls, Sundays Well, Marymount, Cork
 St. Francis Xavier's Industrial School for girls and Junior Boys, Ballaghaderreen, Co. Roscommon (1969)
 St. Francis' & St. Mary of the Angels, Beaufort, Killarney, Co. Kerry
 St. Francis' Industrial School for Girls, Cashel, Co. Tipperary
 St. George's Industrial School for Girls, Limerick
 St. John's Industrial School for Girls, Birr, Co. Offaly (1963)
 St. Joseph's Industrial School for Boys, Passage West, Co. Cork
 St. Joseph's Industrial School for Boys, Tralee, Co. Kerry (1862-1970)
 St. Joseph's Industrial School for Girls and Junior Boys, Ballinasloe, Co. Galway (1968)
 St. Joseph's Industrial School for Girls and Junior Boys, Clifden, Co. Galway (1872-1983)
 St. Joseph's Industrial School for Girls and Junior Boys, Liosomoine, Killarney, Co. Kerry
 St. Joseph's Industrial School for Girls, Cavan (1967)
 St. Joseph's Industrial School for Girls, Dundalk, Co. Louth (1881-1983)
 St. Joseph's Industrial School for Girls, Kilkenny (1873-1999)
 St. Joseph's Industrial School for Girls, Mallow, Co. Cork
 St. Joseph's Industrial School for Girls, Summerhill, Athlone, Co. Westmeath (1964)
 St. Joseph's Industrial School for Girls, Whitehall, Drumcondra, Dublin 9
 St. Joseph's Industrial School for Senior Boys, Ferryhouse, Clonmel, Co. Tipperary (1885-1999)
 St. Joseph's Industrial School for Senior Boys, Glin, Co. Limerick (1872-1966)
 St. Joseph's Industrial School for Senior Boys, Greenmount, Cork (1871-1959)
 St. Joseph's Industrial School for Senior Boys, Letterfrack, Co. Galway (1885-1974)
 St. Joseph's Industrial School for Senior Boys, Salthill, Co. Galway (1870-1995)
 St. Joseph's Reformatory School for Girls, Limerick
 St. Joseph's School for Hearing Impaired Boys, Cabra, Dublin 7 (1857-1999)
 St. Joseph's School for the Visually Handicapped, Drumcondra, Dublin 9
 St. Kyran's Industrial School for Junior Boys, Rathdrum, Co. Wicklow
 St. Laurence's Industrial School for Girls, Sligo
 St. Laurence's Industrial School, Finglas, Dublin 11
 St. Martha's Industrial School for Girls, Bundoran, Co. Donegal (1957-1965)
 St. Mary's Industrial School, Lakelands, Sandymount, Dublin 4
 St. Mary's Orthopaedic Hospital, Baldoyle, Dublin 13
 St. Mary's Orthopaedic Hospital, Cappagh, Finglas, Dublin 11 Sch.

St. Mary's School for Hearing Impaired Girls, Cabra, Dublin 7
 St. Mary's, Delvin, Co. Westmeath
 St. Mary's, Drumcar, Dunleer, Co. Louth
 St. Mary's, Rochestown, Cork
 St. Michael's Industrial School for Girls, Wexford
 St. Michael's Industrial School for Junior boys, Cappoquin, Co. Waterford (1877-1999)
 St. Michael's, Glenmaroon, Chapelizod, Dublin 20
 St. Mura's Orphanage, Fahan, Co. Donegal
 St. Patrick's Industrial School for Boys, Upton, Cork (1889-1966)
 St. Patrick's Industrial School for Junior Boys, Kilkenny (1878-1967)
 St. Paul's Hospital, Beaumont, Dublin 9
 St. Paul's, Montenotte, Cork
 St. Saviour's Orphanage, Lr. Dominick Street, Dublin 1 (1927-1993)
 St. Vincent's (House of Charity) Industrial School for Junior Boys, Drogheda, Co. Louth
 St. Vincent's Industrial School for Girls, Limerick
 St. Vincent's Industrial School, Goldenbridge, Inchicore, Dublin 8 (1880-1983)
 St. Vincent's Orphanage, Glasnevin, Dublin 9 (1856-1973)
 St. Vincent's, Navan Road, Dublin 7
 Stewart's Hospital, Palmerstown, Dublin 20
 Tabor House, Dublin
 Temple Street Hospital, Dublin 1
 The Bird's Nest Home, 19 York Road, Dun Laoghaire, Co. Dublin
 The Los Angeles Homes, Dublin
 The O'Brien Institute, Malahide Road, Dublin
 Trudder House, Newtownmountkennedy, Co. Wicklow (1975-1995)
 Warrenstown House, Corduff Road, Blanchardstown, Dublin 15
 Bartres Children's Home, Kill O' the Grange, Dun Laoghaire, Co. Dublin
 Chester Lodge, Moate, Co. Westmeath
 Finglas Child and Adolescent Centre, Dublin 11 comprising of:
 National Remand and Assessment Unit (formerly St Michael's Remand and Assessment Centre)
 The Care and Education Unit (formerly St Laurence's Industrial School)
 Holy Family School, Renmore, Co. Galway
 Kilcornan Centre, Clarinbridge, Co. Galway
 Marlborough House, Washerwomans Hill, Glasnevin, Dublin 11 (1944-1972)
 Oberstown Boys' Centre, Lusk, Co. Dublin
 Oberstown Girls' Centre, Lusk, Co. Dublin
 St Columba's Industrial School, Killybegs, Co. Donegal (1950)
 St Patrick's Mother and Baby Home, Navan Road, Dublin 7 (1985)
 St Philomena's, Stillorgan, Co. Dublin
 St Teresa's, Blackrock, Co. Dublin
 Trinity House, Lusk, Co. Dublin
 Mary Immaculate School for the Deaf, Beechpark, Co. Dublin. (1956-1998)
 'The Boys Home' Grand Canal Street, Dublin 2.
 'Racefield', Upper Mountown Road, Dun Laoghaire.