

WHAT MAKES US DIFFERENT

All sexual assaults - acts of violence, and mental torture whether committed in the home, or by the state, church, or institution is a most grave crime. When it is committed against children it is doubly so. What separates us from the act of these gross crimes committed in all sections of society? Why is it that we still persist in advocating on behalf of our members? Two questions! The answers should be obvious, but they are not. They are not obvious to the State agencies that we deal with on behalf of our members who still experience states of loneliness, isolation, who seek housing, welfare, health treatment and education for themselves and their children. The question still persists on the perplexed faces of new young managers in employment of state agencies. "So you were abused in some orphanage. So what?" This ignorance/attitude has got to change. What separates us? We come from an institutional background, and that kind of existence was the most brutal insofar as there was no escape from the brutality of abuse. Every day brought some kind of abuse. Physical, mental, and sexual, - sometimes all three. The child had no support, no family, no human kindness no sense of fairness or no end to the torture of being, existing, in a place without escape. The child existed in a place that did not offer education, skills or craft that would assist

him/her in adult life, thereby they damaged their adult life also. The child suffered this kind of existence in some cases from the time they were babies to when they reached the age of sixteen. It wasn't random it wasn't isolated, it wasn't an aberration of systems failure. It was the failure of the state to protect, it was the failure of the religious to care, it was a failure on behalf of society to protect the child from this kind of brutal existence. **Right of Place Advocates on behalf of Survivors** We advocate to government ministers to state agencies to agencies who help people who are survivors from the institutional systems that are now gone. But guess what the people who were abused in these institutions are now adults, damaged, angry hurt alone isolated left to fend for themselves. Some with drug, drink, and mental health problems. Others who have led good and productive lives are unexpectedly confronted by the legacy of their past, now begin to struggle and have flashbacks. It is then that they realise that no one cares or understands the history of their past. We offer a listening ear: A compassionate word and a professional service to help in times of distress. We all need a helping hand from time to time, and someone to share our understanding with. Our outreach workers are that someone. Call them. Two voices are better than one, and one organisation is better than one voice. Join us!

NEW MEMBERS

Remember membership is open to all who went through the industrial school system and Family Members! This year it is our intention to issue membership cards to our members. Our data base needs to be updated and so we are asking you to decide if you would like to be issued with your card and if so then you will need to contact your local office to confirm this. Also we hope that you will understand that if you get a phone call from us it will be to ensure that you wish to remain as a member. Regrettably we will not get it all right, all the time, so we ask that you have patience and understanding with our efforts. Each region is setting about

bringing our data base up to date and to ensure that those of you who wish to remain members and those of you who wish to become members are clarified and included in our new file. More importantly those of you who do not wish to continue to be members do so by informing your local office, by phone, visit or via our website. In some cases, because of the information available to us this letter may be addressed to a person who is deceased. This is deeply regretted. And we hope that we will have this matter corrected. We would be very grateful to you that this does not happen again, by advising the outreach manager or office of this fact.

LEGAL OPINION

I don't know about you but post redress I find myself in a mess financially! So we have decided to include a column that gives us some understanding on how information hitting the newspapers can or will benefit us as we struggle with questions. This edition of Legal Opinion will focus on Bills and Debt.

Francis Treanor is a practicing Barrister, and is a survivor who has campaigned on behalf of survivors rights for a number of years. If you would like to have something answered or clarified Just drop a lime to Legal Opinion 100/101 Right of Place Second Chance Lower Glanmire Road Cork.

Re: Start Mortgages Limited, Secured Property Loans Limited v Others[1]
Synopsis of Judge Dunne Judgement 25th July 2011
Many members may be concerned with falling behind in their mortgage payments to their lenders and may in fact have fallen behind with their payments. The various banks deal differently with arrears but in general, they have to act now in line with the Court ruling in a recent case taken on behalf of distressed borrowers against sub-prime lenders. Members need to be aware of a right "acquired" and a right "accrued". This right is the right of the bank to apply to the Court for an Order of Possession of a person's property and this can and does include the family home. The difference in a right "acquire" and a right "accrued" is set out in legislation[2]
The Judge concluded is that there is a lacuna (gap) between the



Francis Treanor - Legal Opinion

entitlements granted to Banks under the old legislation and what they are now entitled to do, particularly when seeking possession of the property. If the Bank did not have the right to apply for an Order for Possession prior to the 1st December 2009, they cannot seek that Order under the new legislation. Simply, where a Bank has issued proceedings before the 1st December 2009 the Bank are said to have acquired the right to seek an Order for Possession on the basis that the borrower has not made the necessary payments, i.e. is in arrears and the bank have called in the principle monies owed. Where the borrower fell behind in payments to the Bank after the 1st December 2009 the Bank is not entitled to automatically seek an Order for Possession as such an acquired or accrued right has not availed and the Bank must take certain steps to engage with the borrower, or in the alternative wait until the outcome of the appeal in this case which is gone to the Supreme Court.

If any member has a concern they can contact the office on or I can be contacted on 086-2560471. Francis Treanor BL

Membership Benefits

Membership qualifies you for all the services available in our offices such as; Advocacy (speaking on your behalf both nationally with government, and media) and locally with (housing, welfare, health education, group rights and personal rights.) Access to information (Trust Fund etc.) Referral (to agencies that will help you with resolving your queries/problems. Voting rights at our meetings and AGMs. Receiving our quarterly National Newsletter with up to date correct information on national and local events. Membership is about friendship for us who as children went through the industrial school

system. But more importantly as adults we need to be included in social events. We are constantly developing social networks and benefits for our members. This year our target is to identify drop in centres in all the regions as a place to have a coffee, tea or watch television and have a chat. This Summer will see the start of all day bus tours to interesting places of beauty and heritage. We will be providing weekends away at reduced costs and special offers on holidays and so forth. With our membership we want you to be proud to be associated with an organisation that cares for the rights and entitlements of its members. So don't miss out an get in contact with any of our offices today.

REGIONAL NEWS



Ann Marie Crean - Outreach Manager Cork/ Kerry Region

-Cork/Kerry Region

The outreach worker for this region is Ann Marie Crean and she can be contacted on Lo-Call: 1890200 709 Her work involves listening, visiting (if you cannot venture out of your house) speaking on your behalf with all the state agencies and all other bodies or organisations on a whole range of issues. If she cannot help she will find a person who can, so pick up that phone or call into our head office in Cork. A warm welcome awaits you. Pat Sheehan is employed by the VEC and he works from an office in Right of Place two days a week. Any enquiries on computer training or other related matters then call our offices and an interview will be arranged. Many survivors and the family of survivors have improved themselves through courses that are sometimes specially arranged to help them gain certificates and qualifications or indeed just self improvement. The Fishing Club will become active over the next few weeks so if you are interested in finding out more - ring the office and find out if you can learn to fish or maybe you have some skills you would wish to pass on to the group.

"The New Waterford Office number is a more confidential, secure and personal line direct into the Right of Place offices and will have the option to leave a confidential voicemail. Please use this new number into the future to ensure that your call

Galway/Limerick Region

Val Groake is the Outreach manager for this region, and he can be contacted on 091 757124. In Limerick Martin Woodland is the office worker and he is ably assisted by a very active Right of Place Second Chance committee. A meeting took place in Limerick on the 2nd January 2012 It was a very positive meeting chaired by Francis Treanor (National Support Coordinator) also in attendance were Tom Wall (National Director) Michael Walsh National Chairperson) Martin Woodland (Limerick officer) and Noel Dunphy (Limerick Committee Treasurer). The purpose of the meeting was to strengthen the understanding of how an organisation works in a professional manner in dealing with finances, structures and essentially to bring our members up to date with an information service.

On behalf of the Limerick members they would like to express to JP MacManus a heartfelt thank you for the recent donation to fund an office for their Limerick services. In this age of cutbacks and reduction in funding it is a huge boost and will help run our services on a par with other centres in the cities of Cork, Waterford and Galway.

One of the services that I am most passionate about is Adult Literacy for our members and securing one 2 one tuition for the huge number of survivors that were not educated while in State care. This is an area that Right of Place Second Chance Western Branch will be promoting in 2012 so if you need tuition or if you know one of the survivors that may need tuition and maybe they are not a member of Right of Place please get them to contact me in the Galway or Limerick office.

Since I took up the post as Outreach Co-ordinator I have met

can 1) be answered personally by Right of Place Second Chance officers or 2) You can leave a confidential voicemail to have your call returned as soon as possible. This new number is 051 841 819."

many members who have many different social and personal problems and I would like to think I helped in some small way to ease their burden but I think there are many other members who may be having difficulties and for

one reason or another find it almost impossible to ask for help so I am pleading with all survivors to encourage each other and no matter what problem you may have phone me and maybe I can help. 086 3145235

Waterford/Eastern Region

- Micheal Walsh is the Outreach manager for this region and can be contacted on
- New Number for the office is 051 841819
- The mass for survivors and



Micheal Walsh - Outreach Manager - Waterford & Eastern Region

deceased survivors is to take place on the 10th of March and this is being held for those survivors who have held on to their faith and wish to remember their loved ones, and survivors that have passed on. We understand that some will not want to attend this mass however a Social gathering afterwards will be had at the Farashanine Community building. This, we hope, offers Survivors the option of how they want to commemorate and remember deceased Survivors. We want to be inclusive of every individual we have in our membership and such respect those who have their faith and those whom do not.

- Well done to our office staff

Micheal, Patrick and John, who completed a computer training day in Cork, A Course on Advocacy and a number of other courses over the coming weeks and months.

- The AGM of the New Right of Place Second Chance took place in the Granville Hotel and was a great success. Again a big thanks to Patrick, John and our National chairperson Michael for the success of this meeting.

- Danny McEvoy resigned at this AGM and we wish him the best for the future. Danny gave many years service to the old Right of Place and he made many friends, and in doing so helped a lot of survivors. He is no longer Chairman, of the Waterford Branch.

- An exhibition of work in painting, prose, and poetry by survivors of institutional abuse is to take place in the Waterford Library on the 28 of May 2012. (Details appear in this Newsletter).

In fact a week long programme of events is planned further details will appear in our next issue. Right of Place is in negotiations with a dance, plays, music and performance artists for the whole of this week, this will highlight institutional abuse and give an opportunity to survivors across the country to heighten awareness of their plight in a meaningful series of events to be planned, exciting stuff!

End of Year Report;

- This Report is the culmination of our first year in office and it is to bring together all the information we have gathered in our work with survivors, i.e. the numbers accessing out offices for support and information.
- This Report will be making recommendations on the real need of survivors and how they should be addressed post redress.
- We will be looking more at what we need as adults more so than what we suffered as children.