

## Chapter 38: Addendum to Burials report

### Introduction

- 38.1 The Commission's 5<sup>th</sup> Interim report, which was finalised in March 2019, described all that the Commission then knew about the burials of children who died in the main mother and baby homes. Since then, a number of individuals and organisations have contacted the Commission with information and submissions about the issues raised. Most of the information provided was already known to the Commission or is entirely anecdotal and impossible to prove. With the exception of the report on Sean Ross, there is very little extra known to the Commission about infant burials. The Commission remains convinced that there are people who have further information but they have not come forward.

### Sean Ross

- 38.2 In its 5<sup>th</sup> Interim Report, the Commission stated in respect of Sean Ross:
- There is a designated child burial ground in the grounds of the institution. The Commission was made aware of concerns about this burial ground and decided to undertake a geophysical study and subsequently a test excavation of the site. The results of this excavation are currently being examined.
- 38.3 The Report of Forensic Archaeological Investigations at Sean Ross Abbey Mother and Baby Home was completed in September 2019 and is published in full as an Appendix to this chapter. The following paragraphs give a very brief summary of the report:
- 38.4 The objective of the forensic archaeological investigation was to establish if human remains were present at the designated child burial ground and, if so, had these remains been disturbed by potential later insertion of utilities or drainage works at this location.
- 38.5 The investigation commenced with the least intrusive methods to inform a subsequently more intrusive, targeted test-excavation. A desktop review was conducted which surveyed historical mapping, aerial photography, and Tipperary County Council planning files that were relevant to the site. A geophysical survey took place in January 2019 and an independent inspection of the existing drains in proximity to the site was conducted in February 2019. The test excavation took place in February and March 2019. Seven trenches were opened during the test

excavation, representing about 10% of the total available area within the designated burial ground.

### **Human remains**

- 38.6 Buried infant human remains were located during this excavation; all individuals were less than one year old. The skeletal remains of 21 individuals were uncovered. The remains of a further 11 coffins, indicating undisturbed burials, were evident. Four potential grave cuts were also identified and at least six individuals were identified through disarticulated skeletal remains. Therefore, the potential minimum number of possible individuals identified through the test-excavation was 42.
- 38.7 Coffins or evidence of coffins were located with the majority of skeletal remains (84%). Burials appear to have some organisation, in terms of layout, and there appears also to be concentrations of interments in particular locations within the burial ground. A number of the coffins appear to have been painted white. There were no coffin or name-plates in evidence.
- 38.8 Radiocarbon dating of 13 samples of skeletal remains provided estimated dates-of-death for those individuals in the 1930s, 1940s, 1950s and 1960s, the time of the operation of the mother and baby home in Sean Ross.
- 38.9 The Commission is satisfied that the report provides clear evidence that the coffined remains of children under the age of one are buried in the designated burial ground. There can be little doubt that they are the remains of children who died in Sean Ross. Without complete excavation it is not possible to say conclusively that all of the children who died in Sean Ross are buried in the designated burial ground. The Commission does not consider that further investigation is warranted.

### **Disturbance of remains by drainage**

- 38.10 An independent survey of the waste-water drains in the vicinity of the burial ground was conducted by a drain specialist. This survey found that there had been upgrading and redirection of some pipe work in close proximity to the burial ground. This correlated with information from council planning files that saw the rerouting of waste water into a newly inserted main drainage pipe in around 1996. A salt glazed ceramic pipe was found on the geophysical survey and in the drain

inspection survey that skirts the southern corner of the site. The drain inspection found this pipe to be now defunct. A more modern junction had been inserted to the northwest that reroutes this drainage to run parallel with the burial ground toward the northeast where it eventually joins the local drain network to the north of St Anne's Sean Ross Abbey building complex.

- 38.11 The evidence indicates that the human remains that have been uncovered were not disturbed by the insertion of drainage works, field-drains or waste-water pipes.

### **Bessborough**

- 38.12 The Commission remains perplexed and concerned at the inability of any member of the Congregation of the Sacred Hearts of Jesus and Mary to identify the burial place of the children who died in Bessborough. The concern of the congregation about marking the graves of the children who died in Castlepollard (see below) does not seem to have applied to the children who died in Bessborough.

- 38.13 A number of people and organisations have made suggestions about possible locations for children's graves both in the area which is currently part of the Bessborough estate (roughly 60 acres) and in areas which were sold in earlier years (the total area was once about 200 acres). During 2019, the Commission followed up on some of these suggestions.

- 38.14 In April 2019, the Commission's solicitor and archaeologist walked the grounds of Bessborough with a man who had lived nearby. He pointed out the area in the grounds where he believes he saw a graveyard marked with white crosses. He subsequently swore an affidavit setting out his recollections. A similar exercise was conducted in October 2019 with a man who had played in the grounds as a child. He pointed out an area where he said he had seen open graves with the bodies of young children exposed. This was marked on a map and he subsequently swore an affidavit to this effect.

- 38.15 Also in April 2019, a man who had done building work in Bessborough in 2008 told the Commission that there was a cavern/chamber underneath the church on the site. The work had been carried out on behalf of the HSE so the Commission issued a direction to the HSE seeking minutes of the meetings between the HSE and the builders involved in the site. These minutes were provided by the HSE in

August 2019. The minutes note that the space was referred to as an underground tank and was found to contain water and petrol-contaminated silt. It appears there was no archaeological significance to the tank.

- 38.16 A detailed submission was received from the Cork Survivors and Supporters Alliance in March 2020. This dealt with two aspects of the Commission's 5<sup>th</sup> Interim report - the law on burials (see below) and the issue of the Bessborough burials. The submission dealt in considerable detail with the available mapping of the Bessborough estate, the interpretation of that mapping and its potential to identify possible burial grounds.
- 38.17 The Commission and its forensic archaeologists had been aware of all these possible locations when the 5<sup>th</sup> Interim report was compiled. The Commission recognised then and still recognises that it is highly likely that burials did take place in the grounds of Bessborough. The only way that this can be established is by an excavation of the entire property including those areas that are now built on.

**Burial records relating to St Finbarr's Hospital held at Cork University Maternity Hospital**

- 38.18 The Commission continued its efforts to establish if any of the Bessborough children were buried in other locations. In its 5<sup>th</sup> Interim Report, the Commission reported that a 'Burial Book' relating to deaths in St Finbarr's Hospital may have been held in Cork University Maternity Hospital (CUMH). The Commission issued a discovery order in respect of these records. In May 2019, HSE South informed the Commission that they had located records relating to St Finbarr's Hospital including burial records and mortuary records. Three of the collections located at CUMH were relevant to the Commission's work.

***Mortuary Book (1969-79)***

- 38.19 The Commission undertook a line by line search of this book and identified a number of children born in Bessborough who subsequently died in St Finbarr's Hospital.

***Folder of Burial Records/Burial Index Card Box***

- 38.20 These records were the mortuary index cards flagged by a former administrator of St Finbarr's Hospital. The collection comprised physical Burial Index Cards created by the mortuary attendant at St Finbarr's Hospital and a folder detailing the

information recorded on the cards. The collection of mortuary index cards held at CUMH covered the years 1968-85. The Commission has established that mortuary index cards relating to the 1940s and 1950s were held in St Finbarr's Hospital in the late 1990s but have not been located to date. The Commission analysed the extant mortuary index cards and identified 26 infants and children born in Bessborough who subsequently died in St Finbarr's Hospital. The Commission also identified 11 stillborn infants delivered in St Finbarr's Hospital to women transferred from Bessborough.

- 38.21 The mortuary index cards compiled at St Finbarr's Hospital recorded patient details including name, last address, date of death, name of undertaker and place of burial. Index cards relating to 'illegitimate' infants who died in St Finbarr's Hospital in this period stated that all were buried in St Michael's Cemetery. The Commission examined the burial registers at St Michael's Cemetery on two occasions but found no burial record for the infants identified on the mortuary index cards. Further analysis of the mortuary index cards revealed that in some instances deceased infants were buried in the coffins of deceased adult patients. In other instances, infants were buried in coffins containing amputated limbs.<sup>1</sup> The Commission established that the Cork health authorities were buying burial plots in St Michael's Cemetery since its opening in 1948. These burial plots were used to bury the unclaimed remains of patients who died in Cork County Home/St Finbarr's Hospital. The Commission has not established when the health authorities began the practice of burying 'illegitimate' infants in coffins with adult remains or with amputated limbs. The Commission has also not established why the names of infants buried in this manner were not recorded in the burial register at St Michael's Cemetery. However, it is clear from a collection of correspondence between the health authorities and staff and administrators of maternity hospitals in Cork that the practice was commonplace.

***Box file of miscellaneous emails/Southern Health Board plot purchases/cemetery plans***

- 38.22 As part of the Inquiry into Post Mortem Practices and Organ Retention,<sup>2</sup> a Post Mortem Enquiry Helpline was set up at Cork University Hospital (CUH) in 2001. It appears that maternity records from hospitals in Cork were transferred to CUH at

<sup>1</sup> HSE, Cork University Maternity Hospital, Burial index card box/folder of burial records 1968-85.

<sup>2</sup> The Report of Dr Deirdre Madden on Post Mortem Practice and Procedures is at <https://www.lenus.ie/handle/10147/43373>

that time. The helpline was to assist parents of stillborn children and parents of deceased infants who were the subject of post mortem examination. Most letters from parents related to instances where a hospital had arranged the burial of a deceased child and where parents requested information on the place of burial. It is clear from this collection of correspondence that Southern Health Board officials did not know how hospitals in the city dealt with foetal and infant remains. A letter from a consultant obstetrician/gynaecologist to the Secretary, Erinville Maternity Hospital, in 1984 acknowledged that foetal remains from Cork Regional Hospital (CUH) were 'normally placed in a coffin with other corpses' and subsequently buried in consecrated ground. The doctor stated that he found the practice 'unsatisfactory' as parents would never locate or visit their child's grave.<sup>3</sup> The Commission has established that health authorities in Cork engaged in such burial practices from at least the 1960s and had continued to do so until the late 1980s. In 1992, the Southern Health Board made arrangements for the burial of foetal and infant remains at Kilcully Cemetery, Cork. The administrator, St Finbarr's Hospital, advised the Secretary, Miscarriage Association of Ireland, that when requested by parents, foetal and infant remains were placed in a small coffin and buried in Kilcully, where the cemetery supervisor kept a register of such burials. Parents who sought information on the burial of a child prior to 1992 received a standard letter from the Southern Health Board which read:

Following discussions with relevant staff and an exhaustive search to locate the burial place of Baby X, it was the practice at that time for St Finbarr's Hospital to bury babies on behalf of the parents in St Finbarr's Cemetery, Glasheen Road, Cork. The cemetery records are unable to pinpoint the actual burial place as there were a number of different plots.

- 38.23 The Commission examined Burial Records relating to St Finbarr's Cemetery on two occasions and found burial details recorded for three 'illegitimate' children associated with Bessborough. Two related to child deaths which occurred in 1923 and the third to a child death in 1989. All three children were buried in 'poor ground' local authority owned burial plots. If it was the case that the Cork Health Authority/Southern Health Board did 'bury babies on behalf of parents in St Finbarr's Cemetery' it appears that their burials were not recorded in the cemetery burial records. The Commission found that details relating to burials of 'illegitimate'

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<sup>3</sup> HSE, Dr E.P.J McGuinness to A. Gosnell, Secretary, Erinville Hospital, 13 August 1984.

children are conspicuously absent from burial records associated with cemeteries with local authority burial plots.

- 38.24 In 2001, the Southern Health Board endeavoured to locate the burial places of five infants whose parents had contacted the Post Mortem Enquiry Helpline. The infant deaths had occurred on dates between 1973 and 1985 and the place of death was St Finbarr's Hospital or the Erinville Hospital, Cork. Senior Southern Health Board staff engaged with cemetery supervisors in Cork city and hinterland and former administrators of maternity hospitals in the city in a bid to establish the location of the infant burials. Following intensive inquiries, the Southern Health Board stated, based on anecdotal evidence, that it was likely that infants who died in the 1980s were interred in St Finbarr's Cemetery, but concluded that 'cemetery staff are unable to pinpoint the actual burial place'.
- 38.25 The Commission has encountered similar difficulties in locating the burial places of children who died in the Cork institutions under its remit: Cork County Home/St Finbarr's Hospital and the Bessborough Home/Sacred Heart Maternity Hospital. As highlighted above, it appears that the practice of burying deceased infants in coffins with adult remains was common practice in the city's main maternity hospitals until the late 1980s. Furthermore, the associated practice of neglecting to record such infant burials in cemetery Burial Registers appears to have been common practice also. The Commission spent considerable time and resources trying to establish the burial places of more than 1,400 infants and children who died either in Cork County Home/St Finbarr's Hospital or the Bessborough Home/Sacred Heart Maternity Hospital in the period 1922-98. The Commission identified the burial places of 101 infants who died in one or other of these institutions. While most burial places were confirmed by an actual burial record (mainly in the 1920s) others were identified through disparate historical sources created by Cork health authorities or hospital personnel. Given the burial practices adopted by maternity hospitals in Cork in the mid to late twentieth century, the Commission considers the task of locating the burial places of the remaining 1,300 plus infants and children who died in Cork County Home/St Finbarr's Hospital and the Bessborough Home/Sacred Heart Maternity Hospital to be a difficult one.

## Castlepollard

38.26 In its 5<sup>th</sup> Interim Report, the Commission stated that it had no reason to doubt that the children who died in Castlepollard were buried there in the marked burial ground. After the publication of that report, the Congregation of the Sacred Hearts of Jesus and Mary provided the Commission with copies of correspondence between it and the Midland Health Board in the 1990s which further clarified what occurred in the 1990s. In 1994, the congregation contacted the Midland Health Board (which had owned the site since 1971) to say that it wanted to remove the wall between the Sisters' and the children's burial plots and wanted to install a memorial to the children. The congregation pointed out that, while there was a memorial stone to the Sisters who died there and to the mother who died there, there was nothing to mark the fact that children were also buried there. The congregation was concerned about this. The Midland Health Board agreed to the congregation's proposals. It seems that the works were not carried out until 1996/7 and they were then carried out by the health board. The congregation agreed to pay the costs involved. This correspondence corroborates what local people told archaeologists in 2017 and which is reported in the Commission's 5<sup>th</sup> Interim report.

## Tuam deaths and anatomical studies

38.27 In its 5<sup>th</sup> Interim Report, the Commission reported that a number of infant remains had been sold to the Galway Medical school by the porter in the Central Hospital, Galway. The Commission did **not** report that these bodies were those of children from the Tuam Children's Home. The Commission did consider this possibility as it was obliged to do under its Terms of Reference but, as the names of the children are not known, it is not possible to establish where they were from. The dates of their deaths makes it highly unlikely that any of them were former residents of the Tuam home.

38.28 In the chapter on anatomical studies, the 5<sup>th</sup> Interim Report stated at paragraph 7.35:

The current head of the Galway Anatomy Department told the Commission that, when he took up this post in 1995, there were many "wet" infant anatomical subjects preserved in the department. These unidentifiable infant remains were buried together in Ragoon Cemetery, Galway in 1995 with full funeral rites and with the permission of the Coroner.

38.29 This was based on information supplied to the Commission at an earlier date. The errors in this statement were brought to the Commission's attention by the head of the anatomy department but, regrettably, the Commission did not correct it. The correct information is as follows:

The current head of the Galway Anatomy Department told the Commission that, when he took up this post in 2005, there were many "wet" infant anatomical subjects preserved in the department. These unidentifiable infant remains were buried together in Bohermore Cemetery, Galway in 2005 with full funeral rites and with the permission of the Coroner.

38.30 The Commission apologises for its failure to correct this before submission of its 5<sup>th</sup> Interim report and acknowledges the assistance of the head of the Galway Anatomy Department in its investigation.

### **The law on burials**

38.31 The Cork Survivors and Supporters Alliance submission argued that the common law placed various obligations on the Congregation of the Sacred Hearts of Jesus and Mary in respect of burials and these obligations had not been met. The Commission's 5<sup>th</sup> Interim report outlined only the statutory provisions and the submission argued that these did not replace the common law duties. The Commission accepts that the common law may have placed obligations on the congregation in respect of burials but it is not clear what exactly those obligations were and in what way, if any, they were different from the statutory obligations.

38.32 The submission further argued that it was wrong to conclude that burial grounds operated by religious institutions (such as at Bessborough) were not regulated by the 1878 Act. The submission makes an arguable case for this but it is clear that the 1888 Rules and Regulations did not apply to burial grounds such as Bessborough.

38.33 The points raised by the submission in relation to the law on burials are interesting. However, the Commission decided not to pursue the matter further because of time constraints (the submission was received in March 2020 when this report was almost complete) and because its primary concern was to try to establish where the children were buried.