

**MOTHER AND BABY HOMES  
COMMISSION OF INVESTIGATION**

**FIFTH INTERIM REPORT**

**15<sup>TH</sup> MARCH 2019**

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## **Introduction**

1. One of the major factors in the decision to establish this Commission of Investigation was the controversy about the burial practices at the Tuam Children's Home. As is now very well known, Catherine Corless established that the deaths of almost 800 children in the Tuam Home had been registered but there was no register of the burials of these children. She concluded that they were probably buried in the grounds of the former Home. The location and the manner of these burials became a major controversy.
2. The Terms of Reference of the Commission include, among other things, "To investigate post-mortem practices and procedures in respect of children or mothers who died while resident in these institutions, including the reporting of deaths, burial arrangements and transfer of remains to educational institutions for the purpose of anatomical examination;"
3. This report is concerned with the burial arrangements in the main institutions under investigation and with the transfer of remains to educational institutions for the purpose of anatomical examination. It is limited to burials and does not include any analysis of the causes of deaths or the registration of deaths. These issues will be dealt with in the final report.

## **Other institutions being investigated**

4. The other institutions being investigated by the Commission are not covered in this report for a variety of reasons. Some of the other institutions do not have significant issues relating to burials either because they did not have any, or any significant number of, deaths or because the deaths did not occur in the institutions and the responsibility for burial did not lie with the institutions (for example, Dunboyne, the Castle). There is very little information available about deaths in some institutions (for example, Kilrush). The Commission's investigation of Regina Coeli is not yet sufficiently advanced. The deaths in all the institutions will be analysed in the Commission's final report and any further information on burials will also be included.

## **Terminology**

5. The Commission is acutely conscious of the hurt that is often caused to former residents and their families when they come across words and terms that are no

longer acceptable. The Commission is writing a historical document so it is not possible to completely avoid using such terms.

### ***“Illegitimate”***

6. The term “illegitimate” is not acceptable and should never have been applied to any child. However, the fact is that it was used on official documentation until 1988 when the *Status of Children Act 1987* came into effect. The descriptions “legitimate” and “illegitimate” are used in very many of the documents being analysed by the Commission. In many cases, it is the description “illegitimate” which allows the Commission to correctly identify the children covered by its Terms of Reference.

### ***“Home”***

7. Former residents often object to the use of the word “Home” to describe the institutions. The Commission understands this and recognises that these were institutions and not “homes” in the normal meaning of the word. However, the Commission uses the historically correct title, for example, the Tuam “Children’s Home”. Pelletstown was the original name of St Patrick’s, Navan Road. The Commission uses Pelletstown in order to avoid confusion with all the other institutions such as industrial schools and hospitals which are also called St Patrick’s.

### ***Burial ground***

8. “Burial ground”, “graveyard” and “cemetery” are usually regarded as synonyms nowadays. In the past, the words cemetery and graveyard applied to a designated burial area. A cemetery was generally a large burial ground especially one not in a churchyard. A graveyard generally adjoined a church. The governing legislation uses the more general term “burial ground” and this is the term used by the Commission.

### **Context**

9. The Commission is conscious that this report is not placed in the social and economic context of the times as the final report will be. Some background information is given on the institutions in order to clarify their particular roles and who was responsible for burials. Neither Pelletstown nor Tuam was exclusively a home for unmarried mothers and their babies. Pelletstown was used to house orphans, abandoned children (who may have been “legitimate” or “illegitimate”) and very sick children. Tuam was used to house homeless families and children of married parents who were unable to care for them. “Legitimate” children who were resident

in an institution with a parent are not within the Commission's Terms of Reference but those who were resident without a parent are. Bessborough, Castlepollard, Sean Ross and Bethany were almost exclusively mother and baby homes. Pelletstown and Tuam were local authority institutions while the others were private institutions.

### ***Burials of children in non-institutional settings***

10. The Commission has tried to establish what were the general practices in relation to the burial of children who died in the community in the first half of the 20<sup>th</sup> century but has had difficulty in finding solid evidence on the subject. There is anecdotal evidence that sometimes children who died were placed in a coffin with an adult. Similarly, there is anecdotal evidence that very small children were not buried in standard coffins but were either shrouded or placed in a small box. It is possible that children who were born at home and died very soon after birth had neither their births nor their deaths registered and were buried privately by their families.

### ***Stillbirths***

11. It is well established that stillborn children and unbaptised children were not generally buried in consecrated grounds but in cillíní. Sometimes the cillín was just outside the walls of a recognised burial ground. (Cillíní may also have been used for people who were not considered to be entitled to a Christian burial in a consecrated burial ground, for example, people who died by suicide.) It is very likely that all children who were born in mother and baby homes were baptised. There were stillbirths in the institutions being investigated. Stillbirths from Bethany were buried in Mount Jerome but it is not clear where stillbirths from the other institutions were buried. It seems unlikely that they were buried in the same place as baptised children.
12. It was standard practice in Dublin maternity hospitals for the hospital to arrange the burial of a stillborn child (regardless of status) without reference to the parent(s). This practice lasted at least until the 1950s.
13. It was not possible to register stillbirths until 1995.<sup>1</sup> Maternity homes were obliged to report the numbers of stillbirths to the Department of Local Government and Public Health (later the Department of Health).

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<sup>1</sup> The *Stillbirth Registration Act 1994* came into effect on 1 January 1995.

## Numbers of deaths

14. In analysing the information available about mothers and children who were resident in the various institutions, the Commission has paid particular attention to the deaths, the numbers involved, whether or not they were reported to other authorities when that was a requirement (for example, to the Department of Local Government and Public Health (later the Department of Health), the local health authority or the Coroner) and to the Registrar of Deaths. This involves very detailed examination of information from a number of sources, for example, the General Register Office (GRO) and returns made to the Department of Local Government and Public Health and then matching that information with the information compiled within the institutions. This exercise is complex for many reasons not least the sometimes different names and/or variations on spelling recorded in the different documents. These differences arise in some cases from the deliberate use of different names in order to maintain privacy or secrecy. More often, they arise because of different versions of the same name or simple errors such as mistakes in dates. The difficulties presented by the use of different names are described in Chapter 16 of the *Report of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries*.<sup>2</sup>
15. Children who were boarded out often took the surname of their foster parents. This was not illegal. Until the *Registration of Births Act 1996* came into effect, children were not given a registered surname. The child's forename was recorded as were the forename and surname of the parent(s) but there was no requirement that the child use a parent's surname. If a child who was born in an institution, and subsequently boarded out, was returned to the institution and died there, the name used may not match the original name in the institution.
16. The Commission considers that children who were sent to hospitals from the various institutions and who died soon afterwards in the hospitals should be included in the number of deaths in the institution. The GRO death registers record the information given by the informant. In some of these cases, they record the institution as the last known residence and in other cases the hospital or sometimes another location such as the home address of the mother is shown as the last known residence. This,

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<sup>2</sup> Generally known as the McAleese Report: [http://www.justice.ie/en/JELR/2013Magdalen-P%20III%20Chapter%2016%20Death%20\(PDF%20-%20384KB\).pdf/Files/2013Magdalen-P%20III%20Chapter%2016%20Death%20\(PDF%20-%20384KB\).pdf](http://www.justice.ie/en/JELR/2013Magdalen-P%20III%20Chapter%2016%20Death%20(PDF%20-%20384KB).pdf/Files/2013Magdalen-P%20III%20Chapter%2016%20Death%20(PDF%20-%20384KB).pdf)

obviously, makes it difficult to accurately identify the number of deaths. The Commission is not including children who had been in the institutions and who died after they were placed at nurse or boarded out.<sup>3</sup>

17. The Commission considers it important to try to trace all children who died and so it has devoted considerable time and resources to this particular exercise. There are extensive records in some cases and very sparse records in others. At this stage (March 2019) the Commission is close to finalising the detailed numbers and these will be included in the final report. In this report, the Commission gives information about the now known numbers involved. After further checking, some of these may change slightly but they can be taken as reasonably accurate.

18. All records from the various sources are not yet fully reconciled and, indeed, may never be. There are a small number of instances where, for example, the register of deaths records the last residence of a child as Bessborough or Tuam but there is no mention of this child in the records compiled in Bessborough or Tuam.

19. There are instances of deaths noted in the Tuam Children's Home records which are not on the register of deaths. The number of such discrepancies is very small and may yet be resolved. In the Commission's view, there is very little basis for the theory that the children concerned did not die but were "sold" to America. Children from Tuam were adopted to America (as were children from nearly all the institutions under investigation). These adoptions are generally recorded in the Tuam records. It is not obvious why subterfuges would be required to arrange such adoptions.

### **Presence of mothers**

20. In the institutions other than Dublin Union/Pelletstown, the majority of child deaths occurred while the mother was also resident there. There is no information available about the involvement of mothers in decisions about the burial of the child. It seems likely that the mothers would have asked about the burial arrangements. It is not known if they were told or if they were involved in any way.

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<sup>3</sup> Children "at nurse" were children who were placed by the mother or a voluntary agency in a private home or institution and a payment was made by the mother or agency for the child's upkeep. The *Children Act 1908*, as amended, required people taking nurse children to be registered – this issue will be dealt with in more detail in the Commission's final report. "Boarded out" children were children placed with families by the health authorities and the families were paid an allowance.

### **Finding out about burials**

21. Within weeks of its establishment, the Commission wrote to the relevant religious orders asking for any information about the institutions they owned or ran. Specific information on burials was requested. The replies from the Sisters of Bon Secours (Tuam) and the Congregation of the Sacred Hearts of Jesus and Mary stated that the relevant information was no longer available to them because their records were all held by the Child and Family Agency (TUSLA). It took considerable time for the Commission to electronically copy these records and then analyse them. There is no information about burials in these records. Information about Tuam burials was also sought from Galway County Council. It did not have any documentary information on the subject.

### ***Obligation to record burials***

22. There was a legal obligation on local authorities to keep a register of burials in public burial grounds. It is the Commission's view that this obligation applied to Galway County Council in relation to the Tuam burial ground but there is no burial register. Carr's Hill in Cork was a public burial ground for which the health authorities were responsible. It seems that a burial register was compiled there but, unfortunately, the Commission has failed to find it; the HSE, which owns Carr's Hill, does not know if it ever held such a burial register.
23. There was no obligation on private burial grounds to keep a register of burials. However, three private burial grounds relevant to this report, Glasnevin, Mount Jerome and St Joseph's Cemetery, Cork, did keep proper records. There is no evidence that any record of burials was kept by the Congregation of the Sacred Hearts of Jesus and Mary in respect of burials in Castlepollard and Sean Ross. There was a canon law requirement to keep a record of burials.

### **Further information**

24. The Commission is of the view that there must be many people who know more about the burials which are described in this report and who have not come forward with relevant information. The Commission would welcome any such new information.



## **Summary of findings**

1. The major issues about burials arise in the cases of Bessborough and Tuam. It is not known where the vast majority of the children who died in Bessborough are buried. There is a small burial ground in the grounds of Bessborough. This was opened in 1956 for members of the congregation. It seems to have been assumed by former residents and advocacy groups that this is also where the children who died in Bessborough are buried as there are occasional meetings and commemoration ceremonies held there. The vast majority of children who died in Bessborough are not buried there; it seems that only one child is buried there. More than 900 children died in Bessborough or in hospital after being transferred from Bessborough. Despite very extensive inquiries and searches, the Commission has been able to establish the burial place of only 64 children. The Congregation of the Sacred Hearts of Jesus and Mary who owned and ran Bessborough do not know where the other children are buried.

### **Sacred Heart Homes**

2. The burials of children who died in the three Sacred Heart Homes (Bessborough, Castlepollard and Sean Ross) are not recorded at all. More importantly, there is no certainty about where they are buried.
3. The Congregation of the Sacred Hearts of Jesus and Mary who owned and ran these institutions provided the Commission with an affidavit about burials generally and specifically about the Castlepollard and Sean Ross child burials but very little evidence was provided to support the statements in it. The affidavit was, in many respects, speculative, inaccurate and misleading.
4. The children who died in Castlepollard are likely to be buried in the burial ground there. However, there is no documentary evidence to confirm this.

### **Bessborough**

5. As already stated, the Congregation of the Sacred Hearts of Jesus and Mary do not know where the children who died in Bessborough are buried. The Commission finds this very difficult to comprehend as Bessborough was a mother and baby home for the duration of the period covered by the Commission (1922 – 1998) and the congregation was involved with it for all of this time. The Commission finds it very difficult to understand that no member of the congregation was able to say where the children who died in Bessborough are buried.

6. The Commission tried to establish where the Bessborough children were buried. Cartographic and landscape assessment was undertaken of possible unrecorded burial arrangements in the Bessborough grounds. A site survey was also conducted. It is clear that there are a number of locations within the grounds where burials could have taken place. However, there is no significant surface evidence of systematic burial anywhere except for the congregation burial ground.
7. The Commission considers that it is likely that some of the children are buried in the grounds but has been unable to find any physical or documentary evidence of this. In particular, during the 1940s (when many of the deaths occurred) and when petrol was scarce, it would have been very expensive to arrange off-site burials. However, as no physical evidence of possible locations was found, the Commission did not consider it feasible to excavate 60 acres not to mention the rest of the former 200 acre estate.

#### **Cork County Home**

8. The Commission has established that, between 1922 and 1998, 552 “illegitimate” children died in Cork County Home/St Finbarr’s Hospital. So far, no burial records have been found for these children. It is likely that they are buried in Carr’s Hill Cemetery but there is no documentary evidence available.

#### **Tuam**

9. In the light of a great deal of inaccurate commentary about the Tuam site, the Commission considers it important to emphasise what it has established and what it has not established.
  - The memorial garden site contains human remains which date from the period of the operation of the Tuam Children’s Home so it is likely that a large number of the children who died in the Tuam Home are buried there.
  - The human remains found by the Commission are not in a sewage tank but in a second structure with 20 chambers which was built within the decommissioned large sewage tank.
  - The precise purpose of the chamber structure has not been established but it is likely to be related to the treatment/containment of sewage and/or waste water. It has not been established if it was ever used for this purpose although soil analysis illustrates that it is likely it was so used for an unspecified duration. The Commission does not consider that any of its features suggest that it was

deliberately formed as a crypt or formal burial chamber. If that were the case, an entirely different type of structure would have been expected that would allow for easy human access.

- It has not been established that all the children who died in the Tuam Children's Home are buried in this chamber structure. There is some evidence that there may be burials in other parts of what were the grounds of the Home.
10. It seems clear that relatively extensive work and construction was conducted in and around the site of the Children's Home in Tuam, particularly during the July – December 1937 period. The Commission thinks it possible that the reworking of the old sewage tank and the construction of the second structure described above may have occurred at this time. If this is so, then the human remains found in the chambers are likely to date from after 1937. This raises the question of where the children who died before then are buried.
  11. The more difficult question to answer is why the children were “buried” in such an inappropriate manner.
  12. All the residents of the Tuam Home were the responsibility of the Galway and Mayo County Councils. It seems to the Commission that responsibility for the burials of deceased children rested with the local authorities and Galway County Council had a particular responsibility as the owner of the institution.
  13. The Sisters of Bon Secours who ran the Tuam Home were unable to provide any information about the burials there.
  14. The Commission is surprised by the lack of knowledge about the burials on the part of Galway County Council and the Sisters of Bon Secours. Galway County Council members and staff must have known something about the manner of burial when the Home was in operation. The Board of Health and its sub-committees sometimes held their meetings in the Home. Employees of Galway County Council must have known about the burials. County Council employees would have been in the grounds of the Home quite frequently as they carried out repairs to the building and possibly also maintained the grounds. It seems very likely that Galway County Council must have been aware of the existence of burials when they were planning the Athenry Road housing scheme in 1969.

15. The Sisters of Bon Secours continued to live and run a private hospital in the town of Tuam until 2001. They must have been aware of the building works which were carried out on the Children's Home site in the 1970s.

16. The Commission considers that there must be people in Tuam and the surrounding area who know more about the burial arrangements and who did not come forward with the information.

#### **Dublin Union/Pelletstown**

17. The burials of children who died in the Dublin Union institutions including Pelletstown are properly recorded in Glasnevin Cemetery.

#### **Bethany**

18. The burials of children from Bethany are properly recorded in Mount Jerome cemetery.

#### **Anatomical subjects**

19. There can be little doubt that most people will find the arrangements made for anatomical studies prior to the 1970s distasteful at a minimum. However, the burials of the anatomical subjects used by the Dublin Medical Schools are properly recorded in Glasnevin Cemetery. It has not been possible to establish anything about the burials of the child anatomical subjects used in the Galway Medical School as their names are not known.

## Chapter 1: The law on burials

### Summary

1.1 For the period covered by the Commission, the law on burials was set out in the *Public Health (Ireland) Act 1878 (Part 111)* and in the *Rules and Regulations for the Regulation of Burial Grounds 1888*.

1.2 In summary, the law provided that:

- Public burial grounds were run by local burial boards (local authorities) and were subject to statutory regulation and central government oversight (initially the Local Government Board for Ireland and after 1924, the Minister for Local Government and Public Health and the successors in title).<sup>4</sup>
- Private burial grounds, including those owned and operated by churches and religious institutions, were not subject to statutory regulation unless they applied to be licensed by the Minister or to be taken over by the burial board; in effect the 1878 Act and the 1888 regulations did not apply to private burial grounds. However, after 1948 any new such burial ground was not allowed to be operated without ministerial consent or approval, or planning permission.
- In public burial grounds, bodies were required to be buried in coffins. This did not apply to private burial grounds, including those owned by religious institutions.
- Burials in public burial grounds were required to be recorded in a register book provided by the local burial board. There was no registration requirement for burial in private burial grounds except in very specific circumstances relating to the registration of the death.<sup>5</sup>

### Public burial grounds

1.3 The 1878 Act provided that, in general, the sanitary authority in each sanitary district was designated the “burial board” for the district, under the control and direction of the Local Government Board for Ireland. Following the establishment of the Irish Free State, the Local Government Board’s functions were transferred to the Minister for Local Government and Public Health in 1924 and subsequently to the Minister’s successors in title.<sup>6</sup> So, for almost all of the period covered by the Commission, the central government authority was the relevant Minister. In practice, the sanitary authorities and consequently the burial boards were the local authorities.

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<sup>4</sup> The successors in title during the period covered by the Commission were the Minister for Local Government from 1947; the Minister for the Environment from 1977; and the Minister for the Environment and Local Government from 1997. At present, the relevant Minister is the Minister for Rural and Community Development.

<sup>5</sup> This will be dealt with in the Commission’s final report.

<sup>6</sup> See Footnote 1

1.4 The 1878 Act also provided that publicly owned burial grounds were transferred into the ownership of the burial boards which were given responsibility for their management and protection.

1.5 The 1878 Act gave the Minister the power to order that no new burial ground could be opened in any district without his or her approval, or to order that burials would be discontinued (wholly or subject to exception or qualification) in a particular district or burial ground. The Minister was also given the power to direct an inquiry into any matter in relation to a burial ground and to make an appropriate order arising from such an inquiry.

1.6 Any person who knowingly and wilfully buried a body, or acted or assisted in any burial, in violation of an order of the Minister under the 1878 Act was guilty of an offence.

1.7 The 1878 Act gave the Minister the power  
“...to make such rules and regulations in relation to the burial grounds and places of reception of bodies previous to interment under this Act as may seem proper for the protection of the public health and the maintenance of public decency”.

The burial boards were obliged to comply with such rules and regulations.

1.8 The 1888 regulations required burial in “a coffin of wood or other sufficiently strong material”.<sup>7</sup>

1.9 The *Open Spaces Act 1906*<sup>8</sup> gave local authorities the power to make bye-laws for the regulation of any open space or burial ground which they controlled.

### **Private burial grounds**

1.10 The 1878 Act was mainly concerned with public burial grounds. It does have some provisions which are relevant to private burial grounds. It provided for the licensing of existing burial grounds on church/chapel premises. A licence could be granted “on application” to the Local Government Board and subsequently the Minister but there was no requirement to get a licence and, if a licence was granted, there was no penalty for breaching its terms. The Act also dealt with the right to interment, or absence of such a right, in private burial grounds but this is not relevant to the Commission’s Terms of Reference.

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<sup>7</sup> This remained the law until 2013; the Burial Ground (Amendment) Regulations 2013 (SI/ 144/ 2013), allows for “uncoffined burials” in certain circumstances.

<sup>8</sup> <http://www.irishstatutebook.ie/eli/1906/act/25/enacted/en/html>

1.11 Aside from these provisions, it is clear that the 1878 Act did not apply to non-public burial grounds. Section 199 provided that:

“The provisions of this part of this Act shall not apply to any private and exclusive family mausoleum or burial place not being within the limits of any public burial ground.”

The term “public burial ground” was not defined, but it seems clear that it was meant to refer to burial grounds provided by the burial boards. In effect, this means that private burial grounds, for example, those attached to churches or religious institutions were not regulated.

1.12 The 1878 Act did provide for the placing of any burial ground under the management of the burial board, in which case the Act would apply to it. The *Public Health (Ireland) Act 1896*<sup>9</sup> clarified that this included “any burial ground attached or contiguous to a Roman Catholic place of worship” where “the ownership...is not vested in any person or persons, corporation or limited company”. However, unless this option was availed of, the 1878 Act did not regulate non-public burial grounds, other than in the very limited manner outlined above.

### **Glasnevin Cemetery**

1.13 Glasnevin Cemetery is a private cemetery. Prior to 1970 it was governed by the *Dublin Cemeteries Act 1846* and the bye-laws made under that Act (see Chapter 7). Since 1970, it has been governed by the *Dublin Cemeteries Committee Act 1970*.<sup>10</sup> These are private Acts and they are applicable only to Glasnevin and a small number of other cemeteries in the Dublin area. Neither the local authorities nor the Minister with responsibility for oversight of public burial grounds has a role.

### **Mount Jerome**

1.14 Mount Jerome is also a private cemetery. It is governed by Dublin General Cemetery Company’s Acts 1933<sup>11</sup> which incorporated Acts from 1834 and 1874. Again, these are private Acts and apply only to Mount Jerome cemetery. Neither the local authorities nor the Minister with responsibility for oversight of public burial grounds has a role.

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<sup>9</sup> <http://www.irishstatutebook.ie/eli/1896/act/54/enacted/en/print.html>

<sup>10</sup> <http://www.irishstatutebook.ie/eli/1970/prv/1/enacted/en/html>

<sup>11</sup> <http://www.irishstatutebook.ie/eli/1933/prv/2/enacted/en/html>

### **Where a body may be buried**

1.15 The *Local Government (Sanitary Services) Act 1948*<sup>12</sup> limits the places in which a body may be buried. Section 44 provides:

“(1) ...a person shall not, without the consent of the Minister, bury the body of a deceased person in a place which is not a burial ground for the purposes of this section.

(2) The following (and no other) places shall be burial grounds for the purposes of this section—

(a) a place which is in lawful use as a burial ground and which was, immediately before the commencement of this section, in lawful use as a burial ground,

(b) a place as respects which the Minister has, after the commencement of this section, given his approval to its being used as a burial ground,

(c) a burial ground provided by a burial board under the Acts.”<sup>13</sup>

1.16 The phrase “lawful use as a burial ground” was not defined. However, as burial grounds not operated by burial boards were not unlawful, any such grounds operating before 1948 seem to have effectively been given statutory recognition under the 1948 Act. This statutory recognition did not mean that they were subject to the requirements of the 1878 Act. Any new private burial grounds opened after 1948 needed the approval of the Minister but, again, they were not made subject to the requirements of the 1878 Act.

### **Register of burials**

1.17 The 1878 Act provided for the keeping of a register of burials. The power to make rules and regulations under the 1878 Act in relation to burial grounds expressly included rules and regulations “for the proper registry of interments”.

1.18 Section 191 of the 1878 Act provided that:

“All burials within any burial ground provided under this Act shall be registered in a register book to be provided by the burial board providing such ground, and kept for that purpose; and such register book shall be so kept by some officer appointed by the said board to do that duty; and in such register book shall be distinguished in what parts of the burial ground the several bodies (the burials of which are entered in

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<sup>12</sup> <http://www.irishstatutebook.ie/eli/1948/act/3/enacted/en/html>

<sup>13</sup> This provision was amended by the *Local Government Act 1994*. The Minister’s consenting role under s. 44(1) was transferred to the burial boards and a new s. 44(2A) was added, clarifying that burial grounds granted permission under the planning legislation, and those provided by local authorities, were also to be considered burial grounds for the purposes of s. 44(2).



such register book) are buried; and such register book, or copies or extracts thereof, or any document purporting to be a copy or extract thereof, shall be received in all courts as evidence of the burials entered therein. The clerk or secretary, or registrar to every burial board and cemetery company, or other authority having charge of any burial ground, shall make or cause to be made, at such times and in such manner as the Local Government Board may direct, a return of the names, addresses, dates of death and causes of death, so far as ascertained by him, of the persons whose bodies have been interred in such burial ground to the registrar of the district in which such persons resided at the dates of their deaths respectively, and such clerk, secretary, or registrar of each such cemetery company shall be paid therefor by the sanitary authority during the period he is required to perform such duty such sum as the Local Government Board may direct, not being more than threepence for each separate entry of death.”

1.19 The *Public Health (Ireland) Amendment Act 1879* clarified that returns under this section were to be sent to the registrar of births and deaths of the district or the Registrar General of Births and Deaths in Ireland. The functions of the Minister under this provision were transferred to the Minister for Health in 1947.<sup>14</sup>

1.20 It is clear that the registration requirement extended only to burial grounds operated by the burial boards and therefore did not cover burials in religious premises or in other private places of burial.

### **Stillborn children**

1.21 The *Births and Deaths Registration Act (Ireland) 1880 Act* made it an offence to “wilfully bury or procure to be buried the body of any deceased child as if it were still-born”. It also made it an offence for “[a] person who has control over or ordinarily buries bodies in any burial ground” to “permit to be buried in such burial ground the body of any deceased child as if it were still-born”. In the case of stillborn burials, such persons were required to have delivered to them, before burial, a certificate from a medical practitioner confirming the stillbirth, a declaration to that effect from a relative or an order from the coroner. These provisions were obviously aimed at stopping people from bypassing registration requirements in relation to infant deaths by passing them off as stillbirths.

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<sup>14</sup> Health (Transfer of Departmental Administration and Ministerial Functions) Order 1947 (SI/58/1947).

### **More than one body in a coffin**

1.22 There was also a provision in the 1880 Act, aimed at preventing the burial of persons whose death was not registered, by means of placing the body in a coffin with another body.

## Chapter 2: Dublin Union/St Patrick's, Navan Road (Pelletstown)

1922 - 1985

### Background

2.1 “St Patrick's, Navan Road, Dublin 7, originally known as Pelletstown and subsequent transfer to Eglinton House, Eglinton Rd, Dublin 4” is one of the institutions which the Commission is specifically mandated by its Terms of Reference to investigate. In accordance with its terms of reference and the criteria set out there, the Commission chose the Dublin Union<sup>15</sup> as one of the county homes to be investigated. In practice, Pelletstown and the Dublin Union were really one institution with separate premises. Pelletstown was frequently referred to as the “Pelletstown Auxiliary” as it was an auxiliary building to the South Dublin Union. Both sets of premises were owned and financed initially by the Dublin Board of Guardians and subsequently by its successors in title (for example, the Dublin Board of Assistance, the Dublin Health Authority from 1960 – 1970 and the Eastern Health Board from 1971 onwards).<sup>16</sup>

2.2 The South Dublin Union premises were in James's Street on the site of what is now St James's Hospital. The North Dublin Union and the South Dublin Union were amalgamated in 1918 as part of the changes to the Poor Law and the South Dublin Union premises then became the Dublin Union premises.<sup>17</sup>

2.3 Pelletstown<sup>18</sup> was run by the Company of Daughters of Charity of St Vincent de Paul.<sup>19</sup> The sisters and other staff who worked in Pelletstown were local government employees and paid as such.

2.4 From 1910 to 1919/20, Pelletstown was a National School and orphanage for the South Dublin Union. The Daughters of Charity became involved in Pelletstown in 1910; they were already involved in running a number of workhouses in Ireland. The Daughters of

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<sup>15</sup> Changes to the Poor Law were made in the period just before and just after 1922. In most counties, the workhouses which were to be retained in use were renamed county homes. The Dublin workhouse was never given this name. Like all other former workhouses, it started to be called by a saint's name at some stage – St Kevin's. Locally, it was generally called simply “the Union”.

<sup>16</sup> The Commission's final report will include details of the various changes in health authority structures.

<sup>17</sup> At some point, it began to be called St Kevin's Institution; there was also a St Kevin's Hospital on the site; it amalgamated with a number of other Dublin hospitals in the early 1970s and then became known as St James's Hospital.

<sup>18</sup> The Commission has decided to use the name Pelletstown in order to avoid any confusion with the many other institutions such as industrial schools, children's homes and hospitals which are or were also called St Patrick's.

<sup>19</sup> They were, and sometimes still are, known as the Sisters of Charity of St Vincent de Paul. As a result they are sometimes confused with the Irish Sisters of Charity. The Commission intends to use “Daughters of Charity” in order to minimise any such confusion.

Charity in Pelletstown were initially asked to provide “care instruction and industrial training of the children of the Poor”. They were expected to cater for boys from age 3 to 14 and girls from age 3 to 15; they were then expected to “place the children in situations suited to their capacity”. The specific role of Pelletstown was changed in May 1919. From 1919, Pelletstown was expected to cater for all mothers and infants; motherless children; all healthy children under age 5; and all sick children such as the Medical Officers considered would be suitably treated there.<sup>20</sup>

2.5 So, like Tuam, Pelletstown was not exclusively a mother and baby home. In later years, while it was mainly a mother and baby home, it continued to house very sick children, abandoned children and children who were considered not suitable for adoption. Occasionally, it also housed children who were awaiting a place in an industrial school.

#### **Deaths in Dublin Union/Pelletstown**

2.6 A full analysis of the deaths that occurred in the Dublin Union, including Pelletstown, will be included in the Commission’s final report. This analysis is complex for many reasons not least that many of the children were sent there because they were very ill.

2.7 The births and deaths which occurred in Pelletstown were registered at the Castleknock Dispensary.<sup>21</sup>

2.8 The deaths which occurred in the Dublin Union, and its associated institutions including Pelletstown, were recorded in the Dublin Union Register of Deaths. These registers are held by the National Archives of Ireland. There are eight volumes (BG79/2/1-8), each covering a 4-6 year period between 1908 and 1951. For each entry, the deceased’s date of admission to the Union, register number, name, religion, previous residence prior to admission to the Union, occupation, condition (single, married, widowed), the department of the Union in which the person was resident, date of death, cause of death and the medical officer who “disposed of”<sup>22</sup> the deceased were all recorded. Where relevant, children are identified in the register as “illegitimate”, “deserted”, “abandoned” or “at nurse”. The parents of the child, if known, are usually identified in their record. If the child was “illegitimate”, the mother and her occupation are noted. If the child was deserted, it was

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<sup>20</sup> Correspondence between the Daughters of Charity and Dublin Union; provided to the Commission by the Daughters of Charity.

<sup>21</sup> NAI, Dublin Union Minute Books: BG 79/A/121, 5 January 1938 – 29 June 1938: Minutes of Board of Guardians Meeting, 19 January 1938: Report of Resident Medical Superintendent, Copy of Report by Mr James Cahill, re the Women and Children in Pelletstown Auxiliary, pp. 55-6.

<sup>22</sup> “How disposed of” is the heading used in the register.

noted where and by whom the child was found. If the child was a “nurse child”, the name of the foster mother and her address were noted. However, in the majority of cases, these registers do not record the cause of death.

2.9 The Commission has examined these registers and extracted the details about all children who are registered. These details have then been matched with the information about deaths which is contained in the records which were compiled in Pelletstown (and now held by the Child and Family Agency (Tusla) and made available to the Commission). This exercise is almost, but not quite fully, complete but it is clear that there is a very close match between the various registers. It can reasonably be said that deaths were appropriately recorded.

### **Burials**

2.10 Children who died in the Dublin Union premises – St Kevin’s – and in Pelletstown were generally buried in Glasnevin Cemetery where detailed records are maintained. A very small number were buried in Mount Jerome. The Commission is continuing to check the burial places of a number of other children. Some of these were “legitimate” and it is possible that they were taken home by their families for burial.

2.11 In the majority of cases the children were buried in the “Poor Ground” burial plots, later renamed the “Angels’ Plot”<sup>23</sup> in Glasnevin. They were buried there at the expense of the Dublin Union and its successors.

2.12 Appropriate records of the burials are maintained at Glasnevin in a Register of Poor Ground Burials. Volumes 27 – 37 of this register cover the burials between August 1919 and July 2002. The Commission has inspected this register and cross checked it with the names of the children known to have died in the Dublin Union, including Pelletstown.

2.13 The Register of Poor Ground Burials records the child’s name, age, sex, religious persuasion, the date of death, cause of death, date of interment in the grave and the date of the issuing of the interment order. In contrast to the Dublin Union Register of Deaths, the cause of death for each child was always recorded in the Glasnevin burial register. The register also records the address the child came from, which in the case of these children was described as either the Dublin Union, St Patrick’s, Navan Road or Pelletstown. It also records who made the burial arrangements, which for children from the Dublin Union, was a

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<sup>23</sup> This term seems to have been used from the 1960s

named official employed by the Dublin Union and its successors in title. Where relevant, the child is described as “abandoned”, “deserted” and/or “illegitimate”. In the case of the latter, the mother’s name and her occupation are noted.

2.14 The Glasnevin Burial Registry records the name and location of each burial plot. The Poor Ground sections of the cemetery are divided into multiple squares, each representing a single burial plot. A series of horizontal and vertical lines divide the Poor Ground section, allowing for each specific burial plot to be located on a map of the section. The horizontal lines are designated by specific letters, and the vertical lines are represented by a number. The letters run from A-Z, through to Aa - Za, Ab – Zb and Ac to Zc. The numbers run from 1 to over 150, depending on the size of each Poor Ground section.

2.15 Again, the Commission has cross referenced the names of the children who died in the Dublin Union, including Pelletstown, with the names of those who are recorded in the Pelletstown records, the names on the Dublin Union Register of Deaths and the names in the Glasnevin Burial Registry. While some further checking needs to be completed, it is clear that the majority of the children are buried in Glasnevin and their names are recorded in the burial registers there.

## Chapter 3: The Sacred Heart Homes

### Background

3.1 The Mother and Baby Homes in Bessborough<sup>24</sup>, Castlepollard and Sean Ross<sup>25</sup> were owned and run by the Congregation of the Sacred Hearts of Jesus and Mary. Unlike Pelletstown and Tuam, they were not local authority owned. They are sometimes described as “extern institutions” which means that they were not owned by the local health authorities but the local authorities could send people who were eligible for services to them. The local health authorities who sent mothers to these homes paid a capitation rate in respect of each resident. (The Commission’s final report will look in detail at the financial arrangements.) These homes were entitled to take private patients.

### Sources of Information

3.2 The records of admissions, births, discharges and deaths which were compiled in each of these institutions were handed over to the HSE in September 2011 and subsequently to the Child and Family Agency (TUSLA) in 2013.

3.3 The Congregation of the Sacred Hearts of Jesus and Mary told the Commission that they did not know where the children who died in Bessborough are buried. The Commission finds this difficult to comprehend as the congregation was still providing services to mothers and children right up to the end of the period covered by this investigation<sup>26</sup>, that is, 1998, long after the other congregation institutions closed.

3.4 The congregation was unable to explain why there were designated child burial grounds in Castlepollard and Sean Ross but not in Bessborough. The congregation provided the Commission with an affidavit about burials generally and specifically about the Castlepollard and Sean Ross child burials but very little evidence was provided to support the statements in it. The affidavit was, in many respects, speculative, inaccurate and misleading.

3.5 In its affidavit, the congregation said that the child burial grounds in Castlepollard and Sean Ross were “created within existing by-laws and with the approval of the local Bishops”.

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<sup>24</sup> This is sometimes spelled Bessboro.

<sup>25</sup> This is sometimes spelled Shan Ross. It seems that Shan is an anglicisation of the Irish word “sean” meaning old and is not the male name Seán; the correct pronunciation would seem to be Shan Ross but the correct spelling is Sean Ross.

<sup>26</sup> The congregation told the Commission that the Mother and Baby Home closed in 1986. The Maternity Hospital closed in 1986 and it then became a “hostel” for unmarried pregnant women and for unmarried mothers and their babies. The congregation consider that it would be “misleading” to describe Bessborough as a mother and baby home after 1986. The Commission recognises that the character of the home changed as was the case with the other mother and baby homes which existed in the 1980s but it was still a mother and baby home.

The Commission is not aware of any bye-laws which would have applied to these burial grounds as they were not subject to specific legislation; any bye-laws made by local authorities would have applied only to local authority burial grounds. The congregation was unable to provide any information about such bye-laws and, in response to the initial draft of this report, acknowledged that there were no specific bye-laws which applied to religious burial grounds.

3.6 The Commission has not seen documentary evidence but it has no reason to doubt that the local bishops were aware of the existence of burial grounds in Castlepollard and Sean Ross and did approve. The involvement of local bishops and priests in the institutions will be documented in the Commission's final report.

3.7 The affidavit states that all of the children buried in the burial grounds of these two institutions were accorded the rites of the Catholic Church and the congregation "did not bury infants in unapproved cemeteries". These assertions may well be true but the congregation provided no evidence to support them. The congregation was unable to elaborate on what the rites of the Catholic Church in relation to child burials were. As the congregation accepts that it does not know where most of the Bessborough children are buried, it cannot definitively state that they were not buried in unapproved burial places.

3.8 The congregation also said that the infants buried at Sean Ross and Castlepollard "were laid to rest without any cost accruing to the coffers of the local or central government". This is not true in respect of some, if not all, of the burials. The Commission has seen evidence of bills for burials having been sent to a local health authority by Bessborough and a bill for coffins was sent by Sean Ross to a local health authority.<sup>27</sup> There is quite likely to be further evidence of such bills in the archives of other local authorities. The Commission recognises that it was reasonable for the congregation to bill the local authorities for the costs involved.

3.9 There was no legal requirement (see Chapter 1) to keep a register of burials in such burial grounds and no such registers seem to exist. Accordingly, there is no documentary evidence of these burials.

3.10 A Canon Lawyer has told the Commission that the 1917 Code of Canon Law requires the completion of a register of deaths after a funeral with details of the name and age of the

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<sup>27</sup> Kilkenny County Archive, Kilkenny County Council Manager's Orders-Public Assistance Section: MO/PA/5/2 April 1947-31 March 1948



deceased, name of parents or spouse at time of death, what sacraments had been received and the place and date of the burial.

## **Chapter 3A: Sean Ross 1931 - 1969**

3A.1 Analysis of the records compiled in Sean Ross and information on deaths provided by the General Registrar Office shows that over 1,000 children died in Sean Ross or in the District Hospital, Roscrea to which they were sent when they became very ill. Twenty nine mothers died; the majority of these deaths were related to the pregnancy/childbirth.

3A.2 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.

## **Chapter 4: Bessborough 1922 – 1998**

### **Background**

4.1 Bessborough Mother and Baby Home was opened in 1922. It was owned and run by the Congregation of the Sacred Hearts of Jesus and Mary. The congregation had been invited to set up a mother and baby home in Cork by a senior official of the Cork Board of Guardians as it was already running a number of mother and baby homes in England and Scotland. The Board of Guardians official identified the Bessborough Estate, which was a Georgian house on 150 acres<sup>28</sup>, as a suitable property. The congregation bought the property with financial assistance from the Archbishop of Westminster.

4.2 The objective of the Board of Guardians was to implement the policy of removing unmarried mothers and their children from workhouses and making provision for them in dedicated facilities or “special homes” as they were sometimes called. The first mothers and children who took up residence in Bessborough came from the Poor Law Union workhouses in Cork. Over the years, the Bessborough home accepted unmarried expectant mothers and unmarried mothers who had recently given birth who were admitted there and paid for on a capitation basis by the health authorities in all parts of the country. Bessborough also accepted private fee paying expectant mothers.

4.3 In the early years, expectant mothers who were resident in Bessborough did not give birth there. They usually gave birth in Cork District Hospital (see below). In 1930, a maternity ward was created within the home and, in 1935, the Sacred Heart Maternity Hospital was built alongside the Bessborough Home. From 1930 to the 1980s, most expectant mothers resident in Bessborough gave birth in the maternity ward/hospital. The Commission uses the term “Bessborough” to cover both the Home and the hospital except where the context shows otherwise.

### **Sources of information**

4.4 The records of admissions, births, discharges and deaths which were compiled in Bessborough by the congregation were transferred to the HSE in 2011 and subsequently to the Child and Family Agency (TUSLA) in 2013. The Commission has made digital copies of these records and their analysis is near completion. These documents record the deaths of children, and the causes of death in many cases, but do not include any information about burials.

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<sup>28</sup> The congregation told the Commission that a portion of land adjoining the estate was bought in 1930; this brought the total acreage to about 200 acres. About 100 acres were sold in 1973 for the building of the N25 and for social housing. The Commission understands that there are about 60 acres of ground around the building now.

### **Deaths in Bessborough**

4.5 The Commission is aware that over 900 children who were born in, or admitted to Bessborough died in infancy or early childhood. Most died either in the Sacred Heart Maternity Hospital soon after birth or in the Bessborough Home itself to which infants were transferred some weeks after birth (many more died in the Home than in the Maternity Hospital). The Bessborough Home and the Sacred Heart Maternity Hospital kept separate death registers.<sup>29</sup> Deaths that occurred in the Home and deaths which occurred in the hospital were separately recorded and notified. This has led some commentators to suggest that the Bessborough authorities overstated deaths which occurred in the institution when reporting to the Department of Local Government and Public Health. The number of deaths reported to the department was the combined deaths in the two facilities as opposed to deaths which occurred in the Home only.

### ***Cork County Home and Cork District Hospital/St Finbarr's***

4.6 In the reorganisation of poor law institutions which occurred in the early 1920s, the Cork City Poor Law Union Workhouse became two separate but co-located institutions - the Cork County Home and Cork District Hospital. The Cork County Home is one of the county homes chosen by the Commission for investigation. The Commission is not investigating the Cork District Hospital but it does have a role in the story of both Bessborough Mother and Baby Home and the Cork County Home. Both the Cork County Home and the Cork District Hospital were renamed St Finbarr's in the 1950s. The Cork District Hospital/St Finbarr's had a maternity unit until 2007 when the Cork University Maternity Hospital opened.

4.7 A significant number of children born in or admitted to Bessborough (113) subsequently died in Cork District Hospital/St Finbarr's Hospital. Expectant mothers living in Bessborough, who required extra medical attention, were routinely transferred to St Finbarr's Hospital to give birth. A number of children born to Bessborough residents in Cork District Hospital/St Finbarr's Hospital died in that institution. The medical and administrative staff of Bessborough and Cork District Hospital/St Finbarr's Hospital assumed separate responsibility for registering deaths which occurred in their respective institutions.

4.8 The Commission has examined the records of deaths in the Bessborough Home itself and in the Sacred Heart Maternity Hospital and cross referenced them with information on Bessborough deaths (including those in Cork District Hospital/St Finbarr's) provided by

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<sup>29</sup> The *Registration of Maternity Homes Act 1934* made it obligatory for the administrators of all registered maternity homes to keep records relating to the reception and discharge of patients as well as a record of all births and deaths.

the General Register Office (GRO). There are some discrepancies between the death records maintained by the Bessborough authorities and those held by the GRO but they are small in number and the Commission is continuing to try to reconcile them.

### **Who was responsible for burials**

4.9 While it was reasonably straightforward to reconcile institutional death records with those held by the GRO, the identification of the burial places of the children has proven to be very challenging. One complicating factor is that the administrators of Bessborough and Cork District Hospital/St Finbarr's appear to have taken separate responsibility for the burial of unclaimed remains in their respective institutions. The children who died included children of mothers who were being maintained by the local health authorities (public patients) and children of mothers who were paying privately (private patients). When the child of a public patient died in Bessborough or Cork District Hospital/St Finbarr's the mother had two options: to make private arrangements for the burial of the child or to let the administrators of the institution where the death occurred make burial arrangements on her behalf. While a small number of women made private arrangements,<sup>30</sup> most single women had neither the means, nor the familial support, to do so. In the majority of cases, the burial of a child of a public patient was arranged by the administrators of Bessborough or Cork District Hospital/St Finbarr's, most likely in conjunction with the health authorities who were paying for the mother and child.<sup>31</sup>

4.10 A number of the children who died in Bessborough were the children of private fee-paying residents. If the child of a private patient died while the mother was resident in Bessborough, the mother alone was legally responsible for the burial. However, private patients routinely discharged themselves from Bessborough, leaving children in the institution unaccompanied, in most cases awaiting informal adoption through the Catholic Women's Aid Society (CWAS).<sup>32</sup> This practice ceased in 1946 when Bessborough administrators were no longer willing to accommodate unaccompanied children born to private patients. CWAS records are held by the Child and Family Agency (TUSLA) and were made available to the Commission for inspection. These records show that the CWAS assumed responsibility for the cost of burial of children in their care. Burial arrangements for children born in Bessborough, who subsequently died while in foster care, were generally

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<sup>30</sup> St Finbarr's Cemetery burial registers record some Bessborough child burials in separate non-perpetuity burial plots – see below.

<sup>31</sup> Kilkenny Board of Assistance Records contain an invoice from the Bessborough Home seeking to recoup the cost of an infant burial. A former administrator of St Finbarr's Hospital confirmed that the Board of Assistance/Southern Health Board arranged for the burial of unclaimed infants who died in Cork District Hospital/St Finbarr's Hospital.

<sup>32</sup> The Catholic Women's Aid Society was a privately run agency set up in 1919 to facilitate single women who sought to make private permanent fostering arrangements for their children.

arranged by foster parents who were then reimbursed by the CWAS. On rare occasions, foster parents handed the remains of a deceased child back to the society for burial.<sup>33</sup> It is reasonable to assume that the CWAS reimbursed the Bessborough authorities for the costs associated with the burial of unaccompanied infants maintained by the society in Bessborough. CWAS records do not record where children who died in its care were buried.

4.11 Work undertaken by the Child and Family Agency (TUSLA) has shown that St Anne's Adoption Society took responsibility for the burial of infants who died in Bessborough while under the auspices of St Anne's. St Anne's Adoption Society was registered with the Adoption Board in November 1954. The society facilitated the adoption of children born to single Irish women returning from the United Kingdom. Expectant single women, whose repatriation from the UK was facilitated by the society, were admitted to the Sacred Heart Maternity Hospital, Bessborough. Although these women were public patients, maintained in Bessborough by local authorities, St Anne's' Adoption Society appears to have taken responsibility for the burial of infants born to these women who died in Bessborough, Cork District Hospital/St Finbarr's Hospital or in foster care.<sup>34</sup>

4.12 The majority of recorded child deaths in Bessborough (in both the Bessborough Home and the Sacred Heart Maternity Hospital) occurred while the children were accompanied by their mothers. There is no information available about the involvement of mothers in the burial arrangements. In theory at least, the mothers were legally responsible for the burial of deceased infants but it seems unlikely that they had much involvement in making burial arrangements.

#### **Where are the children buried**

4.13 There is a small burial ground in the grounds of Bessborough. Some members of the congregation are buried there and their graves are marked in the normal way. It seems to have been assumed by former residents and advocacy groups that this is also where the children who died in Bessborough are buried as there are occasional meetings and commemoration ceremonies held there. There is a plaque there commemorating the children who died in Bessborough.

4.14 At an early stage, the Commission thought it unlikely that all the children who died in Bessborough were buried in this burial ground as it was not nearly large enough for the

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<sup>33</sup> Records of the Catholic Women's Aid Society held by the Child and Family Agency (TUSLA).

<sup>34</sup> Child and Family Agency (TUSLA). St Anne's Adoption Society Registers. Also, Cork Diocesan Archives: Records of St Anne's Adoption Society and the History and Development of St Anne's Adoption Society.

number of children involved and, in any event, it would be unlikely that children would be buried in the same burial ground as members of the congregation.

### ***Congregation knowledge of burials***

4.15 Shortly after its establishment in 2015, the Commission asked the Congregation of the Sacred Hearts of Jesus and Mary for information about many aspects of Bessborough, including the burial arrangements. The congregation said it had very little information as the records compiled in the institution were held by the Child and Family Agency (TUSLA) and it did not have access to these records. As already stated, there is no information about burials in these records.

4.16 A number of members of the congregation provided affidavits and/or oral evidence to the Commission. They were able to provide remarkably little evidence about burial arrangements.

4.17 The congregation told the Commission that the burial ground in Bessborough was opened in 1956 for deceased members of the congregation and the congregation does not know where the vast majority of the children who died in Bessborough are buried. The Commission has not seen any evidence that the approval of the Minister for Local Government for the opening of this burial ground was sought or granted as required by the *Local Government (Sanitary Services) Act 1948* (see Chapter 1).

4.18 A member of the congregation who was in Bessborough for most of the period 1948-1998 told the Commission that she did not remember any child deaths during her time there but she implied that the children who did die there were buried in the congregation burial ground. In the years 1950-1960 (inclusive), 31 children died in Bessborough so it is rather surprising that she does not remember any deaths.

4.19 Another congregation member who was in Bessborough from 1978-1985 told the Commission that one baby died during her time there. She said that the manager of the maternity hospital (who was also a member of the congregation) “took over the arrangements for the burial”. She “vaguely remembered” that the mother wanted the baby buried in St Michael’s Cemetery but she did not know where the baby was actually buried. The Commission has established that there is no record of this baby in St Michael’s burial

records. She did not remember if the mother's family was involved in the burial arrangements but she was clear that the congregation had bought the coffin for the baby.<sup>35</sup>

4.20 In evidence to the Commission, a member of the congregation who was there in the 1980s said that there were two children buried in the burial ground during her time there and a third was disinterred elsewhere and reinterred in this ground. Another member of the congregation who was in Bessborough for a period in 1971 and again between 1975 and 1981 swore an affidavit in which she said that she remembered one child who died and was buried in the congregation's plot in the grounds. The recollections of these two congregation members seem to be incorrect. In fact, it would appear that there is only one child buried in the congregation's burial ground and that burial took place in 1994. The burial ground has some individual memorials to other children who died in Bessborough but it is unlikely that they are buried in this plot.

#### **Investigation of possible burial sites in grounds of Bessborough**

4.21 It is possible that children who died in Bessborough were buried within the grounds. However, to date, the Commission has found no physical or documentary evidence which indicates that this occurred.

4.22 The Commission engaged forensic archaeologists to carry out a cartographic and landscape assessment of possible unrecorded burial arrangements in the Bessborough grounds. As already stated, the grounds measure approximately 60 acres. It is also possible that burials took place in the grounds that no longer form part of the Bessborough estate, that is, a total area of 200 acres.

4.23 The forensic archaeologists and the Commission's researchers reviewed all available cartographic sources and aerial images in order to identify possible burials within the grounds of Bessborough. A site survey was also conducted. It is clear that there are a number of locations within the grounds where burials could have taken place. However, there is no significant surface evidence of systematic burial anywhere except for the congregation burial ground.

4.24 The third edition Ordnance Survey Map for the Bessborough area was produced in 1949/50. This identifies a southeast portion of the site as a "Children's Burial Ground". Such a label is not uncommon on this edition of maps and usually denotes a cillín (see

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<sup>35</sup> This baby's remains were sent to St Finbarr's for a post-mortem examination. St Finbarr's almost certainly arranged the burial.



Introduction). It is possible that, in this case, the label may refer to the area north-west of the Keep folly, a small rectangular enclosure to the north-east or the wider field in which the label is located.

4.25 In the intervening years, groundwork has left this area in a highly disturbed state and there is nothing physical to mark it as a former burial ground. The Commission interviewed a landscaper who undertook extensive groundwork on the Bessborough Estate over a period of almost thirty years. The witness stated that he had personally undertaken excavations in the area marked “Children’s Burial Ground”. He said that it was necessary for him to dig six to eight feet deep across this site and that he found no evidence of human remains or any evidence to suggest that the site was formerly used as a burial ground.

4.26 The Commission examined vertical aerial photography taken by the Irish Air Corps in 1951. This series includes high resolution aerial photography of the Bessborough Estate.<sup>36</sup> The majority of child deaths at Bessborough occurred before 1951 (over 700) and it would be reasonable to expect that, if there were burials there, an aerial photograph taken in February 1951 would show up some ground disturbance, or anomaly on the landscape. If over 700 children were buried on the Bessborough Estate before 1951 the aerial photograph would be expected to give some indication of where the remains are located. The aerial photographs of the Bessborough site were examined by forensic archaeologists who determined that no visible features on the Bessborough landscape were indicative of any obvious site hosting the remains of such a large number of children.

4.27 Early in 2018, the Commission issued a national public appeal seeking information from individuals who may have personal knowledge, documentation, or any other information concerning the burial arrangements and/or burial places of children who died in Bessborough. Members of the public contacted the Commission, with mostly second-hand information, suggesting that children were buried in different parts of the estate. All of this information was followed up and the locations identified as possible burial sites by members of the public were assessed by forensic archaeologists. Some of these locations have been built on. To date, no physical or documentary evidence has been produced which suggests that any of the sites identified by members of the public contain human remains. An individual who gave a media interview claiming knowledge of child burials in Bessborough did not respond to the Commission’s appeal and declined a request to assist the Commission.

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<sup>36</sup> Military Archives, Vertical Aerial Photography, V190 #72; Cork-Douglas/Blackrock, 13 February, 1951.

4.28 The Commission considers that it is highly likely that burials did take place in the grounds of Bessborough. In particular, during the 1940s (when many of the deaths occurred) and when petrol was scarce it would have been very expensive to arrange off-site burials. However, as no physical evidence of possible locations was found, the Commission did not consider it feasible to excavate 60 acres not to mention the rest of the former 200 acre estate.

#### **Other possible burial grounds**

4.29 As stated, the Commission has not ruled out the possibility that former Bessborough residents were buried onsite. However, the Commission has also actively investigated the possibility that former residents may have been buried in other locations.

4.30 During the period under review, 1922-1998, eight burial grounds were in operation in Cork city and surrounding hinterland. These were:

- St Joseph's Cemetery, Tory Top Road, Cork.
- St Finbarr's Cemetery, Glasheen Road, Cork.
- St Michael's Cemetery, Mahon, Cork.
- Douglas Municipal Cemetery, Douglas, Cork.
- St Mary's Cemetery, Curraghkippane, Cork.
- St Catherine's Cemetery, Kilcully, Cork
- Rathcooney Cemetery, Glanmire, Cork.
- Cork District Cemetery (All Saints), Carr's Hill, Cork.

4.31 The Commission located and examined the burial records of seven of the eight burial grounds listed above. So far, the Commission has been unable to locate the burial records for Cork District Cemetery, Carr's Hill.

4.32 The burial records of four burial grounds - Douglas Municipal Cemetery; St Mary's Cemetery, Curraghkippane; St Catherine's Cemetery, Kilcully and Rathcooney Cemetery, Glanmire, contain no record of deceased Bessborough residents.

#### ***St Joseph's Cemetery, Tory Top Road, Cork***

4.33 Prior to its handover to Cork Corporation in 1947, St Joseph's was a privately owned burial ground administered by the Society of African Missions (SMA).<sup>37</sup> Burial records for the

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<sup>37</sup> Society of African Missions, Provincial Archive, Blackrock, Cork.

period prior to 1947 are held by Cork City and County Archives.<sup>38</sup> Burial records for the post 1947 period are maintained by Cork City Council.

4.34 The Commission has established that, in the period between the opening of the Bessborough Home in 1922 and March 1929, 54 children who died in Bessborough were buried in St Joseph's Cemetery. Of these, 50 were buried in the "Poor Ground" section at St Joseph's and burial expenses were paid by the Congregation of the Sacred Hearts of Jesus and Mary. Burials in the Poor Ground ceased in June 1928 except for one further burial in March 1929.

4.35 In November 1927, the congregation bought three adjacent burial plots in St Joseph's and a further four children were buried there.<sup>39</sup> No child burials are recorded in the congregation's burial plot after June 1928. It appears that, at this point, some alternative burial arrangements were made for deceased Bessborough children.

4.36 In the period 1922 to June 1928, a total of 63 child deaths are recorded in the Bessborough registers and the St Joseph's Burial records combined. Of these, 53 are buried in St Joseph's Cemetery. St Finbarr's Cemetery burial registers record that two Bessborough children, both of whom died in 1923, were buried in separate non-perpetuity graves there.<sup>40</sup> It is likely that these burials were arranged by relatives of the deceased children. The GRO records show that five of the remaining eight Bessborough children died after being transferred to Cork District Hospital. The South Cork Board of Public Assistance was responsible for arranging the burial of the unclaimed remains of patients who died in Cork District Hospital, including the unclaimed remains of deceased children. If the Board did arrange these five burials, it is likely that they are buried at Cork District Cemetery, Carr's Hill; however, the Commission has no documentary evidence of this. One of the children was the child of a private patient so it is possible that the mother made private arrangements for the burial. The Commission found no evidence about the burial of the remaining two children.

4.37 The identification of Bessborough children in St Joseph's burial records for this period is interesting for a number of reasons. First, it demonstrates that, from the inception of the Bessborough Home in 1922, the Congregation of the Sacred Hearts of Jesus and Mary assumed responsibility for the burial of children who died in Bessborough. Secondly, it

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<sup>38</sup> Cork City & County Archives. St Joseph's Cemetery Collection; CP/CY/SJ/2/29-31 (1921-1947).

<sup>39</sup> Cork City & County Archives. St Joseph's Cemetery Collection; Register Book of Burial Plots and Burial Rights Therein; CP/CY/SJ/3. (Closed for Public Access).

<sup>40</sup> Cork City Council, St Finbarr's Cemetery Burial Records, 1947-98.

demonstrates that those infants were not buried in the grounds of Bessborough but were buried in a number of different locations.

4.38 The Congregation of the Sacred Hearts of Jesus and Mary paid the Society of African Missions ten shillings for the burial of each child in the “Poor Ground” section of St Joseph’s Cemetery.<sup>41</sup> As these children were maintained in Bessborough by the various health authorities, the Congregation recouped the cost of the burials from the health authority responsible for each child’s maintenance.<sup>42</sup> The abrupt cessation of child burials at St Joseph’s in June 1928 may have had something to do with costs. If these deaths had occurred in Cork County Home, or Cork District Hospital, the South Cork Board would have arranged burials in its burial ground, the Cork District Cemetery at Carr’s Hill, at no additional cost to the local authority. Considering that the next identifiable burial place of a Bessborough child is at this burial ground, in 1960, it seems plausible to suggest that the remains of unclaimed Bessborough children who died between June 1928 and 1960 may have been buried by the South Cork Board in Cork District Cemetery, Carr’s Hill. However, the Commission has been unable to find any direct evidence of this.

#### ***St Michael’s Cemetery, Blackrock, Cork***

4.39 St Michael’s Cemetery, Blackrock, Cork was opened in 1957 and is owned and operated by Cork City Council. St Michael’s does not have a designated “Poor Ground” area. The South Cork Board of Public Assistance and its successors, Southern Health Board and HSE South, opened burial plots for their own use as required. The Commission identified two former Bessborough residents, both infants, who are recorded as being buried at St Michael’s. One infant was born in Bessborough in 1958 and died aged ten days at St Finbarr’s Hospital, Cork (formerly called the Cork District Hospital). The record shows that this infant was buried in a South Cork Board of Public Assistance burial plot along with five adults. The plot is unmarked. The second infant was born in St Finbarr’s Hospital in 1986. Mother and child were transferred to Bessborough when the infant was aged 27 days. The infant subsequently died in Cork Regional Hospital aged 4 months. This infant is recorded as having been buried in a Southern Health Board plot along with a number of adults. The plot is unmarked by a headstone but a small plaque, placed by family members, marks the burial place.

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<sup>41</sup> Cork City & County Archives; St Joseph’s Cemetery Collection; CP/CY/SJ/2/29-31 (1921-1947).

<sup>42</sup> Kilkenny County Archive, Kilkenny County Council Manager’s Orders-Public Assistance Section: MO/PA/5/2 April 1947-31 March 1948.

### ***Cork District Cemetery (All Saints) Carr's Hill, Cork***

4.40 The Commission identified documentary evidence which indicates that the unclaimed remains of at least one Bessborough child, who died in St Finbarr's Hospital, was buried in Cork District Cemetery, Carr's Hill. This three acre former famine burial ground had been administered by the Cork Board of Guardians, and subsequently by the South Cork Board of Public Assistance, since 1844. Land Registry records show that the South Cork Board of Public Assistance took full ownership of the burial ground in November 1944 and the site remains in the ownership of the South Cork Board's successors, the HSE.<sup>43</sup> The HSE has informed the Commission that it has been unable to confirm whether it ever held the Burial Register for this burial ground.

4.41 In 1994, a former Bessborough resident contacted the Congregation of the Sacred Hearts of Jesus and Mary requesting documentation about her time in the institution and making a formal inquiry about the burial place of her child. The child was resident in Bessborough with his mother in 1960 and subsequently died in St Finbarr's Hospital later that year. Bessborough records show that the congregation contacted the chaplaincy at St Finbarr's Hospital for information on the child. In response to a query from the chaplaincy, the administrator of St Finbarr's Hospital provided a full overview of the child's stay in St Finbarr's including the cause of death and the place of burial. The Board of Public Assistance had made arrangements for the child's burial in Cork District Cemetery, Carr's Hill, in December 1960.<sup>44</sup> In 1994, a member of the congregation told the mother of this infant that her child was buried in the congregation burial ground at Bessborough. However, records held by the administrator of St Finbarr's Hospital at that time recorded the child's place of burial as Cork District Cemetery, Carr's Hill.

4.42 As already stated, during the period under review, 1922-1998, a significant number of Bessborough children died in Cork District Hospital/St Finbarr's Hospital. The majority of these children were maintained in Bessborough by the South Cork Board of Public Assistance, who also administered Cork District Hospital/St Finbarr's and Cork District Cemetery (Carr's Hill). A former administrator of St Finbarr's Hospital, who had access to hospital mortuary records, confirmed to the Commission that the South Cork Board of Assistance assumed responsibility for the burial of Bessborough children who died in Cork District Hospital/St Finbarr's and that many of these children were buried in Cork District Cemetery, Carr's Hill.

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<sup>43</sup> Land Registry, County Cork; Folio 53L.

<sup>44</sup> Southern Health Board, Administration Department, St Finbarr's Hospital, Letter dated 12 December 1994.

4.43 It should be noted that, during the period under review, several hundred neo-natal deaths were recorded among “legitimate” children born in, or admitted to, Cork District Hospital/St Finbarr’s. The Commission identified hundreds of burial records relating to “legitimate” children who died there. For the most part, these children were buried in private and municipal burial plots in St Joseph’s Cemetery and St Finbarr’s Cemetery. Of the 552 “illegitimate” children who died in Cork District Hospital/St Finbarr’s, (including 113 transferred from Bessborough), the Commission has identified the burial place of only five.

4.44 As already stated, the only Cork burial ground records which the Commission has not located are those associated with Carr’s Hill Cemetery, Carr’s Hill. With the assistance of HSE staff, the Commission engaged with five former hospital administrators of St Finbarr’s Hospital in a bid to locate the “Burial Books” maintained by the South Cork Board of Assistance relating to Cork District Hospital/St Finbarr’s Hospital. The existence of these records was flagged in the 1994 correspondence between the then hospital administrator and the chaplaincy at St Finbarr’s Hospital (referred to above). The Commission interviewed a former hospital administrator, and author of the 1994 correspondence, who stated that the records in question were mortuary records and were onsite at St Finbarr’s Hospital at the time of his retirement in 2001. HSE staff undertook a thorough search of the medical records room at St Finbarr’s Hospital and forwarded a detailed inventory of records held there to the Commission. However, the mortuary records, which are of considerable interest to the Commission, were not found. The Commission examined archival St Finbarr’s Hospital records onsite, and in their off-site storage facility, but did not locate the mortuary records.

4.45 The Commission has recently discovered that a “Burial Book” relating to St Finbarr’s Hospital was transferred to Cork University Hospital (CUH) in 2001. The Commission has issued a discovery order in respect of these records held by CUH and continues to work with the HSE in regard to this matter.

4.46 The Commission has also recently discovered that maternity records relating to St Finbarr’s Hospital were transferred to Cork University Maternity Hospital (CUMH) when it opened in 2007. The Commission has requested access to the records held at CUMH and continues to work with the HSE in regard to this matter.

4.47 In a bid to locate the Burial Register associated with Carr’s Hill Cemetery the Commission engaged with HSE South, Cork County Council, Cork City Council and the Cork City and County Archives. However, the Burial Register was not located. A former employee of St Finbarr’s Hospital wrote to inform the Commission that he had visited Carr’s Hill

cemetery in the 1990s and was informed by a local resident that the Burial Register was maintained by a caretaker living nearby and that the site had been used by the South Cork Board of Assistance to bury infants and children up to at least 1962. Aerial photography, provided by the Military Archives, shows that Carr's Hill cemetery was still in use in 1951<sup>45</sup> and Southern Health Board correspondence confirms that the South Cork Board were using the site for infant burials in 1960. In a bid to locate the Burial Register and/or caretaker, the Commission undertook house-to-house inquiries at Carr's Hill. However, to date, this has also proved unsuccessful.

### ***St Finbarr's Cemetery, Cork***

4.48 In March 2017, the Child and Family Agency (TUSLA) discovered a deed in respect of a burial plot in the name of St Anne's Adoption Society in St Finbarr's Cemetery, Cork. The supervisor at St Finbarr's Cemetery confirmed that the plot was purchased by St Anne's Adoption Society in March 1978 and that four infants who died while in the care of the Society were buried there.<sup>46</sup> This burial plot is unmarked. The Cemetery Supervisor also flagged a burial plot originally registered to St Patrick's Orphanage, precursor of St Joseph's Industrial School, Greenmount. The burial plot was bequeathed to St Anne's Adoption Society when Greenmount closed in the 1950s. St Finbarr's Cemetery burial registers confirmed that 16 children who died in the care of St Anne's Adoption Society are buried in this plot.<sup>47</sup> This plot is marked by a headstone inscribed "Suffer Little Children". Four of the 20 children buried in St Anne's Adoption Society plots at St Finbarr's Cemetery had an association with Bessborough. One of these infants was born in Bessborough and subsequently died in St Finbarr's Hospital, following an extended stay there. A second infant was born to a Bessborough resident at St Finbarr's Hospital. This infant subsequently died in foster care. The remaining two infants were both born at St Finbarr's Hospital and were subsequently admitted to Bessborough unaccompanied. Both infants subsequently died in Bessborough while receiving palliative care. St Anne's Adoption Society took responsibility for their burials.

### **Adult burials**

4.49 The Commission has established that, between November 1927 and January 1985, 12 adult women, all former residents of the Bessborough Home, were buried in a Congregation of the Sacred Hearts of Jesus and Mary owned burial plot at St Joseph's

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<sup>45</sup> Military Archives Ireland. Vertical Aerial Photography, V190 #137; Cork-Carr's Hill, February 1951.

<sup>46</sup> St Finbarr's Cemetery: Section I, Row 18, Plot No.55.

<sup>47</sup> St Finbarr's Cemetery: Section K, Row 6, Plot No.44.

Cemetery.<sup>48</sup> This plot is marked by a headstone. However, the headstone lies in three broken pieces and the inscription is unreadable. It is unlikely that the headstone bears the names of women buried in this plot. The women buried here remained in Bessborough for extended periods working as domestic servants; their deaths were not childbirth related. One woman entered Bessborough in 1922, aged 20 years, and remained there until her death in 1984 - a period of 62 years. Another entered Bessborough in 1924, aged 21 years, and remained there until her death in 1985 - a period of 60 years.

4.50 The Commission has established that there were an additional 14 deaths of mothers who were Bessborough residents. Nine of these seem to be pregnancy or childbirth related.<sup>49</sup> The Commission has not been able to establish the burial place of these 14 women. Six were private patients. Eight mothers were public patients; two of these died in Bessborough, five in Cork District Hospital/St Finbarr's and one in Dungarvan County Home.

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<sup>48</sup> St Joseph's Cemetery, Border St Dominick, Plot 191-93. The Congregation bought this plot from the Society of African Missions in December 1927. Cork City & County Archives. St Joseph's Cemetery Collection; Register Book of Burial Plots and Burial Rights Therein; CP/CY/SJ/3.

<sup>49</sup> The Commission is consulting medical experts on the issues here and will report further.



## Chapter 4A      Cork County Home

4A.1 The close interconnectedness of Cork County Home, Cork District Hospital/St Finbarr's Hospital and Bessborough, and the nature of their relationship with the South Cork Board of Public Assistance, makes it necessary to consider institutional deaths and burials of "illegitimate" children in Cork institutions under the Commission's remit. The Commission has established that, between 1922 and 1998, a combined total of 1,343 "illegitimate" children died; 771 died in Bessborough;<sup>50</sup> 552 died in St Finbarr's Hospital and 20 subsequently died elsewhere.<sup>51</sup> To date, as outlined above, the Commission has identified the burial places of just 64 children. Despite having undertaken an intensive investigation the burial locations of 1,279 of these children remain unknown. A common factor which links the majority of the yet unlocated children is that almost 92% were born to public patients maintained in Bessborough and Cork County Home by Boards of Public Assistance. Responsibility for the burial of the unclaimed remains of children fell to the South Cork Board of Public Assistance. Despite the absence of any documentary evidence, it is possible that these children were buried in Carr's Hill cemetery; in particular, it seems likely that the children who died in St Finbarr's are buried there.

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<sup>50</sup> Child and Family Agency (TUSLA), Records of the Sacred Heart Home and Hospital Bessborough, 1922-98.

<sup>51</sup> Cork City & County Archives, Cork County Home Indoor Registers 1922-60.

## **Chapter 5: Castlepollard 1935 - 1971**

### **Background**

5.1 Castlepollard Mother and Baby Home opened in 1935 with the same arrangements as Bessborough. It was owned and run by the Congregation of the Sacred Hearts of Jesus and Mary. The original building was an old manor house. In 1941 a maternity home was built and became known as St Peter's Hospital. Castlepollard ceased to be a mother and baby home in 1971; the Midland Health Board bought the entire premises and started to use it as an institution for people with intellectual disabilities.

### **Sources of information**

5.2 The records of admissions, births, discharges and deaths which were compiled in Castlepollard were left with the Midland Health Board when the mother and baby home closed. It is not entirely clear what happened to them after that. In September 2015, a member of the congregation said that some of the Castlepollard records "made their way" to Bessborough over the next number of years. Some were stored in Mullingar Hospital; it is not known why or for how long. A historian working in Bessborough in the early 2000s told the Commission that the Castlepollard records which were then in Bessborough were incomplete. The Castlepollard records which were held in Bessborough and those held in Mullingar were handed over to the HSE in 2011 along with the records from Bessborough and Sean Ross and are now in the possession of the Child and Family Agency (TUSLA). The Commission has made digital copies of these records and is in the process of analysing them. In 2018, the Department of Health gave the Commission copies of a series of registration of births books from Castlepollard covering the period 1948 – 1971. It is not known how or why these ended up in the Department of Health.

### **Deaths**

5.3 From the records compiled in Castlepollard and the records provided by the GRO, the Commission has established that over 220 children died in Castlepollard (or in hospitals to which they were sent) and there were eight mothers who died from complications of pregnancy/childbirth.

### **Burials**

5.4 In its affidavit, the congregation told the Commission that the Castlepollard burial ground is located within the 18<sup>th</sup> century walled garden complex.

"The infants are buried at the rear-ground of the garden/cemetery where the marble memorial cross is located. There was an original 18<sup>th</sup> century pathway midway

across this garden. When one of the sisters [...] died, in 1939<sup>52</sup>, she was buried alongside this wall in the foreground of the garden/cemetery. This wall effectively became the marker point between the infant garden/cemetery and the burial place for the sisters of the congregation. Sometime after the congregation left Castlepollard the wall was demolished, and [a mother's] grave<sup>53</sup> became the marker point.”

In the same affidavit the congregation said there were three members of the congregation and three mothers buried in this burial ground. Subsequently, the congregation said that there were two congregation members and one mother buried there.

### **Archaeological assessment**

5.5 The HSE (which currently owns the buildings and surrounding land including the burial ground) provided the Commission with a copy of an archaeological assessment of the Castlepollard burial ground. This was carried out in 2017 by Eachtra Archaeological Projects Ltd on behalf of the HSE.

5.6 The archaeological report states that the burial ground is located in a rectangular area immediately south of the walled garden. It is bordered by a high stone wall to the north and a low stone wall to the south. Access is via a pedestrian iron gate decorated with a cross. This gate was erected in the late 1980s or 1990s and the remains of an earlier gate hinge are visible in the wall.

5.7 The archaeologists interviewed three people with “strong local links to Castlepollard and to the Mother and Baby Home”. The archaeologists were told (in 2017) that:

- The graveyard was reorganised and cleaned up about 20 years earlier under the direction of a visiting nun. It had been arranged in two separate sections with a central dividing wall. The nuns were buried at the eastern end and the mothers and babies at the western end. In the reorganisation/clean-up, the dividing wall was removed, vegetation undergrowth was removed and the ground surface was levelled off between the two sections. Mounds or soil humps marking babies' graves were levelled off in the process. Soil was brought in during the levelling process. No bones were noted when the work took place. A white marble cross which had been located against a wall at the centre of the site was removed to the far western end following the removal of the central dividing wall.

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<sup>52</sup> This particular Sister's grave does not seem to be marked in the burial ground and the death does not seem to have been registered.

<sup>53</sup> This mother's grave is marked in the burial ground and her death is registered.

- There was a caretaker who was responsible for burials; he was considered to have had a strong devotion to the nuns.
- The caretaker had explained that the burial ground was blessed by a priest and that both sections were consecrated.
- The burials were conducted with care and attention.
- The babies were buried wrapped in cloth and each baby was buried in its own single grave.

5.8 Apart from the information about the clean-up that occurred in the 1990s, all of the information provided by the local people is second hand. The Commission has no reason to doubt its general accuracy but it is not possible to prove any of it.

5.9 The archaeologists who carried out the 2017 assessments logged all the memorials<sup>54</sup> in the burial ground. These include headstones for a member of the congregation who died in 1964, another member who died in 1957 and a mother who died in 1939. There is a cross commemorating the members of the congregation and a plaque commemorating the babies who are buried there. There are 38 cobble stones; six of these have names painted on but none of these names appears in the register of deaths.

5.10 The wall on the northern side of the burial ground has a large number of iron nails embedded in the mortar. It had been suggested by some former residents that these were informal grave markers for child burials either as locational markers or markers of the fact of a burial. The archaeologists who examined the burial ground concluded that, while this is possible, they are more likely to have been installed as training nails for wall vegetation and pre-date its use as a burial ground. The congregation told the Commission that it believes the nails predate the mother and baby home by about 200 years and so could not possibly be grave markers; the congregation did not cite any evidence for this.

5.11 The archaeological assessment concluded that there was sufficient space in the burial ground for the number of children who died there.

### **Congregation evidence**

5.12 Two members of the congregation who had worked in Castlepollard told the Commission that the workmen made coffins for the deceased children; one said the coffins were white.

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<sup>54</sup> Memorials include permanent structures such as headstones as well as other markers such as crosses.

### **Commission conclusion**

5.13 There was no legal requirement (see Chapter 1) to keep a register of burials in such burial grounds and no such registers seem to exist. Accordingly, there is no documentary evidence of these burials. However, the Commission has no reason to doubt that the majority of the children who died in Castlepollard are buried in this burial ground.

## Chapter 6: Bethany Home 1922 – 1972

### Background

6.1 Bethany Home was located in Blackhall Place, Dublin between the years 1922 and 1934 and in Orwell Road, Rathgar after that. The records of admissions, births, discharges and deaths which were maintained in the Home have been digitally copied by the Commission and are in the process of being analysed.

### Sources of Information

6.2 The deaths of children born in, or admitted to, the Bethany Home were recorded in the Bethany Baby Book Register, which was kept and updated by the Home's authorities between the years 1922 and 1970. In two columns in that register, marked "where gone" and "later news", the death of each particular child was noted, along with the date of death and the location, in cases where the child did not die in the Bethany Home itself.

6.3 Details about the burial of children who died in the Bethany Home were published in 2010 after thorough research by Niall Meehan.<sup>55</sup>

6.4 Mount Jerome Cemetery in Harold's Cross, Dublin, was the main burial site for the children who died in the Bethany Home. The names from the Bethany Home records, including the Baby Book Register were checked against the burial register in Mount Jerome. The cemetery's burial registers show that 240 children who were born in, or at one time admitted to, Bethany Home, died between September 1922 and October 1964. This figure constitutes the majority of known deaths of Bethany Home children from the records made available to the Commission. The burial register also records the burial of 18 stillborn children from Bethany. There are at least 20 other children who died and are not recorded in the Mount Jerome burial register.

6.5 Of that 240, 213 were recorded as coming directly from the Bethany Home. The remaining 27 children were listed in the Mount Jerome burial records as coming from other addresses, with 24 of those being various hospitals around Dublin. The oldest age at death recorded was 36 months; the others were all aged 19 months or under.

6.6 The children who are buried in Mount Jerome are buried in a series of unmarked graves. In most cases, the costs of burial were met by the Bethany Home authorities. The

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<sup>55</sup> See Niall Meehan, Supplement to *History Ireland*, Vol 18. No 5, September-October 2010  
[https://www.academia.edu/320793/Church\\_and\\_State\\_and\\_The\\_Bethany\\_Home](https://www.academia.edu/320793/Church_and_State_and_The_Bethany_Home)

Mount Jerome records show that all were buried in graves located in sections 218 – 618 of the cemetery; all but five are located between sections 253 and 404. A monument to commemorate them, erected in 2014, is located in section 274 - roughly central to most of these sections of the graveyard.

<http://www.mountjerome.ie/?map=mount-jerome-cemetery-map>

6.7 The Bethany children were buried in ordinary public graves and grave plots in the cemetery, often in, or next to, those used for other private/public adult or child interments. They were not placed in a specific and separate “Poor Ground” section. Once a particular grave reached full capacity, it was simply closed and the next available grave with spare capacity was used.

6.8 Mount Jerome Cemetery has kept very good records of all burials. The Mount Jerome Cemetery Register of Burials, Volumes 24 - 46, covers all burials in the cemetery between March 1919 and January 1967. In the case of the Bethany Home children buried there, the Register of Burials records the child’s name, age, the cause of death, the date of death, the date of burial and the burial number it represented for the year. The Register also recorded the address the child came from which, for most, was Bethany Home, 23 Blackhall Place prior to October 1934 and Bethany Home, Orwell Road, for all burials subsequent to that. The Register also noted the grave number and section of the graveyard the child was buried in and the future capacity of the grave. In relation to the latter, all were marked “full” by the time the burial records were completed.

6.9 In all but 19 cases, the Mount Jerome Burial Register recorded the causes of death for each Bethany child who was buried there between 1922 and 1964.

6.10 The Burial Register had a column marked: “Address and Relationship of Attestant”. This column was completed up to May 1929 but is blank after that. For most, the Matron of Bethany or her assistant was the attestant. However, in some cases the child’s mother and her address (either Bethany if she was still resident there, or else her home address) were inserted.

### **Anatomical studies**

6.11 The burial records show that the children were usually buried within two to three days of death. Therefore, unlike children who died in the Dublin Union and associated institutions (see Chapter 7), there is no evidence of any child from Bethany being used as an anatomical subject before being interred in Mount Jerome.

## Chapter 7: Burial of Anatomical Subjects

### Background

7.1 The sending of the bodies of unclaimed deceased residents (of all ages) from institutions such as workhouses/county homes and psychiatric hospitals to medical schools for the purposes of dissection and anatomical study was common practice across the UK and Ireland until the mid-1960s. The *Anatomy Act 1832*<sup>56</sup> gave legal backing to this practice. An *Irish Times* article on the subject in 1907 described the processes involved.<sup>57</sup>

7.2 A campaign to encourage voluntary donation was undertaken in the 1960s by the Professors of Anatomy in the various Irish medical schools.<sup>58</sup> This seems to have resulted in the ending of the practice of using unclaimed bodies; however, it remained legal to use them. An Inspector of Anatomy said that donated bodies had “almost replaced” unclaimed bodies in the Dublin medical schools at the time of his appointment in 1967. An internal Department of Health memorandum, dated 1984, states that the practice of using unclaimed bodies in anatomical studies had ceased.<sup>59</sup> This seems to have occurred because there was a sufficient supply of donated bodies.

### Anatomy Act

7.3 The *Anatomy Act 1832* provided that it was lawful for any executor or other party who had lawful possession of the body of any deceased person (apart from an undertaker who had possession of the body for the purposes of burial) to allow the body to undergo anatomical examination unless the deceased person had expressly stated that this was not to happen. This had to be expressed in writing or orally in the presence of at least two witnesses; in effect, people had to specifically opt out. The husband, wife or any known relative of the deceased could also prevent such an examination. Bodies could not be sent to medical schools until at least 48 hours after death: this was to enable family members to claim the body and/or object to the body being sent for anatomical studies.

7.4 This meant that the body of any resident who died in an institution such as a workhouse, county home or psychiatric hospital could be supplied to medical schools if no relative claimed it within 48 hours of the death. In the case of deserted or abandoned children who died in these institutions, there was no one with the legal capacity to object to

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<sup>56</sup> It was introduced in order to regulate the practice of anatomical studies and to try to prevent illegal trafficking in corpses (including grave-snatching). The text is available at: <http://www.irishstatutebook.ie/eli/1832/act/75/enacted/en/html>

<sup>57</sup> Jerry Cassidy, “Food for the dissecting knife: How the anatomical schools are supplied with dead bodies”, *Irish Times*, 13 April 1907.

<sup>58</sup> Statement by the Anatomical Committee of the Irish Medical Schools 2011.

<sup>59</sup> Department of Health file CBP-NF-0-49129.



the bodies being sent for anatomical studies. The bodies of “illegitimate” children that were unclaimed by the mother or any other relative, could similarly be used for anatomical studies. It is not known, but it seems unlikely, that the mothers concerned were made aware of the existence or requirements of the *Anatomy Act* at any stage during their stay in any of the institutions being investigated.

7.5 The *Anatomy Act* required that all bodies being removed for anatomical examination be placed in a “decent Coffin or Shell” before removal. The medical schools which received the bodies were obliged to ensure that the bodies, after the anatomical examination, were “decently interred in consecrated Ground” or in some public burial ground in use for people of the same religion as the deceased. The Act required that a certificate of interment be provided to the Inspector of the district<sup>60</sup> within six weeks of the receipt of the body but this was amended in 1871 to provide that this time period could be varied.<sup>61</sup> The 48 hour rule and the six week time limit applied to all bodies being sent for anatomical studies and not just to unclaimed bodies. The medical schools were required to maintain registers of bodies received for anatomical studies.

### **Compliance with the Act**

7.6 It seems that the provisions of the *Anatomy Act* were not always strictly observed; in particular, the time limits seem to have been rarely observed. An internal Department of Health memorandum, compiled in 1983, notes that there were complaints in the 1960s from relatives of deceased former residents of a county home and a public nursing home. The memorandum does not give details of the nature of the complaints but it does note that the author held a file on one of the complaints.<sup>62</sup>

7.7 This memorandum makes it clear that the 48 hour rule and the six week limit were not implemented in practice; it noted that it was commonplace for the body to be removed for anatomical study on the day of the death and the bodies were “rarely” buried within the specified time.

7.8 A witness told the Commission that he had discovered his mother had given birth to a son in Pelletstown in 1947. The child died in St Clare’s Hospital<sup>63</sup> a few weeks later. His body was removed to UCD the day after he died. The child’s mother was resident in

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<sup>60</sup> The Act provided for the appointment of Inspectors of Schools of Anatomy.

<sup>61</sup> It does not seem to have been varied but, as is clear in the text, it was not strictly adhered to.

<sup>62</sup> Department of Health File CBP-NF-0-49129.

<sup>63</sup> St Clare’s Hospital was in Glasnevin. It was also part of the Dublin Union and specialised in dealing with gastroenteritis; many children from Pelletstown were sent there for treatment.

Pelletstown at the time of his death. It is theoretically possible that his mother consented to his body being sent for anatomical study but the 48 hour rule should have applied anyway. The child was buried in Glasnevin in 1949.

7.9 The Commission has since established that a number of children were transferred for anatomical studies from Dublin Union institutions before the 48 hour period for claiming the body was over. In general, burial took place two to three years after the death.

### **Separate burial spaces**

7.10 The rules about burials (see Chapter 1) applied to the burial of bodies used for anatomical studies in the same way as all other burials. There is some evidence that those responsible for burials did not consider that the burials of bodies used for anatomical studies should be treated in the same way as other burials. In January 1961, the Galway County Chief Medical Officer wrote to the Department of Health to complain about the rules in relation to burials and to suggest that they were not being kept by medical schools:

“A problem has arisen regarding the interment of such remains of bodies following their use for anatomical dissection.

According to the Rules applicable to burial grounds for every person over 12 years of age a burial space of 9ft. x 4 ft. must be provided. This would mean that if the remnants of ten cadavers were to be interred, ten graves should be provided, ten graves which would prove very costly and indeed wasteful of graveyard space. The remains of a cadaver after dissection consists of dismembered bones, perhaps some entrails and muscles which could be easily accommodated in a coffin 3' x 12" x 9", and if placed vertically in the grave four such coffins could be accommodated in the space above prescribed. Markers, of course, would be placed over each coffin. There would be no intermixing of corpses. I understand that this procedure is adopted for other anatomical schools.

I request a direction if the procedure suggested above would be allowed and approved of by your Department.”

7.11 The Department's Inspector of Anatomy did not agree with the suggestion but a civil servant's note on the file states that "... it might be said that these Rules are not always (or even usually) strictly observed throughout the country".<sup>64</sup> The Galway County Medical

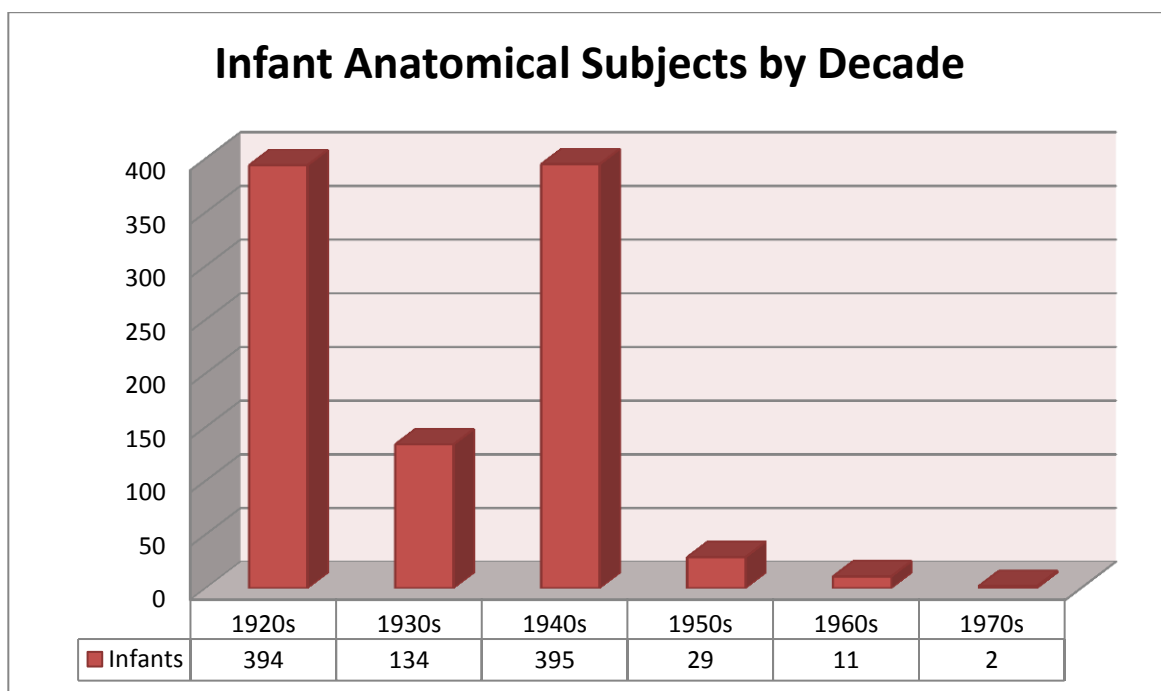
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<sup>64</sup> Department of Health file SND-INA-0-516193.

Officer called to the department’s offices to pursue his point but was met with the same response.<sup>65</sup>

### Dublin Medical Schools

7.12 The Combined Anatomical Register of the Dublin Medical Schools shows that, between January 1920 and October 1977, the bodies of more than 950 children<sup>66</sup> who died in the Dublin Union and associated institutions, including Pelletstown, were sent to the medical schools at University College Dublin, Trinity College Dublin and the Royal College of Surgeons in Ireland for the purpose of anatomical studies.<sup>67</sup>



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7.13 The Combined Anatomical Register of the Dublin Medical Schools records that all but 18 of the children received as anatomical subjects were “illegitimate” children. Children used as anatomical subjects in the Dublin Medical Schools were aged between 10 minutes and 15 years at the time of death. In addition, the register records that 27 stillborn infants were received as anatomical subjects. Many of the stillborn infants had a note reading “not to be

<sup>65</sup> *ibid*

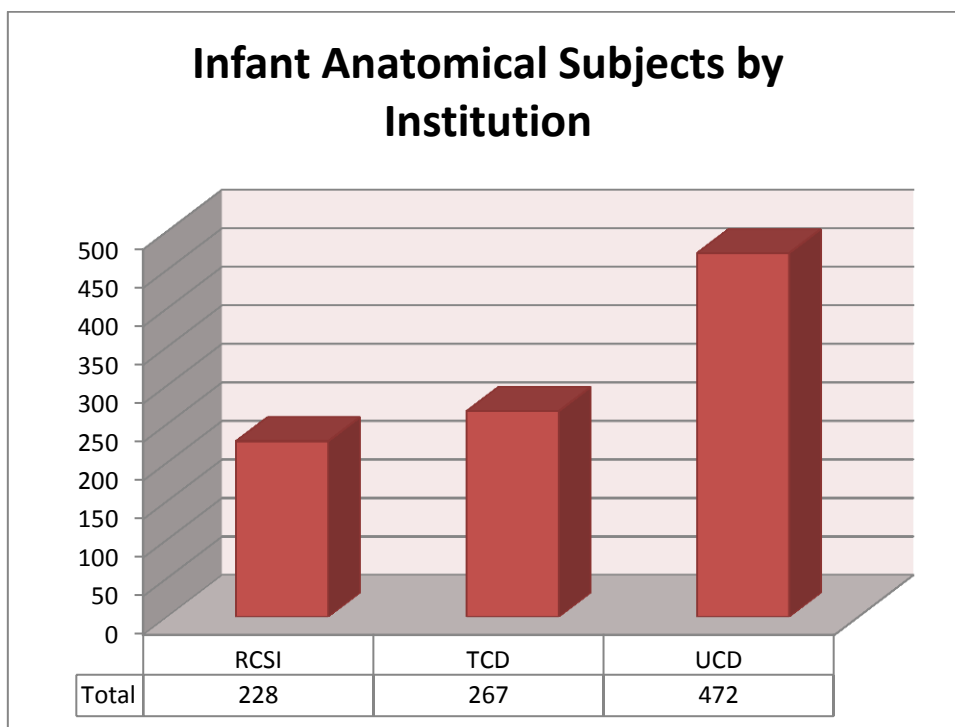
<sup>66</sup> The Commission is checking the exact number involved; this represents 29% of all bodies received by the Dublin medical schools in this period.

<sup>67</sup> The Commission examined this register in UCD.

<sup>68</sup> These figures are based on the date of receipt of infants as anatomical subjects. In two cases it was not possible to establish a date of receipt.

interred” on their record.<sup>69</sup> It may be that stillborn infants were preserved as “wet specimens” for display purposes in medical schools.<sup>70</sup>

7.14 Not all deserted or abandoned children who died in Dublin Union institutions were sent for anatomical studies. There is no information available about the criteria (if any) used to choose which children’s bodies were sent.



### Burial in Glasnevin

7.15 The children from Dublin Union institutions whose bodies were used for anatomical studies were subsequently transferred from the three Dublin medical schools for burial in the Poor Ground section of Glasnevin Cemetery. They were clearly identified in the Glasnevin Poor Ground Burial Registry by the designation “AS” (anatomical subject). The time lag between when these children died, were received by the medical institution for anatomical study and were subsequently sent to Glasnevin Cemetery for burial varied considerably. Usually it was over a year between a child’s death and the eventual interment of the remains in Glasnevin.

7.16 They were buried in different sections of the Poor Ground in Glasnevin: from 1919 to 1928 in St Paul’s Poor Ground; from 1934, in St Patrick’s Poor Ground; and from December

<sup>69</sup> Combined Anatomical Register of the Dublin Medical Schools pre 1972, University College Dublin, Special Collections.

<sup>70</sup> Stillborn infants received by the Dublin medical schools do not appear in the Glasnevin Cemetery Burial Records.

1945, anatomical study burials were placed in the newer South Poor Ground section of the cemetery.

7.17 Anatomical subject remains were not buried in a distinct section of the Poor Ground. They were buried in individual burial plots that were located next to those used for ordinary child and adult burials. The usual practice in Glasnevin Cemetery was for the remains of a number of anatomical subjects to be collectively buried in the same plot on the same day. For example, the Glasnevin Poor Ground Burial Register shows that on 20 May 1921, 33 anatomical study remains, all former residents of the Dublin Union, were buried in grave plots Sb 76-76.5, of the St Paul's Poor Ground. Eighteen of these were adults aged between 28 and 109. Fifteen were children; 14 were described as either "illegitimate" and/or deserted. Ten days later, 41 anatomical study remains, all originally from the Dublin Union, were buried in graves Rb 76-76.5, of the St Paul's Poor Ground. Ten were adult anatomical studies aged between 51 and 83. Thirty-one were children, described as either "illegitimate", deserted and/or nurse children. One child buried on this date is not recorded as an anatomical study in the Glasnevin Burial Register but he is recorded as one in the Anatomical Register of children from the Dublin Medical Schools.

7.18 This practice of adult and children remains being buried together on the same day within the same grave plots continued down through the years. On 21 July 1922, thirteen adult and nine children (all but one described as "illegitimate" and/or deserted) were buried in plots Wb 82-82.5 of the St Paul's Poor Ground. On 9 July 1924, 30 anatomical study remains, 15 adults and 15 children (all but one described as "illegitimate" and/or deserted) were buried in plots Tb 91-91.5 of the St Paul's Poor Ground.

7.19 On 7 July 1926, 16 anatomical study remains, seven adults and nine children (all described as "illegitimate" and/or deserted) were buried in plots Jb 69-69.5 of the St Paul's Poor Ground. On 30 April 1935, nine anatomical study remains, five adults and four children (two "illegitimate", one legitimate and one nurse child) were buried in plots Go 157-157 of the St Patrick's Poor Ground. Eight anatomical study remains, four adults and four children, were buried on each of three dates in January 1943. Of the twelve children, one was described as a nurse child, the others were recorded as being "illegitimate". All were buried in plots Bo 168.5-169 of the St Patrick's Poor Ground.

7.20 On 13 July 1946, 23 anatomical study remains, three adults and 20 children (all but one described as "illegitimate") were buried in plots Na 113-113.5 of the South section of the Poor Ground. On 11 July 1950, 21 anatomical study remains, eight adults and 13 children (all described as "illegitimate") were buried in plots Va 116-116.5 of the South section of the

Poor Ground. On 9 June 1960, 12 anatomical study remains, six adults and six children (all described as “illegitimate”) were buried in plots 1a 104-104.5 of the South section of the Poor Ground.

### **Separate coffins**

7.21 It is unknown if the remains of individual bodies used for anatomical studies were placed in separate coffins for burial in Glasnevin. A meeting of the Dublin Board of Guardians in 1907 heard accusations that in the medical schools, coffins were not being used for one body alone, but that the practice was simply to fill up a coffin with various body parts from various individuals who had been dissected.<sup>71</sup>

7.22 Glasnevin Cemetery is a private cemetery. At the relevant time, it was governed by the *Dublin Cemeteries Act 1846* and the bye-laws made under that Act.<sup>72</sup> The bye-laws (made in 1901) set out procedures to be followed if there was more than one body in a coffin:

“In every case of an application being made for an order for burial of more than one body in a coffin, a notice or certificate in writing in the prescribed form shall be delivered or furnished to Head Office, duly signed by the applicant, containing to the applicant’s best knowledge and belief, all the particulars indicated by such form respecting each of the bodies of the deceased persons contained in said coffin.”

7.23 This clearly envisages the possibility of more than one body being in a coffin. The Dublin Cemeteries Committee (generally known as the Glasnevin Trust) which runs the Glasnevin Cemetery told the Commission that each of the anatomical subject burials was given an individual sexton’s number indicating that for each register entry there was an individual coffin. “There are no annotations within the burial registers showing that permission was granted ... to allow more than one set of remains per coffin.”

7.24 A further bye-law provided that:

“No coffin containing a body or portion of a body (save in the case where the person whose body is being buried had not been identified previous to burial) shall be admitted into the Cemeteries unless and except the name or names of the person or persons whose body or bodies etc. are contained in said coffin shall have been legibly inscribed on the lid of the coffin. In the case of stillborns the surname or

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<sup>71</sup> North Dublin Union: Paupers’ bodies for medical schools, *Irish Times*, 28 March 1907.

<sup>72</sup> The 1846 Act was replaced by the *Dublin Cemeteries Committee Act 1970* which is currently in force.

surnames of the body or bodies contained in the coffin shall be inscribed on the lid of the coffin.”

7.25 A member of the cemetery staff was required to see that the names on the docket and the names on the coffin corresponded. The Glasnevin Trust told the Commission that, while each burial was required to be witnessed by a designated member of staff, the staff did not inspect coffins internally.

### **Galway Medical School**

7.26 The Galway Medical School Anatomical Register<sup>73</sup> records details of approximately 690 deceased adults whose remains were transferred to the School of Anatomy, Galway Medical School,<sup>74</sup> during the years 1909-1997, for the purposes of anatomical study. The register includes all the required details about the deceased adults. It records human remains as they were received in chronological order and there is no break in the numerical assignment associated with each individual. There is no obvious gap or omission in the register.

7.27 During the period 1909-1920, the adult human remains were received almost exclusively from the South Dublin Union. From 1920 to 1950, human remains were received almost exclusively from the Ballinasloe Mental Asylum; the Castlebar Mental Hospital after 1950; and Ennis Mental Hospital after 1958. A small number of bodies were received from Galway Central Hospital/ Galway Regional Hospital<sup>75</sup> over the period 1909-1970, but again these were all adult remains.

7.28 The Galway anatomical register does not include any children. However, evidence exists that children’s bodies were sent to the medical school.

7.29 The Department of Children and Youth Affairs *Report of the Inter-Departmental Group on Mother and Baby Homes* states that the Anatomy Department at University College Galway received the remains of 35 children from the Central Hospital/Regional Hospital, Galway in the years 1940-1964. It also states that the Galway Medical School received the remains of 27 children between 1960 and 1964; however, the Galway Anatomical Register records just 24 bodies in total during the same period and they are all adult remains.

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<sup>73</sup> This is held by the Medical Council.

<sup>74</sup> Originally Queen’s University Galway, then University College Galway, now NUI Galway.

<sup>75</sup> The old Galway workhouse became the Galway Central Hospital in the period 1922 - 1924. It was subsequently rebuilt and renamed the Regional Hospital. It is now the Galway University Hospital.

7.30 The Commission asked the current head of the anatomy department at NUI Galway for further information about this. He invited the Commission to see some extant historical documents from the department. One of the items examined was a “Receipt Book for the Removal of a Dead Body” issued to the department by a then Inspector of Anatomy. Details relating to 15 adult anatomical subjects were recorded as having been received on dates between October 1920 and March 1922; 11 remains were received from Ballinasloe Asylum and the remainder came from the Galway Workhouse/Union/Central Hospital.

7.31 A Department of Anatomy Mortuary Book recorded the reception of adult anatomical subjects from January 1878. The last entry seen by the Commission was made on 6 November 2017. All entries relate to adult anatomical subjects and correspond with the Galway Anatomical Register.

7.32 The third item was labelled “Day Book”. This records single line handwritten entries relating to the anatomy department, including the purchase of materials and supplies. Although the Day Book covers the period 1920 to the 1970s, a large portion of the book covering the period 1931 to 1947 is missing. It has not been possible to determine when these pages were removed, or the reason why they were removed.

7.33 In what remains of the Day Book, it is possible to identify the reception of infant remains for use as anatomical subjects. In every instance, the body or bodies were supplied by a porter at the Central Hospital/Regional Hospital Galway. In every instance the infant remains were received by the head of the School of Medicine and Anatomy Department, University College Galway. He paid the porter 10/- for every infant body received. It appears that between April 1949 and November 1964, he received and paid for 35 infant anatomical subjects. None of these infants is recorded in the Galway Anatomical Register. Unfortunately, no records survive which name the children whose bodies were sold. It is possible that some of the bodies were stillbirths which, at the time, could not have been registered.<sup>76</sup>

7.34 Children resident in the Tuam Children’s Home were routinely sent to Galway Central Hospital for treatment. The Commission has established that 86 children from the Tuam Home died there (see Chapter 8). The Commission has found burial records for 50 of these children in Bohermore Cemetery Burial Records. The records show that these children were generally buried within a few days of death so it seems unlikely that they were used for

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<sup>76</sup> The *Stillbirth Registration Act 1994* came into effect on 1 January 1995. Prior to that, it was not possible to register stillbirths.



anatomical studies. The Commission has asked the HSE if any relevant records from the Galway Central Hospital can be located.

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.

### **Cork Medical School**

7.36 The Commission has found no evidence that children were used for anatomical studies in the Cork Medical School.

## Chapter 8: Tuam Children's Home 1925 - 1961

### Background

8.1 The Commission's Terms of Reference describe the Tuam Children's Home as "Bon Secours Mother and Baby Home". This does not seem to have ever been the name of the Home.

8.2 The Tuam building was originally a Poor Law Union workhouse and was used as such until the early 1920s when a number of workhouses were closed and other changes were made to the Poor Law institutional arrangements in Galway.<sup>77</sup> It was occupied briefly by the Free State army after it ceased to be a workhouse and before it became the Children's Home. As part of the Poor Law reorganisation, another former workhouse, Glenamaddy, was designated as a Children's Home for children and unmarried mothers and was used as such in the period 1922 – 1925. It was run by the Sisters of Bon Secours and owned by Galway County Council. It was in very poor condition so the decision was made to use the former Tuam workhouse as the Children's Home. Children were moved from Glenamaddy in 1925. The Commission regards the Glenamaddy Children's Home and the Tuam Children's Home as one institution.

8.3 The title "Children's Home" was used by its owner, Galway County Council, for virtually all of its existence (it closed in 1961); the first record the Commission has seen of Galway County Council's use of "St Mary's Home" dates from 1960. Locally, it was known simply as "the Home". The Sisters of Bon Secours used the title "St Mary's Children's Home" but the Commission has not been able to establish when it first used this title.<sup>78</sup> The Archbishop of Tuam gave the Sisters approval to set up St Mary's Home as a separate foundation in 1956.

8.4 The Tuam Children's Home was owned by Galway County Council<sup>79</sup> and operated by the Sisters of Bon Secours<sup>80</sup>. The Commission has seen references to the existence of a

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<sup>77</sup> Changes were made in nearly all other counties as well; further information about the re-organisation of Poor Law institutions will be included in the Commission's final report.

<sup>78</sup> Former workhouses which became county homes in the 1920s were generally known by their location. Gradually, they were given saints' names and these names became officially used from the 1950s onwards; locally, they continued to be known by their location.

<sup>79</sup> The grounds were owned at different times by different State bodies but the institution was the responsibility of Galway County Council for all of the period during which it was the Tuam Children's Home.

<sup>80</sup> The Sisters opened a hospital/nursing home called The Grove in Vicar Street, Tuam in 1945; it was sometimes called St Anne's. This was a private institution and had no official connection with the Tuam Children's Home. Between 1945 and 1953, the Sister who was the Superior in the Children's Home was also the Superior in The Grove. The Grove closed in 2001 and the premises are now owned by the HSE.

formal agreement between Galway County Council and the Sisters but, so far, has not been able to locate this. Galway County Council made the decisions on who entered the Home; it paid directly for external repairs to the building, rates, water rent and insurance. It also paid the salaries of the chaplain (who was allocated by the Archdiocese of Tuam) and the medical officer and it paid for the services of the maternity nurse. It paid a capitation rate to the Sisters for the upkeep of the residents. It did not pay salaries to the Sisters who worked there. Tuam Children's Home differed in this respect from St Patrick's, Navan Road/Pelletstown (see Chapter 2) which was owned and financed by the Dublin health authorities<sup>81</sup> and operated by the Daughters of Charity of St Vincent de Paul. The Daughters of Charity were paid as public servants to operate the institution and all costs were met by the Dublin health authorities.<sup>82</sup>

8.5 In 1931, Mayo County Council entered into an agreement with Galway County Council to send women and children from Mayo to the Tuam Children's Home. Mayo County Council paid capitation rates in the same way as Galway but was not involved in decision making about the Home.

8.6 The Tuam Children's Home was designated as a home for children and unmarried mothers. It was not used exclusively as a home for unmarried mothers or as a mother and baby home. It did house unmarried mothers and their children but it also housed children of married parents who were unable to care for them and it housed homeless families.<sup>83</sup>

8.7 Between 1925 and 1942, many of the decisions in relation to the Tuam Children's Home were made by the Galway Board of Health which was composed of members of Galway County Council.<sup>84</sup> The County Home and Home Assistance Committee, which was a sub-committee of the Board of Health but also included non-council members, was also involved in making decisions. The Board of Health and the County Home and Home Assistance Committee held a number of their meetings in the Tuam Children's Home. In 1942, the Board of Health ceased to exist and its functions were transferred to the County Manager when the *Public Assistance Act 1939* and the *County Management Act 1940* came into effect. From 1942, many of the decisions were made by the County Manager by way of Managers' Orders. National government also had a role in the decisions made. Many of the

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<sup>81</sup> The different arrangements and titles of bodies for the delivery of health and public assistance services will be fully explained in the Commission's final report.

<sup>82</sup> The post 1922 structures for health authorities differed somewhat in Dublin.

<sup>83</sup> A small number of children who died in the Home were resident there with their families. "Legitimate" children accompanied by a parent or parents are outside the Commission's Terms of Reference.

<sup>84</sup> The *County Scheme Order, Galway No 1, 1923* provided for the establishment of the Board of Health and for it to establish sub-committees: <http://www.irishstatutebook.ie/eli/1923/sro/920/made/en/print>

decisions, for example, in relation to capitation rates, were subject to the approval of the Department of Local Government and Public Health between 1922 and 1947 and the separate Department of Health after that. Decisions on water and sewerage expenditure were subject to the approval of the Department of Local Government and Public Health between 1922 and 1947 and the separate Department of Local Government after that. Such expenditure frequently involved taking out loans from the Local Loans Fund. The Board of Public Works had a role in approving the use of these funds.

### **Deaths in the Tuam Children's Home**

8.8 The Commission has established that a total of 973 children from the Children's Home died either in Glenamaddy, in the Tuam Home itself or in a hospital or institution soon after they were transferred there from Tuam. Of these, 79 children died in Glenamaddy. The Glenamaddy workhouse had its own burial ground so it is likely that the children who died there are buried in that burial ground. However, there is no burial register available for the period in question so this cannot be verified. The vast majority, 802, died in the Tuam Home itself. This number includes a significant number of "legitimate" children who are within the Commission's Terms of Reference because they were not accompanied by a parent and a small number of "legitimate" children who are outside the Commission's Terms of Reference because they were accompanied by a parent. (The children who were accompanied by a parent are less likely to be buried in the Tuam burial ground and are more likely to have been buried by their parents.) The details of the deaths of the children were established by the Commission from the records compiled in the Home (see below) and from a list provided by the General Register Office (GRO) and already in the public domain. There are six children whose deaths are recorded in the records compiled within the Home and who are not on the GRO list. The Commission has been unable to find any mention in the Tuam Home records of six children who are included in the GRO list.

8.9 When analysing the records, the Commission noted that a significant number of children who were resident in the Tuam Children's Home were transferred to the Central Hospital, Galway<sup>85</sup> when they became seriously ill. The Commission checked the Register of Deaths and found that 86 children who had been transferred there died soon after the transfer. Six other children died soon after leaving the Tuam Home: two children died in the County Home, Castlebar; one died in Crumlin Children's Hospital; one in St Bridgid's Industrial School for Girls, Loughrea; one in Clifden District Hospital and one died at home.

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<sup>85</sup> The old Galway workhouse became the Galway Central Hospital in the period 1922 - 1924. It was subsequently rebuilt and renamed the Regional Hospital. It is now the Galway University Hospital.

The Commission has found burial records for 50 of the children who died in the Central Hospital, Galway – they are recorded as being buried in Bohermore Cemetery.

8.10 Twelve mothers who were resident in the Tuam Home died, the majority from complications of childbirth; some died in the Home itself and some in the Central Hospital, Galway. It is not known who took responsibility for the burial of these mothers. If the Central Hospital took responsibility for the burials it would be expected that they would be recorded in Bohermore cemetery but the Commission did not find any record of these burials there.

#### **Sources of information on burials**

8.11 There is remarkably little official documentation available about many aspects of the Tuam Children's Home and there is virtually no information about burials in the documentation that has been seen by the Commission. There are references in various documents provided to the Commission by Galway County Council and the Department of Health to inspections of the Home. However, until very recently, the Commission has seen only one report of an inspection; this is the inspection carried out in 1947 by the Department of Health. This report does not mention burials. In December 2018, the Commission received a number of files from the Department of Health which contain some inspection reports on the maternity wing of the Home and some other reports about the condition of the Home immediately before it was closed. Again, none of these reports contain any references to burials.

#### ***Records compiled in the Tuam Children's Home***

8.12 The records of admissions, births, discharges and deaths which were compiled in the Tuam Home by the operators of the Home were left with Galway County Council when the Home was closed in 1961. (The County Council was probably the owner of the records anyway.) These then became the property of the Western Health Board when it was established in 1970. Subsequently they became the property of the HSE in 2005 and then the Child and Family Agency (TUSLA) in 2013. The Commission has made digital copies of these records and has almost completed analysing them. These records include details about the deaths of children and the causes of death in many cases but do not include any information about burials.

8.13 In the years since the Home closed, these records have been used mainly for tracing purposes. The Commission is concerned that some records may have been lost or destroyed over the years. It is impossible to establish if the records currently held by the

Child and Family Agency (and made available to the Commission) constitute all of the records left behind when the Tuam Home closed in 1961.

### ***Galway County Council records***

8.14 The extant minutes of the Galway Board of Health are held by Galway County Council. There is almost a complete set for the period 1922 – 1941 but there are some gaps and there are no surviving minutes for the year 1937. The Commission has examined these records in detail. There is no specific mention of burials in these minutes but there are a number of references to issuing tenders for coffins. The tenders were for coffins of various sizes. There is no mention of coffins actually being bought.

8.15 These minutes do contain extensive references to the water supply problems faced by the Tuam Home and to the various attempts to improve it and to connect the Home to the Tuam sewerage system – see below.

8.16 The meetings of Galway County Council, the Board of Health and its subcommittees were held in public and received extensive coverage in the local newspapers. The Commission has searched these newspapers for any references to the Tuam Children's Home.

8.17 Managers' Orders were not discussed publicly. The Commission has examined the Managers' Orders for the period 1942 – 1961 in order to find any references to the Tuam Children's Home. Again, there are references to the water supply and sewerage problems and to tenders for coffins but no specific reference to burials. The coffin tenders are for various sizes of coffins and seem to have been issued at six month intervals. The cost of the large coffins was questioned a number of times. However, there is no record of any coffin being bought in this period either.

8.18 Galway County Council told the Commission that it was unable to find any records which showed that the Council had any role in the administration or regulation of a burial ground in the grounds of the Children's Home. In oral evidence to the Commission, representatives of Galway County Council said that there are 233 burial grounds in County Galway listed on the Galway County Council register of burial grounds. There are two listed in Tuam. One is the very old burial ground in Templejarlath which is in High Street and the other is the burial ground on the Athenry Road across the road from the Children's Home and which is still in use. There are registers of burials for both of these burial grounds. The burial ground in the Tuam Children's Home is not on the register. The Tuam workhouse had

a burial plot in the burial ground across the road from the building (for which there is a register of burials). There is no evidence that this plot was used for the burials of children or adults who died in the Tuam Children's Home.

8.19 The Tuam Children's Home was owned by a local authority and not by a religious order. The Commission considers that the general rules in relation to local authority burial grounds should have applied – see Chapter 1. Among other things, this meant there was a legal requirement to keep a register of burials. There is no evidence that such a register was compiled.

8.20 The first documentary evidence of Galway County Council's awareness of the possible existence of a burial ground in the grounds of the Tuam Children's Home dates from the 1970s (see below). The issue came to light during the building of the Dublin Road Housing Estate. This was a Galway County Council development which was built in four phases starting in 1972 and concluding in 1978. Galway County Council has documentation relating to the last two phases but not to the first two.<sup>86</sup> Documentation in relation to the first phase was sent to the Department of Local Government in 1969/70. The Department is currently searching its archives to see if this is available. The National Archives of Ireland does not have this documentation.

8.21 There is a document on a Department of Health file<sup>87</sup> which suggests that there may have been some rumours about the Tuam site in 1969. This is a handwritten note on a file dealing with the possible closure of some mother and baby homes. The note states "Surely the story about the Waterworks is not true? Do M<sup>88</sup> get police reports on abandoned dead babies?" The Commission interviewed a retired senior official of the Department of Health about this. He was able to give an indication of who the author was but that person is dead. He was not able to cast any further light on the matter. The Commission recognises that this note may be completely unconnected to Tuam but its creation in 1969 does coincide with the making of plans for the development of the Dublin Road Housing Estate. In the absence of any other related documents, the Commission is unable to draw any conclusions about this.

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<sup>86</sup> At the time, local authorities did not need planning permission for their own developments so there would not have been any planning documents created. It is highly likely that there were detailed plans, including water and sewerage plans, bills of quantities and other construction documentation created at the time but Galway County Council has been unable to provide such documentation.

<sup>87</sup> Department of Health file INACT-INA-0-426512

<sup>88</sup> M was a section of the Department of Health at the time.

### ***The Sisters of Bon Secours***

8.22 Soon after its establishment in 2015, the Commission asked the Sisters of Bon Secours for any information or documentation they held on the Tuam Children's Home. In 2015, the Sisters provided a small number of documents which were largely concerned with the plans to close the Home in the period 1959 – 1961. They stated that they had left all relevant documents in Tuam when the Children's Home closed in 1961 and they believed that these documents were now in the possession of the Child and Family Agency. In March 2016, they provided some further documentation but this was largely concerned with correspondence after the closure of the Home. None of the documentation had any reference to burials.

8.23 The Sisters told the Commission that there is only one Sister alive who actually served in the Home. She served for only a few months and is now unable to assist.

8.24 The Country Leader of the Sisters of Bon Secours in Ireland provided an affidavit to the Commission in February 2018. This dealt with a range of issues including burial arrangements. She told the Commission that she does not know what the actual burial arrangements were. She said that the present Sisters are "shocked and devastated by what has come to light to date in relation to burials in the subsurface structure".

8.25 The Country Leader said that she understood that mother and baby homes "commonly had burial areas within their confines commonly referred to as "Angels' Plots"" and she would not have been surprised to learn there was such a burial situation in Tuam. She also said that she understood that it was common practice for such burial areas not to be publicly marked. The Commission is aware that the plot in Glasnevin Cemetery has been known as the Angels' Plot since the 1960s. It is not aware that any other similar plot was so named. There is no evidence that the burial plots in Castlepollard and Sean Ross were ever known as "Angels Plots".

8.26 The Country Leader apologised for the failure to provide a proper burial: "It is the view of the Sisters that the children who died at St Mary's deserved a proper burial and this did not happen. For this we express our deep sorrow and apologise unreservedly."

### **The burial ground/memorial garden**

8.27 A walled off area, previously part of the grounds of the Tuam Home, has been maintained by local people as a "memorial garden" since the late 1970s. This garden was maintained with considerable care mainly by a local couple who, with a number of other local



residents, formed a “Graveyard Committee” to maintain the area. The Graveyard Committee created a grotto at the south east corner of the garden in memory of the children who died at the Home; this was installed around 1990.

8.28 This area had been entirely enclosed by walls for some time. Two of the walls are higher and older than the others. Two more recently constructed walls on the western and northern boundaries of the garden had been built to fully enclose the garden with gated access. On the western side of the garden, one of the lower walls separates the garden from the back garden of a house in the Dublin Road Housing estate. On the northern side, a wall separates the garden from a children’s playground which was created in the 1980s also on part of the grounds of the former Tuam Children’s Home. Part of the eastern boundary is a much higher wall and was evidently, in part at least, a continuation of the long stone boundary wall that bounded the eastern perimeter of the Home and remains in situ. The southern boundary is of similar height and this forms a boundary with a number of other residential properties. Two gates allow access to the memorial garden; one in the north that leads to the children’s playground and the other to the west that leads to a gravelled road that provides access to the rear of a number of houses on the Athenry Road (R347) which are part of the Dublin Road Housing estate.

8.29 In October 2015, the Commission arranged for a geophysical survey to be conducted on the site. This was a non-invasive survey which was conducted over the surface of the ground inside the current boundaries of the memorial garden/burial ground. The sub surface of the site was not disturbed. The purpose of the survey was to detect the presence of possible sub surface anomalies. Ground Penetrating Radar, Magnetometry and Electrical Resistivity remote sensing methods were used. The report of this survey is at Appendix A.

8.30 This survey identified a particular area of interest and identified a number of sub surface anomalies that were considered worthy of further investigation. These were further investigated by a test excavation in November/December 2016 and in January/February 2017. In March 2017, the Commission issued a short statement setting out the most significant findings of the excavation.

“Test trenches were dug revealing two large structures. One structure appears to be a large sewage containment system or septic tank that had been decommissioned and filled with rubble and debris and then covered with top soil. The second structure is a long structure which is divided into 20 chambers. The Commission has not yet determined what the purpose of this structure was but it appears to be related to the

treatment/containment of sewage and/or waste water. The Commission has also not yet determined if it was ever used for this purpose. In this second structure, significant quantities of human remains have been discovered in at least 17 of the 20 underground chambers which were examined. A small number of remains were recovered for the purpose of analysis. These remains involved a number of individuals with age-at-death ranges from approximately 35 foetal weeks to 2-3 years. Radiocarbon dating of the samples recovered suggest that the remains date from the timeframe relevant to the operation of the Mother and Baby Home (the Mother and Baby Home operated from 1925 to 1961; a number of the samples are likely to date from the 1950s). Further scientific tests are being conducted.”

8.31 The detailed reports of this excavation and the further tests are at Appendix B and Appendix C.

8.32 The Commission’s Terms of Reference require an investigation into burial arrangements. They do not give the Commission the responsibility to deal with inappropriate burial arrangements. For example, the Commission does not have the power to arrange for the exhumation of the bodies. Accordingly, the Commission reported its findings to the Minister for Children and Youth Affairs. Subsequently, the government decided that it would take responsibility for dealing with the matter even though it is arguable that, in this case, the onus of dealing with the inappropriate burial arrangements lies with Galway County Council as the owners of the site and of the Home.

8.33 In June 2017, the government established an Expert Technical Group to advise on options and appropriate courses of action available to the government at the Tuam site. Its report was published in December 2017.<sup>89</sup> In October 2018, the government announced its intention to conduct a forensic excavation of the available site.<sup>90</sup>

### **The Commission’s investigation of the burial ground**

8.34 The Commission appointed a forensic archaeologist to carry out preliminary investigations into the area described as the children’s burial ground and ultimately instructed her to carry out limited excavations. She and her team of specialist archaeologists compiled the detailed reports.

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<sup>89</sup> <https://www.dcy.gov.ie/viewdoc.asp?DocID=4515>; the Commission had no involvement with this report. The members of the Expert Technical Group did not have access to the Commission’s reports.

<sup>90</sup> <https://www.dcy.gov.ie/docs/EN/Press-Releases-copy-dcy-gov-ie-2018/81/4983.htm>

8.35 The Commission interviewed a number of people who had knowledge of the area. The Commission has not heard any evidence from individuals with **direct** knowledge of the burial arrangements. A local woman (who moved into the area in the 1970s) told the Commission that she was told by a former worker in the Home that the dead babies, including babies who were stillborn, were swaddled and buried. She did not ask where or how; she assumed that they were buried in what is now the memorial garden. This woman told the Commission that her husband had found bones in their back garden when he was sowing it; she believed that they were animal bones.

8.36 The Commission heard evidence from the two men who, as young boys in the 1970s, found evidence of bones at the site. They described how they had descended the southern wall leading into what later became the memorial garden. One of them remembers jumping off the wall and the ground giving way beneath him when he landed. When he and his friend explored what was underneath their feet, they saw bones at the bottom of a tank which also contained water. He remembers telling his parents about this and the ground was filled in shortly after that after being blessed by a priest. The other person has largely the same memory of the discovery except that he thought the tank was dry. He too had the same view that a priest came some days later and blessed the area which was filled in. A third person who gave evidence to the Commission remembers, as an adult in the 1970s, seeing a child running around a portion of the grounds of the Children's Home with a skull on top of a stick. She challenged the child and took the skull and when she went to investigate where it came from and return it she fell into a structure which she said was full of the swaddled bodies of children.

8.37 A local woman told the Commission that she remembered the construction of the Dublin Road housing estate. She said that mounds of earth were created during the construction and bones were visible in those mounds. She said the bones were collected in or near the playground area.

8.38 In 2014, An Garda Síochána conducted an investigation. The documentation collected and the analysis done were provided to the Commission. The Gardaí had met a number of people with knowledge of the Home and the burial ground including representatives of the Sisters of the Bon Secours and the two men who had found bones at the site in the 1970s. The Gardaí concluded from their analysis of maps and from inspection of the site that the burial ground was about three times larger than the area which is now maintained as a burial ground. They concluded that the back gardens of some of the properties on the Athenry Road were part of the burial ground.

### ***Maps and aerial photographs***

8.39 The archaeological team and the Commission's researchers examined, among other material, archival records held by Galway County Council and historic Ordnance Survey records, and accessed some aerial photography from the Military Archives. The area representing the memorial garden in part at least corresponded with a delineated area of ground that appeared on a six inch map dating from 1838. This area was an adjunct to the grounds of what was then a workhouse and was described as a "gravel pit". An Ordnance Survey map of 1892 showed for the first time the outline of a formal structure roughly in the same place; however, this structure was not expressly described. An Ordnance Survey map from 1927 labelled the area as "Sewage Tank".

8.40 A drawing for the Dublin Road Housing Estate from Galway County Council archives, apparently created prior to 1975, identified an area of ground which included the area of interest as a "burial ground". An additional plot of ground within the portion marked "burial ground" on this map lying outside of the memorial garden represents an access road that leads up to the current memorial garden. A later drawing of the Dublin Road Housing Estate dated 1978 identifies the "burial ground" in the same location; however, the insertion of this description on the drawing is located more proximately to the area where the memorial garden now stands.

8.41 A third drawing from Galway County Council which outlined plans for further development of the Dublin Road Housing Estate was produced around 1978. An area was marked delineating a "burial ground" but the writing signifying burial ground has moved somewhat closer to what is now the memorial garden. A further map obtained from Galway County Council contains a drawing with annotation "as constructed layout of County Council Estate Dublin Road Tuam"; on this particular edition of the map, the area previously identified as a burial ground has not been marked or labelled.

8.42 Conveyancing documents from Galway County Council in the 1980s describe the area in question as "indicated with the words sewage tank".<sup>91</sup>

8.43 An aerial photograph taken in 1974 obtained from Ordnance Survey Ireland demonstrates that an area overgrown with vegetation largely corresponds with the area from the housing estate drawings as a burial ground. A second aerial photograph from 1977 from

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<sup>91</sup> Letter from the Council's solicitor to the Western Health Board's solicitor dated 2 June 1982

the Military Archives shows the same area as still overgrown.<sup>92</sup> A more recent aerial photograph obtained from Ordnance Survey Ireland which is dated circa 2015 shows both the memorial garden, walled off, with the remaining part of ground included in the area described as a burial ground now devoid of any of the overgrowth previously seen. This area to the west is currently used as an access way to the rear of a number of the houses on the Dublin Road Estate and for access to the memorial garden.

### **Galway County Council awareness of burial ground**

8.44 There is evidence from the County Council archives that the Council was aware of the existence of a children’s burial ground on the Tuam site in the early 1970s. The Council told the Commission that it was not aware that burials of the nature discovered by the Commission’s investigation had taken place there. Some of the maps and aerial photography described above were available to the Council. The aerial photography illustrates that the walled off area identified locally as the memorial garden was an area that was walled off on all sides at some stage after 1977. Council records suggest that this occurred in the early 1980s and was possibly altered by raising the level of one of the walls in the early 1990s. The wall separating the memorial garden from what became the children’s playground and also separating the area later utilised for the purposes of an access road was apparently built in the 1970s presumably during or proximate to construction of a phase of the Dublin Road Estate and before 1977. The most recent aerial photograph dating from 2015 when compared with the earlier aerial photos demonstrates the changes that took place between 1977 and 2015.

8.45 The minutes of a Galway County Council meeting of 17 December 1979 record a motion proposed by a Council member for development of a playground “...having regard to the existence of a memorial site, a children’s Burial Ground, and another Burial Ground adjoining.” The reference to the memorial site is to a civil war memorial for six men executed in Tuam in 1923. An estimate of costs involved was prepared which came to a total of £10,700. Two items on the costing are of note:

“6. Level rake and shed border areas and burial ground	1,100.00
7. Provide playing equipment on children’s burial ground	2,000.00”

Approval was given in May 1981 for expenditure of £10,700.00 for the development of the open space and what was described as the “old children’s burial ground”.

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<sup>92</sup> Military Archives Ireland. Vertical Aerial Photography, V456#23; Tuam, Co Galway, October 1977.

8.46 On 1 February 1991 a local priest wrote to the secretary of Galway County Council as follows:

“I have been asked by the Sec of Athenry Rd Tobberjarlath Rd Residents Association to write to you concerning the condition of the children’s burial ground in the former Home in Tuam. It is in poor condition with bones being exposed quite often as a result of children and animals digging. The residents are quite upset by this sight and are doing everything possible to protect the burial ground and to ensure that it is treated as a hallowed place.

If you could use your office to have it concreted, we would be very grateful.”

8.47 A Council engineer was directed to investigate and, after visiting the site, responded “The area in question is as indicated on the attached map. The area is grassed and on my inspection following numerous previous letters it was in a satisfactory condition. I have no evidence of bones being exposed. Indeed parents should be advising children that it was a formal burial ground and the parents themselves should thus control their children. I have no evidence of digging in the area during my inspection. The area is bounded by concrete walls and a small gate and I do not recommend any further action to be taken”.

8.48 This reply suggests that there were other complaints – “numerous previous letters” - about the site but these have not been made available to the Commission.

8.49 A further letter from the Council to the priest on 5 March 1991 confirms that the Council was in the process of arranging to raise the wall adjacent to the playground and to padlock the entrance gate to this burial ground. The Commission notes that the wall bordering the playground is now higher than the wall which bears the entrance gate, so this addition to the wall may have taken place as indicated.

8.50 The Commission heard evidence from both the priest and the engineer. The priest said he had had no further dealings with the Council on the issue. The engineer said he did not remember anything about the site and he was unable to cast any light on the “numerous previous letters”.

### **Results of the Excavation**

8.51 The areas of interest identified in the geophysical survey were investigated by test excavations in November/December 2016 and in January/February 2017. The full reports of these excavations are at Appendix B and Appendix C. The following is a brief summary.

8.52 As the excavation was very likely to reveal human skeletal remains, steps were taken to ensure that anything that might be found within the test area was treated with utmost dignity and respect. Forensic protocols and archaeological standards conforming to the best practice guidelines were maintained throughout the excavation. A number of measures were also put in place to protect the integrity of the site and ensure the privacy of the work. The area known as the memorial garden was surrounded by plywood hoarding to inhibit line of sight and to assist in maintaining the security of the location. An Garda Síochána provided a 24 hour security presence at the site. Once excavation was underway, a scene tent was used to cover the trench areas.

8.53 Two structures were discovered. The location of the first structure discovered corresponds with the location of what is described as the “Sewage Tank” on the older Ordnance Survey and title maps. This structure had at some point been deliberately filled with a large deposit of stones, almost to the upper edges. Within the filled material, a glass double ended baby bottle with a made in Germany stamp was found. The Commission understands that pyrex and plastic replaced glass in this type of bottle to a large extent over the 1950s and 1960s, though production of this type of item likely stemmed from the 1920s through to the 1940s. A number of small enamel tin cups were also found at this location. One type of cup, in particular, had a children’s nursery rhyme imprinted on it and enquiries confirmed that this cup was of Swedish design and produced between 1920 and 1940.

8.54 The second structure discovered proved to be of greater significance. It is a long structure built within the boundaries of the old sewage tank. It is divided into 20 chambers. Initially, a structure with two lids was discovered. One of the lids was completely intact and the other was partly broken. These lids were carefully removed and were found to have covered a chamber with a small division between two sections of the chamber. Human skeletal remains were immediately visible. Further excavations revealed more lids and, when they were removed, more human skeletal remains were found in the chambers underneath.

8.55 Samples of the remains were retrieved from within the chambers using customised telescopic equipment from the surface openings. The Commission did not consider physically entering the individual chambers because the size of the surface access points was very confined, there was a danger that any attempt at physical entry would have compromised the many skeletal remains and entry was, in any event, not considered to be safe.

8.56 The remains were first visually identified as human, and were subsequently confirmed as such by the Human Osteoarchaeologist who was part of the team. The remains which were recovered were carefully catalogued and detailed records were made of the location and context in which they were found.

### **Purpose of the structures**

8.57 An archaeologist on the team appointed by the Commission considers that the logical intended use of the first structure discovered (described in the reports as “cesspool” or “sewage tank”) was to receive sewage from the culverts and pipes found coming from the direction of the former Home. This was most likely used at one time as the primary filtration sewage tank for the workhouse/Home. This hypothesis is supported by the descriptions on maps. It is also supported by a reference from 1935 in documentation discovered in connection with a tender concerning the Home which reported that “the existing sewerage at the Home is defective, being merely drains **without pipes** leading to a septic tank outside the grounds” (emphasis added).<sup>93</sup>

8.58 The archaeologist thinks that it is possible that some of the chambers in the second structure (where the human remains were found) were designed to act as cesspools or tanks into which the waste would be deposited and were designed to allow liquid percolate from them into the surrounding soil area.

8.59 The Commission consulted a chartered consulting engineer with considerable experience in sewerage installations. His view was that the likely purpose of the chambers was the collection and holding of sewage but did not consider that the extent of the structures visible in photographs produced to him indicated use as a septic tank.<sup>94</sup>

8.60 Whatever the precise design the structure was built to serve, the Commission does not consider that any of its features suggest that it was deliberately formed as a crypt or formal burial chamber. If that were the case, an entirely different type of structure would have been expected that would allow for easy human access. Access to the chambers is only possible though the narrow openings with relatively fragile pre-cast concrete lids

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<sup>93</sup> Minute G5/16 29 November 1935.

<sup>94</sup> A septic tank operates by introducing the waste into the tank by pipe into a chamber where, solid material sinks to the bottom of the tank and forms a sludge as the waste is broken down. The fluid covers it over. Anaerobic activity then occurs where the solid material breaks down naturally while fluid that builds up is allowed to spill over into a second chamber. The same process occurs again allowing the smaller solid particles to fall to the bottom, where they break down. The water is then allowed to filter out of the tank into a filtration area.



permitting access. The openings were largely uniform in size and while large enough to permit a small adult to pass through with difficulty, were clearly not designed with human access in mind nor for access with a ladder. The depth of the chambers was 2.7 metres from the current ground surface to the top of sediment at the base. Entry by an adult would require considerable dexterity and exit would require even greater dexterity.

8.61 Without a full excavation it is not possible to conclusively say what was the exact engineering purpose of the structures but the Commission considers that it is very likely that it was sewerage related. This view is corroborated by some of the scientific testing carried out at the request of the Commission and described below.

### ***Bon Secours response***

8.62 The Commission provided Galway County Council and the Sisters of Bon Secours with the detailed technical reports in June/July 2017 and asked for their responses. Galway County Council did not respond. The Commission provided Galway County Council and the Sisters of Bon Secours with the first draft of this report in November 2018. Again, Galway County Council did not respond. The Sisters of Bon Secours commissioned an archaeologist to review the reports.

8.63 This review suggested that the archaeological reports did not adequately consider the possibility that the structure in which the human remains were found was designed as a burial vault and then used as such. The reports did consider such a possibility and the Commission also considered this. However, the Commission notes that there are a number of features that suggest the structure was constructed for the storage of cess/waste materials:

- There are eight basal openings along the northern walls of the eight easternmost chambers, that is, connected to the larger sewage tank; other breaches in the north wall suggest hydraulic flow between the large sewage tank at north and the enclosed chambers.
- The size of these basal openings at the north end are as small as 0.3m in width by a similar height, therefore too small for usable access; they would not allow for the placement of remains inside the chamber.
- The top openings are all approximately 0.84m in length by 0.29m, again restrictively small considering the size of the internal space (generally 1.6m x 0.95 and c. 2m in depth). In all, the openings are limited in size, and not designed to be accessed by

people (adults) and certainly not large enough to be accessed by a person and a ladder.

- The fluctuation of the water-table within the chambers was evidenced throughout the structure, an aspect which is acceptable for cesspool percolation but not burial.
- The top openings of the chambers were closed by relatively thin pre-cast concrete lids. These were light enough to be opened regularly but were not of a size or durability that one might expect from a ground vault slab. This is evidenced by the fact that 16 of the 21 lids were broken.
- It would be a very unusual decision to construct a burial vault within an operational, or recently operational, sewage tank that had, as yet, not been totally back-filled/disused.

8.64 The limited excavations conducted by the Commission have not revealed the existence of a sewage delivery pipe/culvert; however, soil analysis illustrates that it is likely that the chambers were used for an unspecified duration as sewage tanks. If, after full excavation, no sewage inlet into the chambered structure is found, the likelihood is that the chambers were either never used for sanitary waste, or that waste was delivered into the chambers from the top.

8.65 The Sisters of Bon Secours archaeological review also suggested that the Commission's archaeological reports did not identify comparable sites. The Commission's archaeologists did try to establish if comparable sites existed but did not find any. The review put forward seven different sites as possible comparators but none of these had features which are comparable to the Tuam site.

#### **Water and sewage system at the Tuam Children's Home**

8.66 The Commission attempted to establish the intended purpose of the structures uncovered in the excavation from any available records and sought out any historic commentary concerning the sewerage system in the Home and prior workhouse.

8.67 The town of Tuam had an inadequate water supply and sewerage system prior to and for the entire period of the existence of the Tuam Children's Home. The authorities recognised its inadequacy while it was a workhouse.

### **Pre 1922**

8.68 The minute books of the Poor Law Board of Guardians<sup>95</sup> contain numerous references to problems with the sewerage system and sanitation in the Tuam Workhouse.

8.69 At a meeting of the Board of Guardians in June 1911 the Tuam District Council Engineer recommended that the Board should buy a field on the west side of the country road and south of the St Jarlath's College farm. The field, an acre in size, would be utilised for a new workhouse sewerage scheme which would cost £140. Sewerage from the institution would be carried through the field by pipes over a distance of 50 yards until it discharged into an open drain. A new septic tank, 6 feet long and 25 feet wide, would be constructed and the public road would now be 35 yards from the tank.<sup>96</sup> In August, the Local Government Board<sup>97</sup> contacted the Board of Guardians in relation to this scheme which was now estimated to cost £185. They were concerned that the plans made no provision to either cover the existing tank or the new one which would be constructed. There was also no provision made for any overflow from the new tank. They noted that such overflow should be provided for and the advisability of deciding on some arrangement to prevent sewage from accumulating in the old tank should be considered by the engineer. In response, the engineer stated that there was no provision to cover the new tank as the old one was there fifty years and had never been covered. He was of the opinion that it would be a waste of money. He stated that the purchase of a portion of land would deal with the passage of the overflow as the accumulation of any overflow from the tank would form as a cesspool there.<sup>98</sup>

8.70 By 1917 the Board of Guardians had become concerned that sewage was leaking into a neighbour's field. The report from the Board meeting published in the *Tuam Herald*<sup>99</sup> recorded that

“Immediate relief could be effected by the constructions of a drain under the public road to intercept and drain the effluent and discharge it into the old quarry. It is found, as it is inspected, that the liquid will pass away through the fissures in the quarry, the Guardians should then proceed with the most urgent work of the construction of a suitable covered tank or tanks to take the place of the present dangerous open tank. It will be noted that the site of the present tank is not the property of the Guardians, but is rented at £3 per annum”.

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<sup>95</sup> The Board of Guardians ceased to exist when the changes were made to Poor Law arrangements in the early 1920s.

<sup>96</sup> *Tuam Herald (hereafter TH)*, 3 June 1911.

<sup>97</sup> The Local Government Board had overall responsibility for the implementation of the Poor Law at this time.

<sup>98</sup> *TH*, 12 August 1911.

<sup>99</sup> *TH*, 22 September 1917

8.71 At a meeting of the Board of Guardians in May 1917, the question of adopting the proposed 1911 scheme for the improvement of the workhouse sewerage system was again considered. A concern was raised that if the sewage was deposited in an open field, as appeared from the plan, the people of the town would object because the road on one side of it was the most frequented walk in the town. One member stated that the people of the town had suffered enough from the present state of the sewerage system and it was only a waste of time and money if it was to be exposed on the other side. The engineer suggested an alternative plan of running the sewage up by the Railway Bridge and allowing it to discharge about 100 yards in a specific field, if the owner could be persuaded to sell part of the land.<sup>100</sup> Later the engineer reported back that the owner had little interest in selling.<sup>101</sup>

8.72 That September, the sewerage system was again addressed at a meeting of the Board of Guardians. The Local Government Board forwarded a report from its inspector, which stated that he had made an inspection of the septic tank and outfall sewer from the workhouse and considered the best method of dealing with the sewage was to abate the existing nuisance and prevent further nuisance. All the sewage was collected in an open tank on the south end of the workhouse and only 40 yards from the building. This tank, in such close proximity, was a menace to the health of the inhabitants and caused frequent expense. The overflow from it was conveyed in pipes and discharged on the surface of the land adjoining the pattern fence of the public road. In 1912, a scheme by a firm of Dublin engineers was considered and the inspector thought it desirable to put it into operation with certain modifications. This scheme had suggested roofing the septic tank and discharging the effluent into a field owned by the College at the southern side of the road. The plan was to acquire two acres of that field in which there was an old quarry which would admit all liquid to percolate away. The College stated that it would be willing to sell the two acres but it would also be willing to sell the half acre which just contained the quarry. The Board of Guardians decided to take steps to purchase the quarry and to request the Tuam District Council engineer to proceed with the work when permission to enter the land had been granted by the College. The engineer's estimate for his scheme was about £150.<sup>102</sup>

8.73 In May 1918, the Local Government Board sanctioned the scheme devised by the Tuam District Council engineer for the disposal of the workhouse sewage.<sup>103</sup> In July, the

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<sup>100</sup> TH, 12 May 1917.

<sup>101</sup> TH, 26 May 1917.

<sup>102</sup> TH, 22 September 1917.

<sup>103</sup> TH, 25 May 1918.

Board of Guardians was informed that the work was currently being carried out.<sup>104</sup> It seems clear this work was carried out between June and September 1918. It is not entirely clear what exact plan was approved by the Local Government Board and put into operation by the Board of Guardians in the summer of 1918. It seems that the scheme which was implemented was a modification of the plan submitted by the engineer in June 1911. This means that it is likely that a new septic tank, 6 feet long and 25 feet wide was constructed. The original scheme was modified so that the sewage would be taken by pipes and emptied into an old quarry located in a portion of a field owned by St Jarlath's College, which the Guardians purchased. It is clear that, whatever scheme was implemented, it did not fully address the problems.

### **1922 - 1930**

8.74 The Free State army occupied the building for some time prior to 1925. In March 1925, the Quartermaster General's Department of the army asked for sanction from the Army Finance Officer to spend £35 10s on cleaning out and putting the sewage disposal works in order.<sup>105</sup> The work was considered necessary because "The sewage disposal plant having been a number of years without cleaning or overhaul, the whole plant is in need of thorough cleaning in order to put it in a satisfactory and sanitary state." The work to be done involved "Cleaning out cess-pool and sludge chamber and carting away all sewage matter. Open and trim sides of drains on sewage farm."

8.75 Within a few weeks, the army decided to evacuate the barracks and, as a result, the work was not needed.

8.76 Galway County Council decided to use the Tuam workhouse as the Children's Home in 1925. The problems with the water and sewerage system continued to be discussed. There are numerous references in the minutes of the Board of Health and in the local papers to problems including inadequate water supply, inadequate pressure, water being cut off intermittently, no water and sewerage connections for new houses and blockage/overflowing of sewers; here we concentrate on the references to the impact on the Tuam Children's Home.

8.77 In January 1928, a meeting of the Tuam Town Commissioners<sup>106</sup> discussed a Galway Board of Health proposal to initiate a new sewerage scheme in the town at a cost of

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<sup>104</sup> *TH*, 13 July 1918.

<sup>105</sup> Military Archive, File 20/Buildings/282.

<sup>106</sup> The Tuam Town Commissioners had no direct involvement with the running of the Home.

£7,000. Although a scheme was badly needed, this expenditure would only cover the cost of a partial scheme. The Tuam Commissioners objected to the likely possibility that the rate payers of the town<sup>107</sup> would have to foot the bill.<sup>108</sup> Following this a deputation, appointed by the Commissioners, met the Galway Board of Health. The deputation offered to agree to the scheme if a rate of ¼ pence in the pound on the county was approved, with the rate payers in Tuam agreeing to pay the balance. They considered that they were justified in asking rate payers in the county as a whole to contribute as the Children's Home was a "County charge" and that it should be included in any new sewerage work being undertaken. However, the Board of Health would not agree to their suggestion.<sup>109</sup>

8.78 The water supply, and especially the issue of having adequate water pressure, was a constant concern for households on the outskirts of the town, in particular in the Dublin Road area where the Children's Home was located. This issue was discussed at the first meeting of the newly appointed Tuam Waterworks Committee in August 1928. The Chairman of the committee expressed his concerns about the fact that the town reservoir seldom had more than five feet of water in it at any time.<sup>110</sup> In November 1929, the same committee passed a resolution calling the immediate attention of the Board of Health to the Tuam water supply problem. It was stated that the town's waterworks were now unable to guarantee a continuous supply to the people of the town and in particular to the institutions on the Dublin Road. It seems that the water supply was intermittently cut off and this was regarded as a great source of danger to public health. It was believed the six inch water pipes in the system were choked up and were no longer able to meet the water demand for the town. The Committee called on the Board of Health and the Minister for Local Government and Public Health to sanction a loan of £6,000, repayable in forty years, from the Local Loans Fund for the purpose of laying down a nine inch pipe and improving the Tuam water supply.<sup>111</sup> The Board of Health meeting was told in December 1929 that any loan from the Local Loans Fund for the improvement of the Tuam Waterworks would have to be repaid in 25 years.<sup>112</sup>

8.79 The superintendent of the waterworks, in reply to a letter from the Department of Local Government and Public Health reported that the Tuam Children's Home got a supply of water only at night as the pressure during the day was inadequate. The superintendent

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<sup>107</sup> "Rates" was local authority taxation payable by all property owners.

<sup>108</sup> *TH*, 21 January 1928

<sup>109</sup> Minute GC5/6 February 1928; *TH*, 10 March 1928.

<sup>110</sup> *TH*, 11 August 1928.

<sup>111</sup> *TH*, 2 November 1929.

<sup>112</sup> Minute GC5/8 December 1929

had visited the Home early in December and noted that there would have been a water shortage at the time only for the rainwater going into the tanks.<sup>113</sup>

8.80 Because of the requirement to pay back a loan within 25 years, the Waterworks Committee decided to scrap the improvement scheme and instead concentrate on cleaning the existing pipes and installing a new water engine, storage tank and pump for which they asked the Board of Health for a £2,000 loan in February 1930.<sup>114</sup>

8.81 A town public meeting in March 1930 called on the Waterworks Committee to stop the practice of cutting off the water supply at night. However, the Committee decided that this would not be possible as it would mean that no water at all would be available to the houses and the Children's Home on the Dublin Road, due to the lack of water pressure. The Committee decided that in order to give residents on the Dublin Road a chance to get water, the water supply would have to be cut off from the rest of the town and let up the Dublin Road on Sunday, Tuesday and Thursday nights.<sup>115</sup>

8.82 That September, a letter from the Department of Local Government was read out at the latest meeting of the Tuam Waterworks Committee. The Minister outlined the findings of a report by his engineering inspector who recently inspected the site of the waterworks. The inspector believed that the scheme outlined was the most economical method of improving the poor water supply. He added that in the near future it would be necessary to lay a second main from the reservoir to the town or else to supply a high level service tank at the fair green.<sup>116</sup>

8.83 The Board of Health noted that an amount of £2,400 would actually be required.<sup>117</sup> The Minister for Local Government and Public Health agreed that a loan of £2,000 could be made available from the Local Loans Fund; this was increased to £2,400 in November 1930. Tenders were invited in early 1931. At the same time an application was made for a subsidy out of the Unemployment Relief Grant towards the cost of the scheme. This was refused because employment would be generated by the works anyway. It seems that this caused the Board of Health to not proceed with the scheme.<sup>118</sup>

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<sup>113</sup> *ibid*

<sup>114</sup> *TH*, 1 February 1930.

<sup>115</sup> *TH*, 29 March 1930.

<sup>116</sup> *TH*, 27 September 1930.

<sup>117</sup> Minute GC5/10

<sup>118</sup> At the time, the Board of Health had been temporarily replaced by a Commissioner.

8.84 In December 1930, a deputation from Tuam looked to proceed with a partial sewerage scheme costing an estimated £7,000. It was pointed out that almost 100 new houses had been recently built in the town and none had access to any sewerage facility. Following this, the Galway Board of Health approved a £7,500 loan for work on this partial sewerage scheme.<sup>119</sup> At a subsequent meeting of the Tuam Commissioners, it was reported that a delay in beginning the new sewerage scheme was likely because land for way-leaves and septic tanks would need to be secured first and it was probable the owners of such land would not give their consent.<sup>120</sup>

### **1931 - 1936**

8.85 Progress on obtaining a new water and sewerage scheme for Tuam stalled as a dispute arose between the Town Commissioners, the Board of Health and the Department of Local Government and Public Health over obtaining grants to help fund the project. In October 1932, the Town Commissioners stated that plans and proposals for further housing schemes in the town were now being held up for want of a proper and adequate sewerage system.<sup>121</sup> At two separate monthly meetings of the Tuam Commissioners in 1933, resolutions were passed calling on the Board of Health to conduct a proper survey of the town for the purpose of getting a comprehensive sewerage scheme designed and then put into operation. It was stated that the question of securing a sewerage scheme for Tuam had now been ongoing for twenty-five years. In December, it was reported that the Board of Health engineers had now prepared a full sewerage scheme and that this was awaiting the sanction of the Board and the Department of Local Government and Public Health to be put into operation.<sup>122</sup>

8.86 In February 1934, a meeting of the Galway County Council agreed to make the cost of undertaking the Tuam sewerage scheme a county charge (on account of the Children's Home) and the overall estimated cost was put at £21,200. The Department agreed to contribute £7,000 with the balance being paid for by the Galway County and Tuam urban rate payers. It was specifically stated at this meeting that the Children's Home had yet to be provided with or connected to a sewerage scheme. The Council agreed that if there was anything like an outbreak of fever in the institution, which was a real possibility at any time, it might prove much more costly to the public services than this proposed sewerage scheme.<sup>123</sup> That October, Galway County Council agreed to the raising of a £15,000 loan to

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<sup>119</sup> *TH*, 27 December 1930.

<sup>120</sup> *TH*, 1 February 1931.

<sup>121</sup> *TH*, 1 October 1932.

<sup>122</sup> *TH*, 8 July; 23 December 1933.

<sup>123</sup> *TH*, 24 February 1934.



cover the cost of the sewerage scheme. It was reported that the only issue left to be resolved was the drawing up of an agreement between the Council and the Board of Health, whereby the Council would guarantee the repayment of half the instalment of the principal and the interest.<sup>124</sup>

8.87 In October 1934, tenders were invited for the construction of a maternity hospital at the Children's Home.<sup>125</sup> Despite this, no work on the new sewerage scheme was undertaken over the next fourteen months.

8.88 It is clear that mains sewerage had not been extended as far as the Home by 1935. "The Secretary of the Homes and Home Assistance Committee wrote enquiring if the **new sewerage scheme** will extend as far as the Children's Home, as the existing sewerage at the Home is defective, being merely drains without pipes leading to a septic tank outside the grounds..." (emphasis added)

8.89 Although it was reported that the Department of Local Government and Public Health had sanctioned a new housing scheme involving the construction of seventy houses on the Dublin Road in July, in December the editor of the *Tuam Herald* was complaining that there was still some inexplicable hold up in beginning the sewerage work. The latest setback was due to a dispute between the contractor and the local branch of the Irish Transport and General Workers Union (ITGWU) over the proposed wages for the workmen. The paper bemoaned: "The Sewerage Scheme has been the subject of spasmodic agitation for the last ten or fifteen years and it is about time now that it was finished with."<sup>126</sup>

8.90 The dispute between the contractor and the ITGWU dragged on until April 1936. Finally, a settlement was reached and on 24 April work on the long awaited sewerage scheme commenced, although the press reported the scheme would only be a partial one. Work began near where the new housing scheme had been completed. It was reported that there was an initial workforce of twenty which would increase to around 100 men over the next few weeks. An unemployment relief grant of £5,700 had been made in 1935/6 for the sewerage scheme and the provision of water supplies to specific areas.<sup>127</sup> The Department of Local Government and Public Health had also supplied a £4,000 grant towards the cost of

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<sup>124</sup> *TH*, 27 October 1934.

<sup>125</sup> *Connacht Tribune*, 27 October 1934; it seems that a separate maternity hospital was not built but a maternity unit was provided within the existing building. In October 1936, a grant of £550 towards the cost of this was made by the Hospitals Trust – DLGPH Annual Report 1936/7

<sup>126</sup> *TH*, 27 July; 14 December 1935.

<sup>127</sup> DLGPH Annual Report 1935/6, Appendix IX

the scheme (a reduction from the £7,000 they were reported to have agreed to in 1934).<sup>128</sup> Discussing the progress of the work a week later, the *Tuam Herald* noted that a new pipe had been laid from the new housing scheme to Vicar St and from Vicar St to the part of the Galway Road known as 'The Claireen'.<sup>129</sup>

8.91 That August, the sewerage scheme contractors agreed to link up the sewerage with the new houses on the Dublin road, following a request to do so at the latest meeting of the Tuam Town Commissioners.<sup>130</sup>

8.92 It is unknown if this work also connected the Children's Home to this new sewerage system. There is no reportage of any such work by the papers. However in October, the *Tuam Herald* reported that a deputation of tenants in the new houses on the Dublin road had met the Tuam Town Commissioners to complain about the "offensive and unhealthy stench from the sewerage outlet from the Children's Home". The Clerk was asked to write to the Board of Health about the issue.<sup>131</sup> There is no newspaper record of this issue being raised at any meeting of the Galway Board of Health from then until the end of the year.

### **1937 - 1939**

8.93 Nevertheless, in January 1937, the *Connacht Tribune* reported on a meeting of the Galway County Home and Home Assistance Committee where a petition, signed by a number of residents at Tubberjarlath, Tuam, was read out. The residents were calling for the removal of the cesspool at the back of the Children's Home which was now in close proximity to a large number of houses occupied by the tenants of the Town Commissioners' houses. The petition stated that the smell from the cesspool was "intolerable and highly dangerous to the health of a large number of residents and their families in the locality". It added that if something was not done to remove the cesspool, they would have to take more serious action in the matter.<sup>132</sup> In response, the Committee's Secretary stated that on 17 November 1936 the County Home and Home Assistance Committee "had sent plans etc. for a new system of drainage and sewerage from the Children's Home **to connect with the new sewerage system** in Tuam but no reply had yet been received from the Department". (emphasis added) An order was made again asking the Local Government Department to expedite the matter and to send a copy of the petition to them.<sup>133</sup>

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<sup>128</sup> *TH*, 18/25 April 1936.

<sup>129</sup> *TH*, 30 May, 1936.

<sup>130</sup> *TH*, 29 August 1936.

<sup>131</sup> *TH*, 10 October 1936.

<sup>132</sup> *Connacht Tribune*, 23 January 1937.

<sup>133</sup> *Connacht Tribune*, 23 January 1937.

8.94 This would suggest that, as of January 1937, the Children's Home had not been connected to the new town sewerage plan.

8.95 In May 1937, the Homes and Home Assistance Committee invited tenders for the construction of drainage works at the Home.<sup>134</sup> In May 1937, the *Tuam Herald* reported that a meeting of the Galway County Homes and Home Assistance Committee had accepted a tender from Galway contractors for drainage work to be carried out at the Children's Home Tuam at a cost of £791 5s 5d.<sup>135</sup> Two months later, the Committee reported that the contract for the above drainage work had been signed and that the contractor was ready to begin the work.<sup>136</sup>

8.96 A proposal to start construction of a new "drainage scheme" at the Children's Home was evidenced by a note for tender in the *Irish Independent* in 1937. No documentation has been found which supplies any detail as to what was proposed in this scheme.

8.97 That September, a letter from the County Engineer was submitted to the Committee outlining improvements that were required for the lavatory system at the Children's Home. The engineer stated that the existing lavatory system was very unsatisfactory and not suitable for the new drainage scheme as the type of cisterns installed for the flushing were inadequate. He strongly recommended the erection of new lavatories with special "Epic Flushing" cisterns which

"...will give an almost continuous flushing system, which is desirable for an institution of this kind. The buildings where the lavatories are contained require to be taken down and reconstructed as they are all in a very dilapidated condition and without light or ventilation. I recommend the erection of new buildings with tiled floors and tiled walls to a height of 4 feet and with proper ventilation and light. During construction of the new sewer, I discovered that most of the new sewer was not conveyed to the septic tank, but deposited in the old trenches and in a well which I found in the ground. This is due to the fact the flushing system is bad. It is desirable that this work should be done before the present contract is complete. As the present floor level of the lavatories requires to be raised it would be cheaper to have it done by the present contractors so as to make the necessary construction, otherwise it will mean excavation later which will cost more money".

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<sup>134</sup> *TH*, 22 April 1937

<sup>135</sup> *TH*, 22 May 1937.

<sup>136</sup> *TH*, 17 July, 1937.

The committee decided to carry out the engineer's recommendations, subject to departmental approval.<sup>137</sup>

8.98 In the July meeting of the County Homes and Home Assistance Committee, plans had been submitted to erect a new laundry at the Children's Home and these were sent on to the Department of Local Government and Public Health for approval.<sup>138</sup> Yet over a year later the Committee was still discussing the proposal to erect a new laundry and also a disinfecting chamber at the Children's Home. The department had so far refused to sanction the work because it believed the local Galway engineer selected to oversee the project did not have the necessary or sufficient experience. The committee was read a letter from the matron of the Children's Home asking if anything could be done to speed up the erection of the new laundry, as the present one was in a very bad state. The committee decided to send another letter to the department asking it to either sanction the proposal to allow a local engineer to oversee the works or else to recommend another engineer whom they could appoint.<sup>139</sup>

8.99 The problem of securing an adequate water supply for the Dublin Road area also continued to persist. The November 1937 meeting of the County Homes and Home Assistance Committee was addressed by the Medical Officer for the Children's Home. He explained that there were frequent shortages in the water supply to the Home and that the issue had become especially serious since those houses built under the housing scheme near the Home had been occupied. He noted that the area where the Children's Home was located was always the last part of the town which got water from the town reservoir and the demand from the new houses was also now impacting on their supply. His concerns were referred to the Board of Health.<sup>140</sup>

8.100 In January 1937, the Tuam Town Commissioners had discussed an offer from the Galway Board of Health to transfer a triangular plot of ground, near the Children's Home, to the County Homes and Home Assistance Committee in exchange for the land required to widen the Dublin road at this point. It was noted that the piece of land was valuable and that about six houses could be built on it. However the Commissioners decided to leave the matter in abeyance.<sup>141</sup> Eventually in July 1940, it was reported that a meeting of the Tuam

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<sup>137</sup> *TH*, 18 September 1937.

<sup>138</sup> *TH*, 17 July 1937.

<sup>139</sup> *TH*, 22 October 1938.

<sup>140</sup> *Connacht Sentinel*, 16 November 1937.

<sup>141</sup> *TH*, 9 January 1937.

Town Commissioners had agreed to transfer this plot of land to the Board of Health.<sup>142</sup> That November, tenders were invited for work to knock part of the existing boundary wall, including gates and piers on the Athenry-Tuam road at the Children's Home, and to build a new boundary wall to enclose an additional plot near the road as well as a new wall to replace an old fence.<sup>143</sup>

8.101 Meanwhile, the Tuam sewerage scheme had been approved by the Department of Local Government and Public Health with the intention that the work would be carried out in two separate portions. By July 1937, the first portion of the Tuam sewerage scheme had been completed and put into operation.<sup>144</sup> This portion of the scheme was described (in 1941) by the Secretary of the Galway Board of Health as containing "a septic tank and filter beds".<sup>145</sup> No work was commenced on the second portion of the scheme for several months. Only in November did the Galway County Council sanction the raising of a £12,000 loan by the Board of Health for the provision of the second section of the new sewerage scheme for Tuam.<sup>146</sup> Sometime in 1938/9, a Local Loans Fund loan of £5,400 was approved for the Tuam Sewerage Scheme.<sup>147</sup>

8.102 In September 1938, the Galway Board of Health invited tenders for the extension of the sewerage system in the town of Tuam. The works included the provision and laying of nine inch and 250 lineal yards of twelve inch sewer pipes, the construction of a syphon and manholes, the making of house connections and other incidental works.<sup>148</sup>

8.103 Work on the second portion of the Tuam sewerage scheme began at some point after and continued through the spring of 1939 in areas such as the Galway Road. Meanwhile in July, tenders were invited for the supply and installation of electrical laundry equipment and structural alterations to the laundry premises at the Children's Home. A month later a tender for this work was accepted by the County Homes and Home Assistance Committee.<sup>149</sup>

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<sup>142</sup> *TH*, 6 July, 1940.

<sup>143</sup> *TH*, 23 November 1940.

<sup>144</sup> *TH* 24 April 1937

<sup>145</sup> *TH* 12 April 1941; the secretary is reported as saying that the first section had been completed in 1939 but all the evidence suggests it was completed in 1937.

<sup>146</sup> *TH*, 20 November 1937.

<sup>147</sup> DLGPH Annual Report 1938/9, Appendix II

<sup>148</sup> *TH*, 17 September 1938.

<sup>149</sup> *TH*, 22 July; 19 August 1939.

### **1940 onwards**

8.104 Work on the second portion of the Tuam water scheme continued until its completion in March 1941. In January 1940, a deputation appeared before a meeting of the Galway Board of Health to discuss ways to expedite the extension of Tuam's waterworks system. A report outlined the necessary works which were needed which included sourcing additional water as well as constructing an elevated reservoir near the Dublin Road. The report recommended that a new eight inch diameter main was necessary and should be laid from the reservoir to the town square and then from the square onto the Children's Home with other smaller extensions. The Chairman of the Tuam Waterworks and Sewerage Advisory Committee was part of the deputation that addressed the Board. He explained that between 300 and 400 new houses had been built in the town and all of these were connected to the water supply. The result was that people in the centre of the town were not now getting an adequate supply, even in the middle of the day. In response, the Board agreed to expedite the new water scheme.<sup>150</sup> In July, the Consulting Engineer for the Galway County Home and Home Assistance Committee wrote stressing the fact that the water supply to the laundry in the Children's Home was not reliable and that the water was very hard. To solve the issue he suggested the construction of an underground storage tank which would collect rain water from the roof of the institution. This was rejected as the Committee declared that work on the Tuam water system would soon ensure a plentiful supply of water.<sup>151</sup> That same month the County Home Committee, on account of war in Europe, decided to prepare a tunnel at the Children's Home for use as an air raid shelter by the occupants. The committee also decided to have red crosses painted on the roof of the Home.<sup>152</sup> The Commission has seen no evidence to show that the air raid shelter was ever built or that the crosses were painted on the roof.

8.105 By June 1941, the Board of Health Engineer told the Board that the Children's Home was dealing with the constant issue of low water pressure because the main leading to it was not able to carry enough water.<sup>153</sup> Due to the World War, it appears that no new water scheme was actually begun in Tuam. A report from the Galway County Council in May 1946 stated that the extension of the Tuam water supply had been held up for several years. It noted that the existing waterworks provided a supply for a town of about half the population now resident in the borough area. The result was that in the new housing schemes and in the higher parts of the town only a very poor water supply was available. The *Tuam Herald* noted that as far back as 18 November 1944, the County Council had approved the raising

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<sup>150</sup> *TH*, 13 January 1940.

<sup>151</sup> *TH*, 13 July 1940.

<sup>152</sup> *TH*, 20 July, 1940.

<sup>153</sup> *TH*, 14 June 1941.

of a loan of £16,000 for this work.<sup>154</sup> However, in June 1947 the Tuam Town Commissioners were informed that the continued delay in beginning the water scheme was due to the fact that the acquisition of the additional water rights required had not yet been completed.<sup>155</sup> This issue was finally resolved and in November the Galway County Council was reported as agreeing to raise a loan of £25,600 to cover the cost of the Tuam water supply extension scheme. The original estimate had been £15,800.<sup>156</sup>

8.106 Yet it was reported at a meeting of the Tuam Town Commissioners in March 1948 that the town's water supply "was never as bad in terms of quality and quantity". The chairman stated that cases of scarlet fever were now being reported in the town, caused by the insufficient and impure water supply. He stated that two years earlier a water extension scheme had been decided on at that time when the water supply problem was critical. Two years had also passed since certain water rights were secured. Though the County Manager had given assurances that work would finally begin in January, nothing had happened and now some parts of the town had no supply at all; sanitary accommodation was rendered useless and in parts of the town the water was simply too dirty for drinking purposes. After discussion, it was decided to send protests to the Ministers for Health and Local Government about the delay in the water extension scheme.<sup>157</sup> Work on the water scheme seems to have finally begun in early August. At a meeting of the Tuam Town Commissioner in September, the County Manager stated that work had begun on the construction of the new water storage tank. Yet the meeting still had to deal with complaints from residents about the frequent practice of turning off the water supply at night to parts of the town, to ensure other parts and the likes of the Children's Home had an adequate supply. The Commissioners bemoaned that nothing could be done to remedy this until the water extension works were completed and the town given a proper supply to meet the demand.<sup>158</sup>

8.107 In October 1949, the County Manager addressed a meeting of the Tuam Town Commissioners and informed them that there should be a marked improvement in the Tuam water supply within days. A new eight inch main pipe from the reservoir to the town had been laid and would reach upper Bishop St, resulting in a "big" improvement in the water pressure throughout the town.<sup>159</sup> Work on the water scheme seems to have finished sometime after. At a meeting of the Commissioners in 1954, it was reported that around

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<sup>154</sup> TH, 11 May 1946.

<sup>155</sup> TH, 7 June 1947.

<sup>156</sup> TH, 22 November 1947.

<sup>157</sup> TH, 27 March 1947.

<sup>158</sup> TH, 11 September 1948.

<sup>159</sup> TH, 8 October 1949.

£90,000 had been spent on the water extension. Despite this, a lack of water supply was still being reported in parts of the town on occasion.<sup>160</sup>

8.108 During 1951 and 1952 the Galway County Council also made several applications to the Department of Health for an extensive extension of the Children's Home. The work was estimated to cost £82,000 and the Council got an agreement from the Hospitals Trust to cover half of the sum. However, the Department replied that this amount of money could not be given from the Hospitals Trust funds.<sup>161</sup> By September 1952, the Council was still waiting on the Department to sanction the improvements scheme.<sup>162</sup> Nothing more was reported in the press and it is assumed the scheme simply fell through because of a lack of support from the department.

### **When the chambered structure was built**

8.109 It seems clear that relatively extensive work and construction was conducted in and around the site of the Children's Home in Tuam, particularly during the July – December 1937 period. The Commission thinks it possible that the reworking of the old sewage tank and the construction of the second structure described above may have occurred at this time. If this is so, then the human remains found in the chambers are likely to date from after 1937. This raises the question of where the children who died before then are buried.

### **Scientific testing**

8.110 As already described, the excavation had established that there were human remains at the site. The Commission decided to have tests carried out on a sample of those remains and on the surrounding soil.

### **Bone Analysis**

8.111 Eighteen of the 20 chambers contained visible examples of human remains of infants or juveniles. While no remains are immediately visible in the two remaining chambers, they are likely to contain human remains as scientific sampling of the soil from these chambers had indicators of bone decomposition. No adult bone (18 years or over) was visually identified or collected, and all identifiable skeletal remains within the chambers appear to be from either infants of less than one year or young children between one and six years. It was not always possible to correctly identify the precise age group and many bones were

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<sup>160</sup> TH, 8 May 1954.

<sup>161</sup> TH, 8 September; 6 October 1951.

<sup>162</sup> TH, 13 September 1952.



simply classified as “juvenile” which specifically refers to individuals aged six years or less at the time of death.

### *Articulation*

8.112 In archaeological terms, if bones are found in an order and proximity that is to be expected if the body decomposed in situ, they are referred to as being in an “articulated” state. The Osteoarchaeologist on the team undertook a detailed study of photographs of the visible deposits within each chamber in order to determine if there was any evidence of articulation. There was some evidence of articulation from this visual inspection. This evidence is limited to the particular instances described here.

8.113 A significant quantity of bones was visible in one chamber. In particular, cranial remains from either an infant or young juvenile were visible at the northern end. Along the eastern side of the chamber, at least two separate concentrations of ribs, which appear to be in an articulated state, were visible along with bones of a possible left arm (left humerus and ulna). Two shin (tibiae) bones also appear close together in this area along with a concentration of possible infant vertebrae. All of these may represent the, at least partially, articulated remains of an individual or individuals.

8.114 At the southern end of this chamber there was also a significant concentration of skeletal remains. Two further individual sets of possibly articulated infant ribs were identified. Two mandibles were identified which are probably from infants of less than one year old. The Osteoarchaeologist was of the view that it was probable that the articulation of the ribs in particular demonstrated that they have remained there since the body of the child had decomposed.

8.115 Significant quantities of skeletal remains were also present in another chamber. In one concentration of bone, a possible ischium was identified under the right ilium (both are parts of the hip) with possible articulated vertebrae identified. These were seen adjacent to a set of right ribs and another set of possibly articulated bones that could not be identified. A right humerus probably from an infant of less than one year old was identified beside a radius and another long bone which may well be an ulna. These are the bones that form the arm. The Commission has been advised that the occurrence of these three bones being found together is unlikely to be coincidental and there is provisional evidence of articulation here. It is possible that the arm bones along with the set of the right rib bones, the possible scapula and the articulated vertebrae and the pelvis are all approximately in situ as they would be in the approximate correct position for an infant lying on its left side.

8.116 Near the southwest corner of this same chamber three further concentrations of apparently articulated ribs were evident suggesting possibly two individuals. A right scapula was observed adjacent to one of those set of ribs which may suggest some degree of articulation.

8.117 In the same chamber cranial remains were identified which appear to represent the relatively intact cranium of an infant or young juvenile. The left frontal and temporal bones are in the correct position for an articulated infant/juvenile cranium. A larger cranial fragment underlies the two and that larger fragment may be a parietal or the squama from the occipital.

8.118 Within another chamber, a small collection of bones is visible in the south west corner. Left ribs and a possible scapula (shoulder blade) were suggestive of the articulated remains of a young juvenile as well as a number of ribs, vertebrae and an ulna. Based on the length of this ulna, the age-at-death of the individual is approximately 4.5 years.

8.119 The fusion of bones within the vertebral body fuse at different times as a child develops. The cervical (neck) vertebrae the body and neural arch are fused by the age of four. The thoracic vertebrae (torso) which articulate with the ribs fuse by the age of six. The lumbar vertebrae (lower back) fuse by the age of five. In another chamber, the Commission has been told that some fusion of vertebrae suggest the presence of an individual in this chamber aged between four and six years at the time of death. A concentration of cranial bones can be seen nearby. Within the same chamber a left maxilla, of a probable young juvenile, is visible in the south east corner of the tank. It is probable that the first left upper deciduous molar had erupted at the time of death. In another chamber, there is a concentration of cranial bones. Both sides of the skull can be seen along with the back of the skull and some parts of the cervical vertebrae which appear to be largely intact also evidence some degree of articulation.

8.120 The chambers contain a mixture of infants and young juvenile bones. A cranium present in one chamber is potentially from an individual aged between 1.5 and 2.5 years, maybe even slightly older. What is unusual about the identification of this skull is that it is complete and sits above the sediment. This suggests that it was introduced to the chamber at a later date, that is, it was deposited possibly from another location. A humerus lying near this cranium shows post mortem erosion. This type of erosion was not evident in most of the visible remains observed which appeared largely to be in exceptional states of preservation.

This suggests that this long bone may also have been redeposited having suffered differential erosion elsewhere.

8.121 The assessment by the Osteoarchaeologist was that it is probable that complete bodies were deposited in the chambers. If bones had been dug up elsewhere and redeposited in the tanks, it would be expected that there would be much more fragmentation and damage. It would be very unlikely that bones as small as juvenile cranial would survive the transfer. Furthermore, it would be expected that redeposited earth would also be visible within the chambers. The sediment visible within the tanks appeared from visual examination to have been placed there as a part of the normal fluctuations of water levels within the chambers rather than from soil thrown in from above.

### ***Water influx***

8.122 When the chambers were opened and inspected, the sediment was relatively dry with no visible water present. There was however evidence that waters levels in the chambers had fluctuated. If complete bodies had been deposited within the tanks and were not covered by earth, then fluctuations in the water table would have allowed these bodies and later body parts and bones to float and disperse. There were obvious bone concentrations found in the south side of the chambers which reflect the normal drainage of the site with the higher ground to the north. Further evidence of water fluctuation can be found in a chamber where a single infant/ young juvenile probable hand phalanx (finger bone) was attached to the south facing wall. The hand phalanx was located above the current sediment level suggesting that there was at some point water present.

### ***Soil Sampling***

8.123 Soil samples taken from the chambers were forensically recovered and sent to a soil scientist who specialises in volatile organic chemistry. The soil scientist carried out what is termed volatile organic compound analysis on thirty two soil samples.

8.124 The Commission sought to determine from the soil recovered within the chambers whether they had ever been utilised for the containment or filtration of sewage and whether or not it was possible to establish if the bodies of the children in question decomposed in situ or elsewhere.

### ***The science of soil testing***

8.125 Soil is a mixture of inorganic and organic material. The organic material reflects the planted animal material that is deposited or decomposed within the soil and also human

organic inputs to the soil. A process of gas chromatography spectrometry is used to characterise and identify organic compounds in order to ascertain what the inputs to the soil actually were. A comparison of the distribution of the actual volatile compounds found in samples can then be compared to published data from other soil sampling. The Commission was interested specifically in the origin of the material surrounding the remains discovered including the possibility of human decomposition and the presence of human sewage.

8.126 During the decomposition of animal (including human) bodies large quantities of cholesterol are released. Substances known as coprostanol and epicoprostanol have also been found in association with body decomposition. These biomarkers are also found in sewage but the relative concentration patterns differ greatly between samples from faecal sewage and material that was deposited as a result of body decomposition. In faecal matter and sewage, the cholesterol concentrations are much lower than those of coprostanol and epicoprostanol. On the other hand, cholesterol concentrations in material associated with human decomposition are considerably higher than the stanol concentrations found in faecal or sewage material (coprostanol and epicoprostanol). Faecal bile acids may also be indicative of the presence of sewage.

#### *Analysis of samples*

8.127 In general, the quantities of solid organic compounds were very low, lower than would have been expected from sewage. The volatile organic compounds were indicative both of elements of sewage and decomposition of human remains. The solid organic compounds isolated indicated that the primary component in those samples was human decomposition rather than sewage. Samples were not taken from the very bottom of the chambers due to the potential destruction this would have caused.

8.128 There were some exceptions from the general findings. The ratio between the stanols and cholesterol found in one particular sample suggested that this sample originated from predominantly sewage. Lower ratios observed in the other samples from the remaining chambers suggest mixed origins from sewage and from body decomposition. Some samples also yielded the presence of faecal bile acids, indicative that sewage had been present in those chambers. Control soil samples were also taken from soil just outside of the chambered structure. These analysed samples had generally lower biomarker concentrations than the samples that were collected within the chambers.

8.129 The scientific evidence suggests that at least some of the chambers in which human remains were found were at some stage used to receive sewage. There is evidence of water ingress and fluctuations and it is possible that the sewage filtered into the chambers by virtue of this process. Relatively low concentrations of biomarkers in many cases meant that actual sewage was not present in the samples and they were considered to contain material other than sewage. There remains the possibility that quantities of sewage had been removed from the chambers before the deposition of the human remains. A second possibility is that some soil may have been added at the time when the bodies were introduced or soil may have seeped in through the lids to some of the chambers and possibly through the openings at the base of some of the tanks. All of the bones observed were considered to be of human origin. In areas where there was a high concentration of bones accumulated, there were hot spots for compounds characteristic of bone decomposition which is what would be expected, given that the chambers have been covered over for many years and contained such large numbers of bones.

8.130 The soil scientist confirmed that the findings of the Osteoarchaeologist in relation to articulation corroborated the findings that human remains decomposed in situ. The Commission does not consider that there is any real doubt that a considerable number of the children in the tanks decomposed in this way.

### ***Radiocarbon Dating***

8.131 The Commission sought to establish approximately when the infants and juveniles whose bones were discovered had died. The Commission provided six infant bone samples to a Radiocarbon Dating Laboratory in Scotland. All six samples had been found inside the chambers. These samples have since been recovered by the Commission and are securely held by the State Pathologist on behalf of the Commission.

### ***The science of radiocarbon dating***

8.132 The process of radiocarbon dating is used to date, among other things, bone, cloth, wood and plant fibres that were created in the relatively recent past. The method of radiocarbon dating is made possible by isolating a radioactive isotope called Carbon-14. Carbon has other isotopes which are usually not radioactive (such as Carbon-12) which makes a relative comparison possible. Cosmic rays create Carbon-14 atoms that when combined with oxygen form carbon dioxide which find their way into plant fibres. Animals and people in turn eat the plants and as a consequence take in the Carbon-14. At a certain point in time, the human body has a certain percentage of Carbon-14 and at the same time all living plants and animals have the same percentage of Carbon-14. Once a living

organism dies, it stops taking in the new carbon and the Carbon-14 begins to decay and is not replaced. Other carbon isotopes such as Carbon-12 do not decay and remain constant in the sample. By looking at, for example, the ratio of Carbon-12 to Carbon-14 in the subject sample and then comparing it to the ratio of Carbon-12 to Carbon-14 in a living organism, it is possible to determine the age of a formerly living thing relatively accurately using a mathematical formula.

8.133 Decay of Carbon-14 occurs at a constant rate. Between 1955 and 1963 atomic bomb testing doubled the amount of Carbon-14 in our atmosphere. Any bones containing the higher levels of Carbon-14 must have been born in the nuclear era which, from atmospheric records maintained, is considered to be after 1955. Following an international nuclear test ban treaty, the atmospheric concentration of Carbon-14 has gradually reduced starting around 1963/64.

8.134 Any short lived sample that has a ratio of Carbon-12 to Carbon-14 of a value greater than 1 must have been alive after 1955. In human bone, the datable portion where the levels of carbon can be measured within the bone is in a protein within the bone called collagen. In new born or close to new born babies, because bone collagen in infants is formed from the mother's dietary intake, the dated sample must be projected forward by one to two years to ascertain the actual age at death of the child. All of the samples analysed were from children of less than one year of age.

*Results of radiocarbon dating*

8.135 All of the samples produced calibrated age ranges within the period within which the Tuam Children's Home was operational. Two of the bones sampled put the years of death within the nuclear era 1956-1957. If the time lag of one to two years as described is applied to those figures this would put the actual years of death of those two individuals at around 1957-1959. The remaining four samples were in the pre nuclear era (pre 1955). The calibrated range using the radiocarbon dating for the other four samples was

1. 1800-1940
2. 1935-1955
3. 1925-1955
4. 1930-1955

8.136 The carbon fraction available for measurement in the pre nuclear era is much smaller because of the much lower levels of Carbon-14. It is less than one. As a consequence of this, these samples have multiple possible calibrated age ranges and produced calendar

ages in the pre modern 1650-1950AD range. However, all the samples produced age ranges within the period of operation of the Children's Home. The two samples that existed during the nuclear age enabled much more precise dating (both samples being dated between 1957 and 1959) which is why the calibrated range is so small in those two cases.

### ***Artefacts of interest***

8.137 A plastic bottle lay directly on the surface of the sediment within one of the chambers. This was recovered at the request of the Commission. This was a bottle which was marked 'Castrol GTX' which was printed directly onto the plastic bottle which was empty. The text on the label read 'Castrol GTX high performance raw oil contents 500ml Castrol (Ireland) Limited. Enquiries made by the archaeologist confirmed that this product was released into the UK market for the first time on 18 April 1968. Therefore, the product would have been available on the Irish market on or after that date. This information proves that this particular chamber at least was accessible either temporarily or for an extended period of time post 1968.

8.138 In another chamber, a piece of timber which was visible has an unusual angle and is reminiscent of the angles often seen on coffins. Other pieces of wood were found within the chambers but they appeared more crude and of the type that would be expected to be used in forming the chambers by way of shuttering. In another chamber there is possible wickerwork identified.

### **Commission conclusions**

8.139 It seems clear that many of the children who died in the Tuam Home are buried in the chambers described. It is unlikely that the children who died prior to 1937 are buried there as it would appear that the structure was put in place around this time. There is evidence that the burial grounds may extend beyond the area of the current Memorial Garden.

8.140 This was not a recognised burial ground or purpose built burial chamber. It did not provide for the dignified interment of human remains.

8.141 It is not clear if it was a blessed/consecrated Catholic burial ground either. In June 2014, the Archbishop of Tuam issued a statement in which he said, among other things, that "It will be a priority for me, in cooperation with the families of the deceased to seek to obtain a dignified re-interment of the remains of the children in consecrated ground in Tuam". This seemed to the Commission to imply that the current burial ground was not consecrated

ground. The Archbishop told the Commission that, in his view, it is more likely than not that this ground would have been blessed in the past even if there is no record of this.

8.142 The more difficult question to answer is why the children were “buried” in such an inappropriate manner. It has not been possible to establish who actually physically conducted the burials. It seems likely that the burials were conducted on the instructions of the Sisters. As is described above, the burial process required lifting a concrete lid. It is highly unlikely that the Sisters actually conducted the burials themselves.

8.143 All the residents of the Tuam Home were the responsibility of the Galway and Mayo County Councils. It seems to the Commission that responsibility for the burials of deceased children rested with the local authorities. In particular, Galway County Council had a legal responsibility to keep a record of burials.

8.144 Galway County Council members and staff must have known something about the manner of burial when the Home was in operation. As outlined above the Board of Health and its sub-committees sometimes held their meetings in the Home.

8.145 Employees of Galway County Council must have known about the burials. County Council employees would have been in the grounds of the Home quite frequently as they carried out repairs to the building and possibly also maintained the grounds. It is known that there was a caretaker while the Home was in operation but it is not clear if he was employed by the Sisters or by the County Council.

8.146 The Sisters of Bon Secours continued to live and work in Tuam until 2001. They must have been aware of the building works which were carried out on the Children’s Home site in the 1970s.

8.147 The Commission considers that there must be people in Tuam and the surrounding area who know more about the burial arrangements and who did not come forward with the information. It is, of course, still possible for them to come forward.