

An Coimisún Pleanála – LRD Appeal

Case Number – 324153 – Bessborough, Cork, Co. Cork

I submit my observations in support of those expressed by Councillor Peter Horgan and the Bessborough Mother & Baby Home Support Group.

I have read all three documents relating to this planning application.

Those documents present an exceptionally detailed submission which will, for many of the victims, survivors and their families, be difficult to navigate.

Whilst the documents present on the whole the detail of the proposed development, it also deals with other aspects of that application, for example, bats, air quality etc.

I have noted that there is a considerable number of mentions of the word '*burials*'. Equally, there is also considerable references to the Commission of Investigation (COI) on Mother and Baby Homes. The narrative within these documents appear to repeat and perhaps supports the findings of the COI in that they could not find evidence of any burials. The documents appear therefore to run along the strict lines of the COI's conclusions, when in fact the COI was critical of the Religious Order and the information that was not provided. The documents also appear to avoid the fact that the COI report has been challenged widely, but in fairness to the COI, the task, the limited scope and resources made available, created substantial difficulties for the operation of the COI and its output.

Therefore I would observe that the use of the COI, in the manner that is recorded within the documents, should be approached with caution. The documents reference to the COI report, fails to understand that many of the homes investigated, created more questions than the answers received. In the case of Bessborough that is clearly the case given that so many infants perished at this location; the failure to conclude comprehensively is surely a matter of public interest?

I have noted the commentary about the trench investigations, but I am not certain that given the range of those investigations, it actually helps the historic size of the Bessborough site. I offer an example where a trench survey was done at a former Magdalene Laundry in Dublin in 1993. Despite that trench investigation, there are still unresolved issues of identification and location of individuals. As the events of Bessborough are a matter of public concern, I would urge you to reflect on the investigations to date and question whether there has been a sufficient methodology, sufficient investigations, comprehensively carried out on this large site?

I have noted the Appendix 10.4. This is probably the most concerning aspect of the documentation. I want to place on record that I have absolute respect and acknowledge the experts expertise – their professionalism & skill-set is absolutely not in question. I note that both appear to have been involved within the COI investigations and I note that one has appeared before an Oireachtas Committee to support the then Institutions Burial Bill. I say

this cautiously and with very great respect, given the heavy reliance of the planning documentation on the COI report, without highlighting the wider controversy attached to the report – I would venture to speculate that it would be interesting to hear from these two experts if they made recommendations or presentations about Bessborough to the COI and the outcomes of any such representations. I wonder if this planning application would also benefit from an Independent Forensic Archaeologist report (who would be tasked to speaking with all parties and establishing evidence), given the sensitivity of these grounds, and the fact that this issue attracts a strong Public Interest? I see this suggestion as a point of support for those tasked within Appendix 10.4.

When reading 10.4, I was however struck by the apparent caution throughout its narrative. It appeared to suggest that mechanisms were not clear and how the Coroner/An Garda must be informed, standing back it seems from any forensic analysis of anything found. It has a sense, no matter how good the intentions are, that there is some doubt, some concern. I may be correct or incorrect in this observation but that is how it reads to me.

Given the very detailed planning documentation, it is perhaps fair to state that there is a high confidence in its plan. Perhaps those who are determined to succeed are comforted by the '*memorialisation*' clause within the Institutions Burials Act which would remove the need for the type of investigations I suggest?

I would observe that if confidence is indeed high, then it will surely not trouble developers, councillors or the Irish government itself, if the entire planning process was paused or suspended. I would add that in the event of a pause or a suspension, a unified stakeholder cohort should be formed, consisting of councillors, local people, developers, developers experts, victims, survivors and their families and any expertise they rely upon. A joint approach to the Irish Government through the Minister should be made. Utilising the '*Burials Act*', the stakeholders could then lobby the Minister & the Oireachtas to appoint a '*Director of Interventions*', with an initial limited scope, designed by the stakeholders and the Minister. By making such an appointment, it would bring fresh expertise of International standing that could begin the process of examining the whole of the Bessborough site. Findings of interest could then be reported to the Stakeholders and the Minister. If the matter requires the limited scope to be expanded then that will help the reactivated planning process at a later date; if the findings however present no evidence, then it would provide added confidence to the suspended or paused planning process.

I believe that there are some important issues at stake for the Coimisún:

1. The controversy for this site is now decades-old;
2. Many issues have not been resolved with any degree of certainty;
3. I say with respect to the planning process, they have placed dealings on this matter in the wrong order. Developers hiring experts to develop an action plan does not presently add confidence to this application – there is only continued uncertainty. The Institutional Burials Act presents an important avenue of options that given the

sensitivity of this site, should have been deployed at the outset so clearing any hurdles to uncertainty. As it currently stands, that uncertainty is evident;

4. This site attracts many aspects of Public Interest;
5. The children who perished on this site and likely disposed of within its vast grounds were born Irish Citizens and died as such;
6. Their citizenship was supposed to deliver their Constitutional, Statutory and Human Rights;
7. We as 'interested parties' surely have a duty to respect and satisfy those rights through this process;
8. These are important points that should not be dismissed.

In conclusion, I have endeavoured to provide a balanced, respectful and critical set of observations. Within that set of observations I have sought to provide several solutions. It would be my hope that the Coimisún will recognise the wider issues I have raised which I stated at the beginning, supports the detailed and valuable submissions of others.

If you have any questions of me, please do not hesitate to ask.

Frank Brehany
Monmouth, South Wales

20 April 2026

The Laurels
Buckholt
Monmouth
Monmouthshire
NP255RZ
Wales