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Inspector,

We, the Cork Survivors and Supporters Alliance¹ (CSSA) respectfully ask that you consider the following in your deliberations on the planning appeal for An Coimisiún Pleanála - Case reference: LH28.324153 / Planning Authority Case Reference: 2544442

1) In spite of the failure of the Commission of Investigation into Mother and Baby Homes to investigate the map evidence submitted by the CSSA to it in 2020, the location of the Children's Burial Ground was established at the planning authority's Oral Hearing in 2022. (ABP 308790) At this three day hearing the developer (MWB Two) was represented by a Senior Council, an expert in planning, who is now a high court judge. The Children's Burial Ground is north west of the folly as seen on the 'trace map'. The developer (MWB two) argued it was to the immediate northwest within the folly enclosure. The CSSA argued the burial ground is also to the north west but outside of the enclosure. The board ruled in favour of the CSSA.

Children's Burial Ground is not located within the lands owned by EVE, nor is it part of the current application: 'The Farm'. We are concerned that the identified location of the Children's Burial Ground is being effaced by the arguments of the appellant (the Bessboro Mother and Baby Home Support Group) in both their appeal and in their media campaign. While we are relieved to see the appellant's submission accepts the 'trace map' as evidence of a documented Children's Burial Ground on site, this acceptance is undermined by the appellant's public statements to the contrary. Furthermore their assertion that one documented Children's Burial Ground supports their position for further haphazard burial places in the wider estate is unconvincing. As one CSSA mother noted: "There wasn't a blade of grass out of place" in that institution; the suggestion of multiple scattered burial locations contradicts the lived experience of survivors.

¹ The CSSA is led by survivors whose babies died or were stillborn in Bessborough. Their supporters include other survivors who were also in Bessborough or other institutions including industrial schools and laundries. Other supporters come from professions and communities that have assisted the alliance in advisory or professional capacities.

2) In an effort to reassure the public and the communities connected to Bessborough and other institutions, the CSSA requested that the developer (EVE) provide forensic monitoring in all areas where excavation occurs. We requested this not because we believe multiple burial locations exist, but to address the concerns of those who fear they do. To ensure independence, we recommended that Aiden Harte or Niamh McCullagh oversee this work. We note that McCullagh led the Forensic Investigation team on behalf of the MBHCOI at Tuam, Sean Ross Abbey and Bessborough. McCullagh also led the Expert Technical Group that reported 'on options available to Government on the appropriate excavation and recovery of the remains of these infants and young children at Tuam'². Both teams included Harte who has designed the monitoring protocol for all site groundworks for the applicant (EVE). Furthermore Harte's professional integrity was notably demonstrated at the 2022 Oral Hearing (ABP 308790), where Harte - appearing as an expert witness for the developer MWB Two—plainly stated that the 2019 excavation methodology was inappropriate because it failed to adhere to forensic methodologies.

That excavation was licensed by the National Monuments Service but revoked, before the survey works had finished, after a complaint from the CSSA. It should not be referenced as a prior investigation related to human remains. Nonetheless Harte's protocol for the applicant (EVE) takes precedence in any future investigations and it recognises the need for forensic methods to be employed.

3) The site has been heavily disturbed in recent decades, destroying and dispersing the material remains of the Children's Burial Ground. In the mid 1990s the area surrounding the folly was transformed with the Bessboro Project Group's 1994-1996 construction of a 'Resurrection Garden'³ and 'Garden of Reflection'⁴ associated with the development of Cork Heritage Park. In the mid 2000s Bessboro Road was built, first by the nuns and subsequently rebuilt by Cork City Council at the direction of An Bord Pleanála. Also, at the Oral Hearing, it emerged the lands owned by MWB Two had been disturbed during their period of ownership of the site.

The CSSA's mothers had to contemplate calls for excavation with the disturbed condition of the site, and their own health issues, and the time they have left. They have come to accept that while physical remains are fragmented and dispersed, their babies' essence remains in the land marked Children's Burial Ground.

² Opening Statement, Read by Dr Niamh McCullagh, MIAI CSFS, Oireachtas Committee on Children, Disability, Equality and Integration, 2021
https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint_committee_on_children_disability_equality_and_integration/submissions/2021/2021-04-14_opening-statement-dr-niamh-mccullagh-forensic-archaeologist_en.pdf

³ Friends of the Sacred Hearts of Jesus and Mary, *Bessborough: Through the Years*, Documentary video, undated (circa 2004), personal copy held by Maureen Considine

⁴ *ibid*

4) We are deeply concerned that the mothers at the heart of our alliance are being overshadowed by abstract arguments regarding the "right to return" remains. Legally, these women are the primary first-degree relatives of babies buried in Bessborough. As parents and survivors, it is their fundamental right to determine the course of action regarding their children's remains. Demanding further disturbance of remains without their explicit input and consent is not an act of justice; it is a repetition of the original trauma where an institution exerted control over their children's burial. These mothers have inherent rights to privacy and the space to grieve in peace.

5) The applicant (EVE) has demonstrated a commitment to non-adversarial engagement, responding positively to requests for forensic monitoring and memorialisation. A key benefit of the current application is the provision of an onsite community café and memorial area; these facilities address a critical void for survivors, who currently lack a place of rest during visits to the estate.

The EVE masterplan preserves over 50% of its 40-acre holding as parkland. Should the MWB Two site and the folly area remain undeveloped, the entirety of the lands south of Bessborough House could be dedicated to further memorialisation. Critically, the proposed parklands to the east and west of the main avenue will preserve the historic route of entry and exit—a path of significant emotional importance to survivors.

As these parklands are incrementally transferred to the local authority, there is a clear opportunity for the State to integrate the Children's Burial Ground into this broader memorial landscape. Ultimately, the proposed residential development will enhance the burial ground by fostering a permanent community presence, ensuring long-term protection, passive surveillance, and respectful oversight of this burial place.
