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HISTORICAL INSTITUTIONAL ABUSE INQUIRY
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being heard before:

- SIR ANTHONY HART (Chairman)
- MR DAVID LANE
- MS GERALDINE DOHERTY

held at
Banbridge Court House
Banbridge

on Friday, 3rd June 2016
commencing at 10.00 am
(Day 207)

MS CHRISTINE SMITH, QC and MR JOSEPH AIKEN appeared as
Counsel to the Inquiry.

1 Friday, 3rd June 2016

2 (10.00 am)

3 CHAIRMAN: Good morning, ladies and gentlemen. Can I again
4 remind everyone, particularly those who may not have
5 been here before, to ensure that if you have a mobile
6 phone, it is at least placed on "Silent", preferably
7 turned off, and that no photography is permitted either
8 here in the chamber or anywhere else.

9 Names used in the chamber must not be used outside
10 the chamber in any circumstances where they are names
11 that are covered by a designation given by the Inquiry.

12 Yes, Mr Aiken?

13 Opening statement by COUNSEL TO THE INQUIRY (cont.)

14 MR AIKEN: Chairman, Members of the Panel, good morning.

15 Last evening we finished the fourth period and today we
16 are going to move through the fifth period, which is
17 from 22nd June 1971, when William McGrath joins the
18 staff at Kincora as a housefather, so the third in
19 command, as it were, in Kincora, until the suspension of
20 those three members of the care staff on 4th March 1980.
21 So it's a nine-year period. There's a significant
22 volume of material and I'm going to travel quickly
23 through it, if the stenographer will bear with me today
24 as a one day only as I do that, because I want to try to
25 cover it, if we can.

1 On the wall again to your right you will see
2 Ms Slevin's wall chart. It will immediately become
3 apparent that during this nine-year period there is no
4 green in terms of allegations against Raymond Semple and
5 no blue in terms of allegations against Joseph Mains.
6 Now that is because we have not dual-coloured R9, who
7 Joe Mains was convicted of sexual offences in relation
8 to, and that's because R9 engaged in mutual masturbation
9 with Joe Mains two years after he had left Kincora and
10 left care. He is still committing a sexual offence with
11 him and was prosecuted and convicted for it, but it was
12 not being committed in Kincora. As you know, the --

13 CHAIRMAN: (Inaudible) children who fall within our terms of
14 reference.

15 MR AIKEN: Yes. As you know, the plan that's on the wall
16 deals with the complaints pre-2000. Hopefully it
17 will -- you will find it helpful in terms of its
18 illustrative ability.

19 William McGrath was 54 years old, married and a
20 father of three children when he took up his housefather
21 role at Kincora. He had been living in Greenwood Avenue
22 at the time and would later move to the family home at
23 188 Newtownards Road. That address will be relevant
24 when we come to look at further material, because
25 188 Newtownards Road is not 236 Newtownards Road, which

1 is where Kincora was. He did reside on the Kincora
2 premises.

3 We are going to look at a significant number of
4 individuals from this period. In keeping with the
5 practice I have been engaging in, I am going to put the
6 statement on the screen, but I am going to summarise it
7 and I am going to move rapidly through it. If at any
8 point you want to pause, if you would draw that to my
9 attention, then we can do that.

10 The first boy I am going to deal with is KIN38, who
11 is "KIN38". He was born on . He had
12 two spells in Kincora, the first between April '69 and
13 February '70 between the ages of 15 and 16, and he
14 explained that nothing happened to him during that
15 phase, which was pre-William McGrath's arrival.
16 I include him in this section because it is during his
17 second spell between October '71 and January '72, so
18 three months before his 18th birthday to the day after
19 his 18th birthday, he says he came to the attention of
20 Joe Mains. So you will see him at the very edge, left
21 edge of the plan on the wall.

22 He was interviewed by police on 10th April 1980
23 while he was resident -- if we just put on the screen,
24 please, 10180 and scroll through to the next
25 page slowly, please -- he was resident in prison in

1 England serving a sentence for robbery.

2 He explained that during his second spell he got
3 friendly with Joe Mains because he did various jobs for
4 him and for Joe Mains' brothers. He alleged that on one
5 occasion, having been asked to clean Joe Mains' flat, so
6 the annexe to Kincora, Mains asked him to take his
7 trousers down and then masturbated Mains.

8 A few weeks later Mains asked him to go drinking
9 with him to the Stormont Hotel and they both got what is
10 described as "fairly drunk". They went back to Mains'
11 flat, where they stripped off their clothes and got into
12 bed and masturbated each other.

13 He explained those were the only incidents and the
14 other two members of staff never interfered with him.

15 When Mains was reinterviewed by the police on 29th
16 May 1980, he was asked about what KIN38 had to say, and
17 he admitted that he had a relationship with KIN38,
18 though he couldn't remember how it started. He admitted
19 going drinking with KIN38, though he claimed he was over
20 18 and not under age. When it was pointed out to him
21 that he was a resident at Kincora and he had taken him
22 and got him drunk, he acknowledged he was wrong in doing
23 that. He couldn't remember KIN38 staying in his bed,
24 but he accepted he probably did masturbate him.

25 When the Detective Chief Inspector submitted his

1 report, he recommended that Mains face a gross indecency
2 charge in respect of KIN38.

3 Despite the recommendation and the admission from
4 Joe Mains, the DPP didn't direct a charge in respect of
5 KIN38.

6 The Sussex Superintendent Harrison was surprised
7 about that, not to see a charge, and looked at the
8 reasons why that was so, and he sets that out in his
9 report -- we don't need to bring it up, but it is at
10 40091 and following -- that KIN38 in 1976, when facing
11 the robbery charge for which he was serving his sentence
12 at the time he was spoken to by police, in fact,
13 confessed to a murder in Northern Ireland in 1972 after
14 he had left Kincora. It appears that the confession
15 lacked any credibility, and it may have been the
16 potential for an adverse effect on the other charges
17 against Joe Mains that caused the DPP to take the course
18 that it did. Whatever about the decision not to
19 prosecute in respect of KIN38, Mains was accepting, as
20 I have said, that he had engaged in sexual activity with
21 him.

22 The next boy I am going to deal with is KIN43. He
23 was born on . He is the older brother
24 of R9 or R9 that you hear me mention a number of times.
25 We will be coming to him in due course. Their times in

1 Kincora did not overlap. KIN43 had three admissions to
2 Kincora. I am including him at this point because of
3 the relevance of what occurred during his admission.

4 The first admission was for eight weeks from
5 December '69 to February '70, shortly before his
6 13th birthday. So he was young when he went in. The
7 only issue for him was the attentions of again the boy
8 you have heard me mention yesterday, R34, "R34", in the
9 attic room that they had been sharing, and you have
10 heard me refer to R34 previously when we discussed R8 as
11 an example. KIN43 says he reported the matter to Joe
12 Mains, who treated it as a joke, but did move him to
13 another dormitory.

14 The second spell was three weeks in August '72 to
15 September '72, while he was 15, and he says nothing
16 occurred during that period.

17 The third admission was, however, for eight months
18 between 21st May 1973 and 16th January 1974, when he was
19 16. During this period he would encounter William
20 McGrath.

21 He initially spoke to police on 20th March 1980, by
22 which time his younger brother R9 had already been
23 interviewed. If we just put on the screen, please,
24 10217 and then scroll through slowly, in the latter half
25 of his statement on 10218 he explained that on one

1 occasion the two boys whom he shared a room with, which
2 included HIA532/B1/R13, who is another name that we will
3 be looking at, were already out and William McGrath
4 wakened him. He dosed over again and this time he felt
5 McGrath's hand on his chest and then it moving down
6 towards his private parts. He pushed his hand away and
7 said McGrath started to laugh. KIN43 couldn't remember,
8 but he thought he might have told Joe Mains about it,
9 but that was the only thing that happened to him while
10 he was in Kincora.

11 When McGrath was interviewed about that on 1st April
12 1980, he said the allegation was unbelievable, though he
13 could provide no reason why KIN43 would make the
14 allegation.

15 Detective Chief Inspector Caskey recommended in
16 August 1980 that McGrath face a charge of indecent
17 assault in respect of that incident.

18 The DPP didn't agree and issued its direction
19 without a charge in respect of KIN43.

20 KIN43 would, however, make another statement to
21 police on 28th May 1980 which would cover his time in
22 Bawnmore prior to his second and third admissions in
23 Kincora and his awareness of Peter Bone, but he would
24 also refer to being abused in 1970 by a man called Alan
25 Campbell, who sat down beside him on the bus one day on

1 the way back to Bawnmore. KIN43 explained what
2 happened, being taken back to a flat and abused, and he
3 would have been 13 at the time.

4 He made it clear at the end of the statement that
5 William McGrath never discussed with him the incident
6 involving Alan Campbell, because in the papers during
7 Phase Two investigation by George Caskey into Alan
8 Campbell there was a suggestion that William McGrath was
9 involved in the attempts to have Alan Campbell avoid
10 being convicted.

11 He was acquitted, that is Alan Campbell, for
12 interfering with KIN43 in 1971. What would appear to be
13 attempts to pervert the course of justice associated
14 with that would feature in a significant portion of the
15 Phase Two Kincora Inquiry that Superintendent Caskey by
16 that stage undertook, and he recommended a charge
17 arising out of that, but there was no relation to
18 Kincora other than KIN43 was subsequently in Kincora,
19 and that's where the Alan Campbell matter became linked.

20 The next boy that I am going to deal with is KIN37
21 or KIN37. He was born on . He appears
22 to have had two spells in Kincora. The first was for
23 a week and a half from 4th to 15th June 1970, when he
24 was 12, so again at a young age. That predates
25 McGrath's arrival, but the second was from 12th

1 June 1973 until 30th October 1973, though he absconded
2 for a month between the middle of September and October.

3 When he was interviewed by the police on 27th March,
4 he refused to make a statement, but if we can put on the
5 screen, please, 10224 and scroll slowly through, the
6 police officer who conducted the interview said that
7 KIN37 explained that he had been in Kincora for two
8 years, which he then dated as '70 to '73. Now there is
9 obviously a major issue about that, because he was not
10 there for that period of time.

11 He said he knew a couple of boys who told him that
12 when waking the boys in the morning, William McGrath
13 would put his hands under the covers and make a grab for
14 your pants or touch you on the bottom. He was asked to
15 name the boys concerned and he named R10. Now that's
16 an important name and I will ask to note and we will be
17 coming to R10 shortly.

18 He was then asked if anything had happened to him
19 and he said that after he was in Kincora about a year --
20 again there's a major issue over the dates -- the hostel
21 was full and he had to stay in McGrath's room. Now
22 there is also a major issue about that, because William
23 McGrath never stayed in Kincora according to all of the
24 rest of the material, but he says while he was in there,
25 William McGrath put his hand down his underpants and

1 felt him up. He said he told McGrath to "Fuck off" and
2 nothing else had happened to him.

3 When he was asked if he had done anything about the
4 incident, he said he had gone to see Joe Mains to
5 complain about McGrath, but Joe Mains disbelieved him
6 and nothing was done about it.

7 There was some corroboration for what he said
8 occurred from KIN307 . If we look at 40680,
9 please, you will see that KIN307 says, if we
10 scroll down to the bottom:

11 "I do remember now KIN37 saying that he had woken up
12 one morning to find McGrath with his hands under the
13 blankets touching KIN37."

14 So what KIN307 is describing is a piece of activity
15 that William McGrath would regularly engage in across
16 his time at Kincora. It is obviously a different
17 description than KIN37 was giving as to the events, but
18 it appears that there was conversation that KIN307

19 was aware of of the normal modus operandi, if
20 I can put it that way.

21 When Mains was being reinterviewed in May 1980, he
22 was asked about KIN37's allegations of having complained
23 about McGrath. As we will come to see, Mains identified
24 various individuals who did complain, and when asked
25 about KIN37, he said that he had never received

1 a complaint from him.

2 When McGrath was interviewed, the issue of KIN37 was
3 raised with him in May 1980. The allegation was not
4 quite accurately put in that it referred to the indecent
5 assault being in the office, when the allegation was
6 that it was in McGrath's bedroom, albeit he did not have
7 one, but in keeping with McGrath's approach during the
8 interview, he replied "No comment", but he did say he
9 had some information about Mains approaching him, but
10 wanted to reserve it. He later described the one
11 incident was over R15.

12 During his Phase One report Detective Chief
13 Inspector Caskey alluded to various credibility
14 difficulties certain individuals and their allegations
15 would have, but recommended charges be proffered in any
16 event.

17 However, in respect of KIN37's allegations, if we
18 look, please, at 10040 at paragraph 230, you can see
19 that he draws attention to the fact that there's major
20 issues over the dates and over the identity perhaps of
21 people that are being spoken about, and that he wouldn't
22 be a very competent witness for the prosecution.
23 Despite those reservations, in any event he recommended
24 a charge of indecent assault against William McGrath.

25 The DPP did not agree and did not include any

1 charge, and the Sussex Superintendent Harrison in his
2 report expressed the view that that was an entirely
3 understandable approach from the DPP. I will just give
4 you the reference for that. That is at 40090 and
5 paragraph 155.

6 The Sussex superintendents interviewed KIN37 on 16th
7 June 1982 -- and if we look, please, at his statement at
8 40678 -- because he's there during McGrath's time in
9 1973. He's told of the newspaper allegations that boys
10 have made complaints but no-one was prepared to listen
11 to them. He asked whether KIN37 had any complaints he
12 wished to make. KIN37 replied he had none. If there
13 was anything he could add to what he had already told
14 the police some two years earlier. He said he had told
15 all he knew then and there was nothing else. He was
16 asked whether he had been interfered with by anyone else
17 other than McGrath and he replied he had not. He was
18 asked if he knew if other boys had been interfered with
19 and he said he didn't.

20 Then you can see he was asked if he knew of any
21 politicians, police, business people, and so on, had
22 been involved and he said he did not. When he asked
23 about his reaction to the allegations of prostitution
24 and vice rings, he agreed he was surprised, because he
25 didn't know of any such things happening at Kincora.

1 I am sorry. I said he made a statement. He didn't make
2 a statement. This is a record of the interview from --
3 recorded by Superintendent Flenley.

4 The -- you will find in the Sussex Superintendent
5 Harrison's report that he appears -- he expresses the
6 view that this may be the first person that McGrath
7 abused. Now that is because unfortunately it appears to
8 contain an error of analysis in respect of KIN37 in that
9 he considered the account of indecent assault by
10 McGrath, because KIN37 said it was about a year into his
11 three-year stay. That would have placed it in 1972,
12 but, as we have seen, KIN37 was not in Kincora in 1972
13 and therefore that analysis couldn't be accurate.

14 However, in fairness, the Sussex superintendent
15 appears to have overlooked the fact that the RUC had
16 already spotted that issue over the dates, which is what
17 we were looking at on the screen, and he was not, in
18 fact, there during McGrath's time until September 1973.
19 Therefore the earliest date, if his allegation was
20 accurate, would have had to relate to a short period
21 towards the end of 1973. That would not make him the
22 first victim, who we will shortly see is more likely to
23 have been HIA532/B1/R13.

24 KIN42 was born in and had two short
25 spells -- one short spell in Kincora between May '71,

1 14th to 28th, so two weeks, but then he was in Kincora
2 from April '72 to June '73, so one year and two months.

3 He was spoken to by the RUC in February '80 -- if we
4 can look at 11668, please -- when he confirmed that he
5 could honestly say nothing ever happened to him and he
6 was unaware even of rumours of homosexual activity in
7 Kincora.

8 The next boy I want to deal with is KIN284 .
9 I don't have his birth of date to hand. I will provide
10 that to you. He was in Kincora between 1st September
11 1971 and 7th October 1971, so five weeks. He had been
12 spoken to during the Phase One Inquiry.

13 He made a statement, if we can look, at 11599,
14 please, and scroll slowly through. In that statement he
15 disclosed that he had been sexually abused by Robert
16 Elder, whom he referred to as "Robert Elliott", in
17 Bawnmore, and that he had one instance of peer sexual
18 activity in Kincora.

19 He was asked by police whether any member of staff
20 ever interfered with him while he was at Kincora and he
21 replied that he could honestly say that none of the
22 staff interfered with him in Kincora.

23 So I would ask you to note, Members of the Panel, he
24 was disclosing being sexually abused. So it was not
25 a case of wanting to say he had no involvement with

1 anybody. He was disclosing sexual abuse taking place,
2 but he was saying that it was not something that
3 happened in Kincora.

4 He was medically examined by Dr Irwin on 19th March
5 1980, when he made his police statement, and he told him
6 also that he was not sexually interfered with at
7 Kincora, but he said he would have been if he had stayed
8 much longer, as McGrath had designs on him, but all he
9 had done was put a hand on his leg. We can see that at
10 10712, scrolling on to the next page.

11 It would be fair to say, as we see -- no, 10712,
12 please -- that Dr Irwin concluded that -- if we scroll
13 down, please, you can see the start of -- he is referred
14 to as " KIN284 ", but the name is KIN284 .
15 He records the history that I have just explained. If
16 we scroll down a little further, please, then we record
17 what was being said. What -- it would be fair to say
18 that Dr Irwin concluded that KIN284 was
19 a practising homosexual, while of low IQ. He described
20 him -- you can see this in the choice of words about six
21 lines down -- that he found him cunning, crafty and
22 untrustworthy and that any statement he made should be
23 viewed with suspicion. So that was the view that
24 Dr Irwin formed as a result of his exchanges with
25 KIN284 .

1 He was spoken to by police again during Phase Two in
2 1982, because he was identified as the fourth hand
3 source of a newspaper article written by Peter McKenna
4 in The Irish Independent on 11th February 1982.

5 I want to show you the article, please. It is
6 21237. You can immediately see that it contains a very
7 serious allegation of a victim saying that an MP was
8 involved in a sex scandal at Kincora. You can see:

9 "A victim of the Kincora sex scandal, who claims to
10 have told police about the involvement of a Loyalist MP
11 in a homosexual prostitution ring in 1977, is currently
12 being treated in a mental hospital."

13 So you can see the nature of the allegation that was
14 being carried, and not only that it was an MP was
15 involved, but that it was, as you can see, reference to
16 the prostitution ring.

17 Now when the police managed to track down who was
18 the source behind the article and identified it as

19 KIN284 -- and in Detective Superintendent
20 Caskey's report he sets out in considerable detail how
21 it was possible to identify from whom this had
22 originated -- KIN284 himself then denied that he had
23 any knowledge of the type that's set out in the article.

24 If we look, please, at 20188, you can see that he is
25 saying in 704:

1 "In respect of this allegation KIN284 said that he
2 had not spoken to press men and did not know of any
3 Members of Parliament being involved at Kincora."

4 What ultimately appears to have happened is he has
5 been in a bar in Antrim talking. A freelance journalist
6 has overheard it. It's been passed eventually through
7 to Peter McKenna, who explains in his police statement
8 that he had never met the source, and ultimately the
9 article was published in the form as it was.

10 If we look, please, at 20755, you can see KIN284
11 saying that nothing of this sort ever happened
12 to him. You can see:

13 "Other than seeing it on television, I would not
14 have known that CID men and the likes were involved in
15 this thing."

16 Now I am not going to go through the analysis that
17 Detective Chief -- Superintendent Caskey went through.
18 You will be able to read it, but you may consider it
19 fair to say that there was, in fact, absolutely no basis
20 for the allegation to be made as opposed to there being
21 no evidence to substantiate it, which was the matter of
22 interest to Detective Superintendent Caskey. You may
23 also consider it demonstrates some of the difficulties
24 in these types of circumstances.

25 When making his police statement in the Phase Two

1 investigation, KIN284 , on 13th February 1982 --
2 and it runs from 20753 through 4 and 5 -- if we just
3 scroll through it, please -- during the investigation
4 into the provenance of the article Coggles did claim
5 that in addition to what he had said in 1980 about Elder
6 and Bone in Bawnmore, that he had, in fact, been
7 sexually interfered with by Joe Mains in Kincora during
8 his five-week stay there, and that he had felt him on
9 the privates twice. You will find that in 20754. He
10 did not refer to William McGrath touching his leg;
11 rather that he recalled him looking at his fully clothed
12 privates.

13 He then said at the bottom of 20754 and on to the
14 top of 20755 since Christmas he had seen the television
15 programmes that alleged a lot of people were involved in
16 Kincora. He said at the bottom of 20754:

17 "Apparently Joe Mains was sending boys out from
18 Kincora as prostitutes."

19 Then he said nothing like that ever happened to him.
20 If he had not seen it on TV, he wouldn't have known it
21 was going on.

22 Mains was reinterviewed about the allegation on
23 31st April 1982. So that was the -- whenever the police
24 officers went back to see Joe Mains in Crumlin Road
25 Prison. He was asked about the complaints now being

1 made by KIN284 , and Mains denied them and said
2 that they were entirely made up.

3 In respect of the complaint by KIN284 the detective
4 superintendent recommended that, as the case against
5 Mains was weak, that KIN284 ' credibility and
6 reliability would be attacked, and that he didn't make
7 the allegation until 1982, having said the opposite in
8 1980, that no further action should be taken.

9 KIN40 was born on . He was in Kincora
10 for three months from November '71 until February '72.
11 11658, please. He was spoken to by the RUC in April
12 1980, when he explained that nothing sexual had happened
13 to him in Kincora and he never heard of it happening to
14 anybody else.

15 If we look, please, at 40684, he told the Sussex
16 detectives on 16th June 1982 that the wider allegations
17 were a surprise to him, because he was not aware of
18 anything like that happening while he was in Kincora.

19 KIN327 was born on . He was
20 resident in Kincora between 2nd February '72 and 26th
21 May '72. He wasn't traced during the first
22 investigation by the RUC, but if we look at 40887,
23 please, he gave a statement to the Sussex Police on 30th
24 June 1982 and states that no-one attempted to interfere
25 with him or make any homosexual advances towards him.

1 He did recall, however, a boy called KIN49, not to
2 be confused with R2, telling him that he intended to run
3 away because McGrath was sexually interfering with him
4 at night. We will shortly see when we come to KIN49,
5 that KIN49 was not saying that, but that's what KIN327
6 remembered about it. He remembers, says KIN327
7 , that the general talk among the boys was that
8 McGrath was queer. He was taken aback when he heard the
9 allegations of male prostitution and a vice ring.

10 You can see then he recalls in his statement that
11 Joe Mains would frequently go out drinking at weekends,
12 but he never knew of him taking any boys with him. He
13 also outlined that he remembered the boys at the hostel
14 telling him of a male nurse and that is R2. You will
15 recall he was a male nurse for a lengthy period during
16 the 1970s from , or he describes it as
17 , who visited Mains, although he
18 never saw him himself.

19 KIN41 was born on . He was in
20 Kincora for a week in February 1972. 11674, please. He
21 explained in April 1980, when spoken to by police, that
22 nothing indecent had happened to him and he was unaware
23 of it happening to anybody else.

24 He told the Sussex detectives in June 1982 -- 40685,
25 please -- that he didn't know anything about prosecution

1 or vice rings or the involvement of prominent people.

2 We just mentioned KIN49. If we can put on the

3 screen, please, 12008. He was born -- I am sorry.

4 I should have said 11633. That's his register entry.

5 KIN49 was born on . He was in

6 Kincora from 1st March 1972 until 31st March 1973. He

7 was away for three weeks in October '72, and the

8 re-admission date is not clear, but he was readmitted

9 and then discharged again in September 1974. So given

10 the length of his stay, you may consider his evidence to

11 be of particular relevance.

12 He was interviewed by the RUC on 20th February 1980.

13 We can see his statement on the screen. So he was among

14 one of the first individuals to be interviewed. He

15 explained that he had seen the press allegations and to

16 the best of his knowledge nothing like that went on when

17 he was in the hostel. He could remember one occasion

18 shortly after he arrived in the hostel William McGrath

19 talking to him about sex, but nothing indecent. He just

20 thought it was odd. He could remember occasions when

21 McGrath would put his arm around your shoulder when

22 speaking to you, sometimes when alone, but sometimes in

23 front of others, and he said he did feel uneasy being

24 alone with McGrath. You will immediately note he didn't

25 say what KIN327 attributed to him.

1 When he was reinterviewed by Sussex Police, if we
2 look at 40681, please, he explained -- and you are aware
3 of the length of time he spent in Kincora -- that he was
4 surprised by the allegations against Mains and Semple,
5 but not of McGrath. He said McGrath was considered
6 a "fruit" by the boys and that the boys would warn
7 newcomers to watch McGrath, because, given the chance,
8 he would touch them.

9 On the wider issues he confirmed he didn't know of
10 any boys being involved in prostitution or vice rings or
11 of the involvement of prominent people using boys for
12 sex.

13 I am then going to turn to HIA532/B1/R13, who was B1
14 in the Hughes Inquiry. He is also an applicant to this
15 Inquiry. He speaks about William McGrath only. He
16 appears in the Hughes Inquiry to have been given two
17 designations. So he was B1 and R13. So for continuity
18 what we have done is we have given him the designation
19 HIA532/B1/R13. I appreciate that that's a significant
20 mouthful, but hopefully the benefit of being able to see
21 and easily identify his earlier participation will be of
22 assistance to you. His Inquiry statement can be found
23 at 015 to 029.

24 He was born , was in Bawnmore from May
25 '66 to March '72, so a six-year period, moved to

1 Kincora, where he had three admissions from -- he was in
2 from 9th April '72 until August '73, so one year and
3 four and a half months, and then from September '73 to
4 October '73, three weeks, and then another two and
5 a half months from 6th December '73 to 25th
6 February '74.

7 He gave a detailed five-page statement to the RUC on
8 28th March 1980. If we can go to page 10232, but the
9 statement begins at 10229 and runs to 10233, but the
10 first four and a half pages relate to his time in
11 Bawnmore. He claimed to have been abused there by Peter
12 Bone, s 2 and a ginger-haired man, who he later
13 identified as Robert Elder. Peter Bone and Robert Elder
14 were both convicted of sexually abusing HIA532/B1/R13.

15 s 2 wasn't prosecuted. Ms Smith will take
16 those matters up further.

17 The last page of his 1980 police statement at 10232
18 relates to his time in Kincora. He said the only person
19 who interfered with him in Kincora was William McGrath,
20 that regularly on each of the three occasions he went
21 into Kincora he would wake to find McGrath with his hand
22 under the blanket on his penis. He told him to stop it
23 and McGrath would walk away laughing.

24 He said, as you will see at the bottom of 10232,
25 there was one occasion McGrath entered the bathroom and

1 locked the door, dropped the towel, which was all
2 HIA532/B1/R13 was wearing, and took hold of
3 HIA532/B1/R13's penis and began to masturbate it.
4 HIA532/B1/R13 managed to get out the door. He said at
5 the top of 10233 that while he didn't tell anyone about
6 what William McGrath did to him, it was generally known
7 among the boys what McGrath was like.

8 When McGrath was reinterviewed on 29th May 1980, he
9 was asked about HIA532/B1/R13's allegations and he
10 replied "No comment".

11 When the detective chief inspector was submitting
12 his report on 6th August 1980, he recommended that
13 McGrath should face a charge of gross indecency in
14 respect of HIA532/B1/R13.

15 The DPP didn't agree in its direction of 23rd
16 February 1981 and no charges were proffered in respect
17 of HIA532/B1/R13.

18 Superintendent Harrison in his report, which is at
19 40093, referred to the fact that HIA532/B1/R13 had
20 a long criminal record, including for serious offences,
21 that would potentially explain the approach that the DPP
22 took. He also stated in paragraph 164, if we scroll
23 down slightly, that while the DPP did not include his
24 allegations in the list of charges, nonetheless
25 HIA532/B1/R13 was to be called as a corroborating

1 witness at McGrath's trial.

2 It would appear the superintendent may have been
3 wrong about that, if we can look at 101078, please,
4 because we can see on the screen those who were going to
5 give evidence, those who were given their designation,
6 of which HIA532/B1/R13 is not one, and the four further
7 witnesses who were going to be called and HIA532/B1/R13
8 is not among them. So it is not clear on the material
9 certainly that I have seen to explain why the
10 superintendent had that view. It may be there is
11 another document that suggested otherwise.

12 The Sussex superintendents did speak to him,
13 however, on the wider issues, given his experiences in
14 Bawnmore and then in Kincora, which he was prepared to
15 talk about in considerable detail. If we look at 40682,
16 you may consider that what he had to say to the Sussex
17 superintendents will be of assistance to you.

18 He said that everything he said in his previous
19 statement was true. He had read the newspaper -- the
20 recent newspaper reports about Kincora. So that's the
21 wider Irish Times type allegations. He was surprised to
22 read of prostitution and boys being used by men outside
23 Kincora.

24 "During the time I was there offences were committed
25 on me as I have described. I have no knowledge of

1 anything happening to any other boys. I have no
2 knowledge of any men being involved other than the men
3 who have been put inside over the Kincora business.
4 I was there. I knew what was happening whilst I was
5 there, and if there had been any prostitution and that,
6 I would have known about it."

7 As I mentioned, HIA532/B1/R13 appeared before The
8 Hughes Inquiry. As I said, he was given two
9 designations and I have drawn those to your attention.
10 He was legally represented. He did provide a statement
11 to the Hughes Inquiry. I am not going to go through
12 that. You can find it at 75626 to 75631.

13 The major distinction from what he said in his
14 police statement to what he said to the Hughes Inquiry
15 was that he did tell Joseph Mains about William McGrath,
16 but he couldn't remember Joseph Mains' response to the
17 complaint. Obviously you will have the opportunity to
18 hear from HIA532/B1/R13.

19 He gave evidence on Day 51 of the public hearings in
20 respect of the Hughes Inquiry, which were on
21 7th March 1985. I am not going to go through the
22 transcript. It is at 74106 to 74157.

23 One of the things that he did explain that I will
24 draw to your attention is he confirmed that he was
25 involved with the UDA from 1974, but was not involved in

1 active service until he left Kincora. He said that it
2 was in the hope that McGrath would have left him alone
3 that he got involved in paramilitary activity. The
4 Hughes Report does not necessarily agree with the views
5 that he expressed, given he had already left Kincora,
6 but the point I am drawing to your attention is that
7 there was no suggestion from him that William McGrath
8 was involved in getting him involved in paramilitary
9 activity. In fact, he was saying that he was -- he made
10 that choice after he had left.

11 The report of The Hughes Inquiry deals with his
12 evidence at paragraphs 3.100 to 3.106 and it also deals
13 with his Bawnmore evidence in the Bawnmore chapter at
14 6.31 to 6.43. The Hughes Inquiry reached the conclusion
15 in paragraphs 3.105 and 6 at 75235 that there was
16 nothing that could have led to William McGrath's
17 behaviour towards HIA532/B1/R13 being detected by Social
18 Services.

19 As I said, he is an applicant to the Inquiry, and if
20 HIA532/B1/R13's recollections are correct, and you will
21 recall I said that he explained in his police statement
22 that he had this experience of William McGrath
23 generally, the hand under the bed clothes, on each of
24 his stays in Kincora, depending when he says that first
25 occurred, it may well be he was one of, if not the

1 first, boy that William McGrath touched.

2 You will immediately be aware then that there's
3 nobody in 1971 who is suggesting William McGrath
4 interfered with them and that the earliest date when he
5 first could be said to have engaged with touching a boy
6 is from April '72 on, which is when HIA532/B1/R13 came
7 into Kincora. It may be he will be able to clarify
8 further at what point during the first period of stay
9 HIA532/B1/R13 can recollect being touched, because the
10 significance of that will become apparent when we look
11 at what information was already being communicated about
12 William McGrath to those in authority.

13 I am going to briefly deal with KIN39, who was born
14 on . He was in Kincora for a week
15 from April '72, when he was 15. He spoke to the police
16 at 11632, please, when he expressed the view that he had
17 been well looked after in Kincora, that no-one had
18 interfered with him, nor had he heard of anything like
19 that happening to other boys.

20 When he was spoken to by the Sussex superintendent
21 on 9th June '82, if we look at 40683, please, he
22 explained that the allegations of prostitution and vice
23 rings were a complete surprise to him.

24 I want to then deal with R10. You may consider that
25 you will find his evidence of significance. He was H on

1 the indictment against William McGrath and R10 in the
2 Hughes Inquiry. He was born on . His
3 significance is that he was in Kincora for four years
4 from 23rd March 1973 until 18 April 1977 between the
5 ages of 15 and 19.

6 The RUC interviewed him on 14th March 1980. If we
7 can look, please, at 10235 and just slowly scroll
8 through, I am going to summarise what he said. He
9 explained that Joe Mains never made any advances towards
10 him and he got on well with Raymond Semple, as did the
11 other boys, and had a certain amount of respect for him.
12 However, as far as McGrath was concerned, when he first
13 went into Kincora, he was warned by the boys who were
14 already there that McGrath was a bit queer and to watch
15 himself with him.

16 After about three or four weeks -- so, insofar as
17 his recollection is correct, that would be around late
18 April 1973, so potentially around the same time as
19 HIA532/B1/R13 -- when McGrath was waking the boys up, as
20 he usually did, R10 felt a hand under the bedclothes
21 rubbing his inner thigh, moving up towards his privates.
22 He says he jumped up and saw McGrath, who pulled his
23 hand away from under the bed clothes. R10 told him
24 never to do it again. Later on that evening, when asked
25 by McGrath why he panicked so much, R10 told him that he

1 would kill him if he ever did it again. He explained he
2 was scared to tell Joe Mains about McGrath, but he did
3 warn other boys about him. You will see that at the
4 bottom of 10236.

5 He remembered he and others being told by HIA533 --
6 and I will ask you to note that name -- another
7 resident, about McGrath putting his hand under the
8 bedsheets and touching his privates. We will come back
9 to HIA533.

10 He said there was other talk among the boys about
11 McGrath making suggestions to boys that he be allowed to
12 touch or caress them. He recalled McGrath once telling
13 him that he had been a masseur during the war and this
14 caused R10 to think he was queer.

15 He could also recall talk -- and you will see this
16 on 10236 -- about R17 and R9 -- you have heard the name
17 R9 before but R17 as well -- being found in bed together
18 by KIN300 . That's the brother of HIA532/B1/R13.
19 In this context he recalled a tape recorder being found
20 with voices suggesting, to quote him, that those two
21 boys, R17 and R9, "had screwed each other".

22 However, if Raymond Semple's recollection was
23 correct, R10 did, in fact, tell him about McGrath
24 interfering with him, if we look, please, at 10388. So
25 R10 was saying to the police in March 1980, "I don't

1 think I told anybody", but if you can look on the
2 screen, you will see this is part of the Raymond Semple
3 interview and you will see:

4 "A. Yes. A couple of the boys reported things to
5 me."

6 This is about McGrath:

7 "Q. Who were they?"

8 You will see the second boy he named was "R10", R10.

9 Semple claimed generally during his interview that
10 he -- if a boy complained to him about McGrath, then he
11 would tell Joseph Mains about it.

12 When Joseph Mains was asked specifically about R10,
13 if we look, please, at 10425, in the middle of the page,
14 the suggestion that he had perhaps been told about R10.
15 You can see "R10":

16 "Q. Did you know?

17 **A. I didn't know about that. Some of the boys had**
18 **suggested it."**

19 So he was suggesting he hadn't got the information
20 about R10 from Raymond Semple. Raymond Semple thought he
21 had known and told him. What Mains was saying was he had
22 got it from some of the boys. Either way, he had had the
23 information and didn't do anything with it.

24 When McGrath was interviewed on 1st April 1980 and
25 asked about R10's allegation, he denied it and, like all

1 of the allegations that were put to him, he could not
2 proffer any explanation as to why R10 would make the
3 allegation in the first place.

4 When submitting his report on 6th August 1980
5 DCI Caskey recommended that McGrath should face a charge
6 of indecent assault against R10.

7 The DPP agreed with that. It would appear as count
8 18 on the indictment. As I said, he was person H on the
9 indictment. When McGrath was rearraigned on the second
10 day of trial, he entered a guilty plea to the indecent
11 assault on R10. He was sentenced to two years'
12 imprisonment on it. It appears as count 2 on his record
13 rather than -- certificate of conviction rather than
14 count 18, because the bill of indictment dealt with all
15 three and kept the numbering running on each time whereas
16 the certificates of conviction, the three men each
17 started back at number 1.

18 If we can look, please, at 40686, because you may
19 consider that what R10 had to say, given his own
20 experience, what he was in a position to say was the
21 conversations with the boys and the length of time that
22 he was there, may be of assistance to you. In this
23 statement I draw to your attention that he is there for
24 four years. It spans '73 to '77, and he has already
25 explained that he was interfered with by McGrath, that

1 he was aware of talk about McGrath, and because he was
2 aware of sexual activity between other boys.

3 So you may consider he doesn't fall into the
4 reference in the police report which no doubt was the
5 case that some of the boys will have been
6 impressionable, naive youngsters. He is between the
7 ages of 15 and 19 and he is disclosing not only what
8 happened to him, but what he knows of others.

9 He said he wasn't surprised at McGrath being
10 involved. He was surprised at Mains and Semple being
11 involved in the first court case, not McGrath, for the
12 reasons that he explained.

13 **"The allegations made on television of prostitution**
14 **and vice rings at Kincora just do not ring true. During**
15 **the five years I was there I heard and saw nothing which**
16 **would suggest those allegations were true. I do not**
17 **know of any politicians, police officers, Justices of**
18 **the Peace, businessmen or civil servants being involved**
19 **in any way at all with the hostel, staff or boys."**

20 While The Hughes Inquiry gave him the designation
21 R10, he doesn't appear to have featured in terms of
22 giving evidence before The Hughes Inquiry. That may be
23 because there was no suggestion from R10 that he ever
24 told anyone in Social Services about what was happening.

25 In fact, the RUC traced Florence Goddard -- and in

1 fairness throughout the police reports where social
2 workers could be identified, they were traced by the RUC
3 and spoken to to see what they were in a position to
4 say. Florence Goddard had been his social worker, that
5 is R10's social worker, for two and a half years,
6 visited him every month in Kincora, and her impressions
7 are recorded in her statement of April 1980 -- if we
8 look, please, at 10234 -- because she is visiting him
9 for a two and a half year period during that window
10 between '73 and '77.

11 She is explaining she visits approximately once per
12 month in the period March '73 until September '75, when
13 she passed the case on to another.

14 **"During that period at no time did R10 indicate to**
15 **me that there were any homosexual activity occurring in**
16 **the hostel or that he had been approached by any member**
17 **of staff or other inmate. R10 settled well into Kincora**
18 **and initially attended a particular school and then**
19 **obtained work. On each visit I would have spoken to one**
20 **of the staff. I never got any indications or**
21 **impressions that there was any homosexual activity**
22 **taking place within the unit. The staff always**
23 **cooperated with me fully in any social work plans which**
24 **I would have had for R10."**

25 So that type of expression from social workers you

1 will find throughout the police material and it may
2 assist you with maintaining the context.

3 The next boy I am going to deal with is Clinton
4 Massey. He is an applicant to the Inquiry and he is I on
5 the indictment and is R11 in The Hughes Inquiry. He is
6 HIA145. He was born on . We have done
7 the same with his designation. So he is HIA145/R11, as
8 you will see on the plan, in order to make it easy to
9 identify that he was also involved with Hughes. His
10 witness statement to the Inquiry is at 001 to 005.

11 He was in Kincora for six months from April '73 to
12 October '73, spanning either side of his 16th birthday,
13 although he may have been out for a two-week camping
14 holiday.

15 So what I will ask you to note, he is there for six
16 months during R10's time that we have just been looking
17 at. He actually shared a room with R10 he explains in
18 his police statement, if we look at 10238 and 9, please.
19 He is speaking to the police when he is 22 years old, and
20 he explains that when he awoke to find McGrath with his
21 hand under the bedclothes on his penis masturbating him,
22 McGrath asked him if he liked what he was doing and he
23 said he didn't. The next morning he found McGrath doing
24 the same thing again. He woke up and pushed his hand away
25 and McGrath said to him that he did this to other boys.

1 He didn't reply, but just got dressed and went to the
2 bathroom. He said to the police at the time those were
3 the two occasions that he was involved with McGrath.
4 That's what happened to him, that after that McGrath
5 would waken him by tapping him on the shoulder and then
6 leave.

7 He explained that during the evening -- you will see
8 this at the bottom of 10239 -- that during the evening
9 after the second incident he told R10 what William
10 McGrath had done and R10 told him that McGrath had also
11 tried to masturbate him. So you will find corroboration,
12 as it were, of the contemporaneous discussions going on
13 between two boys who McGrath ultimately would plead
14 guilty to indecently assaulting.

15 He told the police that he did not feel able to tell
16 Joe Mains about it or his social worker because he was
17 embarrassed.

18 McGrath denied the allegations at interview, as he
19 did with all matters of that kind. He was asked if he
20 could give any reason why Clinton Massey would make up
21 the allegation and he replied no, he couldn't.

22 The RUC did speak to one of his social workers and
23 it would appear from both their own recording and from
24 what the social worker who was traced was able to say
25 that Clinton Massey was not happy in Kincora, but didn't

1 make allegations of abuse to the social workers.

2 Clinton Massey was spoken to again by the police on
3 5th May 1980 -- 10240 -- when he explained he had asked
4 to leave Kincora, but had never explained why. He
5 explained that the reason -- in this police statement he
6 explains the reason why was because of what McGrath had
7 done to him and he was always thereafter on his guard and
8 afraid McGrath would continue that behaviour.

9 DCI Caskey recommended McGrath face an indecent
10 assault charge.

11 The DPP agreed. It appeared as count 19 on the bill
12 of indictment and, as I said, Clinton Massey was person I
13 on the indictment, and on the second day of trial, when
14 rearraigned, McGrath entered a guilty plea to the
15 indecent assault and was sentenced to two years'
16 imprisonment as a result.

17 If we look at 40687, please, the Sussex
18 superintendents reinterviewed Clinton Massey on
19 7th June 1982, when he reiterated what he had said in
20 his previous police statements. He then went on to
21 address the wider issues about vice rings and the
22 involvement of prominent people.

23 He also records, if you see -- it is about four
24 lines up -- you can see at the moment:

25 **"I remember when the news first broke my friend R10,**

1 **who was at Kincora for five years, was as surprised as**
2 **I was, because he knew nothing of any homosexuality**
3 **there either."**

4 The Hughes Inquiry gave Clinton Massey the
5 designation R11, but he doesn't appear to have appeared
6 before the Inquiry, and I don't believe there is
7 specific mention of him in the report.

8 He settled a civil claim against the Western -- the
9 Eastern Board -- sorry -- in November 1991 for £8,759.

10 As the Panel will be aware, Clinton Massey is
11 an applicant to the Inquiry. He has given media
12 interviews. I will just give you the reference to them
13 at 125036 and 7. He has explained to the Inquiry that,
14 in fact, it was not just two indecent assaults by
15 William McGrath, but he was instead forced to give
16 William McGrath oral sex and was raped by him. You will
17 have the opportunity to hear and ask Clinton Massey about
18 that.

19 R12 was J on the indictment and R12 in Hughes. He
20 was born on . He entered Kincora on 4th
21 May 1973, when he was 17 and a half years old, and
22 remained there until 11th January 1974, when he was 18
23 and a quarter.

24 He spoke to the police on 2nd March 1980. If we
25 look at 10242, please, and just scroll it -- scroll

1 slowly through to 10247, he recorded a detailed six-page
2 witness statement. The statement sets out in what
3 Superintendent Harrison would subsequently refer to as
4 "sickening detail" acts of masturbation, oral sex and
5 buggery that would occur between R12 and William
6 McGrath.

7 Before I say a little bit about that, I want to draw
8 your attention to what you may consider to be
9 a contextual point of some importance. In his 1980
10 statement R12 dated his first sexual activity with
11 William McGrath to about two to three months into his
12 time at Kincora -- you will see that at the top of 10243
13 -- which, if accurate, would have been around July or
14 August 1973, when he was still 17.

15 It is a fact that Roy Garland's anonymous call to
16 the RUC on what was then known as the Rovaphone system
17 was on 23rd May 1973. That call eventually resulted in
18 an RUC police constable, Constable Long, visiting
19 Kincora on 4th June 1973 and reporting on a reassuring
20 discussion that he had with Joe Mains about William
21 McGrath, whom he, Joe Mains, described as "a very decent
22 chap".

23 We will come back to look at the anonymous call
24 later in the module, but in fairness to Joe Mains I will
25 observe that it would appear that the discussion with

1 Constable Long may well have been taking place prior to
2 any reports that Mains either accepted receiving or anyone
3 claimed to have made to him about William McGrath in
4 relation to abuse. As we look at what R12 has to
5 say, you may consider it apparent that the activity
6 between them was quite deliberately carried on in
7 secret.

8 In his police statement -- and I am just going to
9 summarise it -- he explained that both Mains and Semple
10 were very kind to him, but he would describe four
11 occasions when he was involved with William McGrath.

12 The first, which is at the bottom of 10243 and on to
13 the next page, was, as I've said, around a few months
14 into his stay. He was in the TV room. Everyone else was
15 out except for him and William McGrath. McGrath asked
16 him to go to the toilet with him. He said he wasn't sure
17 initially what he wanted. McGrath locked the door,
18 pulled his trousers down to his ankles and did the same
19 with his own. He told him to hold on to the toilet seat
20 and then penetrated him. He said it was painful and he
21 screamed out. While this act was continuing, the door
22 bell rang and they dressed and R12 returned to the TV
23 room.

24 A few nights later when he and McGrath were again
25 alone in the hostel -- you'll find that at the bottom of

1 10244 -- they went to the toilet again at McGrath's
2 invitation and this time he masturbated McGrath.

3 A number of weeks later the third incident. You
4 will find it on 10245. They were again alone in the
5 hostel and in the TV room. He went to the toilet and
6 McGrath followed him and locked the door. McGrath
7 masturbated him before at this time McGrath took hold of
8 the toilet seat and was penetrated by R12. R12 then gave
9 oral sex to McGrath.

10 A few days later he and William McGrath were again
11 alone in the hostel when the fourth incident occurred.
12 It is on 10246. This time they went to the kitchen and
13 undressed their bottom halves. He describes oral sex
14 occurring in a particular way in a particular position
15 on the floor and thereafter R12 penetrated McGrath, who
16 leaned over the washing machine.

17 He explained on 10246 in his police statement that
18 he remained in the hostel for a further six months
19 approximately after the last incident, which would date
20 the last incident to around Christmas 1973.

21 He explained to the police that he didn't know he
22 was doing wrong, didn't like what he was doing, but said
23 he was frightened of McGrath. You will find that at the
24 bottom of 10246, and then he had already explained to the
25 police in the middle of 10244 that he never told

1 anyone what happened to him until he spoke to the police
2 in 1980.

3 I want us to look at the last page of his statement,
4 please, at 10247. Here you will see he explains how he
5 came to be in contact with the police. He speaks of his
6 friend KIN44. We will be coming back to him shortly.
7 However, you will see that he spoke to a Mrs K. Johnston
8 of Social Services and what he says about that. You will
9 see:

10 "I went to the office. I had got a card from
11 Mrs Johnston asking me to go and see her in the welfare
12 offices. I went up to the office that day and after
13 2 o'clock spoke to Mrs Johnston. Mrs Johnston told me
14 that something had happened in Kincora, but it was
15 nothing for me to worry about. She didn't ask me if
16 anything had happened to me while I stayed at Kincora
17 and I didn't tell her about William McGrath."

18 Then explains KIN44 told him the police were looking
19 for him.

20 Now I want us just to look at the last five lines of
21 Mrs K. Johnston's police statement -- 10241, please -- of
22 10th March 1980, because what she explains in the last
23 five lines, if we scroll down, please -- you can see she
24 was talking about generally what she was asked to do in
25 relation to contacting ex-residents and she

1 says:

2 "About four weeks ago I was told by my immediate
3 boss, Mr Stinson, to contact R12 and ask him if he during
4 his stay in Kincora had been approached by others in a
5 homosexual way. I eventually saw R12 at my office where
6 he had come at my request."

7 So you can see she was saying, "I was meeting with
8 him for that specific purpose". She said:

9 "I asked R12 if he could remember being in Kincora
10 and if he had been approached by members of the staff in
11 a sexual way. R12 denied that anything had taken place.
12 I reported the result of my interview to Mr Stinson."

13 Now I draw that to your attention because
14 Superintendent Harrison in paragraphs 198 and 9 -- if we
15 look at 40105, please -- of his report commented upon
16 this issue as illustrative of a wider problem that you
17 will find time and time again in the material. That is
18 when Mrs Johnston had a meeting with R12, according to
19 her and her boss, who directed it, for the specific
20 purpose of ascertaining whether he had been the subject
21 of any sexual abuse, she received a negative response,
22 even though very serious sexual abuse had been taking
23 place. Yet when R12 spoke to the police, he provided
24 a detailed and very graphic account of his involvement
25 with William McGrath.

1 CHAIRMAN: Well, I think it is important to point out that
2 it seems that R12 had been in a special
3 school at .

4 MR AIKEN: Yes.

5 CHAIRMAN: So his intellectual capacity would not have been
6 as great as some of the others.

7 MR AIKEN: Yes. The point the Sussex officers appear to be
8 drawing attention to is that experienced investigators
9 are more likely to obtain a successful result. If the
10 matter is reported to the police and the police conduct
11 the investigation, it is more likely to yield the
12 correct outcome.

13 William McGrath was interviewed about R12's
14 allegations on 1st April 1980, when he denied the
15 allegations. He said there wasn't a word of truth in
16 them. It would be revolting. He said it was a mystery
17 to him why R12 would make the allegations.

18 The detective chief inspector drew attention to, as
19 the Chairman -- as you have said, Chairman, the
20 vulnerabilities of R12 that might make him more
21 susceptible to advances from someone like William
22 McGrath, and when submitting his report he recommended
23 two charges, gross indecency and buggery.

24 But on 23rd February the DPP, in fact, directed
25 three charges: buggery, indecent assault and gross

1 indecency. They would be reflected in counts 20, 21 and
2 22. R12 was person J on the indictment.

3 William McGrath, having been rearraigned on the
4 second day of trial, entered guilty pleas to the three
5 counts in respect of R12. So he accepted that he had
6 committed the offence of buggery on R12. McGrath was
7 sentenced to four years' imprisonment on that count and
8 two years for the indecent assault and gross indecency
9 counts, which he also pleaded guilty to.

10 R12 wasn't reinterviewed by the Sussex detectives,
11 but I want to draw attention, please, if we look at
12 10247, to the last line on page 6 of his police
13 statement. You have the unfortunate detail of the way
14 he says the activity was carried on, but he also said:

15 "I never heard of anything going on like that in
16 Kincora involving other boys."

17 R12 had the designation before The Hughes Inquiry of
18 R12. However, he didn't, it appears, give evidence to
19 the Hughes Inquiry.

20 KIN44 was born on . He appears to
21 have had four admissions to Kincora: 12th October '73 to
22 10th June '74, so an eight-month period while he is 16;
23 then he is in again August to September '74; he is also
24 in from December '74 to February '75 for two months; and
25 then again from March '75 to June '75, another two and

1 a half months.

2 When he spoke to the RUC, if we look at 10250,
3 please -- it's a four-page police statement, and just
4 scroll through it, please, as I summarise it.

5 It would appear that his recollection was of two
6 spells in Kincora, the first being of a month's
7 duration. That could be the second occasion, which was
8 three weeks' long, but in any event, whatever his
9 recollection about the time period, he said that while
10 he was in the sitting room, McGrath asked him about
11 anyone interfering with him and told him it was not
12 wrong and was natural. William McGrath then leaned
13 forward to put his arms around him and KIN44 got up and
14 left.

15 On 10252 he explains that he was back in the hostel
16 for what he thought was his second period and this time
17 William McGrath came in while he was watching
18 television, again went to embrace him, and he thought he
19 was going to kiss him, so he pushed him away and left.

20 On a third occasion in the TV room he got up to
21 change the channel and McGrath again came in and tried
22 to embrace him, and told him he was going to report him
23 to Joseph Mains and if he didn't do something, he would
24 tell his welfare officer. He pushed him away. So he
25 threatened McGrath with being reported.

1 Another few nights later again in the TV room he
2 says William McGrath came in and again came over to him
3 and kissed him on the cheek and he told him to "Leave
4 off". He says McGrath didn't force himself on him and
5 let him go. He told the police he didn't tell anyone
6 what happened to him with William McGrath.

7 He explained on 10253 that while he was in Kincora
8 he never heard any other boy complain about McGrath, nor
9 did he see any acts of indecency between the boys, even
10 though he was there at the same time as R10, R17 and R9.

11 Mains said of KIN44 at interview that -- and this is
12 at 10423 -- that he remembered KIN44 asking to leave,
13 but that the context for him was that he was a poor
14 worker and always wanted to be out.

15 When McGrath was interviewed on 1st April 1980, he
16 appeared to accept -- if we just look, please, at 10510,
17 because there are a couple of occasions when, despite
18 all of the denials, the mask perhaps slips to some
19 extent. If we scroll down to the bottom, please, he was
20 asked:

21 "Q. Did you know KIN44?

22 **A. Yes. He joined the Army.**

23 Q. Would you agree that he was there in '74 for
24 about a month?

25 **A. I think he was in two or three times, at least**

1 **twice.**

2 Q. Do you agree ...?

3 **A. Yes.**

4 Q. He says on the first occasion you had a
5 conversation with him about men interfering with him
6 sexually and that you put your arms around his shoulder
7 like a man and a girl do."

8 McGrath replied:

9 "A. That's no offence.

10 Q. Did it happen?

11 **A. I don't know.**

12 Q. Was it homosexual advice you gave him?

13 **A. No. I would only put my arm on his shoulder.**

14 Q. On the second time whilst alone watching
15 television you tried to kiss him.

16 **A. No, sir. That's really foreign.**

17 Q. Two or three nights ... you tried to kiss him
18 again.

19 **A. Nothing. There's no truth in it. I have no
20 idea."**

21 So he would appear to be accepting that he would
22 have been putting his arm around him, but couldn't
23 remember doing that and was denying the two attempts to
24 cuddle and kiss beyond that. He could proffer no idea
25 why KIN44 would make up the allegations.

1 DCI Caskey recommended McGrath face a charge of
2 indecent assault in respect of KIN44.

3 The DPP didn't agree, and Superintendent Harrison
4 did record in his report correctly, because on the list
5 we looked at KIN44 does appear as a corroborating
6 witness that was going to be called at the trial.

7 KIN307 was born on . He was
8 a resident in Kincora for two weeks in October '73. He
9 gave -- 11707, please -- gave a statement to police in
10 April '80 saying no sexual advances were made to him.
11 Then at 40680, please, he stated he had nothing to add
12 to his earlier statement. He didn't know of any boys
13 being interfered with or staff being involved with
14 important people inside or outside the hostel, but he
15 did remember, as you saw, KIN37 being -- telling him
16 about being touched by William McGrath.

17 I wonder, Chairman, if we took a short break for the
18 stenographer.

19 CHAIRMAN: Yes.

20 (11.25 am)

21 (Short break)

22 (11.30 am)

23 MR AIKEN: Chairman, Members of the Panel, before the break
24 we just looked at KIN307 . I am going to move on
25 to R15.

1 I am pleased to report that I have spoken to the
2 stenographer, who tells me that the pace is fine for
3 her; in fact, she is happy with the pace. So that's
4 reassuring for me.

5 R15 was K on the indictment and is R15 in Hughes.
6 His father was also involved in the Hughes Inquiry and
7 was given the designation R16. He was born on

8 . He was in Kincora for ten and a half months
9 between 3rd November 1973 and 20th September 1974,
10 between the ages of 13 and 14. So he was one of the
11 younger boys. He was there along with his older brother
12 KIN224, who was resident for the same period. KIN224
13 was born on . So he was between the ages
14 of 16 and 17 during his stay. You will recall that this
15 stay was again during the period of R10, who was there
16 across the four years.

17 If we just put on the screen, please, 11662, police
18 spoke to KIN224 initially on 28th March 1980. He was
19 able to explain that while nothing had happened to him,
20 and whilst Mains and Semple "were dead on", to quote
21 him, McGrath was, however, funny. While McGrath had
22 never done anything to him, he was aware of him touching
23 his brother R15 on the privates, but wanted R15 to tell
24 the police that himself. He was able to say he knew R15
25 had reported it to his mother, who went to what he

1 called "the welfare head office". They went to the
2 Shankill Road Social Services office, as we will briefly
3 touch on.

4 The police spoke to R15 on the same day. If we
5 look, please, at 10256 and slowly scroll through, he
6 explained that he had only been in the hostel a few
7 weeks. So based on his dates that would date the
8 incident to around end of November/start of
9 December 1973, which I am calling the first incident,
10 November to December '73 incident. On one evening there
11 was only him and his brother and McGrath in the
12 hospital -- in the hostel. He was in the kitchen when
13 William McGrath came in and grabbed his privates from
14 behind. McGrath was laughing as he did it. R15 told
15 him to let go. R15 went into the TV room and
16 immediately told his brother. The next morning he told
17 Joe Mains, who told him to forget about it and he would
18 see about it. However, later the same day he also told
19 his mum and dad. He said his mum and dad said he
20 would -- they would take it to court, but was not sure
21 what she'd done about it. In fact, it would turn out
22 that initially his mum and dad weren't -- didn't believe
23 what he had said and it would be some months later
24 before they would approach Social Services.

25 He went on to explain in his statement at the bottom

1 of 10256, and then scrolling on to the next page, that
2 a couple of months later -- so based on his dates, which
3 is obviously approximate, that would be in and around
4 the end of January/start of February 1974 -- the second
5 incident occurred when he was in the TV room, as was
6 McGrath, and when R15 got up to leave, William McGrath
7 grabbed him by the private again. R15 pushed his hand
8 away and walked out of the room. He says he didn't tell
9 Joe Mains this time, but he did tell his mum and dad.

10 Unfortunately his mother had passed away by the time
11 of the RUC Phase One Inquiry. His dad was spoken to at
12 10258 and then on to the next page, when he explained he
13 didn't believe his son the first time he had been told
14 about William McGrath. So that's the first incident,
15 the November/December '73, but when told of the second
16 incident, the January/February '74, he and his wife went
17 to the Shankill Social Services office to report the
18 incident.

19 I want to just pause there to bring to your
20 attention that the Social Services district that was
21 responsible for the boys was a different Social Services
22 district from that where Kincora was located. R16
23 claimed the lady he spoke to, who was a duty social
24 worker that was later traced by the Sussex
25 superintendents -- the position through the materials

1 and the social workers who were involved who made
2 statements around this would explain that it was a very
3 difficult family who were always complaining. The
4 complaint seemed relatively minor and that's why the
5 police weren't immediately involved, but the matter was
6 referred on to a senior social worker. We will come
7 back and look at the social work involvement, but it
8 appears that R16 may have got confused over the
9 chronology and conflated perhaps two different visits
10 that were made in May '74 and September '74 by he and
11 his wife to Social Services.

12 These events are happening -- just as a matter of
13 context, the first meeting with Social Services was in
14 May '74, and this is happening during the Ulster
15 Workers' Council Strike, which occurred between 15th and
16 28th May 1974 and was a period of considerable civil
17 unrest in Belfast and elsewhere in addition to the
18 terrorist campaign, the murders that were taking place
19 and violence and bombs on the streets.

20 Having -- I say that because in the social work
21 records Sharon McLean records being unable to go and
22 visit Kincora to speak to Joe Mains because you couldn't
23 get across the city. She spoke to him on the 20th
24 May 1974. Joe Mains told her that he had already
25 personally received a complaint from Mrs R16, had spoken

1 to William McGrath, and was satisfied there was no truth
2 in the allegation.

3 Now I'll just show you, please, if we look, please,
4 at 12113, at the bottom of the page you will see this
5 sequence of events being recorded on -- so she records
6 on 20th May:

7 "Mentioned R16's complaint to Mr Orr."

8 That's Ronnie Orr.

9 "It was decided that we could further discuss the
10 matter following any visit to see R15."

11 Then:

12 "Strike situation. No visits possible in the
13 Woodvale area. Phoned Joe Mains. R15 and KIN224 are at
14 home. Discussed Mrs R16's allegation", if we scroll
15 down, please, we can see, "with Mr Mains. Mrs R16 had
16 already complained to him. Mr Mains felt that there was
17 no truth in the allegation. He discussed it with
18 Mr McGrath."

19 If we look further down the page, we will see that
20 on 4th June 1974, so some two weeks later, in fairness
21 Sharon McLean is still following the matter up. R15 and
22 KIN224 had at this point just returned to Kincora. So
23 you can see they were at home during the Ulster Workers'
24 Strike. The position of Joe Mains as expressed to her
25 was reassuring. There was no further info re Mrs R16's

1 allegations.

2 "Mr Mains appears satisfied that there is no basis."

3 That's how she proceeded.

4 She did get another complaint from Mrs R16 in
5 September '74 of alleged further interference, although
6 in fairness R15 does not make the case that there was
7 a third incident, that basically by the time his mum and
8 dad spoke to Social Services the two incidents had
9 already taken place, but the point that's made by the
10 social workers is that the [surname redacted] always
11 wanted to extract their children from care and a meeting
12 took place in September that ultimately would see the
13 boys discharged.

14 Sharon McLean and Ronnie Orr did not report the
15 allegations upwards or to the part of Social Services
16 responsible for Kincora and that's dealt with in The
17 Hughes Inquiry report. It is also the case Joe Mains
18 didn't report the allegations Mrs R16 made to him about
19 McGrath to his seniors.

20 I want to go back to what the RUC were able to
21 establish in 1980. Raymond Semple, when he was being
22 interviewed, if we look at 10388, please, he volunteered
23 that he had received a complaint from R15, amongst
24 others, about McGrath. You can see "R15" is R15. So he
25 is the first person that is mentioned. R15 did not

1 suggest that he told Raymond Semple, and later in
2 Semple's interview Semple would explain that on
3 occasions Mains would tell him. If we look at 10393,
4 please, when they were discussing it, Mains and Semple
5 would explain that Mains would tell him about boys who
6 complained to him, Mains that is, about William McGrath.
7 So it may be R15's complaint is one of that type, ie it
8 came to Raymond Semple through Joseph Mains, because it
9 is Joseph Mains that R15 said he spoke to rather than
10 the other way about.

11 When Mains was interviewed in April 1980, if we look
12 at 10412, please, at the bottom of page, the RUC asked
13 him about complaints he had received from boys and he
14 replied that he had -- that R15 had complained to him.
15 So this would be that first occasion that R15 was
16 talking about at the end of 1973, because R15 said he
17 didn't tell Mains about the second incident.

18 Mains informed the police that he had spoken to
19 McGrath, if we scroll down on to the top of the next
20 page, please, about the complaint and McGrath replied
21 that he told R15 to pull up his zip and tidy himself up
22 going to school and that he touched him on the front of
23 the trousers when he told him this. You can see that
24 Mains says he informed Raymond Semple and he says
25 Elizabeth McCullough and Elizabeth Smyth -- he told

1 them as well he says -- and Social Services.

2 Now he was contacted by Sharon McLean, if Sharon
3 McLean's evidence is correct, not the other way round,
4 and you are aware that the two domestic staff don't
5 accept they were ever made aware of anything untoward
6 occurring.

7 When William McGrath was interviewed on 1st April
8 1980, he said the incident involving R15 was the one
9 occasion -- if we look at 10512, please -- apart from
10 being spoken to on foot of the anonymous call, this was
11 the one occasion when Joe Mains spoke to him about
12 a complaint. You can see:

13 "Q. Did Mains ever speak to you about complaints
14 from boy residents?

15 **A. Only on one occasion when we had two brothers in
16 who were the [surname redacted].**

17 Q. Is that the only one?

18 **A. Yes, apart from the original accusation."**

19 **That's the anonymous call that he was spoken to
20 about.**

21 He later claimed, if we look at 10519, that giving
22 R15 a wash when he arrived at the hostel -- and the
23 records in fairness would indicate there was a major
24 problem over that issue at home -- that was as near as
25 he got he claimed to touching R15. He accounted for the

1 nature of the complaint at 10525 and he remained adamant
2 that this was the only complaint that had been brought
3 to his attention in respect of a boy complaining.

4 You can see:

5 "I told him everything that had happened. It was
6 all over in thirty seconds. I told Mr Mains that the
7 boy was passing me in the corridor. The front of his
8 trousers was open and I told him to zip up. That was
9 all that happened."

10 DCI Caskey observed that whilst the allegation was
11 not among the most serious arising from the
12 investigation, credence had to be attached to it,
13 although there were some concerns about R15 and giving
14 evidence. When submitting his report, however, he
15 recommended that McGrath face a charge of indecent
16 assault.

17 The DPP directed he should face that charge. It
18 would appear at count 23 on the bill of indictment. R15
19 was person K on the indictment, and William McGrath would
20 plead guilty to a gross indecency count, which would
21 appear at count 23. I need to check up. I have mixed up a
22 gross indecency and indecent assault, but I will check
23 that and verify it with you. McGrath was sentenced to two
24 years' imprisonment in respect of the charge for which he
25 was convicted, whether it be gross indecency or

1 indecent assault.

2 Given that R15 was prepared to and did -- if we look
3 at 40744, please -- prepared to and did make a
4 contemporaneous complaint to his brother, to the warden
5 of the hostel and to his parents about what in the
6 context of Kincora was, without minimising it, at the
7 lower end of the scale in terms of sexual abuse, you may
8 consider that what he had to say to the Sussex
9 superintendents on the wider issue may be important. He
10 was spoken to on 5th July 1982. He explained he didn't
11 know of any prostitution of boys or the involvement of
12 prominent people with boys in the hostel.

13 His brother, if we look at 40745, please, had the
14 same thing to say.

15 R15 and his father participated in the Hughes
16 Inquiry -- as I said, the designations are 15 and 16 --
17 and were represented. Their evidence and that of the
18 social workers involved in them, Sharon McLean (later
19 Sharon Grey) and Ronnie Orr, was heard by the Hughes
20 Inquiry on Days 34 and 35 of its public hearings, which
21 was 14th December 1984 and then 10th January 1985. The
22 transcript reference is at 72606 to 72679 and from 72680
23 to 72731. He in his evidence recalled the incidents that
24 he had described in his police statement. He went into
25 detail about them. I am not going to cover that

1 with you now.

2 Considerable examination was conducted over the
3 sequence of events involving the social workers, because
4 the Inquiry was examining whether how the complaint was
5 dealt with was satisfactory or whether more should have
6 been done than had been done.

7 The report of the Hughes Inquiry deals with his
8 evidence at paragraphs 4.58 to 4.69, which is at 75262,
9 3 and 4, and the conclusions reached in respect of the
10 matters involving him are at 4.64 to 4.69. I am not
11 going to look at them now, but they are at 75263 and 4,
12 where The Hughes Inquiry determine a number of failings
13 on the part of Social Services.

14 KIN306 was born on . He
15 was a resident in Kincora for short periods in February
16 '74, April '74 and May, just at the end of May into June
17 '74. 11624, please. He gave a statement to the RUC in
18 March 1980 and states that he was never approached by
19 any member of staff to do anything indecent, never heard
20 of any other boys being approached or carrying out acts
21 of that kind.

22 If we look at 40751, he spoke to the Sussex
23 superintendents two years later in June 1982 and stated
24 he had nothing to add to his earlier statements and
25 wasn't aware of any prominent people being involved with

1 the hostel, staff or boys.

2 KIN286 was born in . He was

3 a resident in Kincora between 15th August '74 and

4 9th September '74. He gave a statement to the RUC on

5 27th March -- if we can look at 11587, please -- and

6 stated that he had been in the hostel for one week when

7 KIN301 told him to watch William McGrath, because

8 "he would slip the hand on you". He also said that R10

9 also told him that William McGrath would put his hand on

10 your arse when he was wakening you. He doesn't remember

11 if William McGrath ever woke him in the morning, but said

12 he never put his hands on him. He states that Joe Mains,

13 Raymond Semple and William McGrath never did anything

14 indecent to him or approached him in that way. He didn't

15 hear or see any acts going on between anybody in the

16 hostel, either staff or boys, but you will see then in his

17 last three lines he talks -- he remembers a boy

18 called , which may well be a reference to R4,

19 who used to bring boys to the hostel, but he doesn't know

20 if he did anything with them. You will recall R4 was a

21 returning resident.

22 He gave a statement to the Sussex Police -- if we

23 look, please, at 40752 00 that he had nothing further to

24 add and had no knowledge of the wider individuals said to

25 be involved in a prostitution ring.

1 I am then going to turn to R17, who along with R9 --
2 there is a complicated set of facts that I am going to
3 try and distil as best I can in a summarised form. R17
4 was L on the indictment and R17 in Hughes.

5 He was born on . If we can put
6 his statement on the screen, please, at 12167 and it
7 runs through to 12173. He was in Kincora from 6th
8 October 1974, when he was 16 and a half, to 8th March
9 1976, when he was 18. So he was there for a year and
10 five months. As he explains in his statement, he then
11 moves out to a flat on the Road.
12 For reasons he later explains to the police he appears
13 to then have left that flat and asked to be readmitted
14 to Kincora, which happened on 23rd May 1976, and he
15 remained there until 28th August '76, when he was
16 discharged to the Salvation Army hostel. He would
17 also speak to the police about that location.

18 He provided a detailed seven-page witness statement
19 under caution, which Superintendent Harrison would later
20 refer to as making the most distasteful reading. The
21 last page of the statement reveals that it took four and
22 a half hours to complete.

23 He identified six specific incidents of sexual
24 activity with William McGrath, though said at
25 KIN10267 -- we don't need to move to it. I am just

1 giving you the reference. I should also say, just to be
2 clear, I am going to give you references that apply to
3 the statement which can also be found at 10264 to 10269.
4 The trouble with that is the last page is missing. So
5 the full statement has been added again at 12167 to 12173
6 so that you have the last page. So it is in two
7 locations.

8 He explained in addition to the six specific
9 incidents he said that for about two years he had sex
10 with William McGrath about three times per week. He
11 said this always took place in the hostel in the
12 cloakroom on the ground floor, the sitting room or his
13 bedroom. He said it was nearly always anal sex with
14 each penetrating the other, but also masturbation and
15 oral sex.

16 He explained the first incident -- and this is at --
17 if we can go to 10264, please, so it matches the
18 references that I have, and at the bottom of the page he
19 explained that the first incident was about a fortnight
20 into his stay, which, if correct, that would be about
21 mid-October 1974. He was the only boy in the hostel that
22 evening he said. On his way to the toilet William
23 McGrath opened his trousers and masturbated him and
24 kissed him in the cloakroom until the door bell rang. He
25 then as part of this sequence of the first incident

1 said later the same evening in the TV room William
2 McGrath rubbed the inside of his thigh. You will see
3 that in 10265. He said McGrath later came back into the
4 TV room and took him out again to the cloakroom, where he
5 masturbated both of them, and he describes a particular
6 technique in that regard, and then kissed him before
7 getting R17 to penetrate him. R17 explained in the
8 statement how that damaged his foreskin.

9 R17 then said the second incident was about two
10 nights later, when he was again in the hostel alone with
11 William McGrath. This is at the top of 10266. McGrath
12 came into his bedroom. He says -- R17 says that William
13 McGrath got on top of him in the bed and penetrated him
14 and then they swapped over.

15 Then he explains at 10266 in the middle of the
16 statement that it was about three or four days after that
17 -- by which time his friend R9, "R9", had arrived. R9
18 arrived on 21st October 1974. So this would place this
19 event towards the end of October '74. R17 claimed that he
20 was in the TV room and McGrath was sitting between him and
21 R9 when McGrath opened the zips of their trousers and
22 began to masturbate both of them. Then McGrath and R9
23 went out of the room.

24 Now I should observe, Members of the Panel, that R9,
25 who we will be coming to shortly, makes no mention of

1 this incident. Subject to correction, I think this is
2 the only occasion during certainly the 1980 police
3 investigations when someone would allege that sexual
4 activity was carried on involving more than two people.
5 R17 says later on in his statement -- he explains at
6 10268 that this was the only time that it was the three
7 of them together, although you will see what R9 says
8 about it.

9 Later the same night R17 says the fourth incident
10 occurred. So this has occurred with the three of them.
11 Then R9 and William McGrath have gone out. Then R17 is
12 saying the fourth incident happens after that involving
13 him, at 10266 and then going on to 10267, and this
14 involved William McGrath masturbating him again in the
15 TV room before taking him out to the cloakroom, where he
16 says he held on to the wash basin while McGrath
17 penetrated him. Later the same night according to R17
18 the same sequence of events occurred. So it happened
19 twice on one evening.

20 The fifth incident that he speaks of can be found on
21 10267, when William McGrath again took R17 to the
22 cloakroom and he says McGrath gave him oral sex and
23 masturbated him. He wanted R17 to do the same to him,
24 but R17 refused. He explains in the statement that was
25 because he didn't like him.

1 The sixth incident he says was the following night.
2 So you can see that the six incidents that I am
3 describing are happening very quickly after R17 arrives
4 in Kincora, and then we will see what he says happens
5 after that. The sixth incident was the following night,
6 when he says he did engage in oral sex with William
7 McGrath.

8 Now all of those incidents, when one looks at the
9 timing that R17 ascribes to them, happened very close to
10 the start of his stay, and then, as I said, in the
11 middle of 10267 he goes on to explain that for about two
12 years he continued to have sex with William McGrath
13 about three times per week. So if R17's account is
14 true, then he is having very regular sexual activity
15 with William McGrath in Kincora on a -- over a very long
16 period.

17 R17 also explained in his statement at 10267 that
18 after McGrath's involvement masturbating both he and R9
19 that they, as in R17 and R9, then engaged in a sexual
20 relationship that involved anal sex about five nights per
21 week, which was every night except the weekend nights,
22 when R17 was out. He said -- and you will see this at the
23 bottom of 10267 -- that the anal sex was nearly always in
24 the bedroom, though they also did it in the shed at the
25 bottom of the garden and on a few

1 occasions at the back of a disused house a few doors up
2 from the hostel. This relationship between R9 and R17
3 continued after R17 moved into the flat that I mentioned on
4 the Road. R9 would describe matters
5 somewhat differently in his police statement, which was
6 also made on 5th March 1980, because they went to the
7 police together, and I will come back to that later.

8 R17, as I said, after a number of months in the flat
9 asked to move back to Kincora, and he explains that his
10 sexual relationship with R9 continued and his activities
11 with William McGrath resumed. You will find that at
12 10268.

13 When he later left Kincora, he said that he would
14 come back once or twice a week, and it was on one of
15 those occasions, according to R17, that he met R4, "R4",
16 another returning ex-resident. He says that R4 had
17 asked R9 who R17 was, because R9 was still living in
18 Kincora for a year beyond R17 having left. So R4 asked
19 R9 who R17 was and then asked R17 over to the Cavalier
20 Hotel for a couple of drinks. R9 told him that R4
21 wanted to take R17 out to the back yard. You can
22 probably read into that what's implied, and R17 says he
23 went outside and R4 had his penis out, but R17 just went
24 back in. He says he never had any more dealings with
25 R4. Now you are aware from me opening R4's statement

1 that R4 would later claim to police he had, in fact, two
2 sexual encounters with R17.

3 On 10269 R17 goes on to explain that after he moved
4 out of Kincora for the second time and was living in
5 a Salvation Army hostel he formed sexual relationships
6 there, including with the hostel warden. After
7 initially refusing money from him, he then began to
8 accept it.

9 So you can see that if this account is known, you
10 can perhaps understand how, if that was extrapolated
11 upon, you get the references to prostitution. R17 at no
12 stage suggests prostitution was occurring when he was in
13 Kincora, but he is saying that in the Salvation Army
14 hostel he formed the relationship with the warden there
15 and then was offered money and eventually accepted money
16 for the activity he was engaging in.

17 R17 also goes on to explain -- and we need to move
18 to 12173 for this so we get the last page of the
19 statement -- that when R9 joined him at the Salvation
20 Army hostel, they resumed their sexual relationship,
21 which also involved another male resident of the hostel,
22 who then R17 continued to have a sexual relationship
23 with right up to the time of his interview with the
24 police.

25 Dr -- I hope -- I have had to cover a lot and try to

1 summarise a lot, but I hope I have given some
2 understanding of the complexity of what was going on.

3 Dr Irwin's medical examination of R17 confirmed he
4 had had frequent homosexual relationships.

5 The detective chief inspector explained in his
6 report that he considered it necessary to obtain
7 an immunity. If we can look, please, at 10008. I have
8 mentioned this a couple of times, but just to put the
9 context to it, in paragraph 40 he explained -- this is
10 the initial sections of his report -- early consultation
11 with the DPP was found to be necessary. This resulted
12 in him granting immunity from prosecution to three
13 complainants, one of whom was R17, "R17", in respect of
14 their homosexual relationships with Mains and McGrath.
15 In his case it is McGrath.

16 If we can look at 11574, please, the then Director
17 of Public Prosecutions, Sir Barry Shaw, provided this
18 immunity on 21st March 1980, so right at the start of
19 the police investigation, and Detective Chief Inspector
20 Caskey explains in his report why he did it or why he
21 felt that was necessary, and that was to ensure that
22 all of the residents would speak with freedom about what
23 they say had happened. You can see that at this point
24 in time the recommendation -- the immunity was limited
25 to offences committed with the staff in Kincora, but

1 when submitting his Phase One report -- if we look,
2 please, at 10108 at paragraph 585 -- DCI Caskey then
3 recommended that all the residents and former residents
4 be granted immunity in respect of offences committed by
5 them with the defendants Main, Semple and McGrath and
6 that this should be extended to include offences
7 committed with each other and other adult males not
8 connected with Kincora, and that is what occurred.

9 When Raymond Semple was interviewed in April 1980 he
10 volunteered immediately that a number of boys had
11 reported to him that McGrath had interfered with them.
12 Two of the boys he named were a fellow called R17 and
13 R9. He said that what he had been told was that McGrath
14 had rubbed his hand down their pants. Now if that's
15 correct, the extent of what Raymond Semple was being
16 told is very different from what R17 says occurred. He
17 also explained a later -- a little later in the
18 interview -- this is Raymond Semple speaking -- that
19 another boy, KIN300, HIA532/B1/R13's brother, who
20 was in Kincora between July '75 and June '76, told him,
21 that is told Raymond Semple, about finding R17 and R9
22 being at each other in bed. He said he went and told
23 Joseph Mains about that, who said he would have a word
24 with them.

25 If we look at 10392, please, in the middle of the

1 page recording this incident you can see him saying:

2 **"A. He said he would have a talk with him and that**
3 **was how it was left. I felt I had no more**
4 **responsibility to the boys.**

5 Q. Did you ever think about going to the
6 authorities about these incidents?

7 **A. I just told Mains about it."**

8 It was put to him that he refused to take action
9 about such incidents. He said:

10 **"A. It was embarrassing, because Mains told me off**
11 **for unlawful sexual intercourse with B3/R1 in 1965. How**
12 **could I do a lot about it when boys told me about these**
13 **sexual acts now?"**

14 When Joe Mains was interviewed on 1st April 1980 and
15 asked about this, he said that some of the boys, rather
16 than Raymond Semple, had told him about R17 and R9.

17 KIN300 says in his statement he did tell Joe Mains
18 about finding R17 and R9 in the garden of a vacant house
19 near Kincora, not the incident about being in bed, but
20 when asked about whether he knew about R17 and McGrath,
21 he replied -- I will just show you this, please, at
22 10424, the bottom of the page -- he said:

23 **"I think the wee fellow R17 was inclined that way,**
24 **you know."**

25 He said he didn't know about R17 and R4 or about R9

1 and R4.

2 When McGrath was interviewed about R17's allegations
3 on 1st April 1980, he said that the homosexual -- the
4 homosexual acts complained of were not with him and it
5 was unthinkable.

6 When R4 made his police statement under caution on
7 3rd April 1980, he claimed to have engaged in sexual
8 activity with R17 on two occasions, one masturbation and
9 oral sex in the garden of Kincora and another occasion of
10 just masturbation in the toilets of the hostel.

11 When DCI Caskey submitted his report, he recommended
12 McGrath should face two charges in respect of R17. The
13 first was gross indecency and the second was of buggery.

14 The DPP directed that he should face those charges,
15 though they reordered them. The buggery charge was at
16 24 and became count 24 and that of gross indecency as
17 charge 24 and became count 24 -- sorry -- count 25. R17
18 was person L on the indictment, and McGrath was
19 rearraigned on the second day of trial on 11th December
20 '81 and entered a guilty plea to the gross indecency
21 count and the Crown entered a nolle prosequi in respect
22 of the buggery count at 24. McGrath got two years for
23 the gross indecency.

24 R17 had the R17 designation from Hughes. However,
25 he didn't give evidence to the Hughes Inquiry.

1 I am then going to deal with R9 and hopefully that
2 will make it most digestible for you, Members of the
3 Panel. I have just been explaining about R17 forming
4 a relationship with him. R9 was born on .
5 He was in Kincora from 21st October 1974 to 29th April
6 1977, between the ages of 16 and 18 and three-quarters.

7 He was spoken to by police on the same day as R17,
8 on 5th March 1980, and provided again over a number of
9 hours a detailed police statement that runs from 10211
10 to 10216. I am going to summarise it, and again if it
11 just can be scrolled through.

12 He was in Kincora about two weeks when McGrath began
13 to interfere with him. Now you will recall -- and if we
14 look, please, at the bottom of 10214 and then on to the
15 top of the next page -- that he couldn't remember -- just
16 scroll back up, please. Just scroll up a little more so
17 we can see the bottom off the page before. Thank you.
18 Yes. So he is explaining:

19 "I went to Kincora in September '74. That's when it
20 started. I was in about two weeks" -- scroll down
21 please -- "when it started. I can't remember how it
22 started."

23 Now it will be a matter for, Members of the Panel,
24 whether, given what R9 goes on to say he was involved
25 in, whether the type of incident that R17 was describing

1 where William McGrath sat between the two of them and
2 masturbated each of them at the same time would be
3 something he would be likely to forget.

4 But what he goes on to explain, that he says to the
5 police from the middle of 10214 that there would be
6 sexual activity between him and William McGrath -- and
7 he appeared to be referring to masturbation at this
8 point -- he says about three or four times per week the
9 whole time he was in Kincora.

10 However, he also explained later in his statement,
11 to quote him, if we just look at 10215, he very frankly
12 said you can see at the top of the statement:

13 "McGrath and me fucked each other that many times
14 I can't remember all the times."

15 He would later the same day tell Dr Irwin that he
16 had sexual intercourse with McGrath on six occasions. In
17 his police statement, however, he described five
18 specific incidents of sexual activity by way of example
19 of what occurred in the context of what he then said
20 was, as you can see, the same as R17, very regular
21 sexual activity he was claiming also.

22 The first incident he describes is at the top of
23 10214. It happened in two parts in the first or second
24 week he was in Kincora, which would be late October/early
25 November '74. He said no-one else was in

1 the hostel at the time -- this is the middle of 10214 --
2 that McGrath called him when he was about to go into the
3 bathroom and R9 saw him taking his trousers down and he
4 was asked to and did masturbate McGrath. It is unclear
5 where that's said to have occurred. It gives the
6 impression of being in the hall or the cloakroom
7 possibly. However, after his bath McGrath came into his
8 bedroom and it was there that McGrath penetrated him.

9 Now you can see, if this is the first incident, that
10 it is rather different from R17's description of the
11 first incident and how he says it began from the TV room
12 with R9 and William McGrath then going out.

13 The second incident you can see on 10214 again
14 occurred in R9's bedroom, when McGrath came in and asked
15 him to masturbate him, which he did.

16 The third incident -- in the middle of 10214 -- he
17 says was in the upstairs bathroom, McGrath having
18 followed him into the toilet, where McGrath asked R9 to
19 take his trousers down. McGrath then penetrated him and
20 R9 then masturbated McGrath.

21 The fourth incident -- at the bottom of 10214 -- was
22 in R9's bedroom, when McGrath came in and asked him to
23 take his pyjamas off and lie on his belly on the bed and
24 McGrath penetrated him. He informed police that it was
25 hurting him on that occasion, so R9 told McGrath to get

1 off, which he did.

2 The fifth incident -- at the bottom of 10214 and on
3 to 10215 -- occurred in the bedroom, but this time it
4 involved McGrath coming in and asking R9 to penetrate
5 him. McGrath leaned over the bed and R9 penetrated him
6 until he ejaculated.

7 He explained to police in 10215 that he didn't tell
8 anyone about his activity with McGrath except his mate
9 R17.

10 He confirmed to police that he engaged in sexual
11 activity with R17 three or four times, according to him.
12 You will see on 10215 he says that activity began -- how
13 it began is important, given that R17 said it began with
14 R9 and him being masturbated together by McGrath. R9
15 says here it was about three or four months into his stay
16 and he was wakened by R17 trying to penetrate him. So
17 that's a rather different sequence of events than R17's
18 recollection.

19 He then describes resisting similar attempts by R17,
20 including one occasion when he hit R17 a punch on the head,
21 which woke up, he says, Richard Kerr, who was in another bed
22 in the room. Richard Kerr called them both fruits and R9
23 said Richard Kerr reported it to Joe Mains, though nothing
24 was ever said to him by Mains. It may be he has mistaken
25 Richard Kerr KIN300 for reasons that will shortly

1 become apparent. You will recall it was KIN300

2 I have mentioned who found the two of them in bed.

3 What Richard Kerr had already said to the police on
4 26th February 1980, when he was interviewed, although he
5 has the date wrong as to when the incident occurred,
6 because KIN300 was not in Kincora in 1977, Richard
7 Kerr was saying that KIN300 , who was in between July
8 '74 and June '76, which was also when Richard Kerr was
9 there, found a tape under R9's bed, which KIN300 played and
10 which Richard Kerr also heard, and that indicated that R17
11 and R9 were engaging in sexual activity together.

12 If we can look, please, at 11589, I want to look at
13 at this point KIN300 's statement to police on 27th
14 February 1980. You have heard me already mention three
15 things involving him: that Raymond Semple claimed to have
16 heard from him that R17 and R9 were engaging in sexual
17 activity; also that Joseph Mains said he had heard from
18 him about the two boys; and the third matter comes via
19 Richard Kerr in respect of the tape.

20 KIN300 was in Kincora from, as I said, 28th
21 July '75 to 12th June '76, so during both R17 and R9's
22 time, and you will see in his statement he said they were
23 regularly -- and this is during the period that R17 and R9
24 say they were regularly engaging in sexual activity with
25 William McGrath. So that's a long-winded

1 way of saying I want you to look at what KIN300 is
2 saying in the context that this is at exactly the same
3 time that R17 and R9 are engaging they say in sexual
4 activity on a very regular basis with William McGrath
5 and also with each other.

6 So you can see:

7 "I don't remember ..."

8 He describes:

9 "I can't remember for sure ...

10 When I went into the hostel, the other boys there
11 were ..."

12 and he names names we have looked at: R10; we will
13 look at KIN46; KIN328 was R10's brother; R17 and
14 R9. Now that's a reference to R9.

15 "I can't remember for sure when it was, but after
16 about a month after I went into the hostel it was
17 general talk amongst the rest of us that R17 and R9" --
18 R9 -- "were 'fruity boys'. I don't remember how or why
19 this came up, but it was general discussion amongst us
20 when we were sitting around chatting in the evenings.

21 I can't be sure when exactly it was, but I think I
22 was in the hostel for about six months. At this time
23 I was sharing a front room on the first floor with KIN46
24 and . The room across the hall was occupied
25 by R17, R9 and KIN313 .

1 I remember one evening I was going out and I was
2 borrowing KIN313's overcoat. I was up in my room getting
3 ready to go out and I shouted downstairs to KIN313 to
4 throw up the key of his bedroom. KIN313 threw the key up
5 to me and I went into his room. I went over to the
6 wardrobe after switching on the light. There were three
7 single beds in the room. I opened the wardrobe door and
8 got the coat out. I turned round towards the beds and
9 saw R9 lying in his bed under the clothes. He had his
10 hands out from under the blankets and up towards the
11 back of his head. I spoke to him and said, "What's
12 wrong with you? You're in bed early". He said he was
13 tired after coming from work. I noticed that R9 was
14 lying on his side. I then noticed the clothes moving at
15 the back. I went over to the bed and asked him where
16 his mate R17 was. R9 said he was away out. I had an
17 idea he wasn't away out, so I reached down and pulled
18 the blankets off. I saw R17 was behind R9. R17 had his
19 penis up R9's anus. I am sure of this, because when
20 I pulled the clothes back, I saw R17 withdrawing. Both
21 R9 and R17 were stark naked.

22 I went immediately downstairs and reported what
23 I had seen to Raymond Semple. He was in charge that
24 evening. I went straight up to the room again with
25 Semple and both R17 and R9 were back in their own

1 separate beds. Mr Semple did not say anything to the
2 boys in my presence, and, in fact, I got the impression
3 that he did not believe what I had told him at that
4 time.

5 About a month or so later , a friend of
6 mine, not from the hostel, and **KIN313** were
7 walking down the road from Ballyhackamore. There is a
8 big vacant house between the garage and the hostel and
9 we used to go in the back of it to play cards. The
10 three of us walked round the back of the house and R9
11 jumped out of a hedge. We asked him what he was doing
12 and he said he was hiding money. We asked him how much
13 money and he said '13p'. We asked him to show it to us
14 and he admitted there was no money. We started to
15 question him. "Don't tell Mains, but I was sucking R17
16 off.' We saw R17 standing on the other side of the
17 hedge. We left R17 and R9 there and I went down to the
18 hostel and told Mr Mains what I had been told by Mr --
19 by R9. I told Mains that R17 and R9 were homosexuals
20 and he said, 'No, that's not happening in this place'.
21 He said that he would look into it and keep an eye on
22 the two of them. These were the only two occasions that
23 I saw anything happening."

24 Then he talks about R17 having got a flat on the
25 Road. You can see then what he says

1 slightly further down:

2 "As far as the staff at the hostel were concerned",
3 that's Mains, McGrath and Semple, "at no time during my
4 stay at the hostel did any of them make any indecent
5 approaches or suggestions to me. I have no knowledge of
6 them being involved in any way with indecent acts and
7 I can say that none of the other boys ever suggested to
8 me that the staff had made indecent approaches to them.

9 I forgot to say that I remember being in

10 KIN313 's room one evening. It is the same room that
11 I have already mentioned in respect of R17 and R9. I
12 picked up R9's tape recorder and switched it on. There
13 was a tape in it and I heard R17 and R9's voices. They
14 were having a discussion about indecent acts which they
15 were involved in with each other. I can't remember it
16 all, but R17 was saying, 'R9, don't tell anybody about
17 what we're at'. I got the impression that the recorder
18 was left on accidentally. I asked R9 about the tape, but
19 he denied it was him and R17."

20 Now there are some points that come out of that
21 statement, because here you have a boy who twice catches
22 two boys who admit they are engaging in homosexual
23 activity. They both say they are engaging in more
24 sustained sexual activity with William McGrath, but that
25 is something that he knows nothing about, has never seen

1 and had no suspicion of it. You obviously have him
2 recounting what he remembers as far as it being on the
3 tape is concerned and he is talking about -- the two of
4 them are talking about their involvement with each
5 other.

6 The Sussex superintendents -- if we look, please,
7 at 40750 -- spoke to KIN300 on 10th June 1982.
8 You may consider this to be relevant, given he was
9 identifying and reporting peer sexual activity occurring
10 during his time in Kincora. You can see he says:

11 "The only homosexuality I know of taking place at
12 Kincora was between R9 and R17. I personally caught
13 them at it twice. I and my friends dislike that kind of
14 thing and we gave them both a hiding for it. I don't
15 know anything of the staff being involved in
16 homosexuality. I was never interfered with, and apart
17 from my brother HIA532/B1/R13 saying McGrath had touched
18 him" -- so that's HIA532/B1/R13 you will note, please --
19 "apart from my brother HIA532/B1/R13 saying McGrath had
20 touched him under the blankets one morning when he was
21 waking him up, I do not know of any other boys being
22 touched. I certainly don't know of prostitution or a
23 vice ring involving the boys there or the staff.
24 I have never seen or heard of important people such as
25 civil servants, Justices", and so on, "policemen

1 visiting the hostel, nor being sexually involved with such
2 people."

3 That's a boy who is there for a year in '75 through
4 to '76.

5 I want to go back to R9's statement briefly, please.
6 10215. He explains how he met R4. He had known R9's
7 brother, KIN43, whom we have already spoken about. He
8 explained that R4 came into the toilet after him, took
9 his trousers down and asked him to masturbate him, which
10 he did. R4 then asked him to give him oral sex, which he
11 did, but he didn't like him putting his hand on his neck
12 to hold his head down, and because R4 didn't stop doing
13 that, he hit him in the face with his elbow he says, and
14 then R4 hit him back, and that was the end of their
15 liaison.

16 R4, when he was spoken to by the police under
17 caution, he claimed as a returning adult to Kincora he
18 engaged in sexual activity with R9 on two occasions,
19 once in the toilets and the other in the garden. He
20 said that included masturbation and buggery. So he was
21 saying it was a further sexual activity, masturbation
22 and oral sex in the garden and another occasion of just
23 masturbation in the toilets. He said he and R9 also
24 engaged in the same activity in a flat that he was
25 staying in on the Holywood Road.

1 Now here you have then the issue involving R9 and
2 Joe Mains, and you will recall I said to you we haven't
3 marked R9 in two-tone on the plan, because R9 explains
4 that he made contact with Joe Mains again in July 1979,
5 having left Kincora in 1977, by which time he was 21. You
6 will see that in 10211. He said he was short of money.
7 Asked could he come back to Kincora for his dinner.
8 Mains then hired him to do DIY at BAR1's house in
9 , which was going to
10 be the home where Mains and BAR1 would live after they
11 got married. After a number of weeks of doing that he
12 and Mains began to engage in sexual activity together.
13 He confirmed to the police that when he was living in
14 Kincora as a resident Mains had not done anything to him,
15 unlike McGrath.

16 You will see that at the bottom of 10213. Can you
17 scroll down to the next page, please? Sorry. Just
18 scroll back up, please. Keep going up for me. Yes.
19 Just take us down to the bottom of the page, please, at
20 10... -- no, no. Back down. Thank you. Down to the
21 bottom of the page. Yes. I am grateful. You can see
22 in the penultimate line on the page:

23 "When I was living in Kincora, Mr Mains never done
24 anything to me, but Mr McGrath did."

25 Dr Irwin in examining R9 confirmed he had engaged in

1 homosexual activity.

2 I explained when dealing with R17 when Raymond
3 Semple was interviewed, he immediately volunteered that
4 he had reported -- that it had been reported to him and
5 he had passed it on to Joseph Mains. He explained
6 a little later in the same interview about this incident
7 with KIN300 catching the two, R17 and R9, in bed
8 and his embarrassment when he told Mains about that.

9 When Mains was interviewed in April 1980, he
10 explained some of the boys had told him about R17 and
11 R9.

12 If we look, please, at 10207, it would appear from
13 the statement of social worker Hilary Neill of 24th
14 April 1980 that, in fact, on this occasion Mains may
15 have been told by Semple and Mains did, in fact, on this
16 occasion tell R9's social worker about what appears to
17 be the incident where KIN300 pulled the clothes
18 back and found R17 in bed naked with R9. So he is
19 telling about the peer sexual activity this time. It
20 would appear that report was made on 24th February 1976.

21 If we just look at 11282, please, and the second
22 entry on the page, you will see -- it's a bit hard to
23 read:

24 "Staff made brief [something] to a sort of
25 homosexual incident in the hostel in which R9 was

1 involved, but this was felt to be no serious
2 consequence."

3 Can we look, please, at 40137, which is
4 Superintendent Harrison's report at paragraph 306 to
5 309? I am doing this just for clarity. Amongst other
6 things it will hopefully reinforce the complex picture
7 that I have been trying to explain. He says:

8 "The evidence shows that the RUC Inquiry team
9 painstakingly pursued the matters revealed in R17's
10 statement. They interviewed R9 on the same day as R17
11 and, as with R17, a cautioned statement was obtained."

12 He describes then the account that R17 gives.

13 "R9 also admitted acts of gross indecency with R17,
14 corroborating what R17 had told the police.

15 R9 says that he was found in bed with R17",
16 and describes that incident. He draws a
17 distinction, trying to understand the inconsistencies
18 between the various statements that I have tried to work
19 through.

20 If we scroll down, please, to the next paragraph, he
21 observes that one -- if we just scroll up a little bit,
22 please:

23 "In the statement we have just looked at one gets
24 the impression from her statement that she finds the
25 subject distasteful and perhaps embarrassing."

1 This is referring to the social worker we have just
2 looked at.

3 "'From what I can recall there was some question of
4 the two being interrupted while having some degree of
5 physical contact with each other. I can't remember the
6 exact details, but I do know that I did not feel that
7 the incident was of a very serious nature, since there
8 could have been other explanations for the boys'
9 behaviour.'

10 It is unfortunate", says the superintendent, "that
11 Ms Neill was not pressed to explain in plain words what
12 she meant by the term 'some degree of physical contact'
13 to show exactly what she was told by Joseph Mains. It
14 seems fairly clear that he had been told by Richard
15 Kerr" -- I am not sure that's correct; I think it is

16 KIN300 -- "that Richard Kerr had found R17 and R9
17 in bed together during the night. Their purpose in
18 being together in these circumstances requires little
19 exercise of imagination to decide what was taking place
20 between them. Ms Neill admits that she did not speak to
21 her charge, R9, about the incident, because she felt it
22 would embarrass him. She does not recall reporting the
23 incident to her senior social worker."

24 You can see he then says, does Superintendent
25 Harrison:

1 "Once again the subject of homosexuality at Kincora
2 had come to the notice of a member of the Social Services
3 and once again this snippet of information was not added
4 to other intelligence. Collectively, this information, as
5 will become more evident through this report, ought to
6 have sounded an alarm and initiated the enquiry earlier
7 than the one brought about by the newspaper article which
8 was published in 1980."

9 Going back to R9's allegations against McGrath,
10 William McGrath was interviewed on 1st April 1980 about
11 the regular sexual activity, which he denied. He said he
12 knew that R9 was a masturbator, as he had caught him at it
13 in his room and told him to cut it out. He said it would
14 have come up in case conferences with his social worker.
15 He did know him as a returning former resident, which is
16 consistent with what R9 and Joe Mains say of R9 coming
17 back.

18 When he was asked the following day on 2nd April
19 1980 in the continuing interviews why R9 would make these
20 allegations against him up, he said that a mentally
21 defective person is more sexually susceptible than the
22 normal person. Obviously it would later become apparent
23 that McGrath was the one telling lies, at least as far
24 as some degree of sexual activity is concerned.

25 However, if we look at what he says at the end, if

1 we look at 10154, please, if we look at what he says
2 at the end of 10154, this issue of being alone in the
3 hostel without other members of staff present, you can
4 see that it does appear to be borne out not just by
5 what Mains and Semple say, but by the boys themselves
6 who describe the abuse involving McGrath, that it is
7 when others are not around that these events are taking
8 place.

9 When Joseph Mains was asked about his own activity
10 with R9, which, of course, postdated R9's time in
11 Kincora, Mains eventually admitted engaging in
12 masturbation with him at his girlfriend's house. He was
13 adamant that intercourse had not occurred and that he
14 had no memory of it unless he was drunk. He maintained
15 that position when the police returned to the subject
16 later in the interview. In the admission statement that
17 he gave on 1st April he recorded what he had said
18 occurred between them.

19 As I mentioned earlier, Detective Chief Inspector
20 Caskey considered it necessary to obtain immunity. R9
21 was one of those who was quickly identified and immunity
22 obtained for in the initial stages of the investigation,
23 and we have looked at how that was dealt with both then
24 and subsequently when a wider immunity was adopted.

25 In respect of McGrath whenever DCI Caskey submitted

1 his report, he recommended McGrath face two charges in
2 respect of R9, gross indecency and buggery.

3 The DPP agreed with that and reordered the charges,
4 charge 16 and 17, buggery and gross indecency, which
5 then would become counts 16 and 17 on the indictment.
6 R9 was person G. Having been rearraigned, William
7 McGrath pleaded guilty to the gross indecency count and
8 the Crown entered a nolle prosequi in respect of the
9 buggery count.

10 So you can see in respect of R12 and we will come
11 to Ronald Graham, William McGrath pleads guilty to
12 buggery in respect of those two boys, but in respect of
13 R17 and R9 he pleads guilty to the gross indecency
14 charges in respect of each, but not to the buggery
15 charges, which re withdrawn or left on the file.

16 McGrath got two years for the gross indecency.

17 In respect of Mains, and this is perhaps a slight
18 anomaly to the general approach, and it may be because he
19 had met R9 while he was a resident, but although his
20 activity with R9 postdated his time as a resident and in
21 spite of the general approach to adult homosexual
22 activity uncovered during the Phase One investigation,
23 when submitting his report, DCI Caskey recommended that
24 Mains face two charges in respect of R9. The first was
25 of gross indecency and the second of buggery.

1 Those were inverted by the DPP at counts 14 and 15
2 on Joe Mains' indictment. Mains, having been
3 rearraigned, entered a guilty plea to the gross
4 indecent count and a nolle prosequi was entered in
5 respect of the buggery account -- buggery count. Mains
6 was given two years' imprisonment on the gross
7 indecent.

8 The -- you will see from the plan, Members of the
9 Panel, that's on the wall that if one does separate R9
10 out, because of when his activity with Joe Mains occurs,
11 it appears to be the case, and you will see as we
12 continue through the material, that although he was
13 perceived, that is Joe Mains was perceived, as being
14 queer by a number of the boys, it does not appear that he
15 was engaging in the type of activity with boys in his
16 care that he had been engaging in up to the start of the
17 fifth period in 1971.

18 Of interest, Members of the Panel, you may consider
19 is that R9 was someone who both Mains and William
20 McGrath were convicted in respect of. What I hope has
21 become very apparent through setting out the facts is
22 that that involvement between Mains and R9 was not
23 during his spell in Kincora.

24 You may also consider it of significance, given R9
25 says that they engaged in regular sexual activity with

1 William McGrath between 1974 and 1977, that R9 doesn't
2 suggest that anyone else was involved in that or that
3 William McGrath attempted to introduce him to anyone
4 else for any purpose.

5 Now we have now seen three boys who say they engaged
6 in a full range of sexual activity with William McGrath.
7 Two of them he would not plead guilty to the buggery
8 charges. One of them he did, and none of those boys who
9 are alleging the full raft of sexual activity made any
10 suggestion that William McGrath was introducing them to
11 anybody else or that anyone else was involved in the
12 activity other than R17 describing something that R9 did
13 not remember, which was the two of them being masturbated
14 together, but certainly not other men coming in to
15 participate in any way in what was occurring.

16 If we look, please, at 40749, you may, therefore,
17 consider what he had to say to the Sussex
18 superintendents in light of his own experience as he
19 describes it to be of significance. They interviewed
20 him on 11th May 1982. You can see that he says:

21 "I told the police everything that happened in my
22 first statement. There is nothing more to tell."

23 He is very frank about it:

24 "The only people who have ridden me were Joe Mains,
25 William McGrath and R17. I did muck about with R4, but

1 he didn't ride me. I have never paid any money for
2 being ridden. I have never been taken to any hotels or
3 anywhere else to be ridden or played about with by any
4 other men. When I lived at Kincora, I never heard any
5 talk among the other boys about Mains, McGrath and
6 Semple being queer."

7 R9 was given the designation R9 in the Hughes
8 Inquiry.

9 Now I would like to complete this set, if I may,
10 because this is -- now I am going to mention the fourth
11 person who made allegations of -- at least during the
12 '80 and '82 investigations -- of the full amount of
13 sexual activity as opposed to just the indecent assaults
14 under the bedclothes.

15 I am going to deal with Ronald Graham, who is M on
16 the indictment and was R14 in Hughes. He is an applicant
17 to the Inquiry and he is HIA409. He -- we have augmented
18 the designation to HIA409/R14 to ensure that you can see
19 that he participated in both Inquiries.

20 He was born on . He was in Kincora
21 for approximately seven months from 2nd December 1974
22 until 10th June 1975. So you can see he is there during
23 R10's time, as was R17 and R9, and there is also going to
24 be an overlap between Ronald Graham and R17 and R9.

25 He made a detailed statement to the RUC on 5th March

1 1980. It is at 10271 and it runs to 10276. In that
2 statement he described eight episodes of sexual
3 interaction with William McGrath that appear to have
4 begun after his return to Kincora from Rathgael.

5 He explained the first incident, which appear --
6 would appear to date around January or February 1975,
7 involved William McGrath following him into the
8 bathroom -- you will find this on 10272 -- where,
9 having got Ronald Graham to hold the toilet seat,
10 McGrath penetrated him.

11 The second incident, which Ronald Graham recalled as
12 being about a week after the first, so that would again
13 be January/February '75 -- this is on 10272 and on to
14 the next page -- he had gone up to his bedroom. McGrath
15 followed him up and got him to take his trousers down on
16 the bed and McGrath got on to the bed and buggered him
17 before McGrath got Ronald Graham to masturbate him.

18 The third incident is at the top of page 10274. He
19 says it was some three or four days after the second. So
20 again we are talking about January/February '75. Ronald
21 Graham was again in his room. McGrath came in, according
22 to Ronald Graham, with his penis in his hand. He told
23 Ronald Graham to get his trousers down and McGrath then
24 buggered him on the bed in a similar fashion to the
25 second incident before again having Ronald Graham

1 masturbate him.

2 The fourth incident, at 10274 in the middle of
3 the page, happened, according to Ronald Graham, some
4 few days later when William McGrath came into him when
5 he was in the toilet or on the toilet. He then
6 proceeded to have Ronald Graham again hold on to the
7 toilet and penetrated him before giving him a kiss and
8 telling him he wasn't bad.

9 At the bottom of 10274 is the fifth incident,
10 which occurred the following morning, when Ronald Graham
11 was in the TV room. William McGrath came in, closed the
12 door. Ronald Graham says he took out his penis and got
13 Ronald to masturbate him in the television room until he
14 ejaculated. Ronald Graham said he vomited after this
15 occasion.

16 On 10275 Ronald Graham says the sixth incident
17 occurred when William McGrath came into Ronald's bedroom
18 and got his penis out and required Ronald to masturbate
19 him. He said this time he vomited on the bedroom floor.

20 The seventh incident is also on 10275. The
21 following morning Ronald was in the bathroom. McGrath
22 secured admission to the room. He said that when he
23 opened the door of the bathroom, McGrath already had his
24 penis in his hand. So that would imply he had taken
25 his penis out in the hall it would seem.

1 Ronald Graham masturbated McGrath until he ejaculated.

2 The eighth and final incident is at the bottom of
3 10275 and running on to 10276. It occurred about two
4 weeks later just before he was about to leave Kincora
5 for foster care. So that would have been in and around
6 May/June 1975. Ronald Graham was in his bedroom. McGrath
7 came in and said to him about, "One more time before you
8 go". Ronald Graham explained he refused to give McGrath
9 oral sex, telling him it would make him sick and McGrath
10 said that was okay. He got up on to the bed with his
11 trousers down and he said McGrath pulled them right off
12 before getting him to open his legs and getting on top of
13 him. He said he thinks cream was again used and says
14 McGrath penetrated him.

15 As you will -- as you read Ronald Graham's
16 statement, you will see that on each occasion McGrath,
17 who Ronald Graham says he was scared stiff of, said
18 something to him to ensure that he didn't tell anyone
19 about what was occurring.

20 I also want to draw your attention, given the
21 extent of the sexual activity Ronald Graham said he was
22 forced to engage in, to the last sentence of his police
23 statement, please, at 10276. There he says he was
24 unaware of these types of things he was involved in going
25 on with any other boys at Kincora.

1 Dr Irwin medically examined him on 5th March 1980,
2 indicating that one would be inclined to believe the
3 story that, to use the words of Dr Irwin, sodomy had
4 occurred at some point in the past.

5 When William McGrath was interviewed about
6 Ronald Graham on 1st April 1980, he said -- and you will
7 find this at the bottom of 19499 -- that -- sorry --
8 10499 -- that Ronald Graham's allegations were a lie, were
9 unbelievable, and when asked why a series of boys should
10 complain about him, he said it was a hazard of his job.

11 Detective Chief Inspector Caskey during the times
12 that he was interviewing McGrath returned to the subject
13 and said to McGrath that what Ronald Graham was describing,
14 if we look, please, at 10511 -- because, as you can see
15 from Ronald Graham's statement, he is describing coercion
16 in a way that perhaps is not found in the three previous
17 statements or certainly not of the same type of coercion --
18 at the bottom of 10511 Detective Chief Inspector Caskey
19 said to McGrath that what Ronald Graham was describing was
20 rape, forcibly making him submit to him.

21 If we can look, please, at 40144 and paragraph 327,
22 Superintendent Harrison, when dealing with this evidence
23 in the Sussex report, noted this:

24 "When looking at Ronald Graham's statement
25 objectively, it has to be noted that Ronald Graham

1 appears to be the only boy who was subjected to serious
2 sexual offences after he had shown he objected to such
3 behaviour. At times his account of the hardship he
4 suffered raises questions as to why he never complained or
5 ran away. One also has to look for a reason why, without
6 any communication from McGrath other than a smile, he would
7 isolate himself in his bedroom and thereby make himself
8 available for McGrath's attentions.

9 A possible explanation for Ronald Graham's
10 'complicity' in homosexual acts with McGrath is touched
11 on when he makes reference to McGrath talking of
12 'getting some boys'. It appears that Ronald Graham
13 associated this comment with the UDA."

14 You can see that the Sussex superintendents were
15 going to speak to Ronald Graham, but he wasn't in
16 a position healthwise in order for that to happen.

17 When Detective Chief Inspector Caskey submitted his
18 report, he recommended that McGrath face two charges in
19 respect of Ronald Graham, the first of gross indecency
20 and the second of buggery.

21 The DPP, on the other hand, directed three charges,
22 ordered them as buggery, indecent assault and gross
23 indecency. They would be charges 26, 27 and 28 and
24 would appear at numbers -- counts 26, 27 and 28 on the
25 indictment. Ronald Graham was person M, and McGrath,

1 having been rearraigned on the second day of trial on
2 11th December '81, entered guilty pleas to all three
3 counts in respect of Ronald Graham. He was given four
4 years' imprisonment on the buggery and two years'
5 imprisonment on each of the indecent assaults and gross
6 indecency.

7 So you can see that, if I pause there just to
8 observe, that of the four boys who say they were
9 subjected to anal penetration by William McGrath, the
10 full ambit of homosexual activity, albeit two of them
11 McGrath did not accept, but of those four boys, all of
12 them say they weren't involved with anybody else, that
13 it was being carried out in secret, they didn't know
14 what was happening to the other, other than in relation
15 to R17 and R9.

16 Ronald Graham also participated in the Hughes Inquiry.
17 He was given the designation R14. He was represented.
18 He provided a statement to The Hughes Inquiry. He did
19 say to The Hughes Inquiry something he had not said in his
20 police statement, which was that on one occasion he told
21 his social worker -- sorry -- he told the social worker
22 that he didn't want to stay in Kincora, but he didn't make
23 it clear why he didn't want to stay, but felt that if she
24 had pressed him, that he might have provided reasons.
25 That was not something The Hughes Inquiry ultimately

1 were prepared to accept.

2 He gave evidence under oath to The Hughes Inquiry on
3 Day 36 of its hearings, but in private session, and that
4 was on 11th January 1985. That runs from 72735 to 72766.
5 The end of Day 35 also relates to him, as he was
6 travelling from outside the jurisdiction to contribute to
7 The Hughes Inquiry, and there had been travel difficulty.
8 That's at 72732 to 72734.

9 He maintained the contents of his police statement
10 before the Inquiry, and aside from his additional
11 statement that he made to Hughes, he had nothing further
12 to add. He said he was scared and disgusted by the
13 assaults that McGrath subjected him to and so he never
14 informed anyone inside or outside Kincora of his
15 complaints. His fears of -- were compounded by his
16 awareness he believed that McGrath was in the DUP and had
17 associations with paramilitary organisations. He also
18 expressed the view that he was too embarrassed to tell
19 outsiders about the assaults.

20 He recalled that each time he had a visit from
21 a social worker he was questioned by a member of staff
22 about it. A couple of occasions he could remember other
23 residents asking what was wrong with him. It would seem
24 there was a dispute in terms of his degree of continued
25 contact with Social Services. He was suggesting it was

1 perhaps less than there was some evidence to support.
2 He also expressed the view that if he had made
3 disclosures to police, social workers and doctors, they
4 would perhaps not believe him.

5 The report of the Hughes Inquiry deals with his
6 evidence at paragraphs 4.29 to 4.40, which is at 75257 to
7 75259. The conclusion reached -- the conclusions reached
8 in respect of what he had to say noted that the
9 chronology of the offences were not entirely consistent
10 as to the intervals he had indicated, but the Inquiry
11 referred to the fact of the social worker being involved
12 and didn't agree with what was being said of the social
13 worker, and didn't accept the proposition that if the
14 social worker had pressed further, she would have been
15 told, and the social worker was not criticised for
16 failing to elicit a complaint about McGrath.

17 The Inquiry expressed the view in its report that
18 Ronald Graham being ashamed and disgusted about what
19 had occurred was the prime reasons for him not making
20 a complaint, and that the lack of a discernible change
21 in his attitude meant that it couldn't have been expected
22 for Social Services to detect the offences that had
23 occurred against Ronald Graham.

24 It appears from the papers that Ronald Graham did
25 take a civil claim against the Eastern Board, according to

1 Ms McAndrew's statement, but the basis of that assertion
2 or the outcome is not clear. There are no papers to
3 exhibit. So perhaps if a note could be taken of that
4 and some further clarification as to why it is capable
5 -- why it is possible to say that there was a civil
6 claim, and we will again try and work out whether we
7 can get any further with it.

8 Perhaps this would be an appropriate moment to
9 pause.

10 CHAIRMAN: 2 o'clock.

11 (1.00 pm)

12 (Lunch break)

13 (2.00 pm)

14 CHAIRMAN: Yes.

15 MR AIKEN: Chairman, Members of the Panel, before lunch we
16 had just arrived at KIN313, who is "KIN313". You will
17 see him in the middle of the second sheet in the top
18 line. He is white just before you get to HIA533. So
19 that gives a good impression as to where we've got to.

20 KIN313 was born on . He was
21 a resident in Kincora from 28th March 1975 to 20th
22 February 1976. He gave a statement -- if we could look
23 at 11583, please, and then scroll through to the next
24 page -- he gave a statement to the RUC on 29th February
25 1980. He explained that none of the staff made any

1 advances to him personally and that he himself could not
2 imagine Joe Mains being that type of person. He
3 continued to explain that he had his suspicions about
4 William McGrath, but nothing happened to confirm those
5 suspicions. He said that he thought William McGrath had
6 made advances to, and he named the boys, R9, R17, R10
7 and KIN37. So those are four names we have already
8 spoken about this morning. However, he had no proof of
9 this apart from R10, who, as you know, was there from
10 '73 to '77, telling KIN313 that William McGrath caught
11 him by the privates under the bed clothes. So he is one
12 of a number of people who have already said R10
13 explained William McGrath did that to him.

14 He also stated in his police statement that he could
15 recall hearing at the time that some of the boys had hit
16 William McGrath for making indecent suggestions. So
17 that was talk that he's reporting having been aware of.

18 In his statement he refers to an incident where he
19 says he also witnessed R17 engaged in oral sex with R9.
20 He refers to the fact that they all knew, that is all
21 the boys in the hostel knew, that R17 and R9 were
22 homosexuals. He doesn't recall personally making
23 complaints about their behaviour to the staff, but he
24 explains that he was in the company of KIN300 --
25 you will recall me referring to him earlier -- when he

1 made complaints to either Mains or Semple about R17 and
2 R9. So that may be a reference to, when we looked at
3 KIN300 's statement, him saying that he went and
4 talked about what he had seen.

5 He, KIN313, states that he heard about the
6 allegations of male prostitution taking place in Kincora
7 -- if we just scroll down, please -- but believes they
8 are completely unfounded as far as he was concerned
9 during his stay there. You can see that at the bottom
10 of the page.

11 He gave a statement to the Sussex Police on 29th
12 June 1982 -- if we can look, please, at 40756 -- when he
13 explained that he had nothing further to add to what he
14 had said to the police already and that he wasn't aware
15 of any of these type of people being involved at
16 Kincora. He didn't know of any boys at the hostel being
17 involved in prostitution or a vice ring:

18 "I was very surprised when I heard the allegations
19 on television. I even find it difficult to believe that
20 Joe Mains was involved in anything like that."

21 The next in sequence is Richard Kerr, who is R20 in
22 Hughes and a core participant before the Inquiry. I am
23 just going to cover him briefly at this stage. He was born
24 on . He had been in care from a young age
25 and spent many years in Williamson House. He was in

1 Kincora for two years and just over three months from
2 27th June 1975, when he was 14, until 4th October 1977,
3 when he was 16. So again he comes in during R10's four
4 years and is leaving around about the same time as R10.

5 On 4th October his leaving of Kincora involved him
6 being remanded to Rathgael on burglary and theft charges,
7 and it would be his interactions with Constable Scully
8 during that criminal process that would see Constable
9 Scully raise concerns about Richard Kerr's relationship
10 with Joseph Mains, which would then involve discussions
11 that included Gordon Higham and Clive Scoular within
12 Social Services. We will look at those matters in
13 greater detail.

14 From 22nd December 1977 until 9th February 1979
15 Richard Kerr would be in Millisle Borstal, where he
16 would come to meet William Edmunds. That's again a
17 subject that we will return to.

18 When he was released from Millisle, there were
19 issues over getting him a place to stay, and it was that
20 engagement over him having a place to stay -- his social
21 workers were Helen Gogarty and Judith Kennedy. So at
22 this point in time it was Judith Kennedy. The
23 information that they were receiving as they were trying
24 to get a place for Richard Kerr is what caused ultimately
25 Helen to pass information to the -- Peter McKenna of the

1 Irish Independent. So while it wasn't about something per
2 se happening to Richard Kerr, it was the involvement of them
3 trying to get him a bed in Kincora that saw David Morrow
4 making assertions about Kincora and why Richard Kerr
5 couldn't have a bed there that would see ultimately the
6 matter being passed to the journalists. He stayed instead in
7 various hotels rather than Kincora before going to Preston
8 to live with his aunt in May 1979.

9 Detective Chief Inspector Caskey interviewed Richard
10 Kerr in Preston in February 1980 on 25th initially. If we
11 look at 10194, please, and that runs through three pages
12 to 10197, he explained about Joe Mains being like a father
13 to him and he says that on 10195. He also explains that
14 William McGrath -- you can see it just down here on the
15 page we are looking at at the moment:

16 "I looked up to and inspected Joe Mains, and while
17 I was in his flat, he didn't touch me or say anything to
18 me that would have suggested anything of a homosexual
19 nature. At the hostel Mr McGrath, the housemaster, was
20 known as a homosexual. Boys in the hostel told me that
21 he tried it on them. Some of these boys are KIN46" --
22 we are coming to him -- "R10, R9 and a boy named
23 HIA533."

24 We are going to come and we will deal with all of
25 those boys in the course of today. You can say -- you

1 can see that Richard Kerr says:

2 "William McGrath used to play around with me by
3 pulling my jumper and wrestling with me. He'd pull me
4 close to him, his front to my back, and press his belly
5 up against me. It wasn't normal wrestling. I knew that
6 all this was going on -- I knew he was enjoying it in
7 a homosexual way. The boys used to tell me that McGrath
8 put his hands round their private parts. Mr Mains knew
9 all this was going on, because the boys told him. I was
10 not there when Joe Mains was told, but the boys told me
11 that he had been told, and this all happened while I was
12 in Kincora between July '75 to November '77."

13 You can see he points out that after the complaints
14 were made about the interference in the mornings under
15 the bedclothes that -- after that was reported to Joseph
16 Mains:

17 "... the woman cleaner wakened us in the morning." We
18 will see that in the context of HIA533 shortly. The
19 matters that brought Richard Kerr -- Detective Constable
20 Scully then to want to investigate the relationship
21 between Richard Kerr and Joseph Mains was as a result of
22 comments that were made by him at court, that he would
23 tell all if Joseph Mains didn't come and visit him. Then
24 various discussions would flow between the police and
25 Social Services about that.

1 If we just scroll down on to the next page, please,
2 he then goes on to talk about other matters and we will
3 come back and look at that with him in due course in
4 more detail.

5 He made a further statement the next day, 26th
6 February 1980 -- that's at 10185 and scrolling on to the
7 next page -- when he explained about hearing the tape of
8 R17 and R9 having sex and of conversation -- if we just
9 scroll up -- scroll back up a little bit, please, you
10 can see he says:

11 "On the tape R17 was asking R9 to masturbate him.
12 I heard noises to that effect on the tape."

13 Then he says:

14 "After R9 and KIN46 left" -- that's R9 and KIN46 --
15 "left Kincora in 1977 they went off to live with ..."

16 another man, but you can see then:

17 "I remember Joe Mains asking me one night to massage
18 him."

19 He explains that:

20 "I was making his tea in the kitchen. Stephen
21 Waring was with me. Stephen said, 'Don't go near him.
22 He's an old poof'. I told Joe that I wouldn't massage
23 him. One other night I was asking -- I was making Joe's
24 tea in the kitchen when he came in and asked me if KIN46
25 masturbated. I didn't know what to say and I changed

1 the subject. I wonder why he asked me that question.
2 I should tell you", and then he goes on, "that KIN46 was
3 found to be in bed with another boy in Williamson
4 House."

5 So that's at a later -- perhaps an earlier point in
6 time not connected to Kincora.

7 Detective Chief Inspector Caskey recommended that
8 William McGrath should face an indecent assault charge in
9 respect of Richard Kerr's description of the wrestling and
10 pulling him into him, but the DPP didn't agree with that
11 and didn't instigate a charge of indecent assault.

12 Richard Kerr spoke again to the Sussex superintendents
13 on 26th October 1982 -- if we can look at 40796 -- and in
14 this statement he refers back to the two statements we
15 have looked at and said, "It is all true up to a certain
16 point" and then he explains that, in fact, he had had
17 a sexual relationship in Millisle with William Edmunds,
18 who was the nursing orderly, and we will come back to look
19 at that with Richard Kerr, and the other references to
20 activity happening after he's left and gone to Preston.

21 If we scroll down, please, you can see he also says
22 after he left Millisle he stayed at Williamson House and
23 at that time he encountered Eric Witchell. If you
24 scroll down further, please, you can see what he says
25 happened at Williamson House. Then he describes his

1 present circumstances as he describes them in the last
2 sentence.

3 In recent years the Panel will be aware Richard Kerr
4 has given a number of interviews about his time in care
5 and we will look at those in detail with him in due
6 course and I will touch on them again when I come to the
7 post-2000 complaints.

8 The next individual I want to deal with is KIN46.
9 You have seen Richard Kerr speaking about him in his
10 initial police statement. He was born on

11 . He had two admissions to Kincora. The first was
12 for one year and ten months between 25th July 1975 and
13 29th April 1977, between the ages of 16 and 18. The
14 second was about eight months between 12th January 1978
15 and 3rd August 1978 from just before his 19th birthday
16 until he was 19 and a half. So you can see that KIN46 is
17 someone who is there for a long period of time, crossing
18 over with R10, who was there for a long period of time,
19 and beyond the time that Richard Kerr left Kincora after
20 two years and three months.

21 He was interviewed by the police -- if we can bring
22 up 10278, please -- by the police on 23rd February 1980,
23 so again early on in the Phase One investigation, and he
24 explained in the statement there was only one thing of
25 a homosexual nature that happened to him while he was in

1 Kincora. He had been told off by Joe Mains for some
2 mischief, as he described it, and he sat down on the
3 couch in Mains' office and was crying. He explains that
4 Mains left and went down to his flat. So this implies
5 this was the office on the first floor. William McGrath
6 then entered with a cup of tea for -- or it might be the
7 office on the ground floor -- William McGrath then
8 entered with a cup of tea for Joe Mains before leaving.
9 He then returned and lent over KIN46 and told him not to
10 worry about it and put his hand on his knee, but whilst
11 he was speaking to him, William McGrath then moved his
12 hand up just before his groin and moved his hand in
13 a rubbing motion. When KIN46 looked at him, William
14 McGrath took his hand away and left the room.

15 He goes on to explain on the next page of his
16 statement that a few days later he spoke to Raymond
17 Semple in his room and told him what happened, and
18 Raymond Semple told him that if anything like that
19 happened again, he was to tell him straightaway.

20 When Raymond Semple was interviewed -- if we look at
21 10393, please -- he was asked about KIN46's report to
22 him and Raymond Semple agreed that KIN46 had reported
23 McGrath to him. He said that he then told Joseph Mains
24 and hoped that he would do something about it. He
25 explained that he was embarrassed about making the

1 complaints for the reasons that we have discussed, that
2 he had been told off previously in his initial stage of
3 employment.

4 Joseph Mains at interview on 1st April 1980, at the
5 top of 10422 and then moving on to the bottom of 10423,
6 while acknowledging other complaints he had received, he
7 didn't appear to accept that he knew of KIN46's
8 complaint, although the interview record is not entirely
9 clear on that point.

10 Detective Chief Inspector Caskey asked William
11 McGrath about KIN46's allegation on 1st April 1980. He
12 replied with a complete denial, as he had done
13 throughout, and gave the one instance that physical
14 contact had happened between him and KIN46 and said that
15 KIN46 must be telling lies.

16 You may consider the police statement from
17 KIN274 -- if we look at 11650, please -- of
18 interest in that the one thing he could remember -- no,
19 11650, please -- the one thing he could remember -- if
20 we scroll down and then just move -- the one thing he
21 could remember in relation to homosexuality at Kincora
22 was one night at the beginning of his stay William
23 McGrath asked him to help make the supper in the
24 kitchen, and he could remember -- if we scroll down on
25 to the top of the next page, please -- he could remember

1 KIN46, having heard this, warning him not to go into the
2 kitchen, because William McGrath was "a bit of a boy",
3 which he took to mean McGrath was a queer.

4 When submitting his report on 6th August 1980
5 Detective Chief Inspector Caskey recommended that
6 McGrath face a charge of indecent assault in respect of
7 KIN46.

8 The DPP didn't agree when it issued its direction
9 and it didn't direct a charge.

10 If we look at 40889, please, given the length of
11 time that KIN46 was in Kincora and the time period he
12 covered, almost three years across two stays between
13 1975 and 1978, you may regard his statement to the
14 Sussex superintendents of 12th July 1982 instructive as
15 to the wider issues that you are going to have to
16 consider.

17 He said the only thing he could add to what he had
18 already said is that he was told by KIN300 -- again
19 you have this reference back to the -- he returned to
20 Kincora one evening and found R9 and R17 in bed. He
21 said he told Mr Mains about this and Mr Mains didn't do
22 anything about it.

23 He said he was in Kincora for two and a half years.

24 "During that time, apart from the two things that
25 I have told in my statement", so that's William McGrath

1 and what he tried to do, "I have no knowledge of any
2 sexual practices going on. I don't know anything about
3 any businessmen", and so on. "Except for what I have
4 read in the newspapers or seen on the television I was
5 not aware of it. I was asked by Detective
6 Superintendent Harrison as to what my reaction was to
7 the newspaper and television articles. I can only say"
8 -- if we scroll down, please -- "that I was surprised,
9 because I was there and did not know about it. I have
10 been out for a drink with Raymond Semple on about four
11 or five occasions to the Glentoran Club and about seven
12 or eight times to the Crusaders Club, but to tell the
13 God's honest truth there was nothing went on between us.
14 He was like a father to me. I was really surprised when
15 Raymond Semple was charged. I never suspected that he
16 was like that, homosexual type."

17 Then we are going to look at HIA533, who just again
18 was mentioned in Richard Kerr's statement. HIA533 was
19 born on . He was in Kincora for one
20 year and three months between 21st June 1976 and 23rd
21 September 1977, so from he was 15 until he turned 17.

22 If we look, please, at 10222 and then scrolling on
23 to the next page, he was interviewed by the police on
24 26th March 1980. He explained that within a few
25 weeks -- within a few weeks in the hostel he heard talk

1 from other boys that McGrath was a bit of a queer, and
2 then says about two months into his time -- this is as
3 we scroll on to the next page, please -- two months into
4 his time in Kincora -- so if that's correct, he is
5 talking about approximately September 1976, though he
6 refers to the time as being "during school holidays", so
7 it may have been August 1976 -- he says he woke up to
8 feel a hand underneath the back of his underpants. He
9 turned around to find McGrath sitting on the bed with
10 his hand under the bed clothes. HIA533 says he was
11 startled and pulled his body away and then McGrath made
12 a comment to him.

13 Now what HIA533 explains in his statement is that he
14 went straight downstairs to see Joseph Mains, but it was a
15 couple of hours before he did see him, and when he saw Joe
16 Mains, he told him exactly what William McGrath had done
17 and explained that he felt like hitting him. Mains
18 encouraged him not to do that on the basis that McGrath
19 was said not to be too well, but Mains said he would see
20 McGrath about it and ensure that he wouldn't be woken up
21 by him in the mornings in the future and instead he would
22 get one of the female housekeepers, Elizabeth Smyth, to do
23 it. HIA533 told him to make sure he did, otherwise he
24 would not be able to sleep if he knew McGrath was going to
25 wake him. HIA533 went on to explain on 10223 that

1 nothing else ever happened to him in Kincora and Elizabeth
2 Smyth did wake him every morning thereafter.

3 HIA533 explains on the passage you are just looking
4 at now that he also told R10 -- you heard me mention him
5 a number of times -- and when R10, as you know, spoke to
6 the police, he remembered he and others being told by
7 HIA533 about McGrath putting his hand under the
8 bedsheets and touching his privates. The reference for
9 that takes you back to R10's statement at 10236.

10 HIA533 also expressed the view in 10223 that he
11 found both Joseph Mains and Raymond Semple to be very
12 decent to him and he was still friendly with them. If
13 we can just scroll down, please, he explains that he is
14 friendly with them and still visits -- up to this point
15 in any event he still visited them with his wife.

16 Now when Mains was interviewed on 1st April -- if we
17 look, please, at 10413, please -- he was asked about
18 HIA533, and we have him in as the designation "HIA533".
19 You can see what Joseph Mains says is -- Mains said that
20 HIA533 reported to him that when McGrath was waking him
21 up one morning, he slipped his hand under the bed
22 clothes. HIA533 told Mains that he thought McGrath was
23 "a bit of a fruit". Mains said he discussed this with
24 HIA533 and HIA533 said he would handle it himself.
25 Mains decided not to report this. However, decided to

1 watch McGrath and try and catch him himself. Mains said
2 that his suspicions were getting aroused and had
3 mentioned this to other boys. However, there was no
4 evidence that McGrath was involved in this way. There
5 are similar sentiments to be found in Raymond Semple's
6 interview. He expresses the view at the end of it that
7 McGrath was crafty and too good for them, ie Raymond
8 Semple and Joseph Mains were never able to catch him
9 doing anything.

10 But he is admitting here that HIA533 -- this is
11 Joseph Mains -- had reported to him when McGrath was
12 waking him one morning, that he had done this, and he
13 was telling the police what HIA533 had -- or the
14 discussion that they had had. Once again he does not
15 report this complaint to his superiors.

16 When William McGrath was interviewed on 1st April
17 1980 he said the allegations of him touching HIA533 were
18 ridiculous and he denied any knowledge of Elizabeth Smyth
19 being asked to waken HIA533 from a certain point on.

20 When submitting his report on 6th August 1980
21 Detective Chief Inspector Caskey recommended that
22 William McGrath should face a charge of indecent assault
23 in respect of HIA533.

24 The DPP didn't agree with that, and when it issued
25 its direction, there was no charge included in respect

1 of HIA533, but it would appear -- if we look at 101078,
2 please -- it would appear that the Crown were, however,
3 going to call HIA533 -- you will see number 28 -- to
4 support the prosecution of William McGrath in respect of
5 the other charges that were being brought.

6 Just to finish these specific events, the Sussex
7 superintendents spoke again to Elizabeth Smyth. She had
8 been interviewed by the RUC, but if we look at 40612, the
9 Sussex superintendents specifically ask her about this
10 issue over HIA533. If we scroll down, please. Just
11 pause. Just go up a little. Thank you. You can see --
12 just scroll up a little bit further. Thank you.

13 "About two years after McGrath had worked at Kincora
14 Mr Mains told me to return to working my previous hours,
15 because the younger of two particular brothers resident
16 had complained to his mother."

17 So that's R15. I am not sure why it is blacked
18 rather than a designation. Ms Mellon will note that for
19 me and we'll have it corrected.

20 "I couldn't understand why McGrath's comment should
21 cause so much bother, but I agreed to return to my
22 previous hours. Once back to making an early start at
23 the hostel I resumed waking up the boys in the morning,
24 as I had done before. I do recall Joe Mains asked me
25 particularly to wake up a boy called HIA533, although he

1 never gave me any reason why."

2 Now the Sussex superintendents then interview HIA533
3 on the wider issues on 11th May 1982. If we look at
4 40774, you may consider his statement to be instructive.
5 You can see he is asked about:

6 "... if I heard rumours about the homosexual
7 behaviour of Mains, Semple and McGrath. My answer is no,
8 apart from those already mentioned in my previous
9 statement about McGrath. I didn't hear any talk among
10 the boys in the hostel about homosexuality or being taken
11 to hotels by anybody. I do know that McGrath used to give
12 Richard Kerr a few pounds now and again when he asked for
13 it, but apart from that I know of no other boys being
14 given money. My reaction to the reports in the press of
15 vice rings and prostitution is one of shock and horror. I
16 never seen or heard anything whilst at Kincora or since of
17 such matters. There is no doubt in my mind that such
18 allegations are completely untrue. If such things had
19 been going on at the hostel involving the other boys, I
20 would have known of it, because we all used to talk among
21 ourselves."

22 Now KIN54 was born on . He was in
23 Kincora from 12th October 1976 to 22nd October 1979,
24 when he was between the ages of 16 and 18 -- I think
25 that's wrong -- 16 and 19. He is there for three years.

1 I just need to check whether that's two years or three
2 years. You may consider what he has to say, given the
3 length of his stay, whether it be two years or three
4 years, of particular relevance.

5 If we look at 11660, please, he was spoken to on 4th
6 March 1980 and he -- if we just scroll down, please --
7 he confirmed that no-one had made any homosexual
8 advances towards him. He was able to say that KIN46,
9 whom we have spoken about already, and was in Kincora
10 between July '75 and April '77 and then again in January
11 '78 to August '78, told him -- so KIN46 tells KIN54 --
12 that R17 and R9, who I take to be R9, given the context,
13 were "two fruits". He was also told, he explains, by
14 either R10 or his brother KIN328 -- as we are
15 aware, R10 was in Kincora for four years between '73 and
16 '77 -- one or other of them told him that McGrath was
17 queer.

18 I am going to then turn to R18. He was born on
19 . He was O on the indictment and R18 in
20 Hughes. He initially resided in Kincora at weekends
21 while he attended Ardmore School. That was between 12th
22 May '77 and July '77, when he was 15. Thereafter from
23 2nd July 1977 until March 1980, when he was 18, he
24 resided in Kincora on a full-time basis.

25 He was still a resident of Kincora when he was

1 spoken to by the RUC on 10th March 1980. If we look at
2 10285, please, he provided a detailed six-page statement
3 that was prepared over the course of two and a half
4 hours. I am just going to summarise that for you.

5 He had first -- he describes later in his
6 statement -- so I'm putting -- I have put the material
7 into chronological order so that it makes most sense.
8 He had his first homosexual encounter aged 11 in
9 a cinema toilet in Dublin, when he engaged in oral sex
10 with a stranger. That's at 10288. From the age of 13,
11 when home at the weekends, he would attend the toilets
12 in Ward Park in Bangor, where he would pick up different
13 men and they would engage in masturbation together and
14 attempts at anal sex. That's at 10289. When he went to

15 School he stopped going to the toilets and his
16 next homosexual experience was with William McGrath when
17 staying at Kincora at the weekends.

18 He explained on 10285 that after he had been staying
19 at Kincora for a few weekends -- so that implies that it
20 is before his full-time residence commences and
21 therefore is possibly around June 1977 -- he asked
22 William McGrath, he explains, to rub cream into his back
23 as he suffered from psoriasis. He told police that the
24 way McGrath applied the cream gave him the impression he
25 was making advances toward him. He said he told his

1 social worker, Anna Hyland, who advised him to keep away
2 from conversations about sex or homosexuality and not to
3 be alone with William McGrath.

4 If I can just pause there, R18 and what he told his
5 social worker would also come up to Messrs Higham and
6 Scoular and their engagement with the police, Scully and
7 Sillery, at the same time or around about the same time as
8 the issues over Richard Kerr and his relationship with
9 Joseph Mains were coming to the attention of Social
10 Services. So it's happening at approximately the same time.

11 The second incident that he describes -- it is at
12 the top of 10286 -- was a few weeks later, again during
13 his period as a boarder at weekends. McGrath came into
14 his bedroom after he had a bath and commented on his
15 body and started to massage him, starting at his legs
16 and working up to his penis. According to R18, as he
17 didn't mind, he started to stroke McGrath at his
18 invitation and then masturbated him until he ejaculated
19 over the carpet. McGrath then went and got some tissues
20 and cleaned himself up.

21 At 10286, about two-thirds of the way down, R18
22 would go on to explain to the police that this
23 masturbation activity happened generally every weekend
24 when he was at the hostel on a Friday night. He said he
25 knew it was on a Friday night amongst other reasons

1 because the hostel was generally empty and the incidents
2 fell into the form of a pattern that would happen
3 depending on whether the hostel was empty or not.

4 He went on to describe the type of conversations
5 about homosexuality that he would have with William
6 McGrath. They are at the bottom of 10286 and moving on
7 to 10287. R18 said William McGrath was upset that he
8 couldn't cause R18 to ejaculate and would ask him what
9 could he do to assist that happening. He did describe
10 occasions on 10287 when he would bend over and spread
11 his legs and William McGrath would put his penis between
12 the cheeks of his bottom, but would never actually
13 penetrate R18. He later said he would do the same to
14 William McGrath.

15 He explained that when he finished at and
16 moved permanent to Kincora, what he described as his
17 affair -- he uses that word in the middle of 10287 --
18 with McGrath continued. He claimed on 10287 about
19 two-thirds of the way down that he did tell Ms Hyland,
20 his social worker, that McGrath was still making
21 advances toward him, and she suggested he tell Mr Mains.
22 He says he spoke to Joe Mains, who, according to him,
23 already knew that he, as in R18, was gay, was said to
24 have been shocked, and what R18 said to him made Joe
25 Mains, according to R18, pretty determined to get

1 William McGrath out of the hostel. R18 told him that he
2 would handle it. He didn't want William McGrath losing
3 his job. R18 claimed that Mains asked several times
4 after that whether he was still having problems with
5 William McGrath, but R18 lied to him and told him that
6 everything was okay.

7 On 10288 R18 explained to police that the last time
8 anything happened between him and William McGrath was
9 about a week before he was suspended, as in William
10 McGrath was suspended. So that would have been the end
11 of February 1980, because he was suspended on 4th March.
12 It would, of course, be, if that is correct, after the
13 story in The Irish Independent had already been
14 published, which was in January.

15 He described -- if we look at 10288 in the middle --
16 coming home to Kincora to find Clive Scoular having
17 a meeting in the hospital -- hostel and was explaining
18 about the allegations of homosexual prostitution, but
19 also referring to homosexual activity in the hostel.
20 R18 says he looked at William McGrath, who was red and
21 looked everywhere but at him.

22 Dr Irwin examined R18 on 10th March 1980 when he
23 made his statement and concluded there were physical
24 signs of homosexual activity. According to Dr Irwin R18
25 told him that he had been asked to play with William

1 McGrath's private parts, but no anal sex occurred
2 between them.

3 When Joseph Mains was interviewed on 1st April 1980,
4 Joe Mains informed police of a complaint he had received
5 from R18, if we look at 10413, please. He referred to
6 the incident involving the application of cream and
7 William McGrath asking for a towel to be removed as he
8 would look better. "R18" is R18. Mains claims he
9 reported the incident to district headquarters and to
10 Ms Hyland, R18's social worker, and that Gordon Higham,
11 the Assistant Principal Social Worker in charge of
12 Daycare, so including Kincora, he says at a case
13 conference discussion they all thought R18 was telling
14 lies. He says he also subsequently spoke to Peter
15 Martin, who replaced Ms Hyland as R18's social worker.

16 He returned to the subject of R18 at the -- in his
17 interview. If we look at 10424, please, at the bottom
18 of page and moving on to 10425 -- if we scroll down,
19 please -- you can see he is asked in respect of R18:

20 "Q. Did you know about this?

21 **A. Yes. Let's get R18 into perspective. He only**
22 **thought he was above everybody at the hostel and would**
23 **only talk to the staff."**

24 Scroll down, please:

25 "He was very depressed and I used to have long

1 conversations with him, and one time he told me that
2 McGrath had told him he was a qualified masseur and had
3 massaged cream into R18's back. I felt that R18 was making
4 this story up, as he had an intense dislike of William
5 McGrath, and one time R18 told me that he was gay from when
6 he was ten and this was the reason he couldn't mix with the
7 rest of the boys. I told his social worker what he said and
8 she continued to counsel him.

9 His relationship became more pleasant with William
10 McGrath and we had a case conference. At the conference
11 it was discussed and it was decided to make him mix with
12 the other boys and not make him feel that he was of any
13 importance. I discussed with McGrath Mrs Hyland's --
14 I discussed McGrath with Mrs Hyland, R18's social worker,
15 and we couldn't make our minds up whether it was true or
16 not, although I think she believed R18 ."

17 When police interviewed James Miller -- he is another
18 boy that we are going to come to and I want to show you
19 10298, please, at the top of page. You can see that he
20 is saying here in his statement to the police that there
21 were rumours in the hostel that R18 was gay and that he
22 and William McGrath were having a homosexual
23 relationship.

24 When McGrath was asked about R18 and his allegations
25 in his interview on 1st April 1980, if we look, please,

1 at 10515, he said that he had discussed R18's lifestyle
2 with him. If we just scroll down here, you can see:

3 "Q. You know R18?

4 **A. Yes.**

5 Q. He's made allegations.

6 **A. No. I discussed his lifestyle with him. He was**
7 **a practising homosexual."**

8 He insisted, if we look at 10517, that they talked
9 up to the time that William McGrath was suspended, but
10 they never had a relationship. He said he was never
11 spoken to about R18 in terms of a complaint -- he says
12 that at 10525 -- but he did accept the following during
13 his interviews, if we look at 10578, please, in the
14 middle of the page, about his engagement with R18. If
15 we can just pause there, please:

16 "Q. Why should boys describe your antics?

17 **A. I don't know. When you talk about antics, R18**
18 **had psoriasis and he used to run about naked all**
19 **evening. He was tortured around the pubic regions and**
20 **wore ordinary briefs. He used to get cream rubbed**
21 **around his privates. I told him he should not wear that**
22 **type of briefs, that he should wear the jockey trunks or**
23 **woollen type underwear."**

24 So he was claiming that, while he knew about the
25 psoriasis, that it was of an innocent nature, but you

1 may consider the passage at 10580, please, when the
2 subject was returned to, to be of some interest. You
3 can see he is -- it is being drawn to his attention:

4 **"A. That bit there -- pointing to the first**
5 **paragraph -- that bit about the towel was purely a wise**
6 **crack.**

7 Q. What do you mean?

8 **A. Just a crack, nothing else.**

9 Q. How could a boy having psoriasis on his body
10 look attractive?

11 **A. It was only a crack, nothing else. We can argue**
12 **about it all day, but I'll not put it any further than a**
13 **wise crack. The part about the masseur business is**
14 **correct. I did say that to him, because it was part of**
15 **my job as a hairdresser. I took a course in massage in**
16 **Surrey before the war. I used to in my business as**
17 **a hairdresser massage people's faces, necks and**
18 **shoulders.**

19 Q. Is that correct?

20 **A. Quite correct."**

21 Then the police officer who is interviewing him
22 makes the point:

23 "I never had a hairdresser massage me."

24 **A. Well, I have done it.**

25 Q. Did you massage R18's shoulders?

1 **A. It may have happened."**

2 Now I mentioned to you Hugh Quinn, if we think back
3 to the early '60s, but a returning resident. When he was
4 giving evidence to Hughes, he talked about his interaction
5 with R18 during his Christmas 1979 visit. The point Hugh
6 Quinn was making to The Hughes Inquiry was that R18, at
7 least as far as Hugh Quinn was concerned, was clearly a
8 homosexual young man, and he explained that he had
9 discussed him with Joe Mains, though Mains had said to him
10 in conversation that he had never had any sexual
11 involvement with R18, and in fairness R18 never suggested
12 that he had any involvement with Joseph Mains, but it was
13 something that R4 -- that Hugh Quinn brought up to the
14 Hughes Inquiry.

15 You will recall that R4, who we spoke about
16 previously, he claimed to the police on 3rd April 1980
17 -- if we look at 10163, please, in the middle of the
18 page -- how on one occasion R18 asked to masturbate R4.
19 R4 claimed to initially have refused, because he said
20 there were too many people about, including William
21 McGrath, who was in the kitchen, but he claimed R18
22 persisted. R18 didn't mention R4 at all in his
23 statement.

24 As I previously mentioned, DCI Caskey explained in
25 his report that he considered it necessary to obtain

1 immunity from prosecution for a number of Kincora
2 residents, given their own admission about their
3 activity. R18, "R18", was one of them, along with R17,
4 R9. When -- and we work through the DPP granting that
5 immunity so that the residents could feel free to say
6 all that they wanted to say.

7 When submitting his report on 6th August 1980,
8 Detective Chief Inspector Caskey recommended that
9 McGrath should face a charge of gross indecency in
10 respect of R18, but also a charge of buggery, because
11 you will recall R18 saying about he would try and be
12 around his bottom.

13 The DPP directed that McGrath should face the two
14 charges, albeit they swapped them round in terms of
15 order. One charge was of buggery and the other of gross
16 indecency. Those charges would then be mirrored at
17 counts 29 for buggery and 30 for gross indecency on the
18 bill of indictment.

19 The buggery count was amended on the first day of
20 trial, if we just look at 101013, please. You have heard
21 me constantly refer to the bill of indictment.

22 I am just going to show you the annotation. If we
23 scroll down to the bottom, you can see that this is the
24 29th count, that of the buggery charge. R18 is 0 on the
25 indictment, and you can see that it was amended to

1 an attempted buggery charge, which was consistent with what
2 R18 was saying.

3 William McGrath, having been rearraigned on the
4 second day of trial, entered a guilt plea to committing
5 an act of gross indecency with R18. The Crown entered a
6 nolle prosequi in respect of the buggery count. McGrath
7 was sentenced to two years' imprisonment for the act of
8 gross indecency.

9 Now I should perhaps also say R18 also informed
10 police that while at Kincora -- and I am drawing this
11 to your attention because of the wider issues that you
12 have to consider -- he informed police that while at
13 Kincora he had at least two other homosexual
14 relationships. If we look at 10289, please, at the
15 bottom, one was with a hairdresser, who admitted to
16 police when he was -- because, as was the pattern, if
17 a person was named by someone as part of the
18 investigation, then the police went and spoke to that
19 other person -- and the individual admitted to police
20 twice engaging in masturbation with R18 in his car
21 while parked outside Kincora, and while -- Detective
22 Chief Inspector Caskey recommended a gross indecency
23 charge, because R18 would have fallen into the bracket
24 of having been a resident in Kincora. Then the DPP
25 elected not to proceed with that.

1 The other person that R18 speaks of was an older
2 man, who gave a "No comment" interview to police. No
3 charge was suggested, because presumably he did not
4 accept the engagement that R18 was saying had occurred
5 between them, and no action was taken against him as a
6 result.

7 It seems that where individuals outwith who were
8 said by individuals to have engaged with them, if they
9 accepted it, then a view was to be taken as to whether
10 they were charged or not. If they denied it and
11 basically there was no way of proving it, then
12 a recommendation for charge did not follow.

13 So there is a complexity to R18's story because of
14 the sequence of events involving the social workers and
15 the meshing with the social worker communication that is
16 coming up also in respect of Richard Kerr.

17 KIN50 was born on . He was in Kincora
18 for approximately six months between 16th May 1977
19 and -- I am going to have to check that date, because
20 16th May 1977 and 8th May 1977 definitely does not work.

21 He was spoken to by the RUC on 18th March 1980. He
22 explained that he shared a room with Richard Kerr and
23 later also R18. He denied any homosexual approaches
24 were made to him. If we look at 11666, please, you can
25 see what he is saying.

1 KIN51 was born on . He was in Kincora
2 for a six-week period between 19th May 1977 until 26th
3 June 1977. He was spoken to by the police on 18th March
4 1980, if we look at 11704, please. He denied any
5 homosexual approaches were made to him while he was in
6 Kincora.

7 The Sussex superintendents would reinterview him on
8 15th June -- if we look at 40799 -- when he reiterated
9 what he'd previously said and augmented that to say he
10 was not aware of any other boys being interfered with
11 and expressed his surprise at the suggestions of
12 prostitution and vice rings.

13 KIN48 was born on . He was in
14 Kincora from 26th July 1977 until 22nd June 1979, almost
15 two years, between the ages of 15 and 17, save for
16 a one-month spell until Rathgael between February and
17 March 1978.

18 If we look, please, at 10292, he explained to police
19 when he was spoken to on 22nd February 1980 that after
20 about three weeks he heard that William McGrath was
21 "a man with roaming hands". You will see that on 10292.

22 About five months into his stay -- and you will see
23 this at the top of 10293 -- which, if that's correct, if
24 the five months approximation is right, that would have
25 been around Christmas 1977, or perhaps a little later

1 for reasons I will mention shortly, he could recall
2 lying in bed not wanting to get up with the covers up
3 around him when he felt a hand under his bedclothes
4 touching his hip about his underpants. He turned round
5 quickly and saw William McGrath pulling his hand away.
6 He told him to "Beat it" and McGrath left. The two others
7 in his bedroom -- he explained there were three three-bed
8 rooms, which is correct -- didn't wake up.

9 He explained that prior to this incident he was
10 already aware of McGrath doing something similar to
11 KIN46. KIN46 had been in Kincora for one year and ten
12 months between July '75 and April '77. So he left
13 shortly before KIN48 arrived. However, KIN46 returned
14 for a second almost eight-month spell between 12th January
15 '78 and 3rd August '78, from just before his 19th
16 birthday, until he was 19 and a half. That's why I said
17 perhaps the date was not quite right, because if KIN46 had
18 already described to KIN48 an incident of this kind, then
19 in order for that to have happened it would have to be
20 post-12th January 1978, when KIN46 was in a position to
21 be there to speak to him. So it would date the incident
22 a little later than Christmas '77 and more likely into
23 later January 1978.

24 He also explained that prior to the incident he was
25 already aware of McGrath also doing something similar to

1 James Miller. We will come back to that.

2 He also said that after the incident involving him
3 McGrath also did something to R21. We will come back to
4 that.

5 In fairness he also pointed out that William McGrath
6 was always very helpful in sorting out problems the boys
7 had, but the boys in the hostel found him to be, to quote
8 him, "a wee bit queer" -- "a wee bit of a queer".

9 At interview on 1st April 1980, when KIN48's
10 statement was put to McGrath, he said he had shook him
11 by the shoulder, and that if KIN48 attributed that to a
12 homosexual approach, he was telling lies.

13 When submitting his report, DCI Caskey recommended
14 that McGrath face a charge of indecent assault.

15 The DPP didn't agree when it issued its direction
16 and didn't direct a charge of that kind in respect of
17 McGrath.

18 KIN52 was born on . He
19 was in Kincora for five months between September '77 and
20 February '78. The RUC spoke to him on 19th March 1980.
21 If we look at 11642, please, he explained in that
22 statement that no-one had interfered with him and he was
23 not aware of anyone else being interfered with.

24 However, if we look at 40800, he was reinterviewed
25 by the Sussex superintendents on 9th June 1982. You may

1 consider this statement helpful on the wider issues. He
2 explains that while he was not interfered with and did
3 not know of anyone else being interviewed with, it is
4 evidence he clearly thought William McGrath was that way
5 inclined. He further explained that he did not know of
6 any boys or staff being involved in homosexuality, and
7 then you can see that he -- he expressed the view that he
8 had no love for Joe Mains, who he regarded as responsible
9 forgetting him sent to training school for two years, and
10 owed him no favours. Accordingly if he knew anything
11 about such things, he would say so. He said he had never
12 even heard talk of such things.

13 He did say that:

14 "The only boy we" -- by that I take it meaning him
15 and someone else -- "suspected of being a 'fruit'", to
16 use his language, "was Richard Kerr."

17 The basis of that suspicion was said according to
18 this statement to be the way he acted and talked, but
19 nothing else.

20 KIN53 was born on . He was in
21 Kincora for three weeks in 1977 from 14th October to 2nd
22 November. The RUC spoke to him on 24th March 1980, when
23 he explained he was unaware of any indecent acts or talk
24 of them involving boys or staff. I will have to get you
25 the reference for that statement.

1 When the Sussex superintendents spoke to him on 8th
2 June 1982 -- if we look at 40801, please -- he confirmed
3 his surprise at the allegations of prostitution. What he
4 did say was, as you can see:

5 "I do remember one of the boys at the hostel,
6 Richard Kerr, being on bail from prison and telling me he
7 had some queer times at a hotel in the town. I was about
8 15 years old at the time and I think he just said that
9 to frighten me. He said that he was told ghost stories
10 there."

11 James Miller, who was P on the indictment and R19 in
12 Hughes, was born on . He is an
13 applicant to the Inquiry and has a designation HIA185. So
14 we have augmented that for ease when you are dealing with
15 his material to HIA185/R19. His Inquiry witness statement
16 can be found at 006 to 014. He entered Kincora on 19th
17 October 1977, aged 15, and was there for eight months
18 until June '78, when he was 16.

19 The RUC spoke to him on 19th March 1980. If we
20 look, please, at 10296 and scroll through the three
21 pages, he explains that McGrath would regularly waken
22 him by having his hand under the bedclothes. You saw a
23 reference to a boy being aware having been told that by
24 James Miller.

25 In addition, he describes effectively being pursued

1 by William McGrath. He recalled McGrath saying to him one
2 day in the kitchen, "Did I ever tell you you're a nice
3 looking boy?" James Miller asked him what he meant and
4 McGrath told him there was nothing wrong with it, that God
5 said it is right to be homosexual.

6 That's on 10297.

7 He talked of being asked to take his trousers down
8 and telling McGrath to "Clear off", being kissed on the
9 back -- on the neck and telling him to "Clear off" and
10 subsequently an occasion in his bedroom when McGrath
11 took his trousers off and started to rub his privates
12 and masturbate him. That is also on 10297. He said
13 this latter behaviour happened three or four times and
14 on the last occasion McGrath forcibly took his trousers
15 off. Miller said he then reported McGrath to Joseph
16 Mains. That's on 10298. He also said that McGrath
17 asked him to masturbate him and to bugger him.

18 He said there were also rumours in the hostel that
19 R18 was gay and he and McGrath were having a homosexual
20 relationship, as I mentioned.

21 James Miller also explained that Joe Mains never made
22 any homosexual suggestions to him. He explained that he
23 would have gone with Mains to his girlfriend's house
24 -- that's BAR1 -- and would have been paid to cut the
25 grass.

1 When McGrath was interviewed by the RUC on 1st April
2 1980, if we look, please, at 10517, at the bottom of the
3 page, and then moving on to 10518, you may consider that
4 this was one, if not the one, occasion when potentially
5 the mask of denial slipped a little during questioning:

6 "Q. Do you know James Miller --

7 **A. Yes.**

8 Q. -- from ? He alleges that every morning
9 you wakened him, you indecently assaulted him in some
10 form or other.

11 **A. Couldn't happen.**

12 Q. Did you say to him, 'You're a nice looking boy'?

13 **A. Only in a joke.**

14 Q. What would you have said?

15 **A. Something like, 'You're a nice looking boy'.**

16 Q. Did you tell him that God said it was okay?

17 **A. No, definitely not.**

18 Q. Didn't masturbate him? Any reason why he should
19 make the allegation?

20 **A. No idea."**

21 So he was acknowledging that he would have made that
22 comment, although portrayed it as being innocent.

23 Mains, who did acknowledge during interview getting
24 complaints about McGrath from R15 and HIA533, when asked
25 about James Miller's statement that he had told Joseph

1 Mains about McGrath taking his trousers down, he said that
2 he had not received any complaint from James Miller. That's
3 at 10425 in the middle.

4 When submitting his report, Detective Chief
5 Inspector Caskey recommended McGrath face a charge of
6 gross indecency in respect of James Miller.

7 The DPP altered that to facing a charge of indecent
8 assault rather than gross indecency and the numbered
9 charge would then be mirrored at count 31 on the bill
10 of indictment. Miller was person P, and McGrath,
11 having been re-arraigned on the second day on 11th
12 December '81, entered a guilty plea to the indecent
13 assault on James Miller and received two years'
14 imprisonment for that.

15 Now James Miller was given the designation R19, but
16 wasn't called as a witness.

17 In 2015 James Miller would make fresh allegations to
18 the PSNI, and we will come back to those when I deal
19 with the post-2000 complaints.

20 Perhaps, Chairman, if we took a short break for the
21 stenographer.

22 CHAIRMAN: Yes.

23 (3.07 pm)

24 (Short break)

25 (3.17 pm)

1 MR AIKEN: I just want to correct a couple of things for the
2 transcript. We have been talking about KIN54 and I'd
3 said that he was in Kincora between 12th October '76 to
4 22nd October '79 and that's correct. He was there not
5 for two years but for three years between the ages of 15
6 and 18.

7 Then with KIN50 we had managed to have him leaving
8 Kincora before he arrived.

9 CHAIRMAN: It was November, in fact, wasn't it?

10 MR AIKEN: It was November 1977. So it's quite right that
11 it was for six months, 16th May '77 to 8th November.

12 The RUC officers spoke to KIN57, who was born on
13 . As you can see with some of the
14 residents on the wall chart, some of them were in
15 Kincora for a very short space of time. He was one of
16 them who was in for a very short time in '77. At 11690
17 you can see his statement. He confirmed he wasn't aware
18 of any homosexual activity occurring, though he was
19 rarely there. That's at 11690.

20 The next individual I am going to deal with is Gary
21 Hoy, who was born on . He was in
22 Kincora between 8th January 1978 to 6th November 1978.

23 If we can look, please, at 11631, he spoke to the
24 police on 2nd March 1980. If we can bring up, please,
25 11631. Thank you. He explained to the police that no

1 homosexual approaches were made to him by any staff or
2 boys. He could remember that if the boys were slow to
3 get up, William McGrath would throw the bedclothes off
4 him and look at him. He explained that although William
5 McGrath made no approaches to him, he felt he was, to
6 quote him, "gay". He could remember R18 putting cream
7 on his face and in his hair -- this may be for the
8 psoriasis that we spoke about earlier -- and that he was
9 sometimes helped with that by Joseph Mains.

10 He also wanted to point out that while Joseph Mains
11 would claim in his work diary to have taken the boys out
12 in the minibus on pleasure trips, he never, in fact,
13 took them out at all. That was the point that Gary Hoy
14 was making. That's what he said to the police in 1980.

15 In 2013 -- he contacted police in 2011 and then by
16 2013 he would make different allegations to the police.
17 We will look at those when we deal with the post-2000
18 complaints.

19 KIN260 was born on . He
20 had two spells in Kincora in '78 and then again in '79.
21 He was spoken to by the RUC on 9th March 1980. If we
22 look at 11594, please, he explained that no approaches
23 of a homosexual nature were made to him by staff or
24 boys, but there was talk among the boys that McGrath was
25 gay, but he never saw him do anything.

1 Given the length of his tenure and the period that
2 he covered -- you can see he was in for almost a year in
3 his second spell from 11th June '78 until April '79,
4 having been in for three months from 5th February 1978
5 -- given the length of his tenure, you may consider what
6 he had to say to the Sussex superintendents of
7 particular interest.

8 If we look at 40808, please, he explained that he
9 had nothing else to add. He said:

10 "I was amazed when I heard of the allegations,
11 because nothing like that was happening when I was
12 there. I wasn't interfered with while I was there and
13 I don't know of any other boys being interfered with or
14 having improper suggestions made to them."

15 Then he responded to the different groups of people
16 said to be involved.

17 KIN304 was born on . He was
18 in Kincora for six months between 24th February 1978 and
19 June 1978. That would be four months. He shared a room
20 with KIN46 and R18, both of whom we have spoken about
21 already.

22 If we can look, please, at 11649, he explained to
23 police that he was not -- when he spoke to them on 19th
24 March 1980, he was not involved in any indecent acts and
25 didn't see any occurring in Kincora.

1 He could remember that it was said between the boys
2 that R18 was queer and that there was supposed to be
3 something going on between him and Joe Mains. Now that
4 was not claimed by R18 and it is inconsistent with what
5 Hugh Quinn said of his conversations with Joe Mains.

6 KIN304 also said he thought McGrath was "a fruit",
7 but he made no approaches to him.

8 If we look at 40810, please, he spoke to the Sussex
9 superintendents on 10th June 1982. He said he had heard
10 McGrath was a fruit from other boys, but that was all.
11 He said when he had heard about allegations of
12 prostitution, he was amazed, because nothing like that
13 was going on at Kincora, at least when he was there. He
14 said he would have known or heard if it was.

15 KIN176 was born on . He was in
16 Kincora for two spells from 22nd March 1978 to 13th
17 April 1978, so that's quite a short spell of some three
18 weeks, but then from 1st June 1978 to 31st March 1980.
19 Given the length of his residence, you may consider what
20 he has to say to have the potential to be of particular
21 assistance to you.

22 If we look at 11606, please, he gives a statement to
23 police on 11th March 1980 that's three pages in length.
24 He explains first the staffing arrangements, and you
25 will see he explains that William McGrath was not

1 someone who slept in; that no-one had ever interfered
2 with him. He had heard rumours within the hostel of
3 McGrath waking a couple of boys up. By implication
4 I mean him to be meaning McGrath interfering the boys
5 -- with the boys when wakening them up. He said he'd
6 heard this happening to KIN46 and KIN177's brother.
7 Now that would be R10 and, of course, that would match
8 with what you've heard already in respect of those two
9 individuals, who say that that is what happened to
10 them, and McGrath pleaded guilty to an indecent assault
11 on R10.

12 The only other thing he heard about he said at the
13 top of 11607 was from R22, who we will look at in
14 a moment, who told him on the night of his police
15 interview, so on 11th March 1980, that McGrath had taken
16 down R22's pyjama bottoms and was fiddling with his
17 penis and commenting that, "I see your wee body".
18 McGrath would plead guilty to that indecent assault on
19 R22 that he told KIN176 about.

20 On 11607 in the middle he could recall R9 being a
21 regular visitor to Kincora over the previous two years.
22 You will recall R9 reengaged in around 1979.

23 You will see him also speak here about R4, R4, who
24 would have come sometimes once or twice a week in the
25 evenings to watch TV.

1 He also recalled Hugh Quinn, though -- and you
2 will see this on 11608 -- he could not remember his
3 name. He remembered a man coming from London to stay
4 over Christmas '79. If we look at the bottom of 11607
5 -- if you just scroll up a little bit, please, and
6 then we will be able to scroll down -- you can see
7 that he says Joe Mains didn't want this person to be
8 staying in hostel, but that that was what happened,
9 because he had asked KIN176 to find a flat if he could
10 and he couldn't find one. KIN176 speaks in 11608 then
11 of the incident on Christmas Day after their visit to
12 the Harland Club that Hugh Quinn came into his room late
13 at night, although he does not make an allegation of
14 Hugh Quinn actually touching him.

15 If we look at 40813, please, the Sussex
16 superintendents spoke to KIN176 on 29th June 1982.
17 Given the length of stay, you may consider what he has
18 to say on the wider issues to be of assistance to you.

19 He said he knew nothing of vice rings and
20 prostitution happening in Kincora and you will see he
21 expressed the view he considered those allegations to be
22 absolute rubbish.

23 R21 was born on . He spent one
24 year and four months in Kincora between 6th April 1978
25 and 1st August 1979, when he was between the ages of 16

1 and 17.

2 If we can look, please, at 10300 and scroll through
3 his three-page statement, he explained at no time did
4 Mains or Semple approach him to do anything indecent,
5 although he had heard rumours about McGrath and Semple
6 interfering with boys, but could not recall the basis
7 for them.

8 He says that he formed a friendship with William
9 McGrath and they talked about religion and the Orange
10 Order -- we will see that on 10300; that on occasions
11 when McGrath was alone with him, McGrath would offer to
12 massage his shoulders, which he found relaxing. He,
13 however, wouldn't reciprocate. Then on to the next
14 page, please. You will see that a short period before
15 he left, so potentially June or July 1979, McGrath asked
16 him if he wanted a massage, and when that was happening,
17 he could feel his erect penis up against him and McGrath
18 he says kissed his neck on several occasions.

19 A few weeks later McGrath asked R21 to give him
20 a massage, which he agreed to do, and McGrath said he
21 would be in the pantry. When R21 went into the pantry,
22 he says McGrath was standing naked with his back to him
23 and he started to massage his shoulders, but then he
24 says he left.

25 On 10301 he also indicates to the police that on two

1 or three occasions McGrath had tried to slip his hand
2 under the bed clothes and touch him, but he brushed his
3 hand away.

4 When McGrath was interviewed about what R21 had to
5 say on 1st April 1980, he remembered him -- if we look
6 at 10518 at the bottom of the page, please, and moving
7 on to the top of the next page -- he remembered him as
8 a recent one at the hostel, but said his allegations
9 were very false, and when asked if he had been naked in
10 the kitchen on one occasion, he said that was absolutely
11 wrong.

12 However, when he was being interviewed on 2nd April
13 1980 -- if we look at 10581, please -- he did at least
14 accept that he had massaged R21's shoulders on one
15 occasion, and R21 had spoken in his statement about
16 there being a foul smell in the kitchen the night
17 whenever he was naked, and he says he was right about
18 there being a foul smell. There was something wrong
19 with the fridge freezer.

20 When submitting his report in August 1980,
21 DCI Caskey recommended that McGrath face a charge of
22 indecent assault in respect of R21.

23 The DPP agreed. That was charge 32, which became
24 count 32. R21 was person R on the indictment, and
25 McGrath was re-arraigned on the second day of trial and

1 entered a guilty plea to the indecent assault, and
2 McGrath was given two years in respect of it.

3 There was a Hughes designation for R21 of "R21",
4 although he did not participate in The Hughes Inquiry.

5 KIN55 was born on . He was in
6 Kincora between 1st August and 29th August 1978, so for
7 a month in the summer.

8 If we look at 11688, please, he was spoken to by the
9 police on 19th March 1980, when he explained he was
10 never approached by anybody in a homosexual manner
11 during his time in Kincora and there was no talk of that
12 type taking place as far as he was concerned.

13 If we look, please, at 40804, the Sussex
14 superintendents, when they reinterviewed him, confirmed
15 what he'd previously said and he said he wasn't aware of
16 any important people visiting Kincora or being involved
17 with staff or boys.

18 KIN210 has born on . He was in
19 Kincora between 18th May 1978 and 31st March 1980, so
20 a lengthy period.

21 When he was spoken to on 11th March 1980 -- if we
22 look at 11675, please, scrolling on to the next page --
23 he explained that no-one ever made any homosexual
24 advances to him and the first he was aware of the
25 allegations were when Mr Scoular came to the hostel to

1 explain about the allegations. He explained that after
2 Clive Scoular left, the boys all discussed what had been
3 said, but no-one mentioned to him that they had been
4 approached by a member of staff.

5 He explained that a Gary Hoey -- that's the name he
6 uses; it may or may not be Gary Hoy -- came to the hostel
7 about ten days before and told him that KIN300 had
8 caught R9 and another lad in bed together. Now it is
9 unlikely, therefore, to be Gary Hoy, because those
10 incidents were from an earlier period, unless it was
11 picked up from someone else, but it is likely to be R9
12 and R17 that's being spoken of. KIN210 remembered
13 that he had seen R9 visiting Kincora about twenty times
14 while he was there. So that's consistent with R9 saying
15 he was back visiting as an ex-resident from '79 onwards.

16 He, KIN210, could also remember Hugh Quinn
17 coming back in Christmas '79 and also remembered R4, the
18 other ex-resident we have spoken of, coming to the hostel
19 most Sundays, then stopping for a while and then
20 resuming.

21 He said he, KIN210, got on well with Mains and
22 Semple. McGrath he said was quieter and seemed to be
23 friendly with R21. We have already just discussed R21
24 who said -- and McGrath was convicted of indecently
25 assaulting him.

1 If we look at 40809, please, when he was
2 reinterviewed by the Sussex superintendents, he
3 confirmed that he could not add to the statement he had
4 made to the RUC. He did not know of other boys being
5 interfered with and he was not. He did not know of any
6 important people visiting the hostel.

7 KIN56 was born on . He was in
8 Kincora between 11th October 1978 and 22nd April 1979,
9 so about six months.

10 If we look at 11588, please, when he was interviewed
11 by the RUC on 30th March 1980, he explained that no-one
12 had interfered with him. While he had since heard the
13 allegations of homosexual activity, he was not aware of
14 that during his time in Kincora.

15 If we look at 40805, please, the Sussex
16 superintendents reinterviewed him on 9th June 1982. He
17 confirmed he knew nothing of prostitution or vice rings
18 or boys being assaulted.

19 He did recall a police officer visiting Mains and,
20 as I mentioned to you earlier, this may well be R2, who
21 himself explained that as a regular ex-resident he
22 continued to have a relationship with Joe Mains. He
23 would have come wearing his police uniform during the
24 period he was in the RUC Reserve.

25 KIN177 was born on . He arrived in

1 Kincora on 15th December 1978 and he was still there
2 when the RUC spoke to him on 11th March 1980, some
3 eighteen months later. He was the younger brother of
4 R10 and KIN328 , whom we previously mentioned.

5 He explained to the RUC -- at 11604, please -- that
6 KIN210 , whom we have just talked about, was able to
7 tell him that William McGrath had tried to "fruit up"
8 KIN46 and that KIN46 had hit him, that's hit William
9 McGrath. Now, as you know, KIN46 did not claim the
10 second part of that.

11 KIN77 went on to explain that no member of staff or
12 other boy had ever approached him in a homosexual way,
13 nor had he heard anything else like that.

14 When he was reinterviewed -- 40811, please -- on
15 14th June '82 he explained that apart from what KIN210
16 had told him, he didn't know of any other boys
17 being interfered with and he certainly wasn't. He
18 explained he did not know of any prominent people coming
19 in, nor of prostitution or vice rings. He said when he
20 saw the allegations on television, he was shocked,
21 because he never knew of anything like that happening in
22 Kincora.

23 KIN211 was born on . He
24 was in Kincora from 14th January '79 and he was still
25 there when spoken to by the RUC on 11th March 1980, some

1 thirteen months later -- fourteen months later. He
2 explained to the RUC that at no stage during his stay
3 had any staff interfered with him, if we look at 11709,
4 please.

5 The Sussex superintendents then would speak to him
6 on 5th July 1982 -- if we can look at 40806, please --
7 about the wider issues. He confirmed he was unaware of
8 prostitution or vice rings. The one exception to his
9 denial of any important people ever being around was
10 that he could recall the visit of an ex-Mayor, who
11 said -- who he said was a friend of Joe Mains. He
12 confirmed he had not seen the man himself, but there had
13 been no talk among the boys of anything improper about
14 the visit by this man.

15 CHAIRMAN: It is a Deputy Mayor I take it he means, a Vice
16 Mayor?

17 MR AIKEN: Yes, Deputy Mayor.

18 R22, who was S on the indictment and R22 in the
19 Hughes Inquiry, was born on . He was
20 still in Kincora in March 1980, when he was interviewed
21 by the RUC. He had come to Kincora as a 16-year-old on
22 20th April 1979, so almost a year before.

23 If we look at 10306, please, he was interviewed on
24 11th March and he explained -- he described that
25 a couple of months into his stay -- so that would be, if

1 correct, possibly June/July 1979 -- coming down the
2 stairs in just his pyjama bottoms and meeting William
3 McGrath in the kitchen, who he says started to rub his
4 body. He took him into the office -- that's William
5 McGrath took him into the office -- and pulled his
6 pyjamas down and started to rub his privates and asked
7 R22 if he was enjoying it. He said that this happened
8 for a short time before he pulled up his bottoms and
9 left.

10 He says that on other occasions -- you will see this
11 on 10307 -- that William McGrath would rub his hands
12 over him; on one occasion try to kiss him; and another
13 he, McGrath, asked him to hug him; on another he placed
14 R22's hands on his private parts to force him to rub
15 them. He said William McGrath always did this to him
16 when no-one else was about. He said that he never told
17 Joseph Mains or anyone else about what McGrath was doing
18 because he was afraid.

19 When McGrath was interviewed about R22, he did
20 remember him as being still in the hostel, but he denied
21 his allegations.

22 DCI Caskey recommended in his report in August 1980
23 that McGrath should face a gross indecency charge.

24 The DPP directed in February '81 that he shouldn't
25 face gross indecency but instead an indecent assault

1 charge, charge 33 on the direction, which would become
2 count 33 on the indictment. R22 was person S. McGrath,
3 having been rearraigned, entered a guilty plea to the
4 indecent assault and was given two years in respect of
5 it.

6 If we look, please, at 40802, you will see what R22
7 had to say to the Sussex superintendents about the wider
8 issue. We are going to look at that, because he recalls
9 being informed of the story breaking and what he says
10 was William McGrath's reaction. He says:

11 "While I was at Kincora I never heard any of the
12 other boys at the home say they had been interfered with
13 by anyone in the home or outside."

14 Having already repeated what he said about McGrath:

15 "I didn't tell anyone about McGrath, because I was
16 scared and I didn't know who to tell. I never heard of
17 any boys being paid money for sex or being taken from
18 the home to hotels. When I heard of the sexual things
19 happening at Kincora, I was very surprised. I knew
20 about McGrath, because of what he did to me, but I never
21 thought Mains or Semple, because I didn't think they
22 were like that. I remember that there was something on
23 the news on television about Kincora and McGrath, Mains
24 and Semple. About the same time there was a meeting at
25 Kincora run by a tallish man with glasses and a blue

1 suit, who I think was Mr Scoular. Mr Scoular took all
2 the boys into the office and told us something was wrong
3 at Kincora and the police would be coming to talk to us.
4 McGrath, Mains and Semple were at the meeting.
5 Mr McGrath was sweating a lot and did most of the
6 talking. I can only remember that he asked some of the
7 boys if they knew what a homosexual was."

8 He was given the designation R22.

9 KIN58 was born on (sic). He came to
10 Kincora on 27th June 1979 and was still residing there
11 when he spoke to police on 11th March 1980. If we can
12 look at 11592, please, scrolling on to the next page, he
13 explained that he had got on well with Mains and Semple
14 and not so much with McGrath, who was stricter. He
15 recalled him -- and this is on the second page -- as
16 being gruff when he got the boys up in the morning. You
17 can see how he describes that occurring. You can see:

18 "He generally came into the room, shook us roughly
19 by the shoulder."

20 If that is correct as a matter of fact, then
21 McGrath's modus operandi of touching boys when they were
22 sleeping and waking up wasn't applied universally.

23 KIN208 was born on (sic).

24 He entered Kincora on 12th November 1979 and was still
25 there when the RUC spoke to him on 12th March 1980.

1 He explained -- if we look at 11603, please -- that
2 while no-one had ever made any sexual approaches towards
3 him, the other boys told him within a few weeks of
4 moving in to watch out for William McGrath, because he
5 was "an old queer". At this stage William McGrath would
6 have been into his 60s, which is where the reference to
7 age comes in.

8 When he was reinterviewed by the Sussex
9 superintendents -- if we look at 40812, please -- on
10 10th June 1982, he explained that the boys talked about
11 McGrath being "a fruit" and interfering with them in the
12 mornings when he woke them up. He knew of no other
13 queer things going on.

14 He could remember a man with a moustache visiting two
15 or three times a week, but he believed he was an old boy
16 who used to reside in Kincora. So that's likely to be
17 either R2, R4, Hugh Quinn or R9.

18 KIN59 was born on . He was in
19 Kincora from 19th December 1979 to 31st March 1980. He
20 was still resident when the police spoke to him on 11th
21 March 1980.

22 If we look at 11614, please, he confirmed in that
23 statement, as I have said already, William McGrath did
24 not stay overnight in the hostel. He explained nothing
25 indecent had ever happened to him, nor was he aware of

1 it happening to anyone else. He did give his
2 impressions of the three men who worked there, and you
3 will see that was positive for Mains and Semple, but he
4 didn't like William McGrath. Just scroll down on to the
5 next page, please. You can see he is giving his views
6 of the three men at the end of the statement.

7 Now what I have done is go through the -- all the
8 individuals who were spoken to by either the RUC or by
9 the Sussex superintendents. I think they traced at
10 least one boy beyond those that the RUC had found, and
11 you can see, just using the chart on the wall in respect
12 of the fifth period, that a very significant number
13 certainly of those who were there for long periods of
14 time were traced and spoken to.

15 There the matter rested based on what I've taken you
16 through until post the Millenium. The PSNI have
17 produced material to the Inquiry in respect of people
18 who have made allegations since the year 2000 when
19 they -- a new set of allegations, as it were, would
20 happen from time to time, and some of those allegations
21 are from people that we have already mentioned, but on
22 occasions they are from someone who was not spoken to
23 during the 1980s.

24 The first I am going to deal with is from 2003 and
25 he falls into that latter category, somebody who was not

1 spoken to. He is KIN238. He was born on .
2 He is KIN238. He was a resident at Kincora from
3 24th May 1977 until 10th June 1977, so a three-week
4 period. An attempt had been made by the RUC to contact
5 him at the time of the original Inquiry, but he joined
6 the Army and was posted to .

7 He did, however, give a statement to police on 12th
8 September 2003. It runs across four pages -- if we
9 begin, please, at 60459 -- and in that statement to the
10 police he made the following allegations against Joseph
11 Mains.

12 When KIN238 arrived at Kincora, he said he was told
13 to go to Joseph Mains's office. Mains accused him of
14 stealing a pen and he denied that. Mains then carried
15 out a search of his person. He started with his pockets
16 and then rubbed his penis up and down over the outside
17 of his jeans, which he says lasted about a minute. Then
18 KIN238 says Mains got the housemaster. The police
19 identified this as a likely reference to William
20 McGrath. Mains told KIN238 to take his pants down and
21 bend over the housemaster's knee. The housemaster
22 slapped him five or six times on the backside and then
23 he says he inserted a finger on his right hand into his
24 anus, pushing it in and out. He says -- he describes it
25 as painful and he cried and he was told to fix himself.

1 When he stood up, he saw Mains in his chair with his
2 penis out masturbating himself.

3 Now the Panel will note that this is an allegation
4 of Joseph Mains and William McGrath in concert abusing
5 a boy and that's the only allegation of its kind in the
6 material we have looked at.

7 The second incident -- which begins on 60460 and
8 moves across the next two pages -- KIN238 speaks of
9 an occasion after dinner in Kincora when he says Joe
10 Mains called him into the office and told him he was
11 taking him to the police station.

12 Both Mains and the housemaster, so William McGrath,
13 brought him in Mains' car to a semi-detached house
14 nearby. KIN238 was in the back, Mains was driving and
15 McGrath was in the passenger seat. A police officer,
16 KIN238 says, in full uniform, who he couldn't name, was
17 standing in the doorway of the house, which was further
18 down the Newtownards Road.

19 The four of them went into the living room and
20 Mains and the housemaster took off their trousers and
21 underwear and sat on the sofa. They told KIN238 to take
22 off all of his clothes, which he did. Mains told him to
23 walk around the room while Mains and McGrath
24 masturbated. The police officer was said to have
25 watched.

1 Mains told KIN238 to sit on the sofa between him and
2 the housemaster. The housemaster started masturbating
3 KIN238 and then bent over and gave him oral sex. Joseph
4 Mains and the police officer were masturbating while
5 this was happening. When KIN238 started to cry, the
6 housemaster slapped him across the face. McGrath forced
7 him to perform oral sex on Mains and then the
8 housemaster got on his knees behind him and put his
9 erect penis in his anus."

10 So you now have an allegation of an even more
11 graphic sort, but also the first allegation of its kind
12 where you have Mains and, if the housemaster is McGrath,
13 McGrath involved in sexual activity, but also with
14 another unidentified man, and more than one of them
15 engaging in sexual interference with this boy at the
16 same time.

17 After this occurred he was told to get dressed and
18 Mains, the housemaster and KIN238 left the house in
19 Mains' car and returned to Kincora. The Panel will note
20 this is an allegation of Mains and McGrath in concert
21 with a third unidentified man, other than he was wearing
22 a police uniform, abusing a boy, and that's the only
23 allegation of its kind.

24 The third incident again involved KIN238 being taken
25 by Mains and the housemaster, Ms McGrath, to this house

1 where the police officer was to be found. On this
2 occasion KIN238 was made to perform oral sex on Joe
3 Mains, McGrath and the police officer while one of the
4 men held him in position by his hair.

5 When he was performing oral sex on the police
6 officer, the officer was masturbating and ejaculated
7 into his mouth and KIN238 then vomited on the carpet.
8 He was told to get dressed and then return to Kincora
9 again.

10 The following day KIN238 ran away and never returned
11 to Kincora.

12 He states at 60462 and 3 that he didn't tell anyone
13 what happened in Kincora until 1999, when he told his
14 girlfriend at the time. She insisted he tell his
15 parents, which he did. His father said he knew all
16 along that -- because the police had called when he was
17 in looking to speak to him about it.

18 From KIN238's description of the housemaster, this
19 unidentified second assailant, the police identified him
20 as William McGrath and, as you know, he died on 12th
21 December 1991, Joseph Mains also having been -- having
22 died I think before certainly he was spoken to about
23 this. The police were unable to identify the policeman
24 as described in KIN238's statement and as a result of
25 that the case can't be progressed.

1 Then in October 2011 Gary Hoy -- we have mentioned
2 him previously having spoken to the police in 1980 -- on
3 13th October he contacted the police to report historical
4 abuse at Kincora. We looked at what he said in 1980. At
5 that stage he said that no homosexual approaches were made
6 to him by staff or boys, but he could recall William
7 McGrath throwing the bedclothes off and looking at him and
8 regarding him as gay and also talking about R18 and Joseph
9 Mains.

10 In 2011 he told the police that he had previously
11 spoken to English police but was unsure if he had made
12 a statement. It is recorded in the 1983 report of
13 Sussex Superintendent Harrison -- if we look at 40199,
14 please, at paragraph 493 -- that, and I quote:

15 "Other youths traced by the RUC who didn't suffer
16 any assaults themselves but who admit to being aware of
17 gossip and rumour particularly about McGrath were ..."

18 and one of them that he names is Gary Hoy. Now
19 whether that's correct, because there is no -- the Sussex
20 superintendent reference to a police statement being at
21 SPS188 is not to a statement to Gary Hoy. It is to a boy
22 called Hoey. So it may be he has conflated the two names,
23 and what he may be -- it may be there is no formal
24 statement from Gary Hoy from 1982, but it may be, as Gary
25 Hoy said to the police, that he spoke to the English

1 police, but did not make a formal statement.

2 In any event in the PSNI log for 2011 he is recorded
3 as having said to the police that he did not remember if
4 he was physically or sexually abused, but he does report
5 emotional trauma.

6 The PSNI then -- the efforts to engage with Gary
7 Hoy between 13th October 2011, when he first reported
8 the abuse, until 8th January 2013 are documented in the
9 occurrence log. On 8th January then 2013 an achieving
10 best evidence interview was conducted with Gary Hoy. It
11 runs in the bundle from 60272 to 60428. He made the
12 following allegations against Joseph Mains and Raymond
13 Semple, but repeated what he previously said about
14 William McGrath.

15 In respect of Joseph Mains, if you were late at
16 night-time, you were brought in front of him and he
17 would have brought you into his bedroom, which he
18 described as a Portakabin beside his office, and would
19 have thrown you over a bed and slapped up. He hit you
20 with his fists.

21 He said that Joe Mains drove Gary Hoy to The Four
22 Winds in his car and told him he was going to wash his
23 car. He remembers being taken into the bedroom, put on
24 the bed and raped from behind by Joe Mains. You will
25 find that in 60329 to 60332.

1 He remembers a couple of years after that being
2 taken to the Ulster Hospital and receiving treatment for
3 his back passage and Joseph Mains panicking about that.
4 There is obviously an issue over dates, because he
5 wasn't in Kincora for that length of time. He was -- he
6 said he was bleeding from his back passage.

7 On the second occasion Mains brought him to his
8 house. He brought him into the shower with him and made
9 Gary Hoy give him oral sex. Obviously that's the first
10 allegation of that kind.

11 After both incidents Mains brought Gary Hoy back
12 to Kincora.

13 In respect of Raymond Semple Gary Hoy said that when
14 he came out of the shower, Semple would grab hold of him
15 and try to dry him with a towel on numerous occasions. So
16 that is very like R7. He explains that he grabbed him
17 around his chest, back and bottom firmly with his hands
18 from the age of 10 until 15. Now Gary Hoy obviously
19 wasn't in Kincora for five years or -- but that's what he
20 says. When he was older, he said he told Semple to leave
21 him alone and he would dry himself.

22 On one occasion he said Mr Semple told the staff at
23 Kincora -- and you will find this on 60349 -- that he
24 was taking Gary Hoy to watch a Glentoran football match
25 and they got a bus instead to Semple's house in

1 Fortwilliam. He remembers an older man sitting in the
2 living room naked from the waist down and he's a vague
3 memory that he sexually abused Gary Hoy. He remembers
4 Raymond Semple coming in and out of the kitchen while
5 that was occurring, and later on that evening he was
6 brought back to Kinchora by Raymond Semple. That runs
7 across 60356 and 7.

8 In respect of William McGrath, Gary Hoy said that in
9 the mornings McGrath would sometimes be sitting on the
10 side of the bed staring or he'd pull the duvet off you,
11 and you may or may not have had underpants on, and he
12 would stand staring at you. So that's broadly the same
13 as what he'd said in 1980. Gary Hoy explained that the
14 reasons he had not made any previous disclosures of
15 abuse to the police was because -- and you will find
16 this on 60419 -- he was too scared.

17 On 7th February 2013 there's a letter from his then
18 solicitors, McCann & McCann, at 60071 sent to the police
19 saying that their client did not want to proceed with
20 any charges in relation to something irrelevant,
21 a stabbing incident, but also did not want to proceed
22 with his complaint in relation to sexual abuse.

23 Dr Linda Knox made a statement to the police on 28th
24 March 2013 -- that's at 60081 -- confirming that on 4th
25 December 2012 Gary Hoy had reported to her colleague,

1 Dr Wendy Gardner, that he had been the victim of child
2 abuse when in Kincora Boys' Home, and that she had no
3 other details of the child abuse.

4 As Mains, Semple and McGrath were deceased, the PSNI
5 could not take the matter further.

6 In 2012 KIN135 , who was born on
7 -- I should perhaps have observed for you
8 -- no doubt you will have identified it in any event --
9 no other boy has talked about Raymond Semple taking them
10 to a house and being involved with someone else abusing
11 them.

12 KIN135 was born on .
13 He resided in Kincora for approximately seven months
14 from 3rd January '64 until 15th August 64 -- so that's
15 taking us right back to the time that Raymond Semple is
16 just coming to begin his employment -- when he was
17 15 years old.

18 His daughter explained in her police statement in
19 July 2012 how she had made contact with police in
20 on 20th January 2012 as KIN135 , her
21 father, had told her he needed to speak to the police.

22 On 24th January KIN135 reported his allegations of
23 sexual abuse to a detective constable in the
24 Police and three months later on 23rd April
25 2012 Police conducted an achieving

1 best evidence interview with KIN135 . It runs from 60145
2 to 60150.

3 During the interviews at various points he talked
4 about his serious difficulties with alcohol and
5 overdosing and how that had caused him serious medical
6 problems during his lifetime. He at various points
7 discussed how his sister had brought up Kincora over the
8 year and the fact there was lots of sex claims about it,
9 and he also explained how a mate of his who was into
10 computers had checked up and told him that MI6 were
11 involved in the abuse at Kincora.

12 He explained that he had previously never spoken
13 with the police or given a statement about the
14 allegations. He did remember about a few years after he
15 left the home the police were asking for anyone who was
16 a resident to contact them, but he never did. He said
17 he was too ashamed and embarrassed.

18 During the interview he alleged that he was
19 violently raped by Joe Mains, Raymond Semple and William
20 McGrath on numerous occasions. Now I should pause to
21 observe that Raymond Semple did not arrive in Kincora
22 until September 1964, though it is possible he
23 volunteered at Kincora before that date. However,
24 William McGrath did not come to Kincora until June 1971.

25 KIN135 alleged he was raped by Joseph Mains about

1 six times, William McGrath four -- four or five times
2 and Raymond Semple one or two times.

3 His first realisation that something was wrong in
4 the home was when Mains would ask the boys to sit on his
5 knee and you couldn't refuse. He stated that Mains
6 would always have an election. You will be aware no-one
7 else has described that modus operandi.

8 KIN135 remembers that he used to wet the bed and
9 Mains used an implement on his penis to stop him passing
10 water. He recalls that Mains would then play with his
11 genitalia and thereafter "go down on him", presumably
12 meaning oral sex. Again you are aware nobody else has
13 made that type of allegation.

14 He recalled Raymond Semple coming into the room and
15 telling him that Joe Mains wanted to see him. He ten to
16 the office and they, it appears together, would pull his
17 pyjamas down and made him go down on each one of them,
18 again a reference to oral sex. He describes them as
19 having his mouth around their penises. He recalls
20 getting slapped while he was doing it and being given
21 something to wipe his mouth afterwards. He appears to
22 be the only person to allege that Joe Mains and Raymond
23 Semple ever in combination abused anyone.

24 He recalled that he had been there about six months
25 when Mains, Semple and McGrath were around his bed and

1 took him away to another bedroom. He felt them messing
2 with the back of him with cold cream and fingers went up
3 his backside and then a penis. He recalls it being
4 unbearable and he was squealing. He was getting slapped
5 and punched by them because he couldn't bear it, and
6 he's the only person, as you know, to allege that Mains,
7 Semple and McGrath in combination abused anyone.

8 He describes the rapes as him first feeling cream
9 being placed into him and then the most horrendous pain
10 inside his bottom, piercing like a knife. He said the
11 pain was so bad he would scream out and they would pull
12 his head back and put their hands over his mouth and
13 eyes. The following day they couldn't be nicer,
14 allowing him to go to the cinema or giving him money.
15 So he is describing a violent gang rape said to involve
16 all three of these men.

17 He states that he often heard other boys being taken
18 from their beds and being dragged off. They came back
19 drunk and had to be put to bed. He knew what was going
20 on, but no-one ever spoke about it. He said the boys
21 were too frightened to go to sleep for fear of what
22 would happen to them.

23 Then he also -- this is at 60148 -- remembers
24 McGrath -- I made the position about his start date
25 clear -- being in the kitchen frying eggs, and took his

1 penis out and grabbed KIN135 by the hair and pulled his
2 head down. KIN135 hit him and ran off to find his dad.
3 His dad drove him back to Kincora and he was sent to his
4 room for one hour and then sustained what he described
5 as an almighty beating. Mains told him that they had
6 people who were very high up in organisations and he
7 could be taken away and not found again.

8 He claims he got regular beatings for refusing to do
9 the things they wanted him to do. As the boys got
10 older, they were sent out to work to get them used to
11 living outside the home. He recalled working in a paper
12 place in Corporation Street, when he couldn't go to work
13 for about a week because of a severe beating. He
14 doesn't recall why he got the beating, but assumes it
15 was some sort of sexual attack or him refusing to
16 participate.

17 He also remembers that there were two other men in
18 their 20s who would come into his room now and again and
19 slip into his bed, grabbing him and fondling him, and
20 they would always get their way. He does not remember
21 their names.

22 It is logged in November 2012 by the PSNI that
23 Mains, Semple and McGrath were deceased and therefore
24 that would be the end of the matter.

25 In 2014 KIN279 , who was born on ,

1 he was in Kincora for two weeks between 28th May '75 and
2 9th June '75, when he was nine years old, along with his
3 brother KIN280 and his older brother KIN281 .

4 When he spoke to the police on 1st March 1980, when
5 he was 13, he explained he was never interfered with by
6 any of the staff, nor did he see any indecent acts
7 taking place. That's at 60209.

8 He was reinterviewed by the Sussex detectives on
9 15th June '82 at 60208, when he was 16. He said he had
10 nothing further to add to that statement to the RUC and
11 confirmed he had no knowledge about politicians and
12 civil servants and so on being involved in
13 a prostitution ring.

14 He explained to police that in 2009/2010 he
15 sustained a head injury, having fallen from a roof. He
16 explained that he had no memory of any abuse until after
17 that fall. Since then he had attended with
18 psychiatrists, because he says he now has memory of
19 being abused in Kincora.

20 KIN279 made his allegations to the police on 6th March
21 2014 and an achieving best evidence interview was
22 conducted with him on 8th May 2015. You will find that
23 across thirty pages at 60173 to 60207.

24 He explained that post his fall he now remembers
25 that whilst in Kincora he was lifted out of bed in his

1 pyjamas, brought into a room and set on a table. He was
2 then forced to have oral sex -- he remembers the taste
3 and smell -- and then he was raped. Someone took down
4 his pyjama bottoms and played with his genitalia and
5 anus. He does not remember who did that. He remembers
6 William McGrath stepping forward and saw the top of his
7 genitalia. He was penetrated, but can't say whether it
8 was a penis, finger, pen or banana. He doesn't know who
9 sexually assaulted him, but he thinks a man called
10 Raymond lifted him out of bed and brought him into the
11 room.

12 The Inquiry has seen a letter from the Compensation
13 Service dated 15th April 2014 seeking information from
14 the PSNI as KIN279 had made a claim for criminal
15 injury compensation. Police then provided the typical
16 report of an alleged criminal injury.

17 The police note in their occurrence log relating to
18 this file that, as KIN279 disclosed offences against
19 McGrath only, who is deceased, he was informed there
20 would be no further police action. Obviously Semple and
21 Mains are also dead.

22 I mentioned Richard Kerr earlier, and he gave an
23 interview to Spotlight in 2014, where he made allegations
24 about being abused in Kincora, and talks about Joseph Mains
25 getting him drunk on whiskey and Mains telling him that he

1 really cared for him and liked him, and that he would be
2 taken to hotels where they would have drinks, and other men
3 would have been there, and ask Richard Kerr and his friend
4 to go up to the room, and they would go up and have to
5 perform oral sex on the men. They'd then return downstairs
6 and order more drinks.

7 When they first arrived at the hotel, they would be
8 drinking alcohol and Mains would say to them that they
9 would have somebody nice. Why didn't he go and spend
10 some time with them? Mains would say that the man had a
11 gift for him. Richard Kerr would then go up to the hotel
12 room where the man would be waiting, and they would then
13 have a sexual encounter. He described the various gifts
14 he would receive, like chocolate, watch and small radio.
15 He said he talked to his friend when they were in their
16 bedroom at night and told him not to say anything, as
17 nobody would believe them.

18 He claimed in the interview there was a vast number
19 of people involved in this and it was a huge network,
20 and that the children he had spoken to told him this was
21 done to them and to his friends, including those who
22 committed suicide.

23 So what Richard Kerr is describing here -- and we
24 will be able to ask him about that -- is a situation
25 where Joseph Mains is taking him to a hotel with alcohol

1 and then passing him to others.

2 In June 2015 KIN24, who was born on ,
3 approached the PSNI. I mentioned him earlier in the
4 main part of the chronology. He resided in Kincora from
5 September '66 to 8th March '67, when he was 15 years
6 old.

7 When he spoke to the RUC on 12th March 1980, when he
8 was 38, he explained he was never approached by any
9 member of staff or other boys to do anything indecent,
10 and when he was spoken to by the Sussex detectives in
11 June '82, he had nothing further to add, and explained
12 he knew nothing about prostitution rings.

13 As I said, KIN24 approached the police on 30th June
14 2015 and he made a fresh allegation through an ABE
15 interview that was conducted on 25th August 2015. That
16 runs from 60438 to 60450.

17 During that interview he alleged he got the job of
18 waking Joseph Mains in the morning and he thinks he
19 brought him tea. On two of those occasions Mains asked
20 KIN24 to touch him and on one of the occasions Mains
21 touched KIN24. He thinks it may have happened a third
22 time, but he can't be sure. He states that the first
23 time Mains was wearing a dressing gown and nothing
24 underneath when he brought him tea. Mains brushed up
25 against him and touched him and asked him to touch

1 Mains. Mains touched him on the genitals and had
2 an erection. He could not remember if Mains ejaculated
3 on the first occasion. He states that Mains rubbed his
4 penis under his clothes and wanted KIN24 to rub him,
5 which he thinks he did.

6 He states on the second occasion he sat on the bed
7 and Mains ejaculated when KIN24 touched him. Mains
8 touched him on the backside as well. Later in the
9 interview he confirmed that he masturbated Mains, but he
10 is not sure if Mains ejaculated. He remembers telling
11 his father, but didn't seem -- his father didn't seem to
12 take it on board. He thinks, in fact, his father -- he
13 expressed a view about his father and his position.

14 The PSNI marked the file as requiring no further
15 police action, as the suspect being described was dead.

16 In August 2015, as a result of a referral from the
17 Inquiry, the PSNI contacted James Miller on 4th February
18 2015 to ascertain whether he had any additional
19 allegations to make beyond what he had said in his
20 previous police statements.

21 In the PSNI occurrence log in 2015 it is noted that
22 James Miller had said he previously gave a statement, but
23 when police returned to sign it, it did not contain
24 everything he had told them. He sent the statement he
25 made to the HIA with his handwritten amendments to the

1 police and in addition to his earlier allegations to the
2 police he annotated the statement to say that McGrath
3 had tied him to the bed a few times and kicked him in
4 the balls and said it was to toughen him up. That's the
5 first allegation of that kind and we can ask James Miller
6 about it.

7 He also sent an e-mail to the police on 20th August
8 2015, and in the e-mail he was able to state that he knew
9 Gary Hoy, Richard Kerr and R18 were definitely assaulted
10 by William McGrath and that R18 and Richard Kerr were also
11 assaulted by Joseph Mains.

12 He said he now knew McGrath was assaulting boys
13 since the '40s and that the raping and bugging of boys
14 was commonplace in the upstairs bathroom in Kincora,
15 because the door had a lock.

16 He claimed that McGrath was friendly with
17 Ian Paisley, Gerry Fitt and John McKeague, who he saw at
18 Kincora on numerous occasions, and that McGrath also
19 talked about Dr Fraser from the RVH Hospital, though he
20 wasn't sure if he actually came to Kincora.

21 He said that Raymond Semple was a good timekeeper
22 and would catch McGrath interfering with the boys, which
23 he would then ignore.

24 James Miller explained the particular favourite of
25 McGrath's was to, and I quote, "take you up the bum over

1 the banisters".

2 He explained that McGrath would rape him over the
3 freezer in the kitchen and that McGrath would give him
4 extra pocket money to keep him happy. He states that
5 McGrath would say to him, "You'll always be my wee James.
6 What I'm going to do when you leave -- what am I going to
7 do when you leave? I love you. I love all my special
8 boys. Your parents don't care for you. That's why you're
9 here. Never tell anyone outside our wee games. No-one
10 will ever belief you".

11 As a result of the referral from the Inquiry the
12 police spoke to Clinton Massey in August 2015, who didn't
13 want to make a new complaint to police. He had spoken to
14 the Inquiry and explained his allegations, and I have
15 gone through those.

16 In October '15 R4, whom you have heard me speak
17 about on a number of occasions, was a resident and then
18 a regular visitor in the years that followed, the PSNI
19 conducted an achieving best evidence interview with him
20 on 27th October 2015. That runs from 60091 to 60114.

21 His allegations against Joseph Mains went a little
22 further than before. He said that on two occasions
23 Mains put his hand down and touched around his privates,
24 his penis and tried to play with him, tried to kiss him
25 on the lips and R4 wouldn't let him. He asked R4 to

1 touch him and he did. This would happen in the side
2 apartment of Main's office. He states he didn't discuss
3 it with anybody at the time.

4 During the summer while he was still a resident at
5 Kincora he says he went to Mains' girlfriend, that's
6 BAR1's, house -- he said it was on the Road -- to
7 do some gardening. When he was there, Mains told him
8 that he wanted to have anal sex with him and tried to
9 touch him up. When BAR1 walked in, R4 told her that
10 Mains had tried to touch him up and had done it before
11 in Kincora. That was not something -- an allegation
12 that he had made before. He states the reason he did
13 not tell any adults about what was happening was because
14 he was too scared and they wouldn't believe him.

15 Members of the Panel, given the number of
16 individuals that I have tried to go through, I can't
17 rule out the possibility that I have overlooked someone.
18 If I have, no doubt someone will bring that to my
19 attention and then I will deal with it before you, but
20 I hope I have drawn to your attention the material the
21 Inquiry has gathered in respect of what the residents of
22 Kincora have to say.

23 I said at the outset of beginning what is obviously
24 a very lengthy, detailed examination of the allegations
25 that it was important that the voices of the victims

1 would be heard. Well, you have heard their voices.
2 That is what they have to say about what they say
3 happened to them and about what they say didn't happen.
4 You will hear their oral voices, some of them, next
5 week.

6 Unless there is anything further that I can assist
7 you with, that's what I propose to say at this stage.

8 CHAIRMAN: Yes. Thank you.

9 Now, Ms McKeegan, what is the position about the
10 travel arrangements for Richard Kerr?

11 MS McKEEGAN: I spoke to Richard Kerr this afternoon. I hope
12 to speak to him again later on this evening to confirm
13 them, and I will get back to the Inquiry as soon as
14 possible.

15 CHAIRMAN: Well, if you are not in contact with the position
16 that Richard Kerr wishes to adopt about flights by first
17 thing on Monday morning, we will contact him direct and
18 make the arrangements with no further reference to you.
19 It is simply ridiculous that simple matters like travel
20 arrangements are taking so long, because you insist on
21 him going through your office. The Inquiry is not going
22 to speak to Richard Kerr about matters that are
23 confidential between you and him. We simply want to make
24 arrangements. So if you don't have it with us by 10
25 o'clock on Monday morning, we will speak to him

1 direct. Is that clear?

2 MS McKEEGAN: Yes, Mr Chairman.

3 CHAIRMAN: Very well.

4 (4.20 pm)

5 (Inquiry adjourned until 10 o'clock

6 on Monday, 6th June 2016)

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Opening statement by COUNSEL TO THE2
INQUIRY (cont.)