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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 Monday, 28th April 2014

commencing at 10.30 am

(Day 27)

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

1 Monday, 28th April 2014

2 (10.30 am)

3 WITNESS SND48 (called)

4 CHAIRMAN: Good morning, ladies and gentlemen.

5 MS SMITH: Good morning, Chairman, Panel Members. This  
6 morning's first witness is "SND48", who wishes to be  
7 known as SND48, and I believe there is an appearance to  
8 be made.

9 MR SKELT: Good morning, Mr Chairman. I appear on behalf of  
10 SND48. It is Ian Skelt. I am instructed by Gray Magee  
11 Solicitors.

12 CHAIRMAN: Thank you, Mr Skelt.

13 MS SMITH: I checked with SND48. SND48 wishes to maintain  
14 his anonymity. He is aware that you are going to ask  
15 him to either take the oath or to affirm, and he would  
16 prefer to remain seated, as he has some mobility issues,  
17 Chairman.

18 CHAIRMAN: Yes.

19 MS SMITH: He also can't read or write. So if you can give  
20 it to him, that would be helpful.

21 CHAIRMAN: Now, SND48, would you just listen carefully to  
22 what I am about to say? I gather you would like to take  
23 an oath -- is that right -- a religious oath?

24 **A. Yes.**

25 WITNESS SND48 (sworn)

1 CHAIRMAN: Can I just ask you would you lift the microphone  
2 up a little bit?

3 **A. Sorry.**

4 CHAIRMAN: You can put the bible down now. Can I ask you to  
5 make sure you speak up as much as possible into the  
6 microphone? Otherwise it is not easy for us all to pick  
7 up what you say.

8 **A. Okay.**

9 CHAIRMAN: Thank you.

10 Questions from COUNSEL TO THE INQUIRY

11 MS SMITH: Okay, SND48. You are now [REDACTED]. Isn't that right?

12 **A. Yes, that's correct.**

13 Q. We had a conversation this morning when I showed you  
14 a statement that you had made for the Inquiry. Do you  
15 remember that --

16 **A. Yes, I do.**

17 Q. -- a short while ago? If we could just put that up on  
18 the screen, please. It is SND-15721, and if we could go  
19 to the last page, which is SND-15725. You remember that  
20 I showed you this document and I explained to you that  
21 where your name appears in the document instead of your  
22 name we have the letters "SND48".

23 **A. Yes, I see.**

24 Q. You can see there in that large rectangle -- although  
25 you can't read or write, SND48, you are able to sign

1 your name. Isn't that right?

2 **A. Yes.**

3 Q. And you have signed the statement where we see that  
4 black rectangle. Isn't that the case?

5 **A. Yes.**

6 Q. And can I just confirm with you that you want the  
7 Inquiry to take into account what's in that statement as  
8 your evidence this morning?

9 **A. Yes, I do.**

10 Q. Now we also looked at another document with your lawyers  
11 which showed when you were in Termonbacca, but if I just  
12 outline to the Inquiry, because I know you can't  
13 remember any dates and you weren't aware of some of this  
14 until your lawyer showed it to you. Isn't that right?

15 **A. Yes.**

16 Q. You were in Termonbacca for a brief period -- well, from  
17 [REDACTED] [REDACTED] until [REDACTED] [REDACTED] You then spent  
18 a period of time with foster parents until [REDACTED] [REDACTED]  
19 and when your foster parents became ill, you went back  
20 in Termonbacca, and you were there from [REDACTED] until

21 [REDACTED]

22 For the benefit of the Panel they can find those  
23 details at SND-1695... -- sorry -- SND-16975 and  
24 SND-16977, and there is also a document SND-15730, but  
25 I am not going to ask you to look at them, SND48,

1           because you don't have any recollection of the dates  
2           yourself. Isn't that right?

3   **A. Yes, that's right.**

4   Q. Now can I ask you -- we were just speaking outside. We  
5       were ask... -- I was asking you what you remember about  
6       being in the home, about being in Termonbacca, and you  
7       said that you remember being there as a baby. Is that  
8       right?

9   **A. That's what I was told, that I was there from a baby.**

10   Q. But you don't have any memory of that?

11   **A. No.**

12   Q. You do remember going school from Termonbacca. Isn't  
13       that right?

14   **A. Yes, I do parts of that.**

15   Q. We will come to school in a wee minute, but you weren't  
16       aware on the time that you lived in the home that you  
17       actually had a brother and a sister. Isn't that right?

18   **A. Yes, that's what I was told after, what I found out  
19       about it.**

20   Q. In fact, you talk about it in paragraph 40 of your  
21       statement, if we can just scroll back to that. It's  
22       just there you say that you didn't know about your  
23       sister. You met her at some point after your wife died  
24       and that was some time after 1999. She was living not  
25       in Northern Ireland but somewhere else and came over to

1 meet you, and there was a social worker present when you  
2 met your sister, but you learned from your sister that  
3 you had also had a brother and that he had, in fact,  
4 died in Termonbacca before you ever met him.

5 **A. Yes, that's correct.**

6 Q. And there's a document which shows -- and again the  
7 Panel can look at this -- it is at SND-15730 -- which  
8 shows that your brother died in Nazareth House, in fact,  
9 [REDACTED]. Did you know that?

10 **A. No. I can't remember.**

11 Q. Your sister sadly is no longer with us. Isn't that  
12 right?

13 **A. Yes, that's correct.**

14 Q. Now just talking again about your time in Termonbacca,  
15 SND48, did you form any friendships with any of the boys  
16 or what was the position?

17 **A. I really can't recollect anybody really, you know,  
18 friendship with.**

19 Q. You don't --

20 **A. Just as a group we went here, there. We weren't split  
21 up into so many in a group, but it was just ...**

22 Q. You were just part of a group?

23 **A. Yes.**

24 Q. You don't make any complaints about the clothes that you  
25 were provided, sure you don't?

1 **A. No, because I can't remember them.**

2 Q. Okay, and what about -- can you remember anything about  
3 the food?

4 **A. Not really. We just ate it.**

5 Q. What you do remember, though, about your time there is  
6 about your education. Isn't that right?

7 **A. Yes.**

8 Q. You talk about this -- if we can scroll back up to  
9 paragraph 19 of this statement, you said that you did  
10 get schooling. You used to go to another school for  
11 that. Because you couldn't read or write you say you  
12 were always made to stand in the corner of the  
13 classroom for hours at a time with a dunce hat on, and  
14 you say you really tried to learn to read and write, but  
15 you could not do it.

16 **A. Yes, that's correct.**

17 Q. You said that -- one of the things you said to me when  
18 we were talking this morning was that every time you see  
19 something with the shape of that hat it brings it back  
20 to you. Isn't that right?

21 **A. Yes, sometimes it does, but as I get older it does  
22 happen more recently.**

23 Q. You said -- you talked about the cones in the road  
24 reminded you.

25 **A. Yes.**

1 Q. As a result you don't like travelling on your own. Is  
2 that right?

3 **A. Yes, that's correct. Long distance I can't travel on my  
4 own but short distance I can.**

5 Q. Okay. You talked -- you said in your statement that you  
6 got bathed once a week in the home.

7 **A. Yes.**

8 Q. You talked about bedwetting and you think you might have  
9 been a bedwetter yourself.

10 **A. Yes.**

11 Q. You talk about this at paragraph 16, if we can just  
12 scroll back up. You said you remember it was very bad  
13 if you wet the bed. You had to wash all your own linen.  
14 You had to wash your own pyjamas:

15 "We would get to have a wash but we only had  
16 a bath -- one bath per week."

17 You remember that, SND48?

18 **A. Yes, I do.**

19 Q. What do you remember about it being bad if you wet the  
20 bed? What happened?

21 **A. I think you were -- we were put in the corner. I think  
22 -- what do you call it -- we had to do our own  
23 washing I think. Going back on it now I can't remember  
24 half of it, you know, what really happened.**

25 Q. You do remember about doing work in the home.



1 **A. Yes, I do that bit.**

2 Q. You talk about this in paragraphs 13 and 14. You said  
3 you didn't like Termonbacca.

4 "We were worked all the time. We were ordered  
5 around."

6 Do you remember who ordered you around, SND48?

7 **A. Mostly the nuns and the grown-up ones as one of the wee**  
8 **kids, but I can't remember who they were or what they**  
9 **were.**

10 Q. You just remember the nuns, and you say the grown-up  
11 ones. Do you mean older boys?

12 **A. Yes.**

13 Q. You say:

14 "The work we did was mostly doing floors.  
15 I remember four to five hours per day cleaning and  
16 polishing floors over and over again. I didn't have  
17 a clock or watch, so do not know the length of time for  
18 sure, but it went on for hours. I was doing that work  
19 for as far back as I can remember."

20 **A. Yes.**

21 Q. You said to me that the work was awful when you were  
22 talking to me earlier. Is that right?

23 **A. Yes, it was.**

24 Q. One of the other things that you talk about is that you  
25 say you were -- in paragraph 15 your memory is that:

1            "We were referred to as a number and we didn't know  
2 anything about our families and were not told."

3            We talked about this again this morning, about the  
4 numbering.

5    **A. Yes, that's correct.**

6    Q. Can you ever remember being called by your name?

7    **A. No, I can't recollect it.**

8    Q. But you do remember being called by a number?

9    **A. Yes.**

10   Q. One of the things that some boys have said and that the  
11 nuns have said is that the numbering was used for the  
12 laundry. Do you remember that?

13   **A. Could have been, but that's what stuck in my mind, the  
14 number.**

15   Q. Do you remember what number you were?

16   **A. No.**

17   Q. I asked you also about if you remembered any special  
18 occasions in the home. You do remember Christmas time.

19   **A. Yes, I do.**

20   Q. What can you remember about Christmas, SND48?

21   **A. It is just that we all got something, a wee parcel or  
22 something like that, maybe an orange or an apple or  
23 something like that to eat.**

24   Q. So you do remember getting a gift. Do you remember  
25 music in the home? Do you remember a band or a choir or

1 anything like that?

2 **A. No, I can't recollect that.**

3 Q. One thing you did say that you remembered this morning  
4 was that people used to come and show pictures --

5 **A. Yes.**

6 Q. -- in the home?

7 **A. I can remember that.**

8 Q. There were -- there were --

9 **A. There's some things I can remember and other things ...**

10 Q. You have difficulty with?

11 **A. Yes.**

12 Q. Another thing that you did say was that you  
13 remembered -- I asked you if you remembered anything  
14 about anybody going to Australia, and you said that you  
15 didn't remember anybody going, but you do remember when  
16 you were about 7 or 8 that there was a letter read out  
17 from boys who went to Australia.

18 **A. Yes, I can remember that, but I can't remember who --  
19 who read it out.**

20 Q. Can you remember anything that was said in the letter?

21 **A. No.**

22 Q. You don't ever remember seeing anybody from Social  
23 Services or -- and when I asked you about senior nuns,  
24 you said that all the nuns were the same to you. Isn't  
25 that right? You don't remember any names.

1    **A. Yes. They were all -- they were all a number or**  
2       **something like that. I can't remember a brave lot of**  
3       **names anyway, because bad memory for names.**

4    Q. Well, can I just ask you about a couple of -- we have  
5       talked now generally about what you do remember about  
6       your time in Termonbacca, and I'm going ask you about  
7       a couple of things that you have said that happened to  
8       you when you were there.

9    **A. Yes. That's fine.**

10   Q. You talk about this at paragraphs 17 and 18, and you  
11       say:

12            "When at Termonbacca, I was beaten. If you didn't  
13       follow the orders, you were beaten. If you did anything  
14       the older boys or the sisters or priests thought was  
15       wrong, you'd be beaten. You'd get the strap, the cane  
16       or whatever was handy to the person beating you",

17            and you say:

18            "It was mostly the strap."

19            You said that:

20            "The level of beatings would depend on who was in  
21       charge. It was really rough."

22            You say:

23            "As a child I was really badly affected by the  
24       beatings",

25            and you wonder if that was why you weren't -- you

1 found it so hard to learn and why you can't read and  
2 write.

3 **A. Yes, that's correct.**

4 Q. You also talk about -- at paragraph 20 through to 28  
5 about when you were a young boy at Termonbacca, you were  
6 aware that boys were doing sexual things to other boys.

7 "Things were also done to me."

8 You say it's a very hard subject for you to talk  
9 about. You put this aside and got on with your life.

10 "I'm now having to think about it again. Things  
11 come back to me now that I have just put aside for all  
12 the years. I was very young at the time and I have  
13 tried to put all these things behind."

14 You say you think you stayed on at Termonbacca  
15 longer than others as you worked out in the potato  
16 fields, but you find it difficult to remember.

17 You say there were dormitories at Termonbacca and  
18 you remember that you did supervise the dormitories.

19 I take it that was when you were a bit older?

20 **A. Yes, that's correct.**

21 Q. You said you would sleep in the middle of the dormitory.

22 You can't remember the name that is given there, but  
23 you do remember another man. Now I should tell you this  
24 is in response to two names that were given to us along  
25 with yours by someone whose name I am going to give now

1 but who will be known as "HIA121" for the purposes of  
2 the transcript, and that was HIA121. Do you remember  
3 HIA121?

4 **A. No, I can't place him.**

5 Q. He named you and he named somebody called [REDACTED]. You  
6 do remember somebody called [REDACTED] in the home when you  
7 were there, don't you?

8 **A. Yes, because I [REDACTED] a fellow called**  
9 **[REDACTED]. That's what's in my mind.**

10 Q. But do you remember somebody called [REDACTED] -- when you  
11 say you worked with somebody called [REDACTED], was that  
12 [REDACTED] Termonbacca with him?

13 **A. No, this was earlier on in life.**

14 Q. So -- but you remember somebody called [REDACTED] being in  
15 Termonbacca with you?

16 **A. (Shakes head.)**

17 Q. And you don't remember a man called SND49 being in  
18 Termonbacca with you?

19 **A. No.**

20 Q. You say in your statement that your lawyers have read  
21 some parts of a statement to you. This is the statement  
22 that was made by HIA121. I'm going to summarise it now  
23 just so that the Inquiry knows what we are saying.

24 He alleged at paragraph 9 of his statement, which  
25 can be found at SND-640, but we don't need to call it

1 up, that you and two others, these two boys that he has  
2 named, [REDACTED] and SND49, sexually abused other boys at  
3 will. He resisted and was beaten, and he made  
4 a statement to the Gardai Siochana repeating those  
5 allegations.

6 You respond to this in the next couple of  
7 paragraphs in your statement which is on the screen.  
8 You say it is very hard for you to talk about. You were  
9 very young at the time and you think you did have sexual  
10 contact with some of the other boys, but you cannot  
11 remember for sure or even what happened, and what you do  
12 remember is that a lot of boys were doing it in  
13 Termonbacca. Is that right, SND48?

14 **A. Yes.**

15 Q. At the time you didn't think that what you were doing  
16 was bad.

17 "We weren't told anything about it. It was going on  
18 all the time I was growing up. When I was young, it was  
19 the thing that you just did. No-one told us what we  
20 were or were not supposed to be doing. I think maybe  
21 I did sexual things with other boys because that what  
22 (sic) was done to me."

23 You say that you think the sisters must have known  
24 what was going on.

25 "It was going on all the time and the rooms were

1 large and it was not private."

2 Is that right, SND48?

3 **A. Yes, that's correct.**

4 Q. You say that -- one of the other things that HIA121 did  
5 say was that, in paragraph 14 of his statement at  
6 SND-642, he saw you in the junior section of a dormitory  
7 with a boy aged about 8, and that that boy was doing  
8 things to you which he describes in his statement. What  
9 he says is that he told a particular nun, a Sister  
10 **SR 11**. Do you remember a **SR 11** in Termonbacca?

11 **A. No.**

12 Q. You don't remember any of the nuns' names. Isn't that  
13 right?

14 **A. Yes.**

15 Q. Well, can you remember did any nun ever speak to you  
16 about your behaviour at any time?

17 **A. (Shakes head.)**

18 Q. One of the other things HIA121 told the Inquiry is that  
19 he says that on one occasion you grabbed him, tried to  
20 abuse him. He kicked you, fought you off and you threw  
21 him down the steps of the furnace.

22 **A. Yes, I can remember that bit.**

23 Q. You can. You do talk about this in your statement at  
24 paragraph 31. You say that:

25 "I do not recall other things he mentions in his



1 statement. I can remember when I pushed a boy down some  
2 stairs, but I cannot recall when that was or what it was  
3 about."

4 But you do have a memory of pushing somebody  
5 downstairs?

6 **A. Yes, I can remember that bit.**

7 Q. The other thing he does -- we talked about this earlier  
8 as well. He made a serious allegation about a certain  
9 type of sexual abuse in his statement to the Inquiry  
10 about you walking boys home from school and what  
11 happened. Do you remember being told about that  
12 allegation?

13 **A. Yes.**

14 Q. What you say about that is that -- at paragraph 30 you  
15 said you have been told about the incident in  
16 paragraph 19 of HIA121's statement.

17 "My memory is bad, but that definitely did not  
18 happen."

19 **A. No, not to my knowledge.**

20 Q. You also make the comment in your statement that he  
21 talks about you doing these things when you were in your  
22 20s, but you left Termonbacca when -- you thought you  
23 left when you were ■, but it might have been ■ when  
24 you actually left. You might have been aged ■, because  
25 there was some question over your date of birth. Isn't

1           that right?

2   **A. Yes.**

3   Q. Now after you left Termonbacca you went to [REDACTED]

4   [REDACTED]. Isn't that right?

5   **A. Yes, that's correct.**

6   Q. You describe in paragraphs 34 to 36 your time in

7   [REDACTED] and what you say was that it was better than  
8   Termonbacca. Isn't that right?

9   **A. Yes. More freedom.**

10  Q. You say you remember you were able to work on different  
11  jobs and you were able to get out and go to work. Isn't  
12  that right?

13  **A. Yes, that's correct.**

14  Q. Well, can I just ask you -- you talk in the rest of your  
15  statement about your life after care, and the Inquiry  
16  Panel can read that for themselves, and I am not going  
17  to ask you about that in any detail, SND48, unless there  
18  is something you want to say about the time after you  
19  left institutions.

20  **A. No, not really.**

21  Q. But can I ask you: can you remember anything or anyone  
22  that was positive about your time in Termonbacca?

23  **A. No.**

24  Q. You said to me you wanted to forget all about it --

25  **A. Yes.**

1 Q. -- and get on with your life. Is that still pretty much  
2 your position, SND48?

3 **A. Yes, that's correct.**

4 Q. SND48, I am not going to ask you anything more. Your  
5 statement is there and I think we have covered the  
6 issues that we needed to cover with you. The Panel  
7 Members may have some questions that they want to ask  
8 you. So if you can just sit there and they will let you  
9 know if they have anything they want to ask you.

10 **A. Okay. Thank you.**

11 CHAIRMAN: We don't have any questions that we want to ask  
12 you, SND48. So that's all that we need to hear from you  
13 today. Thank you very much for coming to speak to us.  
14 That's all as far as we're concerned. Thank you.

15 **A. Okay. Thanks very much.**

16 **(Witness withdrew)**

17 MS SMITH: Chairman, I believe that Mr Aiken is actually  
18 consulting with the next witness.

19 CHAIRMAN: Very well. We'll rise until we are ready to  
20 start with the next witness.

21 MS SMITH: Yes.

22 (11.00 am)

23 (Short break)

24 (12 noon)

25

1 WITNESS SND38 (called)

2 MR AIKEN: Good morning, Chairman, Members of the Panel.

3 The next witness this morning is SND38, who is "SND38",  
4 and who worked in Nazareth House in Bishop House. There  
5 is an appearance that is going to be given, Chairman,  
6 and then SND38 is aware that you are going to ask him to  
7 take the oath or to affirm.

8 MR RODGERS: I appear on behalf of SND38 with Mr Joseph  
9 McElhinney, solicitor.

10 CHAIRMAN: I am sorry. I didn't catch the name.

11 MR RODGERS: McElhinney Solicitors is present with me.

12 CHAIRMAN: And your junior?

13 MR RODGERS: My junior, Mr McAteer, is not present this  
14 morning.

15 CHAIRMAN: Thank you, Mr Rodgers.

16 Now, SND38, do you wish to make a religious oath or  
17 to take an affirmation, which is a solemn promise? They  
18 have the same legal effect. It is entirely a matter for  
19 your choice.

20 **A. I'll take the oath.**

21 CHAIRMAN: Very well.

22 WITNESS SND38 (sworn)

23 CHAIRMAN: Thank you very much. Please sit down.

24 Questions from COUNSEL TO THE INQUIRY

25 MR AIKEN: SND38, I am going to ask you to look first of

1 all -- documents are going appear on the screen.

2 **A. Okay.**

3 Q. SND-18... -- sorry. SND-15854. That's SND-15854.

4 Hopefully you will recognise this first page of your  
5 witness statement. You have a hard copy with you. Just  
6 make sure that you can see it.

7 While SND38 is doing that, Members of the Panel, if  
8 I can just make you aware that SND38 has made me aware  
9 that he does occasionally suffer from some panic  
10 attacks. So if that arises -- he doesn't expect that it  
11 will -- but if it arises I have explained to him you  
12 will be entirely compassionate in terms of managing it.

13 CHAIRMAN: Yes. Does SND38 wish to maintain or waive his  
14 anonymity?

15 MR AIKEN: He is going to maintain his anonymity.

16 CHAIRMAN: Thank you.

17 MR AIKEN: I will just ask you to confirm that once we look  
18 at the statement, SND38. You have got your hard copy --

19 **A. I've got it, yes.**

20 Q. -- where you can see underneath the redactions.

21 **A. Yes.**

22 Q. So the first thing I want you to do is just check this  
23 is appearing on the screen the first page of your  
24 statement.

25 **A. Yes.**

1 Q. If we look at the last page at SND-15866, can you  
2 confirm that you have signed this last page, albeit we  
3 can't see the signature under the redaction?

4 **A. Yes, that's correct.**

5 Q. You want to adopt this -- the content of this witness  
6 statement as your evidence before the Inquiry?

7 **A. Correct.**

8 Q. You are aware from speaking to me beforehand in  
9 connection with the issue of anonymity and while it's  
10 a matter for the Inquiry I also ask you whether you wish  
11 to maintain your anonymity and if you could confirm  
12 that.

13 **A. Yes, I wish to maintain it.**

14 Q. Now the first thing I want to ask you about, SND38, if  
15 we can go back to the first page of your statement,  
16 SND-15854, you describe on the first page under the  
17 "Personal Details" section how you came to work in  
18 Nazareth House in Bishop Street, and I want to just ask  
19 you a little bit about that.

20 You took the job when you were ■.

21 **A. That's correct.**

22 Q. What I want you to reflect on, if you can, is was it  
23 an advertisement you saw in the newspaper or how did you  
24 come to know, "Well, here's a job I can apply for in  
25 Bishop Street working with children"?

1 A. I was working in [REDACTED] at that particular time and  
2 I still got the local paper in [REDACTED] and I seen the  
3 advertisement for the post in Nazareth House when I was  
4 in [REDACTED].

5 Q. Was it described as a residential social worker post or  
6 how was it described?

7 A. It was described at that stage as houseparent.

8 Q. A houseparent. You have mentioned you were working in  
9 [REDACTED]. At that stage were you working in [REDACTED] or had  
10 you moved on into this youth work that you describe?

11 A. No. At that particular time I was working in [REDACTED] in  
12 [REDACTED]. Prior to that I had worked in [REDACTED] -- sorry --  
13 [REDACTED] work.

14 Q. You have presumably responded to this advertisement in  
15 some way. Did you get -- was there an application form  
16 that you had to fill in or ...?

17 A. Yes. I wrote in and applied for the application form,  
18 which I received, and I completed that and subsequently  
19 I was called for interview.

20 Q. And can you remember who interviewed you?

21 A. It's quite a number of years ago. I recall SR23 from  
22 Nazareth House was there and I think possibly, but I am  
23 not 100%, possibly the Mother Superior.

24 Q. You don't remember at this remove who that was?

25 A. No, but I remember SR23 being there, because she was

1           **actually in charge of the unit at the time.**

2       Q.   And how long did the interview last?

3       **A.   Again ...**

4       Q.   Do your best.  Was it five minutes or ...?

5       **A.   No.  Maybe about half an hour.**

6       Q.   At the stage of applying you didn't have any  
7           qualifications connected to looking after children?

8       **A.   No.  I had worked in [REDACTED] work and  
9           I had qualifications in [REDACTED] but not in  
10          residential childcare.**

11      Q.   Qualifications in [REDACTED].  Where had you obtained  
12          those from?

13      **A.   Those were in service training that I done while I was  
14          employed in the [REDACTED].**

15      Q.   And that was in [REDACTED]?

16      **A.   That was in [REDACTED], yes.**

17      Q.   And the [REDACTED] was part -- was it part of  
18          a government department at the time?

19      **A.   It was, yes.  It was the [REDACTED]  
20          [REDACTED].  It would have been part of that.**

21      Q.   And how long did you work in the [REDACTED] before  
22          moving off to [REDACTED]?

23      **A.   Approximately about three -- three years I reckon.**

24      Q.   Now whenever you were being -- you obviously filled out  
25          the application form and you are being interviewed.



1 Were references required of you?

2 **A. Yes. I think two references were required.**

3 Q. Do you know whether they were taken up or not?

4 **A. Yes. They were in the personnel file I've seen. So**  
5 **they were taken up.**

6 Q. And you obviously were offered the job, which you took?

7 **A. That's correct, yes.**

8 Q. Before you began the work were you trained in any way by  
9 your new employer?

10 **A. Not prior to starting. It would have been a gradual**  
11 **learning process after it started.**

12 Q. Well, to put this in context, at this stage Bishop  
13 Street is now two units of a children's home: unit 1 on  
14 the first floor --

15 **A. Yes.**

16 Q. -- and unit 2 on the second floor.

17 **A. That's correct.**

18 Q. And you -- each unit has about ten beds?

19 **A. Approximately, yes.**

20 Q. And you are working on the second floor in unit 2?

21 **A. Correct.**

22 Q. And throughout all the period we're going to talk about  
23 in Bishop Street that's where you worked?

24 **A. Correct.**

25 Q. And you had a number of houseparents who were lay staff,

1 as we call them at times, who worked to maintain the  
2 cycles that were required for staff in the home?

3 **A. That's correct.**

4 Q. And you had a nun who was the head of the unit?

5 **A. Yes.**

6 Q. And you have mentioned SR23.

7 **A. Yes.**

8 Q. Was she the head of unit 2 for a period?

9 **A. She was, yes.**

10 Q. And then you talk about SR142 in due course. I'll see  
11 if I can get a designation for SR142, but -- SR142 for  
12 the record, Members of the Panel. She was the head of  
13 your unit for two to three years when we looked at her  
14 police statement earlier.

15 **A. Yes, that's correct.**

16 Q. Then your recollection is that by the early [REDACTED] SR2  
17 effectively became the unit head of both units?

18 **A. Yes. Officer in charge was her designation.**

19 Q. And effectively you reported to her until was it  
20 [REDACTED], whenever she appointed you as an [REDACTED]

21 [REDACTED] --

22 **A. That's correct.**

23 Q. -- in charge of the unit?

24 **A. Yes.**

25 Q. And that's the role that you continued to have until

1 [REDACTED]?

2 **A. That's correct.**

3 Q. We will come to the detail of that. The -- I was asking  
4 you about training. You said you weren't given any when  
5 you began and then it was a training on the job, as it  
6 were. Who was training you on the job? Who was  
7 alongside you saying, "This is what you do. This is  
8 what you don't do"?

9 **A. Well, you would never have been working on your own.**  
10 **SR23 would have been present most of the time or one of**  
11 **the other residential staff who had previous years'**  
12 **experience. So you quickly got to learn the routine and**  
13 **the format.**

14 Q. Were you given an induction file with relevant  
15 literature or how did you -- how were you told, "This is  
16 how we look after children. This is the way to keep  
17 them safe"?

18 **A. It would have been done verbally. The routine would**  
19 **have been explained to you, the nature of the children**  
20 **that you were working with. You then would have went on**  
21 **to in service training courses provided by the Western**  
22 **Health & Social Services Board. They ran an Open**  
23 **University training course in childcare and I would have**  
24 **attended that. That lasted approximately one year on**  
25 **and off.**

1 Q. And you did one of those in service training courses?

2 A. Yes.

3 Q. And later you did a more detailed course. Is that  
4 right?

5 A. Yes, yes. As the years went on, the training became  
6 more and more regular and structured.

7 Q. And when you began in [REDACTED] by then the Kincora  
8 scandal had broken in the summer of 1980. The Hughes  
9 Inquiry had been sitting in 1986. So the issue of  
10 residential staff and how they interacted with children,  
11 do you remember that being an issue? Do you remember  
12 being given instructions about how in terms of you were  
13 to be around children in the context of sex abuse?

14 A. I don't remember getting as a direct result of Kincora  
15 being mentioned, but there was like an unwritten  
16 protocol when you are working with children.

17 Q. What was the unwritten protocol?

18 A. It would be that you kept an eye on the children, to be  
19 suspicious if a couple of them went away in a room  
20 together, or you just had to be alert to what was  
21 happening, who was where and what they were doing. It  
22 wasn't particularly formal at that stage, you know. As  
23 years went on and training became more regular -- and  
24 I don't even know if other homes had a structure at that  
25 time -- but it definitely did come into play over the

1       **years after that.**

2       Q.   But in relation to staff and children was that something  
3           that you were as a new member of staff warned about,  
4           being careful not to be alone with children, or was any  
5           guidance given to you in light of what had occurred in  
6           Kincora, for instance?

7       A.   **In relation to Kincora I never actually heard it**  
8           **mentioned at the time I started at Nazareth House.**  
9           **I had heard of Kincora as in probably the press or**  
10          **whatever, but not in direct relation to the work in**  
11          **Nazareth House.**

12      Q.   Now can we then have a look at SND-6441, please? This  
13          is a document we were discussing earlier, SND38, the  
14          staff list from we can see on the right-hand side April  
15          ██████. So it is a snapshot at that date. You can see  
16          your number, "SND38", about halfway down. We were  
17          looking at -- I want to bring up a copy that has the  
18          actual names for ease, but working in unit 2 "SND38" you  
19          can see is you. The one above that doesn't have  
20          a designation is a SND242, who shouldn't be identified  
21          for the transcript. He worked in unit 2 along with you?

22      A.   **Yes. He in the earlier stage had worked at unit 1 and**  
23          **then at some stage, which may have been around that**  
24          **period -- I'm not too sure -- he did move to work in**  
25          **unit 2, but he had -- he had worked in unit 1 also.**

1 Q. Then after you on the list "SND343" is SND343, and again  
2 he shouldn't be identified for the purpose of the  
3 transcript. You -- he was another male who worked in  
4 unit 2 along with you?

5 **A. Correct.**

6 Q. Thereafter there are four ladies who worked in unit 2:  
7 SND43, SND39, [REDACTED], ultimately SND39 --

8 **A. Right.**

9 Q. -- a SND342, whose first name begins with [REDACTED] and I can't  
10 remember her Christian name.

11 **A. Yes, SND342, but she was known as [REDACTED] SND 342**

12 Q. SND342?

13 **A. Yes.**

14 Q. And a SND377?

15 **A. That would be SND377.**

16 Q. So in your unit there were three males and four females  
17 working in unit 2 along with the nun who was in charge  
18 until 1993, when effectively you were in charge but  
19 being overseen by SR2, "SR2"?

20 **A. That's correct.**

21 Q. Now you are not aware of allegations having been made  
22 against any of the other males in unit 2?

23 **A. Other than in the statements I seen I think SND343's  
24 name was mentioned. He put HIA127 into a cold bath.**

25 Q. Into a cold bath, yes, but what I am talking about is

1 the sexual abuse allegations. You are not aware of them  
2 having been made against SND242 --

3 **A. No.**

4 Q. -- SND343? That's not --

5 **A. Not at that stage, no.**

6 Q. -- something that featured. Now, as I discussed with  
7 you earlier, SND38, there's a series of individuals  
8 across a chronology of time, and I am going to try to  
9 bring some focus to this and keep some order to it --

10 **A. Okay.**

11 Q. -- in your ease as well as the Panel's ease. Hopefully  
12 the path that we follow will make sense and identify  
13 a number of issues as we go and ask you to deal with  
14 them, and if what I am asking you isn't clear, just  
15 indicate that to me and I will have another go at  
16 reframing it to make it clear.

17 The first individual that I am going to look at,  
18 because he comes first in time, and then some of his  
19 issues assist an understanding of later events, is  
20 HIA127, who has given evidence to the Inquiry already.  
21 He is "HIA127". He should not be identified for the  
22 transcript. The Panel has previously seen his time  
23 line in care, which just for your ease if we bring it up  
24 at SND-15919, and if we just maximise that document, you  
25 will see that this indicates that he -- if we look at

1 the entry:

2 " [REDACTED]. Harberton House to Nazareth  
3 House."

4 Then he is in Nazareth House from [REDACTED]  
5 until [REDACTED]. That's the period that I want  
6 to talk to you about firstly this morning. That's  
7 a period during which HIA127 is between [REDACTED] and [REDACTED] years  
8 of age. You are not there for the first year of that  
9 period, because you have come in [REDACTED] --

10 **A. That's correct.**

11 Q. -- but you are there from [REDACTED] through to him  
12 leaving on [REDACTED], when he moves out to the  
13 SND45. Again their identity should not be disclosed.

14 He says -- and the Panel has obviously heard his  
15 evidence, and the Panel has had the opportunity to read  
16 his witness statement, to read his police statement,  
17 which ultimately -- we'll come on the chronology -- was  
18 made on 12th August 1996, and the Panel has had the  
19 opportunity to see in various ways what you have said  
20 about the allegations that he has made. I am not going  
21 to go -- as I said to you beforehand, I am not going to  
22 go through in minute detail, because this is not a trial  
23 of these issues in that sense. I'm going to -- I want  
24 to look at a series of issues that arise from the nature  
25 of the allegations that he makes. I will summarise the



1 position by saying you are categoric that the  
2 allegations he makes are untrue.

3 **A. That's correct.**

4 Q. Now the first issue that I want to deal with -- and  
5 I know that you've brought a couple more documents along  
6 today, and if I forget to deal with them -- they are  
7 being worked on at the moment and eventually will end up  
8 up on the screen. They may be there already. We will  
9 work them into your evidence, and if I forget, you  
10 remind me and we will make sure the Panel hears about  
11 them.

12 The first issue HIA127 in his allegations --  
13 a number of them relate to you being alone with him,  
14 taking him from the children's home, taking him to your  
15 own home where you lived with your parents at that time  
16 and taking him to what was your then girlfriend's home,  
17 SND39 or SND39, during the time that he is resident in  
18 Bishop Street.

19 **A. Yes.**

20 Q. As I understand it, you agree that you did take him  
21 regularly out of the home with you to both your home and  
22 you don't agree with the volume of occasions --

23 **A. No.**

24 Q. -- that he talks about your girlfriend's home but that  
25 on occasions he had been to your girlfriend's home with

1           you.

2       **A. That's correct, yes.**

3       Q. Now if we can look at SND-15945, the police took  
4           a statement from SR142 as she was. If we can just go  
5           back to the previous page so that the Panel can see --  
6           in fact, you will have to go another page back, please.  
7           Stop there. The statement itself is not dated, but it  
8           appears to be in and around 1996 whenever all of the  
9           other statements are being taken when the police  
10          investigation is underway into the allegations that  
11          HIA127 makes.

12                If we go back to SND-15945, the point that SR142  
13          makes, you will see:

14                "The practice then and one which ..."

15                This is about eight lines down:

16                "The practice then and one which was approved by the  
17          Social Services Board was that a key worker ...",

18                and you were HIA127's key worker for his duration  
19          from you were there until he left?

20       **A. Yes.**

21       Q. "... a key worker could be appointed to care for two or  
22          three children. SND38 was", so you were, "HIA127's key  
23          worker. The practice approved by social workers at  
24          regular reviews was that where a child such as HIA127  
25          could not go home on visits or receive visits from his

1 family, then the key worker was encouraged to take that  
2 child to his or her home, so that the child could  
3 experience a stable home environment."

4 She goes on to say:

5 "All such visits out were logged in the appropriate  
6 record book and that record book along with other  
7 relevant documents could form the documentary basis of  
8 a periodic case conference conducted by social workers  
9 on each child."

10 So -- and she goes on to say -- she names two  
11 particular social workers who she says were aware of  
12 this practice, and as far as HIA127 was concerned they  
13 were provided with a record of each trip that he went  
14 out in your company.

15 So that's SR142 saying as far as the congregation  
16 running the children's home was concerned they did it  
17 with the knowledge of and approval of Social Services,  
18 who were kept informed as to when these visits were  
19 occurring and records were being kept.

20 **A. Yes.**

21 Q. The Inquiry has heard from one witness who did a similar  
22 thing to you, took -- she was a key worker and took  
23 children home, but the point she made was she would only  
24 have done that with a number of children together in  
25 a group and only on a special occasion whereas you were

1 taking HIA127 out alone and on a much more regular  
2 basis.

3 **A. Yes.**

4 Q. Now if we look at SND-15959, in May of 1997 whenever  
5 SR10 is investigating the matters relating to HIA127's  
6 allegations for the purposes of deciding what should  
7 happen about you, because you are presently suspended at  
8 this point in time -- can we just scroll down a little,  
9 please? Scroll down a little further. This is it from  
10 her report. She confirms:

11 "It was customary practice at the time for different  
12 members of staff to take children to their homes,  
13 particularly if they did not have contact with their own  
14 parents or relatives."

15 This practice seemingly went on until the  
16 allegations were made against you. Do you remember  
17 Social Services putting a stop to this practice once  
18 HIA127 made his allegations?

19 **A. No, I don't, because at that point I would have been  
20 suspended.**

21 Q. You were suspended, so you don't know that. That's  
22 something that the Health & Social Care Board will be  
23 able to look into and come back to us on.

24 You will see there then HIA127 was told by the  
25 police that in the initial stages Social Services

1 representatives denied that they knew that HIA127 was  
2 going out with you.

3 "He claimed this was not the case. Social Services  
4 personnel approved of these visits. They were recorded  
5 and he couldn't take out a child without the approval of  
6 a supervisor or unknown to Social Services."

7 In fairness to you, SND38, if we look, for instance,  
8 at SND-5233, which is one of the six-monthly reviews  
9 that seemed to be in practice then --

10 **A. Yes.**

11 Q. -- this is minutes of a case review on  
12 [REDACTED], and you will see the number of people  
13 who are involved. "SSW" I take to be a Senior Social  
14 Worker just at the top listed as present and then there  
15 is a series of people from Nazareth House, including  
16 yourself, at the review as well as another social worker  
17 who is named in the document. Just for the record her  
18 identity and the identity of the person above her should  
19 be redacted whenever the material is put on the website.

20 Now you will see:

21 "Moreover -- moving to foster care has encouraged  
22 HIA127. Moreover his visits to SND38's", so your,  
23 SND38's, "home has given him a taste of home life."

24 So -- then it records you helping [REDACTED] HIA 127 to  
25 express much of the anger that was within him as a child

1 as a consequence of his previous fostering breakdown --  
2 that's with the **SND 36, SND 37** -- that had taken place over  
3 a number of years until he had come into Nazareth House.  
4 Again the **SND 36, SND 37** shouldn't be identified but do you  
5 recall this now, looking at the document?

6 **A. Yes.**

7 **Q.** So there clearly is a record of and knowledge of Social  
8 Services that you were taking HIA127 out of the home.

9 **A. Yes.** If I could just say I didn't take him out in the  
10 capacity of a key worker. I was requested at a review  
11 panel to act as a befriender. They had been looking for  
12 foster parents and they couldn't find -- well, foster  
13 parents were in short supply now and they had come up  
14 with the idea of befrienders for children, who wouldn't  
15 foster them but maybe give them a day a week out of the  
16 residential unit and give them individual time, and  
17 I was requested if I -- because **HIA 127** got on well with  
18 myself, if I would consider acting as a befriender,  
19 which would be outside the working hours and in my own  
20 time. I agreed to that. **HIA 127** was happy with it.  
21 I sorted it out at the family home. They were happy  
22 with it. The arrangement was if I had a day -- not  
23 a day off or even an afternoon off maybe once a week  
24 just depending on the shift he could have come out to  
25 the family home with myself. That was approved at

1 a case conference. It was suggested at a case  
2 conference or case review that I do that.

3 Now I am told that the record of that doesn't exist  
4 or can't be found and I was led to believe that was the  
5 case when I was first suspended, that there wasn't  
6 a record of it. However, when I returned after my  
7 suspension, I checked HIA 127 file and the record I was  
8 looking for of that meeting wasn't in his file where it  
9 should have been. So I looked in the file of his other  
10 brother and sister, because when reviews were held, they  
11 usually were sent out for each sibling of the family,  
12 and I found a reference to the meeting having taken  
13 place where it was suggested about befriending HIA 127.  
14 That wasn't something I came up with on my own. It  
15 wasn't something I done off my own bat or off my own  
16 accord. It wasn't something I done directly as a result  
17 of being a key worker to him, but it was more a formal  
18 arrangement for the welfare of HIA127. There was very  
19 little chance at that stage of him returning to the  
20 family home. He had been in residential care since he  
21 was [REDACTED]. He had experienced foster care which  
22 eventually broke down and at that stage I think he had  
23 been in Nazareth House about [REDACTED] years with very --  
24 virtually no visits from his mother or father, and that  
25 was the reason I was asked to take on the role. I would

1 just like that written into the record, that it wasn't  
2 something I done off my own bat. It was something that  
3 was done for the care and reasons of giving him that  
4 extra bit of attention outside the residential unit.

5 Q. Okay. You have given a lot of material in that answer,  
6 SND38. What I want to do is just unpack a little of  
7 that so that we can clarify the issue. What you are  
8 saying is that there is another document. Is it in  
9 a form that you recall seeing? Is there another  
10 document and it looks something like this type of  
11 document?

12 A. It may have been. It didn't mention -- there's names  
13 blanked out in that meeting of some of the people  
14 present. So I am not sure who actually was there, but  
15 during the period of my first suspension it was sort of  
16 alleged that this was more an arrangement between myself  
17 and HIA127 and the residential unit and not in  
18 conjunction with Social Services, which it definitely  
19 was.

20 Q. Who from Social Services was involved in the discussion  
21 where you were made a befriender of HIA127?

22 A. Whoever would have been the Acting Principal Social  
23 Worker or Senior Social Worker at that time. I can't  
24 actually recall. It may have been that designation or  
25 there is no designation for it. SND514 from the office,



1           **but it was a formal arrangement.**

2    Q.   Well, it is an issue that the Health & Social Care Board  
3           on behalf of its predecessors will now have to take up,  
4           but what you are saying is at one of these six-monthly  
5           reviews -- and you seem to be saying he had been in  
6           Nazareth House for [REDACTED] to [REDACTED] years. So is it  
7           a review that would have been taking place in the summer  
8           of [REDACTED] then? Was it shortly before this?

9    A.   **It would have been prior to that, because that --**  
10           **I think this document shows that the visits are already**  
11           **in place at that stage. So there would have been**  
12           **a meeting prior to that date that I think that was.**

13   Q.   If I have understood what you are saying, in addition to  
14           Social Services having any copy of this document, which  
15           they ought to have on their files --

16   A.   **Yes.**

17   Q.   -- you are aware of seeing it in files that were in the  
18           Nazareth House in Bishop Street?

19   A.   **Yes. It is just even looking at that document there**  
20           **I think should prove the point that Social Services are**  
21           **aware of the visits taking place.**

22   Q.   That's why -- that's why I have brought the document up  
23           --

24   A.   **Yes.**

25   Q.   -- in fairness to you to show that, in fact, this is

1 a record that shows they did know --

2 **A. Yes.**

3 Q. -- but you have gone further and you are talking about  
4 this befriender role.

5 **A. Yes.**

6 Q. What I am just trying to clarify so the right questions  
7 are asked of the right people --

8 **A. Yes.**

9 Q. -- that's a process or a discussion that took place at  
10 a six-monthly review prior to this one?

11 **A. I would think so, around that period, yes. I can't  
12 actually put an --**

13 Q. Yes.

14 **A. -- actual date on it, if you understand.**

15 Q. Whether it is this one or the one before --

16 **A. Yes.**

17 Q. -- so the Christmas █8, if I can put it that way, or  
18 the summer █, you recall finding that document  
19 eventually in Bishop Street in the files of -- there is  
20 a lot █ of HIA127.

21 **A. Yes.**

22 Q. So can you give me the names of the two that you found  
23 the document on?

24 **A. It would either have been in his brother SND283's file  
25 or his sister HIA233's.**

1 Q. So HIA233 or SND283?

2 **A. Yes.**

3 Q. Their files within Bishop Street?

4 **A. Yes.**

5 Q. But equally Social Services will have a similar record

6 --

7 **A. They should have.**

8 Q. -- for -- because they are taking -- this is a review  
9 that's taking place at their lead.

10 **A. What I would say is at that stage when it is mentioned**  
11 **in November that if it hadn't been approved and it was**  
12 **happening on a regular basis, as it seems to be stated**  
13 **there, then you would assume that the Senior Social**  
14 **Worker or the field social worker would have been**  
15 **alerted to as to why these visits are taking place if**  
16 **they hadn't been approved.**

17 Q. That's why I've brought the document up. I am trying to  
18 get the -- there is a difference between, as  
19 I understand it, the key worker role --

20 **A. Yes.**

21 Q. -- and the role of a befriender.

22 **A. Yes.**

23 Q. For instance -- I will come to it later, but we will see  
24 that one of the Social Services Inspectors, SND453, if  
25 we just look at SND-15226 -- this is a statement from

1 SND453, who is "SND453", who shouldn't be identified.  
2 He is talking about various inspections that he carried  
3 out at Bishop Street on behalf of the Social Services  
4 Inspectorate.

5 If we can move through, please, to SND-15227 and  
6 towards the bottom of that page he talks about each  
7 child having a care plan which was agreed with Social  
8 Services.

9 "Some of the identified tasks would have been  
10 carried out by the key worker, eg taking a child to the  
11 dentist, helping with school homeworks, shopping for  
12 clothes. Key workers were also expected to spend some  
13 time undertaking individual work with children, eg  
14 counselling them about personal" -- move through,  
15 please, to the next page -- "or behavioural matters.  
16 This would normally involve speaking to individual  
17 children in private during working hours within the  
18 home. It would have been regarded as exceptional for  
19 a key worker to meet a child or young person regularly  
20 during off duty time and to take them home. If this was  
21 the case, then I would have expected to find a reference  
22 to it in the agreed care plan and a letter of  
23 confirmation or minutes of the meeting where it was  
24 agreed from Social Services. I would have been  
25 concerned if a staff member was befriending a young

1 person from the home to the extent where they spent  
2 extensive periods together, including overnight stays at  
3 the staff member's home. If this was the case, I would  
4 have made enquiries to establish if the staff member had  
5 been approved as a befriender/foster parent by Social  
6 Services for the particular child."

7 He then says:

8 "I have no recollection of being told that [you]  
9 were befriending"

10 within the definition that he ascribes to that term  
11 of effectively a type of foster parent of HIA127.

12 **A. Yes.**

13 Q. Now what you are saying, as I understand it, is that  
14 there is such a document giving you that role --

15 **A. Yes.**

16 Q. -- but the Inquiry has not yet seen it.

17 **A. Yes. I think what the Inspector says there, if that was**  
18 **happening, it would be done as a befriender role, not as**  
19 **in a key worker role. As a key worker, key workers**  
20 **wouldn't and I wouldn't have taken children out on**  
21 **a regular basis to my own home. That's why I am stating**  
22 **that it was done in the role of a befriender. I know**  
23 **the Inspector says that he didn't find that in the case**  
24 **files, but I see earlier in that he states that he would**  
25 **only have scanned through about 20% of the case files**

1           **when he done his inspection. So it was quite possible**  
2           **that he didn't look.**

3    Q.    Don't worry about him.

4    **A.    Okay.**

5    Q.    What you are saying is you were appointed as  
6           a befriender?

7    **A.    Yes.**

8    Q.    Social Services were involved in that process?

9    **A.    That's correct.**

10   Q.    That you have previously seen a document that verifies  
11           that --

12   **A.    Yes.**

13   Q.    -- and that to date the Inquiry hasn't received that  
14           document from either the Sisters of Nazareth or the  
15           Health & Social Care Board.

16   **A.    Yes. If I could just also say that the document that**  
17           **you brought up previous to that of the minutes of the**  
18           **case review of November, I don't think I received a copy**  
19           **of that either. So I am sort of trying to --**

20   Q.    No. Well, you wouldn't have --

21   **A.    I wouldn't have.**

22   Q.    -- been getting that type of document.

23   **A.    That's okay.**

24   Q.    If we could go back to SND-5233, which is that document  
25           and we are going to look at it again, if we just

1 maximise the size of it, please, and scroll down, so  
2 this has been happening by [REDACTED], and if we just  
3 go towards the bottom of the document, whoever is  
4 authoring this is saying:

5 "Overall HIA127 is making very good progress in  
6 care. The therapeutic work that has been done with him  
7 especially by [you] has brought him to the threshold of  
8 a new beginning."

9 This is a positive consideration of your involvement  
10 with him. If we scroll down, various recommendations  
11 are then made as to his onward care.

12 Now if this -- this document, which is in [REDACTED]  
13 [REDACTED] if HIA127's allegations are correct, you -- the  
14 abuse in relation to him began in the summer of [REDACTED] --

15 **A. Yes. According to his allegation, yes.**

16 Q. -- and a series of incidents that he has explained in  
17 detail in his witness statement have taken place by this  
18 point and there are more to come. Now one extrapolation  
19 from you taking HIA127 out to your home --

20 **A. Yes.**

21 Q. -- is the fact that you took him not only to your home  
22 but to your then girlfriend's home.

23 **A. That's correct.**

24 Q. SR142 -- that's "SR142" -- had something to say about  
25 that when she spoke to the police and that's at

1 SND-15945. You will see at the top of the page:

2 "I was aware that [you] SND38 took [him] HIA127 to  
3 his family home. However, the question of taking him to  
4 [your girlfriend's] home I never recall being  
5 discussed."

6 **A. Yes.**

7 Q. Now just before you comment on that I am just going to  
8 show you another -- SND-16854. Sorry. That's the wrong  
9 reference. Don't bring that up, please, for me.

10 SND-16962. This is a -- whenever the allegations are  
11 made then as well as a police investigation there's  
12 a Social Services engagement between the Board and the  
13 home, and looking at the various aspects as far as  
14 Social Services are concerned and their practices. You  
15 will see again this records:

16 "However, SR142 did point out that at no stage was  
17 there any agreement in relation to [you] taking HIA127  
18 to the home of [your girlfriend]."

19 **SND 491**, who shouldn't be identified, but he  
20 according to this note was arranging for the relevant  
21 social workers who are named above -- and when this  
22 document is published, those names should be redacted --

23 "**SND 491** said he would arrange for the relevant  
24 social workers to be interviewed to see if they had any  
25 recollection of such approval being given by Social



1 Services."

2 Now we don't have any record as yet of that process  
3 and what was said by these individuals. That's  
4 something that the Health & Social Care Board can look  
5 into, but the point that SR142 is making is, "Whatever  
6 I knew about you taking HIA127 to your own house", she  
7 didn't know about you taking HIA127 to your girlfriend's  
8 house. What do you want to say about that?

9 **A. The reason it wasn't discussed or approved was that it**  
10 **happened so infrequently and for -- for example, I think**  
11 **I put in my statement that at one stage he accompanied**  
12 **me to my girlfriend's house, who incidentally was also**  
13 **a [REDACTED] --**

14 **Q. Yes.**

15 **A. -- and was known to [REDACTED] and who [REDACTED] got on very well**  
16 **with. [REDACTED] would have come out to my house on a day or**  
17 **an afternoon I wasn't at work. It so happened that on**  
18 **one of those occasions I went up to cut the grass at my**  
19 **girlfriend's house when [REDACTED] was with me. He**  
20 **accompanied me to my girlfriend's house. We might have**  
21 **been up maybe no more than an hour, whatever it takes to**  
22 **cut grass. He helped me cut the grass. I done that**  
23 **just as he never cut grass in Nazareth House. You never**  
24 **really done domestic chores or seen a lot of situations**  
25 **that you -- most people would take for granted in**

1 a normal home environment.

2 For example, when I mentioned to him -- one time in  
3 Nazareth House when he was washing dishes he had the hot  
4 water tap on flowing and I says to him, "You know, you  
5 should fill the sink with hot water", I says, "because  
6 when you leave care, it costs a lot of money to heat  
7 water and have it flowing". He says, "But doesn't the  
8 hot water just flow out of the hot water tap?" You  
9 know, he assumed that there was a constant supply of hot  
10 water. It was things like that in a residential setting  
11 that sometimes you didn't pick up on, or the fact, you  
12 know, that when a child, you know, says they never saw  
13 a whole chicken. The chicken came up cut into portions.  
14 They may not have seen potatoes being peeled because the  
15 meals came up from central kitchen. So even something  
16 as simple as cutting grass.

17 I didn't actually phone up and say, "Can I get  
18 approval for HIA127 to cut grass?" It was spontaneous.  
19 It just happened because -- probably because the weather  
20 was dry or the grass needed cut or whatever. He was in  
21 my company and we stopped off, cut the grass.

22 One of the other occasions that I recall being up  
23 was I had removed tiles from the bathroom of my  
24 girlfriend's home and there was work getting done.  
25 Again it was a day HIA127 was with me. I had already

1 removed most of the tiles and I had to bag them and take  
2 them to the local dump, and again he was out and he  
3 helped me put tiles in the bag and take them to the  
4 dump. That might have been half an hour's job. It was  
5 just engage him in something that happened  
6 spontaneously. It wasn't something that I would have  
7 phoned a fieldwork office to say, "Can I do this?" ■

■ [REDACTED]

■ [REDACTED]. [REDACTED]

■ [REDACTED]

11 Q. Before I ask you a few questions about that, because  
12 again there's a lot of material in the answer you've  
13 just given, SND38, [REDACTED],  
14 and, as you say was also doing the same role as you in  
15 Bishop Street, made a statement to the police, and it is  
16 at SND-15949, as part of the '96 investigation and she  
17 could remember according to this statement at least one  
18 occasion -- you can see Detective Inspector Crawford,  
19 who also spoke to you -- she can remember being present  
20 on at least one occasion whenever HIA127 came with you  
21 to her house.

22 You whenever you are dealing with the end, and what  
23 I mean by that is the [REDACTED] point whenever  
24 your suspension is going to be lifted in relation to the  
25 HIA127 allegations, you indicate, and if we can look at

1 SND-15960, that you could remember this occasion about  
2 cutting the grass. You say as part of that:

3 "Question: Were there any restrictions placed on  
4 staff or yourself about where you could take Kevin or  
5 other children?

6 Answer: No. Left to the discretion of the  
7 individual staff member. Generally they came with us  
8 wherever we were going.

9 Question: What about the visits [REDACTED]

[REDACTED] ?

11 Answer: I only took him there once from Nazareth  
12 House and that was to cut grass. I took him one other  
13 time from foster parents to collect books ..."

14 This is SND45 and SND46 I presume we are talking  
15 about?

16 **A. Yes.**

17 Q. So this is post [REDACTED]

18 **A. Yes.**

19 Q. We'll come to that period:

20 "... when I was on a social work course."

21 You say that [REDACTED] was present.

22 Now you have described today, and in your Inquiry  
23 statement at SND-15861 you mention this further occasion  
24 that you recall, which is working in the bathroom doing  
25 the tiles, and we can see that -- scroll a little

1 further down, please. Scroll a little further down. So  
2 you mention:

3 "He was in [REDACTED],  
4 on three short occasions."

5 You say he had a good relationship with [REDACTED]  
6 and you mention the cutting the grass. You mention  
7 collecting the books, and then the third occasion he was  
8 helping you put up tiles. You say that if we took the  
9 tiles off, we'd find his name carved into the plaster.

10 Is it the case that SR142 -- you have said you  
11 didn't phone up for approval but did you ever tell them,  
12 "Look, I have been taking HIA127 to not just my house.  
13 I have been taking him to [REDACTED]" or ...?

14 **A. No. Because it was so infrequent and so spontaneous it**  
15 **wouldn't have been something that you would have**  
16 **pre-planned to have done. Probably it just happened at**  
17 **the time. As I say, it didn't happen very regularly or**  
18 **very often.**

19 Q. As you reflect on it now, given all you have been  
20 through, you are a key worker of a child and you're  
21 talking about doing this befriending role, and you are  
22 taking a child who you know from -- it is replete in  
23 your material that you have provided during this period  
24 and to the Inquiry that you were dealing with  
25 individuals who had difficult histories, that you were

1 taking a child out of the home to be only in your  
2 company, and you weren't telling your employer where you  
3 were all of that time that you were with the child. As  
4 you reflect on that now, do you see any difficulty with  
5 that approach?

6 **A. No. HIA127 came out approximately once a week.**

7 **I didn't record A to Z of what we done or whatever in**  
8 **any great detail. So when I say I didn't tell my**  
9 **employer, it wasn't that I was withholding that**  
10 **information from my employers. I think if I had**  
11 **mentioned it, I don't think there would have been**  
12 **a problem with it. The reason it wasn't mentioned was**  
13 **because it was quite insignificant insomuch that it was**  
14 **just a passing, a spur of the moment, type of situation.**  
15 **On reflection would I do it again? On reflection**  
16 **I would never have befriended anyone.**

17 **Q. Now I want to move on to look at another issue that is**  
18 **in a similar path, which is the overnight stay. This**  
19 **occurs in Christmas [REDACTED], so [REDACTED]. If we**  
20 **look again at SR142, SND-15945, she says that HIA127's**  
21 **social worker approved -- if we just scroll down to the**  
22 **bottom, please:**

23 **"These visits didn't involve an overnight stay**  
24 **except on one occasion at [REDACTED]. Since this was**  
25 **outside the agreed and approved routine, we contacted**

1 SND475 ..."

2 I think that's SND475, whose name shouldn't be  
3 identified. I am told that is right. So that is **SND 475**  
4 **SND 475**:

5 "... and sought her permission and she readily gave  
6 it. I would just like to point out that during my time  
7 there I found SND38 to be an excellent worker and his  
8 behaviour was beyond reproach."

9 So that's how SR142 viewed you. She is saying that  
10 specific permission was sought from the social worker.  
11 In fact -- this won't necessarily have been known to you  
12 -- but if we look at SND-5214, Members of the Panel, we  
13 will see, in fact, the matter went right up to **TL 4**  
14 **TL 4**, who was -- I am not sure of his precise job  
15 title then but eventually **[REDACTED]** --  
16 certainly high up in the residential side. We can  
17 pinpoint what he was in **[REDACTED]** but you will see  
18 from this record that it was discussed with him in order  
19 for approval to be given.

20 Now you have pointed out the inconsistencies that  
21 you have identified in respect of HIA127's account about  
22 the various allegations that he makes to you, and one of  
23 the allegations he makes which helps us date all of the  
24 others is what occurred at **[REDACTED]**.

25 If we look at SND-15960, which again is you talking

1 in May 1997 to SR10 during her examination of the  
2 matters, you will see down the bottom, please:

3 "When [you] took HIA127 for an overnight visit to  
4 his mother's, he pleaded to be kept for another" -- this  
5 is what you are saying to her -- "he pleaded to be kept  
6 for another night, but [you] could not keep him, because  
7 he had only permission from Social Services for one  
8 night."

9 You make -- you raise the question if he had really  
10 been abused by you, would he have asked to stay a second  
11 night?

12 Your mother made a statement as part of the police  
13 investigation in 1996 at SND-15215 where she, like you,  
14 says:

15 "HIA 127 only stayed one night."

16 Just maximise that, please. If we scroll down and  
17 you will see:

18 "He begged me to stay another evening. However, he  
19 had only permission for that one night and he had to  
20 return to Nazareth House. He was very disappointed  
21 about having to return."

22 She says he was always very happy on the visits and,  
23 in fact, the records show -- and we are not going to  
24 open them up -- but the records show him coming back  
25 from various visits with you in good form and having



1           enjoyed himself and so on, but, in fact, he didn't stay  
2           one night; he stayed two nights.

3   **A. Yes.**

4   Q. Let me just before you --

5   **A. Sorry.**

6   Q. If we bring up SND-5171, you see the record we just  
7       looked at, which was the [REDACTED] TL 4 [REDACTED] approval document,  
8       had reference to two nights, but if we just scroll down,  
9       you will see -- just stop, please:

10           "[REDACTED] -- spent [REDACTED] at key  
11       worker's home."

12           Then if we look as well at SND-5277 -- that seems to  
13       be like a monthly record that's kept.

14   **A. Okay.**

15   Q. So that's the [REDACTED] one. Then this is the daily  
16       log. You will see it is rather difficult to read, but  
17       if we can maximise, on the left-hand side you will see  
18       Monday -- if we go to the page before just for a moment  
19       and if we look at the bottom right corner of the  
20       page before -- scroll up a little further, please:

21           "[REDACTED]. HIA 127 was on a bit of  
22       a high. He was given chores to do for misbehaving  
23       during dinner. Left at 4.00 to spend a few days at the  
24       home" -- just scroll down, please -- "of his key  
25       worker."

1           So that's the record of [REDACTED] of him going out. On

2           [REDACTED]

3           "He is spending a few days at the home of his key  
4 worker."

5           That's a record presumably because he is not there.

6           Then [REDACTED]. So this will have been  
7 after the second night:

8           "Returned in the evening after his Christmas stay at  
9 his key worker's. Was in very good form and played with  
10 his TV game."

11           I will come back to the TV game. The  
12 contemporaneous records definitely suggest he was -- he  
13 stayed with you for two nights --

14   **A. Yes.**

15   Q. -- and you were obviously wrong about that in May '97 --

16   **A. Yes.**

17   Q. -- as was your mum to the police.

18   **A. I think where the confusion lay, he was getting out for**  
19 **Christmas Day for the overnight, but, in fact, this is**  
20 **showing he actually arrived on [REDACTED] so he could**  
21 **be there on Christmas Day. So when we say he asked to**  
22 **stay another day, that would have actually been to stay**  
23 **on Boxing Day, if you follow the ...**

24   Q. Yes.

25   **A. I understand --**

1 Q. You can see the difficulty.

2 **A. Yes, yes.**

3 Q. Your mum has been very categoric to the police he got  
4 one night. You were categoric with SR10 it was one  
5 night, but it seems there was two nights.

6 **A. There may well have been, and according to that that's**  
7 **-- there would have been two nights, yes.**

8 Q. Can you remember that now, SND38, or are you just  
9 accepting it because of the document?

10 **A. Well, if he stayed two nights, he definitely would have**  
11 **had approval to be there for two nights. It wouldn't be**  
12 **that he had approval for one night and he was kept two**  
13 **nights.**

14 Q. I am not suggesting --

15 **A. But I accept that, yes, he would come out on the -- on**  
16 **the [REDACTED].**

17 Q. It is clear he did have approval to stay two nights --

18 **A. Yes.**

19 Q. -- and he seems to have done that. Were both the nights  
20 with -- in your then mum and dad's house?

21 **A. Yes.**

22 Q. Now arising from that document if we just stay there and  
23 deal with it, one of the issues he has raised is you  
24 were often giving him gifts.

25 **A. Okay.**

1 Q. The reference is made we can see here to the TV game.  
2 I think it is later described as the Atari. We were  
3 having some discussion you will recall earlier about the  
4 Atari console, now of its time, but a very popular  
5 item at the time it was released. Did you get him that?

6 A. No. He would have got that as a Christmas present when  
7 he was at my home, but it wasn't myself that bought it.  
8 It would have been bought as a gift from Nazareth House  
9 as his Christmas present that -- each child would have  
10 received a present. It would have been taken obviously  
11 with me and given to him on Christmas, but it wasn't  
12 given as a present from myself, bought by myself. It  
13 would have been a present bought from the residential  
14 unit and then presented to him on Christmas morning.  
15 Now he may have wrongly concluded it was myself or maybe  
16 my parents that bought it to him, but it definitely  
17 wasn't. I didn't have that type of money I notice from  
18 the records of the day at the time, but each child got  
19 their own individual presents bought from the children's  
20 home and that's the present that he would have received  
21 when he was at the home for Christmas. He may have  
22 thought that it came from me, but it definitely was not.

23 Q. Your recollection is that, in fact, the Sisters of  
24 Nazareth had bought this Atari console for **HIA 127**.

25 A. Yes. I don't think -- the home did have an Atari game

1 set for all the residents, and really winding back, as  
2 I-am reading the game he is talking to, I don't think --  
3 in fact, I am quite definite it wasn't an Atari game set  
4 he got at Christmas that year. It was a plug-in game  
5 for a TV, but not --

6 Q. Not an Atari?

7 A. -- not the Atari thing; just an alternative to an Atari.

8 Q. But your recollection is that the Sisters of Nazareth  
9 had purchased that item?

10 A. Well, they would have provided the money. Chances are  
11 I actually physically went out as a key worker and  
12 bought him whatever he had asked for for Christmas.  
13 That would have been what the key workers would have  
14 done. They would have found out what the child wanted  
15 for Christmas presents and they would have got the money  
16 from Nazareth House, went out and got the presents and  
17 had them there for Christmas Day. That's what would  
18 have happened in that instance.

19 Q. That's really an issue that the Sisters of Nazareth can  
20 look at for us as to that process.

21 A. Yes. There was a fixed amount of money given to each  
22 child. It was a set stipulated amount that the Sisters  
23 of Nazareth got from the Social Services Board.

24 Q. Social Services as a Christmas allowance, as it were?

25 A. And for clothing and for whatever else was ...

1 Q. Yes. There is four more issues to do with presents,  
2 Chairman. I am just noticing it is just after  
3 1 o'clock.

4 CHAIRMAN: Well, I take it we are going to be quite some  
5 time yet?

6 MR AIKEN: Yes.

7 CHAIRMAN: Very well. 2 o'clock.

8 (1.04 pm)

9 (Lunch break)

10 (2.05 pm)

11 MR AIKEN: Chairman, Members of the Panel, before lunch  
12 SND38 and I were discussing the issue of presents and  
13 gifts for the children and we had been talking about the  
14 Atari system and then the plug-in TV game that you were  
15 mentioning is probably what he would have got at the  
16 Christmas present opening in your house --

17 **A. Yes.**

18 Q. -- if I have understood you. Now if we look at  
19 SND-16873, we can hopefully see this is what HIA127  
20 himself said about this. If we just scroll down,  
21 please, this is a transcript, SND38, of HIA127's  
22 evidence to the Inquiry. Just scroll down further,  
23 please. I am asking him about this Christmas stay and  
24 what -- about the present.

25 "Question: What did he buy you?"

1 He talks about you having bought him things on  
2 various occasions. So he says about this:

3 "Answer: I remember when I went to his home that  
4 Christmas he bought me the Atari, a computer game  
5 system.

6 Question: That's an Atari."

7 I was for those not accustomed with the Atari  
8 spelling out what that was. I was saying:

9 "One of the old ...?"

10 and he says:

11 "Yes, way back in the day."

12 I ask him then:

13 "He bought you that for Christmas?"

14 If we scroll to the next page, please:

15 "Answer: Yes."

16 Now just on that subject if we go back to SND-5277,  
17 which is the record in the home that was maintained, the  
18 daily record, you will see that -- you will see, for  
19 instance, top right:

20 " [REDACTED] . Another good day for  
21 HIA 127. Played with his TV game but was very generous in  
22 sharing the playing with the other children."

23 So whether this is the Atari that he is referring  
24 to, it seems to be recognised by the author of this  
25 document and those that the author is referring to as

1 something that belonged to HIA127 --

2 **A. Yes.**

3 Q. -- that he was engaging in sharing with others who were  
4 in the home, but you -- just to be clear, your  
5 recollection of this is that this would have been funded  
6 via money received from the Sisters of Nazareth?

7 **A. Yes. Christmas presents were funded by the home, by the**  
8 **children's home. Same for birthday monies, clothing**  
9 **money, pocket money. It was all provided by Nazareth**  
10 **House.**

11 Q. You will no doubt recollect not the precise price, but  
12 if I were to say to you that the Atari game console was  
13 the thing at the time, it was quite an expensive item,  
14 do you -- would you accept that's the way things were at  
15 the time it was coming out?

16 **A. I would imagine so, yes.**

17 Q. Now if we look then at SND-16874, this again is the  
18 transcript of HIA127's evidence where he is being asked  
19 by me about other gifts:

20 "Question: What else did he buy you? Can you  
21 remember?

22 Answer: He would have given me anything I wanted.  
23 Money, clothes, whatever."

24 We looked at then a particular document relating to  
25 the interview that was conducted by that was SND465,



1 social worker, on 6th August. That document records  
2 that HIA127 was indicating or alleging that you would  
3 give him money, £5 to £10, and this continued when you  
4 (sic) left care.

5 "He remembers going to Nazareth House and asking for  
6 money."

7 That's what the record records. HIA127 himself  
8 could not remember that. You do make reference to him  
9 -- you doing things for him even after he has left. You  
10 talk about food parcels.

11 **A. Yes.**

12 Q. Is it possible that money was also made available to  
13 him?

14 **A. No, I don't have any recollection ever giving HIA127**  
15 **money other than the money that would have been provided**  
16 **as pocket money through the children's home.**

17 Q. His reference to money is at SND-5460, if we want to  
18 quickly skip to that. You will see towards the bottom  
19 one time he told SND465 that you would give him money,  
20 £5 to £10, and that this continued when he left care.  
21 He remembers going Nazareth House and asking for money  
22 and you gave him £10.

23 **A. I don't -- I don't recall that, no.**

24 Q. I want to leave the issue of gifts save for this. Were  
25 you ever given any guidelines or instructions about the

1 propriety or wisdom of buying gifts for children that  
2 you were looking after?

3 A. I don't think there was specific written guidelines, but  
4 staff would have bought small gifts. Maybe at birthdays  
5 a key worker might have bought the key child a small  
6 gift. If they took them out on the town, they may have  
7 bought them something very small, definitely not  
8 expensive, definitely not extravagant and definitely not  
9 in any way that would cause jealousy among other  
10 residents.

11 Q. I think you make other reference where he does have you  
12 -- perhaps correct me -- to -- you would have taken him  
13 to cafes and bought him food when you were out?

14 A. Yes. Again that would have been the occasional treat  
15 that the key worker had individual time with a key  
16 child. They may have taken him into town, maybe taken  
17 him for a game of snooker or taken him to the likes of  
18 McDonald's or a cafe. Some of that would have actually  
19 been funded by Nazareth House if you were taking him out  
20 to a restaurant, but I think most key workers probably  
21 funded it themselves.

22 Q. Now I want to move on to a particular issue that's  
23 discussed by HIA127 in his allegations connected to  
24 [REDACTED] that he had and the need to apply I think it  
25 was called Polytar cream.

1 **A. Uh-huh.**

2 Q. I just want to look at that and discuss with you the  
3 practice of how lay staff or key workers were involved  
4 in that. If you look at paragraph 19 of your statement,  
5 SND-15860, it is down towards the bottom of the page.  
6 If we can maximise that, please. You say, the very last  
7 line:

8 "The bathroom in Nazareth House had a lock on the  
9 door and I never entered the bathroom when HIA127 was  
10 undressed."

11 I wanted to ask you were you meaning by that there  
12 were times that you did enter the bathroom but he would  
13 have been dressed --

14 **A. No.**

15 Q. -- or would you never have entered the bathroom?

16 **A. Well, I would guess any time he was in the bathroom he  
17 would have been having a bath or using the toilet. So  
18 I~wouldn't have been in. I would have been in the  
19 bathroom in the course of everyday duties, whether that  
20 be putting in toilet papers or whatever --**

21 Q. Yes.

22 **A. -- but not specifically when a resident was in having  
23 a bath or in the bathroom.**

24 Q. I want you just to look at something SR142 then, who was  
25 the head of the unit, had to say about that. If we look

1 at SND-15943, this is another part of her statement that  
2 she made as part of the police investigation in 1996.

3 Just scroll down to the bottom, please. You see:

4 "Detective Inspector Crawford has asked me regarding  
5 the bathing practices and I would say that it was normal  
6 for older children to bathe themselves. However, HIA127  
7 had a medical problem which required applying cream.  
8 SND38", you, SND38, "would have been present during  
9 these times to supervise the application of such cream."

10 **A. Well, you say "supervise it". I would ensure that the**  
11 **cream was readily available to him and he would have**  
12 **been reminded that he had to apply it, whether that was**  
13 **morning, evening or bedtime, but I actually would never**  
14 **have physically applied it to him.**

15 **Q.** Can you under... -- you will no doubt understand that  
16 sentence, if she means what she says, to supervise  
17 something tends to be you would be around the happening  
18 of it. Are you saying there was no occasion whenever  
19 you checked that he had applied the cream, pointed out  
20 to where he should apply it? You simply had no  
21 engagement whatever with that?

22 **A. No. He would have -- I am sure he would have been aware**  
23 **where he had the [REDACTED] and because of his age at**  
24 **that stage -- he was probably in his teenage years at**  
25 **that stage -- he would have been quite capable of**

1       applying cream. Again as a key worker I would have had  
2       responsibility to ensure that the cream was always in  
3       his room and that he would have used it.

4       Q. Yes.

5       A. I wouldn't have actually physically been present and  
6       stood there watching him putting it on or applied it, if  
7       you know what I mean.

8       Q. I think he was [REDACTED] at the time in [REDACTED] and --  
9       I~am not going to bring it up -- in his statement he  
10      says you told him that he couldn't put it on properly.  
11      That's why you were helping him with it.

12     A. That's totally false.

13     Q. That's just not what occurred?

14     A. It just didn't happen.

15     Q. At SND-17162 this is a document which records -- and  
16     I just want to clarify with you some of the matters we  
17     were talking about beforehand this morning -- but  
18     this -- if we just go back to the previous page just so  
19     we set the context of this, this is a strategy  
20     discussion document that Social Services -- just take it  
21     up further, please -- interacting and looking at  
22     HIA127's allegations and recording the steps being taken  
23     and so on. This particular page is a few pages into the  
24     discussion strategy, but it indicates Detective  
25     Inspector Crawford's interview with you on Friday, 2nd

1 August 1996.

2 Now I was asking you this morning -- this record  
3 appears to be someone recording what Detective Inspector  
4 Crawford is reporting he said to you and you said to him  
5 in response, but I wanted to, as I was this morning  
6 checking with you -- was this an interview that was  
7 conducted with your solicitor present?

8 **A. Yes. From my recollection any interactions I had with**  
9 **interviews I would have had a solicitor present. So if**  
10 **that was -- which I think it was. I remember the name**  
11 **"Crawford", and I can't visualise his face, but that**  
12 **does seem to be accurate.**

13 Q. If I can help you in this way: you didn't sit down with  
14 a cup of tea --

15 **A. No.**

16 Q. -- on a sofa and have a chat with Gary --

17 **A. No.**

18 Q. -- DI Crawford.

19 **A. No.**

20 Q. This was a formal --

21 **A. Yes.**

22 Q. -- and no doubt it was tape-recorded?

23 **A. Yes. To the best of my recollection it would have been.**

24 Q. So there ought to be a transcript of the police  
25 interview that took place with you on 2nd August.

1 **A. I would imagine so, yes.**

2 Q. That's not something that we have to date. So we can  
3 take that up with the Police Service, but in this record  
4 of the interview that took place if we go down, please,  
5 to SND-17162, it is -- you are asked about -- do you see  
6 the top of the -- just scroll down further, please.

7 You -- this is paragraph 2. Now the context is slightly  
8 different. It is talking about putting in the bath,  
9 which is another part of the allegations that HIA127  
10 makes, but you will see that in addition to denying ever  
11 touching him, you say or it is recorded that you  
12 acknowledge that you may have been in the bathroom.

13 **A. Sorry. I can't see that part of it.**

14 Q. You see just where the cursor is at the moment?

15 **A. Yes.**

16 Q. If we just take from the -- if you look at what's said  
17 --

18 **A. Yes.**

19 Q. -- "HIA127 alleged that on an occasion when he did not  
20 want to take a bath you stripped him naked and put him  
21 in a cold bath."

22 **A. Yes.**

23 Q. "HIA127 said that on taking him out of the bath you  
24 touched him up."

25 You said that:

1 "No-one was ever forced to wash ... that HIA127 had  
2 an acute hygiene problem",

3 which is perhaps connected to this cream issue as  
4 well, [REDACTED], or maybe you are just talking about  
5 in general, and you denied ever touching him up in  
6 relation to that incident, but you did acknowledge that  
7 you may have been in the bathroom.

8 **A. Yes. Well, I don't know if that is implying I was in**  
9 **a particular incident or just acknowledging that I would**  
10 **be in the bathroom in the unit, which I would have been,**  
11 **but again I would say if there was -- he was in to bathe**  
12 **or shower or whatever, I definitely wouldn't have been**  
13 **in.**

14 **Q.** So if this reference carries the implication that it is  
15 you being in the bathroom at the same time as HIA127 is  
16 washing or showering, you are saying that's not the  
17 implication that should be read into it?

18 **A. Certainly not. I never was in the bathroom when he was**  
19 **either undressed or in the bath or in the shower.**

20 **Q.** Now that's the issue to do with the cream.

21 You have provided a plan -- I just want to get the  
22 layout of unit 2, because a number of the allegations  
23 relate to HIA127 alleging that you have come into his  
24 bedroom.

25 **A. Uh-huh.**



1 Q. At SND-15867, this is a -- as I understand it, you  
2 produced this version.

3 **A. Yes. That's correct.**

4 Q. If we just take the right-hand side of it, we can see  
5 the "Visitors room" at the top and then the "Nun's  
6 bedroom". So that would have been where SR23,  
7 subsequently then ...

8 **A. Yes.**

9 Q. I have forgotten. You can correct me.

10 **A. SR142.**

11 Q. ... SR142 would have slept. Eventually that room might  
12 have been empty if SR2 slept in another room as the head  
13 of the home.

14 **A. Yes, correct.**

15 Q. So there would have been a period when SR23 was there,  
16 a period when SR142 was there and then from [REDACTED] onwards  
17 HIA127 would not have been there any longer --

18 **A. No.**

19 Q. -- but it would have been -- there would have been no  
20 nun necessarily sleeping in this bed at that point in  
21 time.

22 **A. Yes, it's possible.**

23 Q. Then in the bottom right corner you can see next to the  
24 entrance door, if we were coming up in the entrance, on  
25 the right you have the staff office leading into the

1 staff bedroom. So on the nights that you were sleeping  
2 in -- by that I mean spending the night in the unit --

3 **A. Yes.**

4 Q. -- that's where you would have slept?

5 **A. That's correct.**

6 Q. And then the bedroom just next to that is HIA127's  
7 bedroom?

8 **A. That's correct.**

9 Q. So he was factually the nearest bedroom to the office  
10 and staff bedroom?

11 **A. That's correct.**

12 Q. That plan accords with -- if we look at SND-15953, this  
13 was a plan that appears to have been provided as part of  
14 the police investigation. We're maybe seeing it the  
15 other way around. It is the top left corner.

16 **A. Yes.**

17 Q. We've now got it in the top right side on. So if you  
18 were coming in from the right-hand side coming in left,  
19 then on your right-hand side again is the office and the  
20 bedroom and then HIA127's bedroom. So that plan that  
21 was provided at the time does accord with your memory --

22 **A. Yes.**

23 Q. -- which -- you then produced the much neater version  
24 for the assistance of the Inquiry.

25 Now I want to then move on to deal with HIA127 in

1 [REDACTED]. I am not going to bring this  
2 record up. He is transitioning to move out to the  
3 foster home of SND45 and SND46. For the record, Members  
4 of the Panel, that's SND-5351 through to SND-5353.  
5 There are various daybook entries talking about him  
6 staying over the night, then back in the unit for three  
7 or four nights, and then that balance moving to spending  
8 more nights with SND45 and SND46 and less nights in the  
9 unit. That accords with how you recollect this type of  
10 thing happening, SND38?

11 **A. Yes.**

12 Q. Then officially the foster placement starts, so  
13 a permanent move. If we look at SND-5444, that is said  
14 to occur on [REDACTED]. We will see that just  
15 a third of the way down the document:

16 "Date of foster placement: [REDACTED]."

17 Now if we just scroll to the top of this document to  
18 assist with the review process, this seems to be  
19 a document that was prepared before and to inform the  
20 six-monthly review case conference type, a boarding out  
21 review that would then happen.

22 **A. Yes.**

23 Q. So what we'll be looking for in terms of discussion  
24 about a befriender will be not a document like this but  
25 the minutes that flow out of the consideration of

1 a document like this.

2 **A. Uh-huh.**

3 Q. By [REDACTED] if we look at SND-5450, this  
4 starts -- sorry. If we just stay where we are for the  
5 moment, you will see the date of that review -- just go  
6 back for me to SND-5444 -- the date of this review is  
7 [REDACTED]. So by this stage there is two months  
8 of the placement -- the permanent placement, as it were,  
9 has taken place, and towards the end of the document  
10 then at SND-5450 there is some detailed record of the  
11 position in the foster placement. You will see down at  
12 the end of the document that it is authored by SND466,  
13 the [REDACTED] at the time.

14 If we just scroll up, please, a little, there is  
15 various other issues that are discussed in the document  
16 about the foster placement, but you will see the  
17 paragraph beginning "The issue ...":

18 "The issue which is causing the greatest problem for  
19 the foster parents, SND45 and SND46, at present is the  
20 role of [you], SND38, HIA127's house parent from  
21 Nazareth House, in the management of the placement."

22 Now I just want you to note in passing this is  
23 an [REDACTED] who is describing you  
24 not as a befriender in this document, which is why it is  
25 an issue that the Health & Social Care Board are going

1 to have to look into. He is describing you as a house  
2 parent from Nazareth. He is talking about what they are  
3 telling him about your role in the management of the  
4 placement. He says that:

5 "SND38, whose relationship with HIA127 is a positive  
6 and important one, is managing a behaviour modification  
7 programme involving the use of a detailed daily file.  
8 Whilst SND45 and SND46 value SND38's commitment to  
9 HIA127 and to the placement, they feel that it is too  
10 intensive, that they were not fully consulted about  
11 setting it up, and that it represents something of  
12 an intrusion into the routines of their home. It was  
13 established in the course of the review that this form  
14 of support was not planned when HIA127 was discharged  
15 from residential care and that SND475", who was HIA127's  
16 social worker at the time, whose identity shouldn't be  
17 disclosed for the purposes of the transcript, "should  
18 discuss the issue directly with [you], SND38, with  
19 a view to (a) appraising you of the way SND45 and SND46  
20 are feeling and (b) reducing the extent of your  
21 involvement."

22 Now you are aware that HIA127 has alleged that you  
23 visited him regularly and abused him while he was in  
24 foster care and you have said at no time did you abuse  
25 him.

1 **A. That's correct.**

2 Q. You did visit him. You were never alone with him. The  
3 foster parents were there, but I just want you to --  
4 having had a chance to consider this document previously  
5 and looking at it again now, there are a number of  
6 issues that come out of it.

7 The first is a suggestion that what you were doing  
8 with HIA127 was not something that was part of his plan  
9 when he moved into foster care. Can you remember at  
10 this remove?

11 **A. Yes. Prior to HIA127 being prepared for fostering he**  
12 **was taking -- participating in what's called there**  
13 **"behaviour modification", which seems quite a clinical**  
14 **term, regarding looking after -- looking towards aspects**  
15 **of his own behaviour and routines of what he had to do**  
16 **or not do, as the case may be, and it was gradually --**  
17 **rather than the staff constantly telling him what to do**  
18 **and trying to resolve situations it was to highlight**  
19 **major problems that he was experiencing just from**  
20 **interactions and for him to review it usually on a daily**  
21 **or a weekly basis to see if he himself could adapt his**  
22 **behaviour, modify his behaviours to make them more**  
23 **capable of interacting with the group that he's living**  
24 **with, whether that was residential or in the foster**  
25 **placement. That was in place prior to moving to the**

1 foster placement. He took it with him, because he was  
2 still in the process, and it wasn't something that you  
3 could just turn off like a tap. It was something that  
4 gradually you would eliminate problem behaviours and  
5 just concentrate on the existing ones.

6 Now I remember obviously in around that time --  
7 I haven't seen that document up until today -- that the  
8 foster mother told me after review that the field social  
9 worker, SND475, felt that the record-keeping was a bit  
10 too much of an institutional type of approach for him to  
11 be in foster care and I said, "Well, you know, if you  
12 think that's not fitting into the foster family home",  
13 I was fine with it being taken off. I didn't think it  
14 was a good idea just to drop it, but at that stage he  
15 was in the foster home. So I was happy enough for that  
16 to happen.

17 At some stage -- it may have been at that time or  
18 just after that period -- the social worker was talking  
19 about him moving from the foster placement to return to  
20 the family home, and I thought again that wouldn't have  
21 been the best time or the best opportunity to phase him  
22 back home, given the fact that he hadn't lived at home  
23 for any period of time, nor had he any great  
24 relationship built up with his mother, but subsequently  
25 they did progress and move him from the foster placement

1 to the family home, which subsequently did break down.

2 Q. Well, what I want to know, SND38, is whether SR142, for  
3 instance, had required you to do this behavioural  
4 modification programme or was this something that you  
5 had started working with HIA127 on on your own?

6 A. It would have been done as just part of the individual  
7 work programme a key worker would have undertaken with  
8 a child, which was basically every child had common  
9 needs within the unit but then each child had particular  
10 individual needs.

11 Q. So this was something you had developed to help HIA127?

12 A. Yes.

13 Q. And what's clear from this record is that they are  
14 telling SND466 they have an issue about your -- the  
15 level of your engagement with HIA127 when he is in their  
16 home, and SND475 was going to discuss the issue directly  
17 with you for two purposes. Did SND475 discuss this  
18 issue with you?

19 A. No, I have no recollection of SND475 ever discussing  
20 that with me.

21 Q. Are you saying that your involvement within the foster  
22 placement did reduce, but that was as a result of SND46  
23 herself speaking to you?

24 A. Yes. I spoke to the foster mother. She was aware of  
25 the behaviour modification programme prior to HIA127



1 going in during that period. It was such that the more  
2 it's called behaviour modification, and again it sounds  
3 very clinical or whatever, it was quite like  
4 a child-friendly diary, just concentrating on main --  
5 particular issues that HIA127 would have maintained 90%  
6 of the time himself, and it would just have been  
7 reviewed with him to see how well he was coping with  
8 different aspects.

9 Q. Well, was that reviewing -- would you have done that in  
10 front of SND45 and SND46?

11 A. Yes. I would have asked them how he was getting --  
12 mainly I would ask HIA127 if I met him, "How are you  
13 getting on with the siblings in the home? Are you  
14 getting to school on time?", you know, whatever the main  
15 issues were that he had to contend with. It wasn't  
16 a sit down, formal ...

17 Q. But would that have been done in front of them?

18 A. I can't recall. It probably could have been just done  
19 as a casual conversation.

20 Q. There were occasions whenever you took HIA127 out from  
21 the foster home.

22 A. Yes.

23 Q. One of the visits to [REDACTED] that you mention --

24 A. Yes.

25 Q. -- was him being in your car.

1 **A. Yes.**

2 Q. One of the issues that arises from that is whenever --  
3 you being his key worker and he's gone on to foster  
4 placement, was there guidance about the level of  
5 interaction that you should have, whether you should be  
6 disengaging, whether your contact should be reducing,  
7 whether there were ways and methods to deal with the  
8 fact that, although you were his key worker when he was  
9 in a children's home --

10 **A. Uh-huh.**

11 Q. -- he was now trying to establish a family relationship  
12 --

13 **A. Yes.**

14 Q. -- which ultimately would have seen you perhaps  
15 disengage entirely from it?

16 **A. Yes. I think that process would have happened naturally**  
17 **as he settled into the foster home. I think at that**  
18 **stage of the review there he's probably only been in**  
19 **a couple of months, if I am not mistaken. I can't see**  
20 **the date there, but I think it was --**

21 Q. It is [REDACTED] --

22 **A. -- [REDACTED] and he went --**

23 Q. -- just two months later.

24 **A. Yes. It's two months later. So --**

25 Q. But what I am wondering about is not so much what

1 happened to HIA127, but were you given -- were you  
2 trained, given guidance? Were you instructed about how  
3 you were to react and deal with children who moved out  
4 into foster care?

5 **A. No.** HIA127 would have been the first child I had -- the  
6 key child who would have moved from residential to  
7 foster care. So it was a first for HIA127 as in he had  
8 a previous foster home when he was younger, but this was  
9 him moving out now as a teenager. There wasn't I don't  
10 recall a black and white process. It was a new process.  
11 I had the dual function of key worker/befriender and  
12 that may have sort of helped continue the relationship.

13 **Q.** Did anyone from Social Services say, "Now, SND38, now  
14 that he's gone into the foster placement" --

15 **A. No.**

16 **Q.** -- "you should be seeing him more, seeing him less,  
17 seeing him the same"?

18 **A. No.** I don't recall the actual aspect of befriending  
19 being formally taken to an end or a closure. What did  
20 happen at the same time as that I was also undertaking a  
21 certificate in social work, which meant I was training  
22 two days -- sorry -- two weeks out of each month. So  
23 I~wouldn't physically have had possibly the same time or  
24 input. [REDACTED]

25 [REDACTED],

1 [REDACTED]  
2 [REDACTED] So, as I say, there  
3 wasn't the formal end, as I remember, to the befriending  
4 other than ...

5 Q. When you were doing the -- you have no recollection of  
6 Social Services talking to you --

7 A. Definitely not.

8 Q. -- about the content of this report?

9 A. If that had been brought to my attention as a problem,  
10 I would have taken it on board. From my understanding  
11 it was -- what I was told by the foster mother it was a  
12 field social worker that felt that the diary keeping  
13 sort of was too much related to like a residential  
14 format and maybe not as appropriate to domestic home  
15 life environment, which is a fair point. If they want  
16 to take it that way, I don't have an issue with it.

17 Q. In [REDACTED] HIA127's foster placement came to  
18 an end. He returned home. I am not going to bring that  
19 record up, but that's SND-15935. He was at home for  
20 a period of time. Now he is [REDACTED]. Then in November [REDACTED]  
21 there was a major problem at home and he is admitted to  
22 Harborton House. SND-15935, if you can bring that  
23 record up, please. We can see:

24 "HIA127", so HIA127, "was admitted to Harborton  
25 House on [REDACTED] under an existing Fit Person

1 Order."

2 So he's come into Harberton and a record at SND-5152  
3 which I am looking at the tone and content and placing  
4 it -- bring it up, please -- has a record that was  
5 created in Harberton on him entering. You will see:

6 "Did not work out at home in [REDACTED]

7 I like being here because it is a lot better than  
8 home.

9 There are a few problems with school, my older  
10 brother" and so on. "I want to live in Harberton  
11 House."

12 Scroll on down, please. Carry on down, please. You  
13 will see:

14 "The people I find easiest to talk to are: my peer  
15 group and my social worker and [you]."

16 So -- you can take it from me that it is your name  
17 that appears --

18 **A. Yes.**

19 Q. -- not -- it is not "befriender" or "key worker" or ...

20 **A. Yes.**

21 Q. It is you as a person. In fairness to you you are  
22 described by HIA127 around this period as being -- if we  
23 look at SND-16842, he describes you, when he gave  
24 evidence to the Inquiry, as being his best friend.

25 I asked him:

1 "Why do you say that?"

2 He said:

3 "He was probably my only friend."

4 So that's how he viewed you. His allegations are  
5 that, despite the abuse that he's claiming has taken  
6 place in Nazareth House, has already happened at this  
7 point --

8 **A. Uh-huh.**

9 Q. -- this is now him moving into foster placement where he  
10 claims he was abused, he is now moving into Harborton,  
11 and yet he is still listing you as the person that he  
12 would turn to.

13 Now what I want you to look at then, SND38, is  
14 a series of entries in daybooks that were kept by  
15 Harborton House. I am just going to bring up a few of  
16 them, but they show an extensive involvement by you  
17 taking HIA127 out of Harborton House. If we look at the  
18 first one that I have identified, [REDACTED],  
19 SND-5159, you will see:

20 "Went out with SND38 for the pm. To return at 9.00  
21 pm. Watched the film until 10.00 pm and settled to  
22 bed."

23 There are a series of these that we are going to  
24 briefly look at, but what I want to ask you about them  
25 is why were you visiting and taking HIA127 out of --

1 this is now a children's home that you don't work for.

2 **A. Yes.**

3 Q. You are not his key worker any more. He's been through  
4 foster placement. He's been reassessed by Social  
5 Services, who you don't work for, and is placed in  
6 Harberton House. Why are you visiting and taking him  
7 out on regular occasions during this period?

8 **A. Well, at that stage I had known him for quite a number**  
9 **of years. He had gone through the foster placement. He**  
10 **had returned home, which -- I don't think it was the**  
11 **right time for him to return home. That subsequently**  
12 **broke down. I think at that stage he took an overdose**  
13 **at home, if I'm getting the time frame correct. He was**  
14 **readmitted to Harberton House and once again just back**  
15 **into the care system that I had tried to extract him**  
16 **from and give him a foster placement with hopefully**  
17 **a return to the family home.**

18 So at that stage when I was aware that he was back  
19 in care, I presume he contacted -- he contacted me or  
20 whatever, or I visited him when I heard he was in  
21 Harberton House. Again it wouldn't have been done  
22 without the knowledge of the staff. As can be seen  
23 there, it's recorded. If that was to be a problem, it  
24 would have been a problem that would have been addressed  
25 through the regular reviews in Harberton House, but

1 I think it was just the continuation of the care that  
2 I had for someone who had been in Nazareth House for so  
3 long, who had gone through the system, had quite  
4 a difficult start in life and was now almost rescued  
5 from residential care but has now gone full circle and  
6 back in.

7 Q. Can you also see, SND38, how -- if you are right, these  
8 allegations are false. You can appreciate now how they  
9 are easily made, because the circumstance in which you  
10 allowed this to happen or caused it to happen or it did  
11 happen is you taking this child who is in care out of  
12 the home. So if someone wanted to make a false  
13 allegation, they have got this period of time in your  
14 company --

15 A. Yes.

16 Q. -- which they can say whatever they want about.

17 A. Well, that's a risk of residential work, because, as it  
18 turns out in practice, quite a few of the allegations he  
19 made aren't made when I was out with him on his own. He  
20 claims they happened in the residential unit with three  
21 or four other members of staff working there and maybe  
22 seven, eight, nine other residents in the same premise.  
23 So even if I hadn't taken him out as a befriender, it  
24 still doesn't stop the other allegations that he says  
25 happened in the residential unit.



1           **Yes, in hindsight, having got burnt the way that**  
2           **I had burnt by doing what I thought was the right thing**  
3           **to do for an individual has been misconstrued and given**  
4           **a slant that would indicate, you know, there was**  
5           **ulterior motives so what was genuine motives. All my**  
6           **work with HIA127 and any child in Nazareth House was**  
7           **done basically out of the care for them.**

8    Q.    Just on that subject can you identify any other child  
9           that you took out on a regular basis in the same way  
10          that you did with HIA127?

11   A.    **HIA127 was the only one that I was acting as**  
12          **a befriender or appointed as a befriender for. HIA127**  
13          **would have been a long-term resident at Nazareth House.**  
14          **Other children wouldn't have been there quite so long**  
15          **and the other children would have had parental contact**  
16          **or family contact or even aunts and uncle contact.**  
17          **HIA127 was unique in the sense that he basically didn't**  
18          **have a family.**

19   Q.    Just look at 27th December.   SND-5157.   Just maximise  
20          the size of that.   Down towards the bottom, please, for  
21          me.   You will see at the bottom:

22                "Went out with SND38 and to return at about ..."

23                Just scroll on down, please.   This is one where the  
24                page goes elsewhere.   I will have to come back to that,  
25                SND38, but it is you taking him out.   I think the

1 reference on the page that follows it is to come back at  
2 9.00 pm or something like that. Was that reasonably  
3 typical of the time you brought him back?

4 **A. Yes. He would always have been brought back in time to**  
5 **settle back into the unit, get ready for bed, whatever**  
6 **the routine was in the home that he was resident in.**  
7 **Those times would have been agreed by the staff.**

8 Q. Yes.

9 **A. I wouldn't have had the authority to take him out**  
10 **without permission of the staff in the unit or keep him**  
11 **out or return him at any time that wasn't agreed.**

12 Q. SND-5155 is 15th January. You will see -- just scroll  
13 down, please:

14 "Up and out to school -- no bother ... going to  
15 SND38's [house] after school and will return at 9.30  
16 pm."

17 What I am wondering about, if you can help the  
18 Panel, SND38, is you have got this other children's home  
19 with Social Services staff staffing it --

20 **A. Yes.**

21 Q. -- and we have got records showing beyond any doubt that  
22 you were, and you accept you were, taking HIA127 out for  
23 long periods of time every -- the ones so far that  
24 I~have referred to are every two weeks. So after school  
25 it would have been 3 o'clock-ish to 9.00 pm, so a

1 six-hour period of a day that this boy is in your sole  
2 company.

3 In order for Social Services who are running this  
4 home to be comfortable with that you must have had to  
5 discuss HIA127 with some of their staff in order for  
6 them to be satisfied that this was appropriate. You  
7 couldn't just -- if I put it this way, you couldn't just  
8 have gone in and said, "I know that guy there. I will  
9 take him out for the night".

10 **A. No. The social worker and the residential social**  
11 **workers I am quite certain were aware that HIA127 had**  
12 **a good relationship built up with myself. He possibly**  
13 **took it as a sort of stabilising influence or at least**  
14 **someone who was constant rather than the constant moves**  
15 **that he had. I don't recall it ever being a problem**  
16 **that was highlighted as a concern either by the staff or**  
17 **--**

18 Q. I am not talking about them finding it a problem.

19 **A. Yes.**

20 Q. In order for it to happen to begin with and then  
21 repeatedly happen thereafter you'd had to have  
22 discussed, explained, agreed with the home or someone in  
23 the home or someone in charge of the home, "Look, this  
24 is my record of relationship with this boy. This is  
25 what I propose to do".

1    **A. Yes.**

2    Q. "Is that all right with you guys?"

3    **A. Yes.**

4    Q. That's a conversation that must have taken place surely.

5    **A. Yes. I don't actually recall a formal sit down. I am**  
6       **not saying there wasn't one or whatever, but definitely**  
7       **I would have discussed it with staff, otherwise it**  
8       **wouldn't have been possible to make the arrangements.**

9    Q. Let me ask you this. If you look back to your time as  
10    the head effectively of unit 2, if somebody, whether  
11    they worked for another children's home or not, was  
12    coming up to your unit and saying, "I want to take [REDACTED]  
13    out for the day. I will bring him back at 9 o'clock",  
14    and you were persuaded through their bona fides or  
15    whatever you knew about them or had found out about them  
16    that that was going to happen, in order to keep yourself  
17    right presumably you would have kept a record of, "I had  
18    a discussion with", whoever the person was, "who told me  
19    that it was acceptable to do this and I therefore  
20    released [REDACTED] to the custody of ... for the day" and  
21    you checked with [REDACTED] when he came back to make sure  
22    everything was all right before you agreed to allow it  
23    to be repeated.

24            To this point in time the Inquiry hasn't received  
25    any document like that to suggest someone engaged in

1       some analysis of whether -- never mind whether it was  
2       you or somebody else -- whether this was an appropriate  
3       thing to happen.

4       **A. Well, those documents would have to exist in Harberton**  
5       **House rather than Nazareth House. If he was resident in**  
6       **Nazareth House (sic) at that stage, it would have been**  
7       **the staff in Harberton House that would have done the**  
8       **recording and, you know, if records exist, that's where**  
9       **they would exist.**

10      **Q.** These are Harberton records that we are looking at, but  
11      we don't have that type of record which -- I am just  
12      asking whether you would accept that is the type of  
13      record that someone like you doing the type of work you  
14      were doing would have kept?

15      **A. Yes. The same in Nazareth House. If there was a child**  
16      **had a befriender, the befriender would have been known**  
17      **to the residential unit and the fieldwork staff, and if**  
18      **the child went out with a befriender, it would have been**  
19      **recorded that they went out and when they came back, and**  
20      **that would have been mentioned at their records on their**  
21      **six-monthly review or any meetings that came up that**  
22      **were relevant to it.**

23      **Q.** The last was 28th January '92, SND-5154. There is two  
24      references here. There is 27th:

25                "Had a call from [you]. Asked about going out

1 tomorrow."

2 Then if we scroll on down, please -- further:

3 "Went out with [you] after school. Home at 6.30."

4 Then in [REDACTED] HIA127 comes back into Nazareth  
5 and we can see at SND-15919 a series of occasions  
6 whenever he is in and out of Nazareth House back and  
7 forward to his home from that date on.

8 Then he goes to St. Pat's in [REDACTED] We  
9 can look at SND-15919. SND-5244. My apologies. So  
10 this is the record of the order that placed HIA127 in  
11 St. Patrick's.

12 Now you today -- and the reason for setting the  
13 scene of this -- you have brought along a letter that  
14 you received from HIA127 while he was in St. Patrick's.

15 **A. That's correct.**

16 Q. Now at this point he is [REDACTED], and by some great work by  
17 the staff behind the scenes we have managed to get this  
18 on to the system and, all being well, if I ask [REDACTED]  
19 to pull up SND-17176, I will get the letter and the  
20 envelope it came in. We do have it. So this is  
21 a letter written by HIA127 to you:

22 "Dear SND38,

23 How are you doing? Oh, I am fine myself. I am in  
24 court on Tuesday in Derry. I will try my hardest to get  
25 out just for a few minutes to see you. Okay.

1 Did you hear about my mother?"

2 Various difficulties at home.

3 "She is now living with ..."

4 I think that's one of HIA127's sisters. Then  
5 mentions three other siblings of his and say -- asks,  
6 "Do you know where they are now living?"

7 "Guess where? Nazareth House. You might know all  
8 of them (sic) already, but I have no more news to tell  
9 you yet. Tell your mother I was asking for her. I have  
10 to go now, so have a happy Christmas.

11 Love, HIA127."

12 There are two points. One point I want to bring out  
13 of this document that you have brought is that this is  
14 being written at some date that's probably Christmas

15 [REDACTED] If we scroll down, the letter has  
16 a record of a date in the corner. I am wondering if you  
17 wrote that on.

18 **A. I wrote that in from looking at the date stamp.**

19 Q. Why did you keep the letter?

20 **A. Funny, I have, [REDACTED], a whole lot of different**  
21 **mentos of birthday cards and wee things that the**  
22 **children would have made out over the years and they**  
23 **were just put into a box in the house and that's where**  
24 **I came across that one.**

25 Q. And a point that you also make -- want to make out of

1 this document is that one of the allegations or the  
2 allegation HIA127 makes as to why he came forward in  
3 1996 was that he had heard or learned that his sisters  
4 were staying in Nazareth and he didn't want the same  
5 thing happening to them.

6 **A. That's correct.**

7 Q. Your point, if I have understood it, is well, "He knew  
8 they were in Nazareth and was talking about me getting  
9 to know them in [REDACTED], and why would he want that if the  
10 reason given ...?"

11 **A. I notice from the transcripts of his time at the Inquiry**  
12 **that he says he was glad to get out of Nazareth House**  
13 **and away from Nazareth House and away from myself and he**  
14 **more or less didn't set eyes on me or want to see me**  
15 **afterwards, but it shows that when he did actually leave**  
16 **Nazareth House and move to the training school, that he**  
17 **still had contact with me.**

18 He further stated at the Inquiry that the reason he  
19 made the allegation against me in 1996 was he had just  
20 heard that his siblings had gone into Nazareth House and  
21 he decided he didn't want anything to happen to them,  
22 where I have suggested at that stage his siblings had  
23 already been in Nazareth House for [REDACTED] years, and if he  
24 had had concerns about me, he would have raised them in  
25 [REDACTED], if that was his genuine reason for making the



1 **allegation.**

2 Q. In fact, by [REDACTED] he is then [REDACTED]. If we bring up  
3 SND10390, this is a "Ready to cope alone?" form. It  
4 runs to some nine pages. I am not sure whether this was  
5 Harberton or some other -- this is maybe the Social  
6 Services engaged with HIA127 helping him with this in  
7 terms of a field social worker. If we look at  
8 SND10... -- we get the date of it first at SND-10399.  
9 We can see it's dated [REDACTED]. So it's as  
10 HIA127 is leaving the care system essentially this  
11 document is being done presumably to assist him.

12 If we look at SND-10397, you will see question 5, if  
13 we can maximise it:

14 "Do you have at least one" -- I am sorry. That's  
15 obliterated -- "one friend whom you can keep in touch  
16 with after you move?"

17 He again denotes you as the one person he can keep  
18 in touch with.

19 You will also see just slightly further down under  
20 question 6 that he was aware of the concept of  
21 befriender, because he had a befriender from Extern.

22 **A. Yes. That must have been when he maybe was in St. Pat's**  
23 **Training School --**

24 Q. Yes.

25 **A. -- I would take it.**

1 Q. Yes.

2 **A. I don't think he had the Extern befriender obviously**  
3 **when he was at Nazareth House.**

4 Q. No, but the point I am making is he recognises the term  
5 --

6 **A. Yes.**

7 Q. -- because that's how -- now whether this is filled in  
8 for him by someone, and therefore perhaps the Panel will  
9 have to decide what to read into it, but it is  
10 a reference certainly to that concept in the context of  
11 someone connected to Extern.

12 So by the time he is leaving care you are still  
13 considered by him to be the person -- his close friend,  
14 the person to turn to. What I am wondering about is  
15 when did HIA127 stop seeing you in that way?

16 **A. I more or less lost contact with him when he moved to**  
17 **his sister's house I think in -- some place in the**  
18 **██████████. He had been in a flat with his brother in**  
19 **the city side and I would have -- he would have phoned**  
20 **me occasionally. There is one occasion I recall --**  
21 **there may have been more than one, maybe two -- that he**  
22 **-- after he had moved into the flat with his brother**  
23 **that he phoned to say that he was more or less skint.**  
24 **He had no money for food and whatever.**

25 **██████████ myself -- ██████████**

1           ██████ -- made up a food package rather than give him  
2           money. You know he says earlier that I used to give him  
3           money. I did not, because I knew he would have probably  
4           blown the money on the wrong things. So we made up  
5           a food parcel from what we had in the house and brought  
6           it out to him and SND283 at their flat, and would have  
7           had a conversation, asked them how they were getting on,  
8           and they were having difficulties at that time between  
9           himself and SND283. They were sort of having fights,  
10          arguments and I think physical fights.

11           Afterwards I mentioned to his leaving and aftercare  
12          worker that he wasn't managing to budget his money  
13          obviously. They had run out of provisions, and the  
14          aftercare worker from the leaving and aftercare team  
15          says they were working on a programme to more or less  
16          help him budget his money.

17          Q. I think the last page of this document talks about  
18          budgeting money --

19          A. Yes.

20          Q. -- as something to be worked on. So once he left his  
21          brother and moved in with his sister --

22          A. Yes.

23          Q. -- that contact with you then -- he presumably stopped  
24          phoning you and you stopped phoning him and you stopped  
25          seeing one another?

1 A. No. Both HIA127 and his sister, HIA233, they would have  
2 been good friends with [REDACTED] [REDACTED]  
3 [REDACTED] HIA127 attended. HIA233 I think ended up in  
4 training school and couldn't attend.

5 Q. What date was [REDACTED]?

6 A. I have to remember this.

7 Q. Yes.

8 A. It was [REDACTED].

9 Q. [REDACTED] this  
10 document that we are looking at at the moment. It's  
11 [REDACTED].

12 A. What date -- yes. It must have been then.

13 Q. So he would have been still living with his brother  
14 potentially.

15 A. Possibly. I can't remember if he was with his -- living  
16 with his brother or he had moved to his sister's home at  
17 that time [REDACTED].

18 Q. This is the sister **SND 197**. Is that right?

19 A. I think it was **SND 197** he moved to, yes.

20 Q. Now if we can leave -- you have given the Panel material  
21 that sets out your rationale for why these allegations  
22 might have been made by HIA127. You connect that to  
23 various times, to his mum, to money. You make various  
24 references to being told that he was talking about he  
25 would get 10 grand if he made these allegations.

1 **A. Uh-huh.**

2 Q. And that's -- you were saying that back in '96/'97  
3 whenever he is making the allegations. We will come  
4 back to that time period, but in order to try and keep  
5 some order to this I want to deal with some of the other  
6 individuals that you interact with before we get to the  
7 '96 period when HIA127 makes his allegations.

8 **A. That's okay. Yes.**

9 Q. One of the individuals that I want to talk about now is  
10 SND96 --

11 **A. That's correct.**

12 Q. -- who is "SND96", and his identity again should not be  
13 disclosed for the purposes of the transcript.

14 Now --

15 CHAIRMAN: I was wondering, Mr Aiken, whether we should give  
16 the stenographer a break. I assume this will take  
17 a minute or two.

18 MR AIKEN: Yes.

19 CHAIRMAN: Very well. We will rise until 3.15.

20 (3.07 pm)

21 (Short break)

22 (3.15 pm)

23 MR AIKEN: Before we took the short break -- SND38, before  
24 we took a short break I was just raising the next name,  
25 which was SND96 --

1   **A.   Sure.**

2   Q.   -- "SND96".  He made allegations to the police in June  
3       of 2011.  He is not someone who has come forward to the  
4       Inquiry.  The reasons for that are unknown to the  
5       Inquiry, but if we look at SND-16436, this is the  
6       statement that he made to the police.

7       You will see he entered Nazareth House in [REDACTED] and  
8       was [REDACTED] years of age.  His date of birth was actually  
9       [REDACTED] What he is saying here is that  
10      between [REDACTED] and [REDACTED] he wasn't a regular resident and  
11      stayed at home with his mum, but the implication is that  
12      he was in and out at various times during [REDACTED] to [REDACTED] and  
13      then was permanently resident in [REDACTED], and the Sisters of  
14      Nazareth congregation have checked some detail for me,  
15      and it appears that he is recorded as having been  
16      admitted on [REDACTED], discharged on  
17      [REDACTED], readmitted on [REDACTED].

18      So -- and there is no further discharge date and the  
19      material is being further checked.  So it may be that  
20      there is a lot of coming and going, which has been the  
21      case with a number of children the Inquiry has had to  
22      deal with, but what he alleges is that he was permanent  
23      from [REDACTED] for a period and that may be those periods or  
24      it may be some later period.  That will need to be  
25      checked, but he alleges that he was a victim in what

1 I~am going to call the Creggan matters. That was  
2 an investigation that you are aware of that we will come  
3 on to relating to your involvement with another  
4 individual, but allegations from a wide number of people  
5 in and around [REDACTED] about individuals in the community  
6 and ultimately I think two of those individuals at least  
7 were convicted of serious sexual offences against  
8 children.

9 Now what he's claiming in this statement is that up  
10 until he discloses his involvement in the Creggan  
11 matters -- if we just scroll further down, he says he  
12 had a good relationship with you and then the  
13 relationship changed. Prior to that, to his disclosure,  
14 as he describes it, he says he had never been alone with  
15 you. Then I am not going to go through the detail of  
16 it, but he then alleges that over the next period of  
17 time from towards the middle to the end of [REDACTED]  
18 [REDACTED] he was alone with you on a series of occasions when  
19 he describes very inappropriate conversations taking  
20 place. That included -- if we just scroll down, please,  
21 he talks about your office being in a remote area away.  
22 Well, we can see from the plan it is just in one of the  
23 corners of the floor. He talks about you questioning  
24 him about SND97, which is another boy that we are going  
25 to come to, "SND97". Scroll on down, please. He -- the

1 Panel will be able to read the nature of the  
2 conversation that SND96 alleges. Keep scrolling down,  
3 please. Just stop. He says that you didn't do anything  
4 physically on him but you described graphically how to  
5 masturbate. Can I ask you is that a conversation you  
6 would ever have had for any reason with a child that you  
7 were looking after?

8 **A. Absolutely not. I see at the start of his statement he**  
9 **says that I was the team leader of his unit. I was his**  
10 **team leader and I had a big input into his daily routine**  
11 **and parental contact. I think I just missed the part on**  
12 **the screen. SND96 was a resident of Nazareth House. He**  
13 **wasn't a resident in unit 2 where I worked and where I**  
14 **was a team leader. He was a resident in unit 1, who had**  
15 **a different team leader, SND40. I wouldn't have been**  
16 **his key worker. He would have had his own key worker.**  
17 **I wouldn't have had any input into his daily routine.**  
18 **That would have been the staff of unit 1 and his key**  
19 **worker and the team leader of unit 1. So from the very**  
20 **outset of the contact that he claims he has with me it**  
21 **is not factually correct.**

22 **Q.** That all being said, what I am asking you about is  
23 whether you would ever have had conversations with boys  
24 about masturbating?

25 **A. I wouldn't, no.**



1 Q. So this is something that just for you did not occur?

2 A. Didn't occur, no. I was questioned about that there and  
3 I completely denied it. It didn't happen. It is  
4 just -- there is none of it bears any resemblance to --  
5 right, as I say, from the start where he says he was in  
6 unit 2. He wasn't in unit 2.

7 Q. I am not going to bring up the reference, but I am  
8 giving it to Members of the Panel. At SND-15176 there  
9 is a document that shows some of Social Services'  
10 involvement with SND96 and -- of a sexual nature,  
11 nothing to do with SND38.

12 Now what he goes on to say, SND38, is something  
13 about SND97, which we will turn to in a moment, but you  
14 have mentioned you were interviewed by the police about  
15 these allegations that SND96 made. That's on 17th  
16 November of 2011. That's at SND-15177. This is  
17 a summary of the tape-recorded interview. So we would  
18 hope we should be able to get another one of these from  
19 1996 for 2nd August, but this is one that's from 17th  
20 November 2011, and the Panel will have the opportunity  
21 to consider the detail of the document. It is eight  
22 pages and it is you setting out why you reject his  
23 allegations that he's making.

24 You set out the rationale for why you say his  
25 allegations are false at two particular locations I just

1 want to look at with you. SND-15181. Just scroll down,  
2 please. So he is saying -- Detective Constable Gillen  
3 is describing you as a very touchy-feely person  
4 according to SND96, that you would have hugged him, put  
5 your arms around him and how you would have behaved the  
6 same way with all the other children in Nazareth House.  
7 Would you recognise that as a description of yourself?

8 **A. No. That's not a true description of me, no.**

9 Q. And if we just scroll on further down, please, and you  
10 then say:

11 "Well, if I can just summarise, it is a complete and  
12 utter untruth. It is a lie, a fabrication, whatever  
13 term you want to give it. It never happened. Didn't  
14 even -- I wouldn't even have considered making any  
15 sexual innuendo towards him in the way he describes.  
16 I wouldn't have asked him any of the type of things he  
17 said. If I had spoken to any child about that, there is  
18 no way under the sun would I have ever used that type of  
19 behaviour he is alleging. It is untrue. Whether I take  
20 it point by point or whatever, the whole thing, it  
21 didn't happen, and if he did abscond with SND97,  
22 "SND97", fair enough, he may have been spoken to. What  
23 I'm saying is I don't recall it, but even if he had been  
24 -- and I would have spoken to lots of children about  
25 lots" -- just scroll down, please -- "lots of issues and

1 about lots of things, as would all the staff in Nazareth  
2 House would have done, no staff, myself included, would  
3 have spoke to a child like that. I can categorically  
4 say that didn't take place."

5 Then you ask, "Why is he saying it and what are his  
6 motives?" You say well, you know it is untrue, and then  
7 if we move on down to SND-15184 -- keep going, please.  
8 Now you then say:

9 "Well, from my side of the fence -- right -- because  
10 I know -- you don't know factually, but I know factually  
11 it's untrue and it didn't happen. I know it didn't  
12 happen, so he must have an alternative motive for doing  
13 it. You know, funny after coincidences being after  
14 I~spoke to you on the phone the time I got the letter  
15 from you and you mentioned SND96's name" -- that's SND96  
16 -- "and between getting the letter and actually speaking  
17 with you I kept saying, 'Who does it refer to?' Right?  
18 I was going through my head, "Who would have been there  
19 in [REDACTED]?", and I couldn't think of it, but I got  
20 through you anyway and you said it was SND96, but just  
21 maybe a couple of hours after that I was watching the  
22 news and it came up about Stormont approving the  
23 historical investigations and into child abuse and to  
24 children's homes and institutions and whatever, and  
25 there's 170 -- maybe the wrong number -- Crown cases

1 being investigated and so on and so forth. So I don't  
2 know if he's been approached as an ex-resident or he's  
3 aware of this compensation culture and he thinks,  
4 "There's been big payouts in the Republic. There's  
5 likely to be big payouts in the North". I don't know.  
6 Something's his motivation, because it didn't happen and  
7 I can say it didn't happen. Now I know you can't say it  
8 didn't happen. So I know there is motivation there."

9 So that was your explanation for why you felt SND96  
10 was coming forward with what you say are false  
11 allegations.

12 **A. Yes. Well, as I say, it can only be guesswork. I don't**  
13 **know the true workings of his mind. I do know that he**  
14 **was fully aware of the allegations made against myself**  
15 **by HIA127, that HIA127 [REDACTED] was in the same unit,**  
16 **unit 1, as SND96, [REDACTED]**

17 [REDACTED]  
18 [REDACTED] So he would have been fully aware of what  
19 had previously been alleged about me by HIA127.

20 The other person mentioned, SND97, in there and  
21 SND97 would have been involved in absconding together,  
22 as was mentioned there.

23 Q. I am going come to SND97 next. That's your rationale?

24 **A. Yes.**

25 Q. That's what you think was going on?

1 **A. Yes. As I say, I can only guess.**

2 Q. As far as SND97 is concerned, SND96 claimed in June  
3 2011, if we just look at SND-16438 -- he claims down at  
4 the bottom of the page -- scroll up a little, please.  
5 Just stop there.

6 "Around the time in [REDACTED] I was aware of  
7 [you], SND38, and my friend SND97", so that's SND97,  
8 "fondling and kissing each other. SND97 had admitted  
9 this to me. SND97 appeared to me to enjoy it. I later  
10 informed SR2", that's SR2, "of this in 1997."

11 That's a date when the investigation is going on  
12 about other matters that we will come to. So what he is  
13 saying is he was told by SND97 of this interaction  
14 between you and SND97, and you make reference --  
15 SND-16701. This is part of your response to when you  
16 are being spoken to by SR10, and scroll down, please.

17 "A member of staff" -- that will do -- "present on  
18 location when SND96", that's SND96, "a resident in unit  
19 1" -- so that's your point about the unit -- "approached  
20 her to say that the only incident that he had been able  
21 to recall was that on one occasion SND38 had tickled  
22 SND97."

23 So this is something you are saying you were made  
24 aware of.

25 **A. Uh-huh.**

1 Q. Would you have been tickling SND97?

2 **A. I wouldn't have been, no.**

3 Q. Now you have said that at SND-16689 -- this is in your  
4 response paper that you wrote in March -- sorry --  
5 January 1999, and the Panel will have the opportunity to  
6 consider that. It is many -- it runs to between 20 and  
7 30 pages. If we just scroll down, please, you draw  
8 attention to the fact -- the sentence:

9 "SND97", so that's SND97, "makes an allegation to  
10 suggest that I may have abused SND99", SND99, which we  
11 are going to come to, "but nowhere does SND99 make this  
12 allegation."

13 You go on to say:

14 "Therefore the fact that I had opportunities to  
15 abuse SND97 does not mean anything when one considers  
16 the fact that SND97 states that I did not abuse him."

17 Now I am not sure what you are referring to when you  
18 say, "SND97 has stated I did not abuse him", but you  
19 will be aware now, SND38, from the papers you received,  
20 if we look at SND-15199, that, just to put this in  
21 context, SND97 appears to have entered Bishop Street on  
22 [REDACTED] and we are able from a different document  
23 to have him leaving in [REDACTED]. The leaving in  
24 [REDACTED] for the Panel is at SND-15234. There is  
25 a [REDACTED]-year period whenever he is in -- you brought

1 that document up. If you just magnify that for me,  
2 please, you will see:

3 "Eventually when SND97", SND97, "settled and became  
4 more at ease, I reminded him that this was the first  
5 time I had seen him since he left on [REDACTED]."

6 So that's the date we have him leaving and the  
7 earlier date of his admission the Order has given to us  
8 today of [REDACTED] -- sorry -- [REDACTED] That's going  
9 to be clarified further. So we have got this period of  
10 time that he's in Bishop Street and you -- he was in  
11 unit 2. Is that right?

12 **A. That's correct.**

13 Q. Ultimately you are suspended in [REDACTED]

14 **A. Correct.**

15 Q. I have got that right?

16 **A. I think so, yes.**

17 Q. But up until that time you have been engaged with SND97  
18 in the unit?

19 **A. Correct.**

20 Q. And you -- we will deal with the HIA127 allegation  
21 shortly and the time frame, but you eventually come back  
22 to work --

23 **A. Uh-huh.**

24 Q. -- on [REDACTED] working in Bishop Street, by which  
25 time SND97 has gone. So SND97 is there up to you are

1 suspended. Then he leaves four months later while you  
2 are suspended, and when you come back, he is not there  
3 in [REDACTED] Does that -- do you follow me for now?

4 **A. Sorry. When did SND97 get admitted to Nazareth House?**

5 Q. He was admitted to Nazareth House according to the  
6 Sisters of Nazareth on [REDACTED] -- sorry -- [REDACTED]

7 [REDACTED]

8 **A. [REDACTED]. Okay. Yes. I'm just trying to put it into  
9 a time here.**

10 Q. Yes, and he was born in [REDACTED] So he was [REDACTED] when  
11 he entered.

12 **A. Okay.**

13 Q. When he left, he would have been [REDACTED]

14 **A. Okay.**

15 Q. Now after he's left and after you have been reinstated  
16 -- and we will deal with a particular issue the day  
17 after you were reinstated -- but in terms of what  
18 allegation he makes against you if we go back to  
19 SND-15199, when he left Nazareth, he ended up living in  
20 a children's home in [REDACTED] and he attempted to commit  
21 suicide according to the records, because again this is  
22 an individual who has not come forward to the Inquiry  
23 for whatever reason. If we just magnify the size of  
24 that, please, now while there is black at the top, I can  
25 tell you it is written to [REDACTED] That's his brother.



1 He is going to feature in some of the discussion we are  
2 going to have shortly. He is saying:

3 "Goodbye. I will always love you and will watch  
4 over you. The reason I did not like SND38 is he did do  
5 things to kids. I was there is when he did it to them  
6 and me."

7 Had you seen this document before you received it as  
8 part of the Inquiry's work?

9 **A. No, I hadn't received that one.**

10 Q. So certainly in this note which was left for his brother  
11 as part of a purported suicide attempt while he is  
12 living at the children's home in [REDACTED] he makes  
13 reference in this note to you --

14 **A. Yes.**

15 Q. -- and what he says you did to him and others. Now --  
16 so he is making an allegation against you as far as this  
17 note is concerned, and I want to in that context take  
18 you back, and hopefully we have clarified the dates. So  
19 you are suspended in [REDACTED]. He is leaving in  
20 [REDACTED] for [REDACTED] or he ends up in [REDACTED] You are  
21 reinstated following the end of the HIA127  
22 investigation, which I am going to come back to, in --  
23 on [REDACTED]. So you have been out for a year.

24 **A. Okay.**

25 Q. He's been gone for six months. You are back and on the

1 day after you come back, [REDACTED], you arranged to  
2 send him a gift through his brother [REDACTED]. Do you  
3 remember doing that before I bring up the documents  
4 relating to it?

5 **A. Yes. It relates to a holiday myself and my wife had [REDACTED]**  
6 **[REDACTED] and the gift was a pair of elasticated shoe**  
7 **laces that didn't need to be tied. You just put them in**  
8 **and they were sort of like self-tying shoe laces, and**  
9 **I bought a pair for each child in the unit, not just**  
10 **for -- they cost about 50 cents each. It wasn't**  
11 **an elaborate gift. When SND97 wasn't there when**  
12 **I returned, I gave them to his brother -- I gave a pair**  
13 **to his brother [REDACTED], as I did to the other children,**  
14 **and I gave him a pair to take to his brother SND97, who**  
15 **he was visiting. That's what the gift was.**

16 **Q. And if we bring up SND-16959. Scroll down, please.**  
17 **Scroll further down, please. Yes. You see E(i), SND38:**

18 "SND38 returned to work on [REDACTED]. On  
19 [REDACTED] -- this is [REDACTED] -- "went to visit his  
20 brother", SND97, "in [REDACTED] [REDACTED],  
21 [REDACTED] On his return [REDACTED] complained that SND97 had  
22 ruined his visit. When asked for clarification, [REDACTED]  
23 informed me that SND38 'out of goodness' had sent a gift  
24 with him for SND97. When he gave it SND97, SND97 became  
25 angry and abusive and got on the phone to ..."

1 and that I think is a mistaken reference that I  
2 will get [REDACTED] to check. That should be:

3 "... got on the phone to [you], SND38, and was very  
4 abusive. This phone call was confirmed by staff who  
5 were on duty at [REDACTED]."

6 Just scroll down, please. Now this is a record  
7 that's created by SR2. Just scroll down so SND38 can  
8 see the reference to "SR2". Just take it back up  
9 a little, please, so we can see the text at the top of  
10 the page:

11 "(ii) The above information SND38 did not share with  
12 me. However, at a later date I raised the issue with  
13 him and SND38 casually dismissed it as SND97 being  
14 SND97. Despite me querying what triggered SND97's anger  
15 SND38 persisted to be dismissive."

16 I am going to come back to the [REDACTED] --

17 **A. I just say that's not a true account of -- in my  
18 opinion.**

19 Q. What I am wanting to understand is is it the case that  
20 after the gift was given to SND97 by [REDACTED] that he  
21 picked up the phone and had an angry conversation --  
22 angry from his perspective -- with you?

23 **A. I recall he did call me and [REDACTED], his brother,  
24 explained to me why SND97 was angry. That's not  
25 recorded in there. The reason [REDACTED], who had visited**

1 SND97 that day, says SND97 was angry at myself was that  
2 -- I don't know if it was that day or just prior to that  
3 -- he had received literature from some organisation or  
4 something to do about either being gay or being --  
5 having AIDS or something, and he assumed that I had  
6 given his name, because he had told me that he thought  
7 he had AIDS and he thought he was gay previously. So he  
8 assumed, "SND38 must have passed my name on to this" --  
9 I don't know if it was an individual, an org... --  
10 I~didn't actually see the correspondence he received,  
11 but this is a story that his brother [REDACTED] relayed when  
12 he came back from the visit about why SND97 was angry.

13 Q. You have set that out in your [REDACTED] submission to  
14 the disciplinary panel following the second suspension.

15 A. Yes.

16 Q. What I want to -- that's what [REDACTED] told you. What  
17 I~am asking you about is the telephone conversation. Is  
18 it right that SND97 picked up the phone and had an angry  
19 exchange?

20 A. I can't -- to be honest I can't actually remember the  
21 nature of that conversation. I do recall there must  
22 have been some hostility, but I don't think it was very  
23 long or I don't actually think it necessarily was me  
24 that he phoned but maybe his brother. I may have  
25 answered the phone and put him through. Unless I had

1       **records, you know, from that time I can't actually**  
2       **recall actual -- what was said.**

3       Q. Well, the impression from this record is that there was  
4       a telephone call to you and an exchange angrily from  
5       SND97's side to you about something and I am asking you  
6       what that was about.

7       **A. I don't actually recall, but if the conversation took**  
8       **place, it would have been recorded in the unit book.**

9       Q. If we look at SND-16700 -- just scroll down, please.  
10       This is part of your submission, SND38. Just scroll  
11       down, please.

12       CHAIRMAN: These events occurred outside the Inquiry's terms  
13       of reference. I am not sure that we need to go into  
14       them in quite the amount of detail we are doing at the  
15       moment. There's no doubt that these things occurred and  
16       they are relevant at other times in other locations, but  
17       I am not sure that we really need to go into them in as  
18       much detail.

19       MR AIKEN: The incident that SND97 is referring to,  
20       Chairman, relates --

21       CHAIRMAN: I understand we are now going into what was said  
22       in 1997. I can see there's a logical connection but I  
23       am not sure that it is going to add a great deal to our  
24       ability to make decisions in these matters.

25       MR AIKEN: Now this -- this incident of the suicide note was

1 a telling incident for Constable Shaw, who had worked  
2 closely with you in respect of SND99 in [REDACTED] when he  
3 made allegations about what occurred to him as part of  
4 the Creggan investigation. I will not bring it up, but  
5 for the Panel the -- Constable Shaw's statement is at  
6 SND-15726 and at 15728 is where he draws attention to  
7 this note.

8 Now briefly, Chairman, if I may just complete the  
9 circle, as it were, because it is [REDACTED], the  
10 record I am going refer to, but at SND-15233 this is  
11 a record created by SR2. If we just scroll down,  
12 please, and just to the next page where she records what  
13 SND97 says to her occurred in and around [REDACTED]. This is  
14 relevant to the SND99 that I have mentioned, because you  
15 will see:

16 "I went on to say, 'If you or another child is  
17 hurting because of something that was said or done, I'd  
18 like to know so I could help or do something about it'.  
19 SND97 looked at me and said, 'It was SND99'. I asked,  
20 'Did SND99 tell you something?' He said 'No', quite  
21 angrily. 'I saw him. I went into his office. He was  
22 sitting on a swivel chair. SND99 was standing in front  
23 of him. SND99's trousers were open and partly down. It  
24 was the office next to the visitors room. SND38 told me  
25 to wait outside for five minutes'."

1           Then:

2           "SND97 stated that, 'When SND99 came out, his face  
3           was red and he wouldn't look at me'."

4           Now do you recall that incident, SND38?

5   **A. That's false. It didn't happen quite simply.**

6   Q. If we move on briefly to SND99, he was admitted in  
7   ██████████ and discharged in ██████████ and the  
8   reference for that is at SND-15918. You were involved,  
9   as I mentioned, with Constable Shaw in making detailed  
10   disclosures about what SND99 disclosed to you about the  
11   abuse he had suffered in the community and for the  
12   record that's at SND-14727 through to 14739.

13           Now there is a reference -- and that's why I was  
14   asking you could something like this have occurred and  
15   been misconstrued, because you mention at SND-16694 --  
16   just scroll down, please. Now this is a concern that  
17   you are recollecting this and recording it in your  
18   January '99 submission regarding an incident when SND99  
19   shared a concern about part of his body and you in turn  
20   shared it with a member of staff -- just scroll down,  
21   please -- which was a ██████████ **SND 501** . Now ██████████ **SND 501**  
22   has recorded a note about that at SND-15236. Just  
23   enlarge that for me, please.

24           Now what I'm going to ask you, SND38, is it possible  
25   that -- did SND99 show you whatever this issue was

1 and that's what SND97 has walked in on?

2 A. No. Again this is a statement given or encouraged by  
3 SR2, a long time after the actual incident is referred  
4 to, and I note there is no date that this is supposed to  
5 have occurred and there's no reference made to the  
6 original recordings at the time either from myself,  
7 either from [SND 501] or either from SR2, but SR2's  
8 subsequent recollection of what she would have liked to  
9 have put a slant or a spin on a purely straightforward  
10 incident that had no untoward purpose behind it. It's  
11 based on 90% fact but then given a 10% spin just to make  
12 it look a bit dodgy.

13 The incident happened when SND99 did tell me SND99  
14 had been abused -- alleged he had been abused by quite  
15 a number of people in the community in which he lived.  
16 During one stage he mentioned to me that he was  
17 concerned about the shape of his penis, and he said to  
18 me would [SND 501], who he knew to be a nurse or had  
19 been a nurse, would she have any knowledge of what was  
20 causing it to be the shape that it was. It wasn't that  
21 I then went to [SND 501] and asked [SND 501] to go and look at  
22 SND99. What I did was I went to [SND 501] after I was  
23 finished and I told [SND 501] what SND99 had related to me  
24 and what SND99 had requested. I didn't request [SND 501]  
25 to go and examine SND99 but that's the spin that's given



1 on that. All I did was report to **SND 501** what SND99 had  
2 said regarding her role. I told SND99 himself that  
3 **SND 501** wouldn't be able to do that. **SND 501** was well  
4 aware that she wouldn't be doing that. It was recorded  
5 up and written down at the time and SR2 was made aware  
6 of what **SND 99** had said, but the spin put on this -- and  
7 I spoke to **SND 501** after this was written up and  
8 she told me that the information which she drew up --  
9 which she signed wasn't based on her looking at any  
10 notes or any unit recordings of the incident but what  
11 SR2 had more or less told her had happened. Now that's  
12 something that would either have to be taken up with SR2  
13 or **SND 501**, but I most definitely did not request  
14 **SND 501** to go and examine SND99, as is suggested.

15 Q. So it is not possible that this is what SND97 might have  
16 been talking about?

17 A. Absolutely not. SND99 didn't show me or attempt to show  
18 me what was wrong with his penis, nor did I request  
19 obviously that he would have done. What he did do,  
20 knowing that **SND 501** had been a nurse, ask would **SND 501**  
21 have knowledge of what was wrong with it.

22 Q. I will not bring it up, Members of the Panel, but other  
23 references relating to this issue about SND99 is at  
24 16803 and 15234.

25 A. Can I just add it is possible that SND99 may have also

1 mentioned that incident to SND97 or SND96 or to any of  
2 the circle that he moved in. He may have mentioned to  
3 them that he had mentioned to me about the problem he  
4 said he had, but that's only ...

5 Q. You will appreciate that the record that is here  
6 suggests that SND97 claimed to have viewed you in the  
7 office sitting --

8 **A. Yes.**

9 Q. -- and SND99 with his trousers down.

10 **A. Yes.**

11 Q. What I am asking you is whether there could have been  
12 confusion about what was going on.

13 **A. No, there was absolutely no confusion because SND99**  
14 **never had his trousers open, never had his trousers**  
15 **down, never revealed any body parts, and that incident**  
16 **that would be alleged by SND97 most definitely didn't**  
17 **happen.**

18 Q. Now HIA127 first discloses the allegations in 1996. He  
19 does that with a Relate counsellor that he and his  
20 girlfriend are with. He has indicated that he told his  
21 girlfriend the year before, which is 1995. Eventually  
22 you are suspended on [REDACTED]. I will just give  
23 the Panel the reference. That's at SND-15951. Then  
24 what follows is the police investigation. There is  
25 a statement from Constable Shaw, a statement from HIA127

1 in great detail, which you have responded to for the  
2 purposes of the Inquiry, and ultimately that results --  
3 whether we can get the police taped transcript of your  
4 interview or not, that results on 31st December '96, if  
5 we can bring up SND-15942, in the Public Prosecution  
6 Service directing that there is to be no --

7 "I do not consider the available evidence sufficient  
8 to sustain a reasonable prospect of conviction in this  
9 case."

10 So you are not to be prosecuted in respect of  
11 HIA127. Do you recall that now?

12 **A. Yes, I recall being told there was no prosecution, yes.**

13 Q. But you are still suspended and that position remains.  
14 There is then an investigation undertaken by SR10.

15 **A. That's correct.**

16 Q. In June of 1997 she issues her report. I am not going  
17 to bring it up, because it is a long document, but the  
18 Panel will have it, and the reference for it is at  
19 SND-15914. As part of that she interviewed you on  
20 10th May '97. That's an appendix to her report,  
21 SND-15957. You express there your views about why these  
22 allegations have been made. That's at SND-15958.

23 Bring up SND-15958, please. You make the suggestion  
24 that it is to do with his mum, that she was perhaps  
25 jealous that you could look after her son. She wasn't

1 allowed to, [REDACTED]

2 [REDACTED].  
3 Then you will see slightly further down you indicate  
4 that it was brought to your attention that there was  
5 a suggestion of him getting £10,000. So there was  
6 a financial motive to these allegations being made  
7 against you. You seem to have got it third or fourth  
8 party that this is what it is that you claim he is  
9 alleged to have said.

10 **A. Sorry. Was that a question?**

11 Q. Do you remember that now, that that was the reason that  
12 you --

13 **A. It was one of the reasons I suggested when I was asked**  
14 **why he may be doing what he -- why he had said what he**  
15 **had said. I knew there was a strong hatred, long**  
16 **history between his mother and Social Services, sort of**  
17 **ongoing difficulties with her and Social Services, and**  
18 **people connected to her children and she made it quite**  
19 **clear that she didn't have any great love for**  
20 **residential staff, including myself [REDACTED]**

21 Q. Obviously these allegations are made by HIA127 --

22 **A. Yes.**

23 Q. -- who described you as his only friend.

24 **A. Yes.**

25 Q. That's why I am asking you: why do you think he turned

1 to make the allegations of this type?

2 A. Well, I can put forward a few possibilities, none of  
3 which I can be certain of. I do think his mother would  
4 have influence on it. What I did read on some of the  
5 papers released there from the dates that just shortly  
6 before he made the allegation against me his [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

12 Q. So I can summarise that, you are saying his personal  
13 circumstances and his personal difficulties led him in  
14 your view to make these allegations?

15 A. Well, what I can say as factual dates from reading the  
16 recent statements is that at the time [REDACTED]

[REDACTED], which was I think a month or two before  
18 he made the allegation against me, [REDACTED]

[REDACTED]  
[REDACTED] So I think there may have been a cocktail of  
21 his own anger at Social Services, his mother having  
22 moved in with him, and I don't know what other  
23 ingredients in that cocktail might have caused it to  
24 take his anger out on myself or -- but I can only  
25 surmise.

1 Q. Now ultimately SR10 then concludes her report at  
2 SND-15917. She recommends that you be reinstated. Last  
3 paragraph she says:

4 "Weighing up the information received together with  
5 the amount of inconsistencies, it appears to me that  
6 whilst there were ample opportunities for sexual abuse  
7 to take place, there is no proof to support the  
8 allegations. Whilst bearing in mind the safety and  
9 welfare of children, I can't find evidence at this time  
10 that would justify SND38's exclusion from working at  
11 Nazareth House."

12 On foot of that -- I will not bring up the pages,  
13 but for the Panel SND-16806 -- on 2nd July 1997 the  
14 Sisters of Nazareth decide to reinstate you and you are  
15 reinstated on 14th July at SND-5543 or SND-16959.

16 Now we then dealt with SND97 and the incident of the  
17 gift the next day, but then shortly afterwards two new  
18 allegations surface, and I am going to deal with these  
19 in a cursory form, but you are aware of the detail of  
20 them?

21 **A. I am, yes.**

22 Q. That's allegations made by a SND202, who wasn't someone  
23 who lived in Bishop Street, and by ██████████,  
24 SND384, who was a very young child. I think she was  
25 ██████████, if I am right about that.

1 A. I think so, yes.

2 Q. Again her identity shouldn't be disclosed for the  
3 transcript. Those allegations seem to have emerged on  
4 15th August 1997. I am not going to bring up the  
5 material, but for the Panel the reference is SND-15241.

6 Now she makes an allegation -- that's SND202 --  
7 an allegation of rape against you and **SND 385**.  
8 Again his identity shouldn't be disclosed. Is that  
9 someone you knew?

10 A. I didn't know SND202, number one. In fact, I was never  
11 made aware of the nature of the extent of the allegation  
12 until I recently just at this Inquiry got the statements  
13 from the police regarding that.

14 Regarding SND385, I remember at the time of the  
15 allegations into the Creggan investigation that was  
16 mentioned previously regarding SND99 one of the names  
17 mentioned was an **SND 385** Right? Now there was an  
18 **SND 385** who had worked as a **██████████** in Creggan,  
19 but it turned out that the person referred to during the  
20 allegations was a person of the same name but not the  
21 same person. So I don't know if SND202 was referring to  
22 the **SND 385** who had been a **██████████** or the  
23 **SND 385** of a similar name who had been named  
24 previously during the Creggan Inquiry.

25 Q. Well, did you have either of those people in your

1 company?

2 **A. The only person I would have knew was [SND 385] from**  
3 **the [REDACTED] that I would have worked with when**  
4 **I was a [REDACTED], but I don't**  
5 **know if that's the same person --**

6 Q. Person that she is giving.

7 **A. -- that she's mentioned, but regardless of which [SND 385]**  
8 **[SND 385] it is, it didn't happen.**

9 Q. As I said to you earlier, and I am not going to bring  
10 the reference, but for the Panel at SND-15224 there is  
11 a document that indicates that the medical examination  
12 of SND202 was not consistent with the allegation of rape  
13 that was alleged against you.

14 Now in terms of SND384 I am not going to bring up  
15 the material relating to that, but the Inquiry has it  
16 and the Panel can see it at SND-15245 through to  
17 SND-15256, and you as a result of these allegations are  
18 suspended again on 31st July of 1997.

19 **A. Correct.**

20 Q. So you have only been back two weeks and then you are  
21 off again. Sorry. You are suspended on 29th August  
22 '97. I think you were on holiday for a period and then  
23 you were suspended when you came back. That's at  
24 SND-5543.

25 The matters relating to SND384 relate to



1 an allegation on your [REDACTED]. That was  
2 investigated by [REDACTED] and a High Court piece of  
3 litigation that arises out of matters I am going to  
4 briefly touch on at SND-5543 indicates that there must  
5 be a document of 4th April 1998 informing you that the  
6 [REDACTED] Director of Public Prosecutions was  
7 not going to prosecute you for the matters that SND384  
8 was alleging.

9 **A. That's correct.**

10 Q. In fact, you have set out a response to those matters in  
11 your January '99 disciplinary submission and that  
12 included you indicating that there was an acceptance by  
13 the adults connected to SND384 eventually that you were  
14 innocent of what was being said of you.

15 **A. That's correct.**

16 Q. Ultimately that investigation has run its course as far  
17 as the [REDACTED] are concerned and there is the SND202  
18 matter in this jurisdiction and then that leads to SR2  
19 writing to the then RUC at SND-5544 on 7th April 1998.  
20 You can see this is recorded in the judgment of  
21 Mr Justice Gillen, who dealt with your action against  
22 the police. If we just scroll down, please, and this is  
23 a reference to the letter of 7th April:

24 "As you can appreciate the difficulties of SND38  
25 returning to a childcare setting, we are therefore

1 anxious to clarify where things are at with your  
2 department so that we as employers can decide on  
3 appropriate action without compromising your  
4 investigation.

5 I would appreciate an early response and any  
6 information which you are in a position to share with  
7 us."

8 So that's SR2 writing to the police saying, "Tell me  
9 what's happening so we can act appropriately".

10 Now that produces a flurry of correspondence within  
11 the police, which I am not going into, but on  
12 20th October of 1998 a letter is issued from the then  
13 Acting Assistant Chief Constable Anderson. That letter  
14 can be found at SND-16967. SND-16967, please. That's  
15 not it. Try SND-5550, please. This -- the judgment  
16 contains the content of the letter. We are trying to  
17 find the letter in case my referencing has gone awry but  
18 you will see:

19 "I can confirm ..."

20 CHAIRMAN: (Inaudible) what the letter says.

21 MR AIKEN: The letter says that after -- an exhaustive  
22 investigation has been conducted by the RUC [REDACTED]  
23 [REDACTED] arising out of complaints against SND38 and  
24 others.

25 "Although the Director of Public Prosecutions both

1 here in Northern Ireland and [REDACTED]  
2 have (on the basis of evidence available) directed no  
3 prosecution, I have to inform you that as a result of  
4 the above investigations the view of the RUC is that  
5 SND38 is not a fit person to continue in employment as  
6 a social worker because of our paramount concern for the  
7 safety and welfare of children."

8 **A. Could I just interject at that point regarding the RUC's**  
9 **exhaustive investigation? That investigation didn't**  
10 **include interviewing myself about any of the allegations**  
11 **regarding SND384 or SND202. I asked for the RUC to**  
12 **interview me. I asked for the RUC to put me on**  
13 **an identity parade to prove the fact that I was**  
14 **maintaining that SND202 didn't actually know me and**  
15 **wouldn't be able to identify me, even despite what she**  
16 **says was done, and I maintained that the only connection**  
17 **between these new allegations was the fact that during**  
18 **my first period of suspension the children in the home**  
19 **were informed that I was suspended and why I was**  
20 **suspended, and that one of the residents in the house,**  
21 **Nazareth House, at that time was actually a friend of**  
22 **SND202, the girl who I never met, but who was at that**  
23 **stage making allegations I think numbered to about 40 or**  
24 **50 different people, including teachers and priests and**  
25 **neighbours and family friends and members of her own**

1 family and brothers, brothers-in-laws, and it was just  
2 an ongoing list, and I believe she only got to know my  
3 name because her friend, who was a resident in Nazareth  
4 House, was able to discuss my suspension with her and  
5 the reasons for my suspension, but again I was never  
6 interviewed by the RUC regarding any of that.

7 Q. In fairness to -- I appreciate you have very strong  
8 views that you have expressed in your submissions and  
9 the Panel will be able to see about SR2 and how she  
10 handled this, but in fairness to her at SND-16912 there  
11 is a record of October 1997 indicating that only limited  
12 information was being -- you will see at the top of the  
13 page, if we can maximise it, please:

14 "The ongoing investigation regarding a member of  
15 staff. Limited information was giving out -- was given  
16 out."

17 So ... Now on foot of the matter with the police,  
18 the letter that comes from Mr Anderson, then Sisters of  
19 Nazareth obtain a report from Dr Swan about all of the  
20 allegations that have been made against you and asking  
21 her to form a view. I will give the Panel the reference  
22 for that at SND-16805. On 24th November 1998 she  
23 concludes that as a result of her investigation that she  
24 would have a major concern about you returning to work  
25 with children.

1           You have in your January '99 submission, which the  
2           Panel will find at SND-16682, set out a very detailed  
3           response about why you say her report was inadequate and  
4           unfair to you in addition to the approach that you say  
5           SR2 took that made matters unfair for you to be unable  
6           to clear your name.

7           **A. Right.**

8           Q. Ultimately on 30th March 1999 -- the reference for this  
9           is at SND-5550 -- you were dismissed from your  
10          employment.

11          **A. I'll just add there that was on -- left up to the night**  
12          **before Nazareth House officially closed. I was kept**  
13          **suspended right up to the night of the closure and the**  
14          **next day the -- the Foyle Trust was taking over the care**  
15          **of the children and employing the staff at Nazareth**  
16          **House, but I was left to the last minute before I was**  
17          **dismissed.**

18          Q. And you issued proceedings against your employer.

19          **A. I did.**

20          Q. Those were ultimately resolved by them being withdrawn  
21          or dismissed following a settlement of an ex gratia  
22          payment on 10th December 2001. The reference for the  
23          Panel is at SND-5550 and also at SND-16956, and [REDACTED]  
24          was paid towards your costs on an ex gratia payment  
25          without any admission of liability on behalf of the

1 Order that they had done anything wrong in their  
2 handling of matters relating to you.

3 **A. I think part of the settlement was that they were**  
4 **totally reliant upon the decision to dismiss on that**  
5 **short one or two sentences from the Acting Chief**  
6 **Constable EW Anderson and that they weren't basing it on**  
7 **any of their own beliefs regarding myself, but only on**  
8 **the statement by EW Anderson, who claimed that**  
9 **an exhaustive investigation had been carried out, which**  
10 **it hadn't been, otherwise they would have at least**  
11 **interviewed me, given me an opportunity to easily rebut**  
12 **what was said about me.**

13 **Q. Now in the end in 2009 you received your judgment in the**  
14 **case against the Police Service and that was dismissed.**

15 Can I ask you to explain to the Panel what impact  
16 this -- these allegations and what occurred for you in  
17 Bishop Street has had on your life? Just take your  
18 time, SND38. Take your time. There's water there. If  
19 you need a break for a few moments to settle yourself,  
20 that's perfectly fine.

21 **A. It's basically put an end to any employment**  
22 **opportunities in childcare and I believe in any other**  
23 **setting as a result of not initially what was alleged**  
24 **but how it was subsequently handled and the information,**  
25 **false information directed against me and false**

1       allegations being sought against me, and it has affected  
2       me in a way that unless I reinvent my history and my  
3       training and my employment and pretend to be somebody  
4       that I'm not, I don't think there will be many people  
5       want to employ me. So that is it.

6       Q. You are unemployed at the present time?

7       A. Yes, directly as a result.

8       Q. And your wife continued to work [REDACTED]?

9       A. She did. She continued up until about a year or two  
10       years ago, [REDACTED]

12       Q. And she had moved there once Bishop Street had closed?

13       A. She moved from Nazareth House at the closure to work at  
14       the [REDACTED].

15       Q. Now there is an allegation that's made by HIA233,  
16       HIA127's sister, of force feeding and that's made  
17       against another individual and then also indicating that  
18       you were involved in this. Can you -- do you have any  
19       recollection of force feeding taking place?

20       A. This allegation by HIA127's sister has only emerged  
21       quite recently, and I had never heard it mentioned  
22       before. It didn't happen. It didn't happen in any  
23       capacity. It didn't happen with myself or any other  
24       member of staff while children ate in a dining room  
25       together. No-one was force fed. If it was to happen,

1       it would have been immediately noticed by everyone  
2       present, because of the size. It wasn't a big -- large  
3       dining room. It was three small dining tables side by  
4       side.

5    Q. How did you deal with those children who didn't want to  
6       eat and obviously it is necessary that they do? How did  
7       you manage that?

8    A. Well, it would be very similar to how most domestic  
9       households would deal with -- if you didn't, you would  
10      try to give a varied menu, and if children didn't want  
11      to eat, you would encourage them to eat some of the  
12      stuff. If they didn't like green beans, for example,  
13      there still might be meat and potatoes and gravy. If  
14      there was something they really didn't like, we also had  
15      a kitchenette in the dining room with a fridge that  
16      contained ham, cheese, eggs, bread and they could have  
17      been made sandwiches. They have could have been made  
18      noodles, you know, but it wasn't a frequent problem. It  
19      wasn't even a particular problem that I remember  
20      arising. Most children ate and they ate well and there  
21      was more than enough food to go round. The food was  
22      cooked professionally. It was of a high standard and  
23      there was a great variety, usually I think two courses  
24      at each meal time.

25   Q. Now, SND38, I have covered the matters that I wanted to



1 raise with you. If there are any other matters that you  
2 want to make the Panel aware of or raise with the Panel,  
3 now is your opportunity to do that.

4 **A. No. The only thing I would like to say is regarding**  
5 **Nazareth House and the nuns that I worked with, even**  
6 **though I have a personal grievance against the**  
7 **management of my suspension and the lack of grievance**  
8 **procedure or any type of procedure against SR2, I would**  
9 **still like it known that the more I have an issue**  
10 **against SR2's handling of my particular case, I have**  
11 **absolutely no issue with SR2's handling of her care for**  
12 **the children at Nazareth House, and that would be the**  
13 **same for the other nuns that I worked with, which would**  
14 **have been SR23 and SR142. Their care for the children**  
15 **and their concern for the children was paramount and it**  
16 **was of the highest standard. As I say, you did note**  
17 **that I have probably a personal grievance against SR2,**  
18 **but I wouldn't want that to reflect on -- sorry -- on**  
19 **the care that she very provided for the children or the**  
20 **residents in Nazareth House.**

21 **Q.** The Panel will be able to see you set out in your  
22 submission that -- you express the view that she was  
23 very caring towards the children as far as you were  
24 concerned. She had what you describe as an obsession  
25 against child abuse --

1 A. Yes.

2 Q. -- and when you fell into that box, there was no way out  
3 again.

4 A. She did do some training course in sexual abuse at some  
5 stage. I think she automatically assumed that every  
6 behaviour or behaviour that was inappropriate had to be  
7 due to some sort of sexual abuse, which wouldn't always  
8 have been my position. I think most of the children in  
9 care, their main issues centred round attachment and  
10 bonding and separation from a young age from parents and  
11 from a lack of stability in their lives. Yes,  
12 definitely some came from abusive backgrounds. Some had  
13 sexual experience well beyond their ages.

14 In particular the children that were mentioned,  
15 SND97, SND99 and SND96, were well aware of the  
16 allegations made against me when I was suspended. They  
17 were three children who clicked together. They had  
18 similar sexual abuse backgrounds. They had all made  
19 allegations of sexual abuse. I had worked with SND97  
20 and I had worked with SND99 regarding their disclosures  
21 and I think they trusted me 100%, but I think when I was  
22 suspended for the very thing I helped them with or  
23 accused of being involved in sexual abuse, that  
24 immediately scarred their perception of me, that they  
25 thought the person they had trusted to disclose sexual

1 abuse to may actually according to SR2, the officer in  
2 charge of the unit, may actually be an abuser himself,  
3 and I think that's what scarred and gave a spin for them  
4 to discuss and say, "Maybe done it to A, B or C or maybe  
5 done it" -- most of them are saying, "They didn't do it  
6 to me". Eventually, as I say, they suggested that it  
7 may have happened to them, but it did provoke a lot of  
8 unnecessary discussion and innuendo about myself.

9 Q. A matter I should have covered -- and thankfully I have  
10 remembered before I finished -- you brought another  
11 document with you today to deal with. There is  
12 an allegation of you having HIA127 in your car.

13 A. Yes.

14 Q. It was a [REDACTED] vehicle.

15 A. That's correct.

16 Q. And his dates for that would be [REDACTED]  
17 and the document you have brought, which is now at  
18 SND-17174, shows you entering into a conditional sale  
19 agreement for a [REDACTED] motor vehicle in [REDACTED]  
20 of [REDACTED]. Presumably you are going tell us you didn't  
21 have a vehicle of that type or anything like it prior to  
22 this date.

23 A. No. The reason I brought that up was in HIA127's  
24 original statement to the Inquiry he stated that up  
25 until the summer of [REDACTED] he had an excellent

1 relationship with myself. It was only after [REDACTED]  
2 that he claimed that he had been abused by myself. When  
3 it was pointed out to him at the Inquiry that he was  
4 discharged from care in [REDACTED] and wouldn't have  
5 been in the care of Nazareth House, he had to backtrack  
6 and say, "Oh, it was [REDACTED] that the abuse would have  
7 happened" and he said shortly after the summer holiday  
8 in [REDACTED] that I took him in my [REDACTED] car to  
9 the home of [REDACTED], abused him and then took him  
10 back to Nazareth House. The reason I brought that up  
11 because the fact that he mentioned, you know, the make  
12 and model and colour of the car looks to give his  
13 allegation credibility, but what I'd like to point out  
14 is that car wasn't purchased until the summer of [REDACTED]  
15 So he couldn't have travelled in it with me in [REDACTED].

16 Q. And it didn't replace an earlier [REDACTED]?

17 A. It didn't replace. One was enough.

18 Q. SND38, I have no further questions for you. The Members  
19 of the Panel may want to ask you something. So just  
20 remain where you are for the moment.

21 Questions from THE PANEL

22 MR LANE: I would just like to clarify the befriending  
23 system so that I understand it properly.

24 A. Yes.

25 Q. Did all the children have befrienders or was it unusual?

1 A. No. It was actually a new concept at the time or at  
2 least a new concept in Nazareth House. The main focus  
3 of a child individual programme was usually to work  
4 towards a return to the family home or alternatively  
5 towards fostering, foster care, but there was a complete  
6 shortage of foster parents. So for the likes of a child  
7 who had been in residential care, like HIA127 had been  
8 for I think it would be four or five years at that  
9 stage, and there was no opportunity or potential for  
10 a return to the family home, and there was no foster  
11 parents available, the next best option was to try to  
12 locate a befriender, who would just give them time out  
13 of the institutionalisation of the residential unit and  
14 give them a small glimpse into family life. The  
15 befriender role basically meant just giving somebody --  
16 an individual some quality time, separate time, and  
17 that's what I was asked to do. That's what I undertook  
18 and I done it with the best of intentions, albeit that  
19 it badly backfired.

20 Q. Befrienders in most places I think were people who were  
21 from outside institutions so that they could act as  
22 a bit of a check on the institution. In your case that  
23 obviously couldn't be the case.

24 A. No. For HIA127 not only was it hard to get foster  
25 parents, but there seemed to be a shortage of people

1 willing to do -- befriend him at that stage. I don't  
2 know if that's improved over the years or not.

3 Q. In that role who are you accountable to?

4 A. I'd be accountable to my team leader and to the officer  
5 in charge, who would sup... -- then be overseen and  
6 reviewed by the field social worker and then the  
7 six-monthly childcare review of the individual.

8 Q. Did you join in the reviews?

9 A. I did, yes.

10 Q. So --

11 A. I was not -- I was in a dual role. So it sort of  
12 blurred the lines a bit. I was actually his key worker  
13 and befriender. The term seems to be used -- sort of  
14 mixed up at times. You know, "SND38 was a befriender",  
15 "SND38 was a key worker", whatever, but there was  
16 a difference of acting as a key worker, which basically  
17 was your work within the residential unit. The  
18 befriending role was done on your own time for a few  
19 hours per week for one day a week usually.

20 Q. But did you put reports of the befriending visits and so  
21 on into the log books?

22 A. Every visit was fully recorded, what day he went out,  
23 what time he went out, what time he came back, what his  
24 form and behaviour was like when he came back. That  
25 would have been writ up and then put into his monthly

1 reports and then into a six-monthly case review. Every  
2 date would have been recorded and presented to the  
3 review panel.

4 Q. And did that continue when he was in foster care?

5 A. It did, as I can see, have a case conference in foster  
6 care or a case review. They would have been aware, as  
7 is mentioned, that he was still having contact with me.  
8 I can see that there was some discussion regarding the  
9 appropriateness of the actual behaviour modification  
10 programme that he was on and as a result that was done  
11 away with. HIA127 still maintained a relationship with  
12 me after that right up until he was --

13 Q. Were you still doing some sort of written report at that  
14 stage?

15 A. I wouldn't have done a written report, no.

16 Q. No. Okay. Thank you very much.

17 A. You're welcome.

18 CHAIRMAN: Well, SND38, thank you very much for coming to  
19 speak to us. That's all we need to ask you today.

20 A. Thank you.

21 CHAIRMAN: Thank you for coming.

22 (Witness withdrew)

23 MR AIKEN: Chairman, that completes today's evidence.

24 CHAIRMAN: 10.30 tomorrow, ladies and gentlemen.

25 (4.31 pm)

1 (Hearing adjourned until 10.30 tomorrow morning)

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