

Witness Name: **SND 23**

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 – 1995

WITNESS STATEMENT OF **SND 23****SND 23** will say as follows:**Personal Details**

1. My legal representative has prepared a short exhibit bundle to this statement, which is attached hereto and marked **SND 23**, " at the date upon which this statement was signed. This exhibit bundle contains a single photographic image of a former address of mine in Derry the relevance of which I will explain in the main body of my witness statement. Although I have tried to recall and record these events as accurately as possible I cannot be entirely sure of all the relevant dates due to the passage of time.
2. I was born on [REDACTED] I was admitted to Nazareth House, County Donegal in [REDACTED] I believe my mother was made to place me in care at [REDACTED] old by a nun in St Joseph's, Strenora, County Donegal. I was moved to Termonbacca ["the Home"] in Derry in and around [REDACTED] and lived there until in and around [REDACTED] when I was [REDACTED] I then left the Home although I continued to visit regularly and played an active part in the life of the Home for some years as an ex-resident.
3. I also undertook an apprenticeship scheme in the Derry area after leaving the Home and lived at various lodgings between [REDACTED] and [REDACTED] I eventually moved into my own flat in and around May [REDACTED] at [REDACTED] [sometimes known locally as [REDACTED]]. I then left Derry and went to study at [REDACTED] in County Antrim from [REDACTED] While I was away from my flat I allowed another ex-resident, **SND 122** to stay there in my absence. At that time in Derry there was a real problem with squatters and I hoped that by having **SND 122** in the flat I would avoid that problem. **SND 122** had been a resident with me in the Home. I believe when **SND 122** left the Home he [REDACTED] I know that **SND 122** retained contact with staff, ex-residents and residents of the Home when he returned to Derry. **SND 122** moved out of my flat in the spring of [REDACTED] When I returned to my flat in and around June [REDACTED] one of my neighbours [REDACTED] complained to me about **SND 122** having people over to the flat and making noise. **SND 122** would have known **SND 35** **SND 35** during this period although I cannot say for certain that **SND 35** would have been one of those persons from the Home who visited **SND 122** at the flat during my absence.
4. As indicated I had returned to Derry in June [REDACTED] and moved back into my flat at [REDACTED] This flat is about a 15 or 20 minutes walk from the Home. I remained at this address until I moved to Belfast in [REDACTED] and I have remained in Belfast ever since. I have never married although I have a [REDACTED] born on [REDACTED] I remain in contact with

my [REDACTED]

5. I initially moved to Belfast in order to work as a coordinator for a [REDACTED] run by Queen's University regarding setting up an [REDACTED]. This project was due to run for at least a year. Unfortunately, the project did not proceed due to an incident at one of the open information sessions where [REDACTED] **SND 35** attended and made accusations about me. The organizers made the decision not to proceed with the project as it was 'post Kincore' and considered too much of a high risk.
6. After the failure of the abovementioned project I was unemployed for a period of approximately three months. I later gained employment with [REDACTED] for 6 years. Since [REDACTED] I have been incapable of full time work.
7. I suffer from [REDACTED] and [REDACTED] I am currently in receipt of counseling through Nexus in respect of my [REDACTED] and I am finding that this is helping me.

My Experiences in the Home as a Resident [REDACTED]

8. During my residency I was placed in St Gerard's. I do not regard my upbringing as negative as I did not know any different. However it is noteworthy to state that given the separation issues I have experienced throughout my life this has had a profound effect on my mental health.
9. I progressed through the different age groups within the Home until, when aged about 13 or 14, I was given responsibilities as a senior resident in the Home. This role required me to act in a supervisory capacity and contribute to the daily running of the home. It was the equivalent of prefect status. The Home was run with a relatively strict day-to-day routine on a schedule that was very much fixed and dictated by the nuns.
10. I can say that I was aware of sexual contacts between boys in the Home while I was a resident. This would have been mainly in the form of mutual masturbation and would have occurred between boys of the same age. I would have considered this behaviour to have been consensual at the time. I was involved in some of this kind of behaviour with boys of a similar age to myself in the Home while I was a resident. This kind of contact would have occurred infrequently. This behaviour would have started when I was aged [REDACTED] and would have finished when I was aged [REDACTED]. This would not have involved penetrative sex and, as I have said, would have mainly taken the form of mutual masturbation.
11. I had no sexual contact of any kind with any resident after I left the Home.
12. I am aware of some sexual incidents involving resident boys and ex-residents or adults. I consider that these incidents were isolated rather than endemic. In particular I can recall a man called [REDACTED] **SND 63** who has since deceased. He was an ex-resident who would have come to visit on a weekly basis. This man was involved in what I would consider to be the sexual abuse of boys in the Home. I believe that this abuse involved inviting residents to expose themselves and acts of masturbation would ensue. I knew about this kind of abuse because I was subject to some of this sort of abuse by [REDACTED] **SND 63**. I do not wish to provide more specific details of this abuse because it is too painful for me to deal with. As I have indicated I feel that I would be re-traumatized by going over my own experiences of abuse in the Home. I am currently attending counselling. I

do however draw a distinction between the abuse I suffered in the Home and the periodic consensual sexual contacts I had with other residents while I was also a resident. I can also say that my feeling is that any sexual abuse was confined to isolated incidents rather than being endemic to the Home.

13. I am aware that a number of allegations of serious sexual abuse have been made against me and I will deal with each allegation in turn in the remainder of my statement. I deny all these allegations.

Involvement at the Home from [REDACTED]

14. I left the Home in [REDACTED]. From that time until [REDACTED] I had no formal role at the Home. I would have helped to run the Home's [REDACTED] and would have acted as general [REDACTED] in the Home. This was not an official position and I did not receive any payment. I probably would have been up at the Home every other week to do some chore or fix something during that time. I also looked after the houseplants and painted nativity scenes on the windows at Christmas time. Many ex-residents found it difficult to break completely with the Home as it had been the only home that many of us had ever really known. As such I continued to want to spend time at the Home as this gave me a sense of security and continuity in my life. It was also the community of which I had been a part for my basically my whole life. As such, at that stage, I still wanted to be involved in the life of the Home. I believe that one of the Nuns, [REDACTED] SR 7 [REDACTED] instigated some kind of policy to discourage ex-residents from continuing to be involved in the life of the Home because it was considered to be detrimental to their prospects of adapting to life outside the Home. This policy was implemented after I had left the Home.
15. In [REDACTED] I was appointed as an [REDACTED] and that was a short-term seasonal post with no remuneration.
16. I was away from Derry at [REDACTED] from [REDACTED] until I graduated in [REDACTED] with the qualification of a National Certificate in [REDACTED]. I then returned to Derry in the summer of [REDACTED] and started a job with [REDACTED] as a [REDACTED]. I commenced this employment shortly after graduating as one of the tutors secured this position for me. I was dismissed from same on or about [REDACTED] due to high absenteeism. I was finding it difficult to adapt to life outside the Home at that time and could not hold down this job.
17. I continued to be informally involved with life at the Home via the [REDACTED] and [REDACTED] from the summer of [REDACTED] until March/April [REDACTED] when I was the subject of false allegations made by [REDACTED] SND 35 [REDACTED]. One of the Nuns – [REDACTED] SR 1 [REDACTED] – confronted me about these allegations in and around [REDACTED] and advised me to stay away from the Home. I denied these allegations at that time to [REDACTED] SR 1 [REDACTED] but agreed that I should stay away from the Home. I did this because I did not want to be exposed to further false allegations. I did not return to the Home since that time and have not returned since.
18. I will now deal with the specific allegations that have been made against me as disclosed by the papers released by the Inquiry.

Allegations of [REDACTED] HIA 69 [REDACTED]

19. I knew [REDACTED] HIA 69 [REDACTED] as [REDACTED] HIA 69 [REDACTED] when we were both residents at the Home. I will refer to him as [REDACTED] HIA 69 [REDACTED] as this is the name under which he has given his statement to the inquiry. I can remember [REDACTED] HIA 69 [REDACTED] as an intelligent person [REDACTED]

[REDACTED] We were both residents from [REDACTED]
to [REDACTED] HIA 69 would have been between the ages of approximately [REDACTED]
[REDACTED] during that period. I would have been aged between approximately [REDACTED]
and [REDACTED] during the same period. There was never any sexual contact
between myself and [REDACTED] HIA 69 when were both residents or indeed after
I had left the Home. I deny each and every allegation made by [REDACTED] HIA 69
HIA 69 against me.

20. At paragraph [13] of his witness statement – reference [REDACTED] 004 – HIA 69
HIA 69 alleges that while I was an “ex-resident” I tried to touch him when
he was in the shower. He alleges that he threw punches at me to try and
stop me from doing this. He further alleges that on one occasion I tried to
bugger him and that he pushed me away and ran and hid under a bench. I
deny these allegations of sexual abuse or attempted sexual abuse. They
are completely false. I have no recollection of ever having any physical
altercation with [REDACTED] HIA 69 at any time. After I had left the Home I would
not have been around in the shower area when the resident boys were
using them.

21. At paragraph [14] of his witness statement [REDACTED] HIA 69 suggests that [REDACTED] would hang around the dorms until 9pm and that they did "anything they wanted". This is not my recollection. [REDACTED], such as myself, would have attended the Home either to help out from time to time [as I had done] or simply to meet up as part of the community. My recollection is that ex-residents would have met in the dining room area and would not have been "overseeing" any of dorms or anything like that. This would not have been allowed in my recollection.

22. At paragraph [18] [REDACTED] HIA 69 refers to the arrival of [REDACTED] SR 14 who he describes as a "saint". I recall the arrival of [REDACTED] SR 14 and I agree with [REDACTED] HIA 69 that she was positive influence in the Home. However, I think that I left the Home just [REDACTED] after her arrival and so did not experience many of the changes that she was able to make. This was, as I have indicated, in or about January [REDACTED]. Interestingly, at paragraph [19] [REDACTED] HIA 69 also states:

A lot of the ex-residents moved into flats or houses in Creggan which was near Termonbacca. They came back at meal times during the day and particularly at the weekends. Around the time SR 14 arrived the ex-residents stopped coming in. I think they were told they weren't allowed in anymore.

23. This is significant because HIA 69 suggests that I sexually abused him or attempted to do so while I was an "ex-resident" – see paragraph [13] of his statement, which suggests that I was an ex-resident at that time [especially when read with paragraph [14]]. This is inconsistent with HIA 69 statement at paragraph [19] that ex-residents stopped coming into the Home when SR 14 had arrived, which – coincidentally – was around the same time as I left the Home. As such I could not have carried out any abuse on HIA 69 as an ex-resident because when I had become an ex-resident he states that ex-residents stopped coming to the Home. While I did continue to come to the Home as an ex-resident this was on the limited basis noted earlier in this statement, as a and to assist with practice. None of this involvement would have allowed me ready access to the dorms during evenings or to the showers when boys were washing.

24. At paragraph [23] of [REDACTED] HIA 69 statement he alleges that I was one of the "main abusers" and again suggests that this was when I was an ex-

resident. Notwithstanding the noted inconsistency in this position I deny the further allegations set out in that paragraph. I deny ever attempting to feel [HIA 69] up in the choir room or in any other location. I deny punching him on the nose. I accept that I did play [redacted] and take the [redacted] but this was a formal kind of role with the children – boys and girls – being brought in for practice by a member of staff and then being brought back out from practice, again by a member of staff. I can't actually remember [HIA 69] even being in the [redacted] I did not absent myself from being around the Home after the alleged incident with [HIA 69] noted in paragraph [23]. It was only after the [SND 35] allegations in [redacted] that I broke off my contact with the Home after it was imposed me.

25. At paragraph [24] [HIA 69] states that he told [SR 14] about me and a senior boy that had sexually abused him. [HIA 69] states that she took him to the local GP as a result. I have not been provided with any medical records that would corroborate that [HIA 69] told a GP or indeed [SR 14] [SR 14] about any alleged sexual abuse. Again, I would suggest that [HIA 69] account here is implausible given the response of [SR 1] when [SND 35] made his allegations against me. That involved police and social workers. I suspect that if [HIA 69] had made such allegations to [SR 14] – who he describes as a saint – that she too would have taken action to involve more than just a local GP.

Allegations of [SND 35]

26. I can recall [SND 35] when he was a resident in the Home. [SND 35] came to the Home in [redacted] aged about 9, when I had already left the Home. I therefore only knew [SND 35] when I was an ex-resident. At the time he made his allegations against me in and around [redacted] of [redacted] he was [redacted] years old and I would have been about [redacted] years old.
27. I got to know [SND 35] through my involvement in the Home as an ex-resident. [SND 35] was a peculiar boy and I understand he had been subjected to sexual abuse by family members before coming into care. I was aware that [SND 35] claimed to have been sexually abused by a number of persons in the Home. Indeed, I can recall him telling me prior to me being asked to leave that [HIA 69] made him perform oral sex on him and that [HIA 69] had urinated into [SND 35] mouth during same. I was shocked by this allegation and encouraged [SND 35] to report it to [SR 1] and I later contacted his social worker who I believe was based in [redacted] I would concur with [SR 1] assessment of [SND 35] as a disturbed child who could be untruthful and deceitful, see police witness statement of [SR 1] dated [redacted] at [redacted] 021.
28. I also note that the Police Report dated [redacted] at [redacted] does appear to contain corroborated evidence which would confirm that [SND 35] was involved in sexual activity with other persons in the Home. I also note that at [redacted] 006 of this same report that those other persons interviewed by police in connection with [SND 35] denied any sexual contact with me, see paragraph [17] therein.
29. I first became fully aware of [SND 35] allegations against me when [SR 1] confronted me regarding same in [redacted] although I had been aware of people talking about me behind my back prior to this. I note the Police Report dated [redacted] at [redacted] 003 records that I was upset by these allegations. Indeed, it is also noted that I told [SR 1] that I would be speaking with [redacted] a social worker, about these allegations. It is noted in paragraph [6] of the Police Report

that [REDACTED] did contact [REDACTED] SR 1 as I had spoken to him about slanderous allegations about me in the Home. I can recall speaking with [REDACTED] about this matter and in those terms as I was very upset at that time by what was being said.

30. I deny all the allegations of sexual abuse as recorded in the Police Report regarding [REDACTED] SND 35 and in the statements of [REDACTED] SND 35 to police. I never had any sexual contact whatsoever with [REDACTED] SND 35 at any time. By his own written admission to police he fabricated the entire story against me – see police witness statement of [REDACTED] SND 35 dated [REDACTED] at [REDACTED]-020.
31. I do not recall ever being in a workroom with [REDACTED] SND 35 with the door locked on or around [REDACTED] as alleged by [REDACTED] SND 144 see her police witness statement dated [REDACTED] at [REDACTED] – 025. While I cannot therefore categorically deny ever being in a workroom with [REDACTED] SND 35 [REDACTED] SND 35 I can say that I would not have locked the door to same or requested that he did so. If I was ever in such a situation with [REDACTED] SND 35 [REDACTED] SND 35 I would not have been comfortable with same because I knew what [REDACTED] SND 35 was like and that he could well have made up some story about me as a result. Although I can't remember any particular time being locked in a room with [REDACTED] SND 35 I can only suggest that either this did not happen in the way described by [REDACTED] SND 144 or, if it did happen that I was in this room with [REDACTED] SND 35 nothing inappropriate occurred. I certainly deny that any sexual activity took place with [REDACTED] SND 35 in any workroom or any other location.
32. I note also the statement of [REDACTED] DL 48 dated [REDACTED] at [REDACTED] – 032 wherein he states that there was never any sexual contact between [REDACTED] DL 48 and I. His complaint about me was that I was *"always bullying and making the younger ones do work"*. I also note that [REDACTED] DL 48 was aware that I lived in a flat in [REDACTED] which suggests to me that my address may have been common knowledge among the residents of the Home. I would not agree with the portrayal of me as a bully. I understand that this misrepresentation could come from a perceived resentment of a person in authority.
33. While I accept that [REDACTED] SND 35 was able to partially describe the bedroom of my flat I do not believe that this proves that [REDACTED] SND 35 was ever actually in my flat. [REDACTED] SND 35 states at page 2 of his original police statement dated 13th June 1980:

Beside his bed there is a light brown wooden chair with a red seat. There was carpet on the floor and plain wall paper. I think it was purple. There was an orange and white lamp shade beside the bed. The sideboard was just underneath the window. There was brown curtains in the bedroom and a telephone and television in the sitting room. There was a plastic white coloured vase in the bedroom on top of the sideboard. There was a mirror on the dressing table. I think it was a single bed. This was the first and only time in the flat.

34. When police attended my flat on [REDACTED] they record a description of my bedroom at page 6 of their police report dated [REDACTED] see [REDACTED] 007. In that description police state as follows:

At the flat it was noticed that the only bedroom did have a sideboard with a mirror on it, one of the walls was covered with purple wallpaper and there was a table chair with a red

seat. However, a telephone was not installed, there was no carpet on the floor and an orange and white lamp shade could not be found.

35. **SND 35** was never, to the best of my knowledge and belief, in my flat. He was certainly never in the flat with me. That being said I accept that he could describe some of the interior of my flat. However, I note that this description is not complete and contains items that would be common in a bedroom for a single person [single bed, mirror on dressing table] and also refers to items that were not present according to police [no telephone, no carpet and no distinctive lampshade]. I also can't discount the possibility that **SND 35** may have asked me about my flat while I was working up at the Home. I simply can't recall if he ever did so but I would not put it past him as he could be quite devious. A further possibility is apparent from the fact that people in the Home knew where I was living [see statement of **DL 48** – referenced at paragraph [32], above] and it is quite possible that **SND 35** would have went to my flat and looked into my bedroom window and noted the interior of same as part of his plan to make these false allegations about me. I would beg leave to refer to the picture exhibited to this statement which shows the external view of my former flat at **[REDACTED]**. I took that picture using my phone on 17 February 2014. The bedroom window when I was living there is the one that is above the gas meter in the picture. As such it would have been possible for **SND 35** to come to my flat and look in the window to see what my bedroom looked like.
36. It is also noted that when police put it to me that **SND 35** could describe the interior of my bedroom that I stated "*He definitely wasn't in the flat with me*", see page 7 of the Police Report at **[REDACTED]**-008. That provides a further possible explanation for **SND 35** partial description of my room. As I have already indicated I let **SND 122** stay in my flat while I was at **[REDACTED]** left in the spring of **[REDACTED]** and I returned in and around **[REDACTED]**. As I have already indicated **SND 122** would have had people from the Home back to my flat when I was absent. I can't say for sure that **SND 35** would have visited **SND 122** in my flat during this period but it is possible. It is also possible that some other person had visited my flat and told **SND 35** what it was like after their visit.
37. I note further that **SND 35** made a further statement against me on **[REDACTED]** through Barnardo's, see **[REDACTED]** - 035. In that statement he claims that I had sexually assaulted him a few times in my flat. I note that he makes no mention at all of the abuse he had earlier alleged that I had carried out within the Home, see police report of **[REDACTED]** at **[REDACTED]** - 004 which notes two allegations of gross indecency in the Home in **[REDACTED]**. I also note that in his original statement to police dated **[REDACTED]** it appears that **SND 35** alleged that sexual abuse had taken place only on one occasion in my flat. In his **[REDACTED]** statement he claimed that this had taken place a few times in my flat. This is a significant inconsistency, especially given that **SND 35** had earlier admitted to police that he had made the whole thing up against me.

Allegations of **SND 33**

38. I can also recall **SND 33** from the Home. **SND 33** was at the Home, it seems, from he was an infant until the age of **[REDACTED]** and claims to have been subjected to sexual abuse from **[REDACTED]** [when he was about **[REDACTED]** to **[REDACTED]** [when he was about **[REDACTED]** at the Home. I left the Home in **[REDACTED]** aged **[REDACTED]**. It seems to be suggested by **SND 33** that this took place when I had left the Home as he refers to me as **[REDACTED]** in his statement to police dated 7th March 1990 [see **[REDACTED]** 048].

39. I would describe **SND 33** as having become very bitter being brought up in a catholic home. I felt pity towards him as I believe he isolated himself and became quite deviant.
40. **SND 33** alleges that we engaged in oral sex, that I made him give me oral sex and performed oral sex on him. It is alleged this occurred in the changing rooms of the showers and took place two or three times. I deny those allegations. I was interviewed by police in 1991 as a result of these allegations. I denied ever having any sexual contact with **SND 33** then and I maintain that denial now by this statement.
41. The only revision I would wish to make to what I told police on 25th April 1991 [see **SND 33** 050, Police Report, internal page 5] is as follows. Police asked me if I had ever been sexually abused by anyone at the Home. I told them that I had not been abused in the Home. I did not tell police the truth about this for a number of reasons. Firstly, I had a difficult experience before with police when **SND 35** made his false allegations against me. I was also ashamed and embarrassed about my own experiences in the Home both those I considered to have been abusive and those I considered to be consensual. There was and remains a stigma attached to this kind of issue. It is only now through counselling that I am starting to deal with the legacy of what happened in the Home. I was not ready to deal with those issues when police interviewed me in 1991. At that stage I just wanted to answer their questions about **SND 33** false allegations and be done with it.
42. I note also the context in which **SND 33** made these allegations. **SND 33** had been arrested for **SND 33** at the Tara Lodge Hostel in Belfast. I note that one of those involved was also **SND 35**. I note also that **SND 35** is also said to have made allegations of abuse against **HIA 69** [see paragraph [35] of **HIA 69** statement to the Inquiry. I believe that **SND 35** and **SND 33** relied on their alleged experiences to divert and mitigate attention from their own activities that lead them to be in this situation.
43. I believe **HIA 69** has a considerable level of resentment towards me and this emanates from his alleged involvement with **SND 35** that I reported to the nuns and social worker.

Statement of Truth

15. I believe that the facts stated in this witness statement are true to the best of my knowledge and belief.

SND 23

Signed _____

Dated 28/02/14

Christian Name	Where Born	Date of Birth	Where Baptised	Parents' Names	Occupation
<div>1657</div> <div>Christ</div> <div>SND 23</div>	Jubilee Maternity Hospital Belfast		St. Joseph's Home Donegal		
Recommended by	Received	Died	Left	Observations	No.
Mother Superior. Lahan			23 rd February	<div></div> <div>Matthew Living</div>	732