
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Tuesday, 29th April 2014

commencing at 10.30 am

(Day 28)

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

1 Tuesday, 29th April 2014

2 (10.30 am)

3 WITNESS SND23 (called)

4 CHAIRMAN: Good morning.

5 MS SMITH: Chairman, Panel Members, the first witness today
6 is "SND23", who is known as SND23. SND23 would like to
7 maintain his anonymity for the purposes of the Inquiry,
8 and, SND23, the Chairman is just going ask you about
9 taking the oath or affirming. So if you would just
10 stand up, please.

11 **A. Can I affirm?**

12 CHAIRMAN: Very well, SND23.

13 WITNESS SND23 (affirmed)

14 CHAIRMAN: Thank you very much.

15 Questions from COUNSEL TO THE INQUIRY

16 MS SMITH: SND23, if you can pull the microphone towards you
17 --

18 **A. Aye.**

19 Q. -- and speak into it --

20 **A. Right.**

21 Q. -- because we have to get -- everybody has to hear what
22 you say and it's quite --

23 **A. Can you hear me all right now?**

24 Q. Yes.

25 **A. Right.**

1 Q. You are quite softly spoken, but the stenographer has to
2 get a record of what you say.

3 SND23, can I now confirm you are now aged ? Isn't
4 that right?

5 **A. That's right.**

6 Q. According -- you provided a witness statement to the
7 Inquiry, which we can just pull up on the screen, which
8 is SND-15883.

9 **A. Right.**

10 Q. Now can I just ask you to confirm -- we discussed this
11 earlier and you see there are black redactions on this
12 document and you see that it says "Witness statement of
13 SND23". Can you see that written there?

14 **A. Yes, yes, yes.**

15 Q. That is the designation the Inquiry has given to you --

16 **A. Right.**

17 Q. -- to protect your anonymity.

18 **A. Right.**

19 Q. If we can just go to the last page of that document,
20 which is at SND-15891 -- sorry. There is some
21 photographs that you attached to it.

22 **A. That's right.**

23 Q. If you just go back to SND-15890 --

24 **A. Yes.**

25 Q. -- and you see there there's a large block -- black

1 rectangle "SND23" and underneath that is your signature

2 --

3 **A. Yes.**

4 Q. -- and it's dated 28th February 2014.

5 **A. Yes.**

6 Q. Can I just confirm with you, SND23, that is this is the
7 statement that you provided to the Inquiry?

8 **A. Yes, that is correct.**

9 Q. And it is the evidence you wish the Inquiry to consider?

10 **A. Yes.**

11 Q. Apologies. Sorry, Chairman. There is an appearance to
12 be announced.

13 MR McQUITTY: Chairman, I appear on behalf of SND23
14 instructed by McClernon Moynagh Solicitors.

15 CHAIRMAN: Thank you.

16 MR McQUITTY: Thank you, sir.

17 MS SMITH: Now, SND23, can I just also say to you it is
18 clear you were quite emotional when you were taking the
19 affirmation. So if at any stage you feel you need
20 a break, please just say and we can take a short break.
21 There should be water there before you.

22 Now I showed you a document this morning which is
23 an extract from the Sisters of Nazareth register.

24 **A. Yes.**

25 Q. If we can just have a brief look at that, it can be

1 found at SND-17049. If we could enlarge that, please.

2 **A. I can make it out anyway. It's okay.**

3 Q. That should make it a bit easier for you to see.

4 **A. Yes.**

5 Q. But you will see there it gives your name. It says
6 where you were born, your date of birth --

7 **A. Yes.**

8 Q. -- where you were baptised. It gives your mother's
9 name. It says that you were recommended to Termonbacca
10 by the Mother Superior in Fahan and you left Termonbacca
11 on . It says at the time that you
12 were received into it your mother was living.

13 **A. Yes.**

14 Q. Now you were -- clearly as it's been recommended by the
15 Mother Superior in Fahan, you had spent some time there
16 before you actually went as a child to Termonbacca.
17 Were you aware of that before?

18 **A. Say again.**

19 Q. You spent some time -- sorry -- in Fahan before you went
20 to Termonbacca.

21 **A. Yes, yes, yes.**

22 Q. Can I ask you what you -- what's your earliest memory of
23 being in Termonbacca?

24 **A. Being in the nursery, wearing a jumpsuit out in the play
25 area.**

1 Q. Do you remember how old you were?

2 **A. About**

3 Q. Okay, and you are -- this document has said that your
4 mother was living. Did your mother ever visit you
5 during your time there?

6 **A. I'm not aware that she did, but I did get visits from**
7 **people. They did mention that I had a brother, and they**
8 **were going to bring him up to see me, but I can't recall**
9 **ever that happening, you know.**

10 Q. You said -- when we were speaking earlier, you said that
11 you were about 7 or 8 and you remembered a visit from --

12 **A. Yes, yes.**

13 Q. -- a man and a woman who brought three boys with them.

14 **A. Yes.**

15 Q. You don't know who they were, though.

16 **A. The eldest boy was called and I don't know. It**
17 **was around Easter time, because they brought Easter**
18 **eggs. That's how I remember it.**

19 Q. You describe that meeting as having taken place in what
20 you describe as the big parlour.

21 **A. Yes, that's right.**

22 Q. SR137 --

23 **A. Yes.**

24 Q. -- and SR1 were both there at the time.

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

1 Q. Again I am using the names to make it easier --

2 **A. Yes.**

3 Q. -- but those names will be --

4 **A. Redacted.**

5 Q. -- redacted when it comes to publishing -- publishing
6 them.

7 You were -- you subsequently became aware that you
8 did -- apart from this meeting of learning about
9 a brother you became [aware] about something else about
10 your life -- isn't that right -- about the fact that you
11 had an older brother who had died. Is that right?

12 **A. Yes. I had brothers. One of them died before I was
13 born .**

14 Q. Now just going back to your time -- sorry, SND23, but
15 just going back to your time in Termonbacca if I can
16 just ask some general questions about life, what life
17 was like there for you.

18 **A. Yes. Fair enough.**

19 Q. Did you form friendships in the home?

20 **A. Yes, I did.**

21 Q. And can you say who the boys you were friendly with
22 were?

23 **A. I was friendly with a number of people, you know. There
24 would have been SND76, SND122, HIA22, you know.**

25 Q. And can I ask you -- you have explained to me this

1 morning that you have a form of

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

3 Q. Is there anything you wish to say to the Inquiry about
4 the education you received?

5 **A. As far as I was concerned they generally tried to help
6 us, you know.**

7 Q. You have explained to me that you have no complaints to
8 make about the clothing that was provided.

9 **A. Definitely not.**

10 Q. In fact, you described you feel you were well dressed.

11 **A. Definitely.**

12 Q. And again you also said that you felt that you were well
13 fed.

14 **A. That's correct.**

15 Q. And, in fact, you said to me that you felt you were --

16 **A. Better fed than some of my contemporaries at school,
17 yes, definitely.**

18 Q. Now there was -- are you okay, SND23?

19 **A. Yes.**

20 Q. Are you happy to continue?

21 **A. Yes.**

22 Q. Well, can you just -- we also had a discussion this
23 morning about bathing in the home.

24 **A. Yes.**

25 Q. There was something you wanted to say about that. Isn't

1 that correct?

2 **A.** Well, I know there's been a lot made of the fact we were
3 bathed in Jeyes Fluid, but my understanding was it was
4 the use of a disinfectant. What transpires is that the
5 disinfectant that was used in the early stages, you
6 know, they subsequently realised, you know, it was far
7 too strong to be using for general bathing and, you
8 know, I can recall that that practice stopped even
9 before we left the old building and any disinfectant
10 that was used would have been the likes of Dettol and
11 things like that, and it was basically for our hygiene,
12 you know. There was no malice.

13 **Q.** SND23, just take your time. If this is -- if this is
14 too difficult, please just say, SND23, and we can take
15 a break.

16 **A.** No. Go ahead.

17 **Q.** Okay. Perhaps it might be -- if it's easier for you for
18 me to explain some of the things that you told me --

19 **A.** Yes.

20 **Q.** -- I'll do it that way.

21 **A.** Yes.

22 **Q.** You said that you -- I asked you about chores and work
23 --

24 **A.** Yes.

25 **Q.** -- and you said that you each had certain tasks, that

1 you had dishes and things to do, but that you certainly
2 didn't feel that you were cheap labour.

3 **A. Definitely. Definitely.**

4 Q. You also when I asked about the numbering issue said
5 that you were absolutely certain that it was purely for
6 clothing purposes.

7 **A. Yes, yes.**

8 Q. You did describe that you had the same number as someone
9 else who has given evidence to the Inquiry.

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

11 Q. Just for the sake of clarity you were number -- you were
12 known as number --

13 **A. Yes.**

14 Q. -- or that was the number that was on your clothing.

15 **A. Yes.**

16 Q. You do remember being in both the and the --

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

18 Q. -- in Termonbacca, and you also remember getting pocket
19 money.

20 **A. Yes.**

21 Q. You say you regularly got pocket money until the
22 troubles start.

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

24 Q. Can I just confirm with you what you did with the --
25 before the troubles started what happened to the pocket

1 money?

2 **A. On a Saturday afternoon we would have went down the**
3 **town. To the best of my recollection the pocket money**
4 **was about 2 and 6, and we'd have been allowed to go down**
5 **the town for the afternoon.**

6 Q. To spend it?

7 **A. Yes.**

8 Q. Then after the troubles started you say that what
9 happened was that money was saved up for you all --

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

11 Q. -- and was then spent on a day trip to Letterkenny or
12 somewhere?

13 **A. Yes. Aye.**

14 Q. You do remember birthdays being celebrated.

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

16 Q. One of the things that you recall is that you were
17 encouraged to take a plate down to the main kitchen --

18 **A. Yes.**

19 Q. -- where you were provided with a special fry, a special
20 meal.

21 **A. Yes.**

22 Q. You also recall maybe that there was a pastry or
23 something like that given to you.

24 **A. Yes, yes.**

25 Q. You also recall getting presents of some sort.

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

2 Q. I did ask you if you knew anything about boys going to
3 Australia and what you said to me was that that was
4 before your time there --

5 **A. Yes.**

6 Q. -- but that there was some discussion about who didn't
7 get to go to Australia. Is that right?

8 **A. Aye, qualifying criteria, aye. Anybody that wet the bed
9 or wore glasses was disbarred from going.**

10 Q. So you said that anybody with any sort of medical defect
11 --

12 **A. Yes.**

13 Q. -- couldn't go.

14 **A. Yes.**

15 Q. When I asked you about whether you ever saw anyone from
16 Social Services visit the home --

17 **A. Yes, yes.**

18 Q. -- you said that that's correct.

19 **A. Yes.**

20 Q. There were people visited. Can you maybe give us some
21 details about that?

22 **A. Well, I remember any -- there was children in there that
23 had a welfare worker, as they were referred to then, and
24 I can recall them coming to visit quite regularly.**

25 Q. I asked you if you remember any names of anyone coming.

1 **A. Aye. Well, I can recall SND 483 . The lady that**
2 **died, I just can't recall her name at the minute, you**
3 **know.**

4 Q. You remember two ladies coming.

5 **A. Yes.**

6 Q. One was SND 483 --

7 **A. Yes.**

8 Q. -- and the other is someone who you can't remember --

9 **A. Aye, aye.**

10 Q. -- but who --

11 **A. She died in about the . So ... She died in her**
12 **sleep.**

13 Q. One of the reasons you particularly remember the welfare
14 coming was that those children who had --

15 **A. Well, they would have got, you know, presents, probably**
16 **new clothes on their birthdays and Christmas, you know.**

17 Q. Now if I can move on, just going back to your witness
18 statement, if we could go back to that, please, at
19 page SND-15884, if we look at paragraph 10 of your
20 paragraph (sic), this is where you make certain specific
21 allegations about your time in Termonbacca --

22 **A. Yes.**

23 Q. -- and I'll just summarise those for you, SND23.

24 **A. Yes.**

25 Q. You say at paragraph 10 that you were aware that there

1 was sexual contacts between boys in the home while you
2 were resident.

3 **A. Yes.**

4 Q. You describe what form that took.

5 **A. Yes.**

6 Q. You considered that this behaviour would have been
7 consensual at that time.

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

9 Q. You say that you yourself were involved in some of this
10 kind of behaviour and that contact would have occurred
11 infrequently.

12 **A. Yes.**

13 Q. It would have started when you were aged and finished
14 when you were aged .

15 **A. Yes.**

16 Q. You say that after you left the home you had no sexual
17 contact of any kind with any resident.

18 **A. That's correct.**

19 Q. You then go on in paragraph 12 to describe how you
20 yourself were a victim of sexual abuse and in that
21 paragraph you name a man who you say --

22 **A. Yes.**

23 Q. -- committed that sexual abuse.

24 **A. Yes.**

25 Q. If I may now turn, SND23, you are aware that certain

1 allegations have been made against you.

2 **A. I am indeed.**

3 Q. I am going to deal with those in terms of the people and
4 again I am going to use the names of the boys --

5 **A. Uh-huh.**

6 Q. -- just to make it easier for everyone to understand,
7 but those names are not to be repeated outside this
8 room.

9 **A. Right.**

10 Q. The first person who has made allegations against you is
11 someone called HIA69, and his statement -- I am not
12 going to ask for it to be called up -- it can be found
13 at SND-2188 to SND-2197.

14 In paragraph 13 of his statement he said that you
15 tried to touch him in the showers and on one occasion
16 you tried to go further. He said that you tried it on
17 during and you punched him on the nose.
18 He described you as being one of the older boys who were
19 most feared.

20 In his oral evidence to this Inquiry he said that --
21 when your denials of what he said were put to him, he
22 said that you never touched him, but you tried all the
23 time to do so, and in your statement you deal with his
24 allegations at paragraphs 19 to 25 and at paragraph 27
25 also and you deny all of his allegations.

1 **A. I certainly do.**

2 Q. You say there was never any sexual contact between you.
3 You would not have been around the shower area after you
4 left.

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

6 Q. Ex-residents would have met in the dining room. They
7 would not have been overseeing the dorms, and you say
8 that he has a particular reason for making the
9 allegations against you --

10 **A. Yes.**

11 Q. -- in that when allegations emerged about another boy,
12 SND35 --

13 **A. Yes.**

14 Q. -- and he broke contact with Termonbacca -- you broke
15 contact with Termonbacca, you say that SND35 alleged to
16 you that you this boy, HIA69, had abused him.

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

18 Q. That you encouraged SND 35 to report this to SR1 --

19 **A. Yes.**

20 Q. -- and that you told SND 35's social worker.

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

22 Q. Can I just ask you: do you remember who SND 35's social
23 worker was?

24 **A. I couldn't, but it's in the statement. He was**
25 **-- based in , so he was.**

1 Q. You say that that's the reason that this boy HIA69 has
2 named you as an abuser.

3 **A. Yes.**

4 Q. He has a considerable level of resentment against you
5 and motivation --

6 **A. Yes, without a doubt.**

7 Q. -- for making the accusations.

8 **A. Yes.**

9 Q. Sorry. Now another person who has spoken to the Inquiry
10 and has given us a statement is someone called HIA60 or
11 HIA60, as you remember him.

12 **A. HIA60, aye, aye.**

13 Q. He -- his statement can be found at SND-10073. Again
14 I~am not going to ask for it to be called up and I will
15 summarise what he says.

16 He says at paragraph 12 of your (sic) statement that
17 you assaulted him in the shower when he refused to let
18 you see whether or not he had an erection, and he also
19 witnessed you punch a boy called SND133 in the face
20 during . Can I just pause there? You did
21 take --

22 **A. I did. I did, yes, yes.**

23 Q. -- when you came back as an ex-resident. Is that right,
24 SND23?

25 **A. That's correct. That's correct.**

1 Q. He also at paragraph 13 of his statement said that
2 another boy called ^{SND 132} told him that he was scared of
3 you effectively and asked him to go on walks with him --

4 **A. Yes.**

5 Q. -- to protect this boy ^{SND 132} from you, and HIA60 did
6 give evidence to the Inquiry, and he expanded on that by
7 saying that you would see -- from the farm you would see
8 him and this boy ^{SND 132} and you would then come down to
9 join them.

10 **A. Aye. It's impossible to have a visual from the farm
11 down into the home.**

12 Q. I think in fairness to him and to you what he meant was
13 while they were out working -- walking you would have
14 seen them and come down to them.

15 **A. Well, they wouldn't have been allowed to walk round.
16 You know, they would have been restricted to their care.**

17 Q. Is there anything else you want to say about his
18 allegations?

19 **A. I just find, you know, the unfortunate thing with HIA60
20 is HIA60 clearly resents being in care and he's blaming
21 everybody and anybody baring taking responsibility
22 himself for his own situation. I definitely -- there
23 was never any interaction like that at all with HIA60 or
24 HIA60, whichever one he wants to call himself.**

25 Q. Another person who has given a statement to the Inquiry

1 is SND136.

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

3 Q. The Inquiry has received a statement from him, which can
4 be found at SND-15580, and at paragraph 14 of that
5 statement he says that he was approached by you in the
6 shower and told to take down his swimming trunks. He
7 refused and you backed off.

8 He has also made a statement to the police, which
9 can be found at SND-16679, which gives some more
10 details. I am not going to go into it, but he describes
11 that in paragraphs 5 to 8 of that statement, and I know
12 you've seen that. I just want to ask you, SND23 --

13 **A. Uh-huh.**

14 Q. -- what your response is to those allegations?

15 **A. It certainly didn't happen and I didn't even know that**
16 **they wore toggs in the shower room. I would not have**
17 **been in the shower room when any of the residents were**
18 **showering. So ...**

19 Q. Another boy, DL48, described you as a bully, and you
20 address that in your statement.

21 **A. Yes.**

22 Q. You say that this was a perception based solely on
23 resentment that he had of those in authority.

24 **A. That's correct, aye. DL 48 was a very troubled person,**
25 **who is deceased now.**

1 Q. One more person we have talked about already, SND35.

2 **A. Right.**

3 Q. He said that you became -- you say in your statement
4 that you became aware of allegations that he made about
5 you when you were confronted by SR1 --

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

7 Q. -- in 1980.

8 **A. Right.**

9 Q. You talk about this at paragraph 29 of your statement.

10 **A. Right.**

11 Q. It came to her attention that you were seen by
12 a civilian social worker -- a civilian worker -- sorry
13 -- in a locked workroom with SND35. SND35 then made
14 a statement to the police alleging that you had abused
15 him in your flat in --

16 **A. Yes.**

17 Q. -- and in the workroom in Termonbacca. He later
18 withdrew those allegations --

19 **A. Yes.**

20 Q. -- and then five years after that --

21 **A. Yes.**

22 Q. -- he alleged again that you had abused him --

23 **A. Uh-huh.**

24 Q. -- in his flat -- in your flat. Sorry.

25 **A. Right.**

1 Q. You deal with those allegations in paragraphs 26 to 37
2 of your witness statement. You deny that you were in
3 the workroom --

4 **A. Definitely.**

5 Q. -- although you said, if you were, there was nothing
6 untoward happened. You remember you were interviewed by
7 police about this.

8 **A. Yes.**

9 Q. In your statement to the police you did admit that you
10 were in the sewing room and without lights on and that
11 SND35 came in behind and you closed the door --

12 **A. Uh-huh.**

13 Q. -- but nothing happened and you denied all of the
14 allegations --

15 **A. Yes.**

16 Q. -- and you continue to do so. Isn't that right, SND23?

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

18 Q. There was never any prosecution.

19 **A. No.**

20 Q. In fact, there was no prosecution directed in
21 November 1980 --

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

23 Q. -- and again in 1986, when SND35 revisited the
24 allegations.

25 **A. Right.**

1 Q. Is there anything else you want to say about those
2 allegations today?

3 **A. No, just that they didn't happen, you know. There's no**
4 **truth. There's no substance at all to them, you know.**

5 Q. The final person to have made allegations about you is
6 someone called SND33.

7 **A. He is deceased.**

8 Q. He made allegations in a police statement that as
9 you sexually abused him in the shower
10 changing rooms maybe two or three times. Again you were
11 interviewed by the police about those allegations in
12 1991 and you said to the police that you would have
13 supervised SND33 --

14 **A. That's correct.**

15 Q. -- and got him ready for school --

16 **A. That's it.**

17 Q. -- but you denied any of the allegations of abuse.
18 Again you deal with that in your statement to the
19 Inquiry --

20 **A. Right.**

21 Q. -- at paragraphs 38 to 42.

22 **A. Go ahead. Sorry.**

23 Q. Is there anything else you want to say about those
24 allegations today?

25 **A. No. Again, as I said to the police at the time, you**

1 know, if SND33 got into trouble, he just named everybody
2 he knew, you know, more or less to justify what he was
3 doing. So ... I can say again on record nothing like
4 that ever happened. There was no form of abuse between
5 myself and SND33.

6 Q. You do -- you attach photographs to your witness
7 statement --

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

9 Q. -- isn't that correct --

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

11 Q. -- showing where you lived --

12 **A. Yes.**

13 Q. -- at that time.

14 **A. Yes.**

15 Q. You also say that one of your former friends would have
16 lived there when you were away training.

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

18 Q. It's possible -- you don't know --

19 **A. No. I can't say with certainty.**

20 Q. -- that there may have been visits by some of the
21 Termonbacca boys to your flat, but not while you were
22 there. Is that right?

23 **A. No. That's correct. Aye.**

24 Q. Okay. Now that's essentially the allegations that have
25 been made against you.

1 If I can just ask you a couple of other things about
2 your time in Termonbacca.

3 **A. Okay.**

4 Q. One of the things that I have been asked by the
5 congregation to ask you is you are aware, and in the
6 discussion that we have had I know you are aware, about
7 a lot of the allegations --

8 **A. Yes.**

9 Q. -- that have been made about the sisters in particular.

10 **A. Yes.**

11 Q. They are essentially allegations of cruelty.

12 **A. Yes.**

13 Q. I have been asked to ask what your experience was and
14 what you want to say about that, SND23. Take your time.

15 **A. The nuns did their best given the circumstances. As far**
16 **as I am concerned, you know, like the -- you were able**
17 **to bond and there is evidence we did bond with the**
18 **sisters, and it gets reflected certainly in the loyalty,**
19 **you know, that is expressed. To say the nuns was cruel,**
20 **it doesn't reflect my experience in care, you know.**
21 **I know it is individuals' narratives, but it certainly**
22 **doesn't reflect anywhere near my experience of being in**
23 **care. So ...**

24 Q. Paragraph 22 of your statement you refer to a particular
25 nun and you agree that -- with HIA69 effectively that

1 she would have had a positive influence --

2 **A. Yes.**

3 Q. -- although you left shortly after she arrived. Isn't
4 that correct?

5 **A. Yes. I had a few weeks with SR14. Yes, that's correct.**

6 Q. Can I ask you how you felt she was a positive influence?

7 **A. She had a different dynamic, you know, in terms of her**
8 **relationship with the children. To me she was very**
9 **progressive. You know, there was a lot of interaction**
10 **on her part, you know, and I suppose in terms -- you**
11 **know, if a child was problematic, her approach would**
12 **have been, you know -- was different. She had obviously**
13 **undergone some childcare training, so she had. So it**
14 **was her got me into doing the choir and different other**
15 **events. So, you know, to me I just felt she was very**
16 **positive, yes.**

17 Q. SND23, there is nothing else that I want to ask you
18 other than to say if there's anything else that you want
19 to say to the Inquiry, that this is your opportunity to
20 do so.

21 **A. I suppose in a sense the thing -- the thing I find very**
22 **disheartening is that -- you know, the nature of some of**
23 **the allegations. To me I just feel a lot of the people**
24 **seem to be trying to hold the nuns to account and blame**
25 **them for them being admitted into care whereas I know**

1 and there's academic evidence, you know, certainly from
2 the 1930s that, when a child is separated, that there's
3 a trauma, and the best way I can describe it is like
4 a bereavement, and obviously one of those stages in
5 bereavement is anger, and the child carries that anger
6 with them through their lives. So therefore no matter
7 what you would do for that child it wouldn't be good
8 enough, you know. Anybody outside their biological
9 parent would be seen as an intruder and therefore they
10 would be resentful in some ways towards the carer. You
11 know, that's the best way -- but as far as I'm concerned
12 the nuns did their best.

13 Q. Well, thank you. If the Panel Members have any
14 questions, they will ask them now. So if you just stay
15 there, please.

16 A. Okay. Thank you.

17 **Questions from THE PANEL**

18 MS DOHERTY: Thank you, SND23. Thank you for your
19 testimony, and I realise this is very difficult. One of
20 the things I just wanted to ask about was when you
21 yourself were the victim of sexual abuse with an older
22 ex-resident, how was that able to happen? Was -- you
23 know, were staff not around? How -- when did it happen
24 and how was it able to happen?

25 A. It's hard to know -- you know, to recall the exact

1 circumstances, you know, but it did occur, and obviously
2 I don't think the nun would have been present. I don't
3 think it would have happened in the presence of a nun,
4 you know, or a member of staff, you know, but I -- with
5 children in care, you know, they try to bond with
6 somebody and sometimes what happens when you are bonding
7 with a person, then obviously if you are perceived to be
8 vulnerable, then certain people will take advantage of
9 that situation and that's probably the best way I can
10 describe what happened.

11 Q. Okay, and did it happen around night-time or during the
12 day?

13 A. I believe it was during the day, during the day, aye,
14 aye, because the older residents wouldn't have been
15 around at night, you know. So it was during the day.

16 Q. So in your experience older residents weren't around at
17 night-time?

18 A. No, definitely not, you know. I would say come
19 9 o'clock, you know, they -- because the gate would have
20 been locked at that stage, you know, especially during
21 the troubles. So ...

22 Q. Okay. Can I just ask one of the consistent aspects of
23 what people have said in relation to you is about the
24 shower rooms. The shower rooms come in a lot within it.
25 When you were an older boy, so when you were still

1 a resident --

2 **A. Yes, yes.**

3 Q. -- were you involved in supervising boys in the shower
4 rooms?

5 **A. No, definitely not. Definitely not. The staff -- there**
6 **would have been staff there for that, but what I will**
7 **say about that, you know, consistency, you know,**
8 **a number of people have said that, I am convinced that**
9 **these people are actually colluding with each other**
10 **through the social media network and, you know,**
11 **that's -- they are corroborating their stories through**
12 **that format, and that is why -- it's strange that a guy**
13 **in Australia, a guy who is a practising**

14 -- and who is the third -- well, SND33 is
15 deceased, you know, and again I just would have thought
16 SND 33 was clasping at straws there, but there is -- as
17 I'm sure you are probably aware, there is a lack of
18 empathy with some people who go through the care, and,
19 you know, anybody that they see as a threat to their
20 status, you know, they can be very vindictive and
21 malicious towards them, and that's what I feel. I have
22 been the victim of pure malice here.

23 Q. Just this is the last one. Why of all the boys that
24 were around at that time would they have chosen you to
25 be the one?

1 **A. Well, I am readily identifiable, because obviously, you**
2 **know, I was taking the choir and, you know, I would have**
3 **been around, handyman, doing things like that, you know,**
4 **trying to help out as best I can, you know. So ...**

5 Q. Okay. Thanks, SND23.

6 **A. Thank you.**

7 CHAIRMAN: Well, SND23, thank you very much for coming to
8 speak to us today. That's all we need to ask you.

9 **A. Thank you very much, sir.**

10 **(Witness withdrew)**

11 MS SMITH: Chairman, the next witness is to be taken by
12 Mr Aiken. I believe he is consulting with her at
13 present. So perhaps a short break and I can check how
14 long he will need.

15 CHAIRMAN: Very well.

16 (11.25 am)

17 (Short break)

18 (12.10 pm)

19 WITNESS SND500 (called)

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

21 The second witness today is SND500, who is also
22 "SND500". She is aware, Chairman, that you are going to
23 ask her about taking the oath or affirming. Do you wish
24 to take a religious oath or to affirm, a solemn promise?
25 It has the same legal effect. It is a matter entirely

1 for your choice.

2 **A. Religious oath, please.**

3 Q. Religious oath.

4 WITNESS SND500 (sworn)

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

6 Questions from COUNSEL TO THE INQUIRY

7 MR AIKEN: Bring up SND-5635, please. SND500, the -- what's

8 going to appear on the screen I hope is your first --

9 I see it is not the redacted version. So that will be

10 amended when the statement is published on the website

11 --

12 **A. Yes.**

13 Q. -- but you will be able to be the first person to

14 confirm for me that that is the first page of your

15 statement and there are no redactions on it. Can you

16 just confirm that's the statement you provided to the

17 Inquiry on 12th November of 2013?

18 **A. That's correct. I did.**

19 Q. If we just go to the last page, SND-5637, please, and

20 you can confirm that's your signature?

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

22 Q. And you want to adopt the content of the statement as

23 your evidence to the Inquiry?

24 **A. That's correct. I do.**

25 Q. I would have been asking you about anonymity and whether

1 you wanted to preserve your anonymity or not, and do you
2 want to confirm that you -- your position as to that?

3 **A. I confirm I would like to preserve my anonymity, please.**

4 Q. Now there's a second statement which hopefully will come
5 up at SND-17177. This time we have it with the
6 redaction. So if you would look at the hard copy
7 version that you have of your statement and confirm it
8 matches this page that we can see on the screen except
9 for the redactions.

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

11 Q. If you look at the last page at SND-17180, and can you
12 confirm from your hard copy that again you've signed
13 this statement?

14 **A. That's correct.**

15 Q. And you want to adopt it as your evidence to the
16 Inquiry?

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

18 Q. Now with this second statement, SND500, is a set of
19 appendices, which, because of the time frames that we
20 are working to at the moment, you have the appendices
21 possibly with you.

22 **A. Uh-huh. That's correct.**

23 Q. The Panel and the core participants do not yet have the
24 appendices. I am going to -- our photocopier is working
25 frantically. So the Panel is about to get the

1 appendices and we will resolve providing them to the
2 core participants later on today. These are the
3 appendices that come with your second statement, and
4 I will come back to that second statement shortly.

5 But what I want to ask you, first of all, you are
6 the now in terms of a job title
7 within the ?

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

9 Q. That role, as you were explaining to me this morning, is
10 akin to a consultant type role within the Health
11 Service.

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

13 Q. Can you just give the Panel a brief understanding of
14 what your role presently involves?

15 **A. Okay. In a sense my -- it is divided into three**
16 **sections, you know, not unlike the consultant's role.**
17 **It actually was based on a consultant's role. A third**
18 **of my time actually relates to direct work, which would**
19 **actually involve either directly working cases or**
20 **mentoring staff who are involved in cases, and that**
21 **would involve working the most difficult cases or the**
22 **cases that would be the most serious, perhaps where**
23 **there have been serious injuries or where there's been**
24 **sex abuse or protracted or difficult court hearings.**

25 **A third of my post relates to governance and**

1 governance can actually be about -- I would be involved
2 in internal agency reviews. I would be involved in
3 cases where it would be thought that there might be
4 learning, you know, from practising cases and how we
5 might move that on, or where it was felt that things had
6 gone wrong, but then it is actually about improving
7 standards. So I would write and deliver training
8 programmes around child protection.

9 The other aspect then is the strategic, and that's
10 about the development of social work practice within
11 child protection in the Trust.

12 Q. So you have had -- that's the role you are presently
13 performing, but you have explained in your first
14 statement, if we just go back to SND-5635, please, that
15 you were originally a social worker within what's now
16 described as the from .

17 A. That's correct.

18 Q. For instance, the Inquiry was hearing yesterday about
19 a social worker by the name of SND475, who was HIA127's
20 social worker.

21 A. Yes.

22 Q. She actually sat opposite you --

23 A. She did. That's correct.

24 Q. -- in your office in the early .

25 A. Yes. until -- certainly for a year, but I think

1 **maybe a bit more than that. SND475 and I shared**
2 **an office. We sat directly opposite. She sat on the**
3 **desk opposite me.**

4 Q. I know you've a number of matters you want to address
5 about some of the issues that the Inquiry was hearing
6 about yesterday. So I will come back to those at the
7 end, but in addition -- doing the job that you do now --

8 **A. Uh-huh.**

9 Q. -- in addition to the three limbs that you talked about
10 you were also given responsibility for providing
11 material on behalf of the Trust or the Health & Social
12 Care Board as far as it related to the part of
13 the country to this Inquiry.

14 **A. That's correct. From April 2013 that's a role I have**
15 **undertaken as well.**

16 Q. What I am going to do briefly is just summarise what you
17 have already explained to me about the checks that were
18 engaged in and steps that were taken and the results
19 that flowed in terms of providing material to the
20 Inquiry.

21 So the first area I'm going deal with is about
22 individuals.

23 **A. Uh-huh.**

24 Q. So the Inquiry gave you names of individuals that it
25 wanted the Health & Social Care Board to provide any

1 relevant material on.

2 **A. Uh-huh.**

3 Q. For those named individuals you checked the computers.

4 **A. That's correct, the computer system, SOS CARE.**

5 Q. You then went back to any hard copy files that were held
6 for those individuals.

7 **A. Yes, yes. That were located through the computer
8 system, yes.**

9 Q. You explained to me that --

10 **A. Well, they -- sorry.**

11 Q. -- the two systems -- the two legacy units, as it were,
12 had different methods of file keeping. Do you want to
13 just briefly explain what those were?

14 **A. Yes. had actually hired someone some
15 time ago, approximately about ten years ago, whose job
16 it was to actually index every old record that was held
17 in storage and to get any record that was over five
18 years old from all the individual offices brought to
19 a central point and that they were all indexed.**

20 In Sperrin Lakeland Trust what you had is all files
21 were actually held -- all old files were or are held in
22 alphabetical order. So when I would have had a case
23 that would have indicated -- I always checked both
24 databases anyway, but if I had a case that indicated it
25 was, you know, within the Foyle -- the Legacy Foyle,

1 then you would have first went to the index. I would
2 have asked our records people to go to the index, but
3 when it was actually a case and we didn't turn anything
4 up in the Foyle index, we then always went to Sperrin,
5 and that would have been sending a number of admin
6 people to do manual searches through alphabetically --
7 alphabetical order.

8 Q. So in addition to those sets of paths that you were able
9 to go down you also had checks made of sibling and
10 family files of the same name as the individual whose
11 identity and papers you were asked to find.

12 A. Yes. Pre-dating the Children Order -- the Children
13 Order actually places a requirement on trusts to have
14 individual files for young people who are looked after
15 subject to child protection, but prior to that the
16 practice most often was that there would have been
17 a family file.

18 So quite often, you know, if I didn't turn up a file
19 in respect of an individual, I would have checked the
20 parents, siblings and pulled all of their files and then
21 submitted any information located on those files
22 relating to the applicant.

23 Q. You also caused a letter to be written by the Assistant
24 Director to staff to ask them within the -- what were
25 the legacy units, now the Trust, to check their offices

1 for any material that might be relevant. Is that right?

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

3 Q. Did you yourself make contact with former staff to try
4 to see if there were any other avenues for looking for
5 material?

6 **A. Yes. There were some cases where I felt fairly sure**
7 **that there should have been other files. In one case --**
8 **actually it was SND475's case -- I could remember a big**
9 **orange file that I wasn't able to locate.**

10 But in another case the particular social worker,
11 although he didn't work for the Trust any longer, I was
12 aware from having worked with him previously that he was
13 a very diligent record keeper. So I had contacted him
14 and he confirmed that there were records, but I still
15 wasn't able to -- I was able to locate the residential
16 file in respect of that case, but not the fieldwork.

17 There was another one -- another applicant who had
18 a number of different names. So I contacted that
19 particular office to see whether they'd any knowledge
20 about maybe other names or whether there were any other
21 lines of enquiry I could take in relation to locating
22 files for her.

23 Q. So, to summarise what you are saying, you have engaged
24 in a series of checks, aside from one that I'm going
25 deal with shortly, and that process has produced a large

1 volume of material, but you are aware that there are
2 some files that unfortunately are missing.

3 **A. Yes.**

4 Q. Are you able to give the Inquiry any assistance with
5 what proportion of missing files there are out of the
6 numbers that were being looked for?

7 **A. I could maybe put some more detail around that as well,
8 because there's different time frames and different
9 types of files. So certainly for Termonbacca, you know,
10 for applicants relating to Termonbacca pre-1971 there
11 are actually I think approximately fifteen files where
12 we don't have a statutory record in relation to those
13 applicants. What we did locate was like a manila folder
14 that we believe came from -- directly from Termonbacca.
15 I can't say how it came into our possession, and they
16 would have had like a three-digit number on the
17 right-hand side handwritten within the manila folder,
18 and within those manila folders the records would have
19 been very limited, and quite often they were limited to
20 birth certificate, maybe some handwritten details on the
21 file, baptismal certificate and medical card in quite
22 a lot of them, and in some of those cases as well you
23 would have found that there were correspondence between
24 the Sisters of Nazareth in Derry and the Sisters of
25 Nazareth in Donegal.**

1 Overall, including all of the applicants, I believe
2 there were fourteen -- I just did a quick count before
3 I came in, so I can't -- I wouldn't want to -- I'd want
4 to go back and say exactly how many, but I believe there
5 were fourteen people for whom we weren't able to locate
6 any records, the majority of which were -- pre-dated the
7 '70s.

8 Q. So if I can just unpack that a little with you, what you
9 are describing is in these manila folders are records
10 that were not trust records --

11 A. No.

12 Q. -- but have come into the possession of the trust.
13 There is no corporate memory as to how that came about.
14 Termonbacca closed in '82/'83. By some means manila
15 folders relating to a number of individuals who lived in
16 that home have made their way into a filing cabinet in
17 the trust.

18 A. Well, not in -- the manila folders are actually not in
19 a filing cabinet. They are actually filed away with all
20 personal records. So you know when I talked about that
21 index, when all the personal records went down to our
22 current records, they are filed away as an individual
23 record, albeit they are not trust records. They are
24 filed as an individual record for that.

25 Q. The fourteen that you are talking about would be in that

1 class of manila folder, that there aren't fourteen
2 manila folders for those fourteen individuals from
3 Termonbacca?

4 **A. I can't confirm that they are. I can make**
5 **an assumption, given the dates, that some of them may**
6 **be, but I couldn't confirm whether they would or**
7 **wouldn't be.**

8 Q. Maybe there is an exercise we can engage in after today
9 to get it nailed down as precisely as we can --

10 **A. Uh-huh.**

11 Q. -- but that's a set of records that have come into the
12 possession of the trust?

13 **A. That's correct.**

14 Q. In terms of records that the Trust itself would have
15 had, so individual files or family files --

16 **A. Uh-huh.**

17 Q. -- is there any assistance you can give as to how many
18 of those are missing or are most of those -- have they
19 produced results?

20 **A. Most of those have produced results, although on**
21 **occasions and for some applicants there are gaps. So**
22 **there might be a time frame when we have not been able**
23 **to locate records or, you know, it may be that there's**
24 **a family file but not an individual record.**

25 Q. From your own memory, for instance, you have given the

1 example of the thick orange folder --

2 **A. Of one, yes.**

3 Q. -- that you just can't find that.

4 **A. I can't find it, and I have a memory of -- and again**
5 **SND475, she would have been quite -- you know, SND475**
6 **had these really thick -- she hand writ all her notes**
7 **all of the time, and I remember the file on her desk,**
8 **and SND475 confirmed that that file existed.**

9 Q. Now in terms of all of the steps that you have taken the
10 only other step beyond what you have done, there is
11 an issue about resources and proportionality, which is
12 to check every other record of an individual child to
13 see if something was misfiled. That's the only other
14 thing you could do.

15 **A. You would have to check every record of any individual**
16 **known to the Trust or Legacy Trust, because, you know,**
17 **they aren't -- the records aren't actually even -- you**
18 **know, you wouldn't be able to say those are -- that's**
19 **all the children who were in care. All of the personal**
20 **records including, say, cases that would have been under**
21 **community care, elderly, they are all held. So you**
22 **would have to go through every one of those, and it's**
23 **a task that my records management team were saying it**
24 **would just be -- you know, it would take a long, long,**
25 **long time to do that.**

1 Q. Is it your -- based on your understanding of what's
2 involved in that process, that's a task that wouldn't be
3 complete by the time the Inquiry is supposed to be long
4 finished?

5 **A. I don't believe and from a resource perspective it would**
6 **be -- it really would be a massive task.**

7 CHAIRMAN: Can I just intervene to ask, because I am not
8 entirely clear what the limits of the category you are
9 describing may be? We can start off with the simple
10 case, which is there is a file which contains everything
11 you'd expect to find in it for somebody who is
12 an applicant to the Inquiry. There are the pre-1971
13 files that you have described. Then there are the Trust
14 files which you have described, but I take it from what
15 you say there are a number of applicants in respect of
16 whom the relevant trust file can't be identified, such
17 as the orange file that you've referred to for SND475.

18 **A. The orange file would have been a family file --**

19 CHAIRMAN: Yes.

20 **A. -- rather than -- I have found records in relation to**
21 **that applicant, quite a lot of records in relation to**
22 **that applicant, but I haven't found the orange file that**
23 **I remember.**

24 CHAIRMAN: Everything that you think in some instances
25 should be there isn't there.

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

2 CHAIRMAN: But what are the other categories of records in
3 which we will call it the missing item might have been
4 misfiled?

5 **A. I am sorry. I apologise. I am not ...**

6 CHAIRMAN: "Where could it be?" is the first question.

7 **A. You have -- you know when I talked about the**
8 **alphabetical cabinets, when they are filed in**
9 **alphabetical cabinets? Well, it is rooms and rooms of**
10 **cabinets in alphabetical order. So you literally have**
11 **drawers, just drawers, that are alphabetical. That is**
12 **rooms and that's one.**

13 CHAIRMAN: The alphabetical collection relates to what types
14 of files?

15 **A. To all social work records in Sperrin Lakeland Trust.**

16 CHAIRMAN: So they may be cases dealing with elderly people
17 or whatever?

18 **A. Mental health.**

19 CHAIRMAN: We are not talking about their personal records,
20 just the social --

21 **A. Social work records.**

22 CHAIRMAN: Social work records, and in round terms, whether
23 you do it by rooms or number of files, what are you
24 talking about? I suspect a great many from what you
25 have said already.

1 **A.** I mean, when I suggested -- you know, because I was
2 naive, and I was exploring with our Records Department.
3 I mean, I got quite a response. It was like, you know,
4 "It's impossible. How could you do that?", because
5 there literally are rooms and rooms and rooms filled
6 with records.

7 CHAIRMAN: So the SND475 file, if we can call it that, for
8 one applicant could be misfiled with another file and
9 you would have to go through many rooms to try and trace
10 it, because you have no way of tracing it other than
11 literally going to every file and going through every
12 file. Is that right?

13 **A.** That's correct.

14 CHAIRMAN: May I take it we are talking in terms of
15 thousands of files, tens of thousands?

16 **A.** Yes, tens of thousands.

17 CHAIRMAN: Thank you.

18 **A.** In the case -- sorry. In the case with the SND475 file,
19 because I went and got the sibling records for each of
20 those, and there was a really big family and they were
21 involved over time, it ended up that I was satisfied
22 there weren't a lot of gaps, because I was able to fill
23 in time frames. So by the time I submitted it in that
24 case I was able to look at it and say it gave
25 a satisfactory account of our involvement.

1 CHAIRMAN: I was really trying to get a general idea of the
2 task that you would have to engage in to satisfy
3 yourself that if a relevant record of whatever size
4 exists, it had been found, and you'd have to examine
5 many thousands or tens of thousands of individual files
6 to try and find a particular document that otherwise
7 can't be accounted for.

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

9 CHAIRMAN: Yes. It would be a rather large haystack with
10 a small needle I think. Thank you.

11 **A. Unfortunately.**

12 MR LANE: If somebody extracts a file, such as yourself for
13 this Inquiry, is there a system for recording that that
14 has been removed?

15 **A. There is, yes.**

16 MR LANE: So you would know if an Assistant Director had
17 taken it or something like that?

18 **A. Yes. I have -- you have got to be at least social work
19 level before you can -- I can send my admin person for
20 a file, but she has to immediately return signed by me
21 the record that I have got the file. She can't sign on
22 my behalf. It's got to be signed by at least social
23 work level.**

24 MR LANE: Thank you.

25 MR AIKEN: SND500, do you have experience of -- within your

1 normal work I am sure on occasion it hasn't been
2 possible to find a file that everybody knows should be
3 there. Has that led in the past to an investigation to
4 understand how that file might have got lost or been
5 misplaced in such a way that it's never turned up, and
6 if you were to apply that type of thinking to the type
7 of material that you are identifying as not being
8 around, are you able to say in your view from your
9 experience what's likely to have happened to them?

10 **A. I -- my guess is that they've been misfiled. That's the**
11 **best guess I can come up with, and again, you know,**
12 **because you bring in two different systems -- the system**
13 **in the -- in my view the system in the Foyle -- Legacy**
14 **Foyle Trust was actually a much better system. It was**
15 **a much more robust system, and that's because they had**
16 **brought in someone specifically to do that.**

17 Now our Head of Records has now said that they are
18 in the process of trying to duplicate that within -- to
19 actually appoint and do, because this -- the work from
20 this Inquiry has actually been a real eye opener in
21 terms of how, you know, the system that is in the Foyle
22 Legacy Trust is actually a much more effective system
23 and to have the same system through the Western Trust,
24 but that's a journey.

25 **Q.** That's because they use a numbering system with

1 computer.

2 **A. Yes. It is an index. So every name that's**
3 **cross-referenced, and again when you would go -- because**
4 **when I would go to -- even for sibling files when**
5 **I would go to, you know, our Records Department, it is**
6 **a lady called and you would say -- she actually**
7 **can tell you who the siblings are without going to the**
8 **file as well, and so it's just a more robust system.**

9 **Q.** As matters stand are you satisfied that you have --
10 apart from that looking for the needle in the haystack
11 approach, are you satisfied that what steps could
12 reasonably be taken have been taken and all the material
13 from those steps has been disclosed to the Inquiry?

14 **A. Certainly all the material has been disclosed, and I --**
15 **if I could -- if I have been able to think of something**
16 **else to do, I actually would have -- because I called**
17 **a meeting together of Records, of the admin people, of**
18 **a senior manager, and the purpose of the meeting was**
19 **just to say, "Can anybody come up with anything?" --**
20 **that's where we come up with the idea to ask the**
21 **Assistant Director to write to all the offices -- just**
22 **to come up with something else. So I am not aware of**
23 **anything else we could do to look for those.**

24 **Q.** And I take it you will be happy after today if we engage
25 in a process to nail down just exactly what's missing so

1 that we've a record of --

2 **A. Absolutely.**

3 Q. -- the entirety as to what can be found?

4 Now relation to the individuals you have had
5 a process underway in respect of the residential homes
6 --

7 **A. Uh-huh.**

8 Q. -- that was operated by the Trust.

9 **A. Yes.**

10 Q. That included Harberton, Fort James, Coneywarren, and
11 neither you or I could remember the Enniskillen one, but
12 the Chairman will be immediately able to tell us.

13 CHAIRMAN: The name of the ...? Coleshill.

14 MR AIKEN: Coleshill in Enniskillen.

15 **A. Some of that -- the work in relation to Coleshill was**
16 **actually done before I took -- there actually was a lady**
17 **who was doing this work very temporarily before I came**
18 **in, but any meetings I had subsequent to look at what**
19 **records were looked for and how we looked for them,**
20 **I brought her to those meetings so we would have a full**
21 **account of that.**

22 What actually happened there is that every
23 children's home within the Western Trust, all cabinets
24 within all children's homes were actually searched.
25 I contacted present and previous managers who were

1 around to see whether they had any information about
2 other records and where we might have them.

3 In the fieldwork offices all cabinets that didn't
4 relate to personal files were checked and we actually
5 had to have a number of those cabinets -- there were no
6 keys. Nobody knew what was in them, and we actually had
7 to get those -- you know, force entry to those through
8 the proper procedures, and again what we found in those
9 -- and we did submit it -- we submitted all of that
10 material -- we found a lot of material, for example,
11 relating to Fort James that actually should have been --
12 under the policies and procedures should have been
13 destroyed. It was being kept past the date that was
14 necessary.

15 In those enquiries as well when I was talking to
16 people, then there were a number of people who said to
17 me that they thought that we may have had some
18 information relating to Nazareth House Children's Home.
19 I never got a definitive answer in relation to how we
20 came about it. People had ideas, but no-one could say
21 to me, "Oh, that came to us on this date by this means",
22 but when I had the people in our Records Management
23 check their office, they found a locked cabinet. The
24 person who runs that office actually knew about the
25 locked cabinet, but she was off -- she had had

1 a bereavement and she was off while I was searching. So
2 when she came back, she was able to say, "Yes, I knew
3 that cabinet was there. I knew what was in it", but she
4 couldn't tell me how we got it. In that cabinet is the
5 list of documents that I have referred to in my witness
6 statement.

7 Q. We are going to that. If we look at SND-1...

8 A. The second witness statement.

9 Q. SND-17177, please. So you have listed in paragraph 1,
10 sub-paragraph references 1 through to 17, a list of the
11 hard copy books and papers from Bishop Street that were
12 found in that filing cabinet.

13 A. That's correct.

14 Q. The originals of that material has been given to the
15 Inquiry.

16 A. The only originals that weren't given were the student
17 induction, things that really in my opinion were really
18 irrelevant, although I have said they are available.

19 Q. Yes.

20 A. There were photographs which were no names or undated.
21 There -- they are of a Christmas party, but you couldn't
22 tell who is who, and -- so things like that, but
23 everything else was submitted. Anything of relevance
24 was submitted.

25 Q. The Inquiry may want to have a look at the photographs,

1 but you have given the vast majority of this material in
2 its original form.

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

4 Q. What you have done with the appendices that the Panel
5 have received this morning is a review of the content of
6 some of that material --

7 **A. Uh-huh.**

8 Q. -- for some purposes that I will come back to --

9 **A. Uh-huh.**

10 Q. -- later in your evidence, and you given that analysis
11 in the appendices.

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

13 Q. If I can summarise at this stage, it is effectively you
14 drawing out just how much social work involvement there
15 was in Bishop Street for the period that these records
16 cover.

17 **A. That's correct. I didn't do every record. I took**
18 **a sample, a range of samples over the range of period**
19 **for which the records related, and I went through each**
20 **of the books and -- because sometimes there would be**
21 **names and you wouldn't be able to confirm who the names**
22 **were, but when I could confirm that a name was a name of**
23 **a social worker, or where it said in the records**
24 **a social worker visited, then I put those all into a**
25 **table. What was included in the exercise books -- the**

1 tables are different in different appendices, because
2 the exercise books were different in how they were. So
3 I put the tables accordingly. So it was exactly as
4 recorded in the exercise books, but all of the names
5 that are included in those tables I can confirm are
6 social workers and I have been able to check that they
7 were social workers.

8 Q. Now in addition to that exercise where you are able to
9 list out social workers who are visiting children as
10 part of their fieldwork responsibility, if we can just
11 move to the next page at SND-17178, you mention in
12 paragraph 7 an issue that has come up for other
13 witnesses who have given evidence, and that's through
14 these books you were also able to deal -- detail the
15 visits by TL4. Now that's TL4 --

16 A. Uh-huh.

17 Q. -- who won't be identified on the publicly available
18 transcript, who was the
19 on the residential side --

20 A. That's correct.

21 Q. -- at the time of this material, and his visits you
22 point out were for purposes other than a fieldwork
23 social worker visiting a child. They are chairing
24 reviews, monitoring, managing complaints and untoward
25 incidents and in helping Nazareth House, Bishop Street,

1 develop their processes and practices.

2 **A. Yes.**

3 Q. You have typed his visits on your schedule in red ink.

4 **A. That's correct.**

5 Q. You have personal experience -- and I just -- if we
6 bring up SND-5636, please, you have indicated in your
7 statement, your first statement to the Inquiry, that you
8 have personal experience as a social worker from

9 visiting children who were in Bishop Street, whom
10 you visited at least monthly. I am going to ask you
11 a little bit more about that shortly, but in the context
12 of TL4 as someone who was going in as a fieldwork social
13 worker --

14 **A. Uh-huh.**

15 Q. -- how would you -- do you have a recollection of TL4 on
16 the residential side being in Bishop Street?

17 **A. Yes. I would have seen TL4 in Bishop -- TL4 was**
18 **a presence in Bishop Street. It was difficult to -- I**
19 **was a social worker. He was two levels above me. It**
20 **was kind of, you know, that -- but certainly, you know,**
21 **you would have -- quite often I would have taken my**
22 **young person out and you would have brought her back**
23 **and, you know, TL4 would have been there, teatime,**
24 **different times. So I would have seen TL4.**

25 In relation to what the role of his visits were,

1 when I had all of his visits, I had a notion of what his
2 role was, but I actually rang TL4 and it was TL4 who
3 said to me that that's what he did during those visits.

4 The other thing that TL4 advised me was that he
5 would have signed day books, complaints records, menus,
6 you know, that he signed a lot of Nazareth records as
7 part of those monthly monitoring visits.

8 Q. So this material is available, because it happened to
9 make its way to you, and TL4 has already told you, and
10 he is going to be speaking to the Inquiry --

11 A. Uh-huh.

12 Q. -- of his knowledge of some of this record-keeping and
13 the material that it produced.

14 A. Yes. That is correct.

15 Q. Just to complete this circle, you were someone who was
16 visiting in Bishop Street then as a social worker in the
17 early

18 A. That's correct.

19 Q. Have you a recollection of it now and can you place it
20 and contrast it with the other homes that were in the
21 same area you were visiting? How would you describe it?

22 A. I have really thought about this, you know, because
23 I expected it as a question, because when you look back,
24 with hindsight it's -- I have a much more critical eye
25 now than I would have had then. I am going to try to

1 do -- I think the most honest thing I can do is describe
2 what I felt then.

3 What I always found unusual was the corridor going
4 into it. It was quite an un... -- it was an unusual
5 smell and it was an unusual -- and it had all these
6 statues and -- how can you describe -- very old flowers
7 and plants, very old as in very dated plants, you know,
8 like ones you wouldn't tend to see, and I always used to
9 walk along and think, "Isn't this a strange way to be
10 coming home, if this was your home? This would be
11 a strange way to come home".

12 That said, when you went into the units, it was
13 actually quite different. You still had statues and
14 that, but it was much more warmer and natural, and
15 I never came away from any of my visits at the time with
16 any concerns, and that's -- you know, and I can say no
17 more than that, and I certainly observed times when --
18 I certainly observed warm interaction and I observed
19 nice interaction.

20 My first concern about Nazareth House as a social
21 worker would have come about at how quick they would
22 have sought to terminate placements if children
23 misbehaved and I would have struggled with that as
24 a social worker. So I would have had experience of in
25 the office and someone saying, "Oh, you know, Nazareth

1 House have said he has to be out by the end of the day",
2 you know, and because they were a voluntary home,
3 that -- putting that -- and that was probably my first
4 time when I would have had -- and again with hindsight
5 I now see -- I understand much more. A lot of our kids'
6 behaviour when they are actually acting out in care is
7 related to trauma and it is related to the reactions to
8 trauma as opposed to -- and if we -- if you begin to
9 only look at it in terms of the behaviour and look, "Oh,
10 that's a criminal behaviour and that's a ...", that we
11 don't do our young people justice, but I didn't
12 understand that then in the way I understand that now.
13 So there would have been quite a lot of emphasis on bad
14 behaviour and dealing with bad behaviour.

15 Q. You mentioned to me when we were speaking beforehand TL4
16 being summoned down to be involved in that type of
17 dealing with behaviour. Is that a recollection that you
18 have?

19 A. It is a recollection I would have had, where TL4 would
20 have been called in. If there were particular problems
21 with particular children, TL4 -- and TL4 almost being
22 like -- you know, if you were going to be able to keep
23 a child there, sometimes TL4 would have been the key to
24 being able to maintain that placement.

25 Q. Was he the mediator?

1 **A. I -- those -- that's in my experience of him. I don't**
2 **know if TL4 would describe himself -- I experienced him**
3 **in that way sometimes.**

4 Q. Do you have a memory of any particular nuns that you
5 worked with at this remove? Can you remember your
6 experience with them and the view you had of them
7 carrying out their functions?

8 **A. It's limited. I can remember being in SR2's office and**
9 **I remember being with SR2 when she was with the young**
10 **person I was working with, and that's when I said I seen**
11 **some warmth. There certainly was -- you know, it was**
12 **quite -- you know, it was quite authoritarian warmth, if**
13 **that makes -- but it was. It was a -- you know -- and**
14 **again the young person that I worked with at the time**
15 **had no complaints in relation to her care, but we now**
16 **know, you know, but she didn't.**

17 Q. Now I want to ask you about a very specific issue. You
18 are aware of --

19 CHAIRMAN: Sorry to interrupt. Just before we leave this,
20 can you identify for us the young person, if I have
21 understood what you say correctly, who didn't have
22 complaints then but has complaints now?

23 **A. No, she hasn't complaints now. She is not one of the**
24 **applicants.**

25 CHAIRMAN: I misunderstood.

1 **A. No. Whether she has -- she is certainly not**
2 **an applicant and I have had no -- I just mean I know**
3 **that a lot of our applicants didn't complain at the time**
4 **either, having read the files.**

5 MR AIKEN: If I have understood the point you were making,
6 obviously complaints have now been made against SR2 --

7 **A. Yes.**

8 Q. -- and you weren't aware of them at the time.

9 **A. No. No.**

10 Q. Now you are aware of the evidence that was being given
11 yesterday in a particular context of HIA127 and his
12 SND38 --

13 **A. Uh-huh.**

14 Q. -- and the discussion that was had before the Inquiry
15 about the role of a befriender.

16 **A. Yes.**

17 Q. You made a point of checking HIA127's file for the type
18 of record that SND38 was suggesting --

19 MR MONTAGUE: Sorry, Chairman.

20 MR AIKEN: GPS system, Mr Montague.

21 You checked his file to try and find the documents
22 to support SND38's point that he was really appointed as
23 a befriender many months before the November
24 document that we were looking at with him yesterday.
25 You identified -- if we can bring up, please, SND-5224.

1 **A. Just for the sake of accuracy, I had checked his file**
2 **because I was aware that issue had come up rather than**
3 **-- but I had checked the whole file. I didn't**
4 **specifically look for that, but I was conscious that had**
5 **come up and I had comment to make on it.**

6 Q. SND-5224 is a residential review form that the key
7 worker in Bishop Street would compile in advance of the
8 six-monthly review, and it would be signed off then by
9 the Head of Unit within Bishop Street. Is that a fair
10 summary of the document we are now looking at?

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

12 Q. This particular document, if we look at the last page,
13 SND-5228, is dated 5th May , and the house parent
14 has signed it off and then the Head of Unit. So SND38
15 has signed it off and SR21, which is SR21, has signed
16 this document off.

17 Now the point that arises from it is on the screen
18 at the moment that you are drawing attention to and this
19 is SND38:

20 "In the short-term HIA127 would benefit from
21 a suitable befriender even if for one afternoon per week
22 as he enjoys and thrives on the individual attention
23 that is not always available in a residential setting."

24 **A. Yes.**

25 Q. Now have you as yet been able -- this is a document that

1 would have been read by those participating at the
2 review. Have you been able to find the minute that
3 would have been created or should have been created
4 after the review has taken place?

5 **A. To date I have not seen a minute of that. I have as**
6 **recently as today contacted my admin person to say,**
7 **"From this date to this date go through everything to do**
8 **..."**, you know, and she will do that, but I have not
9 **seen a minute.**

10 I did have -- I don't know if you want me to
11 comment, because when I had read the information in
12 relation to what had been submitted from SR21 in
13 relation to policy around befrienders for children who
14 were in care and were not having visits, that did not
15 strike -- my experience --

16 Q. If I stop you there just for a moment, because I am
17 going to come to that with you.

18 **A. Sorry.**

19 Q. No, no. What -- I want to just deal with the issue of
20 the minute. It is the case that there ought to be --
21 and there is another -- examples -- a minute created
22 after the review has taken place.

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

24 Q. Is it also the case that in your experience you are
25 aware of going to files and simply a minute hasn't been

1 created for whatever reason, workload or mistake or
2 whatever the explanation?

3 **A. Yes. That's correct, and I am also aware there was**
4 **a particular issue in this office around the late**
5 **and early , when you had SND466 moving and you had**
6 **different people and you had a post that was absent.**
7 **There would have been a substantial period in**
8 **where you had a post, a senior's post, that wasn't**
9 **filled. So you had one person doing -- so I am aware**
10 **there is issues as well from that period of time**
11 **with minutes.**

12 Q. So record -- the point I take you to be making is that
13 the record-keeping -- in a perfect world we would have
14 a minute. There is a possibility there might not be,
15 because there was staffing issues and these things
16 occasionally slipped through the net.

17 **A. I don't think you would have a meeting for looking after**
18 **a child now without a minute, but certainly then.**

19 Q. So -- but you are going to undertake an exercise to see
20 can --

21 **A. Just out of fairness.**

22 Q. Because you are aware that his evidence was yesterday
23 that he was specifically requested to be a befriender.
24 The Panel can obviously make of this document what it
25 wishes.

1 **A. Uh-huh. Uh-huh.**

2 Q. But the minute, if it existed, might shed some light on
3 whether that's the case or not.

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

5 Q. But what I then want to ask you, which is the issue you
6 were moving to, is about that befriender role in the
7 early , and I want to take it step by step through.

8 Was it a new concept late , that of
9 the befriender?

10 **A. From my memory -- and again because it was only**
11 **yesterday I was aware of this, so I haven't went back**
12 **and checked policies and records -- but from my memory**
13 **it actually was a bit later than that the whole issue of**
14 **a befriender and an independent visitor became a much**
15 **more -- "befriender" is not a term I would have been**
16 **familiar with at that time. Not to say it didn't exist**
17 **or it didn't -- but it is not something that I would**
18 **have been familiar with, and certainly, you know, if you**
19 **are a key worker, can you be a befriender as well? How**
20 **is that possible? I am not sure how that would work.**

21 Q. I know that's one of the issues you are flagging up,
22 that the two concepts are mutually exclusive for you --
23 is that fair --

24 **A. Yes.**

25 Q. -- bar in an exceptional scenario?

1 A. Well, even in -- it is an exceptional scenario in my
2 experience where a young person from residential care
3 would develop a relationship with a key worker that
4 moves beyond the working hours and out into -- to the
5 extent that this did it is not unheard of. What I had
6 said is the ironic thing is at the same time that this
7 -- you know, HIA127 was having this relationship with
8 SND38 I had a young person who was in a statutory home
9 who was developing a much slower, I have to say -- and
10 it never was named as the befriender. She was always
11 his , but the role certainly moved
12 way beyond her employment responsibilities, and her --
13 those are the only two I'm personally aware of that --
14 where that really would have been -- that was the
15 exception rather than the rule, and in the other case
16 that relationship that that young person developed with
17 his key worker is still a really positive relationship,
18 and in my experience of working with that wee boy was
19 one of the key things that actually helped him negotiate
20 residential care. It was a very positive experience.

21 Q. In fact, the person you are talking about is -- and
22 she'll -- her name will be redacted for our purposes --
23 but it is SND21.

24 A. That's correct.

25 Q. The role that she performed in relation to -- this was

1 a child who was in Harberton.

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

3 Q. She, in fact, will be giving evidence to the Inquiry.

4 So we can ask her about that, but there are two examples
5 that you are aware of. One is her and your experience
6 of that and her experience of it is a very positive one.

7 **A. Yes.**

8 Q. And the other example that you have is this example --

9 **A. That's correct.**

10 Q. -- which the Inquiry is having to consider.

11 Can I ask you about -- from your perspective you
12 have mentioned already that a key worker's role you
13 would see not really extending beyond working hours in
14 the residential home. Are you aware of examples where
15 it did extend to taking the children out of the home on
16 a regular basis?

17 **A. I am certainly aware of that example that I spoke of.**

18 **As I am sitting here I couldn't tell you a child, but**

19 **I certainly know I have been told that there is another**

20 **-- an ex-member of staff I have been told who really**

21 **went the extra mile with a lot of kids, a female member**

22 **of staff, but I don't know any of the kids or -- as you**

23 **are talking, I am thinking I used to remember one of**

24 **SND21's -- one of SND21's workmates around the same time**

25 **apparently would have been -- went the extra mile.**

1 I suppose my point in relation to what struck me
2 about it is that it was the same time frame and it was
3 the same -- albeit it was different in that we never
4 considered SND21 -- SND21 was still a key worker but she
5 did much more than what I have ever known key workers to
6 do, and I know that after I stopped working the case it
7 moved beyond, and I know that as a young adult he
8 visited her house and -- but you then had -- I know that
9 HIA127's relationship with SND38 is described throughout
10 the records as positive, as being a good thing for him.
11 That's how it was viewed at the time.

12 It struck me that it's one of the dilemmas that we
13 have in relation to making things right for our young
14 people in care, because your ultimate aim -- you want
15 safety -- is really, really important, but actually
16 creating opportunities for those normal, lifelong,
17 healthy relationships is also important, and that
18 sometimes balancing those two things and knowing what is
19 what is very difficult, particularly if you have -- if
20 it is the case that SND38 did abuse, then -- but what --
21 I have extensive experience of working with sex abuse,
22 and the levels of manipulation, control, deceit and
23 secrecy that actually enable a person to abuse a child
24 are at such levels that sometimes that can make holding
25 that balance right, and my personal opinion is that we

1 always have to make sure -- I am -- child protection is
2 my business. That's what I live and breathe, child
3 protection, but I also always say that you have to get
4 the balance between safety and between allowing normal
5 and healthy opportunities for the young people that we
6 have got responsibility to. Sometimes what we have to
7 do to create safety on the basis of the behaviour of the
8 minority of people actually precludes a large number of
9 people who might be able to offer something good,
10 because I have lots of good experience of volunteers or
11 people who have provided children with those
12 relationships outside of the profession.

13 Q. You used a particular phrase, SND500: "the need for
14 healthy scepticism and respectful uncertainty".

15 A. Uh-huh. That's right. That's right.

16 Q. Can you explain what you mean by that?

17 A. Lord Laming had used the phrase. Post -- post-Victoria
18 Climbié -- I suppose where it started I'd say one of the
19 hardest things I found in my first in social work was
20 that people didn't always tell you the truth and you had
21 to deal with deceit quite a bit. That was a real --
22 I wasn't trained for that. That's not what I was
23 prepared for. For me some of the language that was used
24 then by Lord Laming helped, you know. So I would use
25 that quite a lot with staff, when I train staff and when

1 I mentor staff and I work with them, and it is that bit
2 about getting the balance. You must always have that
3 curiosity. My curiosity is much greater now than it was
4 then. I would ask questions now that I wouldn't have
5 asked then. You have to have a healthy scepticism. You
6 work to try and have -- allow young people to have those
7 relationships, but you need to have a healthy scepticism
8 and that respectful uncertainty rather than a blanket
9 "no" is my -- and I think that's one of the dilemmas,
10 you know, for the young people we work with now.

11 Q. So if I were to summarise it, the type of issue that the
12 Inquiry is dealing with, the point you are making is
13 there is a lot of positive, in fact, potentially saving
14 interaction that can take place, but it does provide at
15 the same time the potential opportunity for someone who
16 wants to, who is particularly deceitful, to take
17 advantage of that.

18 A. That's correct, and in my experience sex abusers'
19 capacity for manipulation, control, deceit and secrecy
20 is something that I have not come across in any other
21 aspect of my work.

22 Q. You will carry out that investigation for us in relation
23 to these particular documents and we will come back to
24 that in due course.

25 A. There is one other point that I had made -- sorry -- in

1 relation to that is that he had said that it was
2 the policy for children who didn't have contact with
3 home that they would be encouraged to visit the homes of
4 their key workers to create some normality. SR142 --
5 that was in SR142's --

6 Q. Just let me bring that up so you can ground what you are
7 saying. If we bring up SND-15231. The Inquiry Panel
8 saw this document yesterday. It is part of SR142's
9 undated police statement in part -- as part of the 1996
10 investigation that the police conducted into HIA127's
11 investigation into his allegations. I think the portion
12 that you are talking about is halfway down:

13 "The practice approved by social workers at regular
14 reviews was that where a child, such as in this case
15 HIA127, could not go home on visits or receive visits
16 from his family, then the key worker was encouraged to
17 take that child to his or her home so that the child
18 could experience a stable home environment. All such
19 visits out were logged in the appropriate record book
20 and that record book along with other relevant documents
21 could form the documentary basis of the periodic case
22 conference conducted by social workers on each child."

23 A. In my experience that was not the case. You did not --
24 it was not policy or practice that you would actually
25 seek to have a child visit a key worker's home if they

1 didn't have contact with their family, and I -- the
2 young person that I worked with in Nazareth in ,
3 SND38 was her key worker. She did not have contact with
4 her family and there never was any suggestion that she
5 would go to -- but what I did was I contacted our
6 Assistant Director yesterday, who was a Senior Social
7 Worker during the late '80s and early '90s, and
8 I contacted TL4 to make sure, because I wanted to make
9 sure that -- maybe I wasn't aware of it or if it was
10 something -- and, you know, they both confirmed to me
11 that that would not have been practice. That wouldn't
12 have been considered to be. Just that's not what you
13 would have done.

14 Q. What I want to do -- just in order to be fair to
15 everyone there is a document that we looked at yesterday
16 from November , which is a review meeting which does
17 record that HIA127, for instance, was visiting SND38's
18 home and that was a review that obviously the Senior
19 Social Worker was chairing.

20 A. That's correct.

21 Q. The minute certainly does not suggest that there was any
22 unhappiness about the fact that was taking place.

23 A. No. That minute would suggest -- I mean, not only that
24 I know that we knew that she was visiting. My issue is
25 that was not normal practice. That was an exception,

1 **not a normal practice.**

2 Q. So is there this -- you would not expect to find this
3 type of interaction being replicated across other homes
4 in other children's files in the way that it was in this
5 scenario?

6 **A. I wouldn't expect that, no.**

7 Q. Just bear with me for a moment, SND500, so that I ...
8 Yes. Just for the record at SND-5481 you will see in
9 the first paragraph, SND500 -- and I appreciate you have
10 accepted it, but just so it is on the record -- this is
11 a record of a case review in November . So it is the
12 review after the one that we are looking for the minute
13 for. It has this record of --

14 **A. Yes. We are looking for the record for the one previous**
15 **to this --**

16 Q. Yes, the one previous to this.

17 **A. -- the May one, yes.**

18 Q. This one shows just about six lines down:

19 "Moving into foster care has encouraged HIA127.
20 Moreover his visits to SND38's home has given him a
21 taste of home life, although on occasions ..."

22 So it is there in a form that appears entirely
23 normal. The minute certainly doesn't reflect that
24 anyone was saying, "Why is this happening?" or "Really
25 that's not -- we don't encourage that type of practice"

1 or "You shouldn't be doing that" or "Don't do it".

2 **A. Uh-huh.**

3 **Q.** There is none of that to be found in the minute.

4 **A. Yes.**

5 **Q.** Does that surprise you?

6 **A. No.** I mean, it was an exception, but my view is that it
7 wasn't the practice. That doesn't mean that you would
8 be unhappy if it did, because I talked about, you know,
9 my young person, who -- you know, whose relationship
10 extended beyond with SND21. You certainly didn't as
11 an agenda item or as a -- you would not always consider
12 a child who didn't or you just wouldn't consider it --
13 if relationships develop, but if you have a situation
14 where it is viewed that a relationship and a connection
15 has developed and that that is moving, then that's
16 a different -- and to me that's what I see reflected in
17 this in the limited bit that it is. So, yes, there
18 doesn't seem to be any unhappiness that that's
19 occurring, and I know that SND475 at the time was happy
20 that SND38 -- that HIA127 had that relationship with
21 SND38. It was viewed as positive.

22 **Q.** You are aware of that from sitting opposite SND475 at
23 the time?

24 **A. And from conversations and from the records, you know,**
25 **where it's actually recorded.**

1 Q. Yes. There is certainly nothing in any of the records
2 raising any concern about the level of interaction that
3 was going on?

4 **A. No.**

5 Q. Now there are a number of matters to -- that we are
6 going to follow up on, as inevitably happens in the role
7 that you are performing, to assist the Inquiry. There
8 is nothing else that I want to ask you, but you are here
9 now. You have obviously been engaged in work to assist
10 the Inquiry. You have reflected on some issues that you
11 thought might assist the Inquiry arising from evidence
12 that has been given and you have explained that in terms
13 of the befriender.

14 Is there anything else that you consider that might
15 assist the work of the Inquiry that you could now
16 indicate as you sit there?

17 **A. I don't know how helpful it is and how much of it is**
18 **a personal reflection, but when I reviewed the records**
19 **last night -- because what I didn't say is that when**
20 **I was submitting records as well, the section 9 notice**
21 **also said that you should submit if you are aware of any**
22 **allegations against staff in residential care, and I was**
23 **aware of the allegations against SND38. So I sought out**
24 **all of the records relating to that investigation and**
25 **submitted those, you know, on -- and I have read those**

1 records and I revisited them again last night.

2 One of the things that struck me in terms of my
3 experience of sex abuse is the bit where there's another
4 young person who is in another unit and SND38 sends
5 a present to him via his brother. What happens is that
6 that young man reacts really badly and actually in my
7 view he goes into flight mode. You know, sometimes when
8 kids get really overwhelmed, they go into fight, flight
9 or freeze. He goes into that flight mode. He runs and
10 he -- when I read that, I was going -- you know, in my
11 experience kids who are subject to sex abuse, if there
12 is a threat to their sibling, it is the greatest --
13 that's the greatest fear that they have is that
14 something could -- and when I read that, I had quite
15 a reaction to it, because I was thinking, "Well, you
16 know, what if ..." -- if the evidence suggests that
17 there was abuse occurring, then that was a very powerful
18 way to actually influence and control that young man,
19 and that -- when I read that -- sorry -- how much of
20 that is my own personal -- you know, whether that's of
21 any help, but in my experience of sex abuse,
22 particularly adolescents, the greatest fear that they
23 have is that the abuse will then be targeted on their
24 siblings and they go to quite extreme measures to
25 prevent that from occurring.

1 Q. I don't at this point, SND500, intend to -- it may be
2 because of issues that arise, and I haven't gone into
3 with you, but we will be corresponding with the Board
4 about the relationship between the Diocese of Derry and
5 the Board, that you will be tasked to look for some more
6 records and may be asked to come back in due course.
7 That's a matter that we will take further.

8 I don't intend to ask you anything else, but the
9 Members of the Panel may have something that they want
10 to ask you. So if you just remain where you are for the
11 moment.

12 Questions from THE PANEL

13 MS DOHERTY: Thanks, SND500. That has been really very
14 helpful. Can I just clarify just with your last point
15 are you referring to the suicide note in the sense that
16 the boy writes to his brother? Have you seen ...?

17 **A. The brother goes to visit --**

18 Q. Yes.

19 **A. -- and SND38 -- he brings a present with him from SND38.
20 Then he runs away. His brother goes back to the unit
21 and says it was, you know -- so the brother was sent
22 with a present from SND38 to -- and then disclosures are
23 then made that that person was the victim of sex abuse.**

24 Q. Okay. Can I just go back to the issue about acting as
25 the key worker and the befriender, what you see is the

1 conflict within that?

2 A. Okay. For me particularly and again it's as you define,
3 because the term "befriender", "independent visitor" has
4 become a much more common theme, and certainly there is
5 no way a member of a unit that a child is living in
6 could be an independent visitor, because the independent
7 visitor is actually to create safety around giving them
8 another person to mind. Befriender is a bit different.
9 Sometimes that can be -- but even at that for me there's
10 a professional -- again, you know, even if a young
11 person would be going out and doing other things, for
12 you to be their key worker and to be their befriender is
13 actually two distinct roles and I would find it hard to
14 marry those. That's my ...

15 Q. That's very helpful. The last thing, I mean, obviously
16 there is the filing cabinet of the information about
17 Nazareth House. Is there anything about Termonbacca?
18 Were you able to put your hand on anything about
19 Termonbacca going back?

20 A. No. I knew about the manila folders that were in our
21 personal care records from Termonbacca long before this
22 Inquiry came up, because I managed our adoption service
23 for a period of time, and part of our role as adoption
24 workers was to actually do, you know -- search out birth
25 records for people who were adopted, to provide

1 counselling and then -- and you would -- and I had come
2 across a number of cases where those were the only
3 records that were available for people who had been in
4 Termonbacca, and I knew about the crossover because of
5 that work as well. So I knew that for some people we
6 had personal Termonbacca files, but I know -- in my
7 discussions with SND332 that SND332 had described that
8 there was a big ledger where all the children and their
9 details were written down.

10 When I got him to describe that, I then contacted
11 a number of people who would have been around, records
12 people, to say, "Have you ever seen this?" I contacted
13 our adoption team to say, you know, "Have you ever seen
14 this? Have you ever seen a ledger?" They didn't.

15 The only thing I surmised is that the three digits
16 that are on the manila folder for those applicants from
17 Termonbacca perhaps correlate with -- if the ledger came
18 up, whether they would correlate as being, you know, the
19 numbers that were assigned, and for some applicants --
20 there was one applicant where we never found any -- we
21 couldn't find a file, but when we searched for siblings,
22 there was actually one manila folder but the three
23 numbers were on the outside. So my surmising is that
24 one manila folder actually was for the three.

25 Q. Just a final question. TL4's kind of monitoring visits

1 to Nazareth House, were they written up? Is there any
2 file that has the outcome of those on a regular basis or
3 ...?

4 **A. I have not been able to locate those and I continue to**
5 **search for those going through people who moved into**
6 **offices, who took over the job. So -- and because**
7 **I have not been able to locate those -- and that is how**
8 **come I had the conversation with TL4 in relation to --**
9 **what TL4 was saying was well, on each of those visits he**
10 **signed all those other books as well. So he was saying,**
11 **"Are those other books available, you know, the**
12 **complaints book, the untoward incident book, menus?"**
13 **I said, "That would be Nazareth. I don't have that**
14 **material". So I have not been able to ...**

15 Q. But does he think there was a file but it is lost? So
16 there was --

17 **A. It may have actually been destroyed rather than ...**

18 Q. Destroyed, yes, under the policy, but there was
19 an expectation that he would do something formally as
20 a result?

21 **A. Yes.**

22 Q. Thank you very much.

23 MR LANE: The appendices you have provided, obviously you
24 have a pretty full picture of the visiting from about
25 '86 onwards. Do you think there is any chance there

1 will be similar records relating to the '70s and so on?

2 **A. I know that we don't have any. Whether Nazareth was --**
3 **because those are Nazareth records. However, I think it**
4 **is probably unlikely from my knowledge in that I think**
5 **that TL4 was the driving force for a lot of those**
6 **records being kept, and also that there were changes in**
7 **relation to policy, because you had a residential child**
8 **care policy, which I think was -- '86 -- '88, that would**
9 **have changed recording. So I'm not sure they would be**
10 **available. I wouldn't be hopeful.**

11 Q. Thank you for that.

12 CHAIRMAN: I am sure you will be relieved to hear that's the
13 last question we have for you, SND500. It is very
14 helpful indeed, what you have told us today. We are
15 most grateful to you not merely for coming but obviously
16 going to a great deal of difficulty to inform yourself
17 about various matters before you did come. Thank you
18 very much.

19 (Witness withdrew)

20 MR AIKEN: There is another witness, but -- perhaps I should
21 indicate that Ms Smith will be taking the next witness,
22 and perhaps 2 o'clock, if that's ...

23 CHAIRMAN: Say 2.15.

24 MR AIKEN: 2.15.

25 (1.17 pm)

1 (Lunch break)

2 (2.15pm)

3 DISCUSSION RE EVIDENCE OF FATHER BRADLEY

4 MR AIKEN: Chairman, Members of the Panel, before Ms Smith
5 takes the next witness this afternoon, you were to hear
6 from Father Bradley, who -- now the Very Reverend
7 Francis Bradley -- who was the diocesan administrator
8 for the Diocese of Derry until the recent appointment of
9 the new Bishop of Derry. Father Bradley has attended to
10 give evidence today, but in discussion with him and
11 following my consideration of material that the diocese
12 provided in the last number of weeks, the view that
13 I have formed is that it would be counter-productive for
14 the effective and efficient work of the Inquiry for
15 Father Bradley to give his evidence today.

16 The reason for that, Chairman and Members of the
17 Panel, is that the material that has been produced --
18 and no criticism can be made of the diocese for the
19 timing of it, because it is material that suggests that
20 a body known as the Diocesan Child Welfare came into
21 existence in the 1970s and then had a degree of
22 engagement and responsibilities connected to the homes
23 that we are looking at in this module. At the time we
24 were asking for material the existence of that
25 particular body was not clear to us. So this material

1 has been produced and, on considering it, it raises
2 a significant number of further issues that, if Father
3 Bradley was giving evidence today and was asked about
4 those issues, he would need to answer that, "I will have
5 to come back to you about that", and rather than have
6 that play out this afternoon my view is that it would be
7 better for you in hearing him to have him taking time to
8 further speak with me and go away and identify the
9 answers to the issues and/or who within the diocese
10 might be able to give answers, because he does not have
11 his own experience of the time frame in the '70s that
12 these documents relate to.

13 So my suggestion is that you don't hear from him
14 today for those reasons and we reschedule him to give
15 evidence at a later date in order to maximise the
16 efficiency.

17 I should put it on record that he wanted me to make
18 it very clear, Chairman and Members of the Panel, that
19 he also did not want it to appear that he had not come
20 properly prepared and was not trying to assist the
21 Inquiry in the fullest way possible and didn't want any
22 suggestion that he was obfuscating by having to say to
23 me in response to issues I was raising that he really
24 couldn't answer that today.

25 So for those reasons my suggestion is that we don't

1 have his evidence today, but we have it at a later date.

2 CHAIRMAN: Well, that seems entirely sensible. We have had
3 the opportunity of considering at least some of these
4 documents. There are a great many. I think there is
5 some 200 pages or thereabouts, and, as you say, there
6 are a number of issues which would clearly have to be
7 explored. It is much more sensible to explore them all
8 in one session, if that's possible, when everybody has
9 had time on both sides to reflect upon them and consider
10 what points may already have been identified as arising
11 out of them. We will try and identify a date and notify
12 everyone concerned as to the date on which Father
13 Bradley will be invited to return.

14 MR AIKEN: I am obliged, Mr Chairman. If I may take my
15 leave and allow Ms Smith to begin.

16 CHAIRMAN: Yes.

17 WITNESS SND67 (called)

18 MS SMITH: Thank you. Chairman, Panel Members, this
19 afternoon the witness in the witness box is SND67.
20 I~have checked with **SND 67** and he does wish to maintain
21 his anonymity as far as the Inquiry affords it and he is
22 aware, Chairman, you will now be asking him about taking
23 the oath.

24 CHAIRMAN: Would you take the religious oath, please,
25 **SND 67?**

1 **A. Yes, indeed.**

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

3 WITNESS SND67 (sworn)

4 MS SMITH: Sorry. There is also an appearance to be made.

5 CHAIRMAN: Yes, Mr McAlinden.

6 MR McALINDEN: Mr Chairman, I wish to announce my appearance
7 in relation to this matter. I am Gerald McAlinden,
8 senior counsel, and I represent SND67, along with my
9 learned friend Mr Ciaran Harvey, and we are instructed
10 by PJ McGrory & Company Solicitors.

11 CHAIRMAN: Thank you very much. I am obliged.

12 Questions from COUNSEL TO THE INQUIRY

13 MS SMITH: Now, **SND 67**, if we could just have SND-14213 put
14 up on the screen, please. **SND 67**, while this is -- what
15 I am asking to be pulled up is a statement you have
16 given to the Inquiry and I just want to formally prove
17 that, if I may.

18 **A. Yes.**

19 Q. Yes. **SND 67**, we looked at this document earlier and
20 this is the statement that you provided to the Inquiry.
21 You will see in place of your name it says "SND67".

22 **A. Uh-huh.**

23 Q. If we can just scroll down through the statement,
24 please, you will see that you have actually signed each
25 individual page of the statement at the bottom of it,

1 and where your signature appears, it has been redacted
2 with the designation "SND67".

3 **A. Yes.**

4 Q. Can I confirm with you that this is the statement of
5 evidence that you have provided to the Inquiry and you
6 wish the Inquiry to take it into consideration?

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

8 Q. Thank you, SND 67. Now, SND 67, the reason the Inquiry
9 has asked to hear from you is because of allegations
10 that have been made in respect of yourself by one
11 person. I am going to call her HIA108, but that name is
12 not to be used outside the chamber, and she has the
13 designation "HIA108".

14 **A. Uh-huh.**

15 Q. Her statement can be found at SND-3884 through to
16 SND-3895. The Inquiry Panel has heard her give evidence
17 and I am not going to go through her statement in great
18 detail, but I know that you have read it yourself.

19 **A. Yes, I have.**

20 Q. You have also taken the opportunity to read the
21 transcript of the evidence that she gave -- the
22 transcript of the evidence that she gave to the Inquiry
23 when she spoke to us.

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

25 Q. So if I may just summarise what she said, she said that

1 in paragraph 3 of her statement that before she was
2 taken into care she had been beaten by her father. She
3 was caught hiding in the chapel by the chapel caretaker,
4 and that chapel I should say is in . She was
5 taken -- herself and her sister were taken into the
6 parochial house, and in that statement she describes
7 meeting a along with the parish priest,
8 that the took her into a room where he
9 sexually abused her. She then says -- she says that
10 that was you.

11 **A. Uh-huh.**

12 Q. She said that you then visited her in Termonbacca while
13 she was there in for a period of four days and she
14 describes what happened there in paragraphs 7 and 8 of
15 her statement, and she gives details of what she said
16 happens in paragraphs 9, 10 and 11.

17 **A. Uh-huh.**

18 Q. She says how you visited her and how she was brought
19 into a room with you by one of the nuns in the home.
20 She claims that you sexually abused her in that room.
21 On one occasion she said that she actually vomited and
22 was made to clean up that vomit by a nun. She said that
23 you returned two days later, and in paragraphs 11 --
24 sorry -- 12 and 13 of her statement she said that she
25 was hit by the nun and told to go and see you and she

1 was then subjected to further abuse.

2 Now if I may pause there, she then moved from
3 Termonbacca --

4 **A. Uh-huh.**

5 Q. -- and she went to Fort James. She said that you
6 visited her there, and -- paragraph 23 -- she said that
7 how that came about was because she came across you in
8 the street. She with another group of children and her
9 key worker had left the home to go down the street and
10 by chance you appeared.

11 She gave more details of this when she gave evidence
12 to the Inquiry, and that detail can be found at
13 SND-17101 through to SND-17103. This was in response to
14 questions from the Chairman. If we may just pull those
15 pages up, please. That's SND-17101. You will see here
16 that she said that -- the Chairman was asking her:

17 "-- was that you say that the key worker told you
18 that had been asking about you?",

19 and she said:

20 "I see. Sorry. We all go out in a -- you know,
21 like a batch of eight, six or eight of us.

22 Question: A crocodile.

23 Answer: You know like, but there's one at the front
24 and one at the back.

25 Question: Yes.

1 Answer: And, see, you know, I was eating sweets.
2 Being honest, I was too busy stuffing my face. Sorry.
3 My words don't be so great some days ..."

4 She goes on:

5 "I wasn't looking up the front of the line like
6 you're meant to be, but what they meant by asking for me
7 was he was already there. The line had stopped and they
8 were already chatting, and that's why when he came down
9 the line, he shook my head, and it was on the way, like
10 he had already passed past, and they had just passed
11 a comment and saying he had been asking about me, but
12 I~was, you know -- it wasn't that they were -- they
13 weren't trying to be bad. They were just saying --"

14 She said -- the Chairman says:

15 "No, I understand that. In this part of the world
16 people say someone is asking about you if they just ask
17 how you are, for example. Did you get the idea that he
18 had been asking before he met you ...?",

19 and she said:

20 "Oh, sorry. I didn't see him, you see."

21 Essentially what she is saying, and we can scroll
22 down and read what she is saying there, is that she is
23 out walking with the key worker. You have a
24 conversation with the key worker. The key worker then
25 -- she -- you -- they walk past. You pat her on the

1 head as she's going past, and she said that was how you
2 came to know she was living in Fort James.

3 She then says, going back to her statement, that
4 about four or five days later you came to Fort James and
5 you continued to abuse her while she was living there
6 about two or three times per week. As I have already
7 stated, you were aware of all of those allegations and
8 the material was provided to you.

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

10 Q. You then drafted the statement which we have just looked
11 at.

12 **A. Yes.**

13 Q. If I may paraphrase your statement and summarise it, at
14 paragraph 9 of your statement you say that you have no
15 recollection of her or of her family. The only time
16 that you were ever in Termonbacca was an occasion before
17 you were when you were .

18 **A. Uh-huh.**

19 Q. You talk about that at paragraph 3 of your statement.
20 You say that you only came to in October of
21 , and at that time she was already -- as we know
22 from the details that we have received, she was already
23 in Termonbacca.

24 **A. Yes.**

25 Q. So you are saying that you couldn't have met her before

1 she went to Termonbacca.

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

3 Q. You also say that you had no reason to have been in the
4 parochial house in the summer of . Can I just pause
5 there and ask you if it is possible that before you were
6 actually could you have been
7 visiting the parochial house for any reason?

8 **A. No. First of all, I didn't know the priests who were**
9 **living there at the time. I had no reason to visit them**
10 **and the way diocesan appointments were done in our**
11 **diocese was this. If you were being made a parish**
12 **priest or were already a parish priest, you were**
13 **consulted about your change, but normally the first**
14 **thing that a curate -- the first time a curate knew**
15 **where he was going was when he got his letter of**
16 **appointment. So I had no idea before 20th September**
17 **that I was going to be in .**

18 I have also been looking at my -- whatever material
19 I have. I do notice that while -- during that summer
20 I went to the on 29th July. I have it
21 marked in my passport, and I was out there for about
22 a month. So I wasn't around just before I moved to
23 , but certainly there would have been no reason
24 whatever for me to visit.

25 The people who lived in the house at that time are

1 is situated.

2 **A. Yes.**

3 Q. You certainly have no recollection of meeting any social
4 worker and children in the street.

5 **A. Never. There would be absolutely no reason. In fact,**
6 **there would be every reason not to be in the**
7 **area -- not exactly , but I think the home may**
8 **be behind and maybe a bit into the country, and**
9 **that would be regarded as a place where**
10 **really would not be very welcome.**

11 Q. Can I ask you then -- you say in your statement you have
12 no recollection of ever visiting Fort James.

13 **A. No, I never was in it, let alone -- I mean, I saw in**
14 **HIA108's statement they were talking about having cups**
15 **of tea and saying prayers with the staff. I don't know**
16 **any of the staff and I have never been there.**

17 Q. These allegations were reported to the police --

18 **A. Uh-huh.**

19 Q. -- and you were interviewed by the police, and your
20 interview can be found from pages SND-15032 on. You
21 were interviewed in July of last year. Isn't that
22 correct?

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

24 Q. When interviewed by the police, you denied the
25 allegations.

1 **A. Uh-huh.**

2 Q. You said that you were shocked that they had been made
3 and that they made no sense whatsoever.

4 **A. Yes.**

5 Q. You said that you couldn't say you hadn't met HIA108.

6 **A. Yes.**

7 Q. But -- in fact, if we can just look at that page,
8 SND-15049, you will see there the large answer that you
9 are giving to Detective Constable which begins:

10 "Yeah, but the whole incident I mean -- I mean, if
11 that happened, I would recall it and, I mean, I just
12 don't believe that any of that happened. The trouble is
13 if, say, a girl like that came to the parochial house
14 with an injury and I treated her innocently and then she
15 makes allegations later of a sexual nature which didn't
16 happen, I wouldn't remember it anyway, because the
17 incident without the sexual side of it is a trivial
18 incident, you know. It's some girl comes to the
19 parochial house and said, 'My daddy hit me' or the
20 caretaker comes to the parochial house and brings a girl
21 and says, 'This girl was in the ...', you know, and
22 I take her to her father and say, 'They were hiding over
23 in the church' or whatever, you know, but if without the
24 sexual element, it's a completely unrememberable
25 incident. So I can't say that I have never met the

1 girl, but I can certainly say that none of that sexual
2 stuff ever happened."

3 I think what you were trying to convey there, SND 67
4 --

5 **A. Yes.**

6 Q. -- and correct me if I have got this wrong --

7 **A. Yes.**

8 Q. -- is simply that you can't say, hand on heart, that you
9 never met this girl at any time.

10 **A. That's right, because, well, there were -- it was**
11 **a parish of about 5,000 people. So when I say that**
12 **I~don't -- I don't really know the family, it means that**
13 **I don't know them intimately, but -- and also the**
14 **difficulty with a parish like is there were two**
15 **of us -- there were actually three of us, but the parish**
16 **priest would have looked after the country areas, and**
17 **the two curates would have divided the town between them**
18 **as far as visiting and looking after the sick, etc, were**
19 **concerned, and HIA108 would have lived in the part of**
20 **the parish that I was not responsible for.**

21 So I would perhaps have met her in school. You
22 know, I would visit the teacher -- teachers and the
23 primary schools. I'm sure I ran into her, but I~have no
24 memory of her.

25 Q. And you certainly -- even though you're telling the

1 police in this statement that, you know, if somebody
2 came along and said, "My daddy hit me" and you saw
3 a child in the parochial house in those circumstances,
4 it is not something that you would particularly
5 remember, because --

6 **A. Well, depending if it was something very serious, you**
7 **know. If it was a -- you know, normally -- I think if**
8 **a child came with injuries or anything like that, you**
9 **would remember that, and I have absolutely no memory.**

10 Q. You go on -- there are other allegations put to you and
11 you say that you had no idea why she would make the
12 allegations against you.

13 If we can just scroll down to SND-15064, you say:

14 "I just -- I don't understand why this girl has made
15 these allegations. They're incredible and none of them
16 are true and I don't know what contact I had with her,
17 because it's 20 ... 30 years ago. I may have met the
18 family. I'm quite sure I knew who [someone] was at the
19 time, but, I mean, I don't know who he -- you know,
20 I don't remember any individual contact with any of his
21 children."

22 **A. Yes.**

23 Q. And -- yes. Then there are -- again in the police
24 interview you say that you only remember being in
25 Termonbacca the once --

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

2 Q. -- as a .

3 **A. Yes.**

4 Q. And you don't remember ever being in Fort James.

5 **A. I was never in Fort James. I am quite certain.**

6 Q. Just in her oral evidence, which can be found -- again

7 the transcript of this is at SND-17091 -- HIA108 said

8 that -- she said that you were a in

9 and again I just want to ask you is it

10 possible? You don't believe you were there in .

11 Could you have been visiting at any other time?

12 **A. No, not at all. I never visited the parochial**

13 **house before I was appointed there, and I am not sure**

14 **that I would agree. I think I remember reading in**

15 **paragraph 7 of HIA108's written evidence when she said,**

16 **"The from came to see me". So HIA108**

17 **regarded me as being the from .**

18 Q. Now just if I can go to SND-17093, when she was giving

19 evidence, HIA108 was asked -- your denials were put to

20 her and she was asked -- just at the bottom of that

21 page I asked her if -- what her comment was about your

22 denials, and just to read out her response was:

23 "Well, the only comment I can give is that

24 is a very tiny place. If he was -- well, first of all,

25 . So, I mean, for him to

1 say that he would have had no call to be in one place or
2 the other, it's a tiny -- it's a tiny amount of miles.

3 I -- I know who it was that did do what they did on
4 me. I can't pluck another name out of thin air, because
5 I know it was him, and for him to say then afterwards
6 that he wouldn't have even known the family, my father
7 is one of -- my father is one of sons which
8 all live in the same area. is a tiny, tiny
9 town. For him to say that he didn't know one of the
10 families in the town -- I don't know if any of yours was
11 ever in . No. It's like two miles and from
12 where he -- from where the parish house is it would
13 a mile and a half, but in everyone walks.
14 No-one ever got taxis or buses or -- and everyone knows
15 each other, and from that to say that he wouldn't have
16 even known the family would be complete and utter --
17 well, I don't know. Maybe he's -- maybe he's aged worse
18 than I have and maybe his memory is slightly warped in
19 some way, but it's definitely -- it's def... -- it's
20 definitely lacking in something. I don't know, and then
21 I suppose if I had done what he would have done, I am
22 not sure I would have wanted to turn round and say, 'Oh,
23 yes. I remember that. That was something that happened
24 and I am sorry about that'. Do you know what I mean?"

25 So that was her response --

1 **A. Uh-huh.**

2 Q. -- to me telling her that you had denied the allegations

3 --

4 **A. Uh-huh.**

5 Q. -- and essentially what she is saying is, "Well, you
6 know, I wouldn't admit it either".

7 **A. Yes. Sure. Of course.**

8 Q. Is there anything you want to say to the Inquiry about
9 that, SND 67

10 **A. Well, I mean, I did not know HIA108. I had no contact**
11 **with her either in the parochial house or in Termonbacca**
12 **or in Fort James. She makes a point about knowing and**
13 **not knowing. I would have known the family vaguely.**
14 **They are a well-known, large family in , but**
15 **knowing them individually and especially trying to**
16 **remember them now after all those years it's pretty**
17 **difficult, you know, but anyway there was no abuse**
18 **whatever.**

19 Q. If I can then move on to just some other matters that
20 have come to the attention of the Inquiry --

21 **A. Yes.**

22 Q. -- there's a document which was compiled by the National
23 Board for Safeguarding Children in the Catholic Church,
24 which can be seen at SND-14990 through to SND-14995. We
25 might just look at that briefly, and I don't intend to

1 go into this in any detail. The Inquiry has the
2 document. You are aware of this document yourself,
3 Father.

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

5 Q. You know the allegations that have been made against
6 you.

7 **A. Yes.**

8 Q. If I can just confirm that in as a result of
9 allegations that were made you were sent to in
10 where you received therapy and counselling. Is
11 that correct?

12 **A. That's correct. I asked for the therapy myself, yes.**

13 Q. You returned about a year later in April .

14 **A. Well, I went to in -- I think it
15 was -- and I came back to Ireland on
16 and I was appointed then to a
17 immediately.**

18 Q. There were then further allegations made against you.

19 **A. Yes.**

20 Q. Isn't that correct?

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

22 Q.

23 **A. That's right.**

24 Q. As a result of that in you voluntarily
25 stepped down from Is that correct?

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

2 Q.

6 Can I just say that there is also another document
7 here, which is at SND-14965. This is a report of
8 an independent social worker, which you again have seen,
9 **SND 67**, that was provided to the diocese. Again I am
10 not going to go into this in detail --

11 **A. Yes.**

12 Q. -- but what she does say there -- and we don't need to
13 scroll down it -- is that she relates in you were
14 and it would have been a very unstable
15 period in your life.

16 **A. That would be certainly the time when my was**
17 **beginning to establish itself, yes.**

18 Q. Can I just pause there and ask you that, given that the
19 allegations that HIA108 makes about you occurred in
20 , is it possible that, because this was a difficult
21 period in your life, that you might not remember what
22 she alleges?

23 **A. No. I mean, I was still very functioning at that stage.**
24 **It was much later that really blackouts became a problem**
25 **for me, lapses of memory, but the thing about HIA108 is**

1 I wasn't -- I simply wasn't there at that time. So in
2 even to have a blackout and do anything harmful to
3 HIA108 wouldn't have been possible, because I simply
4 wasn't there.

5 Q. Well, finally, another document that the Inquiry has
6 received is a statement from Father Bradley --

7 **A. Yes.**

8 Q. -- who we have just heard was due to give evidence this
9 afternoon but will give his evidence later.

10 **A. Right.**

11 Q. That can be seen at SND-15030, and this -- if I might
12 just summarise essentially what he says, he has been
13 asked specifically about the allegations that have been
14 made about you and he sets out details of your ministry.

15 **A. Yes.**

16 Q. He also confirms that there is no record of you being
17 a to any children's home. Can I ask you were
18 you ever a to a children's home?

19 **A. No, never. I was always a .**

20 Q. And that's essentially what he says. I mean, the
21 statement is there, which the Inquiry Panel can read,
22 but he does confirm that the records show that.

23 **A. That is correct. I was never in any ministry to any
24 child -- children's institutions.**

25 Q. Now, SND 67, that's essentially all that I want to ask

1 Bradley is not giving evidence that concludes today's
2 evidence.

3 CHAIRMAN: Very well. We will resume tomorrow morning at
4 11.30 -- 10.30 we hope or as soon thereafter as
5 possible.

6 (2.47 pm)

7 (Hearing adjourned until 10.30 tomorrow morning)

8 --ooOoo--

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