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HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Thursday, 21st January 2016

commencing at 10.00 am

(Day 180)

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

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1 Thursday, 21st January 2016
2 (10.00 am)

WITNESS HIA416 (called)

4 CHAIRMAN: Can I remind everyone, as always, please ensure
5 if you have a mobile phone, that it has been turned off
6 or placed on "Silent"/"Vibrate", and may I also remind
7 everyone that no photography is permitted either here in
8 the chamber or anywhere on the Inquiry premises.

9 Good morning, Ms Smith.

10 MS SMITH: Good morning, Chairman, Panel Members, ladies and
11 gentlemen. Our first witness today is HIA416. He is
12 "HIA416". HIA416 wishes to take a religious oath and he
13 wishes to maintain his anonymity.

14 HIA416, can I just check that you can hear me all
15 right? I know you have hearing difficulties. You can
16 hear me?

17 A. Yes, yes, yes.

18 Q. Thank you.

19 WITNESS HIA416 (sworn)

20 CHAIRMAN: Thank you. Please sit down.

21 Questions from COUNSEL TO THE INQUIRY

22 MS SMITH: HIA416's witness statement is at 069 to 076.

23 The DoJ response is at MIL799 to 808.

24 There's a response statement of I think it is MZ1 at
25 MIL798.

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1 There's also police material at MIL30057 to 59.

2 HIA416, can I just ask you to confirm -- can you see
3 the document on the screen?

4 **A. I can, yes.**

5 Q. Can I ask you to confirm that this is the witness
6 statement that you gave to the Inquiry?

7 **A. Yes, it is.**

8 Q. You will see there that your personal details are set
9 out there in the first three paragraphs.

10 **A. Yes.**

11 Q. You are now aged 53, if I've got my maths right.

12 **A. That's right, yes.**

13 Q. You were in Millisle between January 1979 and
14 January 1980.

15 **A. Yes.**

16 Q. There's a document at 60633 that shows that. I don't
17 think we need to call it up, but that's where the
18 register is for your time in Millisle.

19 At paragraph 4 of your statement here, HIA416, which
20 is on the screen now, it says that you were brought --
21 when you were brought to Millisle first of all, you were
22 brought into the canteen, which was full at the time
23 when you arrived.

24 **A. Yes.**

25 Q. You were told that you had five minutes to eat. You had

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1 not eaten all day, because you had been at court.
2 An officer asked if anyone wanted more bread. You put
3 your hand up and he told you to "Get the fuck out" of
4 there. He then took you into the corridor and battered
5 you. You were then brought to a cell. You say that
6 night was the worst night of your life, as you did not
7 know what was going to happen to you the next day.

8 **A. Yes.**

9 Q. That was your first experience in Millisle.

10 **A. That was my first experience, yes.**

11 Q. Can I just confirm this was 1979 and you would have been
12 17 at that stage?

13 **A. No, I was --**

14 Q. You would have been 16?

15 **A. I was [REDACTED] 16 [REDACTED]**

16 Q. The next morning, paragraph 5, you say you were given
17 black boots, a black jacket made of cloth and trousers
18 and you had your hair shaved.

19 **A. Yes.**

20 Q. An officer told you that you didn't have a mother or
21 a father and that was officers in charge were your
22 parents now. He then said you were only a number and he
23 gave you a number, which is blacked out there. He told
24 you that they had you for three years. He then slapped
25 you. As you said, you had just turned 16 at that stage.

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1 **A. Yes.**

2 Q. Paragraph 6 and 7 you describe the assessment wing. You
3 say that you had to learn how to make a six pack, which
4 consisted of a blanket and then a sheet.

5 "It was the way the army had to make beds. The
6 staff would come in and measure the beds to make sure
7 they were made right. Your comb and toothbrush had to
8 be a certain distance away from each other, the right
9 side up and facing each other. The staff would come in
10 and inspect our rooms. We had to shine our boots so
11 that we could see our faces in them. If they checked
12 your cell and found any dust on their fingertips, they
13 would wreck the whole bed and you would have to tidy it
14 all. I cleaned my cell and the officers would still
15 find dust. I think they must have had this on their
16 hands already out of badness. I would then have to
17 clean the whole cell again."

18 You say that:

19 "There were individual cells in the assessment wing
20 but after one or two weeks passed you were put into
21 a double cell. In the room there was a chair and
22 a bible, but you weren't allowed to sit on the chair."

23 **A. No. Once we got up in the morning, we made the bed pack
24 and made our bed with the toothpaste and toothbrush and
25 comb and that at the bottom of the bed, and things had**

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1 to be -- the bed pack was like a blanket, a sheet,
2 another blanket and a sheet and a sheet wrapped round
3 them and they had to be square and the blankets had to
4 be that thin, and it wasn't easy to make, but that's why
5 when we went in -- when we went into the assessment
6 wing, somebody was allocated to us to help us -- that
7 was already in the assessment wing -- to learn how to
8 make the bed pack and learn how to do all this.

9 Q. Okay. So this was another boy in the wing, was it?

10 A. Yes. Somebody was allocated to show you how to make the
11 bed pack, what way to set your bed out and where your
12 boots would be sitting and all that there, like, you
13 know.

14 Q. When you say you weren't allowed to sit on the chair,
15 HIA416, was that just simply whenever your cell was
16 being inspected?

17 A. No, all day. You were not allowed to sit on it until
18 you were locked up again that night.

19 Q. All day you weren't to sit on it. Okay. Paragraph 8
20 you say you were then moved on to another wing after the
21 reception wing, but this is still in the closed borstal.
22 Is that right?

23 A. Yes.

24 Q. A man whom you name there -- I am going to use the name,
25 but I just remind people that none of these names are to

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1 be used outside of this room. You say that he was
2 called ML8.

3 **A. Yes.**

4 Q. He was in charge of the wing.

5 **A. Yes.**

6 Q. On one occasion you were getting washed:

7 " ... and I was asked if I shaved. I said that I did
8 not need to shave as I didn't have any hair to shave.

9 ML8 then smacked my face and said I was to do what I was
10 told. I had never shaved in my life before and I wasn't
11 sure what I was doing. We were made to stand to
12 attention, and if we did not do this, we would be
13 slapped. We were made to train like we were in the army
14 and the same officers used the same tactics as the
15 army."

16 **A. That's right.**

17 Q. When you were saying about standing to attention, apart
18 from the weekend parade --

19 **A. Yes.**

20 Q. -- where you stood to attention outside, if -- you were
21 saying that if you were in the corridor and prison
22 officers came past, you had to stand to attention.

23 **A. You had to stand against the wall to attention, yes.**

24 Q. And give out your name?

25 **A. And give your name and number.**

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1 Q. You go on to talk then that:

2 "The inspections of the cells continued each
3 morning. The governor would inspect our cells on
4 a Saturday morning and your cell had to be twice as
5 clean. During the day we would be taken to the gym to
6 exercise and sometimes we would be put into the boxing
7 ring for a minute and we were supervised by a member of
8 staff."

9 You thought that member of staff was a man called
10 ML12.

11 "We each had a PE uniform to wear."

12 **A. Yes.**

13 Q. Paragraph 10 you talk about being made to scrub and
14 polish the floors each morning:

15 "We used a big wooden box with bricks inside it and
16 a blanket underneath it as a buffer for the floors. The
17 buffer was very heavy",

18 and you say you now have tennis elbow in both arms
19 as a result of manual labour.

20 "We were made to buffer the floors as a form of
21 punishment."

22 You were always telling -- also telling me you think
23 that is maybe where you sustained a back injury also in
24 doing that, HIA416.

25 **A. Yes, I think so, yes, yes, because I had no injuries to**

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1 my back -- this was in the open borstal now. I had no
2 injuries to my back when I was in the closed borstal at
3 all.

4 Q. You go on to say:

5 "Each day we had to sit at the table and chair in
6 our cells as we were not allowed to sit or lie on the
7 bed until bedtime. We were locked up all day during the
8 summer. We did not have the opportunity to exercise or
9 associate with other inmates. When it came to the
10 winter, we were taken outside and made to exercise in
11 the rain."

12 A. Yes.

13 Q. Now can I just be clear: are we talking about the open
14 or closed borstal at this ...?

15 A. Closed.

16 Q. Closed, and were things easier when you moved to the
17 open borstal?

18 A. Oh, yes. You didn't have to make your bed pack and you
19 didn't have to -- you got -- you didn't have to wear the
20 wee black uniform. You wore jeans. It was different.
21 Any -- the wee slightest things were even better, like.
22 It was like when you were getting out of the open or the
23 closed borstal, like, it was on your -- you were sort of
24 on your way home. You know, you were nearer there. You
25 thought the worst of it was over.

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1 Q. You go on to say in paragraph 12 that:

2 "The only reading material we were given was
3 a bible, which was in our room."

4 Again this was only when you arrived. Isn't that
5 right, HIA416?

6 **A. Yes.**

7 Q. Later on you were able to get newspapers and things that
8 were brought by your family and I presume there were
9 books, maybe a library that you could have used?

10 **A. Yes, yes.**

11 Q. "Every evening we were locked in our cells from 8.00 pm.
12 I did not ask to get out of my cell to use the toilet
13 after lock-up for fear of being punished by a member of
14 staff. We used to use the newspaper in our room as
15 a toilet and then throw the parcel out of the window of
16 our cell. I remember one morning I was looking out the
17 window and the groundsman who was walking around told me
18 that I needn't point at him. The next thing I knew ML8
19 came into my cell and started to slap me for putting
20 what he called 'a mystery parcel' through the window."

21 You go on in paragraph 13 to talk about the family
22 visits that you had.

23 **A. Yes.**

24 Q. Your eldest brother and your sister came to visit you.
25 Your brother was upset and never came back again after

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1 the first visit, but your sister continued to come and
2 see you. When some of the boys from the town where you
3 were from were admitted, your sister was able to get
4 a lift up then to visit you with their families.

5 **A. That was after I was in the open -- in the open borstal,**
6 **there was a few [REDACTED] boys were put into the closed**
7 **borstal.**

8 Q. Right.

9 **A. So we were able to get parcels -- stuff sent down to me,**
10 **you know.**

11 Q. You say:

12 "Visiting was on a Saturday and you were all
13 gathered together in the common room. If you had
14 a visitor, your name was called."

15 Your mum visited you the Christmas before you were
16 released.

17 You go on then to talk about the open borstal,
18 HIA416. You say:

19 "There were two separate wings. There was a green
20 wing for country people and a blue wing -- a blue one
21 for Belfast people."

22 You say that there was a distinction made by the
23 prison officers between the country boys and the Belfast
24 boys.

25 **A. Yes.**

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1 Q. There was a workshop for joinery and metalwork. You
2 chose to do metalwork. As you said, you were allowed to
3 wear your jeans in the open borstal.

4 A. **Yet.**

5 Q. When we were talking earlier, you couldn't be sure how
6 long you had spent in the closed borstal, but you think
7 --

8 A. **No, I got it sort of near enough, you know, right.**

9 **I thought it was maybe six months or so, but it mightn't**
10 **have been. I know when I came out of the closed borstal**
11 **all I could see was the ocean. I could see the whole of**
12 **the ocean and the house where the open borstal was and**

13 --

14 Q. And you think as best you can --

15 A. **-- I can't really put the time that I was in the closed**
borstal. I am not really sure, like.

17 Q. It may have been between three and six months.

18 A. **It would have to have been, because I had to do six**
weeks in the --

20 Q. Assessment?

21 A. **-- assessment wing and then maybe about eight weeks up**
in ML8's landing and then you were moved from there to
the open.

24 Q. Okay. Well, certainly you felt that once you moved to
25 the open borstal that the worst part of your time was

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1 over. Is that right?

2 **A.** Oh, yes. You didn't have to make bed backs anymore and
3 you didn't have to have stuff -- you could just make
4 your ordinary bed. Wee simple things, like.

5 **Q.** Well, I am going to come now to what you say in
6 paragraph 15 here. You say that you were in the canteen
7 one day and word was going around that there were new
8 jackets and jeans in the laundry. The laundry was not
9 just where clothes were washed, HIA416. It was where
10 clothing was kept. Is that right?

11 **A.** Yes, yes, yes, yes.

12 **Q.** You say:

13 "At dinner time I went down to try and get a jacket
14 for myself. There was a boy who worked in the laundry
15 and he was standing at the door. I entered the laundry
16 and I heard him shout, **Punchy** he is stealing jackets.

17 Get him. Get him'. **Officer Skillen**, you say, "was the main guy
18 in the laundry and he had a bad reputation. He made us
19 call him 'boss'. He would always punch you when you
20 walked past him. **Officer Skillen** then came in and closed the door
21 and told me I was going to get my star burst. Two boys
22 **Officer Skillen** held me over the press. **Officer Skillen** then took my trousers down
23 and shoved the shaft of a brush up my backside. After
24 this I never went back near the laundry and I have never
25 spoken to anyone about this incident."

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1 Now I am going to -- we were talking about this
2 incident earlier, HIA416, and I am just going to get
3 from you a bit more detail about this.

4 **A. Yes.**

5 Q. You were saying that this man had a bad reputation and
6 you tried to avoid him at all costs.

7 **A. All the time, yes. All the time.**

8 Q. So whenever you say that you went down to try to get
9 a jacket for yourself, you explained to me that it was
10 at dinner time and you thought he wouldn't be there.

11 **A. Yes, yes, yes, yes.**

12 Q. You also explained that there were normally two boys who
13 worked with him in the laundry.

14 **A. Yes.**

15 Q. You describe them as "big fellas". They would have been
16 older than you?

17 **A. Older than me, like, yes.**

18 Q. These were the two boys who held you?

19 **A. Yes, over a press.**

20 Q. And when you said that -- I was asking about this --
21 what he had done to you. You describe that he pulled
22 down your trousers, but your underwear was still on.
23 You were still wearing your underpants.

24 **A. Yes, yes.**

25 Q. The brush that was used was just an ordinary floor brush

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1 for sweeping up the floor. Is that right?

2 **A. Yes.**

3 Q. Please correct me if I have got anything wrong.

4 **A. No, that is right. That is right, yes.**

5 Q. He wasn't trying you say to penetrate you with the
6 brush. It was more that he thought it was funny. Is
7 that right?

8 **A. Well, I think he probably did think it was funny maybe
9 in front of the two boys as well and that was -- that
10 was his reputation, and that's what he did.**

11 Q. You were saying that he had a reputation; that you had
12 even been warned about him before you left the closed
13 borstal. Is that right?

14 **A. In the closed borstal we were warned, "Watch Officer Skillen
15 Avoid him at all costs", like.**

16 Q. And you -- I was asking you whether you thought --
17 I mean, you felt that you were sucked into going down,
18 because all these other boys were talking about free
19 jackets and that.

20 **A. Yes, yes, yes, yes. Well, every so often there would be
21 a new batch of denims that comes in or whatever. I had
22 been down before at dinner time to get jeans and there
23 was nothing happened, like. I got my jeans all right,
24 you know, when I went down at dinner time. This time
25 Officer Skillen [REDACTED] was there. He was in the office.**

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1 Q. When you got the jeans, he hadn't been there?

2 A. **Pardon?**

3 Q. When you went and got the jeans on the previous
4 occasion [REDACTED] wasn't there on that occasion?
Officer Skillen

5 A. **No.**

6 Q. I was wondering -- I mean, people have described to the
7 Inquiry how he would have come up behind boys and might
8 have even done this in the canteen, for example, and
9 simulated sex with them. Did you ever see that?

10 A. **I did, yes.**

11 Q. The other thing that I was wondering about was looking
12 back on it, what he was doing to you this time when you
13 went to try to get the jacket, did you at the time see
14 that as him doing something sexual to you, or was it
15 just that he was trying to humiliate you, or how did you
16 feel?

17 A. **I thought it was more humiliation. There was
18 gratification sexually. Whatever he got out of it --
19 I don't know him, like -- I couldn't -- I can't say.**

20 Q. I was also asking --

21 A. **I know when I was held I was struggling and the two boys
22 were holding me on the press and he was trying to shove
23 that -- shoved that brush up my backside when I had my
24 underwear on -- yes -- and I was struggling and that and
25 struggling and that. He just penetrated me a wee bit**

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1 **and that was it.**

2 Q. You were saying that after this you were sore, but you
3 don't believe --

4 A. **Yes, because I had my underwear on, and after I just**
5 **went up and lay on my bed, waited till the workshops**
6 **were ready and went back up to the workshops.**

7 Q. You never reported this to anybody, HIA416?

8 A. **You couldn't report it to anybody. If I had reported**
9 **that to anybody, I would lose my chances of getting**
10 **special privileges.**

11 Q. You go on to say in paragraph 16 that he -- you remember
12 he brought you to mass.

13 A. **Yes.**

14 Q. You say that -- one of the things you said to me was
15 that he seemed to be very religious. He was a Catholic
16 and you couldn't understand why he did that to another
17 Catholic.

18 A. **Yes, I couldn't understand that.**

19 Q. You remember an occasion where there were two boys who
20 went missing, who absconded when you were at mass.

21 A. **Yes.**

22 Q. He went into a rage over that.

23 A. **Oh, yes, yes, yes. You know, when he ever got them boys**
24 **back in borstal what he was going to do to them, what he**
25 **wasn't going to do to them and how dare they -- how dare**

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1 **they -- how they ever fucked -- he was even cursing --**
2 **try and escape from The Lord's house. How dare they**
3 **escape from there!**

4 Q. Well, paragraph 17 here of your statement you go on to
5 talk about when you injured your back. We were
6 discussing you thought that might have been as a result
7 of polishing the floors. You informed the staff, but
8 they didn't believe you. They thought you were trying
9 to avoid activities. They phoned home and asked your
10 mother if you had ever had back problems in the past and
11 she confirmed that you did not have any back issue prior
12 to that. She then tried to get your own doctor to go to
13 Millisle to see you, but he wasn't allowed in. You were
14 then taken to hospital and your back was x-rayed. You
15 were told there was nothing wrong with it. When you
16 were made to stand to attention, you could hardly put
17 your foot on the floor due to the pain that you were in.
18 You were then punched for not standing to attention.
19 You had to scrub the chairs -- sorry -- stairs as
20 punishment. This was -- the standing to attention was
21 when you were made to parade in two lines and you could
22 not do that. That was you were saying to me every
23 Saturday --

24 A. **Every Saturday morning, yes, you would --**

25 Q. -- you would line up outside.

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1 A. -- line up outside the front of the borstal house and
2 have your boots shined and show your nails and your
3 teeth and everything is all done and your buttons or
4 whatever and all that, like.

5 Q. The governor would go up and down?

6 A. Yes, he would go up and down the line and come back up
7 and down the line and I was standing -- if I can just
8 show you, I was standing like that there (gesturing),
9 because I couldn't put my foot on the ground. I didn't
10 know what the pain was, but I know what it is now. It
11 was sciatica I had, and the governor asked what was
12 wrong with me and I says, "I have a sore back and
13 I can't put my foot ..." You see, before I went out on
14 that parade I was already in the hospital room for three
15 days. Right? They put me -- it was a room away at the
16 end, a wee room away at the end, as far away as he could
17 get from any office or anything, and he told me when the
18 pain was away, let him know and I'd get back again.

19 Q. I think you talk about this here in paragraph 18. You
20 said you were eventually put into the hospital room.

21 A. Yet.

22 Q. You were given tablets. You think they were
23 painkillers. You were left there for three days with no
24 way of contacting anyone. Your dinner was taken off
25 you.

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1 A. No, my dinner was taken up to me.

2 Q. Up to you?

3 A. Yes, yes.

4 Q. Your leg was so bad that you had to pretend that it was
5 better so that you could leave the room.

6 A. Yes.

7 Q. You now know, as you said to us, that you had sciatica.

8 You go on in paragraph 19 here to talk about another
9 incident. You say you were all gathered in the workshop
10 on one occasion when you were threatened by another boy.
11 He told you that someone from East Belfast was going to
12 get you because you had apparently said something about
13 them and you had not said anything.

14 A. Yes.

15 Q. You say that sort of intimidating behaviour amongst the
16 boys was common.

17 A. Yes. It would have been like anybody -- like somebody
18 going down and saying to Officer Skillen [REDACTED] like, "HIA416 has never
19 got his star busted" or something, like, or "HIA416 said
20 this about you", or "That HIA416 fella said this". As
21 far as I got from them, it was that time we had pigs and
22 chickens in our back garden. We were real country --
23 country compared to Belfast city people, who thought
24 that we were backward. We come from a house with
25 chickens and pigs in our back gardens and we're

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1 **countrymen, like.**

2 Q. So you were bullied and intimidated because you came
3 from the country. Is that what you are saying, HIA416?

4 A. **Yes, yes, yes.**

5 Q. And certainly -- the next line doesn't really make
6 sense, because you said:

7 "When everyone went into the workshop, you had to
8 remove your boots."

9 A. **Yes.**

10 Q. The fact is when you came out of the workshop that you
11 had to take your boots off. Isn't that right?

12 A. **That's right, yes.**

13 Q. And you would sneak -- instead of going into the
14 changing room, where you were supposed to take off your
15 boots, you would sneak back to your room and take your
16 boots off there. That was an attempt to avoid these
17 boys who were threatening to get you essentially. Is
18 that right?

19 A. **It was. Yes, yes, yes, yes.**

20 Q. You said you knew you were going to get a beating in the
21 changing room before the workshop. That's why you did
22 that.

23 A. **That's right, yes, day after day.**

24 Q. You go on to say that you were eventually put into
25 a dormitory with a few other fellows. You say there was

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1 always bullying and hurting each other. During the
2 night you remember hearing -- I am not sure what this --
3 you would hear the squealing and crying I think is what
4 you were trying to say.

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

6 Q. You stayed awake as these boys were taller than you and
7 you had to stay alert in case they started to hold you
8 down and beat you.

9 **A. Yes.**

10 Q. You remember one of these boys was a boy called ML9.
11 I~am just going to use the first name. You say he
12 always wanted to fight. Sorry. I think I have given
13 the wrong designation for Officer Skillen He is an ML number
14 I think. You say there was a prison officer called MS1
15 (sic) -- that's MZ1 -- I am just going to use the name;
16 again it is not to be repeated -- who punched and
17 slapped you.

18 **A. Yes.**

19 Q. I was asking if you could remember when he punched and
20 slapped you.

21 **A. I can't remember when. I remember I was going down into**
22 **the canteen for my tea. I had been late for the canteen**
23 **or something like that there. I just cannot remember**
24 **why it was, but it happened.**

25 Q. You described him as a big man and you said --

1 **A. Very big man. Very big, yes.**

2 **Q. He was someone you avoided at all costs is how you**
3 described him to me.

4 **A. Pardon?**

5 **Q. You said he was someone you avoided at all costs.**

6 **A. At all costs, yes, yes, yes.**

7 **Q. You saw him you say hit others. You remember**
8 a particular boy called [REDACTED], who was a traveller.
9 You remember him being hit by this man.

10 **A. Yes.**

11 **Q. I am going to come back to -- you know we have got**
12 a statement from him and I will come back to that in
13 a moment.

14 **A. Yes.**

15 **Q. You say he was a very big man and you knew not to report**
16 anything to him, because if you did, you would end up
17 having to serve the full three years of a sentence.

18 **A. That's right, yes.**

19 **Q. You said that he was a senior officer and --**

20 **A. Yes. He was an SO or PO or something like that, see.**

21 **Q. But he was someone, if you had a problem, you were**
22 supposed to go to?

23 **A. Yes. That's who you would have to go to to report if**
24 you had a problem and somebody done something or
25 whatever, like.

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1 Q. Now there is a mistake in your statement here, because
2 it says that you think that ML9, the boy ML9 was in
3 cohorts with and we know that MZ1's name is given there,
4 but you were telling me it was a different officer that
5 you thought he was in cohorts with. It wasn't MZ1.

6 A. **Yes, yes, it wasn't MZ1 that was with ML9 --**

7 Q. It was another man?

8 A. **-- in cohorts with ML9. Yes, it wasn't MZ1.**

9 Q. You say that both ML9 and this other prison officer
10 wanted you to lose your special privileges.

11 A. **Yes.**

12 Q. And you say that it was brutal.

13 A. **Once you get your special privileges you have twelve**
14 **weeks till you are released.**

15 Q. And that's what you were working towards?

16 A. **If they had done anything in between that there, then**
17 **you lose your privileges and then you are put back.**

18 Q. You go on to say that this boy ML9 always wanted to
19 fight you. You were giving me a bit more detail about
20 that. You would say that he would actually say to you,
21 "I'm going to fight you tonight".

22 A. **Yes. "You have to fight me tonight in the dorm." Yes?**
23 **I would just be worried, in fear for what -- do you know**
24 **what I mean? You knew you were going to have to go into**
25 **the dorm and you knew something was going to happen.**

Page 25

1 **You knew you couldn't report it. You just had to lie in
2 bed and take the punches.**

3 Q. You actually refused to get out of your bed to fight
4 him. Is that right?

5 A. **I did refuse to get out of my bed to fight him, yes, but
6 he still came over and beat me.**

7 Q. Well, you know that the Inquiry has received a statement
8 from MZ1.

9 A. **Right.**

10 Q. That's at MIL798, please, if we just look at that. Now
11 he has been given, as I was explaining to you, a copy of
12 your statement. That's why he refers to the
13 paragraphs that are in your statement here. He says
14 that paragraphs 4 to 7 of your statement:

15 "Although there are no specific allegations made
16 against me in these paragraphs, I wish to confirm that
17 I~worked in an open borstal where there were no cells."

18 That is correct. You only encountered this man in
19 the open borstal. Isn't that right?

20 A. **Yes, it was only in the open borstal, yes.**

21 Q. He said:

22 "HIA416 refers to incidents that took place in the
23 closed borstal where I did not work and I therefore
24 could not have been involved in the incidents that
25 allegedly occurred."

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1 You would accept that entirely. You didn't
2 encounter him in the closed borstal?

3 **A. I didn't say it was the -- anything about the closed**
4 **borstal.**

5 Q. Paragraph 20 he says -- that we have just been looking
6 at, he says:

7 "I deny the allegation made against me. I worked in
8 the control room and not in the dormitories where this
9 is alleged to have taken place and I did not take part
10 in any acts alleged.

11 I was a prison officer for 38 years and not a single
12 allegation was made against me. I was brought up as
13 a devout Christian and I can honestly say that I never
14 treated the prisoners with contempt, nor did I abuse
15 them in any way."

16 **A. Yes, he did. He was feared. People were that fear --**
17 **scared of him that nobody would report anything.**

18 Q. Well, we know --

19 **A. I didn't mention -- I didn't say that it was in the**
20 **closed borstal. I don't know whether there was a mix-up**
21 **or not. I only met him when I was in the open borstal.**
22 **That's the only time I mentioned his name, from the open**
23 **borstal.**

24 Q. Well --

25 **A. How -- I don't know.**

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1 Q. Sorry. I don't -- I think -- it is clear from your
2 statement that you only talk about him when you are in
3 the open borstal.

4 A. **Yes.**

5 Q. What he is saying is that he couldn't have been involved
6 in anything that happened to you while you were in the
7 closed borstal because he wasn't there, and you would
8 accept that, HIA416?

9 A. **Yes.**

10 Q. We know that he was actually at Millisle from
11 February 1979 to October 1979.

12 A. **It was the open borstal I made the allegation about him**
13 **slapping me.**

14 Q. Well, going back to your statement, if we can, at
15 page 074, paragraph 21, you talk about you had to
16 continue to make your bed each morning. You were in the
17 canteen one morning when an officer came in and told you
18 that you hadn't made your bed and told you that he would
19 put you on report. The next morning the same thing
20 happened.

21 Now is this the officer who you are talking about
22 being in cohorts with ML9?

23 A. **Yes.**

24 Q. You say that you would walk into your room. It was
25 always the same two boys, a boy called ML13 and ML9,

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1 that were standing there:

2 "They wanted to kill me and they would batter me and
3 beat me up. They were both bullies. I knew that
4 whoever was doing this to me was trying to get to me.
5 I lay in bed at night crying. I then started to make
6 sure that I was the last person to leave the dormitory
7 so that my bed wouldn't be destroyed. Even then it was
8 still wrecked. I felt as though I couldn't confide in
9 anyone. ML9 slept in the room facing me and at
10 night-time he would look over and tell me that he would
11 beat me. There was nothing I could do. I just lay
12 there waiting on it happening."

13 **A. Uh-huh.**

14 Q. Now I have explained to you that we were able to trace
15 ML9. We weren't able to trace ML13, but we have not as
16 yet heard --

17 **A. Can I just say that wrecking my bed in the morning when
18 I was getting down to eat my breakfast, and the officer
19 would come up, same officer, each morning that my bed
20 was wrecked and tell me to get back up and make my bed
21 and that there, that meant I missed my breakfast and
22 I had to go straight up to the workshop after I made my
23 bed. So it meant I missed breakfast any time that
24 happened.**

25 Q. Okay, HIA416. You go on at paragraph 22 to talk about

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1 another matter and you say that you were watching
2 television in the common room and it came on the news
3 that soldiers were blown up. Another boy who was from
4 the same area as you let out a roar and:

5 "... a prison officer came into the room and started
6 to shout at us and he called us 'Fenian bastards'."

7 **A. Yes.**

8 Q. You say the abuse was worse after this incident because
9 you were from the area where this explosion had taken
10 place.

11 **A. Yes.**

12 Q. You received word that you were going to be beaten up in
13 the changing rooms. Now this is what we were talking
14 about about having to take your shoes and --

15 **A. No. That's -- that was --**

16 Q. It's a different story.

17 **A. That's right, yes.**

18 Q. It's a different time.

19 **A. Yes.**

20 Q. You say the man that ran the workshop used to let you
21 stay there to avoid that. So he knew tat you were under
22 threat.

23 **A. Yes, yes, yes.**

24 Q. You say he also let you sit on a bench because he knew
25 your back was bad and because you couldn't stand during

Page 30

1 the lessons. You say he was a lovely man.

2 **A. Yes, he did. He used to let -- he helped me a lot when**
3 **my back was that bad and I had to go up to work even**
4 **though my back was that bad, because I didn't want to go**
5 **back into that room on my own with the pain. That's the**
6 **reason I went back out with pain, even with the pain,**
7 **but after a few weeks the pain went away, like. It came**
8 **and went now and again, like.**

9 **Q. That would be what happens with sciatica.**

10 **A. Yes. I didn't know at that time what sciatica was --**

11 **Q. What was wrong.**

12 **A. -- but I knew the worst pain of my life I was in in that**
13 **room and I asked to let my own doctor in and they**
14 **wouldn't.**

15 **Q. HIA416, you go on to say that you tried to keep to**
16 **yourself in Millisle and you tried to hide, because all**
17 **you wanted to do was to go home and see your family.**

18 **A. I can't really hear you. Sorry.**

19 **Q. Sorry. I am just reading from your statement. You say**
20 **that you tried to keep to yourself and hide because all**
21 **you wanted to do was to go home and see your family.**

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

23 **Q. You said:**

24 "Everyone wanted to receive special privileges as
25 once you received these you only had twelve weeks until

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1 you were allowed to go home."

2 When you got your special privileges, a prison
3 officer was trying to break you so that you would lose
4 them.

5 **A. That's the one that was with ML9. It was with ML9**
6 telling me to come up and make my bed. He came down and
7 tell me -- that's the one that was -- when somebody
8 shouted -- let a roar out of him after that there bomb
9 went off in Narrow Water, this officer came in and took
10 a certain fella out and into a room, the fella from
11 ██████████, and that same officer was the one that was with
12 ML9 and that getting my bed wrecked and just getting me
13 into trouble, like, trying to.

14 **Q. You say that you eventually left Millisle in 1980.**
15 There was no preparation for you leaving. The morning
16 you were due to leave you were told to polish the floors
17 as you weren't out yet.

18 **A. That's right.**

19 **Q. You remember your dad came and collected you and you**
20 felt that showed that your dad cared about you.

21 **A. Yes. He never -- he never visited me the whole year.**
22 Neither did my brothers or my sisters, because at that
23 time there was no traffic and it was --

24 **Q. It was diff... --**

25 **A. People hadn't got cars or that there. So I wasn't**

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1 expecting to get a visit every week, like, or every --
2 it was that far away. I didn't even know where I was.
3 I knew my family had no transport to be able to get
4 there. My sister and her husband got on the bus to take
5 their children down one time and there was a lot of
6 loyalist bandsmen on the bus and scared them. So they
7 turned back and they would never come back down again.
8 I used to worry even when my sister [REDACTED] did come down
9 did she get home, but I had no way of knowing. Only if
10 nobody came and told me nothing bad happened to her,
11 that was good.

12 Q. Well, you go on to describe in the rest of this page in
13 three paragraphs what life was like for you after you
14 left Millisle. Something has gone wrong with the
15 numbering, as we seem to be back to paragraphs 1 to 3.
16 I am not going to go into the details, as I have
17 explained to you, HIA416, that the Panel have read
18 what's written there, but you continued to get into
19 trouble until eventually your daughter was born and you
20 haven't been in trouble since 1997. Is that right?

21 A. [REDACTED] yes, when she was born. I was in -- before that
22 there I was in and out of jail after borstal, because
23 jail didn't -- jail was nothing compared to -- you come
24 home to [REDACTED] to a town that was in uproar and you could
25 feel the tension in the town and my brothers and sisters

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1 were getting -- trying to get me home again, trying --
2 I don't know -- trying to get into the community again,
3 and as the Troubles were going on and hijackings and
4 bombs and that, I just got into doing burglaries to get
5 myself food, (inaudible), clothes.

6 Q. Well, HIA416 --

7 A. But --

8 Q. Sorry.

9 A. -- I didn't want that many visits. I didn't want them.

10 It was too dangerous for them coming down that road.

11 Q. HIA416, I know from talking to you that you have
12 received a questionnaire from the Inquiry and you have
13 filled that in.

14 A. Yes.

15 Q. The question that we ask everybody when they come to
16 speak to us is about what recommendations the Inquiry
17 should make at the end of its work about those children
18 who were abused in institutions --

19 A. Yes.

20 Q. -- to the government. I know just from talking to you
21 that you felt when you were filling in the questionnaire
22 that there should be no distinction made between people
23 who maybe had a physical injury compared to those people
24 like yourself who maybe didn't have a physical injury
25 but who you feel -- who describe the kind of things you

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1 went through. You felt that everyone should be treated
2 the same --

3 **A. Exactly, yes.**

4 Q. -- both in terms of compensation and in terms of
5 counselling. Is that right?

6 **A. Yes, yes, yes.**

7 Q. Now is there anything more that you want to say, first
8 of all, about the Inquiry recommendations or is there
9 anything else that you want to say to the Inquiry about
10 your time in Millisle that we haven't covered as we have
11 gone through your evidence?

12 A. **Yes. Well, that wasn't the end of it. The time -- I'd**
13 **about two weeks to go and I was told that these ones,**
14 **that definitely they were going to get me. Right?**
15 **There was this -- there was an officer on a tractor with**
16 **a trailer on it. They were looking for me and searching**
17 **for me and I was hiding, for this was two weeks before**
18 **I got out. So the first week they didn't get me and**
19 **I got away from them.**

20 **The second week I was hiding up in the gym. When**
21 **I came out of the gym and I walked out and the tractor**
22 **was coming up and there was about six fellas on the**
23 **trailer behind it. These were the boys that were**
24 **looking for me. So I was cornered. I had nowhere to**
25 **go. So they put me on the back of the trailer and took**

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1 me down to this underground garage place or whatever,
2 and for some reason -- whatever it is I don't know --
3 all I remember going into that garage on that trailer,
4 but I can't remember what happened in the garage. I'm
5 blank. I have tried to think. I cannot remember what
6 happened in that garage. That was another attempt to
7 get my SP taken off me and my release date postponed
8 again.

9 Q. Ultimately they weren't successful.

10 A. That was my last thing whenever they got me and put me
11 in that trailer and took me down there and done whatever
12 they done.

13 Q. HIA416, thank you for that. I have nothing further that
14 I want to ask you, but the Panel Members may have some
15 questions for you.

16 A. Thanks very much.

17 **Questions from THE PANEL**

18 CHAIRMAN: HIA416, can I just ask you to go back to what you
19 were telling us about being bullied by other trainees,
20 other borstal boys?

21 A. Yes.

22 Q. Do you think the staff knew about what was going on?

23 A. Yes.

24 Q. Did they try and stop it in any way?

25 A. No, no.

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1 Q. I don't mean by that that they actually witnessed it.

2 A. Some staff had their favourite boys, like, you know.

3 No. They did know it was going on, like.

4 Q. Did you ever see staff trying to break up bullying --

5 A. No.

6 Q. -- or fighting or anything like that?

7 A. No, never, no, no. If anybody wanted to fight, they
8 would take you up to the gym and put you in the ring for
9 a minute or three minutes. If somebody had an argument
10 with each other or something, you would be put in the
11 ring for three -- a minute -- one minute rings.

12 Q. Were you given boxing gloves or anything like that?

13 A. Yes, yes.

14 Q. So their way of dealing with it was to take you up, the
15 two of you, put you into the ring and let you sort it
16 out?

17 A. Yes.

18 Q. I see. You have mentioned to us that when you -- just
19 before you were leaving you were hiding.

20 A. Uh-huh.

21 Q. Had you actually absconded from the borstal itself out
22 into the grounds?

23 A. No. I was hiding from these ones that were after me.

24 Q. I see.

25 A. I was hiding within the grounds. I wasn't hiding --

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1 Q. You hadn't left the premises?

2 A. I hadn't left the borstal, or hiding in that, you know,
3 just --

4 Q. But presumably the staff couldn't find you. That's
5 why they were looking for you.

6 A. No, because you could go up to the workshops in the open
7 office. You could walk about. You could walk up, but
8 you had to march, like. You know, everywhere you went
9 you had to march. You didn't have any -- an officer
10 with you all the time, because there was trust there
11 that you wouldn't leave.

12 Q. What was this building that you've described, this
13 underground garage I think you called it, that you were
14 taken into?

15 A. I don't know.

16 Q. Where was it?

17 A. I can picture it. I was taken -- it was down round the
18 side of the open borstal house. I can remember they got
19 me into the back of the trailer and it was an officer
20 that was driving the tractor. After two or three days
21 or something that they were looking for me they were,
22 "A-ha! We got you. We got you. We got you", and all
23 this here. I can't remember what happened in the thing
24 -- in the -- under the garage.

25 Q. Well, you've called it a garage. Was it big enough for

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1 a vehicle to go into or --

2 A. It would be like for groundsmen, you know, where
3 groundsmen keep the tractor and ...

4 Q. Yes, but it was actually wholly or partly underground,
5 was it?

6 A. Yes. It was sort of like that, yes, yes. That's the
7 way I can remember it.

8 Q. Sometimes in old buildings you find a storeroom or
9 something that's partly underground where you go down
10 steps into it, but that is not the sort of thing you are
11 describing?

12 A. No. This was something you could drive a tractor into
13 and a trailer. It was like -- I think it was somewhere
14 where the groundsmen keep your tools and kept all that,
15 like.

16 Q. But the thing that sticks in your mind apart from being
17 a garage was it was underground in some way?

18 A. I don't mean underground. Like I know it had -- you
19 went in down under -- ah, it was something -- it was
20 under -- under like -- you had to drive down into it,
21 like, you know. I just can't ...

22 Q. But you are not able to bring back to mind whatever
23 might have happened to you there?

24 A. I can't. I cannot remember what happened me in that --
25 that there. Not can I get any ... I can't even

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1 remember. I was saying I said to myself, "You should
2 remember having to go back up and change your clothes
3 and getting changed so the officers wouldn't notice
4 anything happened or anything like that there". I don't
5 know. I don't know what happened in the garage.

6 I can't -- I just can't --

7 Q. I see. Thank you very much.

8 A. -- **remember.**

9 MS DOHERTY: Thanks very much, HIA416. That's been helpful.

10 Can I just ask: you know when you were in the parade and
11 you said to the governor you had a sore back --

12 A. Yes.

13 Q. -- do you remember what he said to you in response? Did
14 he --

15 A. He told the officer to put me on light duties instead of
16 going up to the workshop, like cleaning -- polishing the
17 stairs or something, walking up the stairs, polishing
18 the stairs or ...

19 Q. So he listened to you and he believed what you were
20 saying?

21 A. He didn't believe -- he didn't believe that I'd a bad
22 back. He thought I was --

23 Q. But he put you on lighter duties?

24 A. Yes.

25 Q. So he kind of responded in a way to it at least?

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1 A. Oh, yes, yes, yes, yes.

2 Q. Yes.

3 A. That was just -- just lighter duties, that I wasn't to
4 be using the big box -- the big bumper, the box with all
5 the rocks in it.

6 Q. Okay, and can I ask just what was the process for
7 getting special privileges? Was there a -- like, did
8 you go to a board or was there anything formal about it?

9 A. You were just brought into a board with three officers
10 in it and they told you, "You know, you can go for your
11 SP, your special privilege, three times".

12 Q. Uh-huh.

13 A. Some people get it first or second, but anybody that if
14 you really reported anybody or had a grievance against
15 an officer, you could get it -- it could take you up to
16 the third time to get it.

17 Q. Right.

18 A. So that's why I just tried to keep -- not report
19 an officer, an officer put bad report in for your SP.
20 You know, when I -- lucky enough, I went up and I got my
21 SP the first time.

22 Q. That was good.

23 A. So I had twelve weeks to do.

24 Q. So it was worth keeping your head down --

25 A. Yes.

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1 Q. -- and getting ...?

2 A. Yes.

3 Q. When you talk about at night the fellas, you know,
4 squealing and crying --

5 A. Yes.

6 Q. -- we are told there was a kind of night guard that used
7 to come round and check on the dorm.

8 A. Oh, you see, this corridor is that far from where the
9 officers would be, it's that far away, they wouldn't
10 even be able to hear anything, like.

11 Q. But do you remember a guard coming round and checking in
12 the bedrooms?

13 A. Yes. Late at night they would come round and put --
14 shine their light -- shine their light through the door
15 just, you know, and see everybody was in bed and that
16 there, like.

17 Q. Do you remember them ever intervening if they saw --

18 A. No.

19 Q. No?

20 A. No.

21 Q. Because, what, the fellas would --

22 A. I never ever heard of them intervening. I have heard
23 boys moaning and groaning, and I knew what was happening
24 to them, but I just said, "It is not happening to me"
25 and ...

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1 Q. Do you mean that in relation to sexual abuse --

2 A. Yes.

3 Q. -- as well as physical abuse? So is it was sexual abuse
4 that you were hearing, but you were ...?

5 A. Yes. I think so, yes.

6 Q. Okay, and the last thing I just want to ask is we have
7 heard about a Visiting Committee, people who used to
8 come in and visit and talk to the boys about how they
9 were getting on.

10 A. No.

11 Q. You don't remember that?

12 A. Never, no.

13 Q. Never. Okay. Thanks very much, HIA416.

14 A. Thank you.

15 MR LANE: I would like to go back to the time -- the
16 incident to do with the bread right at the beginning
17 when you were being admitted. If you hadn't asked for
18 more bread, do you think you would have been beaten up
19 nonetheless? Was it something that happened to every
20 new kid?

21 A. I'm not sure. Like, all I know, I was travelling all
22 day from [REDACTED] and I was starving. We just got in in
23 time for tea and I was sort of rushed through. When
24 I went into this room, there was total silence. All --
25 everybody in that room would have heard him and what he

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1 did to me. He turned round and said, "Does anybody want
2 any more bread?" I put my hand up like that
3 (gesturing). He says, "You get the fuck out of here
4 into that corridor", and I got out into the corridor and
5 he slapped me and fucking beat me. I says, "I didn't
6 ask for it". He says, "Don't you dare ever fucking ask
7 -- talk back to me again", slapped and beat me again,
8 then brought back to my cell and I was just thrown into
9 my cell and I just -- that night I don't know whether
10 I was in the belly of a beast or what type of people
11 does this. You are coming from -- I was still at school
12 when I was taken into borstal. When I was still at
13 school, that was the morning when you would go in late
14 in the morning and they had the big leather belt and you
15 would get the strap. I went from that straight into
16 borstal. So corporal punishment. I don't know. Just
17 went from one extreme to the other, like.

18 Q. Yes. Right. You mentioned that the Belfast and the
19 country boys were split up.

20 A. Yes.

21 Q. Were you in different houses?

22 A. Yes.

23 Q. What was the idea behind that? Was there always
24 a tension between the two groups?

25 A. No. I don't know. I just thought that we were sort of

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1 like -- as I say, chickens and pigs in our back gardens,
2 and we were slow, and the city boys were maybe years
3 ahead of us or something, you know, in their -- in their
4 thinking or ...

5 Q. Were the other group treated any differently from you?

6 A. Pardon?

7 Q. Were they treated any differently from you?

8 A. No, no, no, no, no.

9 Q. Right. Was any of the tension sectarian as well between
10 you?

11 A. Yes, yes. After Narrow Water it was, yes.

12 Q. So the half dozen who were out to get you, why were they
13 different from you? Why were they wanting to beat you
14 up at the end?

15 A. Because maybe the way I turned round and I told
16 somebody, "I never got my star burst. Nobody is
17 bursting my star", and maybe someone, like -- I was told
18 when I come up that somebody from East Belfast was going
19 to get me. I didn't say anything. I didn't know the
20 fella. I never done nothing wrong. I never said
21 nothing to him. Somebody said -- told him that I said
22 something about him.

23 Q. Right.

24 A. You know, that was it.

25 Q. Do you think you were picked on more than most or was

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1 everybody suffering that sort of thing?

2 A. Well, I don't think anybody went in -- I don't know
3 whether they did or not, and whether that was a trick he
4 done all the time if you asked -- if you asked for
5 bread. I don't know whether he did that or he did that
6 to every -- every new one that came in --

7 Q. Right.

8 A. -- or whatever. I can't say, like, but maybe it was
9 just that I just arrived at teatime. With him, as
10 I say, that there happened. That was my first and then
11 I had to lie all night waiting. "What is behind that
12 door when they open it in the morning? I don't know
13 where I am. My family will never be able to get to
14 where I am, the drive was that long", and for that there
15 I said, "What -- if they do that to you, what are they
16 going to do in the morning?"

17 As soon as they opened that door in the morning,
18 I was outside the door standing like the rest -- rest of
19 the boys standing. They go down and go through your
20 cell, and I had to go and get my hair cut and he says,
21 "You have no mother and father. We are your mother and
22 father. We own you for three years. You do what we
23 say. We own you. We own you", and smack. Like, and
24 I was down in the assessment wing for six weeks and they
25 never asked me to shave once. As soon as I went up to

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1 ML8's wing he turns round and says, "Shave" and I had
2 nothing to shave and I just said and like - and he
3 slapped the head off me and he said, "Shave". So
4 obviously I cut the face off myself when I was doing it,
5 but it was a good laugh to them, you know.

6 Q. Thank you very much.

7 A. Okay. Thank you.

8 CHAIRMAN: Well, HIA416, those are the last questions we
9 want to ask you. Thank you very much for coming to
10 speak to us today.

11 A. Okay.

12 Q. Thank you. If you would like to go now, you are free to
13 do so.

14 A. What's that? Is that it?

15 Q. You can go now if you like.

16 A. Is that okay? Thank you.

17 Q. Yes. Thank you.

18 A. Thank you. Okay.

19 (Witness withdrew)

20 Evidence of HIA320 dealt with by COUNSEL TO THE INQUIRY

21 MS SMITH: Chairman, there is one other piece of evidence
22 that I am dealing with today. That is to summarise the
23 evidence of HIA320. I see Mr Holmes, who represents one
24 of the people that HIA320 speaks about is just outside.
25 So perhaps if he could just be brought in.

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1 Do you wish to announce your appearance?

2 MR HOLMES: Yes, yes. Mr Chairman, Members of the Panel,

3 I appear for LN20 with Mr Mearns, instructed by John
4 Ross & Son Solicitors.

5 CHAIRMAN: Thank you, Mr Holmes.

6 MS SMITH: As I said, HIA320, whose first name is HIA320,
7 his evidence in relation to St. Patrick's Training
8 School has previously been summarised on 4th September
9 of 2015. That's Day 137. He has been unable to attend
10 in person at the Inquiry and he has provided medical
11 evidence, which has been accepted by the Inquiry.

12 His witness statement can be found at MIL058 to 063.

13 The Department of Justice response is at MIL098 to
14 103.

15 There is no reason to suppose that he doesn't wish
16 to maintain the anonymity that the Inquiry has afforded
17 to him.

18 His criminal record can be seen at MIL30035 to
19 30046.

20 If we could look, please, at his statement, he deals
21 with Millisle at paragraphs 12 and 13, which is at
22 page 061. He was in Millisle from 19th February 1979 in
23 the closed unit -- we see reference to this at 40215 --
24 and he then moved to the open section on 15th
25 February 1980, a year later, and was there until

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1 14th February 1981. The register entry for that is at
2 60632 to 60633.

3 As he says in his statement, he left St. Pat's when
4 he was 16, and as far as he can remember he was sent to
5 the borstal in Millisle. He believes he was there for
6 approximately a year, but can't be certain. On arrival
7 he got assaulted by a prison officer whom he names here,
8 LN18, in the assessment centre and he started screaming.
9 Other staff had to come in as well as the governor to
10 see what was happening. He says:

11 "The governor knew he hit me and he was called" --
12 he gives the name of the governor --" ML 71, LN 19 , and
13 he was very nice to me."

14 He said:

15 "After that first incident there were a couple of
16 angry prison officers that didn't like me and didn't
17 make it easy for me, but I had the governors on my side.
18 One of these officers was called . . .",

19 and he gives the name and we have ascertained that
20 it was actually LN20.

21 "They slapped me in the face or put you in the
22 punishment block and made things very difficult for me."

23 He also describes a prison officer, a LN21, who was
24 in charge of him, and who was a kind man.

25 "He knew that I was getting assaulted and I think he

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1 told those doing it to stop."

2 Now the Inquiry has received response statements
3 from two of the people named by HIA320 in his witness
4 statement. The first of these is LN18. That can be
5 seen at MIL780.

6 He says that he was transferred to Millisle Borstal
7 on [REDACTED] and after a while on general duties
8 and a period of time as assistant class officer on the
9 assessment wing he was then selected as class officer.

10 "My responsibilities were to instruct those trainees
11 in the routine, rules and regulations of the closed
12 borstal on their committal. I also sat on the labour
13 allocation board to report on the trainees' progress
14 and those ready to move to other landings and work.
15 Whilst in the assessment wing most of their time was
16 taken up with cleaning duties and physical education.

17 I strongly deny this allegation made against me by
18 HIA320.

19 Staff could not place any borstal trainee in the
20 punishment block as alleged without instructions from
21 the governor or after adjudication, and if the records
22 could be checked, it would show that the punishment
23 block was seldom used. If the late governor thought
24 I had done something wrong, I would have been charged
25 and removed from the wing.

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1 Many of the borstal trainees were anti-authority and
2 did not like taking orders or instructions, but the
3 majority went on to become better individuals and make
4 something of their life without reoffending."

5 He goes on to say he was promoted in [REDACTED]
6 -- [REDACTED] to senior officer and then promoted to
7 principal officer in [REDACTED]. Having served [REDACTED] and
8 a half years, he retired in [REDACTED] and was awarded
9 the [REDACTED]" ,

10 and he signed his statement on 1st January of this
11 year.

12 LN20's statement can be found at MIL829 and it
13 reads:

14 "I worked in the capacity of prison officer at Her
15 Majesty's Prison (Closed) Borstal Millisle between [REDACTED]
16 and [REDACTED], when I left and went to Hydebank.

17 I have read the relevant portion of the statement
18 made to the Inquiry by HIA320. I have no recollection
19 whatsoever of any young man of that name during my time
20 at Millisle.

21 I never at any stage slapped or physically abused
22 any young person under my control and categorically deny
23 the allegation made. I certainly was never approached
24 by or spoken to by a colleague who had concerns over my
25 treatment of a young person.

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1 This was a time before proper training in or any
2 formally regulated policies for the use of restraint and
3 physical force in dealing with violent inmates.
4 However, I never used or indeed witnessed anything but
5 reasonable force being used, and only in those
6 circumstances which absolutely demanded it.

7 The main form of restraint used at that time, as
8 I remember it, consisted of physically pushing a boy
9 into his room and locking the door behind him.

10 The other part of the allegation made against me is
11 simply impossible. Prison officers had no power to send
12 a young person to the punishment block. If a complaint
13 was made as to the behaviour of a young person, he would
14 go before the governor and it would be for him to decide
15 on what, if any, punishment was appropriate. This order
16 from the governor could on occasions have included
17 periods in the punishment block."

18 He signed that witness statement on 19th January.

19 If we look at the DoJ response statement at 098,
20 please, and if we look at paragraph 4 of that statement,
21 you will see that records show that LN18 joined the
22 Prison Service on [REDACTED]. He was transferred from
23 Her Majesty's Prison Maze on [REDACTED] and
24 commenced working in the borstal on [REDACTED]. He
25 left on [REDACTED]. He left the Prison Service

1 in [REDACTED].

2 LN20, statement -- mentioned in the statement to the
3 Inquiry, commenced working in Millisle on [REDACTED]
4 and transferred to Hydebank on [REDACTED].

5 That is the summary of what HIA320 says about his
6 time in Millisle and the relevant evidence with regard
7 to that that the Inquiry has received.

8 CHAIRMAN: Well, we will rise now and resume whenever we are
9 ready to deal with the final witness.

10 MS SMITH: Yes.

11 (11.15 am)

12 (Short break)

13 (11.30 am)

14 WITNESS HIA248 (called)

15 CHAIRMAN: Yes, Mr Aiken?

16 Questions from COUNSEL TO THE INQUIRY

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

18 The next witness today is HIA248, who is "HIA248". He
19 gave evidence to you previously on Day 152 of our public
20 hearings, which was 20th October 2015, in relation to
21 his time in Rathgael during Module 7. You can find that
22 at pages 48 to 108 of the transcript from that day.

23 HIA290 took the oath on the last occasion and is aware
24 that he remains under oath this morning, and he wished
25 to preserve his anonymity, and that continues to be his

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1 position. He confirmed for me on the last day that his
2 date of birth is [REDACTED] and he is now
3 54 years of age.

4 HIA248, on the last occasion you proved your
5 statement, but I am just going to bring it up with
6 different Bates numbering on it now and just get you to
7 check that this is definitely the right one. That looks
8 like the first page of your statement?

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

10 Q. If we go through to the last page, which is at 057, you
11 will see that that looks like the last page of your
12 statement, and you confirmed on the last occasion that
13 you had signed it and you wanted to adopt it as your
14 evidence.

15 The part that relates to Millisle -- if we can put
16 it on the screen, please, at 055 -- it is paragraphs 10
17 to 14 of your statement and we will just leave that on
18 the screen for the moment. That's one document that
19 that's available to the Inquiry, HIA248.

20 In addition, we were discussing earlier the Panel
21 has access to your criminal record, which is at 30032 to
22 30034. As you know, unfortunately your file from
23 Millisle doesn't still exist, but the record helps with
24 the date of you going in and the date of you coming out.
25 You thought it was probably longer than it was, but it

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1 appears that you were in Millisle from [REDACTED]
2 February 1979, when you were aged 17, until
3 [REDACTED] March 1980, when you were 18, which was about
4 thirteen months.

5 You explain in your statement -- and we will come
6 back to it -- that you were in the closed borstal at
7 Millisle for a period before graduating through the
8 progressive grade system into the open borstal.

9 The context of you coming to Millisle we touched on
10 at the end of your evidence on the last occasion. You
11 had been charged with your brother of the arson of
12 [REDACTED] in Bangor that was disused, and you were then on
13 remand back in Rathgael, having been released previously
14 in '78 under supervision, and then when you were being
15 sentenced by the court on 5th February 1979, the borstal
16 training sentence was imposed, and the sentencing
17 remarks from Judge Watt are available to the Panel.
18 They are at 60242. We don't need to look them up, but
19 they point out that the judge's thinking was he could
20 have imposed a long period of imprisonment on you and
21 your brother, but instead wanted to give you one final
22 opportunity to go to borstal training and turn your life
23 around. That's how he described it at the time
24 according to the record.

25 I was also able to say to you both from the criminal

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1 record, HIA248, and from a discharge book -- and I am
2 just going to show the Panel what that looks like so
3 that it is contextualised. If we look, please, at
4 40014, this is the form of the book. It has a sticker
5 on it that explains what it was, which is the "Trainee
6 Discharge Book" for 1979. What it recorded was the
7 occasions whenever boys were taken somewhere by staff.

8 So in your case I was able -- I will just show these
9 examples. 40015, please, records an occasion -- you can
10 see other names are there -- you were taken to Ards
11 Hospital. I was asking you could you remember what that
12 was about and you couldn't remember now what it was
13 about. That was 30th April of 1979, so about two months
14 into your stay.

15 Then there were other offences that were being dealt
16 with by the court that predated the borstal training
17 sentence, which resulted in you being taken out to court
18 on 21st June and 2nd July of 1979 and then finally 3rd
19 September '79, when a series of burglaries and thefts
20 were dealt with by the court and the borstal training
21 order was effectively imposed so that you would continue
22 your borstal training sentence.

23 You turned 18 in [REDACTED] 79, [REDACTED] months into
24 your time in Millisle, and then according to your
25 criminal record the release date that is marked on the

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1 record is of [REDACTED] March 1980, which is about thirteen
2 months after your time there.

3 If we look at paragraph 11 of your statement,
4 please, at 055, you explain, HIA248, to the Panel that
5 you were you in the closed borstal for a period of time.
6 I was discussing with you earlier the closed borstal was
7 entirely separate in your mind, in your experience from
8 the open borstal. There was not a mixing of individuals
9 from the two places.

10 **A. Correct.**

11 Q. It was more like a prison with -- you had an individual
12 cell that you resided in.

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

14 Q. And you had -- you described making bed packs, and one
15 of the -- the regime that you remember is the officer
16 being unhappy with you if your bed wasn't made properly
17 or you hadn't kept your cell clean, and that's when you
18 would have had difficulty with the -- you identify two
19 particular prison officers that you remember being
20 brothers --

21 **A. Correct.**

22 Q. -- and that they would have been violent with their
23 kicking and slapping at you. I am right in saying you
24 don't remember who they were?

25 **A. Not really. As you said, like, it was only "Yes, sir"**

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1 and "No, sir" sort of thing at that time, you know. So
2 we didn't really get to know the prison officers' names.

3 Q. Yes, and the Department of Justice have said to the
4 Inquiry in their replying statement where they have
5 confirmed that they don't have any material -- that's at
6 096 to 097 -- that they can't work out -- they don't
7 have enough personnel files to work out who -- if there
8 were brothers on the staff, who you might be talking
9 about and they can't assist certainly at this point the
10 Inquiry any further in that regard, but I am right in
11 saying, HIA248, that it wasn't that they gratuitously
12 just walked around being violent. It was the occasions
13 whenever they were unhappy about some rule that you had
14 not kept.

15 A. Correct.

16 Q. Is that the -- is that a fair way to describe it?

17 A. I suppose so. Like, I mean, if you didn't do something
18 right, obviously, you know, you are going to get taught
19 how to do it, like, or get a slap if you don't do it
20 right the first time, you know. It depends on the
21 humour of the staff that day, you know, who was on.

22 Q. I can't, because I don't have the records, help you with
23 at what point you moved over to the open borstal, but in
24 paragraph 12, if we scroll down to paragraph 12, please,
25 you talk about that move across into the open borstal,

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1 when then you lived in the mansion house, as it were,
2 and in a dormitory --

3 **A. Correct.**

4 Q. -- that you shared with other boys.

5 **A. Other boys, yes.**

6 Q. You explain in the last sentence what -- I was asking
7 you, "Is that the special grade where you got then the
8 red armband?"

9 **A. Uh-huh.**

10 Q. That -- your recollection is that the red armband
11 symbolised you had much greater freedom to move around
12 the premises, because there was gardens and a forest and
13 so on, and it is at that point you were given the job in
14 the officers' mess, as you recall it.

15 **A. Correct, yes.**

16 Q. That was an accommodation separate from the mansion
17 house?

18 **A. Correct.**

19 Q. Up behind the mansion house?

20 **A. It was more upfront than behind, if you know what I'm
21 saying.**

22 Q. So nearer the road?

23 **A. It was kind of like on a slope. The house was here, the
24 big house was here, and the officers' mess was kind of
25 like up a hill and then you had the main road then on**

1 the left, you know.

2 Q. And that -- you were given the role of looking after the
3 officers' mess.

4 A. Officers' mess. Correct.

5 Q. Did you have that role on your own or were there others
6 who helped you with that?

7 A. I had that on my own.

8 Q. You were saying to me that that gave you -- you had
9 basically the run of the place and you could have a cup
10 of tea if you wanted to have a cup of tea --

11 A. Uh-huh.

12 Q. -- and you could spend your day there, which kept you
13 out of any difficulty --

14 A. That's true.

15 Q. -- with anybody else.

16 A. Correct. You see, like, there was a chap there that
17 actually was leaving. So they train somebody else, you
18 know, before -- before they go. You know what I mean?
19 So that's the way it went. So actually I got trained in
20 there.

21 Q. And you were saying to me that you had no real complaint
22 about the food or the accommodation or anything of that
23 nature.

24 A. No, not really, no.

25 Q. And you can recall the sporting activities and education

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1 and so on, but not necessarily what -- to what extent
2 you were involved in them.

3 **A. Well, as I said, like, I didn't really have much time**
4 **really to go to kind of things like that, because you**
5 **are working in the officers' mess at an early hour of**
6 **the morning, like. You know what I mean? So there**
7 **wasn't really much kind of education or anything there**
8 **for me, you know.**

9 **Q. Do you remember the -- there seems -- according to the**
10 **records that are available or reports on the borstal**
11 **that are available there were evening classes that**
12 **everybody had to attend two days a week. Do you**
13 **remember the evening classes?**

14 **A. Not offhand, you know, because, as I said, like, there**
15 **was one -- just one big room, you know, for us all,**
16 **like, and most people just kind of like -- it was up to**
17 **yourself if you want to go to them, but you weren't**
18 **forced to go to them. As far as I know you weren't**
19 **anyway.**

20 **Q. It is in paragraph 13 then you explain to the Inquiry**
21 **about being in the dormitory and about what a night**
22 **watchman did.**

23 **A. Uh-huh.**

24 **Q. You were saying that you had a bedroom (sic) in the**
25 **corner of the dormitory and you had a bad cough.**

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1 **A. That's right.**

2 Q. This man would have brought you a cough sweet. You
3 mentioned to me that he had brought you cigarettes, but
4 that at one stage then he put his hands under the
5 bedding and started feeling your private area.

6 **A. Correct.**

7 Q. You said that he did that a number of different times.

8 **A. A couple of occasions, yes.**

9 Q. And told you that it was your -- "our secret". You
10 weren't to tell anybody about it. That left you feeling
11 uncomfortable and afraid. I was asking you: can you
12 remember who that was? Do you remember the person's
13 name or ...?

14 **A. No.**

15 Q. Or anything about them? You don't remember what he
16 looked like even or ...? If you don't, just say.

17 **A. It's just so hard, you know. It's going back that long.**
18 **You know what I mean? I just -- I thought I did have it**
19 **blanked out of my mind, but unfortunately, like, you**
20 **know, it's still there.**

21 Q. You didn't ever speak to anybody about -- about this at
22 the time?

23 **A. No, I couldn't.**

24 Q. Why did you feel that you couldn't?

25 **A. Because the fella was on it that night threatened --**

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1 because it was kind of a threat to me, like. He said if
2 I was to tell anybody, it would make matters worse.

3 Q. Are you aware of him doing that to any other boys in the
4 dormitory or you just know what involved you?

5 A. Just involves me really in that -- in that dormitory.

6 I don't know about any other dormitories, you know.

7 Q. And at what -- would he have been coming in, you know,
8 in the middle of the night to check on you or was it at
9 the start of bedtime or -- can you remember?

10 A. About the middle of the night probably, yes. Like,
11 he'd -- he'd come in, first of all, to make sure that
12 everybody was settled down first and then the door would
13 be closed over. Then -- but then night-time he would
14 probably come in again, do another check, and it is
15 around that kind of -- the early hours of the morning.

16 Q. Then in paragraph 14 of your statement, HIA248, you talk
17 about bullying that went on and that was between the
18 boys. Sort of tit-for-tat you described it to me as
19 earlier.

20 A. Uh-huh.

21 Q. You were saying to me that the staff did, you know, tell
22 the -- you know, a boy if they saw him --

23 A. Oh, yes.

24 Q. -- at that sort of thing -- gave him a warning.

25 A. The boys got their warning, yes.

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1 Q. And that effectively the concern was always about being
2 sent back to the closed borstal.

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

4 Q. I was explaining to you earlier, HIA248, that normally
5 at the end of the evidence I ask two questions of
6 a witness, the first being about recommendations, and we
7 covered that on the last occasion.

8 So the last question I ask each witness is whether
9 there's anything else they want to add about what we are
10 looking at, which is Millisle, whether maybe I haven't
11 covered something correctly, or haven't covered it in
12 the detail that you would want or ... Is there anything
13 else about your time in Millisle that you want to draw
14 to the Panel's attention?

15 A. **Not that I can recall really. The most important thing**
16 **I did want to say was about what happened, you know,**
17 **with the night watchman. You know, that was -- I kind**
18 **of wanted to get that off my chest really, you know.**

19 Q. Well, HIA248, I am not going to ask you any more
20 questions. If you remain where you are for a short
21 time, as you know from having been here before, the
22 Panel may want to ask you something. So just bear with
23 us for a short time.

24 Questions from THE PANEL

25 CHAIRMAN: HIA248, can I ask you something more about what

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1 you did when you were working in the mess? Was that the
2 mess for the prison officers?

3 **A. That was the mess for the prison officers.**

4 Q. And what sort of work did you do there? Did you tidy
5 up, clean up --

6 **A. I cleaned up the --**

7 Q. -- serve drinks or what did you do?

8 **A. No, no. I just -- like after they were finished their
9 lunches and their tea, etc, I cleaned up then after
10 that, so it would be then ready for their next meal,
11 etc. So ...**

12 Q. I see, and I take it from what you said that this was
13 not heavy work. It was seen as somewhere where you were
14 a bit out of the way and you could relax, so to speak.

15 **A. Yes.**

16 Q. You made a remark I didn't quite follow about not having
17 the opportunity for education for you, because you had
18 to work in the early hours. Does that mean you came in
19 late at night/in the early hours of the morning to tidy
20 up if they had finished after using it for recreation?

21 **A. No. Like there'd be a parade in the morning time, say,
22 from 8 o'clock onwards and then from there, like,
23 you're -- the boys would be -- say go to woodwork, go to
24 their classes. Then I'd go up to the officers' mess and
25 that would be like your job for the day.**

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1 Q. I see. Does that mean you had to go in after breakfast
2 to tidy up when they had had their breakfast or that
3 sort of thing?

4 A. Yes.

5 Q. Because it was your job for the day, you just didn't get
6 the chance to have any of the education --

7 A. Exactly.

8 Q. -- opportunities?

9 A. That's what I'm saying. Like, I was up in the mess,
10 like, you know, from lunchtime, you know, and then their
11 -- their breakfast, tea and lunch and, you know,
12 whatever else was there, their coffee breaks, etc, you
13 know.

14 Q. If I can just ask you something more now about what the
15 night watchman did to you. As far as you were aware
16 were you the only boy in your dormitory that he did that
17 to?

18 A. You see, I don't really know, because, like, as far as
19 I -- like, as I say, I was in a corner bed, and maybe,
20 like, with it being kind of a closed over area, you
21 know, in the corner, like, you know, you would see more
22 probably in the open floor than you would maybe
23 a corner.

24 Q. Do you mean because of the layout it might be easier for
25 him to get to you and not be seen?

1 **A. Absolutely.**

2 Q. Was there any talk amongst other boys either in your
3 dormitory or generally about either him or other members
4 of staff doing the same sort of thing to other boys?

5 **A. Not that I know of.**

6 Q. Were you aware of any sexual approaches by some of the
7 other boys on to boys either in your dorm or elsewhere?
8 Was that talked about or did you see anything like that?

9 **A. Not really. You see, boys wouldn't really talk about
10 their emotional feelings there, you know.**

11 Q. I see. Thank you very much.

12 MS DOHERTY: Thanks very much. Can I just ask: how were you
13 chosen to be in the officers' mess? How -- was that
14 because you were working in the kitchen and you -- did
15 somebody talk to you about doing it or were you just
16 told ...?

17 **A. I think they were actually just looking for somebody to
18 train before -- the other fella was actually ready for
19 release, and so I just got chosen to work in the
20 officers' mess.**

21 Q. That was when you were working in the kitchen?

22 **A. That's when I was working in the kitchen, yes.**

23 Q. So you were obviously seen as somebody that was quite
24 trustworthy to be around both the kitchen and the
25 officers' mess.

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1 A. I was. Correct, yes.

2 Q. Okay. Just the other thing I wanted to ask about was
3 about a Visiting Committee. We have been told that
4 there were visitors that would come regularly and talk
5 to the boys about how they were getting on. Do you
6 remember that?

7 A. Not offhand, no.

8 Q. No.

9 A. Not offhand, no.

10 Q. Okay. Thanks very much.

11 A. You're welcome.

12 CHAIRMAN: Well, HIA248, thank you very much. Those are the
13 only questions we have for you. Thank you for coming to
14 speak to us today.

15 A. Thank you for listening.

16 (Witness withdrew)

17 CHAIRMAN: I think HIA248 is the last witness today, isn't
18 he?

19 MR ATKEN: Yes.

20 CHAIRMAN: Very well. We will adjourn now until next
21 Monday Yes

22 (11 50 am)

25 2020