
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Monday, 25th January 2016

commencing at 10.00 am

(Day 181)

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

1 Monday, 25th January 2016

2 (10.00 am)

3 WITNESS MZ1 (called)

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

10 Now, Mr Aiken.

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

12 The first witness today is MZ1, who is "MZ1". As you
13 know, he is represented by Mr Campbell of counsel --

14 CHAIRMAN: Yes.

15 MR AIKEN: -- and by solicitor Mr Diamond from Macaulay
16 Wray, who are again present this morning. MZ1 is
17 aware, Chairman, you are going to ask him to take the
18 oath.

19 WITNESS MZ1 (sworn)

20 CHAIRMAN: Thank you. Please sit down.

21 Questions from COUNSEL TO THE INQUIRY

22 MR AIKEN: Now, MZ1, you have explained to me two things
23 I want to make the Panel aware of. You have difficulty
24 in hearing.

25 **A. Yes, sir.**

1 Q. But you can hear me?

2 **A. I can hear you, yes.**

3 Q. If at any stage what I've asked you isn't clear --

4 **A. Yes.**

5 Q. -- then don't answer it. Just tell me could I repeat
6 that, and make sure you can understand what I have asked
7 you before you answer it.

8 **A. Yes.**

9 Q. The second thing is you have made me aware that you have
10 had very serious medical conditions.

11 **A. Yes.**

12 Q. And if at any stage you feel unwell, you make that clear
13 to me and the Panel will have no difficulty taking
14 a break.

15 **A. Yes, sir.**

16 Q. Now we talked about the Inquiry's anonymity policy.

17 **A. Yes.**

18 Q. You explained to me you would like to keep your
19 anonymity.

20 **A. Yes.**

21 Q. Coming up on the screen, MZ1, will be the first page of
22 your first witness statement, and when this document is
23 published, all the personal information will be removed
24 as part of the Inquiry's operation. There will be black
25 boxes over things like your name and the name of --

1 **A. Yes.**

2 Q. -- the person who appears on the screen beside.

3 **A. Uh-huh.**

4 Q. Can you just recognise -- confirm you recognise that
5 statement that you have provided to the Inquiry?

6 **A. Yes, sir.**

7 Q. If we just scroll through to the next page, we'll find
8 your signature.

9 **A. Yes.**

10 Q. That is your signature, MZ1?

11 **A. Yes, sir.**

12 Q. And you want to adopt the contents of your witness
13 statement as part of your evidence to the Inquiry?

14 **A. I do, sir.**

15 Q. Then you've provided a second witness statement dealing
16 with the allegations by the second individual, if we
17 move through to 798, and again can you just check that
18 you recognise that statement, MZ1?

19 **A. Yes, sir.**

20 Q. And you've signed it?

21 **A. Yes.**

22 Q. And you want to adopt it as part of your evidence to the
23 Inquiry?

24 **A. Yes, sir.**

25 Q. In addition to the two statements you have provided,

1 MZ1, the Department of Justice, who stand today in the
2 shoes of the Northern Ireland Office, who were
3 responsible for running prisons, have provided
4 a replying statement, which simply confirmed your dates
5 of working in Millisle, and the Panel have that
6 reference at MIL800, paragraph 5.

7 You worked in Millisle for a period of about eight
8 months, MZ1 --

9 **A. Yes, sir.**

10 Q. -- from 19th February to 7th October .

11 **A. Yes, sir.**

12 Q. In addition, the Department of Justice has provided
13 a statement about the officers whose names come up in
14 the various statements from the applicants to the
15 Inquiry, and that can be found at MIL782 to 790. In
16 that statement at paragraph 2(xi), they draw attention
17 to the annual report from your time in Millisle that we
18 have talked about.

19 **A. Yes, sir.**

20 Q. We will look at that shortly. The reference for that is
21 at MIL789.

22 Now in addition, MZ1, as I was discussing with you,
23 the Panel have access to your personnel file from your
24 time as a prison officer.

25 **A. Yes, sir.**

1 Q. That can be found in the bundle at MIL21723 to 22336.

2 So it's some 600-odd pages of detail about your 38 years

3 --

4 **A. Yes.**

5 Q. -- working in the Northern Ireland Prison Service.

6 I also want to confirm for the record, MZ1, that you
7 have no criminal record of any kind.

8 **A. None whatsoever.**

9 Q. You were born on --

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

11 Q. -- and are now aged 71 years old.

12 **A. Yes, sir.**

13 Q. I'm going to just summarise in very brief terms, MZ1,
14 some of the matters that are apparent from your
15 personnel file, because as part of your 38 years you
16 were an officer on duty on the day of the Maze escape in
17 1983.

18 **A. Yes, sir. I was that day.**

19 Q. You were those who were escaping from the
20 prison.

21 **A. Yes, sir.**

22 Q. You explained to me -- and the Panel and certainly the
23 Chairman in particular will understand what was meant by
24 this -- but you explained to me that you had to move
25 under the SPED system approximately a dozen times during

1 your life as a prison officer.

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

3 Q. That's because you worked in the adult prison in the
4 Maze for a long period of time where officers were
5 constantly under threat.

6 **A. Yes, sir.**

7 Q. And as you know, and I am not going to go into the
8 detail of this, but I want to explain that your annual
9 reports are available for your time as a prison officer,
10 and some of those reports are very positive and then
11 there are a few reports which have negative comments
12 that are made, and those are about matters that are not
13 connected to any suggestion of you ever abusing
14 an inmate or a prisoner or a trainee. Those are matters
15 about sometimes timekeeping, or a particular personal
16 difficulty that you had in your period towards the end
17 of the '80s that the Panel are aware of that I am not
18 going to go into the detail about, and a couple of
19 occasions not being on duty in the way you were supposed
20 to be. Those led to disciplinary matters, but not
21 related to any suggestion of you ever having assaulted
22 or abused a prisoner.

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

24 Q. And just so the Panel have the context, when you began
25 working for the Prison Service, you had already spent

1 13 years in the --

2 **A. Correct, sir.**

3 Q. -- where you had been based in and served in
4 places like .

5 **A. That is correct, sir.**

6 Q. From the records, MZ1, I can see that you were in
7 Belfast Prison as a basic grade officer during November
8 '73. That was your first posting.

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

10 Q. Then you moved to the Maze between November '73 and
11 August of '78. That period is relevant to what HIA374
12 -- and although you and I will use the names --

13 **A. Yes.**

14 Q. -- they are not to be repeated beyond the chamber --
15 that period is relevant to the allegations he makes, and
16 I will come back to a particular annual report shortly.
17 Then in August of '78 you were promoted to that post of
18 senior officer --

19 **A. Yes.**

20 Q. -- and spent six months to February '79 working in
21 Belfast Prison.

22 **A. Belfast Prison, yes, sir.**

23 Q. And then you were posted to Millisle.

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

25 Q. You spent six months in Millisle, and I'm going to just

1 deal with these documents at this point, MZ1, because
2 you in speaking to me said that you did not fit in in
3 Millisle --

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

5 Q. -- because it was not like a prison.

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

7 Q. It was a very lax operation in terms of the free roaming
8 about of trainees and the youth club type facilities
9 that they had available to them.

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

11 Q. It was very different from the regimented life of
12 working in a prison.

13 **A. Yes, sir.**

14 Q. You asked -- you went to Millisle on 19th February 1979
15 and you were then about 34/35 years of age.

16 **A. Yes.**

17 Q. You actually asked yourself for a transfer on 11th
18 June 1979, which was four months into your time --

19 **A. Yes.**

20 Q. -- in Millisle. If we can look, please, at 21952, you
21 will see in the top -- you will recognise your
22 handwriting, MZ1 --

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

24 Q. -- in the top left-hand corner. This is 11th June '79.

25 "I respectfully request to be transferred back to

1 Her Majesty's Prison, Belfast, as I feel I am not suited
2 to work with borstal trainees."

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

4 Q. We were discussing that earlier and you were explaining
5 to me, MZ1, that you just couldn't adjust to the open
6 nature of how the borstal operated --

7 **A. That's --**

8 Q. -- that part that was in Woburn House.

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

10 Q. You never worked in the closed borstal --

11 **A. I --**

12 Q. -- which was on the Millisle complex --

13 **A. Yes.**

14 Q. -- but completely separate.

15 **A. Completely separate. I was never ever in through the
16 gate of it, never.**

17 Q. And it was cut off through fence and gate --

18 **A. Yes.**

19 Q. -- from the mansion house --

20 **A. Yes.**

21 Q. -- where you were based.

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

23 Q. So having -- if we scroll down, we can see that the
24 governor then made comments on this:

25 "This officer feels that he is not 'cut out' for

1 borstal work -- I am inclined to agree with him.

2 His general performance in duties has been
3 satisfactory and his attitude and manner suggest that he
4 is not fully able to", something, "enter in the more
5 ..."

6 MR LANE: "... relaxed relationships ..."

7 CHAIRMAN: "... one would hope for in a young offender
8 institution."

9 MR AIKEN: Yes.

10 "... more relaxed relationships one would hope for
11 in a young offenders' institution."

12 So the governor who is signing this off, and I think
13 this is Duncan McLoughlin --

14 **A. Yes.**

15 Q. -- and we will come back and talk about him at the end,
16 but he was agreeing with you that your view matched his
17 view and a transfer was the best idea.

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

19 Q. Then if we go to 21950, you obviously thought about it
20 again and on 13th June, a couple of days later, you
21 requested to withdraw the transfer request and you
22 pointed out it was submitted without thinking about
23 personal -- due to a personal problem you hadn't thought
24 it entirely through and you were sorry for any
25 inconvenience, but the governor's position -- if we

1 scroll down, his position remained the same:

2 "I have made my comments on the application for
3 transfer and they still apply."

4 Then the NIO, if we can go back, please, to 21952 --
5 there's a bit of jumping about to make this work -- the
6 NIO ultimately, if we scroll down a little -- back up --
7 just pause there -- the NIO then recommend the transfer
8 and ...

9 CHAIRMAN: Is it not noted on the earlier withdrawal sheet?

10 **A. Sorry?**

11 MR AIKEN: Yes. If we go back up to 21950, please. I will
12 have to find the reference, but the NIO agree and
13 ultimately you are transferred back to --

14 **A. Young offenders.**

15 Q. -- ultimately you are moved to the YOC.

16 **A. Correct, sir.**

17 Q. So this sequence takes place in June of 1979, and then
18 the Panel have access to an annual report that was
19 written on you in August of 1979. If we can look,
20 please, first at 21947, and this will allow the Panel to
21 understand the format of these reports, MZ1. It records
22 the details of you entering the service, where you are
23 working at the particular point in time, the time period
24 that the report is covering. So in this case at the top
25 of the page we can see it is August '78 to August '79.

1 Well, it's literally only February '79 to August '79 --

2 **A. That's right.**

3 Q. -- because you only came to Millisle in February. Then
4 if we can scroll down, we can see there are a set of
5 tick boxes where views are expressed on how an officer
6 is getting on. If we scroll down, please, on to the
7 next page, there are various choices, multiple choice
8 answers that can be given to various questions and they
9 are ringed then by the person who is completing the
10 form. If we scroll down further, please, on to the next
11 page, and then we get into the written observations. So
12 if we just scroll up so we can see. This is -- the
13 first section that's on the page is written by [REDACTED]
14 [REDACTED] ML 44 . You mentioned him to me and we will
15 come back to him at the end. He says:

16 "The senior officer ..."

17 So when you came in you weren't a basic grade
18 officer, and we will talk a little bit about what you
19 were expected to do. You were senior officer grade.

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

21 Q. "He is inclined to overreact in his dealings with
22 borstal trainees. However, one cannot fault him for
23 lack of effort, but to date his overbearing manner and
24 attitude have prevented him from fully meeting the
25 requirements of a borstal regime."

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

2 Q. So he was saying that you were overreacting in certain
3 circumstances and had an overbearing manner. If we
4 scroll down then, we can see then the comments that are
5 made by I think it's [REDACTED] ML 71 [REDACTED] ?

6 **A. [REDACTED] ML 71 [REDACTED], yes, sir.**

7 Q. He said:

8 "MZ1 is trying to settle and accept his duties in
9 the borstal and to carry them out to the best of his
10 ability. However, he has neither the personality or the
11 flexibility of attitude which is required to be
12 a successful officer in the borstal concept. His
13 overbearing and demonstrative work style has not helped
14 him gain the confidence of staff or respect of trainees.
15 He is not suited for work with young offenders. I hope
16 he will learn from advice and by example of other senior
17 members of staff."

18 That's being written in July 1979 you can see in the
19 bottom right corner, MZ1.

20 **A. Yes, sir.**

21 Q. So it is about six weeks after the transfer process has
22 already been initiated.

23 **A. Yes, sir.**

24 Q. If we scroll down -- no. Sorry. If we just see the
25 writing at the bottom of the page then. This has been

1 added:

2 "MZ1 has made every effort to make a success of his
3 post at Millisle. He cannot, however, adjust to the
4 demands made of staff in a more liberal institution. On
5 his own admission he cannot make the necessary
6 adjustments. I feel that in his own interests -- his
7 own interests would be best served in an adult
8 establishment."

9 Then unfortunately there's a line that has been cut
10 off, and maybe Mr Wolfe can take that on board and see
11 if we can get a better copy of that particular page from
12 the file.

13 So those were the comments that were being made at
14 the time, MZ1.

15 **A. Yes, sir.**

16 Q. You then leave ultimately in October of 1979.

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

18 Q. Now can I just ask you to explain to the Panel that you
19 were the senior officer -- one of the senior officers.
20 There was a series of them working in Millisle.

21 **A. Yes.**

22 Q. What role did you have to perform while you were there?

23 **A. My role was actually involved in the day room, which was**
24 **the door in and out of Millisle. There was a desk there**
25 **and people coming in and out booked in and out through**

1 **us. I was in control of the numbers, plus the radio**
2 **room, plus the booking out and booking in of work**
3 **parties, and just the general running of the -- that**
4 **admin area itself.**

5 Q. Now you were explaining to me that you were not a class
6 officer running one of the dormitories.

7 **A. No. There was dedicated class officers for each dorm.**

8 Q. So your interaction with the boys was not in their rooms
9 at night-time or ...

10 **A. No, sir, no, definitely not.**

11 Q. Then when you move out -- we will come back to some more
12 general matters, MZ1 -- but when you move out of
13 Millisle, despite what's written in these reports, you
14 are transferred to the Young Offenders Centre --

15 **A. Yes, sir.**

16 Q. -- at Hydebank.

17 **A. Yes, sir.**

18 Q. Am I right in saying that that was not a -- you describe
19 it as lax, the regime at Millisle -- it wasn't as lax
20 a regime at the Young Offenders Centre?

21 **A. It was an entirely different place.**

22 Q. I was mentioning to you -- and the Panel have access to
23 them; I am not going to go through them -- but there
24 were various reports written about your time in the YOC.

25 **A. Yes.**

1 Q. One of them talks about an uncouth manner of
2 communicating.

3 **A. Yes.**

4 Q. I presume that means forthright, perhaps setting out
5 what you thought of a certain situation. Would that be
6 an accurate description --

7 **A. Exactly, yes, sir.**

8 Q. -- of how you would have gone about things?

9 **A. Yes.**

10 Q. There is a report in 1984, by which time you are back in
11 the Maze. You were there in the Maze between '81 and
12 '87. So you did six-year stint again in the Maze.

13 **A. Yes.**

14 Q. There one of the annual reports talks about you being
15 a little bit aggressive with staff rather than -- as
16 I said to you, there is no reference to you being
17 aggressive to inmates anywhere in the personnel files,
18 but being a little bit aggressive with staff that you
19 were supervising, which led to strained relationships.
20 You were being encouraged to curb what's described as
21 an abrasive attitude. Can you remember those types of
22 issues arising?

23 **A. Well, it was -- it was more staff -- ensuring staff done
24 their job. That was -- that was basically it, you know.**

25 Q. Okay, and we were discussing then from 1987 you moved to

1 -- was it Maghaberry you were in from -- Magilligan?

2 **A. No. I was moved to Magilligan. I came back -- in 1987**
3 **I came back after the escape. I came back to work on**
4 **the Monday and on the Friday morning I was told to be in**
5 **Magilligan on Monday morning.**

6 Q. Yes.

7 **A. That was all the notice I had to move.**

8 Q. You worked there then for --

9 **A. 20.**

10 Q. -- 20 years --

11 **A. 20-odd years.**

12 Q. -- until you retired in March of 2008.

13 **A. That's right, sir.**

14 Q. You were given temporary promotion in 1994 to principal
15 officer --

16 **A. Yes, sir.**

17 Q. -- and then permanently promoted to principal officer in
18 2000.

19 **A. That's correct, sir.**

20 Q. There are more positive reports then after --

21 **A. Yes, sir.**

22 Q. -- that period of time. I was asking you about one
23 document that was in your personnel file. It's a letter
24 from the Police Service that was written in September of
25 2005 that referred to an allegation of assault being

1 made by a prisoner, and the name -- we don't need to
2 give the name now, but you and I were looking at the
3 name earlier. It simply said, "The prisoner has not
4 substantiated his complaint" and the letter asks that
5 the governor tell the officer concerned, which was you.
6 I was asking you could you remember anything, because
7 there's no -- I have to say whether the letter is
8 accurate or not I can't say.

9 **A. Yes.**

10 Q. There's nothing on your personnel file that shows any
11 investigation -- any record of an allegation being made
12 in 2005 or any investigation taking place. Can you
13 remember anything about it?

14 **A. No. I remember absolutely -- that was the first I've**
15 **heard about. That was it. It's the first I've seen it.**

16 Q. Because, without being unkind to you, MZ1, in your
17 38-year history there was a chequered disciplinary
18 record at times, not to do with assaulting anyone --

19 **A. No.**

20 Q. -- but various scrapes that occurred along the road --

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

22 Q. -- and the Panel are aware of that.

23 Now what I want to do at this point, MZ1, is to turn
24 to the two allegations that are made against you.

25 **A. Yes, sir.**

1 Q. The first is made by a man called HIA374.

2 **A. Correct.**

3 Q. You have explained to the Panel that you do not have any
4 recollection of a HIA374.

5 **A. I have none whatsoever, sir.**

6 Q. But he was sent to borstal on 1977, and from
7 his statement, because unfortunately all the files have
8 been destroyed, he explains that he spent his closed
9 period in mostly the Maze and then Magilligan before
10 moving to the open borstal in Woburn House in Millisle.
11 As I said to you, the Inquiry is not investigating
12 events in the Maze, but in fairness to you he in his
13 statement made a serious allegation, which we gave you
14 the opportunity to address. I am going to briefly cover
15 that, because I know that was something you very firmly
16 wanted to put on record your view about.

17 **A. Yes, sir.**

18 Q. It is right he ultimately was moved to Millisle in
19 August of '77. So the period we are talking about is
20 March to August '77, and there is an annual report
21 that's available on your time working in the Maze
22 borstal. In fairness to you I am going show that to the
23 Panel. It runs from 21993 to 21995. If we can bring up
24 21993, please, and again it's in a similar format. So
25 it records where you were working, the time period that

1 it's covering and then it has the same tick boxes, and
2 I want to move through. Just if we keep scrolling down,
3 please, we will then see on the second page, if we just
4 pause there, this is written:

5 "At present MZ1 is class officer of the borstal unit
6 in H4."

7 I know you were saying to me it was H2 you worked on
8 is your recollection --

9 **A. Yes.**

10 Q. -- but this is -- leave aside the right wing:

11 "He is a strict disciplinarian and carries his
12 responsibility well. In my view the borstal trainees
13 respect him because he treats them fairly but firm.
14 Also a noticeable change in the conduct of the trainees
15 since he was selected as class officer."

16 So that's what was being said of your time working
17 in the closed borstal wing in the Maze.

18 **A. Yes, sir.**

19 Q. If we scroll down a little further, please, on to the
20 next page, we can see your personal details are given
21 and reference is to you being a good time keeper and
22 your sick record and then how you don't shirk from doing
23 the unpleasant work. You were respectful to your
24 superiors and:

25 "... tries to keep up a good appearance."

1 That's then Principal Officer who is signing
2 that off. Then the governor signs off at the bottom.
3 If we just scroll down so we can see it's the governor
4 writing. You remember Mr Meredith, the governor?

5 **A. Yes, sir.**

6 Q. He comments:

7 "Perhaps a slightly overgenerous report, but in the
8 main I would not disagree with Principal Officer
9 observations."

10 That was April '77. So that's in and around the
11 period that HIA374 would have been in the closed borstal
12 wing of the Maze.

13 In paragraphs 8 to 13 of his statement, which the
14 Panel are aware of, MZ1, which can be found at MIL048 to
15 050, he sets out a series of allegations which he makes
16 about you. At the time you would have been around
17 32 years of age.

18 **A. Yes, sir.**

19 Q. He would have been around 16 [REDACTED]. He
20 says that you hit him and knocked him over and yelled in
21 his face that he had to call you "sir". You were
22 telling me that certainly the trainees, like all
23 prisoners, had to call the officers "sir", but you
24 didn't hit trainees and knock them off their feet.

25 **A. Never.**

1 Q. He then says that you stuck your fingers up his backside
2 as part of a search, which you did in front of other
3 prison officers. You said to the Inquiry that you
4 weren't -- every trainee, every prisoner got searched,
5 but there was a search team to do that.

6 **A. Yes.**

7 Q. You did not -- you weren't on the search team.

8 **A. No. I was not on the search team, no.**

9 Q. He then says to the Inquiry in paragraph 11 -- I know
10 this is something that you wanted to specifically
11 comment on, paragraphs 11 and 12 -- he describes in
12 paragraph 11 that -- if we can just look at this,
13 please, at 049, he says that you came into his cell with
14 another officer by the name of **MZ 2** . You were telling
15 me that you can remember an Officer **MZ 2** , but he
16 worked on a different wing from you --

17 **A. Different block.**

18 Q. -- was your recollection. A different block. What
19 HIA374 says is that you came into your -- his room with
20 this man. You took out your penis and you rubbed it
21 over his face. To summarise it, in the next paragraph,
22 in paragraph 12, he says that he also saw you do this to
23 other trainees, and not only did you do it in front of
24 him to other trainees, but that there were other prison
25 officers that you did this to other trainees in front

1 of.

2 You were explaining to me earlier -- and perhaps if
3 I let you do this in your own words, MZ1 -- you told me
4 you were disgusted by those allegations.

5 **A. I find -- I find them totally disgusting, because I have**
6 **children of my own and they're perfectly normal**
7 **and I don't want them -- I don't want them sort of**
8 **tampered by a thing or stained by anything like this.**
9 **I just find it absolutely disgusting that anybody would**
10 **do anything like that on a child.**

11 Q. You have provided a replying statement, MZ1, to the
12 Inquiry, which the Panel have seen --

13 **A. Yes, sir.**

14 Q. -- and we pulled it up on the screen to begin it --
15 that's at 796 -- where you deny the allegations.

16 The other allegation that he makes in paragraph 12
17 is that you made trainees beg for food, and you
18 explained in your Inquiry statement --

19 **A. Yes, sir.**

20 Q. -- that the food was controlled by a different section
21 of the prison and that you didn't have any --

22 **A. I had no control over that whatsoever.**

23 Q. HIA374 gave evidence to the Inquiry, as I was explaining
24 to you, MZ1, on Day 179. His evidence is at pages 35 to
25 58. I explained to him what you had said in response to

1 his allegations as per your statement. He informed the
2 Inquiry that you were lying, that you did do these
3 things, and that you were now not telling the truth when
4 the allegations were being made.

5 As I said to you, while the Inquiry is not
6 investigating events in the Maze, in fairness to you is
7 there anything else you want to say about the
8 allegations that HIA374 has made? You pointed out to me
9 earlier when we were speaking that you had never behaved
10 in that way towards any person.

11 **A. I have never behaved in that way towards any person in**
12 **my life and I find it totally disgusting that someone**
13 **would.**

14 Q. You were never aware of anyone behaving in that way?

15 **A. Never. In the Maze -- it was a different culture in the**
16 **Maze, as I explained to you. You were -- we were**
17 **working with -- there was political prisoners in the**
18 **block, and I can assure you if someone behaved like that**
19 **with a borstal boy, that you would either get a home**
20 **visit or you would be stopped going down the road by one**
21 **of the paramilitaries, because the boys were able to**
22 **talk to these people across the wings at night and,**
23 **like, you had to go and work -- if you weren't working**
24 **in the borstal wing, you were probably working in**
25 **another wing, where paramilitaries were. You would**

1 **never have come out of the wing. For the safety of your**
2 **own family and yourself anyone that would do something**
3 **like this would be crazy totally.**

4 Q. I think the point you were making to me, if I summarise
5 it like this, MZ1, and you tell me if I have fairly
6 summarised what you were saying --

7 **A. Yes, sir.**

8 Q. -- that you never did this type of thing --

9 **A. Never.**

10 Q. -- but the point you were making to me was that prison
11 officers working in the Maze, it would have been
12 dangerously counter-productive to behave in --

13 **A. A manner like that.**

14 Q. -- that type of way to people, because you were at risk
15 yourself and your family was at risk.

16 **A. Yes. You were constantly under threat.**

17 Q. You would have heightened that risk --

18 **A. Yes, sir.**

19 Q. -- by behaving in this type of way.

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

21 Q. The other point that you made to me, if you just want to
22 explain it to the Panel, MZ1, the attitude that you
23 adopted. You saw them as put in prison as punishment.

24 Do you want to just explain to me what you -- because it
25 was a phrase that made me smile, because I told you it

1 was one I had heard before in a different context.

2 **A. It was something that I was told once, I think within**
3 **a few days of joining the Prison Service. An old Chief**
4 **Officer, who I had a great deal of respect for, said to**
5 **me, "You know, these people are in here as a punishment,**
6 **not for punishment."**

7 It's something that -- something that I've sort of
8 kept all these 40-odd years in my -- in my head and I've
9 sort of lived my life with that.

10 Q. Now is there anything else you want to say about the
11 allegations that HIA374 made or have we covered most of
12 the ...?

13 **A. No. Just the main fact that they're totally untrue,**
14 **totally.**

15 Q. Then there's a second individual, MZ1, as you know,
16 called HIA416, who is "HIA416". He -- this time we are
17 in the open borstal in Woburn House --

18 **A. Yes.**

19 Q. -- the old mansion in Millisle, and he was placed there
20 between 8th January 1979 and released on 11th
21 January 1980. He'd gone in aged 16 and left aged 17.
22 Now, as I said to you, I have drawn to the Panel's
23 attention that it's quite clear that during January,
24 February and March of 1979 HIA416 was regularly being
25 taken out to court for court appearances and obviously

1 would have seen his legal representatives on those
2 occasions, but it may well be he was in the closed part
3 of the borstal at that time, and I don't have the date
4 precisely that he moved over into the open borstal where
5 you would have been --

6 **A. Yes.**

7 Q. -- but what he says to the Panel, if we just bring up,
8 please, 074, he talks about other individuals, but in
9 relation to you, MZ1, you can see the "MZ1" on the
10 screen. That's you that we are talking about.

11 "There was a prison officer called MZ1 who punched
12 and slapped me. He was a very big man and I knew not to
13 report anything to him as, if I did, I would end up
14 having to serve the full three years of a sentence."

15 So what he is saying is two things. You punched and
16 slapped him, but also he had a belief, rightly or
17 wrongly, that if he told something to you, you would
18 extend his stay, ie you would hold that against him and
19 he wouldn't get out on licence quickly the way that the
20 scheme was meant to work.

21 **A. I have -- I have no control over the length of time he
22 done in the borstal institution.**

23 Q. Well, you explained that to me earlier. I was asking
24 you about the reviewing body, and you were saying to me
25 that the role you had in the open borstal meant you were

1 not part of the assessment exercise.

2 **A. I was not part of that assessment whatsoever.**

3 Q. I was asking you about the reviewing body and you were
4 saying you honestly couldn't tell me, because you never
5 sat on it.

6 **A. I never sat on it. It was usually the class officers,
7 the chief officer and the governor. That was all there
8 was.**

9 Q. And you -- in reply in your statement you say you did
10 not assault him.

11 **A. Never. I never did not.**

12 Q. He gave evidence to the Inquiry on Day 180, MZ1, and his
13 evidence runs from pages 2 to 46 in the transcript, but
14 it is at pages 22 to 27 he is asked various questions
15 about you, and he said to the Inquiry Panel that you
16 were a big man -- now that would be accurate enough --
17 and that you -- he said you were SO or PO. Now you
18 would have been a senior officer --

19 **A. Yes, sir.**

20 Q. -- at the time.

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

22 Q. He said you were someone that you avoided at all costs.

23 In addition then to the allegation he made about
24 himself, he also said to the Inquiry that -- when he
25 gave his oral evidence, that he remembered you hitting

1 another boy called ML 41 , who was a

I asked you could you remember --

3 you said to me you did not remember HIA416 --

4 **A. No.**

5 Q. -- and you don't remember a boy ML 41 .

6 **A. I definitely do not remember ML 41 .**

7 Q. You did clarify something, because in his statement
8 there was the suggestion that -- the impression is given
9 that you and another trainee called ML9 were working in
10 what's described as cohorts to get him to lose his
11 privileges, and he clarified in his oral evidence that
12 he was not meaning you. He was talking about another
13 officer and this boy, ML9, having it in for him. He was
14 not speaking about you when he was saying that. He made
15 it clear he was only saying he met you in the open
16 borstal, but that you did abuse him and that people were
17 in fear of you and were scared of you.

18 I was saying to you earlier, MZ1, that obviously the
19 record that's available to the Inquiry talks about you
20 being overbearing and not suited to working with young
21 people and having that manner, and I was asking you it
22 may well be the case that that caused fear amongst some
23 of the trainees that you were dealing with, but as to
24 assaulting them, you were saying to me categorically
25 that was not --

1 **A. Definitely not, no.**

2 Q. -- your approach.

3 **A. It was not my approach. I would never ever -- I never**
4 **lifted my hand to any of my own children. So I would**
5 **not lift my hand to anybody else's.**

6 Q. I want to ask you whether there's anything else you want
7 to say about the allegations of HIA416 or have we
8 covered ...?

9 **A. No, I've covered everything, sir.**

10 Q. Okay. Now what I want to do is just ask you some
11 general questions. I explained to you that because you
12 were an officer, albeit you worked there for eight
13 months, you could assist the Panel with how life was
14 like -- what life was like in Millisle. I asked you to
15 summarise what life was like and you said to me you
16 couldn't get your head around it.

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

18 Q. That there were boys going off to swim on the beach and
19 playing snooker at night with the governor.

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

21 Q. It just was not a regime that you -- it didn't -- it
22 wasn't a prison.

23 **A. No. I came -- I came from a place, from Belfast Prison,**
24 **where the grilles were opened for you. You passed**
25 **through them. The grilles were locked. I could not get**

1 my head round the point that doors were lying wide open
2 and boys were going to deliver newspapers to staff's
3 houses. You know, I just could not get my head round
4 it.

5 Q. You were explaining to me on a Sunday afternoon forty
6 boys might have gone --

7 A. Yes.

8 Q. -- for a walk with one officer.

9 A. An officer would take forty boys or maybe thirty boys
10 and walk out round the perimeter of the borstal, and
11 when they came back in through the door, you would have
12 said to the officer, "How many have you?" "Oh, they're
13 coming there, you know." You would have said to
14 yourself, "In the name of goodness ..." and nine times
15 out of ten you just accepted it and just made sure they
16 were all there at night and that was -- you know, as far
17 as I was concerned I made sure they were there at night
18 when the place was locked up. When the numbers were
19 returned to me, I returned them to the chief officer and
20 as far as I was concerned that was my job done. I just
21 could not get my head round it.

22 Q. You were explaining to me that -- I was asking you just
23 a couple of matters that had come up in general evidence
24 that the Inquiry had heard. I think, in fact, it was
25 HIA416 that made this allegation, that the boys were

1 required to march everywhere.

2 **A. No, they were not.**

3 Q. Did --

4 **A. The boys went like sheep. The boys literally went**
5 **like -- they went out to go to work. They just headed**
6 **off.**

7 Q. So there was no -- the idea of drill had long since
8 disappeared?

9 **A. Long since disappeared.**

10 Q. There was no -- there was none of that at Millisle?

11 **A. No, none.**

12 Q. I think it was another individual suggested that, you
13 know, it wasn't really an open house in the sense that
14 there were bars on all of the windows.

15 **A. No.**

16 Q. I was saying to you that from a record that I opened to
17 the Panel certainly in the '60s there appeared to have
18 been a bar on at least a kitchen window, because a boy
19 sawed through it to escape, but you were saying to me
20 you don't believe there were bars on the windows.

21 **A. There was no -- there was no bars on the windows in**
22 **the -- in the open borstal, because it was an old**
23 **mansion house and they were all big, wooden-framed**
24 **windows with sashed windows. The kitchen I can't --**
25 **I can't honestly say -- although I wasn't in it that**

1 **often, I can't honestly say there was bars on the**
2 **windows or not in it. I don't honestly ...**

3 Q. Well, you were explaining -- I was asking you about the
4 discipline system and punishments. You were saying to
5 me that the main problem in Millisle was absconding.

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

7 Q. You describe how the boys would have put a chair through
8 the window and away they went at night-time.

9 **A. Yes, at night, usually after lock-up. It's -- you would**
10 **have heard a crash and one of the large windows was away**
11 **and the boys were out through the window and gone.**

12 Q. But I was asking you, MZ1, to try and explain how
13 difficult the behaviour was in Millisle, and when we
14 were discussing this earlier, you said to me that there
15 was no major behavioural difficulties. You know, there
16 wasn't a constant fighting with the boys. It was a very
17 relaxed atmosphere.

18 **A. Yes. That's correct, sir.**

19 Q. And it just wasn't for you.

20 **A. It just wasn't for me.**

21 Q. You have explained -- in terms of the facilities that
22 were there, you were pointing out obviously the house
23 was a bit antiquated --

24 **A. Yes.**

25 Q. -- but there was a brand new gym and, you know, there

1 were obviously you were saying to me engineering and
2 woodworking and the classes going on.

3 **A. Yes. Uh-huh.**

4 Q. Then you were talking in passing about going swimming
5 over to the beach and that type of thing. So the
6 facilities, how would you have described them, in
7 Millisle?

8 **A. As I said -- as I said to you, they were a bit**
9 **antiquated, but they were -- they were quite adequate**
10 **and the boys seemed to enjoy them, the use of the gym**
11 **and that.**

12 Q. I was asking you about the Visiting Committee, MZ1, and
13 you were explaining to me that you could remember them
14 coming in and out.

15 **A. I don't ever remember them coming in and out when I was**
16 **there.**

17 Q. You don't remember them coming in and out? You didn't
18 have any involvement with them?

19 **A. No, I didn't have any involvement whatsoever with them.**

20 Q. I then asked you a question, MZ1, and I want you to
21 explain this in full to the Panel, because it's very
22 important for the Panel's work. You have explained your
23 position that it wasn't a place for you. You didn't fit
24 in. You were more suited to working in an adult prison,
25 but I was asking you whether there was someone who was

1 known as the one to watch out for, someone that was
2 talked about as taking liberties with the trainees, and
3 you were able to tell me about that. So can I ask you
4 just to explain that to the Panel?

5 **A. Yes. There was an officer who had been there for about**
6 **-- it must have been ten, twelve years I'm sure, and he**
7 **was -- by the name of Officer Skillen. He was a bit rough**
8 **with them. He was rough with them, and I had**
9 **occasion -- on one occasion I heard from a member of**
10 **staff that he had done something. He had I think hit or**
11 **clashed somebody or done something, and I said to him,**
12 **you know, Officer Skillen you would need to watch yourself,**
13 **because this is not acceptable. You can't go around**
14 **doing these things, because you are going to finish up**
15 **in a lot of bother" and his idea was, "Oh, well" and**
16 **I said, "Well, I'm just telling you you cannot do it".**

17 **Q.** You were explaining to me, MZ1 -- and I am going to
18 summarise it, and you correct me if I've got this wrong
19 --

20 **A. Yes, sir.**

21 **Q.** -- he worked in the laundry

22 **A. Yes, sir.**

23 **Q.** You didn't have much interaction with him yourself. You
24 never took a boy to the laundry --

25 **A. No.**

1 Q. -- to see him. You explained to me that you hadn't
2 viewed him hitting anybody --

3 **A. Never.**

4 Q. -- but it was a conversation that would have taken place
5 from time to time in the staff room.

6 **A. From time to time in the staff room staff would have**
7 **said, "There's Officer Skillen at it again", you know. It sort of**
8 **got to the stage where you just let it go past you.**

9 Q. I was asking you, because obviously you were -- you made
10 the point to me are you going to be found guilty of not
11 doing enough about this, but you said to me -- I asked
12 you, "Who would have known about what he was like?", and
13 just to be clear now before you answer that question you
14 explained to me earlier there was never any suggestion
15 of sexual abuse. It was physical abuse, physical
16 assaults that --

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

18 Q. -- you had heard about in relation to him.

19 **A. Yes, sir.**

20 Q. I asked you, "Who would have known that that's how he
21 behaved?" and you explained to me -- and do you want to
22 just give the names then to the Panel so they know?

23 **A. I think probably the two senior POs. ML 42 was**
24 **one of the POs and PO ML 43 was the other senior PO.**
25 **They had been there for I don't know how long. They**

1 seemed to have been there from the place was built, and
2 the chief officer, he was so lackadaisical in his
3 manner. He should -- you know, he would have said, you
4 know, "Och, **Officer Skillen**s going to have to watch himself, you
5 know". That's all there ever was -- that's all there
6 ever was to it, and he just sort of said, "Well, it's
7 his head, you know", but ...

8 Q. The chief officer was Chief Officer ML 44

9 A. Yes, that's right, sir.

10 Q. The point you made to me was, you know, the chief
11 officer, that was the row beneath, as it were, the
12 deputy governor.

13 A. That was the row beneath the deputy governor.

14 Q. I asked you whether the deputy governor was likely to
15 have known and you said to me that that was **ML 71**

16 A. **ML 71**.

17 Q. **ML 71**. You felt he probably would have known.

18 A. He probably would have, but I can assure you if the
19 number one had of knew about it, there would have been
20 hell to play.

21 Q. Now just so we clarify that, the governor at the time
22 you were there was Duncan McLoughlin.

23 A. Duncan McLoughlin.

24 Q. You explained to me that he -- and you weren't being
25 critical of him, but I will characterise it in this way

1 for short -- was more like a social worker.

2 **A. He was, yes, sir.**

3 Q. He was a criminologist as well and he had a particular
4 view about how you went about these things.

5 **A. Yes, sir.**

6 Q. You made the point to me he certainly would not have
7 tolerated anyone lifting their hand to a trainee.

8 **A. Definitely not, sir. He used to come down in the**
9 **evening when the boys were on association and play**
10 **snooker with them, because we had a full-sized snooker**
11 **table. Manys a night you would have just found him**
12 **playing snooker, you know. It was so relaxed it was --**
13 **it was unbelievable.**

14 Q. But your -- based on the knowledge you formed of him --

15 **A. Yes.**

16 Q. -- albeit the person you are describing went on to be
17 the governor of the Maze and Maghaberry and so on --

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

19 Q. -- you don't believe he knew what was known about Officer Skillen

20 **A. I don't think he did. I do not think he did honestly.**

21 Q. I was asking you -- because you haven't followed the
22 evidence before the Inquiry over the last weeks. Only
23 the part in relation to you has been discussed with you
24 by your legal representatives. Isn't that right?

25 **A. Yes, sir.**

1 Q. You were able to tell me why **Officer Skillen** was known as **Punchy**.

2 Can you tell the Panel why that was?

3 **A. Because -- it was known that he was an and**
4 **he -- he had a He just looked for all the**
5 **world, you know ... He just done his own thing in the**
6 **and nobody ever questioned him.**

7 Q. Am I right in saying he wasn't a big man --

8 **A. No.**

9 Q. -- in the way that might be said of you, MZ1? He wasn't
10 a ...?

11 **A. No, he was not a huge -- he was not a huge man.**

12 Q. But he had that ?

13 **A. He had that -- he had that back... -- and he was**
14 **known for it, because he spoke of it manys a time.**

15 Q. He -- there's evidence from the governor, for instance,
16 although it had stopped by your time, that **Officer Skillen** was the
17 designated person to use the cane in the borstal to do
18 the corporal punishment. That didn't seem to happen in
19 your time. Were you aware of his background in that?

20 **A. No, I wasn't, funnily enough. That's the first I have**
21 **heard of that one.**

22 Q. But there was no caning in your time?

23 **A. Never, never.**

24 Q. Just to be clear, MZ1, can I ask you: do you recall ever
25 hearing any suggestion in Millisle from other staff

1 members or trainees of any form of sexual abuse from

2 **Officer Skillen**

3 **A. Definitely not, sir. I wouldn't have -- I wouldn't have**
4 **hesitated in reporting that to number one. Definitely**
5 **I would not.**

6 Q. In light of that the information that came your way --
7 you didn't see it, but the information that came your
8 way about **Officer Skillen** using his hand on the boys, that wasn't
9 something that you took to the number one, was it, and
10 it is very difficult with hindsight, but if we can try
11 and go back and look at life in the late '70s,
12 a different way, a different view of giving somebody
13 a slap than perhaps might be the case today?

14 **A. It probably was a different way of looking at things,**
15 **but I can assure you if I had seen him, I would have**
16 **dealt with it, but I never ever seen him lift his hand.**

17 Q. MZ1, I know it's -- you explained to me that it's been
18 weighing on you heavily, the allegations that were made
19 about you and coming to give evidence to the Inquiry,
20 and you wanted to do that today. I am not going to ask
21 you any more questions. If you remain where you are for
22 a short time, the Panel Members may want to ask you
23 something. So if you just bear with us for a short
24 time.

25 **A. Yes, sir.**

1 **in my own opinion you would have had a death -- you had**
2 **a death wish. You would have honestly put your life and**
3 **your family in great stress -- in great danger in actual**
4 **fact.**

5 Q. Yes. Can I just ask you about the general atmosphere in
6 the borstal at Millisle when you were there during your
7 I think it was eight months altogether --

8 **A. The general atmosphere --**

9 Q. -- in relation to one specific thing first, if I may.
10 Was there any sign of any sectarian divisions amongst
11 the trainees themselves; in other words, the Catholic
12 boys and the Protestant boys would get at each other or
13 stick together?

14 **A. No, there was none of that, sir. I have thought long**
15 **and hard about this and sometimes -- there was never any**
16 **religious -- they just seemed to accept each other and**
17 **get on with it.**

18 Q. Well, when they were in Millisle, did they have access
19 to news from outside; in other words, was there
20 a television in the --

21 **A. Oh, yes, there was televisions.**

22 Q. They knew what was going on?

23 **A. There was a television in the dining room and**
24 **a television in the common room, but that was -- they**
25 **had access to that, but it was the sort of thing that**

1 **the staff kept an eye on, but it never really raised its**
2 **head.**

3 Q. Well, if there was an atrocity of the type that there
4 were so many of in those days, almost at times on
5 a daily basis, would that lead to any increase in
6 feeling amongst or animosity between the trainees?

7 A. **No, it didn't, no. I don't -- I don't think at that age**
8 **they actually took notice of the news. They just sort**
9 **of were in there and wanted to get their time done and,**
10 **you know -- but I don't think -- I don't honestly think**
11 **they took heed. I don't ever remember hearing any of**
12 **them saying even that someone was shot or someone was**
13 **this or someone was that.**

14 Q. Yes. Thank you very much, MZ1.

15 A. **Yes, sir.**

16 MS DOHERTY: Thanks very much, MZ1. Can I ask: were
17 officers aware of any physical abuse or sexual abuse
18 between the boys?

19 A. **Not that I ever heard tell of. The boys were locked --**
20 **in the evening they were locked at 9.30 or 10 o'clock,**
21 **about that time, and, like, they were left on their own.**
22 **They were left on their own till the morning. So**
23 **I never heard tell of any of it.**

24 Q. And never had to intervene between boys fighting over
25 anything?

1 A. No. Funnily enough, I was saying in my 38 years in the
2 Prison Service I never ever had to restrain a prisoner.
3 I never ever had to come face-to-face with one. I could
4 usually just talk one down, because it's not my nature,
5 that sort of thing, but I've never -- I've never seen
6 boys actually fighting, because what they usually done,
7 they usually took it up to the gym or somewhere like
8 that or in the workshops, but never where they would be
9 seen.

10 Q. So they sometimes do -- we have heard about them going
11 into the boxing ring sometimes to kind of sort things
12 out.

13 A. No, no.

14 Q. You don't remember that?

15 A. There was no -- there was no boxing whatsoever in
16 Millisle. They were -- Mr McLoughlin was firmly against
17 that.

18 Q. It would be a different time. Can I just ask you just
19 a wee bit more about the contrast between Millisle and
20 Hydebank, what you found the major differences to be?

21 A. Well, Millisle was an open door policy. As I said to
22 you, the -- a boy went out at night, delivered papers to
23 the staff -- the married quarters, went out and
24 delivered a film, videos to staff's houses, and then
25 when you went to the YOC, the YOC was a lock situation

1 where there was cells, there was grilles, there was --
2 there was a main gate. You know, you had to go out
3 through an airlock, two sets of gates and a wood -- rail
4 -- two sets of steel gates and then a wooden -- a wooden
5 massive door to get outside at Hydebank, but to get out
6 of Millisle there was a swinging door and you pulled it
7 and you went out and you were over the wall and you were
8 on your way to Ballywalter or Donaghadee.

9 Q. Did you think there was a lack of discipline in Millisle
10 in the way the boys were treated?

11 A. Well, that was not -- that was not my responsibility.
12 The Chief officer Was responsible for that, but I just
13 sort of -- I got to the stage where I just said, you
14 know, "I'll just go with the flow, just accept it and go
15 with the flow", because I knew that I wanted out of it
16 and, you know --

17 Q. It didn't suit.

18 A. -- it was not -- it was not my cup of tea. It was ...

19 Q. Okay. Just one more. Can I just ask -- I know that you
20 weren't involved in the review boards, but were officers
21 asked about their opinion about boys? You know, from
22 your general contact with them did you have the
23 opportunity to contribute?

24 A. No, I was never. I don't know whether this is relevant,
25 but when I arrived in Millisle, the chief officer on the

1 morning I arrived interviewed me and the first words he
2 said to me was, "Who are you?" and I introduced myself
3 and he said "You know, I didn't ask for you", and
4 I said, "Well, I'm sorry, chief, but I didn't ask to
5 come" and he says, "I usually pick my own staff from the
6 training school" and I said, "Well, I'm sorry" and he
7 said, "You'll be working on the ground floor" and that's
8 where I went and that's where I stayed. I am not being
9 derogatory, because he is dead and buried and I don't
10 want to involve him, but ever from that he addressed me
11 as "Mr" when he called other staff by their first names.
12 So I think it was a love/hate relationship, you know.

13 Q. And do you see the transfer from Belfast, how did that
14 happen? How did you --

15 A. Sorry?

16 Q. The transfer from Belfast Prison to Millisle, how did
17 that come about?

18 A. That's done through the Department.

19 Q. Right, and you had no say in it?

20 A. Any -- any moves, movement of staff is totally done by
21 the Department.

22 Q. Okay.

23 A. You know, they decide, "Right. We need SOs here. We
24 need SOs there or POs". It is the same with POs. You
25 know, they move you wherever --

1 Q. They needed you.

2 A. -- they want, even though you probably don't want to be
3 there.

4 Q. Thank you -- thank you very much. That has been really
5 helpful.

6 A. Thank you, ma'am.

7 MR LANE: Yes. You mentioned class officers. Were -- was
8 that a particular rank of officer or was it relating to
9 the nature of their work?

10 A. It was just the nature of their work. There was
11 actually -- I was one. On the wing I was on there was
12 one of four class officers. If I had been off, someone
13 else would have been on, you know, but we all kept the
14 same regime, professionalism, and made sure that things
15 were done correctly.

16 Q. And the class officers worked on the wings?

17 A. They worked on the wing, sir.

18 Q. There were instructors as well in the workshops, weren't
19 there?

20 A. Are you on about -- are you talking about Millisle or
21 ...?

22 Q. Yes.

23 A. Oh, Millisle. No. I didn't -- I did not work -- in
24 Millisle I did not work on the wings --

25 Q. No, no. I appreciate that.

1 A. -- because there was no wings.

2 Q. Yes.

3 A. It was dormitories --

4 Q. Yes.

5 A. -- and I did not work in the dormitories, but your
6 second question, the workshops, there was instructors,
7 civilian instructors.

8 Q. They were civilians, not prison officers?

9 A. No, they were civilians, sir.

10 Q. Right. In terms of staff accommodation did you live on
11 site with your family?

12 A. No, sir. I didn't. I lived -- I actually lived
13 between -- well, I was living in -- in in
14 actual fact.

15 Q. Did that leave you more vulnerable than people who lived
16 on site then?

17 A. Yes, very much so, because I was travelling all the time
18 --

19 Q. Yes.

20 A. -- but not so much -- well, Millisle was a dangerous
21 area at that stage --

22 Q. Uh-huh?

23 A. -- because of organisations and Newtownards, even
24 itself, but Millisle was -- they were living -- there
25 were actually people who were put down there because of

1 **threats.**

2 Q. Yes.

3 **A. Staff were actually moved down to the houses in Millisle**
4 **and lived in there.**

5 Q. And the governor was governor over both the open and the
6 closed borstals?

7 **A. Over both of them, yes, sir.**

8 Q. The way you describe him he was very sympathetic to the
9 open style of running. Do you know at all whether the
10 closed borstal was run in the same way?

11 **A. I never -- thank God I never ever stood in it. I was**
12 **never in through the door. No, I don't know what his**
13 **attitude was to the closed one, because it was never**
14 **ever discussed.**

15 Q. Did you meet up with the staff from the closed borstal
16 say in the staff club or anything like?

17 **A. There was no staff club.**

18 Q. There wasn't one?

19 **A. No, none up there.**

20 Q. Right. The staff canteen?

21 **A. No. There were two separate canteens, sir.**

22 Q. Right. Okay.

23 **A. The closed borstal had their own and the open borstal,**
24 **we had actually just a room with a table in it.**

25 Q. Uh-huh.

1 A. That's all there was, and you made your own -- you know,
2 my attitude would be that I would never ever let
3 an inmate make me a cup of tea even, because from the
4 attitude from the Maze prisoners would put anything in
5 your tea. So what I used to do was I actually carried
6 my own lunch. I made my own tea, you know, and people
7 thought that strange, but coming from a closed
8 environment you were -- you were very cautious.

9 Q. Yes. Looking back on it, I know that you say you felt
10 you didn't fit in there, but do you think it was a good
11 way of working with the trainees in the open unit?

12 A. Well, I didn't really. I didn't really, because there
13 was more discipline in my family --

14 Q. Uh-huh.

15 A. -- and I thought, you know, "How can people learn?"

16 Q. Yes.

17 A. "How can people learn?", you know, and some of the kids,
18 yes, they were great. They would have been respectful,
19 but others were just rogues.

20 Q. With it being open was there a big problem of
21 absconding?

22 A. Oh, at night you could have set your watch by it, you
23 know. In actual fact the standard laugh was that the
24 chief officer came in one night, parked underneath
25 a window which was on the second floor. Four borstal

1 boys put a chair through the window, jumped out through
2 the window and landed on the roof of his car and then
3 took off up the road. So it goes to show you. No, it
4 was -- it was a bit of a -- but, you know, when they
5 were brought back, it was just a laugh. They were just
6 ...

7 Q. Okay. Thank you. Thank you very much.

8 A. Right, sir.

9 CHAIRMAN: Well, MZ1, thank you very much for coming to
10 speak to us today. I am sure you will be relieved to
11 hear that's the last question we have for you, but again
12 thank you for coming to speak to us, particularly as we
13 understand your health is not good. Thank you.

14 A. Thank you, sir.

15 (Witness withdrew)

16 MR AIKEN: Chairman, I am dealing with the next witness
17 today, but perhaps if we ...

18 CHAIRMAN: I think perhaps an early lunch.

19 MR AIKEN: Early lunch. Okay.

20 CHAIRMAN: So if we aim to sit not before about 1.15.

21 MR AIKEN: Yes.

22 (12.20 pm)

23 (Lunch break)

24 (1.15 pm)

25

1 WITNESS LN20 (called)

2 CHAIRMAN: Yes.

3 MR AIKEN: Chairman, Members of the Panel, good afternoon.

4 The next witness today is LN20, who is "LN20". He is
5 represented by Mr Holmes of counsel, who you are aware
6 of, having appeared previously, along with Mr Mearns,
7 solicitor from John Ross & Company. LN20 is aware,
8 Chairman, you are going to ask him to take the oath.

9 WITNESS LN20 (sworn)

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

11 Questions from COUNSEL TO THE INQUIRY

12 MR AIKEN: LN20, coming up on the screen at 829, that's 829,
13 will be a copy of your witness statement. We were
14 discussing the Inquiry's anonymity policy. So when this
15 statement is finished and redacted, your personal
16 information will be removed. You want to keep your
17 anonymity?

18 **A. I do, yes.**

19 Q. Can you just check that the version on the screen, LN20,
20 matches your first page of your statement?

21 **A. It does, yes.**

22 Q. And if we move through to the second page, please, at
23 830, we find your signature, and you confirm you have
24 signed the statement?

25 **A. That's my signature, yes.**

1 Q. And you want to adopt the contents as part of your
2 evidence to the Inquiry?

3 **A. I do.**

4 Q. In addition, LN20, if you bear with me for a moment,
5 I just want to give the Panel some references to
6 material relevant to you in the bundle.

7 The Department of Justice's officers' statement
8 deals with identifying LN20 and the dates that he worked
9 in Millisle at MIL788 at paragraph 2(x).

10 In addition, the Panel have access to LN20's
11 criminal record, and I can confirm -- I am not going to
12 open that to the Members of the Panel -- it is at 30170
13 and 1 -- there are no matters thereon related to any
14 physical assault on anyone at any stage.

15 The Panel also have access to your personnel file,
16 LN20, which runs from MIL22337 to 22456 in the bundle,
17 and there are no disciplinary matters on your record at
18 all --

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

20 Q. -- and you were confirming for me that that is --

21 **A. That's --**

22 Q. -- the position.

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

24 Q. You were born on --

25 **A. Correct.**

1 Q. -- and are now 66.

2 **A. I am, yes.**

3 Q. We were checking this. So you correct me or stop me if
4 I get this wrong, but you entered the Prison Service on
5 , when you were aged 27, and you worked
6 then in the Maze until 18th March '78, when you moved to
7 Millisle.

8 **A. I did, yes.**

9 Q. You worked in Millisle then from 18th March 1978 to 1st
10 October 1980, so two and a half years, and all of that
11 time was spent working in the closed borstal.

12 **A. It was, closed borstal, yes.**

13 Q. In fairness to you -- I am not going to open them -- but
14 all of the -- there are annual reports, as you know, in
15 prison officers' personnel files. All of your reports
16 appear to be positive year after year about your
17 attitude and working practices and so on. I going to
18 draw to the Panel's attention that the reports from the
19 Maze before you went to Millisle, so the report from
20 July '77, is a very positive report. There then is
21 a similarly positive report in January '78, which is
22 just before your transfer to Millisle, and then there is
23 -- the other matter that I am going to draw attention
24 to, LN20, is at the time you were working in Millisle,
25 both before Millisle but while working in Millisle, you

1 were still a probationary officer.

2 **A. I was a probationary officer, yes.**

3 Q. That would have continued to possibly around April 1979
4 and then it appears there's a record that suggests
5 that's the date on 2nd April '79 that you become a fully
6 fledged officer, as it were.

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

8 Q. The reference for that is at 22353. That becomes
9 relevant in relation to HIA320, which I will explain
10 later. The point about that is that there is greater
11 consequences for you if you step out of line as
12 a probationary officer --

13 **A. Your --**

14 Q. -- than if you are fully fledged officer.

15 **A. Your Prison Service job is actually on the line if you
16 misbehave.**

17 Q. There is one report that's available from the personnel
18 file that relates to your time in Millisle. I just want
19 to bring it up so the Panel can see it. If we look at
20 22381, please, this is written 24th January 1979 and it
21 is saying:

22 "Solid, dependable, slightly hesitant. Made -- make
23 his own decisions, but as he is gaining experience he
24 ... He will do well in the service."

25 The line above that I am struggling with. It may be

1 --

2 MS DOHERTY: "... hesitance."

3 MR AIKEN: Yes. You are going to overcome slight hesitance.

4 **A. Yes.**

5 Q. "Handles trainees firmly but fairly" or "fairly but
6 firmly", I think that is.

7 If we move through to 22383, please, we can see that
8 the chief officer is writing this, LN20, as far as I can
9 see:

10 "LN20 continues to make progress, although he lacks
11 confidence in some areas. I feel he will overcome this
12 as he gains experience."

13 If we move on to the next page, and this is the

14 **ML 71** :

15 "An officer who has gained complementary reports
16 from senior members of staff. He is interested in his
17 work and ..."

18 CHAIRMAN: "... it is apparent that he is anxious ..."

19 MR AIKEN: "... it is apparent ..."

20 CHAIRMAN: "... to learn and to increase his job knowledge."

21 MR AIKEN: "I am satisfied with his present progress and

22 I am sure that when he gains more experience, he will be

23 ...

24 MR LANE: "... an asset ..."

25 **A. "... an asset ..."**

1 MR AIKEN: "... an asset to any establishment."

2 Then if we scroll down a little further, please, on
3 to the next page, I think that's then Governor
4 McLoughlin signing off on making good progress and your
5 service being retained. It may be you never saw that
6 document before in your life.

7 **A. I haven't seen that document, no. I haven't seen it.**

8 Q. There it is of a warm nature, and you -- that seems to
9 be the only one, LN20, that there is for your time in
10 Millisle.

11 You worked in the closed borstal in Millisle -- and
12 I will come back to that in a little more detail --
13 until October, 1st October 1980, when you moved to the
14 Young Offenders Centre at Hydebank.

15 **A. That is correct, yes.**

16 Q. As I said to you, there's then a letter from
17 November 1980 confirming you finished your probationary
18 period and you are an established prison officer, but it
19 looks like that might have been a long period of admin
20 catching up with the reality, which was April of '79.

21 You worked in the YOC for five years until you moved
22 to Belfast Prison at the Crumlin Road in January 1985 on
23 promotion as senior officer.

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

25 Q. Then while there in March '89 you were promoted to

1 principal officer.

2 **A. Correct.**

3 Q. Then in April '96 you moved to Maghaberry as a principal
4 officer before retiring in September of 2000, aged 50 --

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

6 Q. -- having completed 23 years, and you were explaining to
7 me that you had -- the Prison Service at that stage were
8 trying to -- uncharitably this may be -- trying to
9 remove the higher earning, older members and replace
10 them with younger members of staff.

11 **A. That was the policy then, yes.**

12 Q. You were able to avail of that early retirement, as it
13 were.

14 **A. I was.**

15 Q. You were explaining to me that what it was then called
16 which you obtained was the long service medal.

17 **A. Correct.**

18 Q. You had various commendations along the way through
19 incidents that you had to deal with in your prison
20 career.

21 **A. I had, yes.**

22 Q. You were explaining to me to your knowledge you were
23 never the subject of any disciplinary report at any
24 time.

25 **A. I was never on any report.**

1 Q. And no-one ever made an allegation about you to the
2 police about your work in the Prison Service at any
3 stage.

4 **A. None whatsoever.**

5 Q. And you have never been accused of assaulting anyone at
6 any time.

7 **A. No, I have not.**

8 Q. You were explaining to me, and I am just going to use
9 one example -- perhaps if you just explain it to the
10 Panel -- that life as a prison officer was not an easy
11 road, and you were able to explain to me one particular
12 incident where you could remember precisely the date and
13 the time. Do you want to just explain to the Panel what
14 happened?

15 **A. It was Friday, , 7.45 in the evening.**
16 **I was leaving the and there was**
17 **a demonstration outside the front of the prison and the**
18 **RUC at the time asked all staff to go down .**
19 **As I drove into there was gun fire.**
20 **Somebody opened up with an assault rifle on my car.**
21 **shots were fired, of which hit my car.**

22 Q. You were then explaining to me -- we will not name the
23 individual involved, nor did you earlier to me -- but
24 you the following day went back to work.

25 **A. I went into work the next morning and all the staff were**

1 talking about, "Who was the officer shot at last night?"
2 I never said a thing, because I was the principal
3 officer in charge of C wing. When I went into C wing
4 that morning, I called for unlock, but my own words --
5 in own words, "Could you open on a (inaudible)
6 first, please?" They opened this particular cell and
7 this inmate came out with his pot to empty it and shook
8 his head as if to say, "What are you doing here?"
9 I knew then that I had been set up.

10 Q. You were saying to me that that morning was breakfast
11 for a different organisation.

12 A. Break... -- yes. It was the breakfast for the
13 and --

14 Q. And they -- they expressed to you that --

15 A. If it had been them, I was dead.

16 Q. And that at the time was life as a prison officer.

17 A. It was at that particular time, yes.

18 Q. That carried risks for you and your family. SPED moves
19 and all of that type of -- that was part of life.

20 A. That was part of life then. Yes, it was.

21 Q. I want to ask you a bit more about the borstal, but even
22 working in the closed borstal, you were saying to me it
23 was a much more pleasant place to be, including the
24 nature of the trainees, not all of them, but most of
25 them, the majority of them, and your time spent there

1 was a much more pleasant time than life as a prison
2 officer in the Maze or the Crumlin Road.

3 **A. You weren't -- the only way I can explain it is you**
4 **weren't looking over your shoulder as you were driving**
5 **home. You weren't looking to see if there was any road**
6 **blocks or somebody was waiting for you. You were able**
7 **to drive home at that particular stage without a care in**
8 **the world. That's the way I can put it.**

9 Q. As you know, LN20, we have asked you to deal with
10 a particular allegation that was made by a gentleman
11 called HIA320, who didn't himself give oral evidence to
12 the Panel, but he provided a witness statement, which
13 I am going to bring up on the screen, please. The
14 passage that relates to you is 061. It is paragraphs 12
15 and 13. Now just as that is sitting on the screen, he
16 was born in [REDACTED] and went into Millisle on 19th
17 February 1979, aged 16, as a result of convictions at
18 Belfast Juvenile Court. He spent just under one year in
19 total in the borstal.

20 Now you were explaining to me earlier that the
21 reality was that you would have spent -- if you were
22 a trainee coming in, you began in the closed borstal,
23 but one of the first things that you would have said as
24 a class officer in charge of a landing -- and I will
25 come back to that in a bit more detail -- you would

1 explain to them if they kept their nose clean, within
2 one month or two months at the maximum they'd move over
3 to the open borstal.

4 **A. That's correct. During that particular period we had to**
5 **write reports on the trainee, and if they kept their**
6 **nose clean, they got a good report, and then at either**
7 **one month or two months they could be moved to the open**
8 **borstal, which was more relaxed than the closed borstal.**

9 Q. I am going to come back to that review body function in
10 a moment, but the reason for that, that I raise that
11 issue with you about the time is because when he comes
12 in in February '79, it is possible -- we can't work out
13 precisely when he would have moved across to the open
14 borstal, but it is likely at the maximum it would have
15 been by potentially April/May '79 if it took him three
16 months to get across, but he wouldn't have got released
17 after twelve months if he had still been in the closed
18 borstal --

19 **A. Yes.**

20 Q. -- and not moved through the grades. The reason I draw
21 attention to that is because the Panel are aware from
22 his record that in April of 1979 he was being brought
23 back before the court, as he was in September of '79, to
24 be sentenced for matters that he had committed before he
25 first went to borstal, but was effectively, not

1 officially, on remand for them in borstal, if you
2 understand.

3 **A. Yes, I understand that, yes.**

4 Q. So he was being brought out, and I am just going to give
5 the Panel the reference in HIA320's file. The discharge
6 book is available, which runs in his case from MIL40025
7 to 40035, and that shows, for example, that on two
8 occasions in March '79, two occasions in April and three
9 occasions in June he would have been going out to court
10 to meet his legal representatives and deal with his
11 criminal matters. That's a point that I will put on the
12 record.

13 I think from speaking to Ms Smith, Members of the
14 Panel, I also need to correct whenever the read-out was
15 being done, the suggestion was made that there had been
16 a period of '79 to '80 in the closed borstal and then
17 '80 to '81 in the open borstal, but it's '79 to '80 in
18 total in the borstal. He was then released on licence
19 on 8th February 1980, just under a year from going in in
20 the first place, aged 17. So the further convictions
21 that happened in April '79 and September '79 he was
22 simply given the same borstal training to run in with
23 the one he was already on.

24 **A. Yes, yes.**

25 Q. In paragraph 13 of HIA320's statement, LN20, he -- it is

1 not entirely clear, but he appears to claim from
2 paragraph 13 that you slapped him in the face and
3 potentially you made things difficult for him, including
4 by putting him in the punishment block. I say it is not
5 entirely clear because, as your legal representatives
6 rightly drew to my attention, the way this is phrased it
7 could be suggesting there were a couple of angry prison
8 office that didn't like him and didn't make it easy for
9 him but he'd the governor on side. One of those
10 officers was called LN20. So you didn't like him and
11 didn't make it easy for him. Then it says:

12 "They slapped me in the face or put you in the
13 punishment block and made things difficult for you."

14 But taking it at face value that it's being said, as
15 you did in your statement, that he is alleging you
16 slapped him in the face and made things very difficult
17 and got him into the punishment block and put him in
18 there and so on, you have provided a statement to the
19 Inquiry where you explain -- if we just look at, please,
20 829, you explain in paragraph 3, LN20, that you never
21 slapped any boy at any time. You never assaulted any
22 person who was under your supervision in the borstal or
23 anywhere else.

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

25 Q. You have already dealt with the fact you were never

1 accused of that by anyone on any other occasion. You
2 point out that at no point did any colleague ever speak
3 to you about your behaviour towards any trainee that you
4 were looking after.

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

6 Q. You make the point in paragraph 6 then, if we just
7 scroll down a little further, the suggestion that you
8 could put somebody in the punishment block -- now just
9 to contextualise this for the Panel, the closed borstal
10 was entirely separate from Woburn House, the old stately
11 home, separated by a gate and a fence.

12 **A. A gate and a 12 foot -- 12 foot fence, yes.**

13 Q. And you had -- the landing that you as a class officer
14 were in charge of was on the first floor --

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

16 Q. -- but you had on the ground floor an assessment unit.

17 **A. You had an assessment unit and the punishment block.**

18 Q. And the punishment block.

19 **A. Yes.**

20 Q. But the point you are making in paragraph 6 and that you
21 were explaining to me is you as a class officer couldn't
22 put anybody in the punishment block.

23 **A. No. We hadn't the authority to put anybody in the**
24 **punishment block. It had to be -- the trainee would**
25 **have to get a -- be put on a charge and the charge would**

1 **have to be read in front of the governor or the Visiting**
2 **Committee.**

3 Q. And it is their punishment that could end up with
4 someone being put in the punishment block?

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

6 Q. Basically the punishment cells were -- they were single
7 cells the same as the single cells on your landing
8 except they didn't have a mirror and they didn't have
9 the cupboard.

10 **A. They didn't actually have a bed, because it was actually**
11 **called on the boards. There was just a board about**
12 **6 inches high and about 12 foot long, about 3 foot wide**
13 **with a mattress. Now the mattress was taken out during**
14 **the day if they were on punishment and it was put back**
15 **at night-time. That's why it was called "on the**
16 **boards".**

17 Q. So it was somewhere you didn't want to go, of course.

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

19 Q. But you never had the ability and didn't put anyone
20 there at any stage during your time --

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

22 Q. -- working in the closed borstal, and that is the only
23 individual who has made any allegation against you,
24 whether to the Inquiry or elsewhere, that you are aware
25 of.

1 What I want to ask you now, LN20, is what life was
2 like in Millisle. There are some general matters that
3 our discussion means I am clear you could assist the
4 Panel with that.

5 That role of the class officer, you were explaining
6 to me there was you as the class officer, there was
7 an assistant class officer, and you worked with the
8 trainees who were on your landing.

9 **A. Correct, yes.**

10 Q. Part of that was a continuous assessment of them.

11 **A. We -- when the trainee first came on to the landing,**
12 **I would explain to him that, "You have possibly a month**
13 **to be on this landing. If you behave yourself, I will**
14 **do weekly reports. I will be supervising you at all**
15 **times, watching your behaviour, getting reports from the**
16 **assistant class officer and from different other areas**
17 **throughout the closed borstal", where I have to make up**
18 **a report every week, and every month there was a meeting**
19 **where you had the assistant governor, principal officer,**
20 **PTIs, education and myself as a class officer and the**
21 **other class officers where we discussed which trainees**
22 **were eligible to go to the open borstal.**

23 Q. Just let me pause there for a moment, LN20. What you
24 are explaining, if I've understood it correctly, is
25 there was a pro forma form that you had to complete on

1 each trainee every week.

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

3 Q. And that form would record your observations of how they
4 were getting on and it would be placed in their own
5 file.

6 **A. It would have, yes.**

7 Q. I was saying to you unfortunately the nature of the
8 destruction policy is we have not one single file of
9 an individual trainee, but such a file did exist on each
10 trainee, and you filled in these weekly forms.

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

12 Q. Then you were explaining that you as part of the
13 reviewing body would have met with your colleagues who
14 were on the reviewing body once a month --

15 **A. It was once a month, yes.**

16 Q. -- round the table and conversation would take place
17 that would result in the various gradings being looked
18 at for each of the people --

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

20 Q. -- and that could result in people leaving the closed
21 borstal and being moved on to the open borstal.

22 **A. Correct, yes.**

23 Q. The -- in addition to the reviewing body -- and you
24 mentioned them as part of the disciplinary process in
25 terms of dealing with the sanctions and use of the

1 punishment block -- I want to ask you about the Visiting
2 Committee. Do you remember members of the Visiting
3 Committee coming into the closed borstal?

4 **A. I do, yes, yes. I can actually remember them coming in**
5 **on to the landing I was in charge of as well.**

6 Q. They were lay people whose job it was to keep an eye on
7 how the borstal was being run.

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

9 Q. I was asking you whether you could remember them ever
10 talking individually to trainees.

11 **A. Yes. If they came on to the landing, they would**
12 **actually ask for a certain -- say a particular trainee**
13 **had been in trouble. They would come on to the landing**
14 **and ask could they see that trainee. The only place**
15 **they could see the trainee was in the trainee's room**
16 **with the door closed, because we were not allowed to**
17 **listen to any of their conversations.**

18 Q. So the member of the Visiting Committee who was doing
19 the rounds or the rota, as they called it, they -- you
20 remember them being on the landing?

21 **A. I do.**

22 Q. You remember them doing -- making an effort to speak
23 privately to the trainee?

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

25 Q. Was that a regular occurrence during your time in the

1 borstal?

2 **A. It was -- it is usually -- every two months to the best**
3 **of my knowledge they would come round.**

4 Q. So that's your -- it was a regular enough.

5 **A. Regular, yes.**

6 Q. I think the records suggest they were in every couple of
7 weeks, but perhaps not on your landing every couple of
8 weeks.

9 **A. When the Visiting Committee actually came in, they just**
10 **picked a landing. So it could have been two months'**
11 **time they came to mine. One of the other landings it**
12 **could have been, say, a two-week period, a two-week**
13 **period for one landing, two-week period for the next,**
14 **which would take it up to approximately two months.**

15 Q. Yes, but you remember that sequence taking place?

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

17 Q. I was asking you about the attitude of the trainees and
18 how it compared to working elsewhere in the Prison
19 Service, and you were explaining to me that it was
20 an easier environment to work in because of the nature
21 of what you were doing and dealing with.

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

23 Q. And the facilities -- obviously the building was new in
24 end of 1977/start of 1978. So the facilities, the
25 environment, was that a -- were they good? How would

1 you describe them?

2 **A. It was a better environment than what it was whenever**
3 **I worked in the Maze, yes.**

4 Q. And the -- can you remember -- in terms of the
5 disciplinary system, as I understand, someone went on
6 report to the governor and potentially the Visiting
7 Committee and there was adjudications then would take
8 place --

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

10 Q. -- and punishments would be imposed. Can you remember
11 the borstal, the closed part you worked in for two and
12 a half years, being somewhere with major discipline
13 problems?

14 **A. No. I can't remember any major disciplinary ones, no.**

15 Q. So presumably there was a steady flow of standard fare.
16 Is that ...?

17 **A. That would be the best way to put it, yes.**

18 Q. Can you give the Panel any idea of what the type of
19 things were that would have been a regular enough
20 problem that you had to manage?

21 **A. I would say your main problem was cleanliness for quite**
22 **a few of them. The policy in the closed borstal was**
23 **everything had to be neat and tidy. Your made your bed**
24 **up in the morning. You actually made what was known as**
25 **a bed pack. Everything was laid out on top of the bed.**

1 **Some of these young trainees I would say they weren't --**
2 **I couldn't really say -- educational wise they were not**
3 **where they should have been at that particular age.**

4 Q. They had not got on terribly well --

5 A. **Yes.**

6 Q. -- education wise.

7 A. **Yes.**

8 Q. Can you remember was drugs a problem in the borstal?

9 A. **Drugs, no. There was no drugs in the borstal.**

10 Q. You don't recall there being?

11 A. **I don't recall. Not in the closed borstal, no.**

12 Q. Do you ever remember it being an issue that was brought
13 to your attention happening in the open borstal?

14 A. **No, no.**

15 Q. It's not something that featured, because can I -- am I
16 right in saying it is something you would be cognisant
17 of because it generally was a problem in prisons?

18 A. **Yes.**

19 Q. But it was not a problem in the borstal?

20 A. **Not in the borstal, no.**

21 Q. Can I ask you did the likes of marching -- you had to
22 march everywhere -- feature in the lives of trainees?

23 A. **It -- I'll explain exactly how my landing worked. When**
24 **the trainees were opened up in the morning, the door was**
25 **unlocked and I would shout the instruction "Trainees**

1 stand by your doors". Then it would have been "Left and
2 right turn. Trainees move up to the grille". That's
3 like a part of a drill. They moved on to the grille and
4 then they were escorted out by myself and the assistant
5 class officer to get their breakfast. That's mainly --
6 that was mainly it.

7 Q. Is that the height of the --

8 A. That's the height of it, yes.

9 Q. You didn't have them marching?

10 A. No, no, no, no, no.

11 Q. Now we were having a discussion earlier, and I am going
12 to ask you to assist the Panel with this, LN20, that
13 there was one individual that you did not yourself
14 witness taking advantage of a position or hitting
15 a young person, hitting a trainee, but you became aware
16 of that being said of him.

17 A. I did, yes.

18 Q. Can you tell the Panel who that was?

19 A. His nickname was actually **Punchy** He worked down in the
20 open borstal, in the laundry in the open borstal.

21 Q. Can you tell the Panel why he was called **Punchy**?

22 A. He was an ex-sparring partner for the Commonwealth Games
23 winner Freddie Gilroy, the boxer.

24 Q. You were saying to me that he, Freddie Gilroy, lived
25 nearby and they were still pals.

1 **A. Freddie Gilroy actually opened up a public house in**
2 **Donaghadee.**

3 Q. You said to me, LN20, that this information came to you
4 from two different directions. One was the trainees who
5 were -- there was a process that you could get sent back
6 to the closed borstal if you stepped out of line in the
7 open borstal.

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

9 Q. Can you tell the Panel some of what you would have
10 become aware of in that regard?

11 **A. When some of the trainees came back to the closed**
12 **borstal, we used to ask them why. "What -- what have**
13 **you done this time?" or whatever, and they would say,**
14 **but then once they got into the common room with the**
15 **other trainees they'd started talking, "If you get down**
16 **to the open borstal, watch this fella, Punchy**

17 Q. Then that was one way it would have come to your
18 attention and the other way was through other staff
19 talking.

20 **A. Other staff in the staff room, yes.**

21 Q. And can you recall what form that took?

22 **A. There was -- it was basically just the same again, where**
23 **some of the staff were talking about some of the**
24 **trainees that had actually come back from the open**
25 **borstal to the closed and we were just discussing among**

1 **ourselves in the common room.**

2 Q. So I'm right in saying, LN20, that you never encountered
3 this man in the sense that you had no dealings with the
4 laundry and the open borstal?

5 **A. No, no.**

6 Q. But you had heard this discussion taking place over the
7 course of your time working in --

8 **A. I had.**

9 Q. -- closed borstal?

10 **A. Yes.**

11 Q. Can I ask you: the suggestion that you were hearing was
12 that he had physically hit boys?

13 **A. That would be correct, yes.**

14 Q. Had you ever heard any suggestion that there was
15 anything sexual in terms of his engagement with boys?

16 **A. No. I never heard anything like that, no.**

17 Q. So that was not something that ever made its way back --

18 **A. No.**

19 Q. -- that you are aware of?

20 **A. No. I never heard anything.**

21 Q. But the potentially hitting boys did?

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

23 Q. Now I was asking you -- you were explaining to me the
24 system obviously in the open borstal he is a principal
25 officer -- he is a class officer, a basic officer, he is

1 a principal officer -- a senior officer, a principal
2 officer, a chief officer, a deputy governor. I was
3 asking you, you know, to what extent you would be able
4 to contribute about who might have known about that,
5 that he was behaving in that way. You were saying to me
6 that it was fairly common knowledge in terms of
7 discussions --

8 **A. Yes.**

9 Q. -- at least in the closed borstal.

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

11 Q. But you were saying to me obviously you couldn't really
12 comment on what the staff in the open borstal in terms
13 of how many of them knew what, but I was asking you
14 whether you felt the governor would have known, and you
15 immediately drew my attention to the first meeting you
16 had with the governor --

17 **A. Correct, yes.**

18 Q. -- who at the time was Governor McLoughlin.

19 **A. Yes. Duncan McLoughlin, yes.**

20 Q. Can you just tell the Panel what you remember taking
21 place in terms of your meeting with Governor McLoughlin?

22 **A. When we were first transferred from the Maze Prison down
23 to the closed borstal, the governor had us all in
24 a common room and he explained, "Coming from an adult
25 prison, you are coming to a borstal where there's**

1 **trainees who are young people. If any -- I catch any**
2 **person or hear of any person lifting their hand or**
3 **physically abusing any borstal boy, they will be sacked**
4 **on the spot".**

5 Q. I was asking you whether you read into that his belief
6 you must have all been behaving that way in the Maze and
7 you were saying to me that wasn't how you took it. He
8 was saying, "Don't let me even hear about you lifting
9 your hand to someone".

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

11 Q. He obviously was the governor of both closed and open.

12 **A. He was, yes.**

13 Q. That was the instruction that was given.

14 **A. Correct.**

15 Q. Did you ever witness anyone breaking that instruction in
16 the closed borstal where you worked?

17 **A. No, I never witnessed anybody doing it, no.**

18 Q. I was asking you in terms of -- the Inquiry has dealt
19 with, for instance, training schools, children with very
20 difficult behavioural problems, the need to restrain
21 them at times because of their behaviour. Did you ever
22 have to restrain anyone in the closed borstal?

23 **A. No, no.**

24 Q. So that just was not part of life?

25 **A. No, it wasn't.**

1 Q. LN20, you will be very pleased to know I am not going to
2 ask you any more questions. If you bear with us for
3 a few moments, the Panel Members may want to ask you
4 something, but that's all I'm going to ask you.

5 **A. Thank you.**

6 **Questions from THE PANEL**

7 CHAIRMAN: LN20, can I just ask you to clarify something in
8 case it is not obvious to everybody? I take it "PTI"
9 means "physical training instructor"?

10 **A. Physical training instructor, yes.**

11 Q. When you talk about a class officer, is that the
12 expression you used throughout the Prison Service for
13 those officers who were dealing face-to-face with
14 prisoners or trainees on a wing in a prison that had
15 a wing or where the equivalent was in borstal?

16 **A. You were actually called the class officer because you
17 were in charge of the landing.**

18 Q. Yes, and then you had another officer with you?

19 **A. Assistant class officer, yes.**

20 Q. So there were normally two on each landing?

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

22 Q. I see, and when you said that when a group of you came
23 from the Maze, Governor McLoughlin made clear what he
24 expected of you --

25 **A. He did. He made it clear in no uncertain terms. If**

1 I can remember his words correctly was "Yous have come
2 from an adult prison. These are trainees, borstal boys.
3 If I catch or hear of anybody assaulting one of these
4 people, one of these boys, you will be sacked on the
5 spot".

6 Q. Were there several of you who arrived at the same time?

7 A. To the best of my knowledge there was -- there was eight
8 of us arrived at the same time.

9 Q. Was there something unusual about that or was it just
10 the way it happened?

11 A. No. The way it was explained to us whenever we were
12 transferred from the Maze was because we lived local,
13 locally to Millisle. When you were travelling to the
14 Maze, you were getting what was known as travel money,
15 travelling expenses.

16 Q. So it was --

17 A. So it was cheaper for them to send local people.

18 Q. -- an economy thing really --

19 A. An economy thing, yes.

20 Q. -- to cut down on travelling expenses?

21 A. That's correct, yes.

22 Q. You presumably were like your colleagues, that you had
23 been serving in the same prison, had you, when you all
24 came to Millisle --

25 A. Yes.

1 Q. -- or did you come from different establishments?

2 **A. All from the Maze Prison.**

3 Q. I see, and the whole purpose we understand of the closed
4 borstal was apparently to assess people for their
5 suitability for the more open and relaxed regime in the
6 open borstal. Isn't that right?

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

8 Q. And presumably as part of that system to have
9 a contrast; in other words, "It is strict here, and if
10 you can cope with that and behave, then you will gain
11 the privilege of a more relaxed regime".

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

13 Q. When you say it was a month or two, was that a rule of
14 thumb or was it a pretty standard thing?

15 **A. It was pretty -- it was pretty standard, because when
16 you were making -- actually making the reports out, if
17 you had a particular trainee who was outstanding, he
18 could have been down within a month, could have been
19 down within three weeks, could have been moved to the
20 open borstal --**

21 Q. I see.

22 **A. -- whereas if you had one who was sort of -- what is
23 the -- I am trying to think of the best way -- not
24 conforming to the rules of the landing, he could end up
25 -- he could have been there up to three months,**

1 **sometimes four months.**

2 Q. I see. The terminology you use is that the pro forma
3 thing, the report, was just a standard report. Is that
4 right?

5 **A. It was a standard report, yes.**

6 Q. Presumably there were a series of criteria that they had
7 to meet?

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

9 Q. Keeping themselves clean, keeping their room clean and
10 presumably being polite and not answering back.

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

12 Q. But there is an expression we have heard about putting
13 people on report. That presumably is the equivalent of
14 some form of disciplinary charge, is it?

15 **A. It's a disciplinary charge, yes.**

16 Q. I see, but "report" is used for two quite different
17 purposes, therefore, as a term.

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

19 Q. I see. Thank you.

20 MS DOHERTY: Thanks very much, LN20. That has been really
21 helpful. Can I just ask about that issue about the
22 charge, what the process was, what the level of officer
23 could do it and ...?

24 **A. If -- if a trainee, say, was really misbehaving, any**
25 **officer within the closed borstal could produce a charge**

1 **against that particular trainee, which then went to the**
2 **chief officer. The chief officer had to sign it first**
3 **and then he actually made out the complete charge itself**
4 **under what rule it was he was being charged and then it**
5 **was put in front of the governor.**

6 Q. So there was kind of a formal set of rules --

7 **A. A formal --**

8 Q. -- and they would refer to that to say, "This is
9 a charge under this rule that you have done the
10 following"?

11 **A. That's correct, yes. Uh-huh. Yes.**

12 Q. And did you ever -- we know that the administration of
13 corporal punishment was quite formal in the way it was
14 done. Did you ever observe that yourself?

15 **A. No, I did not, no.**

16 Q. You weren't party to that?

17 **A. No.**

18 Q. I mean, in relation to the boys and behaviour between
19 the boys, did you have any concerns about physical abuse
20 between the boys or sexual abuse between the boys?

21 **A. No. I never saw anything like that going on in the**
22 **closed borstal. It was -- they actually -- they all had**
23 **their own rooms. They were all separate rooms.**

24 Q. Okay, and in relation to kind of physical fights between
25 boys you had no experience of having to separate boys or

1 ...?

2 **A. No, none whatsoever.**

3 Q. That's great. Thank you.

4 MR LANE: We have seen pictures of Woburn House, but where
5 was the closed unit in relation to it?

6 **A. When you came in through the front gate, Woburn House**
7 **was directly here. You had to go through the main car**
8 **park, turn left, through the main car park, turn right**
9 **and the closed borstal was actually up on a hill.**

10 Q. Oh, right. So a few hundred yards apart?

11 **A. A few hundred yards above it.**

12 Q. We have seen pictures of woodland round there. Was that
13 round the closed borstal as well?

14 **A. The woodland was actually round the back of the closed**
15 **borstal.**

16 Q. Right. The assessment unit, just to be clear, was that
17 a unit within the closed borstal?

18 **A. It was actually -- the assessment unit was actually the**
19 **first landing that the trainees went into.**

20 Q. Right.

21 **A. They were assessed there to see which landing -- which**
22 **-- were they to go to T2 or T3. That's the next process**
23 **up.**

24 Q. So they were only in the assessment unit for a limited
25 amount of time?

1 **A. A limited amount of time depending on the number of**
2 **trainees that were coming in at that particular stage.**

3 Q. Yes, and then the T2 and T3 that you mention, they
4 stayed on those before they went on to the open borstal?

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

6 Q. The ones that got sent back, were they sent to
7 a separate unit?

8 **A. The ones that got sent back were actually put on to the**
9 **punishment block.**

10 Q. Uh-huh.

11 **A. They are put into the punishment block for approximately**
12 **a week and they are reassessed again and then sent back**
13 **to T2 and T3.**

14 Q. I see.

15 **A. They would not -- they would not send them back from the**
16 **open borstal to the assessment unit, the reason being if**
17 **they were sent back from the open borstal to the closed,**
18 **there's new trainees coming in. They could affect the**
19 **way these new trainees' outlook was. So they are**
20 **actually put into the punishment block.**

21 Q. Yes, and did they complete their sentence sometimes in
22 the closed unit?

23 **A. To the best of my knowledge, no. The majority of the**
24 **ones we had all went to the open borstal.**

25 Q. Right. Okay. Thank you. Just one last question. We

1 have a statement, I am going to just briefly summarise
2 the material to the Panel.

3 CHAIRMAN: Yes.

4 MR AIKEN: If matters change in due course in relation to
5 him, then we'll deal with that as it arises, but you can
6 see in paragraph 12 that he claims that he was in -- on
7 arrival in the assessment centre -- so that may be the
8 landing that LN20 was just talking about -- that he was
9 assaulted by LN18. He says he started screaming. Other
10 staff had to come in as well. He refers to the governor
11 having become aware of this. I believe LN19 is
12 **ML 71**. I'll just make sure that that is ...

13 Yes, the black mark:

14 "... as the governor to see what was happening. The
15 governor knew he hit me and he was called **ML 71**
16 **ML 71** and was very nice to me."

17 So he is indicating that the governor was aware of
18 this having taken place.

19 Now the replying statement from LN18 can be found at
20 780. If we can look at that, please, in it he explains
21 that he strongly denies this allegation that he
22 assaulted HIA320.

23 I am going to just briefly indicate to the Panel
24 that in respect of LN18 the Inquiry has been able to
25 establish he has no criminal record, that as far as the

1 police giving us information there was no complaint to
2 the police about him.

3 He was born on [REDACTED] and joined the
4 Prison Service in May 1977. He served 32 and a half
5 years, and he arrived in Millisle in March 1978 and
6 spent two and a half years there in similar fashion to
7 LN20 until 30th September 1980.

8 I am going to show you, if we look, please, at
9 23205, in May 1979, which is the relevant date for
10 HIA320's presence in the borstal:

11 "He has impressed all senior staff with his attitude
12 and aptitude for his work. He is suitable to work with
13 young offenders and has shown that he wants to improve
14 his job knowledge. He will do well in ..."

15 CHAIRMAN: "... in the service ..."

16 MR AIKEN: "... in the service and I recommend that his
17 appointment be confirmed."

18 You can see that's signed by [REDACTED] ML 71 . So as
19 I was explaining with the last witness, given the date
20 of this, this is May 1979, and HIA320 was in the closed
21 borstal first in February '79, so following the path of
22 normal pattern, because we can't establish the precise
23 date, it may be by this date of May 1979 HIA320 was no
24 longer in the closed borstal, but that is what [REDACTED]
25 [REDACTED] ML 71 wrote. Obviously if the event that HIA320 is

1 describing has already taken place, this is written
2 about LN18 in spite of that event.

3 CHAIRMAN: This form and its analogue that we saw earlier,
4 this appears to be the form that had to be completed at
5 the end of the probationary period in order that the
6 person be made a permanent officer.

7 MR AIKEN: Yes. Just scroll up a little bit, please. You
8 can see the date on it of 4th May 1979, which would be
9 in effect two years from LN18 joining the Prison
10 Service, which was [REDACTED] 1977.

11 Then if we can look, please, at 23193, this is the
12 annual report on LN18's performance in Millisle. You
13 can see it relates from May '79, 2nd May '79 until 1st
14 May 1980. So this is for the period subsequent to
15 [REDACTED] ML 71 's note that we have just looked at as to
16 how he got on in the period prior to it. If we can
17 scroll down a little, please. Then if we move on to the
18 next page, we can see the commentary. We will have to
19 move two down I think. Just scroll up further, please.
20 Just keep going. As we move on to the next page,
21 please, we get the commentary. If we just pause there:

22 "LN18 over the last -- past twelve months has
23 performed all his duties in the closed section of the
24 borstal with a keen and responsible attitude. He is
25 a good disciplinarian when required but with it also

1 shows understanding to inmates with problems. Good
2 influence on inmates.

3 Keen interest in all aspects of the service and
4 a special personal interest in keep-fit and with this
5 has been able to substitute for the PTI on occasions",
6 for the physical training instructor:

7 "Good overall period of service."

8 That's signed off by the principal officer. You can
9 see then if we just scroll down a little further is
10 written:

11 "A good sound member of staff."

12 That may be [REDACTED] ML 71 or Mr McLoughlin. It is
13 not clear.

14 CHAIRMAN: I think that's Mr McLoughlin's writing.

15 MR AIKEN: Mr McLoughlin. If we just scroll down a little
16 further, please. Yes. That's the end of that report.

17 Those are the documents that are available that
18 cover LN18's time in Millisle.

19 I can say from his personnel file, which is
20 available to the Panel, that it contains various
21 commendations:

22 In March 1995. The reference for that is at 23041.

23 In April 1997 there is a document describing how he
24 put himself in harm's way with the gunmen who killed
25 [REDACTED] in prison and he himself was in the line of

1 fire and was able to escape from that line of fire, but
2 then because one of his colleagues was at risk, he
3 returned to the line of fire and negotiated with
4 a gunman to ensure that his colleague was released
5 safely and that is what took place. He was according to
6 the documentation recommended for a Secretary of State's
7 commendation for his bravery. That can be found at
8 22966.

9 In July 2000 he was promoted to principal officer.
10 So he moved through the grades within the Prison Service
11 from basic officer to senior officer and then to
12 principal officer.

13 In September 2003 he was awarded the Northern
14 Ireland Prison Service medal, which is at 22545.

15 Then in August of 2009 he retired on the grounds of
16 ill health, which is at 22747.

17 There are no disciplinary matters within his file
18 and certainly nothing to indicate anyone ever making
19 an allegation of assault against him and obviously he
20 strongly denied the allegation in his statement.

21 If we look please, at 781, we can see what LN18 said
22 to the Panel about his experience in borstal. He said
23 that:

24 "Many of the borstal trainees were anti-authority
25 and did not like taking orders or instructions, but the

1 majority went on to become better individuals and make
2 something of their life without reoffending."

3 So that's how he viewed the two and a half years
4 that he spent in Millisle between March '78 and
5 September 1980.

6 That's all I propose to say about LN18 in the
7 circumstances, unless there is anything else I can
8 assist the Panel with.

9 CHAIRMAN: I think not. Well, that completes our hearings
10 for today. What are the arrangements for tomorrow,
11 Mr Aiken?

12 MR AIKEN: If I can ask the Panel to sit at 12 o'clock or as
13 near to that as I can manage, and we may be able to then
14 work through, with a short break, to take the evidence
15 of Duncan McLoughlin.

16 CHAIRMAN: Very well. Well, we will adjourn now until 12
17 noon tomorrow.

18 (2.30 pm)

19 (Inquiry adjourned until 12 noon tomorrow)

20 --ooOoo--

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