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HISTORICAL INSTITUTIONAL ABUSE INQUIRY  
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being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at  
Banbridge Court House  
Banbridge

on Tuesday, 26th April 2016

commencing at 10.00 am

(Day 202)

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

1 Tuesday, 26th April 2016

2 (10.00 am)

3 Discussion of administrative matters

4 CHAIRMAN: Good morning, ladies and gentlemen. As always,  
5 can I remind anyone who has a mobile phone to ensure  
6 that it's been turned off or placed on  
7 "Silent"/"Vibrate", and I remind you also that no  
8 photography is permitted either here in the chamber or  
9 anywhere on the premises.

10 Yes, Ms Smith?

11 MS SMITH: Good morning, Chairman, Panel Members, ladies and  
12 gentlemen. It is our intention today to finish with  
13 a witness who was unable to come during Module 13 and  
14 give his evidence.

15 We had then hoped to continue to deal with the next  
16 module dealing with the governance and finance issues  
17 that the Inquiry still wishes to consider.

18 Unfortunately we are unable to do that, Chairman, as we  
19 are still awaiting a statement from the Department of  
20 Health, Social Services & Public Safety.

21 They were requested to provide that statement by  
22 e-mail on 11th March and by a further e-mail between  
23 counsel on 7th April of 2016 they were asked to give  
24 a definitive position. Unfortunately the deadline for  
25 that -- those statements were -- was 4.30 pm on Friday

1 last. Unfortunately as of this morning we have still to  
2 receive the final statement from the Department.

3 Mr McGuinness, who represents the Department, wishes  
4 to put on record the reasons for that, Chairman.

5 CHAIRMAN: Yes, Mr McGuinness?

6 MR MCGUINNESS: Chairman, I appear instructed by the  
7 departmental solicitors on behalf of the Department of  
8 Health, Social Services & Public Safety.

9 At the outset, sir, I am instructed to record  
10 an apology to the Inquiry, to the Panel Members, to  
11 Inquiry counsel and to the core participants that this  
12 state of affairs has arisen and for the inconvenience  
13 that it has undoubtedly caused to all of those parties.

14 I want to say in relation to context that the  
15 Department and the Minister has welcomed this Inquiry  
16 and at all times the Department have to date used their  
17 best endeavours to facilitate hopefully its smooth  
18 running, and to the best of my knowledge this may be the  
19 first time the Department has failed to meet a deadline,  
20 albeit the Inquiry has been -- I understand has been  
21 generous with extensions on occasions.

22 Ms Smith has outlined the general context. There  
23 was a request sent by e-mail on 11th March 2016. That  
24 was six weeks ago -- just over six weeks. To set out  
25 what was going on at or about that time for the record,

1 undoubtedly, sir, you are well aware of what was going  
2 on in the background, but during that period there was  
3 the Easter break. There were Rule 9 requests to be  
4 submitted in relation to Lissue on 22nd March, in  
5 relation to Manor House on 22nd March. There was  
6 a statement dealing with Hughes material on 8th April.  
7 We heard two modules, one of which is just finishing  
8 this morning. There were deadlines for closing  
9 submissions on 7th April for St. Joseph's, Middletown,  
10 the following week for Good Shepherd. On not last  
11 Friday but the Friday before there was also a statement  
12 I understand submitted in relation to record management.  
13 I accept that was a statement that was looked for for  
14 some time, but in my respectful submission there was  
15 a significant amount of work had gone into that.

16 The Department accept that the Inquiry Panel and the  
17 Inquiry team and undoubtedly the other core participants  
18 are facing similar pressure of time and volume of  
19 materials that is being dealt with by the Inquiry.  
20 I have been instructed to put on record that the  
21 departmental team have similarly been working, if I can  
22 say, sir, regularly at weekends to after midnight -- and  
23 I accept that's the position for everyone -- in  
24 an effort to ensure that the Inquiry comes to --  
25 finishes when it should and that everything is properly

1           dealt with.

2           What we would say in relation to the particular  
3 e-mail is that, as you are undoubtedly aware, there were  
4 seven questions on that that were directed to the  
5 Department, not to the Board. Some of those questions  
6 revisited a number of issues. One was a general  
7 overview in relation to legislation, but the  
8 seventh question from our point of view was somewhat  
9 unusual. That's not a suggestion it was inappropriate,  
10 but it was unusual in this sense, sir. It was unusual  
11 in the sense that ordinarily the departmental process is  
12 that the statement is prepared, it is approved by the  
13 Department and the Minister is advised of the statement.  
14 Because of the significance of question 7 and the fact  
15 that that was requiring concessions and a review of all  
16 of the evidence to date, it was indicated that that was  
17 something that would have to be directly approved by the  
18 Minister rather than by the normal procedures.

19           As a result of that the answer to question 7 was, in  
20 fact, prepared first by the departmental witnesses and  
21 by the team. That went to the higher levels. That had  
22 to go up to the higher levels of the Department, and if  
23 I can say perhaps it wasn't perceived that there would  
24 be the robust scrutiny that was appropriately directed  
25 to the issue of any concessions that would be made.

1 That resulted in -- that resulted in the Minister's  
2 office not receiving the submission in relation to the  
3 question 7 only until late Friday afternoon.

4 Now I am instructed -- I accept, sir, that  
5 undoubtedly the Inquiry will suggest that, given the  
6 process and given it was unusual, it may have been  
7 anticipated that something like this would happen, and  
8 it is certainly with the utmost regret that this wasn't  
9 foreseen and that we are in this position now.

10 I can tell you, Chairman, that the private office  
11 processed it and the Minister has been aware of this  
12 statement since Monday. The urgency of the matter has  
13 been relayed to the Minister. What I might say in  
14 relation to the Minister is that, given the nature of  
15 this Department, there are a number of very urgent  
16 matters and that's not to denigrate the particular  
17 urgency that there is in relation to this statement and  
18 the fact that in effect we can't proceed until the  
19 statement is finalised. The urgency has been stressed  
20 and he is, I am instructed, giving it urgent attention.  
21 Unhappily I am not able to say that the statement will  
22 be here by 11 o'clock today, but the significant urgency  
23 has been stressed, and just as soon as the Minister can  
24 deal with it I am instructed he will.

25 Unless there is anything further or particular, sir

1           ...

2       CHAIRMAN: Well, thank you, Mr McGuinness. That's a very  
3           uncharacteristically frank and comprehensive explanation  
4           of an extremely unsatisfactory situation. The Inquiry  
5           throughout its existence has had to ask people to do  
6           things at what in normal circumstances might be regarded  
7           as quite short notice. This is because we are working  
8           inside a rigid framework of time constraints imposed  
9           upon us by the terms of reference under which we work by  
10          the Northern Ireland Administration approved by the  
11          Northern Ireland Executive. That is I think so far an  
12          unprecedented requirement for an Inquiry, and because of  
13          the breadth of what we do, this means that everybody has  
14          to work very hard to ensure that we can deal with the  
15          material that we request within the statutory time  
16          frame. So far we have been able to achieve that. It is  
17          not satisfactory that the Minister is holding the  
18          process up. The sooner this statement is approved by  
19          him, if that is what has to happen, the better, because  
20          we are not going to wait indefinitely. I appreciate the  
21          Minister may have other pressures on his time. We are  
22          perfectly aware there is an election coming up next  
23          week, but this is important, and we expect it to be  
24          given the priority that we consider it deserves and  
25          requires. If it is not delivered soon, it simply will

1 not be taken into account by us, because we cannot  
2 afford to wait. It is not just myself and my colleagues  
3 who are inconvenienced in the Inquiry. The other core  
4 participants, who may have to comment upon this, cannot  
5 do so until this statement is received by us, and  
6 therefore it is holding the whole process up. If it is  
7 not received very soon, we will simply carry on without  
8 it and make our view entirely clear in our report.

9 MR MCGUINNESS: I appreciate those helpful comments, sir.  
10 They will be relayed.

11 MS SMITH: Chairman, I will just arrange for today's witness  
12 then to be brought into the chamber.

13 WITNESS HIA251 (called)

14 MS SMITH: Sir, our first witness today is HIA251. He is  
15 "HIA251". HIA251 wishes to take a religious oath and he  
16 also wishes to maintain his anonymity, Chairman.

17 WITNESS HIA251 (sworn)

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

19 Questions from COUNSEL TO THE INQUIRY

20 MS SMITH: Now, HIA251, as I explained to you, I am just  
21 going to tell the Panel where there are some documents  
22 relevant to your evidence in our bundle of papers.

23 HIA251's statement is at 030 to 036.

24 The response statement from the Health & Social Care  
25 Board is at 577 to 678, including exhibits. There is

1 material from the Health & Social Care Board at 21761 to  
2 22077.

3 If we could put HIA251's statement on the screen,  
4 HIA251, you will see your statement is there before us,  
5 but instead of your name it is given the reference  
6 number that we have given to you to protect your  
7 identity, but can you just confirm to me this is the  
8 witness statement that you prepared for the Inquiry?

9 A. Yes, I did indeed.

10 Q. You signed that statement in -- on 18th February of this  
11 year.

12 A. Yes.

13 Q. Now, HIA251, you are now aged 41, and your personal  
14 details are set out in paragraphs 1 and 2.

15 Paragraph 3 of your statement you say that no-one  
16 told you you were being moved to Lissue. You remember  
17 you had a social worker, whose name you give there, but  
18 you don't remember any conversations with her about why  
19 you were in Lissue. It felt like you were in Carnview,  
20 which is the home that you were in at that time,  
21 one minute and the next minute you remember being in  
22 a room at Lissue which had big green plastic chairs in  
23 it.

24 "I think I was admitted twice to Lissue for a period  
25 of a few months each between '85 and '86."

1           As I was explaining to you, the records that the  
2           Inquiry has received show that you were, in fact,  
3           admitted on 28th December 1985 and you stayed there  
4           until 27th March '86, when you were aged 11. You went  
5           back to Carnview, and then you were readmitted to Lissue  
6           on 10th May 1986 and stayed there until 24th August '86.

7           Now the records also show, HIA251, that the reason  
8           that you were admitted from Carnview was after you had  
9           barricaded yourself into your room at the children's  
10          home you had smashed furniture and you were threatening  
11          self-harm.

12          Now you had no recollection of that when we were  
13          talking. Isn't that right?

14   A.   No, I didn't.

15   Q.   But you accept from me that that is the explanation as  
16          to how you came to be in Lissue the first time?

17   A.   Yes.

18   Q.   Paragraph 4 here you say you don't remember much of your  
19          time in Lissue, because you spent the majority of your  
20          time strapped to a bed. You remember the medical  
21          officer strapping you to the bed on several occasions  
22          and going out cold. They gave you injections. You  
23          could have been under for days and in that time you  
24          don't know what they were doing to you. There was  
25          a large mirror in your room and you must have been

1 observed by the medical officers.

2 We have heard from other witnesses, HIA251, that  
3 there was such a room in Lissue. It was an observation  
4 ward, where a member of staff could watch a child who  
5 was in that particular room.

6 "I was given injections regularly and I do not know  
7 how long I was sedated for. That's how I remember my  
8 time in Lissue. I would like to know what injections  
9 they gave me to put me out. I feel the injections had  
10 a negative impact on my life."

11 Now I am going to come back to talk about  
12 a particular -- two particular instances, but I will  
13 just say at this stage, HIA251, that the Health & Social  
14 Care Board believe that the reason that you were given  
15 injections -- and we will look at the records in respect  
16 of that -- was because of an incident where you climbed  
17 out on to the roof. As I say, I will go into that in  
18 more detail. We will look at the documents and I will  
19 pull those up and look at them shortly.

20 Then also say in their response statement at  
21 paragraph 13 that while restraints were used in -- if we  
22 can just go to that paragraph, please. It is at 581.  
23 In fact, if we go to 582, if we can go to the next page  
24 and just scroll down through that paragraph where it  
25 reads:

1 "The Board -- the records regarding ..."

2 Sorry.

3 "There are no mentions in the records of straps  
4 being utilised to achieve this but rather constant  
5 supervision."

6 That's about restraining you in bed:

7 "The Board does not believe that this method of  
8 restraint was likely to have been employed in this case.  
9 The Board -- it is known, however, that restraints,  
10 including gloves, which could be attached to beds and  
11 bedding, were used in very particular circumstances with  
12 very disturbed children. This would have been in cases  
13 where children may have tried to harm themselves or  
14 remove clothing and this method was employed to try and  
15 prevent them from doing further damage to themselves."

16 Now I am highlighting that not so much in response  
17 to what happened to you, HIA251. Do you remember gloves  
18 being used to restrain you on the bed or anything like  
19 that?

20 A. No. I was strapped to the bed, like.

21 Q. You were strapped to the bed?

22 A. Aye, strapped to the bed. So I don't know what they're  
23 talking about saying that.

24 Q. But it wasn't with gloves? But it wasn't with gloves or  
25 anything like that?

1 A. No.

2 Q. Certainly they believe that you would not have been  
3 restrained in the way that they (sic) are describing,  
4 but you do remember being strapped down?

5 A. Aye, but sure nobody is going to turn round and tell you  
6 they were hitting kids who were there.

7 Q. Sorry, HIA251. I didn't ...

8 A. Noone is going to turn round and say they hit kids, do  
9 they?

10 Q. Treatment plans after you were readmitted show you were  
11 restricted because of absconding. We will look at some  
12 of those also.

13 If we can go back to your own statement, HIA251, at  
14 paragraph 5 you also say that you remember:

15 "There was a room with lots of cameras in it and  
16 they took videos of us playing. There were toys and  
17 a sandpit in the room."

18 You remember your stepfather once told you that he  
19 remembered that room. He thought it was abnormal. Your  
20 mother and he went to Lissue for an interview once and  
21 you think it was an interview about you being allowed  
22 home for weekend visits and that that interview was  
23 recorded.

24 Now we certainly know, and as I was explaining to  
25 you, that family therapy sessions were often

1 video-recorded and they were used for both training of  
2 staff and for devising programmes of treatment for  
3 children and their families.

4 Paragraph 6 you say that you were kept in a room by  
5 yourself and very rarely allowed to mix with the other  
6 children. You can visualise the corridors but can't  
7 remember where the rooms were, as you were kept in your  
8 room most of the time. You know the staff office was  
9 right beside you so they could observe you. The door  
10 was always kept open and you could see out. You  
11 remember a boy and girl who were brother and sister.  
12 You say where they lived. On one occasion you remember  
13 looking out of your room and seeing the girl being  
14 followed into a room one day by a member of staff.

15 "This particular man was small with dark hair and he  
16 was horrible. He walked up the corridor after her and  
17 followed her into one of the dormitories. I always  
18 wondered what happened to that girl."

19 Now I am just going to pause there, HIA251, because  
20 you have -- this is something that you have thought of  
21 in later life, having heard about things happening in  
22 Lissue, that you wondered was this an occasion where  
23 something might have happened to another child, but you  
24 didn't witness or suspect anything at the time. Isn't  
25 that right?

1 A. No. It looked unusual. You know, that didn't happen,  
2 you know. Like if there was anybody being on their own,  
3 that would have been me on my own with a member of  
4 staff, but it never happened to anybody else as far as  
5 I was aware.

6 Q. You didn't --

7 A. That's why it stuck in my head.

8 Q. Because this was something that was out of the ordinary?

9 A. Aye. What was he doing with her on his own, because  
10 you never seen that.

11 Q. Well, the records that we've looked at -- and I'm just  
12 going to look at -- I looked at some of these with you  
13 -- I will just give the page references -- show that you  
14 had a strong friendship with another boy. I will give  
15 his full name, but I'll just remind people that names  
16 are not allowed to be used outside of this chamber.  
17 That was a boy called LS65. You have no memory of him?

18 A. No.

19 Q. It shows that you took part in group time, that you  
20 played games and watched television and that you went  
21 swimming on one occasion. The reference to that is at  
22 LIS613. I don't think we need to call it up, because  
23 I looked at it with you, HIA251. You have no  
24 recollection of ever going swimming?

25 A. No.

1 Q. The records also show that when you misbehaved, you were  
2 put to bed early and on other occasions you were put  
3 into your pyjamas. That's LIS617 through to 618.

4 There is also a record of a time when you were put  
5 into isolation. That happened in March '86, 4th and 5th  
6 March '86, when there was an incident. You had been  
7 home or back to Carnview for the weekend. Other  
8 children who were in that children's home told staff in  
9 Lissue that you had burnt hedgehogs and had been  
10 boasting about burning hedgehogs. Staff immediately  
11 isolated you and took you away from the other children.

12 First of all, HIA251, you have no recollection of  
13 that happening at all?

14 A. No. I have never met a hedgehog, to be honest.

15 Q. Well, in fact, it turned out --

16 A. That's what's queer to me, like. I've never done --  
17 I've never held a hedgehog.

18 Q. Well, it turns out, in fact, when staff actually checked  
19 with Carnview, Carnview put staff in Lissue right and  
20 said, "There was never any such incident. HIA251 didn't  
21 do anything like that". Then staff in Lissue had to  
22 apologise to you for the way they treated you at that  
23 time.

24 A. I can't remember.

25 Q. Well, paragraph 7 of your statement the same member of

1 staff, that's the man that you say you saw follow this  
2 girl into the dormitory, you talk about him, because you  
3 say the other thing you remember about the boy and girl  
4 is they had a big Meccano set and they used to build  
5 cars and motorbikes out of them.

6 "They loved it. I remember one day this same member  
7 of staff was walking down the corridor and he kicked the  
8 motorbike to smithereens when we were playing with it."

9 Again there is a memory you have of playing with the  
10 other children. So you weren't isolated the entire time  
11 from them.

12 A. Uh-huh.

13 Q. "I was very upset and he took me back to my room and  
14 strapped me to my bed again. After about twenty minutes  
15 my next memory was waking up in bed the next morning."

16 You say that same member of staff hit you on several  
17 occasions. He would ask if you wanted a cigarette and  
18 then when he gave you one, he would say, "Do you want a  
19 light?" and when you said, "Yes", he would hit you on  
20 the face or head. You thought he was playing mind games  
21 with you.

22 You also remember that there was a man who came to  
23 your room in the evenings. You think there was a fire  
24 escape outside your room. The window hatch was open  
25 slightly. He used to knock and slip cigarettes under

1 the hatch. You don't know who he was. He was an older  
2 man with a bald head. You say staff at Lissue thought  
3 you made this man up.

4 "I know I didn't, because I remember looking forward  
5 to getting a cigarette in the evening and a bit of  
6 conversation."

7 I was asking you if this man who brought you the  
8 cigarettes might have been a member of staff, but you  
9 think not.

10 A. I don't know. All I know is, like, I had a smoke nearly  
11 every day, like, and that was the one who was giving me  
12 it.

13 Q. This man was the one who brought you the cigarettes?

14 A. Aye. It was only about that much. The window was only  
15 open about that much. (Gesturing)

16 Q. He would slide the cigarette in underneath the gap?

17 A. Aye.

18 Q. Children -- Lissue have told us that children were not  
19 encouraged to smoke, but what you are describing is the  
20 man, the small man with the dark hair, was the man who  
21 teased you about cigarettes.

22 A. Aye. He did smoke.

23 Q. This other person actually provided you with cigarettes  
24 maybe because he took pity on you.

25 A. Aye. Well, that wee one that always done the hitting,

1           like, he must have knew that was a trigger point for me,  
2           you know, nicotine or what not, you know. I don't know,  
3           but he did hit me, like, a whole lot of times.

4    Q. Well, you don't have any particular memory of the  
5           routine at Lissue, but you do remember -- you don't even  
6           remember going to school, but you did remember that  
7           there was a cookery class and you used to make buns.  
8           You remember a teacher taking photographs of you with  
9           instant cameras.

10           I was showing you or reading out to you your school  
11           report. If we just look at that. 665, please. You  
12           will see this is quite a detailed school report on you,  
13           HIA251. We'll just scroll through. It talks about your  
14           maths skills, your project work, music, PE. I know you  
15           were very surprised to hear you engaged in any PE,  
16           because you didn't remember that.

17           "Pottery. Much pleasure derived from experimenting  
18           with and shaping the clay."

19           Then art and craft. You showed:

20           "... special ability in sketching, design work,  
21           drawing. ... good sense of colour and created very  
22           expert drawings and designs. Would enjoy using free  
23           activity periods on such assignments and always produced  
24           very accurate, true to life pictures. Attention paid to  
25           very fine detail."

1 I know from talking to you, HIA251, you later in  
2 life became a tattoo artist.

3 A. Uh-huh.

4 Q. So obviously the skills were there at a young age.

5 "Cookery. This subject gave HIA251 much pleasure.  
6 He baked such items as buns, scones, biscuits, sponge  
7 cake. He was quick to grasp methods and enthusiastic in  
8 all the work, including kitchen chores."

9 So you didn't even mind cleaning up after the  
10 cookery. You tell me you still can make buns to this  
11 day.

12 A. Aye. I'm good in the kitchen.

13 Q. Then I read out the general remarks that the teacher has  
14 written about you. She said that during the time you  
15 were in class she generally found you amenable, affable,  
16 cooperative, interested in improving your basic skills  
17 and enthusiastic in cooperative project work. You had  
18 the capacity to concentrate on given tasks until  
19 completed.

20 "Free activity periods were generally constructively  
21 used by practising sketching, designs or Lego building.  
22 There were, however, occasions when his behaviour would  
23 deteriorate. He would become argumentative, answer  
24 back, snigger, make derogatory statements directed at  
25 me, laugh/shout inappropriately and generally become

1 disruptive in the class. On some occasions he was  
2 removed from class to complete work in isolation on the  
3 ward. He would return, apologise and calmly settle  
4 again. Generally he was given extra work to complete  
5 for his misdemeanours and these tasks were  
6 satisfactorily carried out."

7 She goes on to say that your settled behaviour  
8 patterns greatly outweighed the unsettled ones and  
9 generally found you to be:

10 "... a trustworthy, likeable boy who could show  
11 respect, tolerance, was appreciative of rewards and  
12 privileges, and was on the whole popular with peers. He  
13 was responsive to teach and I enjoyed having him in my  
14 class."

15 That was a LS2 who signed that. I know you were  
16 surprised and pleased to hear those good comments about  
17 you, HIA251. Isn't that right?

18 A. Definitely. No-one ever says things like that to me,  
19 like.

20 Q. I think the word you used to me was you were chuffed.

21 A. I'm well chuffed. I think I should frame it.

22 Q. Well, paragraph 11, going back to your own statement, at  
23 page 032 you talk about you remember that as  
24 a punishment staff would put you in a room with children  
25 who were severely disabled.

1 "I know I had a behavioural issues, but I was not  
2 disabled. The staff would make me sit with these  
3 children for hours and I could not understand why.  
4 I thought that they were playing mind games with me and  
5 they were punishing me in some way. These children had  
6 special red chairs with sheepskin padding and I remember  
7 the chairs very clearly."

8 You said your mother came to see you regularly when  
9 you were at Lissue and she saw you were sitting with  
10 these children but couldn't understand why.

11 "I think it upset her."

12 You say you remember she tried to take you out of  
13 Lissue one day.

14 "We got as far as the front gate before a member of  
15 staff stopped us and I was sent back."

16 Now the only reference that we could find is at  
17 LIS615 that might suggest that you were taken into what  
18 the Inquiry knows was the Paediatric Unit, which was on  
19 the ground floor of Lissue, to sit with other children.  
20 If we look at that, please. That's 615. You will see  
21 here that you went in on 28th December. So this is  
22 about a week later. It's 3rd/4th January '86, which  
23 suggests that it is at night-time. It is said that you:

24 "Played with LS65 most of the evening hide and  
25 seek. Not at all pleased when asked to settle down

1 a bit when younger peers put to bed. Did settle to  
2 watch TV. Was given permission to watch the conclusion  
3 of programme after the news, but behaviour such that he  
4 was put to bed. Refused to settle. Disruptive. Spoken  
5 to firmly and taken downstairs to do time out to very  
6 good effect. Decided to go back to bed and not be in  
7 any further trouble. Slow to get to sleep. Allowed to  
8 read for some time. Asleep about 1.00 am."

9 Now it is not clear from that whether downstairs  
10 meant on to the ground floor or whether it meant -- we  
11 understand that the Psychiatric Unit had two floors,  
12 HIA251, but you remember being brought down to the  
13 ground floor.

14 A. Aye. It was the ground floor.

15 Q. I think you were describing to me that one of the --

16 A. It was a big thing like this and then you looked up and  
17 that was the fancy window, stained glass.

18 Q. The stained glass window from the ground floor that you  
19 looked up at?

20 A. Aye. Uh-huh. Aye, and you went into the door that way  
21 and then all the chairs were sitting and people in them  
22 and all.

23 Q. This is the only entry that seems to suggest that that  
24 might have been such an occasion, but you think -- you  
25 were telling me --

1 A. It was more than once.

2 Q. It happened more than once?

3 A. Aye, more than once.

4 Q. Paragraph 12 of your statement you talk about  
5 an incident which your own doctor said was most likely  
6 to be a medical examination, but you say that you wonder  
7 if anything happened to you when you were sedated for  
8 days.

9           You remember the food being okay in Lissue. That's  
10 at 033. You remember one day you were sent outside to  
11 shower, a very hot day. This may well have been the  
12 second period of time that you were in Lissue, because  
13 you were there over the summer, the second time that you  
14 were in. You were all lined up against the wall:

15           "... and they showered us with the outside watering  
16 hose. I remember the power of the hose was so strong we  
17 were scraped against the wall. The wall was rough and  
18 it nicked my skin. When they gave me soap or shampoo to  
19 wash, I remember it seeped into the cuts and stung my  
20 skin."

21           Again we have no record of that happening. Might it  
22 have been that t was a hot day and they were hosing you  
23 to play with you, do you think, and it was just a little  
24 bit powerful?

25 A. It was supposed to start off like that, but it was

1 a fireman's hose, like, at the back door. I do remember  
2 that. It was on a big wheel.

3 Q. Well, you go on to say in paragraph 14 that you ran away  
4 from Lissue frequently and police would find you and  
5 bring you back. You wanted to go back to your mother.  
6 You talk about a time when you ran back to Carnview and  
7 broke in to steal food from the kitchen. You were away  
8 for days before the children in Carnview saw you and  
9 staff alerted the police.

10 You go on to say that you would climb on to the roof  
11 in Lissue to find escape routes and the staff would call  
12 the police.

13 "On one occasion when I was attempting to escape  
14 I remember running down the lane from Lissue. A man we  
15 called the gateman chased after me. I must have fallen  
16 and the gateman grabbed me and pushed my face right down  
17 in a puddle of dirty water. I remember struggling and  
18 the two policemen and a member of staff ran over and  
19 pulled the gateman off me, but no report was ever made  
20 of it."

21 Now I am going to look at a couple of incidents, and  
22 we were talking about these earlier. The first of these  
23 is 14th May 1986. If we can look, please, at LIS21895,  
24 first of all. Now there's a lead-up to what is  
25 happening. If we can just scroll down a little bit,

1 please, until I find the actual -- you see here on 12th  
2 May you had absconded and the police were informed.  
3 Then you had been enticed by another child who it  
4 appears had left class following disruption in the  
5 classroom.

6 "They remained in the area until 1.00, when they  
7 left the hospital grounds. Attempts by staff to return  
8 them to ward up to this time were unsuccessful."

9 Then police are informed. Then there's a phone call  
10 on the night of 12th/13th:

11 "Phone call from the RUC to say they had been picked  
12 up in Greencastle. HIA251 very quiet. Trousers very  
13 dirty. Settled into bed quickly without a word. No  
14 details about escapade. [Something] attention given to  
15 him by staff. Put into bed quietly.

16 Joined in peer -- with other peers at social skills  
17 this afternoon."

18 Then on 13th May:

19 "Put into pyjamas today because of absconding  
20 yesterday. Restless at tea-table. Later sat and  
21 watched video.

22 13th/14th night. Sat quietly all evening watching  
23 a video and comparing ..."

24 MS DOHERTY: "... in company ..."

25 MS SMITH: Sorry.

1 "... in company of peers. No problem."

2 Then the next morning:

3 "Remained in pyjamas this morning and expressing a  
4 'couldn't care less' attitude. Trying to imitate other  
5 children and encourage them to misbehave. Peers  
6 attempted to put some pressure on HIA251 during morning  
7 meeting, but he turned a deaf ear to them. Went to  
8 class as usual, but left class at 9.30 am. I spoke to  
9 HIA251 in" -- I am not sure -- "venture area and he  
10 agreed to go back to class peaceably. There was no foul  
11 language or aggressive behaviour and HIA251 gave the  
12 impression he had been told he would be going to  
13 Rathgael and just couldn't wait to be there. Said he  
14 would stay in class and put up with it until the end of  
15 the week."

16 At 10.00 am it is reported that you and another boy,  
17 LS127, were on the bungalow roof.

18 "I designated staff to maintain a continuous  
19 surveillance of the area and some ..."

20 CHAIRMAN: "... and ensure ..."

21 MS SMITH: "... and ensure the children were within sight.

22 They alternately took instructions and acted  
23 accordingly. However, HIA251 and LS127 proceeded to  
24 vandalise the roof, aiming the [something] TV aerials  
25 and slates off the roof and create interior damage

1 through skylights, breaking windows throughout the  
2 building. No reasoning at all could encourage the  
3 children to cease. At times attacking staff with  
4 bricks, slates and panes of glass.

5 I informed LS128 , who was the Senior House  
6 Officer,

7 ."

8 If we can scroll on down, your social worker is  
9 told. The resident principal of Carnview was at Lissue  
10 for an appointment and told.

11 "However, the situation completely exacerbated  
12 beyond control."

13 He was keeping LS129 updated.

14 "Staff and children in building at risk. I ensured  
15 safety of same, taking all children to area of ward away  
16 from danger. Teaching staff assisted obligingly.  
17 Paediatric Unit, canteen, kitchen and domestic staff  
18 also advised to remain in building. Lisburn police  
19 informed at this stage, who relieved nursing staff  
20 surveying area. HIA251 and LS127 hurled slates and  
21 bricks at police, hitting and smashing the windscreen of  
22 a Fiesta car belonging to one of the domestics here. As  
23 this continued, police gradually re-directed children  
24 from the highest roof tot he area with less damage --  
25 danger." Sorry. "Both children jumped down and ran off

1 across fields. Police gave chase and returned them to  
2 the unit at 11.45."

3 Drs Nelson and McAuley, they tried to contact them  
4 but couldn't get them. They tried to contact Rathgael  
5 to enquire about the possibility of you going there, but  
6 there were no places there. If we can scroll on down,  
7 the various people were being contacted.

8 "On return to unit HIA251 displayed no remorse,  
9 smiling and giving -- generally apathetic to situation.  
10 Put to bed in observation room and observed currently by  
11 staff nurse."

12 That's reported by another staff nurse at 1.30 pm.

13 If we can then look, please -- can I just check what  
14 page reference that is? It is 900, is it? Go then to  
15 21902. You will see then you:

16 "... remained in bed under constant supervision from  
17 8.00 pm until 8.00 am. Presented no problem. Settled  
18 to sleep and slept sound throughout the night."

19 Then your parents were to be contacted:

20 "Continues to be observed on a one-to-one. In quiet  
21 form. This afternoon became quite restless, in and out  
22 of bed, having to be returned by staff. Very hostile  
23 when LS127 allowed down for family therapy. HIA251 got  
24 up from bed and attempted to put foot through window by  
25 kicking window. Returned to bed by staff where he

1 settled down again. Mood still very hostile."

2 Again:

3 "15th/16th. Remained in bed with constant  
4 supervision. Asked for Horlicks for supper drink as it  
5 makes him sleep. In quiet form. Asleep by 10.30."

6 You were telling me you did remember the Horlicks.

7 A. I do, aye.

8 Q. Then if we look, please -- if we can go to 21912, this  
9 is an evening report of 16th May:

10 "Spoken to by the Charge Nurse and myself. Very  
11 softly spoken and answered in monosyllables. Is very  
12 aware that his punishment is his own doing and any hurt  
13 he feels has been self-inflicted. Said he wished he had  
14 listened to myself and Staff Nurse LS44 on Wednesday  
15 morning before indulging in his riotous behaviour.  
16 However, no tears but rather demanding that he could  
17 join the other children and have his privileges  
18 returned. Tided up linen cupboard and appeared to enjoy  
19 doing so. Ate all his tea."

20 Then if we go to 21916, you will see here we have  
21 now reached 18/19th May:

22 "Needs to know the consequence -- there is  
23 a consequence for his action. It was suggested that  
24 a points system be established for him to earn his way  
25 back to the normal ward routine. Highly probable that

1 HIA251 will repeat last Wednesday's episode of climbing  
2 on to the roof and behaving very destructively. He  
3 needs a chance to prove himself. Plan of action needs  
4 to be made out in case there is a repeat of last  
5 Wednesday's behaviour."

6 Then, following discussion, it was decided that you  
7 were to remain on constant supervision until next  
8 Tuesday regardless of whether you remained in bed or  
9 were allowed up.

10 You were to get school work sent up to your room.

11 A points programme was to be formulated leading to  
12 gradual reintegration to full peer interaction being  
13 fully up by Friday.

14 "Continues to be observed by a nurse. Has been  
15 doing school work, which he has completed well. Has  
16 been allowed up for meals.

17 Remained in his room colouring in. No problem.  
18 Still continues to be observed by a nurse", on 21st.

19 "Had supper and returned to bed at 8.30.

20 Observation continued.

21 22nd. Can be manipulative but staff on the ball.  
22 Continues to be observed closely. Enjoyed TV tonight."

23 Then it is said you would have to earn your  
24 privileges back on 22nd May. That goes right through to  
25 21928. You are constantly on one-to-one observation for

1 a lot of this time, although there is some interaction  
2 with peers being shown.

3 As a result of what happened Dr McAuley devised  
4 a plan of action as to what should happen if you or  
5 indeed another child should go up on the roof again. If  
6 we look at 21772 -- if we can go back to the preceding  
7 page, please. It starts on the preceding page, the  
8 letter. This is a letter to the Nursing Officer in  
9 Lissue from Dr McAuley of 20th May. So after the  
10 incident on 14th May this is written, and it says:

11 "I understand that following an incident last week  
12 when this child and another child were on the roof of  
13 Lissue Hospital, at which time they did considerable  
14 damage, that the problem was discussed with Dr Nelson  
15 and it was agreed that HIA251 should in the meantime  
16 stay in Lissue. I understand that perhaps most  
17 importantly he should not be allowed to gain his  
18 objective of admission to Rathgael by extreme behaviours  
19 such as those mentioned above. At the moment he is  
20 being closely supervised but my own worry is that this  
21 can hardly be particularly productive in the long-term  
22 and therefore I record below a proposed plan of action  
23 which has been discussed with you and which I am now  
24 recommending should be put into action."

25 He goes on to give various points. He said that:

1            "If the child returns to the roof, then it is my  
2            opinion that his behaviour should be ignored. It would  
3            seem that it is far more dangerous to attempt to get the  
4            child down and, in fact, such efforts may meet with  
5            increasing levels of destructiveness and direct  
6            aggression. Further, any chase on the roof could result  
7            in either the child or staff members falling and  
8            seriously injuring themselves. During the period that  
9            the child is being ignored then it is my opinion that he  
10           should be observed from a distance by one member of  
11           staff, who does not in any way attempt to interact with  
12           the child and whose sole purpose is really to monitor  
13           the situation."

14           Then it goes on to describe that:

15           "Following any incident in which a child goes out on  
16           to the roof and later comes down, my opinion is that he  
17           should be given a tranquilliser in the immediate phase  
18           and this should hopefully also allow the situation  
19           created in the general ward to settle down. Following  
20           this then a programme in which the child earns his way  
21           out of his room should be instigated. This has already  
22           been discussed with staff at Lissue and I hope that they  
23           will take this as their responsibility to design."

24           So, in other words, Dr McAuley is leaving it up to  
25           the nursing staff to work out how you get back out of

1 your room:

2 "Very importantly I think that various people need  
3 to be informed about this course of action, mainly in  
4 view of its potentially serious nature."

5 He says who should be informed. He hopes that this  
6 course of action will help defuse the situation and deal  
7 with the problem if it recurs. Now we know, HIA251,  
8 that it did, in fact, recur and you climbed back up on  
9 the roof on 30th May 1986. If we look at 21929, and  
10 this is a record from 30th May '86:

11 "On coming on duty this morning I was informed by  
12 Staff Nurse ... (a member of the night duty staff) that  
13 HIA251 had once again managed to abscond on to the roof.  
14 He had been to the toilet accompanied by a staff nurse,  
15 who waited outside the door, and managed to squeeze  
16 through the small window in the toilet, from where he  
17 managed to gain access on to the roof before he could be  
18 apprehended by a member of staff.

19 On receiving this news I immediately put into  
20 operation the recommendations outlined in Mr --  
21 Dr McAuley's letter to LS8 of 20th May, which referred  
22 to the previous incident when a similar episode  
23 occurred.

24 I assigned a member of the nursing staff to keep  
25 HIA251 under observation from a safe distance.

1 I then instructed staff to ensure the safety of the  
2 children remaining in the unit and informed the  
3 remaining personnel in the unit of the situation."

4 If we can just scroll on down through this. I don't  
5 think we need to go into it in entire detail. Then  
6 moving cars away from the building. Then:

7 "I instructed members of the porting staff to block  
8 off access to the road."

9 Then he says who he tells about the incident. If we  
10 can just scroll on down through this quickly, please:

11 "I attempted to contact ..."  
12 various people. Then:

13 "These steps taken, I then arranged for the children  
14 remaining to have their schooling on the ward, as I did  
15 not want to expose them to unnecessarily -- unnecessary  
16 danger. I assigned further members of staff to help to  
17 monitor HIA251's movements on the roof without drawing  
18 attention to themselves or exposing themselves to  
19 danger.

20 Whilst HIA251 then embarked on an orgy of  
21 destruction, the members of nursing staff attempted to  
22 continue on the routine of the unit as best they could."

23 Dr McAuley was actually on site and Dr -- another  
24 doctor and they were told.

25 "They were insistent that HIA251 was to receive no

1 attention which might further aggravate the situation  
2 and were happy to leave the situation in the hands of  
3 nursing staff."

4 Then:

5 "After approximately three hours HIA251 moved off  
6 the main roof area on to the roof above the video  
7 viewing rooms and, with myself blocking his access back  
8 to the main roof, LS99 managed to trap him  
9 between us both. At this stage HIA251 jumped into  
10 an adjoining field and ran off across this towards the  
11 railway lines. LS99 immediately gave chase and  
12 managed to catch up with him on the railway lines before  
13 he was placed in any further danger and with the help of  
14 nursing staff returned back to the unit."

15 I am going to pause there, HIA251, to say that that  
16 might have been the caretaker whom you talked about,  
17 who, when he grabbed you, you said he put your face into  
18 water when you were talking about that in your  
19 statement.

20 A. Yes.

21 Q. "On return to the unit HIA251 was immediately put to bed  
22 and received 20mg of Diazepam intramuscularly by  
23 LS128, Senior House Officer, on Dr McAuley's  
24 instructions, giving us time to bring the unit back into  
25 a full routine.

1           A nurse was assigned to maintain constant  
2 supervision on HIA251 and a behaviour programme is to be  
3 re-instigated, allowing HIA251 to earn his way back out  
4 of bed and to full peer interaction.

5           The relevant disciplines were brought up-to-date on  
6 the situation and all information duly documented and  
7 relevant forms completed."

8           So that shows that you did, in fact, go back up on  
9 to the roof again. You were talking about being  
10 injected. Certainly on this occasion you were given  
11 Diazepam, which was a tranquilliser, which would have  
12 knocked you out effectively, HIA251.

13           Paragraph 15 of your own statement you talk about  
14 you remember staff dragging you into a particular room  
15 and giving you some medication, which knocked you out,  
16 and then you would remember waking up and being strapped  
17 to the bed again. That's at 034. You say that if you  
18 wake up now and you are facing the ceiling, you remember  
19 being in Lissue and you panic. You say it was  
20 a horrible and scary place. You will always remember  
21 the crows sitting round the building and the laneway.

22           You talk, HIA251, about going back to Carnview and  
23 then you ended up at Rathgael. You liked Rathgael. You  
24 went -- spent some time in Lisnevin and Crumlin Road and  
25 Hydebank. Again you have no complaint about the care

1 that you received in any of those institutions. Isn't  
2 that right?

3 A. Yes.

4 Q. You also describe your life after care in paragraphs 21  
5 and 22. In paragraph 23 unfortunately you became  
6 addicted -- dependent on drugs. You feel Lissue had  
7 a part to play in your later addiction, because you said  
8 that it contributed to that and messed your head up.  
9 You don't think it was right to strap you to a bed and  
10 sedate you the way they did in Lissue. To this day you  
11 have problems sleeping. We know that you had  
12 behavioural issues, but you don't think you were given  
13 the correct treatment.

14 "I should not have been put in with the other  
15 severely disabled children and I will never forget the  
16 incident where the gateman assaulted me."

17 HIA251, that is all I want to draw attention to the  
18 Inquiry in respect of your evidence and your records.  
19 Is there anything that we haven't said? I know I have  
20 done most of the talking, but is there anything  
21 I haven't said or that you want the Inquiry to know  
22 about your time in Lissue that you feel we haven't  
23 covered?

24 A. No.

25 Q. The other last question that we ask everyone is about

1 Inquiry recommendations. I know from talking to you  
2 about this that you yourself don't have any particular  
3 views as to what recommendations the Inquiry Panel  
4 should make. Is that right?

5 A. Yes.

6 Q. Okay. Well, thank you very much, HIA251. There is  
7 nothing more that I want to ask you, but the Panel  
8 Members may have some questions for you.

9 A. Okay.

10 Questions from THE PANEL

11 CHAIRMAN: HIA251, can I just ask you: do you remember being  
12 put in your pyjamas for long periods of time during the  
13 day?

14 A. No.

15 Q. You don't remember that at all?

16 A. No.

17 Q. There is a record that on one occasion you were actually  
18 sent to school in your pyjamas. That's the school on  
19 the premises. Do you remember anything like that?

20 A. No.

21 Q. You don't. In general terms, if I have followed what  
22 you are saying correctly, you are saying that you don't  
23 have a great many memories of what life was like in  
24 Lissue because you were sedated so much of the time. Is  
25 that broadly the position?

1 A. Yes. Aye. Yes, sir.

2 Q. Yes. Thank you very much.

3 MS DOHERTY: Thanks very much, HIA251. That has been  
4 helpful. Can I ask: did you share a room with other  
5 children or did you have your own bedroom?

6 A. No. They were the dorms with the big high ceilings like  
7 this. I was never allowed in them.

8 Q. You were never allowed in them; you were always kept in  
9 a single room to yourself?

10 A. Yes.

11 Q. When you talk about the straps, being strapped down, can  
12 you describe what the strap -- you know, where were they  
13 on your body?

14 A. On the side of the bed.

15 Q. You were lying in a bed and they were over the top of  
16 you?

17 A. No, I couldn't move my hands. No, I couldn't move my  
18 hands. There was never anything on my chest or  
19 anything, no --

20 Q. There was never anything on your chest. So --

21 A. -- or my feet.

22 Q. Or your feet. So it was just your hands that were  
23 strapped?

24 A. Aye, just the straps.

25 Q. Right, and that was strapped each side?

1 A. Uh-huh.

2 Q. Right. Strapped each side on each hand. Can I ask: you  
3 were saying it was unusual for children to spend time  
4 alone with a member of staff when you were talking about  
5 that wee girl, but did you ever have a key worker? Do  
6 you remember any one-to-one work with you and a member  
7 of staff?

8 A. No.

9 Q. No?

10 A. Just the doctor. That's all I remember really. Just  
11 one doctor.

12 Q. And would you have had sessions with your family when  
13 they came up? Would you meet with the doctor together?  
14 Do you remember that?

15 A. As far as I know, yes. As far as I know. That's where  
16 the video bit came from. That was the stepdad, talking  
17 to him, because I worked as a labourer for him in later  
18 life --

19 Q. Right.

20 A. -- so I did, and that's what he -- he told me it was  
21 a horrendous place, like.

22 Q. Okay. Well, thanks very much. The school report was  
23 excellent. I was --

24 A. I am rather chuffed with that.

25 Q. Yes, I am impressed as well. It was very good. Thank

1           you.

2   MR LANE: Was the roof easy to get on to?

3   A. I can't remember, sir.

4   Q. You can't remember?

5   A. I can't remember.

6   Q. There is talk about there being a bungalow. Was that  
7       round the back of the place or what? Do you remember?

8   A. Yes, that was out the back.

9   Q. Right.

10   A. That was out the back, and then if you were out the  
11       back, on your left-hand side would have been a big barn  
12       with hay in it.

13   Q. Uh-huh.

14   A. There was never no mention of that, me setting that on  
15       fire, is there, because that just dawned on me there,  
16       like. I lit that on fire, so I did.

17   Q. Uh-huh.

18   A. That was the day that we had gained entry into the wee  
19       bungalow. They couldn't find us, because we had climbed  
20       in through the window and were hiding in the bungalow.  
21       They couldn't find us.

22   Q. Right. Do you remember at all who it was who gave you  
23       the injections?

24   A. No.

25   Q. It was just a member of staff as far as you are

1 concerned.

2 A. Faces didn't change, no.

3 Q. Could have been a doctor or a nurse.

4 A. Faces didn't change. Know what I mean? What faces were  
5 there were there. I never noticed any difference in the  
6 change of staff.

7 Q. A couple of times you mentioned you thought they were  
8 playing mind games. What do you think they were trying  
9 to do with you?

10 A. Just teasing -- like teasing you with the cigarettes.  
11 You know what I mean, like?

12 Q. Uh-huh.

13 A. They would have left -- as I would say, the ashtrays  
14 would have had big nicks in it --

15 Q. Uh-huh.

16 A. -- you know, and then after getting a cigarette butt it  
17 was basically getting a light, but, sure, what other  
18 option did I have but to try to run away to get a match,  
19 if you know what I mean?

20 Q. So do you think they were trying to upset you in some  
21 way?

22 A. Aye. They were trying to get me to run away --

23 Q. Right.

24 A. -- trying to get me to go up on the roof, because it was  
25 easier for them, because, as it says, everybody was

1 locked up.

2 Q. Yes. Okay. Thank you very much.

3 CHAIRMAN: Well, HIA251, you will be glad to hear that's the  
4 last question we want to ask you today.

5 A. Thank you, sir.

6 Q. Thank you very much for coming to speak to us.

7 A. Thank you. Thank you. Thank you.

8 (Witness withdrew)

9 MS SMITH: Chairman, we have not actually concluded the  
10 Lissue module, as Miss Fionnuala McAndrew from the  
11 Health & Social Care Board has to address a particular  
12 issue in respect of it --

13 CHAIRMAN: Yes.

14 MS SMITH: -- but we will deal with that when she gives her  
15 evidence in the governance and finance aspect of the  
16 Inquiry.

17 CHAIRMAN: Yes. Well, because of this difficulty about  
18 receiving the statement that has to be signed off by the  
19 Minister, we will endeavour to sit tomorrow, but the  
20 circumstances may not make that possible. We will keep  
21 everybody informed during the course of the day.

22 (11.15 am)

23 (Hearing adjourned until 10.00 tomorrow morning)

24 --ooOoo--

25

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